

ARES ACT | CRRSA ACT | ARP ACT | CARES ACT | CRRSA ACT | ARP ACT  
| CRRSA ACT | ARP ACT | CARES ACT | CRRSA ACT | ARP ACT | CARES  
ACT | ARP ACT | CARES ACT | CRRSA ACT | ARP ACT | CARES ACT | CR  
P ACT | CARES ACT | CRRSA ACT | ARP ACT | CARES ACT | CRRSA ACT |  
ARES ACT | CRRSA ACT | ARP ACT | CARES ACT | CRRSA ACT | ARP ACT  
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| CRRSA ACT | ARP ACT | CARES ACT | CRRSA ACT | ARP ACT | CARES

# FEDERAL EMERGENCY AID FOR PUBLIC EDUCATION

## Funding Amounts, Uses, and Requirements



**EDUCATING  
THROUGH CRISIS**  
COVID-19

Prepared by NEA for  
NEA New Hampshire

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**EPP**  
EDUCATION POLICY  
AND PRACTICE

**Q:** *What are the three main federal emergency aid laws providing funding for public education?*

**A:** **CARES Act | CRRSA Act | ARP Act**  
Coronavirus Aid, Relief, and Economic Security Act (CARES Act) | Signed into law March 27, 2020  
Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA Act) | Signed into law December 27, 2020  
American Rescue Plan Act of 2021 (ARP Act) | Signed into law March 11, 2021

**Q:** *What is the main source of funding for public elementary and secondary education under each law?*

**A:** **ESSER Fund | ESSER II Fund | ARP ESSER**  
Elementary and Secondary School Emergency Relief (ESSER) Fund | CARES Act  
Elementary and Secondary School Emergency Relief (ESSER II) Fund | CRRSA Act  
Elementary and Secondary School Emergency Relief (ARP ESSER) Fund | ARP Act

**Q:** *Are there any other funding sources for public elementary and secondary education under the three federal laws?*

**A:** **GEER Fund | GEER II Fund | SEA Reserve under all three ESSER Funds**  
Governor's Emergency Education Relief (GEER Fund) | CARES Act  
Governor's Emergency Education Relief (GEER II Fund) | CRRSA Act  
SEA funds not allocated by formula to LEAs under all three ESSER Funds

Unlike the ESSER Fund, the GEER Fund may be used for emergency grants to local educational agencies (LEAs,) institutions of higher education, or any other education-related entity as designated by the Governor.

For the portion of ESSER funds retained by the state educational agency (SEA), or the "SEA Reserve," and not allocated to LEAs as required under each law, the SEA may use the funds to provide grants to LEAs to meet emergency needs as determined by the SEA to address issues responding to the coronavirus.

## **ESSER Fund | ESSER II Fund | ARP ESSER**

Elementary and Secondary School Emergency Relief (ESSER) Fund | CARES Act

Elementary and Secondary School Emergency Relief (ESSER II) Fund | CRRSA Act

Elementary and Secondary School Emergency Relief (ARP ESSER) Fund | ARP Act

### Allocations to States

*Based on the proportion that each state received under Title I, Part A in the most recent fiscal year.*

All three federal laws require the U.S. Department of Education to allocate the ESSER Fund based on the proportion that each State received under Title I, Part A in the most recent fiscal year. Under the CARES Act, the Department used the fiscal year 2019 State shares of Title I, Part A allocations. Under CRRSA Act and ARP Act, the Department used the fiscal year 2020 State shares of Title I, Part A allocations. Also, in all instances, the allocations were made without the application of the hold harmless provisions in ESEA section 1122, as required by law.

### Allocations to LEAs

*SEAs must use at least 90 percent of their ESSER Fund grant award to make subgrants to LEAs in proportion to the amount of funds that each LEA received under Title I, Part A in the most recent fiscal year.*

All three federal laws require an SEA to allocate by formula no less than 90 percent of its grant award as subgrants to LEAs based on their proportion of the amount of funds that each LEA received under Title I, Part A in the most recent fiscal year. Under the CARES Act, the most recent fiscal year was 2019. Under the CRRSA Act and the ARP Act, the most recent fiscal year was 2020.

Although an LEA receives ESSER formula funds via the Title I, Part A formula, ESSER formula funds are not Title I, Part A funds and are not subject to Title I, Part A requirements. All three laws authorize a broad array of potential uses of ESSER formula funds.

### *LEA Eligibility under the ESSER Funds*

Under the CARES Act, if an LEA did not receive an FY 2019 Title I, Part A subgrant for school year 2019-2020, or under the CRRSA Act and the ARP Act, if an LEA did not receive an FY 2020 Title I, Part A subgrant for school year 2020-2021, the LEA is not eligible to receive a formula subgrant under the ESSER Fund. Instead, an LEA that is not eligible for a formula subgrant under the ESSER Fund may receive ESSER funds from an SEA's Reserve as determined by the SEA.

**ESSER Fund | ESSER II Fund | ARP ESSER**

Elementary and Secondary School Emergency Relief (ESSER) Fund | CARES Act  
 Elementary and Secondary School Emergency Relief (ESSER II) Fund | CRRSA Act  
 Elementary and Secondary School Emergency Relief (ARP ESSER) Fund | ARP Act

**\$544,208,812 | \$3,033 pp**

**ESSER Fund + ESSER II Fund + ARP ESSER**

Period of Availability through 09/30/2021 | 09/30/2022 | 09/30/2023 | 09/30/2024 |

ESSER Fund | CARES Act

**\$37,641,372**

*includes the Tydings period*

ESSER II Fund | CRRSA Act

**\$156,065,807**

*includes the Tydings period*

ARP ESSER Fund | ARP Act

**\$350,501,633**

*includes the Tydings period*

The period of availability represents the length of time that ESSER funds are available for obligation by SEAs and LEAs and other education-related entities. ESSER funds are “obligated” when the SEA or LEA commits those funds to specific purposes (consistent with 34 C.F.R. § 76.707). For example, under the CARES Act, ESSER funds are available for obligation by LEAs through September 30, 2022, which includes the Tydings period (General Education Provisions Act §421(b)(1)). In general, under the Tydings provision, any funds not obligated and expended during the period for which they were awarded become carryover funds and may be obligated and expended during the succeeding fiscal year.

Also, it’s important to understand the difference between “awarding” funds and “obligating” funds. An SEA awards funds when it makes a subgrant to an LEA, or, in the case of the SEA Reserve, when it enters into a subgrant or contract with a subrecipient. If an SEA awards a contract from the SEA reserve, that is an obligation. In contrast, subgranting funds to an LEA or other subrecipient is not an obligation; rather, these funds are not obligated until the LEA or other subrecipient commits the funds to specific purposes.

	Minimum Distribution to LEAs (90%)	Maximum SEA Reservation (10%)
ESSER Fund   CARES Act	<b>\$33,877,235</b>	<b>\$3,764,137</b>
ESSER II Fund   CRRSA Act	<b>\$140,459,226</b>	<b>\$15,606,581</b>
ARP ESSER Fund   ARP Act	<b>\$315,451,470</b>	<b>\$35,050,163</b>
<b>Total, New Hampshire</b>	<b>\$489,787,931</b>	<b>\$54,420,881</b>

*SEAs must allocate at least 90% of their grant awards to LEAs. SEAs may reserve up to 10% of their total grant amount, which may be used for grants to LEAs to address specific needs as determined by the SEA.*

## Summary of Fund Uses under ESSER Fund, ESSER II Fund, & ARP ESSER

*All allowable fund uses added to subsequent federal emergency aid laws are also allowable under the preceding laws. For example, ESSER funds under the CARES Act may be used for the same allowable purposes as ESSER II and ARP ESSER.*

- 1 EMPLOYING EXISTING OR HIRING NEW STAFF
- 2 DISRUPTED LEARNING
- 3 SUMMER SCHOOL & AFTERSHOOL PROGRAMS
- 4 UNIQUE NEEDS OF STUDENTS
- 5 MENTAL HEALTH SERVICES & SUPPORTS
- 6 ACTIVITIES UNDER ESEA, IDEA, CTEA, & AEFLA
- 7 PURCHASING EDUCATIONAL TECHNOLOGY
- 8 LONG-TERM CLOSURES
- 9 PREPAREDNESS & RESPONSE
- 10 COORDINATION WITH PUBLIC HEALTH DEPARTMENTS
- 11 PUBLIC HEALTH PROTOCOLS
- 12 SANITATION SUPPLIES & PPE
- 13 STAFF TRAINING ON SANITATION & PREVENTION
- 14 INDOOR AIR QUALITY IN SCHOOL FACILITIES
- 15 SCHOOL FACILITY REPAIRS & IMPROVEMENTS
- 16 OTHER ACTIVITIES AS NEEDED