



July 16, 2021

## ARP ESSER Funds: Basics and Uses

### What You Need to Know to Advocate for Best Practices in Your LEA

***This information is background on ARP ESSER Funding Amounts and Acceptable Uses. Local leaders should contact their UniServ Representative for specific advice and guidance on ARP ESSER Funding issues in their LEA.***

The American Rescue Plan (ARP) of 2021 provides Pennsylvania with nearly \$4.5 billion of Elementary and Secondary School Emergency Relief funds for eligible expenses between March 13, 2020, and September 30, 2024. PA allocated 90 percent of these funds to LEAs, which are required to create a detailed plan for ARP ESSER Fund usage similar to plans used in Comprehensive Planning and School Improvement Planning. ***Federal and state policies require all LEAs to engage in consultation with stakeholders, “including, but not limited to... educators, school staff and their unions” during this planning process<sup>1</sup>.***

This *Advisory* addresses basic elements of ARP ESSER Fund distribution, requirements, and allowable expenses to help members, union leaders, and union staff advocate for appropriate use of ARP ESSER funds at the LEA level.

### How Much Money Are We Talking About?

Pennsylvania received \$4,996,953,151 of ARP ESSER Funds from the federal government of which:

#### **Up to 10% (\$499,695,315) can be used at the state level.**

- At least 5% (\$249,847,658) must be used to address the academic impacts of lost instruction time,
- At least 1% (\$49,969,532) must be used for after-school programming,
- At least 1% (\$49,969,532) must be used for summer enrichment programming,
- No more than 0.5% (\$24,984,766) can be spent on administrative costs, and
- The remainder (\$124,923,829) can be used for any ARP ESSER allowable expense per [USDE](#).

#### **The remaining funds (\$4,497,257,836) will be distributed among LEAs in the state<sup>2</sup>.**

- Each LEA must use at least 20% of the locally allocated funds to address the academic impacts of lost instructional time during the COVID-19 pandemic.
- The remaining 80% can be spent on any ARP ESSER allowable expenses per [USDE](#) and [PDE](#).

### Are There Any Special Requirements to Receive ARP ESSER Funds?

Recipients of ARP ESSER funds are subject to maintenance of effort and maintenance of equity requirements to ensure states continue their typical education funding and that both states and LEAs work to equitably distribute state and local education resources. At the state level, this means that annual state education funding must meet at least the average investment from FYs 2016–17, 2017–18, and 2018–19. Additional restrictions apply to ensure maintenance of effort and equity in high-need and high-poverty LEAs. Protections also ensure that an LEA maintains effort and equity within its higher poverty schools, including protections of staffing levels.<sup>3</sup>

### What Do I Need to Know About LEA Funding?

Generally, funds must be used to meet needs stemming from the COVID-19 pandemic and where possible should, “specifically address the disproportionate impact of COVID-19 on certain groups of students.” PDE suggests that LEAs plan for both school and LEA-wide activities based on student needs. Each LEA must submit a plan to PDE describing its use of ARP ESSER funds which must also be posted publicly on the LEA website. In the development of this plan, LEAs must, “engage in meaningful consultation with stakeholders and allow the public to provide input.” These stakeholders, “include, but are not limited to, students, families, school and district administrators (including special

education administrators), teachers, principals, school leaders, other educators, school staff, and their unions." ***It is required that your LEA consult with educators, school staff, and their unions when determining how to use ARP ESSER funds to meet local needs. Local leaders should ensure union leaders are meaningfully consulted during the planning process and assert the union's role as the exclusive representative of "educators".***

LEAs must apply at least 20 percent of the funding toward **addressing the academic impact of lost instructional time**. This should be included in their funding plans. When planning, LEAs are encouraged to document consultation with [PDE's Evidence Resource Center](#) (ERC); however, only [schools identified for supports and improvements](#) through ESSA are required to include this documentation in the plan. Plans must focus on learning acceleration rather than remediation. According to PDE: "Accelerated learning concentrates on providing instruction to students in their grade-level curriculum with built-in opportunities to capture any missed skills or content from the previous year." Acceleration focuses on keeping up rather than catching up, essential skills rather than missed curriculum, and vertical curricular alignment rather than drilling of isolated skills.

Use of the remaining LEA funds must also be planned with the prioritization of, "safely reopening schools for in-person instruction, safe in-person operations, advancing educational equity, and building capacity." LEAs can provide in-house services or contract with outside agencies but cannot provide subgrants. Detailed, but not exhaustive, descriptions of allowable funding uses are available from [USDE](#) and [PDE](#).

PDE organizes allowable uses of LEA ARP ESSER funds into major categories as follows:

Safe, In-Person Schooling and Continuity of Services. Preparedness measures, training, health protocols, planning for any potential closings, cybersecurity.

Facilities and Grounds Upgrades. Air quality improvements, reduction of environmental health hazards, ADA updates, plumbing for safe drinking water, outdoor classroom and eating spaces, facilities upgrades necessary for student return (with PDE approval)

Social-Emotional Learning, Trauma-Sensitive Schools, Health & Wellness. Mental health supports for students and staff, mental health screenings, restorative practices implementation, policy/practice to reduce exclusionary discipline, positive and supportive learning environments

Staff Recruitment, Support, and Retention. New teacher leader roles, staff maintenance, professional training, innovative staffing models, community school development, diversifying the workforce, retention bonuses in high-need subjects, improving working conditions. ***NOTE: LEAs are encouraged to plan for sustainable hiring as funds must be obligated by September 30, 2024.***

Academic Recovery and Acceleration. Educational technology, books, supplies, play equipment, Summer Bridge programming, summer learning, supplemental after-school programming, extended school day or year, LEA-sponsored PreK and ECE, truant student connection, assessments, creating individual learning plans, tutoring, curriculum development, CCR programming

Systemic Equity. Equity audits and analysis, structural changes to enhance equity, MTSS, address specific population needs, increasing opportunities for underserved youth, culturally responsive curriculum, bias, and privilege training

Family and Community Partnerships. Family collaboration to address learning loss, home visits, connections through games, projects, discussions, wraparound supports and services, community school development, asset map creation

## **For More Information**

For more information about local and member involvement in local ARP ESSER funding decisions, please contact your PSEA Uniserv Representative. For more information on how local ARP ESSER funding decisions apply to supports for teaching and learning, please contact Gina Gullo in PSEA's Education Services Division [GGullo@Gmail.com](mailto:GGullo@Gmail.com).

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<sup>1</sup> This and all other quotations in this document are taken from [PDE's ARP ESSER Guidebook](#).

<sup>2</sup> Planned allocations are detailed on the [PDE Website](#).

<sup>3</sup> LEAs are exempt if they have fewer than 1,000 students, consist of only one school, serve all students in each grade span in a single school, or demonstrate an exceptional or uncontrollable circumstance as determined by the US Secretary of Education.