Certification and Agreement for Funding for the American Rescue Plan Elementary and Secondary Education Relief Fund (ARP ESSER)

BACKGROUND

Purpose

The American Rescue Plan Act (ARP) 2021 was signed into law on March 11, 2021 and provides an additional $122.8 billion for the Elementary and Secondary School Emergency Relief Fund (ARP ESSER Fund). ARP ESSER Fund awards to SEAs are in the same proportion as each State received funds under Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended, in fiscal year 2020.

The Utah State Board of Education (USBE) is distributing these funds by application in alignment with the federal distribution formula. This new funding is intended to help local education agencies safely reopen schools, measure and effectively address accelerated learning, and take other actions to mitigate the impact of COVID-19 on the students and families who depend on our K-12 schools.

Although the ARP ESSER uses of funds are similar to those for ESSER I and ESSER II, there are important distinctions between the ARP ESSER and other ESSER programs, including the period of funds availability, equitable services to non-public schools, maintenance of effort, and a report on efforts to measure and address accelerated learning. LEAs may plan to use all remaining ESSER I and ESSER II funds before making use of the ARP ESSER funds, given the shorter remaining period of availability, however this is not a requirement. Please consult the accompanying fact sheet to learn more about the ARP ESSER program.

As part of the required state application for the U.S. Department of Education, USBE leaders met with a diverse group of stakeholders to get input on statewide needs in May 2021. USBE identified the following three issues currently facing students and schools across Utah as a result of or in response to the COVID-19 pandemic. We urge LEAs to consider these priority areas in designing plans for the use of ARP ESSER funds.

1. Student mental health and social emotional needs including student health foundations and protective factors.
2. Missing or Disengaged Students in K-12
3. Literacy

The ARP ESSER funds require that an LEA engage in meaningful consultation with stakeholders in the development of this plan. The LEA will assure that the public has been provided the opportunity to provide input to the LEA ARP ESSER plan, that the LEA has taken the public input into account, and that the local school board has adopted the LEA's plan for the use of ARP ESSER funds in an open and public meeting.

Federal Allowable Use Cases

Generally, in determining whether an activity is an allowable use of funds, a State or LEA must determine:

- Is the use of funds intended to prevent, prepare for, or respond to the COVID-19 pandemic, including its impact on the social, emotional, mental health, and academic needs of students?
- Does the use of funds fall under one of the authorized uses of ESSER or GEER funds?
- Is the use of funds permissible under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance, 2 CFR Part 200)? In particular, is it necessary and reasonable for the performance of the ARP ESSER award?

The use cases as described in the federal American Rescue Plan legislation is detailed below. In addition, LEAs may consider the following companion guidance that was created by the Hunt Institute to support states and LEAs.

Uses of Funds. —A local educational agency that receives funds from ARP ESSER:

1. Shall reserve not less than 20 percent of such 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 the student subgroups described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care; and

Shall use the remaining funds for any of the following:

2. Any activity authorized by the Elementary and Secondary Education Act of 1965.
3. Any activity authorized by the Individuals with Disabilities Education Act.
4. Any activity authorized by the Adult Education and Family Literacy Act.
5. Any activity authorized by the Carl D. Perkins Career and Technical Education Act of 2006.
6. 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.
7. 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.
8. Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
9. Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.
10. Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.
11. 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 Individuals with Disabilities Education

Act and ensuring other educational services can continue to be provided consistent with all Federal, State, and local requirements.

12. 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.

13. Providing mental health services and supports, including through the implementation of evidence-based full-service community schools.

14. 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.

15. 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—

(i) 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;
(ii) implementing evidence-based activities to meet the comprehensive needs of students;
(iii) providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment; and
(iv) tracking student attendance and improving student engagement in distance education.

16. 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.

17. 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.

18. Developing strategies and implementing public health protocols including, to the greatest extent practicable, policies in line with guidance from the Centers for Disease Control and Prevention for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff.

19. 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.

Non-Allowable Use Cases

The Department generally does not consider the following to be an allowable use of ESSER funds, under any part of section 313:
1. subsidizing or offsetting executive salaries and benefits of individuals who are not employees of the LEAs
2. expenditures related to state or local teacher or faculty unions or associations

Funding

The USBE intends to award funding to eligible LEAs based on FFY 2020 Title I-A allocations as directed by the U.S. Department of Education. The USBE has also established a base allocation for all LEAs using the state set aside as we did with the original ESSER I and ESSER II awards.

> *One-Time Funding*
> LEAs should note that the ARP ESSER is one-time funding that must be utilized by September 30, 2023 and plan expenses accordingly.
>
> *(Please note, due to the federal Tydings Amendment, awardees have an additional 12-months to submit final reimbursement paperwork, which is the 09/30/24 date referenced in the fact sheet. We are encouraging all of our LEAs to make plans to spend by the end of the award period 09/30/23.)*
>
> *Equitable Services:*
> An LEA that receives ARP ESSER funds under this grant is not required to provide equitable services to non-public school students and teachers with the ARP ESSER funding. The Utah State Board of Education is administering the new Emergency Assistance for Non-Public Schools (Utah EANS Website) program, which allows non-public schools to seek equitable services directly from USBE.
>
> *Maintenance of Records:*
> 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 the LEAs original ESSER I funds awarded in 2020 and ESSER II awarded in 2021.

Application Deadline: September 17, 2021 at 5:00 PM in the Utah Grants Management System

Applications will be reviewed on a rolling basis through the Utah Grants Management system. Most outcomes are determined within 2-3 business days from submission.

USBE Points of Contact:

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LEA Application

Please complete the fields below on pages 5-15 that are <mark>highlighted</mark> for response and upload to the Utah Grants Management System along with the budget request:

<mark>Legal Name</mark>: Pacific Heritage Academy

Contact Information for LEA Representative

<mark>Name</mark>: Sheena Alaiasa

<mark>Position & Office</mark>: Director. PHA

<mark>Address</mark>: 1755W 1100N Salt Lake City UT 84116

<mark>Telephone</mark>: 801-363-1892

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PROPOSED USE OF FUNDS

Below we are asking each LEA to provide an explanation of how the LEA intends to use the ARP ESSER funds in alignment with the allowable use cases described by the U.S. Department of Education. We encourage LEAs to prioritize **evidence-based practices** and call those out in their narrative.

1. **UNDERSTAND & ASSESS: Student Academic and Social Emotional Needs**

    USBE encourages LEAs to complete a needs assessment before determining how their portion of ESSER funds will be used. LEAs should follow existing needs assessment protocols to determine the most valuable and targeted use of ESSER funds. A needs assessment should include a review of the current state as compared to the desired state, the identification of barriers to reaching the desired state, and an analysis of the potential sources of the identified barriers.

    A. <mark>**Impacts of COVID-19 on your LEA:**</mark> Please describe the areas that have been most impacted by the coronavirus on your LEA. What has been done to determine the strategies that are needed to mitigate the effects of the pandemic? Please provide any baseline data and stakeholder feedback collected to show the impacts of COVID-19.

    PHA has struggled while teaching online through the Covid period. Student engagement was marginal. Not having the right tools and being trained how to use online programs presented a challenge for most teachers students and families along with attendance being inconsistent. Home visits to deliver instructional materials were conducted and incentives to attend and complete work were implemented to create a sense of normalcy in an upside down world. Parent zooms were done monthly to share announcements, celebrations and struggles. As soon as we were able to, we began in-school small group instruction for students who held IEP's or had emotional challenges from not attending school. Surveys to ask teachers and

parents how they were doing during on-line learning and throughout COVID were conducted to find out what supports we could offer.

Surveys were issued to parents:

- *95.9% parents felt they could communicate with their teachers*
- *70% of our parents wanted to return to school using a Hybrid model*
- *57% of parents wanted their child to learn in school*
- *43% wanted to continue online*

2. DESIGN: LEA ARP ESSER Plan and Aligned Budget

In building budgets, please keep in mind that federal funds should be utilized to supplement your state and local funds. The ARP ESSER budget submitted through the Utah Grants Management System does not have to include state and local funds, but their availability and utilization should be considered the foundation for building recovery and acceleration plans. As you are braiding various state and federal funds, be mindful that some funds expire at different times than others. The increased federal funds will enhance the opportunities that you can offer, but we encourage you to think holistically as you assess your LEA's situation and make plans for academic recovery and acceleration.

A. **Plan to Address Accelerated learning:** Please provide a narrative response for how your LEA plans to use at least 20 percent of funds to address accelerated learning through the implementation of **evidence-based** interventions (e.g., providing intensive or high-dosage tutoring or accelerating learning), such as summer learning or summer enrichment, extended day, comprehensive after-school programs, or extended school year programs, and ensure that those interventions respond to students' social, emotional, and academic needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups.

The ARP Act defines the term "evidence-based" as having the meaning in section 8101(21) of the ESEA. Accordingly, "evidence-based" includes several tiers of evidence. Specifically, "evidence-based," when used with respect to a State, LEA, or school activity, means an activity, strategy, or intervention that:
- Demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—
    - Strong evidence from at least one well-designed and well-implemented experimental study ("tier 1");
    - Moderate evidence from at least one well-designed and well-implemented quasi-experimental study ("tier 2"); or
    - Promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias ("tier 3"); or
- Demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes and includes ongoing efforts to examine the effects of such activity, strategy, or intervention ("tier 4").

Given the novel context created by the COVID-19 pandemic, an activity need not have generated such evidence during the COVID-19 pandemic to be considered evidence-based. The Department's What Works Clearinghouse (available at https://ies.ed.gov/ncee/wwc/) identifies the tier of evidence that reviewed studies meet, as applicable. As part of the "demonstrates a rationale (tier 4)" level of evidence, grantees may develop and use approaches that are novel, if they are consistent with theoretical and empirical findings from research and the grantee will continue to review the effects of the practice to build the evidence base. Developing a logic model can help to demonstrate a rationale. Logic model resources are available at https://ies.ed.gov/ncee/edlabs/regions/pacific/elm.asp.

i. **Narrative for how your LEA plans use at least 20% of the total ARP ESSER award to address accelerated learning through the implementation of evidence-based outcomes.**

As PHA has been designated as a TSI school which gave us priority to participate in several evidence-based training that was hosted by USBE. These included curriculum based programs such as CKLA for our K-2 grade levels and instructional based strategies which included Heggerty for phonics, LETRs training for K-3, Teacher Clarity with CORWIN and John Hattie's work on effects of learning and Learning Intentions, Look Fors and Success Criteria. This was also coupled with A2APlus training by USBE for Assessment for Achievement that focused on strategies and organizational tools which were all evidenced based specifically earmarked for our English Language Learners, however, these tools will be adopted for implementation school wide. These funds will be designated to develop intensive support for students through small groups, training for teachers, stipends for planning and facilitated Data Cycle Meetings. Intentional support will increase proficiency levels quickly and create stronger more confident learners.

A MTSS Instructional guide was developed to address Tiered Levels of support for both academics but behavior. This was developed over the summer to ensure that we looked at the whole child and what their needs were along with the needs of their families. A SWOTs analysis that addressed – Strengths – Weaknesses – Opportunities – Threats for our students and how to appropriately address these needs. From here the MTSS document was created that help us to identify and address student support quickly and effectively. *MTSS Instructional Guide for Teachers*

ii. **Please complete the table below for each of the activities that you will be pursuing to address learning loss.**

Evidenced-based Activity Description	Timeframe for Implementation	Estimated Total Budget for Activity	Data Source for Measuring Effect (ex. Attendance, Acadience, RISE, ACT Aspire, local measure, etc.) - Disaggregated by specific	Baseline Measure from 2018-2019 or 2019-2020 (as applicable)	Target for measured effect at conclusion of activity

			student subgroups		
Increase proficiency and growth in ELA through small groups and support staff	*June 2021 – June 2022*	*$457,252.42 including benefits $ 44,954.81*	*Progress monitoring tools within Acadience for K-3 and i-Ready for 4-8.* *Plans that coincide with the ESSER are:* • *ELP* • *SIP* • *A2A+* *Other measurements will attendance:* • *During School hours* • *After school program* • *Summer school & other extended learning opportunities*	***K-3rd(ACADIENCE)*** *Red: 65%* *Yellow: 10%* *Green: 10%* *Blue: 15%* ***4th-8th (i-READY)*** *Red: 70%* *Yellow: 18%* *Green: 13%*	***ELP Goals:*** *PHA will use Acadience as our Progress Monitorting tool and the BOY, MOY and EOY outcomes that are reported directly to the state will identify whether we have met our goals.* ***Goals are:*** • *60% of students in Grades 1-3 make typical or better progress on Acadience by the EOY.* • *Grades 4-8 will increase by 3% as evidenced in RISE using SY: 2020 data as a baseline* ***2021****: No Data in Data Gateway* ***2020****: No Data in Data Gateway* • *ELL: 48.3% (making adequate progress)*

					2019: • *ELA: 28%* • *Math: 24%* • *ELL: 41.2%* *(making adequate progress)* *2018:* • *ELA: 16%* • *Math: 16%* • *ELL: 34.6%* *(making adequate progress)*
After School and Summer Support programs	*June 2021 – June 2022*	*$13,854.54 (Educational Technology)*	***EOY Acadience Reading*** *Scores for students in grades 1-3 in the yellow or red ranges disaggregated by student subgroup* ***EOY i-Ready Reading*** *Scores for students in grades 4-8 in the yellow or red ranges disaggregated by student subgroup* ***Imagine Learning*** *progress monitoring for ELL students in yellow or red ranges.*	*K-3rd(ACADIENCE)* *Red: 65%* *Yellow: 10%* *Green: 10%* *Blue: 15%* ***4th-8th (i-READY)*** *Red: 70%* *Yellow: 18%* *Green: 13%* ***Imagine Learning*** *Baseline will be done by Oct*	• ***60%*** *of students in Grades 1-3 make typical or better progress on Acadience by the EOY.* • *Grades 4-8 will increase by **3%** as evidenced in RISE for SY: 22, using SY: 20 data as a baseline*

iii. ==**What is your process for evaluating the success of the above activities and revising your ARP ESSER plan to reflect improvements?**==

Progress monitoring is done each term for all students and those falling in the yellow and red ranges are monitored more frequently. Pre-teach and re-teach strategies are applied during small group interventions with our interventionists/coaches and teachers. Data is analyzed weekly during the PLCs that are facilitated by the coaches who follow the Plan-Do-Study-Act data cycle that help teachers to adjust their strategies and provide specific interventions that scaffold learning. These data points will be compared with the RISE benchmark questions that are used as a teaching tool to allow students to use their learning in a testing setting. Students then create individual goals with the expectations to meet them or exceed.

Analysis occurs with teachers and students to understand what/why goals were not met. Throughout the PLCs, teachers decompose "What Worked" – "What Didn't" – "Next Steps", and scaffold their Learning Intentions, Look Fors and Success Criteria (as outlined in Teacher Clarity) to meet the needs of our students and differentiate or excel learning where needed.

iv.   **How will the LEA will ensure that the interventions it implements, including but not limited to the interventions under section 2001(e)(1) of the ARP Act to address the academic impact of lost instructional time, will respond to the academic, social, emotional, and mental health needs of all students, and particularly those students disproportionately impacted by the COVID-19 pandemic, including students from low-income families, students of color, English learners, children with disabilities, students experiencing homelessness, children and youth in foster care, and migratory students?** USBE encourages LEAs to reference their needs assessment to support their narrative.

PHA conducts quarterly Home Visits with families to ensure that communication is on point, relationships are being strengthened and where families feel welcomed and a part of the school. We are proposing to move this effort forward by dedicating a school position to help coordinate these efforts through a Parent Network Coordinator. Their focus will be to create opportunitites for parents to participate in learning through "Make and Take" nights where parents and students are solving or creating projects together that are standards based and aligned to our curriculum. With parents knowing what is being taught in the school, they will be more inclined to invest time and effort into their child's learning.

By contracting a Behavioral Specialist, we are reaching more students who have struggled with the ramifications of COVID and have set up support groups for those students to be able to work through issues they may have faced which include but not limited to: parents losing jobs, homelessness and death in the family.

We provide full meals for lunch (during school hours), and dinner for those who choose to participate in the After School Program to ensure they are fed, homework completed, as well as activities that allow students to express their creativity through performing arts, music, crafts, sewing, graphic design and sports. We will monitor attendance and participation for our After School and Summer Programs to see how it impacts learning in the classroom during the school day. This in turn creates opportunities for students to combat the effects of social isolation.

Technology is a huge issue in our school as we move towards a 1:1 device program and have the appropriate tools available for students to access the online programs. This grant allows us to provide supports to our families and hold workshops with parents to show them the value of online programs we are implementing. An incentive program also allows us to motivate and excite students about learning, goal setting and doing their personal best.

Plan for remainder of funds:

Please provide a narrative response that details your LEA ARP ESSER plan for the remaining funds in alignment with the allowable use cases. We recommend you call out the federal use

case language and category number in your response, as well as including your budget narrative from the Utah Grants Management System.

> *The implementation of a "Summer Academy Recovery Camp" will help our students continue with learning throughout the summertime and be more prepared for their grade level. Supplies and resources along with staff will be designated through these grants to support and extend learning. We lost over 100 students through the COVID online process and our Kindergarten students chose not to register causing this age group to enroll as 1st graders with no prior educational experience. Having these programs that are focused on helping students to enter into their rising grade level "ON" grade level will accelerate students confidence and learning proficiency and lessen the need for remedial programs.*

3. Implementation and Policy

A. LEA Safe Return to In-Person Instruction Commitment

An LEA that receives ARP ESSER funds must, within 30 days of receiving the funds, make publicly available on its website a plan for the safe return to in-person instruction and continuity of services by addressing the mitigation strategies described by the federal legislation and interim final rule. Before making the plan publicly available, the LEA must seek public comment on the plan.

We recognize that for most Utah LEAs, schools are already providing this in-person instruction. The requirements outlined below are in in compliance with the ARP ESSER award, and should speak to the plans for school in fall 2021. **Please complete the "LEA Response" within the table below for each of the mitigation strategies describing if the LEA has any policies and what those policies are for the given mitigation strategy.**

Mitigation strategy	USBE and UDOH Guidance Resources	LEA Response:
Universal and correct wearing of masks	*https://coronavirus.utah.gov/mask/* *https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html* *https://coronavirus-download.utah.gov/School/COVID-19_School_Manual_FINAL.pdf -page 105-109*	*Link to Re-Opening Procedures for PHA* • *PHA has continued to wear masks throughout this quarter and have sneeze guards erected in the classrooms to prevent the spread of COVID.* • *Flyers and communication through social media and websites, were shared on our practices as we prepared to open school.*

Physical distancing (e.g., including use of cohorts/podding)	*https://coronavirus-download.utah.gov/School/COVID-19_School_Manual_FINAL.pdf -page 101-102*	*Link to Re-Opening Procedures for PHA* • *We will continue to use the guidelines as outlined in the COVID-19 School Manual* • *Students have assigned seating and are to remain in their Villages (PODS) during learning. Cafeteria has been used for meals*
Handwashing and respiratory etiquette	*https://coronavirus-download.utah.gov/School/COVID-19_School_Manual_FINAL.pdf -page 109-111*	*Link to Re-Opening Procedures for PHA* • *Teachers go over procedures weekly in their classrooms and posters are clear and visible for students to follow* • *Teachers have protocols that are followed consistently to address personal hygiene*
Cleaning and maintaining healthy facilities, including improving ventilation	*https://coronavirus-download.utah.gov/School/COVID-19_School_Manual_FINAL.pdf -page 75-84*	*Link to Re-Opening Procedures for PHA* • *All classrooms have supplies and materials to maintain a clean, orderly and sanitized classroom.* • *Custodians disinfect each class at the end of the school day in preparation for the following day* • *All teachers have HEPA Air Filters in their classrooms and are expected to teach with their classroom doors open to increase the air circulation*
Contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments	*https://coronavirus-download.utah.gov/School/COVID-19_School_Manual_FINAL.pdf - page 27-35*	*Link to Re-Opening Procedures for PHA* • *Assigned seating for each class has been established for our office to contact trace efficiently* • *There is a mask mandate in effect that decreases the chances of COVID spreading*
Diagnostic and screening testing	*https://coronavirus-download.utah.gov/School/COVID-19_School_Manual_FINAL.pdf -page 37-43; 46-51; 52-56*	*Link to Re-Opening Procedures for PHA* • *All who wish to enter into the school building are screened with temperature checks as well as sanitizing their hands prior to entry*
Efforts to provide vaccinations to educators, other staff, and students, if eligible	*https://coronavirus-download.utah.gov/School/COVID-19_School_Manual_FINAL.pdf -page 57-59*	*Link to Re-Opening Procedures for PHA* • *Teachers have been provided multiple opportunities through USBE and their own health care provider to be vaccinated. PHA does not mandate it*

		• *3 community events have provided opportunities for our stakeholders to take advantage of vaccination stations that were set up at the school* • *2 site visits for students 12yrs and older have also been set up for families to vaccinate their child*
Appropriate accommodations for children with disabilities with respect to the health and safety policies	*https://coronavirus-download.utah.gov/School/COVID-19_School_Manual_FINAL.pdf -page 106, 109, 114*	*Link to Re-Opening Procedures for PHA* • *Accommodations will be provided for those students with an IEP*

B. ==**Please provide a link to your website where you will post this plan within 30 days of receiving the funds, to make it publicly available as required in federal legislation and rule.**== This link will be made available on the USBE website and be provided to the U.S. Department of Education.

https://phlearning.org/covid19/

4. GEPA Section 427 (20 U.S.C. 1228a) Compliance

A. LEA Description of GEPA Compliance

Please describe how the LEA will comply with the requirements of GEPA Section 427 (20 U.S.C. 1228a). Comprehensive GEPA requirements are listed under the assurances section of this document. Your description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede access to, or participation in, the program.

Description of GEPA Compliance:

PHA accepts all students regardless of race, ethnicity, gender, color, national origin, disability and age. We have and will continue to address students preference as needed.

ASSURANCES

The superintendent or charter school director assures the following:

Plan Development and Approval Requirements

- The LEA must engage in meaningful consultation with stakeholders, including, but not limited to:
    i. students;
    ii. families;
    iii. school and district administrators (including special education administrators); and
    iv. teachers, principals, school leaders, other educators, school staff, and their unions.
- The LEA must also engage in meaningful consultation with each of the following to the extent present in or served by the LEA:
    i. Tribes;
    ii. civil rights organizations (including disability rights organizations); and
    iii. stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children and youth in foster care, migratory students, children who are incarcerated, and other underserved students.
- The LEA assures that the public has been provided the opportunity to provide input to the development of this plan.
- The LEA has taken the public input into account in developing this plan.
- The local school board has adopted the LEA's plan for the use of ARP ESSER funds in an open and public meeting.

Programmatic Requirements

- LEA plans to use at least 20 percent of funds to address accelerated learning through the implementation of evidence-based interventions and ensure that those interventions respond to students' social, emotional, and academic needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups.
    ○ To put a greater focus on social and emotional learning the Utah State Board of Education will be using the term "accelerated learning" in place of "learning loss" and assure that the use of this term is in alignment with the federal use of "learning loss."
- The LEA will only use the ARP ESSER grant Coronavirus Relief Fund to cover costs that—
    ○ Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19)
- The LEA will implement evidence-based interventions, as required by section 2001(e)(1) of the ARP Act

- The LEAs will address the disproportionate impact of the COVID-19 pandemic on underserved students (i.e., students from low-income families, students from racial or ethnic groups, gender, English learners, children with disabilities, students experiencing homelessness, children and youth in foster care, and migratory students), as required by section 2001(e)(1) of the ARP Act
- LEAs that receive ARP ESSER funds meet the requirements in section 2001(i) of the ARP Act and the requirements relating to the ARP ESSER funds published in the Federal Register and available at https://oese.ed.gov/offices/american-rescue-plan/american-rescue-plan-elementary-and-secondary-school-emergency-relief/ (ARP ESSER requirements) within 30 days of receipt of the funds, develop and make publicly available on the LEA's website a plan for the safe return to in-person instruction and continuity of services.
    - Before making the plan publicly available, the LEA must seek public comment on the plan.
    - The LEA ARP ESSER plan includes adoption or the extent of adoption of the policies and strategies that provide continuity of services including but not limited to services to address the students' academic needs, and students' and staff social, emotional, mental health, and other needs, which may include student health and food services in the LEA ARP ESSER plan template.
    - The LEA will periodically review and revise their plan for the safe return to in-person instruction and continuity of services, no less frequently than every six months for the duration of the ARP ESSER grant (through September 30, 2023) as part of the grant administration and monitoring process.
        - Each LEA will be required to submit an assurance that this step has been completed during COVID-19 relief funding reporting and fiscal year close out occurs twice a year. This step will be required, and LEA reimbursements will be placed on hold until the assurance and submission of updated link has been provided to USBE.
    - All posted LEA plans have a point of contact and/or survey form included on the website where the plan for the safe return to in-person instruction and continuity of services is published to allow for public feedback and input throughout the calendar year.
    - The LEA will consider all public feedback in reviewing and making any revisions to the plan. The plan and any subsequent and substantive changes will be required to be approved by the local LEA school board in a public meeting.
- An LEA that receives ARP ESSER funds under this grant is **not required** to provide equitable services to non-public school students and teachers with the ARP ESSER funding. All non-public schools can seek funding support from USBE through the Emergency Assistance for Non-Public Schools (EANS) program. Please refer them to the USBE website: https://schools.utah.gov/coronavirus?mid=4985&aid=10
- When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, U.S. Department of Education grantees shall clearly state:
    - the percentage of the total costs of the program or project which will be financed with Federal money;
    - the dollar amount of Federal funds for the project or program; and
    - the percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.
    - Recipients must comply with these conditions under Division B, Title V, Section 505 of Public Law 115-245, Consolidated Appropriations Act, 2019.
- Grantees and subgrantees that receive grant funds under programs of the Department are responsible for maintaining internal controls regarding the management of Federal program funds under the Uniform Guidance in 2 CFR 200.302 and 200.303. In addition, grantees are responsible for ensuring that subgrantees are aware of the cash management and requirements in 2 CFR part 200, subpart D.

Fiscal Requirements

- Grantees and subgrantees that receive grant funds under programs of the Department are responsible for maintaining internal controls regarding the management of Federal program funds under the Uniform Guidance in 2 CFR 200.302 and 200.303. In addition, grantees are responsible for ensuring that subgrantees are aware of the cash management and requirements in 2 CFR part 200, subpart D.

Local Educational Agency Maintenance of Equity for High-Poverty Schools

- Section 2004(c) of the ARP Act stipulates that an LEA, as a condition of receiving ARP ESSER funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023—
  - Reduce per-pupil funding (from combined State and local funding) for any high-poverty school served by such local educational agency by an amount that exceeds—
    - The total reduction in local educational agency funding (from combined State and local funding) for all schools served by the local educational agency in such fiscal year (if any); divided by
    - The number of children enrolled in all schools served by the local educational agency in such fiscal year; or
  - Reduce per-pupil, full-time equivalent staff in any high-poverty school by an amount that exceeds—
    - The total reduction in full-time equivalent staff in all schools served by such local educational agency in such fiscal year (if any); divided by
    - The number of children enrolled in all schools served by the local educational agency in such fiscal year.
- Exception: The above condition shall not apply to a local educational agency in federal fiscal year 2022 or 2023 that meets at least 1 of the following criteria in such fiscal year:
  - Such local educational agency has a total enrollment of less than 1,000 students.
  - Such local educational agency operates a single school.
  - Such local educational agency serves all students within each grade span with a single school.
  - Such local educational agency demonstrates an exceptional or uncontrollable circumstance, such as unpredictable changes in student enrollment or a precipitous decline in the financial resources of such agency, as determined by the Secretary of Education.

Reporting Requirements for ARP ESSER

As described in the Grant Award Notification ("GAN"), USBE will ensure that its LEAs comply with, all reporting requirements at such time and in such manner and containing such information as the Secretary may reasonably require, including on matters such as:

- The LEA will comply with all reporting requirements at such time and in such manner and contain such information as the federal government, state lawmakers, and USBE may reasonably require in the future.
  - 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 the LEAs ESSER I funds (awarded in 2020) and ESSER II funds (awarded in 2021).
- How the LEA is developing strategies and implementing public health protocols including, to the greatest extent practicable, policies and plans in line with the CDC guidance related to mitigating COVID-19 in schools;

- Overall plans and policies related to LEA support for return to in-person instruction and maximizing in-person instruction time, including how funds will support a return to and maximize in-person instruction time, and advance equity and inclusivity in participation in in-person instruction;
- Data on each school's mode of instruction (fully in-person, hybrid, and fully remote) and conditions;
- LEA uses of funds to meet students' social, emotional, and academic needs, including through summer enrichment programming and other evidence-based interventions, and how they advance equity for underserved students;
- LEA uses of funds to sustain and support access to early childhood education programs;
- Impacts and outcomes (disaggregated by student subgroup) through use of ARP ESSER funding (e.g., quantitative and qualitative results of ARP ESSER funding, including on personnel, student learning, and budgeting at the school and district level);
- Student data (disaggregated by student subgroup) related to how the COVID-19 pandemic has affected instruction and learning;
- Requirements under the Federal Financial Accountability Transparency Act ("FFATA"); and
- Additional reporting requirements may be necessary to ensure accountability and transparency of ARP ESSER funds.

Records Retention

- The LEA will cooperate with any examination of records with respect to ARP ESSER grant by making records available for inspection, production, and examination, and authorized individuals available for interview and examination, upon the request of (i) the governor; (ii) the Department of Education and/or its Inspector General; or (iii) any other federal agency, commission, or department in the lawful exercise of its jurisdiction and authority.

General Education Provisions Act (GEPA) Requirements for LEAs
Section 442 (20 U.S.C. 1232e) Assurances

- Any LEA receiving funding under this program will have on file with the SEA a set of assurances that meets the requirements of section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e).
- To the extent applicable, an LEA will include in its local application a description of how the LEA will comply with the requirements of section 427 of GEPA (20 U.S.C. 1228a). The description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede equal access to, or participation in, the program.
- The LEA will administer ARP ESSER funds in accordance with all applicable statutes, regulations, program plans, and applications;
- The control of funds provided to the LEA, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;
- The LEA will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, ARP ESSER funds paid to that agency;
- The LEA will make reports to the governor and to the U.S. Secretary of Education as may reasonably be necessary to enable the governor and the Secretary to perform their duties and that the local educational agency will maintain such records, including the records required under section 443, and provide access to those records, as the governor or the Secretary deem necessary to perform their duties;

- The LEA will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of ARP ESSER fund expenditures;
- Any application, evaluation, periodic program plan or report relating to ARP ESSER will be made readily available to parents and other members of the general public;
- In the case of any project involving construction—
  - The project is not inconsistent with overall State plans for the construction of school facilities, and
  - In developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under section 504 of the Rehabilitation Act of 1973 in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities
- The LEA has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects; and
- None of the funds expended under ARP ESSER will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization.

Assurance on Lobbying (34 CFR part 82)

The undersigned certifies, to the best of his or her knowledge and belief, that:
1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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 and not more than $100,000 for each such failure.

To the best of my knowledge and belief, all of the information and data in this certification and 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 American Rescue Plan Act or ARP Act, Text - H.R.1319 - 117th Congress (2021-2022): American Rescue Plan Act of 2021. (2021, March 11). https://www.congress.gov/bill/117th-congress/house-bill/1319/text, 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.

Superintendent or Charter School Director (Typed Name):	Telephone:
Sheena Alaiasa	801-363-1892

Signature of Superintendent or Charter School Director*:	Date:
	09/16/21

*Digital signatures are preferred and require a timestamp for authentication. If a digital signature is not possible, USBE will accept a handwritten signature uploaded as a PDF.