

Uses of Elementary and Secondary School Emergency Relief (ESSER) Funds



ESSER funds have a wide range of uses that can advance our vision and goals for Massachusetts' public schools. All three rounds of the ESSER funds can be used for anything that responds to the COVID crisis, including health and safety measures, meeting students' unique needs through increased staffing, proposals that promote educator recruitment and retention, and more. Specific examples of how ESSER funds may be used are listed below. These lists were adapted from **NEA's guide: *Federal Emergency Aid for Public Education: A Guide to Funding Amounts, Uses, and Requirements***. That report, which contains more detailed guidance, can be found [HERE](#). The lists below provide ideas and suggestions for ESSER uses, but they are not exhaustive. The full text of the American Rescue Plan Act's language on ESSER fund uses is also provided at the end of this document.

***Note: While ESSER funds may be used to cover a very wide range of initiatives and proposals, it is possible that some of your members' bargaining and advocacy priorities may not fall within the allowable uses/expenses. In such instances, it is important to note that because the ESSER funds will cover expenses that would otherwise be paid for out of your employer's operating budget, that money is now free to be used for other purposes and member priorities. For example, let's say your employer normally spends \$50,000 of its budget on technology. If your employer uses ESSER funds to pay for technology expenses related to COVID, there are now \$50,000 of funds available in the budget to be used for other purposes.*

ESSER uses:

1. Employing existing or hiring new staff

Legislative language: A local educational agency, State, or other entity that receives funds shall, to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus; continue to employ existing staff of the local educational agency; and other activities that are necessary to maintain the operation of and continuity of services in local educational agencies.

U.S. DOE examples of allowable uses:

- To avoid devastating layoffs and hire additional educators to address learning loss, provide support to students and existing staff, and provide sufficient staffing to facilitate social distancing.
- To hire additional school personnel, such as nurses and custodial staff, to keep schools safe and healthy.
- To invest in staff capacity; and ensure that all students have access to teachers, counselors, and other school personnel to support their needs.

Additional examples of uses:

- Ensure continuity of services by preventing layoffs or furloughs, including bringing back laid-off or furloughed employees
- Add staff to allow for smaller class sizes
- Hire more paraprofessionals
- Hire more specialized instructional support personnel to support the highest-needs students and to ensure safe schools (counselors, school psychologists, behavioral specialists, speech-language pathologists, school nurses, librarians)

- Increase staffing to allow for small group learning and individualized instruction
- Hire permanent building substitutes or increase the pay of substitutes to prevent shortages
- Pay for leave related to Covid-19
- Address recruitment or retention challenges in light of the pandemic, which may include increasing compensation and salaries/wages and other forms of additional pay to attract and retain employees (e.g. An ESP Living Wage).
- Provide additional compensation to teachers and other staff that have assumed new duties and risk, or are dedicating additional time to educating because of COVID (e.g. remote, dual modality teaching, higher student needs).

For additional guidance on bargaining and advocating for improved learning conditions through reduced educator workload, see NEA's report on [COVID-19 and Educator Workload](#). For additional ideas on staffing, see: NEA's [Issue Guidance on Assignments and Staffing During Covid-19](#).

2. Unique Needs of Students

Legislative language: 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.

U.S. DOE examples of allowable uses: The funds may be used to expand opportunities for students who need the funds most, including students from low-income backgrounds, students of color, students with disabilities, English learners, students experiencing homelessness, and students with inadequate access to technology.

Additional examples of uses:

- See increased staffing recommendations in (A) above.
- Offer staff-driven professional development to help all educators (teachers, paraprofessionals, specialized instructional personnel) meet the needs of the most vulnerable students
- Reduce caseloads for SISPs and SPED staff through additional staffing
- More paraprofessionals
- Increase initiatives and professional development to further anti-racist practices in our schools
- Advance initiatives that improve recruitment and retention of BIPOC educators
- Create a Diversity, Equity and Inclusion Team and Leader
- Provide extra time for evaluation/reevaluation for SPED and Specialized Instruction personnel
- Expand Meal programs
- Advance initiatives that strengthen partnerships with families
- More prep time

3. Mental health services and supports

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

U.S. DOE examples of allowable uses: To implement strategies to meet the social, emotional, mental health, and academic needs of students hit hardest by the pandemic, including through evidence-based interventions and critical services like community schools.

Additional examples of uses:

- See increased staffing recommendations in (A) above.
- Increase school-based student mental health screenings
- Provide the additional time, resources and professional development to develop curriculum and other programs that address the social and emotional needs of students.
- Implement/expand restorative practice programs

4. Safe schools, school facility repairs, improvements, indoor air quality, preparedness

Legislative language:

INDOOR AIR QUALITY IN SCHOOL FACILITIES. 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 system, and window and door repair and replacement.

SCHOOL FACILITY REPAIRS & IMPROVEMENTS. 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.

SANITATION SUPPLIES & PPE. Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.

STAFF TRAINING ON SANITATION & PREVENTION. Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.

PREPAREDNESS & RESPONSE. Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.

COORDINATION WITH PUBLIC HEALTH DEPARTMENTS. 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.

PUBLIC HEALTH PROTOCOLS. 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.

U.S. DOE examples of allowable uses:

- Provide PPE for all students and staff who need it.
- Improve facility cleaning and ventilation to the greatest extent possible.
- Obtain additional space to ensure social distancing in classrooms.
- Provide social distancing on buses.

- Partner with local health authorities to test students.
- Implement Covid-19 mitigation strategies.

Additional examples of uses:

- Improve/upgrade HVAC systems
- Purchase of air purifiers
- Repair/replace windows
- Cleaning and sanitation supplies
- Install air conditioning

See also: [MTA's Health and Safety Covid-19 Checklist](#), [NEA's Mitigation Strategies for In-Person Learning](#) and [All Hands on Deck: Guidance Regarding Reopening School Buildings](#).

5. Education technology

Legislative language: 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.

U.S. DOE examples of allowable uses:

- Expand WIFI access for students.
- Provide professional development for educators on the use of technology.
- Purchase hardware and software for students and teachers.
- Provide access to high-quality digital learning content.

Additional examples of uses:

- Improve school WIFI (connectivity, speed)
- Purchase assistive technology for students with disabilities
- Purchase devices for all students
- Purchase tech that assists educators, such as second monitors, projectors, speakers, etc.

To learn more about access to technology, please see the NEA's report on [Digital Equity for Students and Educators](#).

6. Activities under ESEA, IDEA, CTEA and AEFLA

Legislative language: Any activity authorized by the Elementary and Secondary Education Act of 1965, Individuals with Disabilities Education Act, Carl D. Perkins Career and Technical Education Act of 2006, and Adult Education and Family Literacy Act.

7. Other uses that support many of the categories above:

- Expand professional development opportunities for all educators

- Increase tuition reimbursement so educators can pursue graduate course work
- Increase preparation and collaboration time so educators can dedicate the time necessary to plan for students increased needs
- Additional mentoring support for teachers, including stipends for mentors.
- Expand wrap-around services

For more ideas, see NEA's and the AFT's joint report [Learning Beyond Covid-19: A Vision for Thriving Public Education](#) and the Learning Policy Institute's report [Restarting and Reinventing School: Learning in the Time of COVID and Beyond \(August 2020\)](#).

Full Text from the American Rescue Plan Act:

Sec. 2001. Elementary and Secondary School Emergency Relief Fund

(e) USES OF FUNDS.—A local educational agency that receives funds under this section—

(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

(2) 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 non-mechanical 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 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.

(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.