



**FLORIDA DEPARTMENT OF EDUCATION
Request for Application**

Bureau/Office

Division of Finance and Operations

Program Name

TAPS 22A175

Elementary and Secondary School Emergency Relief (ESSER) Fund under the American Rescue Plan (ARP) Act

Specific Funding Authority(ies)

Section 45 of the General Appropriations Act (2021), chapter 2021-36, Laws of Florida
CFDA # 84.425U, P.L. 117-2, ARP Act

Funding Purpose / Priorities

The ARP ESSER funds under the ARP Act are provided to Local Educational Agencies (LEAs) to address the impact that the Novel Coronavirus Disease 2019 (“COVID-19”) has had, and continues to have, on elementary and secondary schools in Florida. This includes helping school districts and other LEAs safely reopen schools, restore and maintain high-quality learning environments, measure and effectively address significant learning loss, and take other actions to mitigate the impact of COVID-19 on the students and families who depend on our K-12 schools.

In accordance with Section 45 of the General Appropriations Act, the department will submit a legislative budget amendment that includes detailed information about how each local educational agency will be expending its funds in compliance with the provisions of the ARP ESSER program under ARP ACT. Awards are contingent upon legislative approval of the budget amendment.

Total Funding Amount

For Initial Release (two-thirds): \$4,222,947,863

For Release upon Approval of Florida’s ARP State Plan (one-third): \$2,111,473,931

Total Current Allocation: \$6,334,421,794

LEAs will submit a plan and budget reflecting the total allocation, with a breakdown of the initial release of 2/3 of the total and the 1/3 balance. Reference allocation chart for breakdown of funding amounts.

All allocations are subject to the approval of (1) federal approval and release of all funds associated with Florida's ARP state plan; and (2) state approval of legislative budget amendment(s), in accordance with section 45 of the General Appropriations Act (2021).

Type of Award

Entitlement

Budget / Program Performance Period

November 12, 2021, through September 30, 2024

Pre-Award costs are authorized for any allowable expenditure incurred on or after March 13, 2020, the date the President declared the national emergency due to COVID-19.

Eligible Applicant(s)

Local Educational Agencies, including Charter School Local Educational Agencies.

Application Due Date

On or before November 12, 2021.

The due date refers to the date of receipt of the electronic files in the ShareFile system for access by the Office of Grants Management.

For Federal programs, the project effective date will be the date that the application is received within the Office of Grants Management meeting conditions for acceptance, or the budget period specified in the Federal Award Notification, whichever is later.

Contact Persons

Program Office Contact:

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Finance and Operations Contact:

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Questions should be submitted to the following email address: ESSER2@fldoe.org.

Assurances

The Florida Department of Education (FDOE) has developed and implemented a document entitled, **General Terms, Assurances and Conditions for Participation in Federal and State Programs**, to comply with:

2 C.F.R. 200, Uniform Grant Guidance (UGG) requiring agencies to submit a common assurance for participation in federal programs funded by the United States Education Department (USED); Applicable

regulations of other Federal agencies; and State regulations and laws pertaining to the expenditure of state funds.

In order to receive funding, **applicants must have on file with the Florida Department of Education, Office of the Comptroller, a signed statement by the agency head certifying applicant adherence to these General Assurances for Participation in State and Federal Programs.** The complete text may be found in Section D of the Green Book.

School Districts, Community Colleges, Universities, and State Agencies

The certification of adherence, currently on file with the FDOE Comptroller’s Office, shall remain in effect indefinitely. The certification does not need to be resubmitted with this application, unless a change occurs in federal or state law, or there are other changes in circumstances affecting a term, assurance or condition.

Note: Technical assistance documents and other materials related to the UGG, including frequently asked questions and webinar recordings, are available at The Chief Financial Officers Council web site: <https://cfo.gov/cofar>.

Program-Specific Assurances

In order to receive funding, applicants must submit the signed ARP ESSER Assurances released concurrently with this Request for Application.

Risk Analysis

Every agency must complete a Risk Analysis form. The appropriate DOE 610 or DOE 620 form will be required prior to a project award being issued.

School Districts, State Colleges, Local Educational Agencies, State Universities, and State Agencies must use the DOE 610 form. Once submitted and approved, the risk analysis will remain in effect unless changes are required by changes in federal or state law, changes in the circumstances affecting the financial and administrative capabilities of the agency or requested by the Department. A change in the agency head or the agency’s head of financial management requires an amendment to the form. The DOE 610 form may be found at <http://www.fldoe.org/core/fileparse.php/5625/urlt/doe610.xls>

Funding Method:

Federal Cash Advance (Public Entities only as authorized by the FDOE)

Federal cash advances will be made by state warrant or electronic funds transfer (EFT) to a recipient or subrecipient for disbursements. For federally-funded programs, requests for federal cash advance must be made through FDOE’s Florida Grants System (FLAGS). Supporting documentation for expenditures should be kept on file at the program. Examples of such documentation include, but are not limited to, payroll records, contracts, invoices with check numbers verifying payment and/or bank statements – all or any of these items must be available upon request.

Fiscal Records Requirements and Documentation

LEA allocations are provided in Appendix A. Pursuant to section 1002.33(17)(c), Florida Statutes, school district LEAs shall provide an allocation to all charter schools within its district. Unless otherwise agreed between the district and the charter school(s), the charter school allocation shall be not less than the pro-rata share of the district's total allocation, based on the district's total unweighted FTE and the charter school's total unweighted FTE reported in the 2020-21 survey 3.

All accounts, records, and other supporting documentation pertaining to all costs incurred shall be maintained by the recipient for five years. Supporting documentation for expenditures is required for all funding methods. Examples of such documentation include but are not limited to: invoices with check numbers verifying payment, and/or bank statements; time and effort logs for staff, salary/benefits schedules for staff. All or any documentation must be available upon request.

All project recipients must submit a completed DOE 399 form, Final Project Disbursement Report, by the date specified on the DOE 200 form, Project Award Notification.

Allowable Expenses:

A local educational agency 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.

LEAs shall use the remaining funds for any of the following:

- (A) Any activity authorized by the Elementary and Secondary Education Act of 1965.
- (B) Any activity authorized by the Individuals with Disabilities Education Act.
- (C) Any activity authorized by the Adult Education and Family Literacy Act.
- (D) Any activity authorized by the Carl D. Perkins Career and Technical Education Act of 2006.
- (E) 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.
- (F) 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.
- (G) Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
- (H) Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.
- (I) Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.
- (J) 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.

(K) 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.

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

(M) 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.

(N) 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.

(O) 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.

(P) Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and nonmechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.

(Q) Developing strategies and implementing public health protocols including, to the greatest extent possible, and not inconsistent with state law, 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.

(R) 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.

Unallowable Expenses:

Below is a list of items or services that are generally not allowed or authorized as expenditures. This is not an all-inclusive list of unallowable items. Subrecipients are expected to consult the FDOE program office with questions regarding allowable costs.

- Entertainment (e.g., a field trip without the approved academic support will be considered entertainment)
- Meals, refreshments or snacks
- End-of-year celebrations, parties or socials
- Game systems and game cartridges (e.g., Wii, Nintendo, PlayStation)
- Out-of-state travel without FDOE pre-approval
- Overnight field trips (e.g. retreats, lock-ins)
- Incentives (e.g., plaques, trophies, stickers, t-shirts, give-a-ways)
- Gift cards
- Decorations

- Advertisement
- Promotional or marketing items (e.g., flags, banners)
- Purchase of facilities or vehicles (e.g., buildings, buses, vans, cars) without pre-approval of the Florida Department of Education
- Land acquisition
- Kitchen appliances (e.g., refrigerators, microwaves, stoves, tabletop burners)
- Tuition
- Dues to organizations, federations or societies for personal benefit
- Clothing or uniforms
- Costs for items or services already covered by indirect costs allocation

Costs not allowable for federal programs per the USDE General Administration Regulations (EDGAR), which may be found at <https://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html> and the Reference Guide for State Expenditures, which may be found at

<https://www.myfloridacfo.com/division/aa/manuals/documents/ReferenceGuideforStateExpenditures.pdf>.

Equipment Purchases

Any equipment purchased under this program must follow the Uniform Grants Guidance (UGG) found at http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl or the Reference Guide for State Expenditures,

<https://www.myfloridacfo.com/division/aa/manuals/documents/ReferenceGuideforStateExpenditures.pdf>.

Further guidance and instruction on property records, inventory and disposition requirements for property are outlined in the Green Book, <https://www.fldoe.org/core/fileparse.php/5625/urlt/0076985-2013greenbook.pdf>.

Administrative Costs including Indirect Costs:

Local educational agencies (LEAs) may take reasonable and necessary administrative costs, to include direct and indirect costs. Indirect costs may be taken up to the negotiated, unrestricted indirect cost rate. However, to ensure that the total administrative costs are reasonable, the total direct and indirect costs may not exceed five percent (5%) of the LEA's total award.

School Districts

The Florida Department of Education has been given the authority by the U.S. Department of Education to negotiate indirect cost proposals and to approve indirect cost rates for school districts. School districts are not required to develop an indirect cost proposal, but if they fail to do so, they will not be allowed to recover any indirect costs. Amounts from zero to the maximum negotiated rate may be approved by the Florida Department of Education's Comptroller. **Indirect costs shall only apply to federal programs.** Additional information and forms are available at www.fldoe.org/finance/comptroller/.

LEA Plan for Safe Return of In-Person Instruction

Each LEA developed and made publicly available on the LEA's website a plan for the safe return of in-person learning in the Fall of 2020. This was before the enactment of the ARP Act. This plan must be updated to address the requirements of the U.S. Department of Education's Interim Final Rule, 88 FR 21195. The requirements of the Interim Final Rule are summarized in the LEA ARP ESSER Plan, Application and Assurances released concurrently with this RFA. Each LEA shall seek public comment on the updated plan and take such comments into account prior to the submission of the final plan to the Department. Updated plans must comply with state law, including any applicable executive order, any agency emergency action, or any

agency regulation or rule. No later than 60 days from receipt of its DOE 200 Project Award Notification, each LEA shall submit its updated final plan to the Department. Upon the Department's approval, the LEA shall post this plan on the LEA's website within 90 days of the award.

Executive Order 11-116

The employment of unauthorized aliens by any contractor is considered a violation of section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of the contract. In addition, pursuant to Executive Order 11-116, for all contracts providing goods or services to the state in excess of nominal value; (a) the Contractor will utilize the E-verify system established by the U.S. Department of Homeland Security to verify the employment eligibility of all new employees hired by the contractor during the Contract term, (b) require that Contractors include in such subcontracts the requirement that subcontractors performing work or providing services pursuant to the state contract utilize the E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term. Executive Order 11-116 may be viewed at <https://www.flgov.com/wp-content/uploads/orders/2011/11-116-suspend.pdf>.

General Education Provisions Act (GEPA)

Applicants must provide a concise description of the process to ensure equitable access to, and participation of students, teachers, and other program beneficiaries with special needs. For details, refer to <https://www2.ed.gov/fund/grant/apply/appforms/gepa427.pdf>. If the Applicant has submitted a GEPA statement for the Elementary and Secondary Schools Emergency Relief (ESSER) Fund, the previously submitted GEPA statement will apply to this program. Any revisions specific to the ARP ESSER non-enrollment allocation shall be submitted with the application.

Narrative Section

Districts shall submit an LEA ARP ESSER Plan, Application and Assurances utilizing the template released concurrently with this RFA.

Conditions for Acceptance

The requirements listed below should be met for applications to be considered for review:

- Application must be submitted to the Office of Grants Management via ShareFile. ShareFile access has been established for the ARP ESSER program for each LEA. Requests for access for additional or different LEA personnel may be sent to OGM@fldoe.org. It is requested that access be limited to only those staff needed to upload application or amendment materials.
- Application is received in the timeframe specified by the RFA.
- Application includes required forms: LEA ARP ESSER Plan, Application and Assurances utilizing the template released concurrently with this RFA, DOE 100A Project Application Form, and ARP ESSER DOE 101 Budget Narrative Form.
- All required forms must have the assigned TAPS Number included on the form
- All required forms must have signatures by an authorized entity. Electronic signatures are acceptable. Electronic signatures may include a pdf or other scanned version of a hard-copy signature, or a typed or imaged signature. If a typed or imaged signature is used, the document must be uploaded by the individual signing the document.

NOTE: Applications signed by officials other than the appropriate agency head identified above must have a letter signed by the agency head, or documentation citing action of the governing body delegating authority to the person to sign on behalf of said official. Attach the letter or documentation to the DOE 100A when the application is submitted.