

ESSER Fund Purchases

Bidding, Reporting, and Record Keeping

Federal Statement of Intent

The United States Department of Education (“USDE”) has defined the intent of all three ESSER grants as: to prevent, prepare for, or respond to the COVID-19 pandemic, including its impact on the social, emotional, mental health, and academic needs of students.

District/Charter Plans

Required by ESSER

ARP ESSER III awards require the preparation of two distinct district plans (ESSER I and ESSER II have no plan requirements):

1. District Use of Funds Plan (submit to SDE no earlier than 90 days from receipt of ARP ESSER award); and
2. District Safe Return to In-Person Instruction and Continuity of Services Plan (make public no later than 30 days after receiving ARP ESSER funds).

[Note – preparation of these plans may be funded with ESSER funds.]

The requirements of these plans are summarized below:

District Use of Funds Plan

Following are the characteristics of the District Use of Funds Plan:

Districts must engage in meaningful consultation with stakeholders and give the public an opportunity to provide input in the development of its plan for the uses of ARP ESSER III funds.

Districts must specifically engage in meaningful consultation with students; families; school and district administrators; and teachers, principals, school leaders, other educators, school staff, and organizations and stakeholders representing the interests of children with disabilities, English language learners, children experiencing homelessness, children in foster care, migrant students, incarcerated children, and other underserved students.

The plan must be in an understandable and uniform format; to the extent practicable, written in a language that parents can understand or, if not practicable, orally translated; and, upon request by a parent who is an individual with a disability, provided in an alternative format accessible to that parent.

At a minimum, the plan must include a description of:

1. The extent to which and how the funds will be used to implement prevention and mitigation strategies that are, to the greatest extent practicable, consistent with the most recent CDC guidance on reopening schools, in order to continuously and safely open and operate schools for in-person learning.
2. How the district will use the funds it reserves under the ARP Act to address the academic impact of lost instructional time through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year; and how it will spend its remaining ARP ESSER funds consistent with Act.
3. How the district will ensure that the interventions it implements, including but not limited to the interventions to address the academic impact of lost instructional time, will respond to the academic, social, emotional, and mental health needs of all students, and particularly those students disproportionately impacted by the COVID–19 pandemic, including students from low-income families, students of color, English learners, children with disabilities, students experiencing homelessness, children in foster care, and migratory students.

District Safe Return to In-Person Instruction and Continuity of Services Plan

Following are the characteristics of the District Safe Return to In-Person Instruction and Continuity of Services Plan:

First, the district’s plan must include how it will maintain the health and safety of students, educators, and other school and LEA staff, the extent to which it has adopted policies, and a description of any such policies on each of the CDC’s safety recommendations.

The current CDC recommendations include:

- universal wearing of masks by unvaccinated persons when indoors – not required when outside;
- modifying facilities to allow for physical distancing (e.g., use of cohorts/podding);
- handwashing and respiratory etiquette;
- cleaning and maintaining facilities;
- including improving ventilation;
- contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments;
- diagnostic and screening testing;
- efforts to provide vaccinations to school;
- appropriate accommodations for children with disabilities with respect to health and safety policies; and
- coordination with State and local health officials.

Second, the plan must describe how the district will ensure continuity of services, including but not limited to services to address students' academic needs and students' and staff social, emotional, mental health and other needs, which may include student health and food services.

The plan must also be reviewed and, as appropriate, **revised every six months until September 30, 2023**, including stakeholder input and public comment. If the LEA revises its plan, the revised plan must address each of the aspects of safety currently recommended by the CDC at the time of the revision or, if the CDC has updated its safety recommendations at the time the LEA is revising its plan, each of the updated safety recommendations.

A plan is required of all districts, including those who have already returned to in-person instruction. A District that developed a plan prior to enactment of the ARP Act that meets the requirements for stakeholder input and public comment, and is posted to the LEA's website, but does not address each of the required aspects of safety recommended by CDC, as part of the required 6-month periodic review must revise its plan consistent with these requirements no later than six months after it last reviewed its plan. Since most districts developed their initial plans in the fall, if they have not been reviewed in the past six months, the plan must be reviewed and revised at this time.

All plans must be in an understandable and uniform format; to the extent practicable, written in a language that parents can understand or, if not practicable, orally translated; and, upon request by a parent who is an individual with a disability, provided in an alternative format accessible to that parent.

General Procurement Standards
(2 CFR §§200.317 to 200.327)

Competitive Procurement:
Requests for Bids and Requests for Proposals