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MLC

Frank Edelblut  
Commissioner



Christine M. Brennan  
Deputy Commissioner

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
25 Hall Street  
Concord, N.H. 03301  
TEL (603) 271-3495

October 27, 2022

The Honorable Karen Umberger, Chairman  
Fiscal Committee of the General Court  
State House  
Concord, New Hampshire 03301

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

Pursuant to RSA 14:30-a, VI, authorize the Department of Education (NHED) Division of Learner Support, to amend the Governor’s emergency authorization granted under RSA 21-P:43; RSA 4:45; RSA 4:47; and Executive Order 2020-04, as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17, 2020-18, 2020-20, 2020-21, 2020-23, 2020-24, 2020-25, and 2021-01 approved by the Governor on January 30, 2021 to accept and expend Coronavirus Response and Relief and Supplemental Appropriations (CRSSA) Act, Elementary and Secondary School Emergency Relief Funds (ESSER II) in the amount of \$156,065,807 from the United States Department of Education. NHED seeks to reallocate funds between classes in the amount of \$429,525 for the purpose of allocating funds to NH public and chartered public schools for after school and summer programming opportunities, upon approval of the Fiscal Committee of the General Court and Governor and Council approvals through June 30, 2023. 100% Federal Funds.

Funds from ESSER II-CRRSA Act 2021 to be budgeted as follows:

**Elementary and Secondary Emergency Relief Funds (ESSER II)**

Account: 06-56-56-562010-19580000

Class	Object	Description	Adjusted Authorized FY23 Budget	Requested Action	Adjusted FY23 Budget
<u>Revenue</u>					
000	400374	Federal Funds	(101,450,135)		(101,450,135)
<u>Expenditures</u>					
020	500200	Current Expenses	8,344		8,344

The Honorable Karen UMBERGER, Chairman  
Fiscal Committee of the General Court

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027	582703	Transfers to DOIT	8,933		8,933
028	582814	Transfers to General Service	7,425		7,425
029	500290	Intra-Agency Transfers	66,846		66,846
030	500301	Equipment New Replacement	300		300
037	500173	Technology Hardware	5,006		5,006
038	500177	Technology Software	700		700
039	500190	Telecommunications	3,541		3,541
040	500800	Indirect Costs	13,852		13,852
041	500801	Audit Fund Set Aside	155,918		155,918
042	500620	Additional Fringe Benefits	4,641		4,641
050	500109	Personal Service Temp	43,873		43,873
059	500177	Temp Full Time	68,723		68,723
060	500601	Benefits	31,802		31,802
070	500710	In State Travel Reimbursement	1,100		1,100
072	500557	Grants Federal	97,906,635	429,525	98,336,160
080	500710	Out of State Travel	3,250		3,250
102	500731	Contracts for Program Services	3,119,248	(429,525)	2,689,723
		Total Expenditures	101,450,135		101,450,135

### EXPLANATION

The Department of Education obtained approval under the Governor's emergency order to receive funds from the Coronavirus Response and Relief and Supplemental Appropriations (CRSSA) Act, Elementary and Secondary School Emergency Relief Funds (ESSER II) in the amount of \$156,065,807 from the United States Department of Education to subgrant funds to local education agencies (LEAs) for allowable activities to respond to the COVID-19 pandemic. The purpose of the funding is to provide direct money to LEAs to assist in safely reopening schools, measuring and effectively addressing significant learning loss, and taking other actions to respond to the impact of COVID-19 on educators, students, and families.

The CRRSA Act ESSER II funding has the same allowable activities as the CARES Act ESSER I funds, but specifically identifies three (3) activities; these activities are marked with an asterisk (\*). LEAs may use their CRRSA Act ESSER II funding on the following allowable activities:

1. Activities authorized under the federal Every Student Succeeds Act (ESSA), the Individuals with Disabilities Education Act (IDEA), the Carl D. Perkins Career and Technical Education Act of 2006, the McKinney-Vento Homeless Assistance Act, or the Adult Education and Family Literacy Act.
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.

The Honorable Karen Umberger, Chairman  
Fiscal Committee of the General Court

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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.

*Note that the USED generally does not consider the following to be an allowable use of ESSER funds:*

- 1) Subsidizing or offsetting executive salaries and benefits of individuals who are not employees of the SEA or LEAs; or*
- 2) Expenditures related to state or local teacher or faculty unions or associations.*

NHED would like to be able to move funds from class 102 for contracted services to class 072 for grants federal so that the department can allocate funds, through a competitive grant application process, to NH public and public chartered schools for the Beyond School Enrichment Opportunity Grant. This grant is for schools to establish enrichment programming, including before, after school and summer enrichment programming opportunities for students in K-12 for the 2022-23 school year and 2023 summer. The purpose

The Honorable Karen Umberger, Chairman  
Fiscal Committee of the General Court

His Excellency, Governor Christopher T. Sununu  
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of these grants is to provide students with the opportunity to participate in highly engaging, enrichment programming that supports students' social, emotional, and academic needs in a before, after or summer school setting. This will enable schools with the ability to directly access grant funds to support learning loss through enrichment programs.

In the event that Federal Funds become no longer available, General Funds will not be requested to support this program.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Frank Edelblut". The signature is written in a cursive style with a large, sweeping initial "F".

Frank Edelblut  
Commissioner of Education

MAY 05 '21 PM 3:17 RCVD

Y JB



Frank Edelblut  
Commissioner

Christine Brennan  
Deputy Commissioner

STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
101 Pleasant Street  
Concord, N.H. 03301  
TEL (603) 271-3495  
FAX (603)-271-1953  
Citizens Services Line 1-800-339-9900

April 19, 2021

The Honorable Ken Weyler, Chairman  
Fiscal Committee of the General Court, and

His Excellency, Governor Christopher T. Sununu  
And the Honorable Council  
State House  
Concord, NH 03301

INFORMATIONAL ITEM

Pursuant to RSA 4:45, RSA 21-P:43, and Section 4 of Executive Order 2020-A4 as extended by Executive Orders 2020-05 AND 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17, 2020-18, 2020-20, 2020-21, 2020-23, 2020-24, 2020-25, 2021-01, 2021-02, 2021-04, 2021-05, and 2021-06, Governor Sununu has authorized the New Hampshire Department of Education (NHDOE) to accept and expend Coronavirus Response and Relief and Supplemental Appropriations (CRRSA) Act, Elementary and Secondary School Relief funds in the amount of \$156,065,807 from the United States Department of Education, effective through June 30, 2023. 100% Federal Funds.

Funds to be budgeted in the account titled, as shown below and on the attached spreadsheet.

ESSER II – CRRSA Act 2021

Account: 06-56-56-562010-19580000

Revenue Source Code: 400374

The Honorable Ken Weyler, Chairman  
Fiscal Committee of the General Court, and

His Excellency, Governor Christopher T. Sununu  
And the Honorable Council  
April 19, 2021

### EXPLANATION

The New Hampshire Department of Education received a grant through the Elementary and Secondary School Emergency Relief (ESSER II) Fund as part of the Coronavirus Response and Relief and Supplemental Appropriations (CRRSA) Act. This program allows the state and its school districts to expend funds flexibly to meet the pressing demands created by the impact of COVID-19.

The New Hampshire Department of Education (NH DOE), upon receipt of regulatory and guidance documents from the US Education Department, will award CARES funds to all local education agencies (LEAs) according to a formula based on population and poverty rate (formula for Title I, A funds). The NH DOE will prepare allocations and deliver funds via the existing reporting and application software, the online Grants Management System (GMS). LEAs will submit application documents, including program assurances and allowable grant activities, through this software, enabling two-way communication and reimbursement of expenses.

The NHDOE will communicate allocations, guidance and regulations on allowable activities and expenditures. LEAs will submit program assurances and activities. NHDOE will review, approve or suggest edits, and LEAs will be allowed to spend available funds to be reimbursed through the reporting system.

ESSER II provides for a broad use of funds by LEAs to include items listed below:

- Any activities authorized under ESSA, IDEA, Perkins, Subtitle B of McKinney-Vento Homeless Assistance Act, Adult Education and Family Literacy Act
- Coordinate emergency response
- Support school teachers
- Ensure preparedness and coordination
- Purchase cleaning supplies
- Purchase education technology
- Mental health supports
- Remediating learning loss and providing summer learning opportunities
- Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve indoor air quality
- Other qualifying expenditures

In support of the objectives noted above, the Department commits to: adequately monitoring the formula subgrantees; assisting in the development of remote learning programming; providing technical assistance to understand new legislation and new flexibilities; supporting fiscal compliance guidance and support.

### APPROPRIATION EXPLANATION

<u>Class</u>	<u>Class Description</u>	<u>Explanation</u>
020	Current Expenses	Appropriation to cover materials and supplies that will be used by staff.
027	Transfers to DOIT	Appropriation to cover required IT support.

TDD Access: Relay NH 711

EQUAL OPPORTUNITY EMPLOYER- EQUAL EDUCATIONAL OPPORTUNITIES

The Honorable Ken Weyler, Chairman  
Fiscal Committee of the General Court, and

His Excellency, Governor Christopher T. Sununu  
And the Honorable Council  
April 19, 2021

028	Transfers to General Services	Appropriation for staff work areas.
029	Intra-Agency Transfers	Appropriation to internal program support.
030	Equipment	Appropriation to provide new equipment to staff hired under the grant.
037	Technology Hardware	Appropriation for new computer hardware.
038	Technology Software	Appropriation for new computer software.
039	Telecommunications	Appropriation to provide VOIP and other telecommunications services.
040	Indirect Costs	Appropriation to meet the State of NH Statewide Cost Allocation Plan obligations.
041	Audit Fund Set Aside	Appropriation is based on .1 percent of the grant.
042	Post-Retirement	Appropriation to cover post retirement costs at the current rate of 10.43 percent.
050	Part Time Salaries	Appropriation to cover cost allocation of salary.
059	Personal Service Temp	Appropriation to fund existing position to support the grant.
060	Benefits	Appropriation to cover Health, Dental, Life, Medicare, FICA and Retirement Contributions for full time and cost allocated positions.
070	In-State Travel	Appropriation to cover travel for in state meetings, presentations and technical assistance.
072	Grants – Federal	Appropriation for the distribution of funds to grant sub-recipients.
080	Out of State Travel	Appropriation to cover staff travel to attend out of state meetings and presentations.
102	Contracts for Program Services	Appropriation to contract with providers of evaluation services, technical assistance and trainings.

In the event Federal Funds become no longer available, General Funds will not be requested to support this program. Attached are copies of the grant awards.

Respectfully submitted,



Frank Edelblut  
Commissioner of Education



STATE OF NEW HAMPSHIRE  
OFFICE OF THE GOVERNOR

CHRISTOPHER T. SUNUNU  
Governor

January 30, 2021

Frank Edelblut  
Commissioner  
New Hampshire Department of Education  
101 Pleasant Street  
Concord, N.H. 03301

Dear Commissioner Edelblut,

Pursuant to my authority under RSA 21-P:43; RSA 4:45; RSA 4:47; and Executive Order 2020-04, as extended by Executive Orders 2020-05, 2020-08, 2020-09, 2020-10, 2020-14, 2020-15, 2020-16, 2020-17, 2020-18, 2020-20, 2020-21, 2020-23, 2020-24, 2020-25, and 2021-01 I have approved your written request, in attachment, to take the following actions related to Coronavirus Response and Relief and Supplemental Appropriations (CRRSA) Act Funds:

1. Authority for the Department of Education (DOE), Division of Learner Support to accept and expend Coronavirus Response and Relief and Supplemental Appropriations (CRRSA) Act, Elementary and Secondary School Emergency Relief II Funds (ESSER II) in the amount of \$156,065,807 from the United States Department of Education. Budgeted consistent with the request, in attachment, effective through June 30, 2023. (100% Federal Funds)

The Department of Administrative Services is authorized to take the actions necessary to effectuate this authorization.

Sincerely,

A handwritten signature in black ink that reads "Christopher T. Sununu".

Christopher T. Sununu  
Governor

CC: Charles Arlinghaus, Commissioner, Department of Administrative Services

**ESSER II - CRRSA Act 2021**

**AU #19580000**

Class	Object	Description	FY21	FY22	FY23
020	500200	Current Expenses	\$ 700.00	\$ 6,050.00	\$ 1,650.00
027	582703	Transfers to DOIT	\$ 1,800.00	\$ 3,600.00	\$ 4,500.00
028	582814	Transfers to General Servic	\$ 1,350.00	\$ 2,700.00	\$ 3,375.00
029	500290	Intra-Agency Transfers	\$ 30,150.00	\$ 25,300.00	\$ 35,375.00
030	500301	Equipment New Replacement	\$ -	\$ 100.00	\$ 200.00
037	500173	Technology Hardware	\$ -	\$ 100.00	\$ 200.00
038	500177	Technology Software	\$ 175.00	\$ 175.00	\$ 350.00
039	500190	Telecommunications	\$ 659.00	\$ 1,318.00	\$ 1,680.00
040	500800	Indirect Costs	\$ 2,571.00	\$ 6,946.00	\$ 9,538.00
041	500801	Audit Fund Set Aside	\$ 156,066.00	\$ -	\$ -
042	500620	Additional Frindge Benefits	\$ 986.00	\$ 2,408.00	\$ 3,705.00
050	500109	Personal Service Temp Appoi	\$ 10,747.00	\$ 25,874.00	\$ 43,873.00
059	500177	Temp Full Time	\$ 16,038.00	\$ 39,570.00	\$ 56,818.00
060	500601	Benefits	\$ 7,581.00	\$ 25,489.00	\$ 31,801.00
070	500710	In State Travel Reimbursement	\$ 200.00	\$ 750.00	\$ 1,000.00
072	500557	Grants Federal	\$ 149,459,226.00	\$ -	\$ -
080	500710	Out of State Travel Reimb	\$ 750.00	\$ 2,500.00	\$ 3,000.00
102	500731	Contracts for Program Services	\$ 6,036,863.00	\$ -	\$ -
		FY TOTAL	\$ 155,725,862.00	\$ 142,880.00	\$ 197,065.00



**US Department of Education  
Washington, D.C. 20202**

S425D210017

**GRANT AWARD NOTIFICATION**

<p><b>1</b> RECIPIENT NAME</p> <p>New Hampshire Department of Education 101 Pleasant Street Concord, NH 03301</p>	<p><b>2</b> AWARD INFORMATION</p> <p>PR/AWARD NUMBER S425D210017 ACTION NUMBER 1 ACTION TYPE New AWARD TYPE Formula</p>																				
<p><b>3</b> PROJECT STAFF</p> <p>RECIPIENT STATE DIRECTOR Marcia A McCaffrey (603) 271-3193 <a href="mailto:Marcia.McCaffrey@doe.nh.gov">Marcia.McCaffrey@doe.nh.gov</a> EDUCATION PROGRAM CONTACT Morgan Rawlings (202) 453-5804 <a href="mailto:morgan.rawlings@ed.gov">morgan.rawlings@ed.gov</a> EDUCATION PAYMENT HOTLINE G5 PAYEE HELPDESK 888-336-8930 <a href="mailto:edcaps.user@ed.gov">edcaps.user@ed.gov</a></p>	<p><b>4</b> PROJECT DESCRIPTION</p> <p>84.425D Elementary and Secondary School Emergency Relief Fund</p>																				
<p><b>5</b> KEY PERSONNEL</p> <p>N/A</p>																					
<p><b>6</b> AWARD PERIODS</p> <p>BUDGET PERIOD 01/05/2021 - 09/30/2022 FEDERAL FUNDING PERIOD 01/05/2021 - 09/30/2022</p> <p>FUTURE BUDGET PERIODS N/A</p>																					
<p><b>7</b> AUTHORIZED FUNDING</p> <p>CURRENT AWARD AMOUNT \$156,065,807.00 PREVIOUS CUMULATIVE AMOUNT \$0.00 CUMULATIVE AMOUNT \$156,065,807.00</p>																					
<p><b>8</b> ADMINISTRATIVE INFORMATION</p> <p>DUNS/SSN 808590277 REGULATIONS EDGAR AS APPLICABLE 2 CFR AS APPLICABLE ATTACHMENTS 1, 3, 8, 9, 11, 12, 13, 14, E-3, E4, E5, ESSER2-T</p>																					
<p><b>9</b> LEGISLATIVE AND FISCAL DATA</p> <p>AUTHORITY: PL PUBLIC LAW 116-136 THE CARES ACT THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT), PUBLIC LAW 116-136 PROGRAM TITLE: EDUCATION STABILIZATION FUND CFDA/SUBPROGRAM NO: 84.425D</p> <table border="1"> <thead> <tr> <th>FUND CODE</th> <th>FUNDING YEAR</th> <th>AWARD YEAR</th> <th>ORG. CODE</th> <th>CATEGORY</th> <th>LIMITATION</th> <th>ACTIVITY</th> <th>CFDA</th> <th>OBJECT CLASS</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td>0251M</td> <td>2021</td> <td>2021</td> <td>ES000000</td> <td>B</td> <td>DV6</td> <td>000</td> <td>425</td> <td>4101A</td> <td>\$156,065,807.00</td> </tr> </tbody> </table>		FUND CODE	FUNDING YEAR	AWARD YEAR	ORG. CODE	CATEGORY	LIMITATION	ACTIVITY	CFDA	OBJECT CLASS	AMOUNT	0251M	2021	2021	ES000000	B	DV6	000	425	4101A	\$156,065,807.00
FUND CODE	FUNDING YEAR	AWARD YEAR	ORG. CODE	CATEGORY	LIMITATION	ACTIVITY	CFDA	OBJECT CLASS	AMOUNT												
0251M	2021	2021	ES000000	B	DV6	000	425	4101A	\$156,065,807.00												



US Department of Education  
Washington, D.C. 20202

S425D210017

**GRANT AWARD NOTIFICATION**

10

PR/AWARD NUMBER: S425D210017  
RECIPIENT NAME: New Hampshire Department of Education

TERMS AND CONDITIONS

- (1) The Office of Management and Budget requires all Federal agencies to assign a Federal Award Identifying Number (FAIN) to each of their financial assistance awards. The PR/AWARD NUMBER identified in Block 2 is your FAIN.  
  
-If subawards are permitted under this grant, and you choose to make subawards, you must document the assigned PR/AWARD NUMBER (FAIN) identified in Block 2 of this Grant Award Notification on each subaward made under this grant. The term subaward means:
  1. A legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
  2. The term does not include your procurement of property and services needed to carry out the project or program (The payments received for goods or services provided as a contractor are not Federal awards, see 2 CFR 200.501(f) of the OMB Uniform Guidance: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards").
  3. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
- (2) You are authorized, in carrying out this grant, to utilize the higher threshold set for micro-purchase and simplified acquisition thresholds for federal assistance under this grant or under a contract you award under this grant established by recent statutory changes. These statutory changes raise the threshold for micro-purchases under Federal financial assistance awards to \$10,000 and raise the threshold for simplified acquisitions to \$250,000 for recipients. These higher thresholds are not effective until implemented in the Federal Acquisition Regulations (FAR) at 48 CFR Subpart 2.1 (Definitions), which has not yet occurred. See 2 CFR 200.67 and 200.88. For FY 2018, OMB is granting an exception allowing recipients to use the higher thresholds in advance of changes to the FAR. Please refer to Office of Management and Budget's Memorandum 18-18 regarding the statutory changes. If you have any questions about these regulations, please contact the program officer identified in Block 3 of this GAN.
- (3) The negotiated indirect cost rate or the indirect cost allocation plan approved for the entity identified in Block 1 of this GAN applies to this grant award.
- (4) UNDER THE "TYDINGS AMENDMENT," SECTION 421(b) OF THE GENERAL EDUCATION PROVISIONS ACT, 20 U.S.C. 1225(B), ANY FUNDS THAT ARE NOT OBLIGATED AT THE END OF THE FEDERAL FUNDING PERIOD SPECIFIED IN BLOCK 6 SHALL REMAIN AVAILABLE FOR OBLIGATION FOR AN ADDITIONAL PERIOD OF 12 MONTHS.
- (5) ESSER II Clauses 1 - 5

(1) The Office of Management and Budget requires all Federal agencies to assign a Federal Award Identifying Number (FAIN) to each of their financial assistance awards. The PR/AWARD NUMBER identified in Block 2 is your FAIN.

If subawards are permitted under this grant, and if you choose to make subawards, you must document the assigned PR/AWARD NUMBER (FAIN) identified in Block 2 of this Grant Award Notification on each subaward made under this grant. The term subaward means:

1. A legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
2. The term does not include your procurement of property and services needed to carry out the project or program (The payments received for goods or services provided as a contractor are not Federal awards, see 2 CFR 200.501(f)

US Department of Education  
Washington, D.C. 20202

S425D210017

**GRANT AWARD NOTIFICATION**

of the OMB Uniform Guidance: "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards").

3: A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

(2) You are authorized, in carrying out this grant, to utilize the higher threshold set for micro-purchase and simplified acquisition thresholds for federal assistance under this grant or under a contract you award under this grant established by recent statutory changes. These statutory changes raise the threshold for micro-purchases under Federal financial assistance awards to \$10,000 and raise the threshold for simplified acquisitions to \$250,000 for recipients. These higher thresholds are not effective until implemented in the Federal Acquisition Regulations (FAR) at 48 CFR Subpart 2.1 (Definitions), which has not yet occurred. See 2 CFR 200.67 and 200.88. For FY 2018, OMB is granting an exception allowing recipients to use the higher thresholds in advance of changes to the FAR. Please refer to Office of Management and Budget's Memorandum 18-18 regarding the statutory changes. If you have any questions about these regulations, please contact the program officer identified in Block 3 of this GAN.

(3) The negotiated indirect cost rate or the indirect cost allocation plan approved for the entity identified in Block 1 of this GAN applies to this grant award.

(4) Under the Tydings Amendment, Section 421(b) of the General Education Provisions Act 20 U.S.C 1225(B), any funds that are not obligated at the end of the federal funding period specified in Block 6 shall remain available for obligation for an additional period of 12 months.

(5) By drawing down funds made available under this GAN, the recipient agrees to the assurances attached as Attachment T which include the reporting requirements in section 15011 of Division B of the Coronavirus Aid, Recovery, and Economic Security (CARES) Act and in section 313(f) of Division M of the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, 2021, and the requirement to demonstrate that the State has maintained effort as required in section 317 of the CRRSA.

(6) ESSER II Clauses 6 - 10

(6) A local educational agency (LEA) may use funds it receives under section 313(d) of the CRRSA Act for any activity listed in section 313(d) (applicable sections of the CRRSA Act are attached to Attachment T). Any activity that is an allowable use of Elementary and Secondary Schools Emergency Relief (ESSER) funds by an LEA under section 18003(d) of the CARES Act is also an allowable use of ESSER II funds by an LEA under section 313(d) of the CRRSA Act and any allowable use of ESSER II funds by an LEA is also an allowable use of ESSER funds by an LEA under section 18003(d) of the CARES Act.

(7) An LEA that receives ESSER II funds under this grant is not required to provide equitable services to non-public school students and teachers with the ESSER II funding.

(8) Records pertaining to this award under 2 C.F.R. 200.334 and 34 C.F.R. 76.730, including financial records related to use of grant funds, must be retained separately from a State educational agency's (SEA's) or LEA's ESSER funds.

(9) Any ESSER II funds the SEA receives that it does not award within one year of the date these funds are awarded to the SEA must be returned to the Secretary. Funds are considered to be awarded when they are subgranted to an LEA or, in the case of the funds the SEA reserves for administrative costs or emergency needs as determined by the SEA pursuant to section 313(e) of the CRRSA, when the SEA awards a contract or subgrants the funds or retains the funds to provide direct services itself.

(10) Consistent with the ESSER Grant Award Notification Enclosure 4 (E4) MEMORANDUM TO REMIND DEPARTMENT OF EDUCATION (THE DEPARTMENT) GRANTEES OF EXISTING CASH MANAGEMENT REQUIREMENTS REGARDING PAYMENTS, the SEA will follow applicable cash management requirements in the Cash Management Improvement Act and 2 C.F.R 200.305. If SEA provides advance payments to LEAs, the payments must be limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the non-Federal entity in carrying out the purpose of the approved program or project



**US Department of Education  
Washington, D.C. 20202**

S425D210017

**GRANT AWARD NOTIFICATION**

(i.e., to prevent, prepare for, and respond to COVID-19). The timing and amount of advance payments must be as close as is administratively feasible to the actual disbursements by the non-Federal entity for direct program or project costs and the proportionate share of any allowable indirect costs.

Frank Brogan  
Assistant Secretary

01/06/2021

\_\_\_\_\_  
AUTHORIZING OFFICIAL

\_\_\_\_\_  
DATE