**ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF under the coronavirus aid, relief, and economic security act (esser ii)**

**APPLICATION**

The Kansas State Department of Education (KSDE) has developed this application to gather the information necessary to ensure ESSER II plan compliance with state and federal law and report on the use of ESSER II funding. Please complete all required questions in the application form as well as the application template provided for download. The window for application submission will begin March 24, 2021. **Please note – applications will be reviewed by the Commissioner’s Task Force in recorded public meetings, and all information entered in the application is subject to public disclosure.**

If any questions arise as you fill in the application, please review our FAQ materials or reach out to the ESSER application team at [ESSER@KSDE.org](mailto:ESSER@KSDE.org).

**Part A: Basic District Information**

1. **Full District Name** (Short text answer)**:**
2. **District Number** (Short numeric response)**:**
3. **Mailing Address**
   1. Street Number and Name (Short text response):
   2. City (Short text response):
   3. Zip Code (Short numeric response):
4. **Authorized Representative of the District**
   1. Name (Short text response):
   2. Position/Title (Short text response):
   3. Email address (Short text response):
   4. Phone number (Short text response):
5. **Other District Representatives**

All official communication (including general communications across applications) will be directed to the district's authorized representative. KSDE will, to the best of its ability, include the additional contact in district-specific communications (e.g., clarification questions or application comments).

* 1. (Optional) Email address 1 (Short text response):
  2. (Optional) Email address 2 (Short text response):

**PART B: COVID-19 Impact and ESSER I Funding**

**Impact of COVID-19**

1. Please briefly describe the impacts of COVID-19 on the district and its Pre-K through 12 students, including any relevant data where possible (e.g., cost impact, learning loss, emotional impact on students). If there has been a disproportionate impact on a special population in the district (e.g., students with disabilities, English Learners, students in foster care, students in poverty, etc.), please describe the impact and provide the number of Pre-K through 12 students in that population (free response, 250 word limit).

**Plan for remaining ESSER I funding**

1. Does the district have remaining ESSER I funding that it has not yet spent as of the date of ESSER II application submission? (Yes/No)
2. If applicable, please summarize how the district will use its remaining ESSER I and ESSER I SPED funding and what it hopes to accomplish with these funds (free response, 200 word limit).

**Note:** The summary of remaining ESSER I plan is for context only; Task Force approval is not needed for further ESSER I drawdowns.

**PART C: Plan for Use of ESSER II Funds**

**Please review the following allowable uses of ESSER II funds before completing the narrative and Excel template portion of the application.**

(1) Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C.1400 et seq.) (‘‘IDEA’’), the Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) (‘‘the Perkins Act’’), or subtitle B of title VII of the McKinney-December 21, Vento Homeless Assistance Act (42 U.S.C. 11431 et2 seq.).

(2) Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.

(3) Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.

(4) Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.

(5) Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.

(6) Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.

(7) Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.

(8) Planning for, coordinating, and implementing activities during long-term closures, including providing meals to eligible students, providing technology for online learning to all students, providing guidance for carrying out requirements under the IDEA and ensuring other educational services can continue to be provided consistent with all Federal, State, and local requirements.

(9) Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and children with disabilities, which may include assistive technology or adaptive equipment.

(10) Providing mental health services and supports.

(11) Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, children with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

(12) Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency, including by— (A) Administering and using high-quality assessments that are valid and reliable, to accurately assess students’ academic progress and assist educators in meeting students’ academic needs, including through differentiating instruction. (B) Implementing evidence-based activities to meet the comprehensive needs of students. (C) Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment. (D) Tracking student attendance and improving student engagement in distance education.

(13) School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs.

(14) Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.

(15) Developing strategies and implementing public health protocols for the reopening and operation of school facilities.

(16) Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency.

**Please note:** "Developing strategies and implementing public health protocols for the reopening and operation of school facilities," identified as an allowable use under ESSER III in the American Rescue Plan, is also permissible under ESSER II.

**Plan for ESSER II direct district allocation**

1. Please summarize how the district proposes using its ESSER II direct district allocation (and its KSDE per-student additional allocation, if applicable) to address incremental COVID-19 needs (free response, 300 word limit).
2. How will the district determine the impact of its ESSER II direct district allocation expenditures (and additional per-student allocation, if applicable) on students? (free response, 150 word limit)?
3. Please download and complete the ESSER II application template here to provide details on ESSER II budgeted expenditures across allowable uses and KSDE accounting codes (file upload).

**Please note:**

* Plans and budgets should be submitted for at least a 12 month period but do not need to account for the full duration of the program or the full allocation amount. Funds will remain accessible to the LEA until September 30, 2023 and there will be additional opportunities to submit further requests/plans in the future.
* Following ESSER II application approval and initiation of funds draw down, districts will be required to report to the Commissioner’s Task Force on ESSER II expenditures and impact on a monthly basis throughout the program. This ESSER II reporting will be required as a part of regular ESSER program reporting, which will capture past expenditures across funding streams (ESSER I, ESSER I SPED, ESSER II, ESSER II SPED, ESSER II KSDE Per Student Allocation). Districts may be asked to provide expenditures by fund, function, object, account, and ESSER II allowable use as part of ongoing ESSER reporting.
* This reporting will not replace any reporting required by the federal government. KSDE will work to maximize compatibility between its reporting requirements and those of the federal government as much as possible to minimize burden on districts.

The below question will be a required component of the application once KSDE has publicly shared ESSER II SPED allocations by district; until then, **districts should not provide an answer to this question or supply budgeted expenditure data for ESSER II SPED.**

**Plan for ESSER II SPED**

1. Please provide an overview of the district’s ESSER SPED plan, including:
   1. COVID-19 impacts on the district’s students with disabilities,
   2. how the district has spent its ESSER I SPED allocation and what it accomplished,
   3. how the district proposes using ESSER II SPED funding to address COVID-19 need across the 15 allowable use categories, and
   4. how it will determine the impact of its funding on students with disabilities within the district.

**Note:** All districts (including districts that are members of Special Education Cooperatives) will need to provide a description of how their district's specific SPED allocation will be spent.

(Free response, 250 word limit)

**Part C: Assurances**

**Local Education Agency (LEA) ASSURANCES**

**Section I. General Grant Assurances for Federal Funds**

**Throughout the period of the grant award, the LEA will comply with all requirements of:**

The LEA will make a good faith effort, on a continuing basis, to maintain a drug-free workplace, in accordance with the measures in 34 CFR Part 84, Subpart B and the Drug-Free Workplace Act of 1988;

The Education Department General Administrative Regulations (EDGAR) 34 CFR 76 requirements, including:

1. CFR §76.500(a)   Federal statutes and regulations on nondiscrimination.
2. A State and a subgrantee shall comply with the following statutes and regulations:

|  |  |  |
| --- | --- | --- |
| Subject | Statute | Regulation |
| Discrimination on the basis of race, color, or national origin | Title VI of the Civil Rights Act of 1964 (45 U.S.C. 2000d through 2000d-4) | 34 CFR part 100. |
| Discrimination on the basis of sex | Title IX of the Education Amendments of 1972 (20 U.S.C. 1681-1683) | 34 CFR part 106. |
| Discrimination on the basis of handicap | Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) | 34 CFR part 104. |
| Discrimination on the basis of age | The Age Discrimination Act (42 U.S.C. 6101 *et seq.*) | 34 CFR part 110. |

(b) A State or subgrantee that is a covered entity as defined in §108.3 of this title shall comply with the nondiscrimination requirements of the Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 CFR part 108.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

[45 FR 22497, Apr. 3, 1980. Redesignated at 45 FR 77368, Nov. 21, 1980, as amended at 71 FR 15002, Mar. 24, 2006]

34 CFR §76.650   Private schools; purpose of §§76.651-76.662.

(a) Under some programs, the authorizing statute requires that a State and its

subgrantees provide for participation by students enrolled in private schools. Sections 76.651-76.662 apply to those programs and provide rules for that participation. These sections do not affect the authority of the State or a subgrantee to enter into a contract with a private party.

(b) If any other rules for participation of students enrolled in private schools apply under a particular program, they are in the authorizing statute or implementing regulations for that program.

(Authority: 20 U.S.C. 1221e-3 and 3474)

34 CFR §76.700   Compliance with statutes, regulations, State plan, and applications.

A State and a subgrantee shall comply with the State plan and applicable statutes, regulations, and approved applications, and shall use Federal funds in accordance with those statutes, regulations, plan, and applications.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

34 CFR §76.701   The State or subgrantee administers or supervises each project.

A State or a subgrantee shall directly administer or supervise the administration of each project.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

34 CFR §76.702   Fiscal control and fund accounting procedures.

A State and a subgrantee shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

34 CFR §76.709   Funds may be obligated during a “carryover period.”

(a) If a State or a subgrantee does not obligate all of its grant or subgrant funds by the end of the fiscal year for which Congress appropriated the funds, it may obligate the remaining funds during a carryover period of one additional fiscal year.

(b) The State shall return to the Federal Government any carryover funds not obligated by the end of the carryover period by the State and its subgrantees.

(Authority: U.S.C. 1221e-3, 1225(b), and 3474)

[45 FR 22517, Apr. 3, 1980. Redesignated at 45 FR 77368, Nov. 21, 1980, as amended at 45 FR 86296, Dec. 30, 1980. Redesignated at 60 FR 41295, Aug. 11, 1995]

34 CFR §76.722   Subgrantee reporting requirements.

A State may require a subgrantee to submit reports in a manner and format that assists the State in complying with the requirements under 34 CFR 76.720 and in carrying out other responsibilities under the program.

(Authority: 20 U.S.C. 1221e-3, 1231a, and 3474)

[72 FR 3703, Jan. 25, 2007]

34 CFR §76.730   Records related to grant funds.

A State and a subgrantee shall keep records that fully show:

(a) The amount of funds under the grant or subgrant;

(b) How the State or subgrantee uses the funds;

(c) The total cost of the project;

(d) The share of that cost provided from other sources; and

(e) Other records to facilitate an effective audit.

(Approved by the Office of Management and Budget under control number 1880-0513)

(Authority: 20 U.S.C. 1232f)

[45 FR 22517, Apr. 3, 1980. Redesignated at 45 FR 77368, Nov. 21, 1980, as amended at 53 FR 49143, Dec. 6, 1988]

34 CFR §76.731   Records related to compliance.

A State and a subgrantee shall keep records to show its compliance with program requirements.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

The Uniform Grant Guidance, 2 CFR §200 all applicable subrecipient requirements, including but not limited to:

2 CFR Subpart D – Post Federal Award Requirements

§200.302   Financial management.

§200.303   Internal controls.

§200.305   Payment.

§200.313   Equipment.

§200.314   Supplies.

§200.318   General procurement standards.

§200.320   Methods of procurement to be followed;

2 CFR 200 Subpart E: Cost Principles:

§200.403   Factors affecting allowability of costs.

§200.404   Reasonable costs.

§200.405   Allocable costs.

§200.413   Direct costs.

§200.415   Required certifications.

§200.430   Compensation—personal services.

The Debarment and Suspension, 34 CFR Part 85, Section 85.510, Participants’ Responsibilities and makes the following certification by signing this application:

The prospective lower-tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

Where the prospective lower-tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 for such failure.

**Section II. Specific Elementary and Secondary School Emergency Relief (ESSER) Grant Assurances**

The LEA assures that funds shall only be used for any of the following:

1. *Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) (‘‘IDEA’’), the Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) (‘‘the Perkins Act’’), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).*
2. *Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.*
3. *Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.*
4. *Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.*
5. *Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.*
6. *Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.*
7. *Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.*
8. *Planning for and coordinating during long-term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq.) and how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements.*
9. *Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.*
10. *Providing mental health services and supports.*
11. *Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.*
12. *Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency, including by— (A) Administering and using high-quality assessments that are valid and reliable, to accurately assess students’ academic progress and assist educators in meeting students’ academic needs, including through differentiating instruction. (B) Implementing evidence-based activities to meet the comprehensive needs of students. (C) Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment. (D) Tracking student attendance and improving student engagement in distance education.*
13. *School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs.*
14. *Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.*
15. *Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency.*

Throughout the period of the grant award, the LEA shall comply with all applicable requirements of the Elementary and Secondary School Emergency Relief (ESSER) authorized by the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA), including:

***CONTINUED PAYMENT TO EMPLOYEES***

*SEC. 18006. A local educational agency, State, institution of higher education, or other entity that receives funds under ‘‘Education Stabilization Fund’’, shall to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus.*

**Certification**

To the best of my knowledge and belief, all the information and data in this agreement are true and correct. I acknowledge and agree that the failure to comply with all Assurances and Certifications in this Agreement, all relevant provisions and requirements of the CARES Act, Pub. L. No. 116-136 (March 27, 2020), or any other applicable law or regulation may result in liability under the False Claims Act, 31 U.S.C. § 3729, et seq.; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and 18 USC § 1001, as appropriate.

1. Name of Authorized Representative of the District:
2. Signature of Authorized Representative of the District:
3. Date: