



# Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) Frequently Asked Questions (FAQ)

Updated February 8, 2021

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## Elementary and Secondary School Emergency Relief (ESSER II) Fund

- 1. Can ESSER II funds be used to support the improvement of hygiene/sanitation related systems other than ventilation systems? For example - The increased demands on water systems in our schools, due to an emphasis on washing hands, ensuring toilets are flushed, an increased demand on hot water boilers, an increased demand on water pumps, etc., has contributed to the wear and tear of these items.**

ESSER II funds can be used for – "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."

- 2. Can ESSER II funds be used for increased construction costs due to COVID-19 that districts are being asked to pay contractors?**

No. ESSER II funds can be used for a very limited number of school facility repairs and improvements. ESSER II funds can be used for – "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" and "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."

- 3. Will DEED have any of their share available to districts for these increased construction costs?**

No. The State’s allowable use of funds would have the same restrictions as the funding that is available and distributed to districts. Please see the answer to question #2 above.

- 4. In our district, there has been a decline in enrollment from COVID-19. Can ESSER II funding support the staffing loss of school administration or teachers for FY2021?**

ESSER II funds can be used for – "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.*"

- 5. Can ESSER II funds be used to pay for COVID-19 leave?**

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Yes. Districts may use their ESSER II funding to pay for staff that are on leave due to COVID-19. The Consolidated Appropriations Act, 2021 (the stimulus bill) let the leave requirements of the Families First Coronavirus Response Act (FFCRA) expire. The stimulus bill allows employers to choose to continue to be bound by the FFCRA's leave requirements through March 31, 2021. District can use their ESSER II funds to pay for leave under the FFCRA prior to December 31, 2020 (or March 31, 2021 if extended) or standard employee leave not covered under the FFCRA.

**6. Can ESSER II funds be used for COVID-19 screening?**

Yes. This would fall under the following allowable activity – *“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.”*

**7. When is the start date of this award?**

Initial awards will have a period of availability from 7/1/2020 through 6/30/2021. DEED will be creating a CRRSA Act Application in the Grants Management System (GMS) for the current fiscal year – FY2021. If a district has allowable FY2020 (March 13, 2020 – June 30, 2020) expenses, the district should reach out to DEED directly by emailing [DEED.CARES@alaska.gov](mailto:DEED.CARES@alaska.gov) to discuss potential options.

Any balance from FY2021 will be carried over to FY2022 and available through 6/30/2022. Any remaining balance at that point will be carried over to FY2023 and available through 6/30/2023. Carry forward will continue until the entire grant is spent, or until 9/30/2023, when the grant period ends.

**8. This will be a separate award for FY2021? So, we will need a new fund, or will this be an additional allocation made to the current awards?**

The ESSER II funds will need to be tracked separately from ESSER I and other COVID-19 federal relief funding, and as such, a separate Special Revenue Fund must be established in order to properly track these expenditures separately.

**9. Can ESSER II funds be used for installation or upgrades of network infrastructure, in villages so students can work on remote-delivered curriculum at home?**

Yes. This would fall under the following allowable activities – *“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”* as well as *“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.”*

**10. Would hazard pay to employees be an allowable expense under ESSER II?**

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Yes. Hazard pay to employees would be something the district negotiated with the union and would be an allowable expense under ESSER II.

**11. Can ESSER II funds be used for curriculum adoption materials if that standard adoption for textbooks and student workbooks also includes online learning lessons and assessment tools?**

ESSER II funds must be used to address the needs that resulted from COVID-19. If the district is updating curriculum because of COVID-19, ESSER II funds can be used to update curriculum to meet the needs of online/distance and to address learning loss.

**12. Does ESSER II have a supplement, not supplant provision?**

No. ESSER II does not have a supplement, not supplant provision. Supplement, not supplant in general requires a state educational agency or local educational agency to use Federal funds received only to supplement the funds that would, in the absence of such Federal funds, be made available from State and local sources for the education of students and not to supplant such funds.

**13. Can ESSER II funds be used to buy new laptops for students?**

Yes. This would fall under the following allowable activity – “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.”

**14. Is there a provision to allow us to make up for lost revenue, due to lower participation, in our child nutrition program?**

Yes. ESSER II funds can be used to help with expenditures on the food service programs.

**15. Can ESSER II funds be used to pay current utility costs for schools, when no in-person learning is occurring, that need to keep their heat on?**

No. This is an on-going cost of the district and is not a result of COVID-19. Districts would be responsible for maintaining facilities as normal.

**16. Can ESSER II funds be used for preserving/reducing class sizes to address learning loss and maintain the continuity of services?**

Yes. This cost would be a result of COVID-19 and class-size reduction is an allowable use of certain ESEA funding.

**17. It seems to me that Districts would be able to justify almost any expenditure under functions 100-400 as addressing learning loss due to the pandemic. Is this reasonable to assume?**

It depends. ESSER II funds must be used to address needs that resulted from COVID-19 and which fall into the fifteen allowable activities.

**18. Can schools use the funds to purchase Wi-Fi access contracts for families to use for remote learning?**

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Yes. This would fall under the following allowable activities – “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” as well as “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.”

**19. An allowable use of ESSER II funds is “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.” Can these “school facility repairs” include teacher housing?**

No. The school facility repairs and improvements must be limited to education related facilities only, which does not include employee or student housing.

**20. Would playground equipment be allowable? Related to healthy habits, physical activity?**

No. ESSER II funds can be used for a very limited number of school facility repairs and improvements. ESSER II funds can be used for - “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” and “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.”

**21. Can ESSER II funds be used for water systems as COVID-19 health and safety measures?**

ESSER II funds can be used for - “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”.

**22. Can ESSER II funds be used for internet/broadband infrastructure?**

Allowable activities include “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” as well as “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 (Individuals with Disabilities Education Act) and ensuring other educational services can continue to be provided consistent with all Federal, State, and local

requirements.”

**23. When is the CRRSA Act application in GMS due?**

The CRRSA Act (ESSER II) application in GMS will be due April 30, 2021.

**24. [NEW 2/8/21] Can districts use their ESSER II allocation to fulfill local revenue loss including staffing?**

As with all uses of ESSER I or II funds, a proposed use of funds must be “to prevent, prepare for, and respond to” COVID-19. This means that ESSER funds may be used to bridge budget shortfalls if the deficit is related to the coronavirus and the ESSER funds are needed for education-related expenses.

Please keep in mind that under both the CARES Act and CRRSA, ESSER funds are not subject to a supplement, not supplant, requirement and there is no maintenance of effort requirement at the district level. However, districts should be mindful that existing maintenance of effort requirements in other federal programs, such as Title I, continue to apply, and that federal funds such as ESSER funds cannot be included in local maintenance of effort calculations for these other programs.

**25. [NEW 2/8/21] Do EDGAR, GEPA, and 2 CFR reporting and compliance requirements apply to ESSER II?**

Yes, the ESSER II funds are subject to the Education Department General Administrative Regulations (EDGAR) 34 CFR parts 76, 77, 81, 82, 84, 97, 98, and 99; the 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 the Uniform Guidance in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474. The funds are also subject to the General Education Provisions Act (GEPA) requirements.

## Governor’s Emergency Education Relief (GEER II) Fund

**1. What is the process by which the GEER II Supplemental Allocation (\$2.8 million) will be awarded, and what is the anticipated timeline?**

At this time, the Governor has not notified DEED of a defined plan for the GEER II Supplemental Allocation (\$2.8 million). The Governor has until January 8, 2022 to award this funding.

**2. What is the GEER II Emergency Assistance to Non-Public Schools (EANS) (\$5.3 million) application process including grant award criteria, grant awards, and if available, a list of eligible non-public schools?**

The U.S. Department of Education’s website provides information for the Emergency Assistance to Non-Public Schools (EANS) including the Allocation Table by State, a Fact Sheet, the Certification and Agreement, a FAQ document, and a sample Application table. The website is located here:

<https://oese.ed.gov/offices/education-stabilization-fund/emergency-assistance-non-public-schools/>.

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To receive services or assistance under the EANS program, an eligible non-public school must submit an application to the Alaska Department of Education & Early Development (DEED). DEED must prioritize services or assistance to non-public schools that enroll low-income students and are most impacted by COVID-19. For purposes of the EANS program, an eligible non-public school is an elementary or secondary school that—

- Is non-profit<sup>1</sup>
- Is accredited, licensed, or otherwise operates in accordance with State law;
- Was in existence prior to March 13, 2020, the date the President declared the national emergency due to COVID-19; and
- Did not, and will not, apply for and receive a loan under the Small Business Administration’s Paycheck Protection Program (PPP) (15 U.S.C. 636(a)(37)) that is made on or after December 27, 2020.

Application for the EANS funding will be available by February 12, 2021. At that time, additional guidance will be available on the DEED COVID-19 Relief website at <https://education.alaska.gov/safeschools/infectiousdisease#covidrelief>.

## Other

### **1. Do you think that DEED will allow districts to exceed the 10% fund balance like they did in 2020?**

DEED does not have the authority to do this. The current disaster declaration is only through February 14, 2021. Suspensions of statutes and/or regulations can only occur during the time of a disaster declaration. That said, the Governor introduced SB 56, Extending COVID 19 Disaster Emergency. Since this bill has been introduced, it’s in the legislature’s court now on whether to extend the disaster declaration to September 30, 2021. You are encouraged to contact your legislator, and/or provide public testimony in support of the extension, for any statutes and/or regulations to be temporarily suspended.

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<sup>1</sup> A for-profit non-public school is not eligible to receive equitable services for its students and teachers under the EANS program. Section 315(6) of the CRRSA Act defines a “non-public school” as a non-public elementary or secondary school. Section 315(8) of the CARES Act incorporates the definitions in ESEA section 8101 for any terms not defined in the CARES Act. ESEA section 8101(19) and (45) defines “elementary school” and “secondary school,” respectively, and specifies that they must be non-profit.