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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Rebecca Feiden, Executive Director
SUBJECT: American Rescue Plan Act of 2021
DATE: April 23, 2021

Background

The American Rescue Plan Act of 2021 (ARP) was signed into law on March 11, 2021 and includes numerous provisions aimed at responding to the COVID-19 pandemic and providing relief to address its impacts. Among these provisions is the allocation of \$122 billion to the ARP Elementary and Secondary School Emergency Relief (ARP ESSER) Fund to be used to “help safely reopen and sustain the safe operation of schools and address the impact of the coronavirus pandemic on the Nation’s students.”¹ While there are many similarities between the ARP ESSER funds and the previously allocated ESSER I and ESSER II funds, there are a few key differences:

- **Each LEA must use at least 20% of funds** to “address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus” on certain student subgroups, including children from low-income families, children with disabilities, English learners, migrant students, students experiencing homelessness, and children and youth in foster care.² **Remaining funds** can be used for a “wide range of activities to address needs arising from the coronavirus pandemic, including any activity

¹ <https://oese.ed.gov/offices/american-rescue-plan/american-rescue-plan-elementary-and-secondary-school-emergency-relief/>

² See Section 2001(e)(1) of the American Rescue Plan

authorized by the ESEA, the Individuals with Disabilities Education Act (IDEA),”³ as well as numerous other purposes such as school facility repairs and improvements, training and professional development for staff on sanitation and minimizing the spread of infectious diseases, providing mental health services and supports, and many others.

- As a condition of receiving funding, each Local Education Agency (LEA) must, within 30 days of receiving the ARP ESSER allocation, develop and post a plan for the “safe return of in-person instruction and continuity of services.” The LEA is also required to seek public comment on the plan and take any comments into account in the development of the plan.⁴
- Additionally, guidance from the Nevada Department of Education dated April 8, 2021 indicates that “the application for ARP ESSER funds will require LEAs to describe:
 - 1) A comprehensive strategy to address learning loss and advance equity for all students;
 - 2) The stakeholder engagement process that led to a consensus-driven expenditure plan; and
 - 3) Detailed information on how available funding will be used to close opportunity gaps and meet the needs of students who are traditionally underserved and/or most negatively impacted by the COVID-19 pandemic.”

Additional information regarding ARP ESSER and similarities and differences to ESSER I and ESSER II can be found here: https://oese.ed.gov/files/2021/03/FINAL_ARP-ESSER-FACT-SHEET.pdf

SPCSA Actions to Meet Requirements for ARP ESSER Funds

To meet the requirements for the use of ARP ESSER Funds as outlined by the ARP and guidance from the Nevada Department of Education, the SPCSA is

- 1) Soliciting feedback and input from the Authority on the attached *Plan for the Safe Return of In-Person Instruction and Continuity of Services*, which incorporates the reopening plans developed by SPCSA-sponsored schools, and priorities for the use of ARP ESSER Funds.
- 2) Soliciting public comment on the attached *Plan for the Safe Return of In-Person Instruction and Continuity of Services*, which incorporates the reopening plans developed by SPCSA-sponsored schools, and priorities for the use of ARP ESSER Funds. Public comment can be provided during the board meeting today as well as through a survey on the SPCSA’s website which will remain open through May 7, 2021:
<https://charterschools.nv.gov/>

In addition, once the Nevada Department of Education releases the application for the ARP ESSER funds, the SPCSA will require all sponsored schools to incorporate into their grant applications information requested from NDE, such as those items outlined in the April 8, 2021 guidance.

³ https://oese.ed.gov/files/2021/03/FINAL_ARP-ESSER-FACT-SHEET.pdf

⁴ See Section 2001(i) of the American Rescue Plan