

NEBRASKA DEPARTMENT OF EDUCATION (NDE)

500 S. 84th St., 2nd Floor

Lincoln, NE 68510-2611

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GRANT AWARD NOTIFICATION

<p>Name and Address of Grantee (Subrecipient Agency): BANNER COUNTY PUBLIC SCHOOLS 200 SCHOOL ST HARRISBURG, NE 69345-0005</p> <p>Address Book Number: 564259 DUNS Number: 193013448</p> <p>Approved Indirect Cost Rate: 2.9540%</p>	<p>NDE Contact Person / Phone Number / Email: Beth Wooster / (402) 310-1390 / beth.wooster@nebraska.gov</p> <p>NDE Payment Contact / Phone Number / Email: Steve Bauers / (402) 890-8136 / steve.bauers@nebraska.gov</p>						
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Prior Year Funds</td> <td align="right">\$0</td> </tr> <tr> <td>Current Year Funds</td> <td align="right">\$267,455</td> </tr> <tr> <td>Total Funds</td> <td align="right">\$267,455</td> </tr> </table>	Prior Year Funds	\$0	Current Year Funds	\$267,455	Total Funds	\$267,455	<p>Amendment 1 approved on 10/11/2021</p> <p>Grant Period: 03/24/2021 to 09/30/2024</p>
Prior Year Funds	\$0						
Current Year Funds	\$267,455						
Total Funds	\$267,455						
<p>Program Title: Elementary and Secondary School Emergency Relief Fund-ARP - ESSER III</p> <p>Catalog of Federal and Domestic Assistance (CFDA): 84.425U</p>							
<p>Source: US Department of Education Office of Elementary and Secondary Education</p>							
<p>Federal Award Identification Number (FAIN):</p> <p>Federal Award Date:</p>	<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th align="center" style="width:60%;">Prior Year</th> <th align="center">Current Year</th> </tr> </thead> <tbody> <tr> <td></td> <td align="center">S425U210048</td> </tr> <tr> <td></td> <td align="center">3/24/2021</td> </tr> </tbody> </table>	Prior Year	Current Year		S425U210048		3/24/2021
Prior Year	Current Year						
	S425U210048						
	3/24/2021						
<p>Project Number: 21-6998-00-13-004-0001</p>							
<p>Terms and Conditions of Award</p> <p>A. This Non-research Grant shall be in effect for the designated period of the Grant award (Grant Period) unless otherwise terminated or suspended by the Nebraska Department of Education (Department) at any time.</p> <p>B. Program and fiscal reports will be completed and submitted as required and shall report grant activities in accordance with the approved application and budget as required by the Department.</p> <p>C. Amendments must be agreed to by the Grantee and NDE and documented by the Department and an amended Grant Award Notification provided to the grantee.</p> <p>D. The obligation period of the Grant is identified in Grant Award Period above. Obligations cannot be made prior to or after this Grant Period. All obligations should be liquidated within 45 days after ending date of Grant. At the completion of the grant period, a final request for funds accompanied by the final report of expenditures must be submitted to the Department with proper documentation not later than 45 days after the last day of the grant period.</p> <p>E. The negotiated indirect cost rate or the indirect cost allocation plan approved for the Grantee of this GAN applies to this grant award.</p> <p>F. Funding requests will be documented as required by the Department's Grants Management System (GMS) or, for grants not in the GMS documented using a Report of Expenditures (NDE 28-003) according to procedures identified in application process. This form can be found on the NDE website: http://www.education.ne.gov/FOS/Forms/index.html or the NDE Portal - Forms Tab: https://portal.education.ne.gov/site/DesktopDefault.aspx.</p> <p>G. Adequately detailed documentation specifying the grant expenditures must accompany all requests for reimbursement.</p> <p>(i.e. computer printouts, system generated documentation, etc.)</p> <p>H. If grant funds are not expended in accordance with the grant award, the Department may require that all grant funds or any portion thereof be returned by a means to be determined by the Department.</p> <p>I. Records will be maintained for equipment acquired and the equipment will remain under the administrative control of the grantee. The Secretary of State Record Retention Schedules are applicable to records retention, except that all grant records shall be maintained for at least five (5) years following the end of the grant period. Federal Regulations 34 CFR 80.32 or the Secretary of State Record Retention Schedule 124 is applicable to records retention.</p> <p>J. The grantee assures the Department that the project will be conducted in accordance with state statutes and federal regulations as identified in the Statement of Assurances for the specific grant program.</p>							

K. If the subrecipient expends a total of \$750,000 or more during subrecipient's fiscal year from all federal funding sources, the subrecipient shall have either a single audit or a program-specific audit made for such fiscal year in accordance with 2 CFR 200 Subpart F-Audit Requirements and a copy of the complete audit report must be submitted to the Department no later than nine months after the audited period ends.

L. The grantee will permit the Department and its auditors to have access to the grantee's records and financial statements as necessary for the Department to meet the requirements of the Uniform Grants Guidance located at 2 CFR 200.

M. Total funding is contingent upon availability of appropriated funds.

N. Additional terms and conditions are attached, if applicable.

NDE Approvals:

Approved by: Jim Kent on 09/16/2021

Approved by: Beth Wooster on 10/11/2021

Applicant: 13-004-0001-13 BANNER COUNTY PUBLIC SCHOOLS
Application: 2020-2021 ARP Act ESSER III 6998 - 00-
Cycle: Amendment 1

American Rescue Plan - ARP - ESSER III - 6998 ▼

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Allowable Uses	Intent and Purpose
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American Rescue Plan (ARP) ESSER III Grant - Allowable Uses

ARP ESSER III

Use of Funds: A local educational agency (LEA) that receives funds under this title may use the funds for one or more of the following. Please check one or more of the intended use of funds areas and describe the proposed activities. You will be required to indicate the code(s) when completing the budget detail.

- 1. Administration: Only reasonable and necessary for administering the grant. Time and effort will be required. If administrative funds used, it must be explained in detail.
- 2. Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) ("IDEA"), the Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) ("the Perkins Act"), or subtitle B of Title VII of the McKinney-Vento Assistance Act (42 U.S.C. 11431 et seq.).
- 3. Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.
- 4. Providing principals and other school leaders with the resources necessary to address the needs of their individual schools. ** This is not available for ARP ESSER III. ***
- 5. Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.
- 6. Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
- 7. Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.
- 8. Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.
- 9. 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 (20 U.S.C. 1401 et seq.) and ensuring other educational services can continue to be provided consistent with all Federal, State, and local requirements.
- 10. 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 with disabilities, which may include assistive technology or adaptive equipment.
 Explanation/Description ([count] of 500 maximum characters used)
 Clear Touch interactive display boards (5) for classroom instruction, remote and distance learning
- 11. Providing mental health services and supports.
- 12. Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing class instruction or online learning during the summer months and addressing the needs of low-income students, children with disabilities, English migrant students, students experiencing homelessness, and children in foster care.
- 13. Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic students experiencing homelessness, and children and youth in foster care, of the local educational agency, including by -
 - (A) Administering and using high-quality assessments that are valid and reliable, to accurately assess students' academic progress and educators in meeting students' academic needs, including through differentiating instruction.
 - (B) Implementing evidence-based activities to meet the comprehensive needs of students.
 - (C) Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment.
 - (D) Tracking student attendance and improving student engagement in distance education.
 Explanation/Description ([count] of 500 maximum characters used)
 1 FTE teacher to support learning acceleration and recovery for students
- 14. School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards.

hazards, and to support student health needs.

- 15. 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, ceiling and window and door repair and replacement.
- 16. Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuity of existing staff of the local educational agency.
- 17. Development of strategies and implementation of public health protocols that align with Centers for Disease Control and Prevention recommendations for reopening and operating school facilities to maintain the health and safety of students, educators, and other staff.

Applicant: 13-004-0001-13 BANNER COUNTY PUBLIC SCHOOLS
Application: 2020-2021 ARP Act ESSER III 6998 - 00-
Cycle: Amendment I

American Rescue Plan - ARP - ESSER III - 6998 ▼

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Allowable Uses	Intent and Purpose
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American Rescue Plan (ARP) ESSER III Grant Funds - Intent and Purpose [ESSER III Master Instructions](#)

Public Education

1. Describe how the District engaged stakeholders in meaningful consultation on the Plan for Use of Fund. Answers must be detailed. Stakeholders must include, but are not limited to: students, families, school and district administrators (including special education administrators), teachers, principals, school leaders, other educators, school staff and their unions, Tribes, civil rights organizations (including disability rights organizations), and 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

([count] of 2500 maximum characters used) The district reached out to all stakeholders through a Community Consultation Survey that was sent to all students, staff, and families through JMC messaging system. The survey was also posted on our website for community patrons to access. Students, parents, staff, and community members were consulted through a Community Consultation Survey. Thirty-two responses to the survey were completed by parents (17), staff (13), community members (2). No students completed the survey. The areas of highest need or concern were: Extra instructional support for students in core content areas (58%); Unfinished teaching and learning resulting from closures (42%); Mental health supports for students (39%); and, Social-emotional supports for all students (35%). High Quality Instructional Materials and Content was rated as the top priority by 50% of respondents. Provide supplementary instruction on Option Enrichment Fridays (OEFs) was rated as the most important strategy to address student learning loss by 56% of respondents.

2. Describe the following components in regards to stakeholder engagement for the Plan for Safe Return. Answers must be detailed.

- a. Who was consulted? How did the consultation occur and what were the outcomes?

([count] of 2500 maximum characters used)

At the June Regular BOE meeting, 6/14/21, there was Public Comment and Discussion on the 2021-2022 Return to Learn Plan. Board members and the Public provided input and comment on Return to Learn Plan for the 2021-2022 School Year. A request for public comment was also posted on the BCS website. Two emails supporting the plan were received by the superintendent. The Return to Learn Plan was shared with the Panhandle Public Health Department. Copies of the plan were sent to every family of a child registered in the district and posted on the school web-site. When faculty returned on August 11, 2021, the Return to Learn "Green" Plan was reviewed for further comment and clarification of revised protocols for student and staff health and safety.

- b. Revisions to plans are statutorily required every 6 months. What systems, structures or procedures is the district putting in place to ensure revisions are made to address developing or changing student needs and community priorities? How will the district continue to engage stakeholders in the process of revision?

([count] of 1000 maximum characters used)

The district will revisit and/or revise both plans every 6 months during the monthly BOE meetings each year of the ESSER III grant. These reviews will be agenda items, publicized locally and in the district legal newspaper as per the requirements of the Open Meetings Act. The Principal and/or Superintendent will present relevant data to inform possible revisions and/or changes to the plans.

- c. The district URL address where the Plan for Safe Return can be found. [ARP Act pf 2021 \(H.R. 1319\)](#)

([count] of 500 maximum characters used)

<https://www.bcswildcats.org/vnews/display.v/ART/60ba63206ddda>

3. A minimum of 20% of the allocation must be expended to address learning loss. Answer the following questions? Answers must be detailed.

- a. How will 20% of the allocation be used to address student learning loss?

([count] of 2500 maximum characters used)

98% of the grant allocation will fund 1 FTE learning recovery teacher for three years to provide targeted supports to students in the district curriculum; supports will be based on student assessment criteria, including MAP NWEA, DIBELS, STAR assessments, class grades.

b. At what level of evidence are the specific intervention(s) or strategy(ies) to address learning loss? If the answer is “Demonstrates a Rationale” the District Must upload a file with information about the Evidence Based Rationale.

ESSER III - Evidence-Based Interventions - Google Docs

- Strong Moderate Promising
 Demonstrates a Rationale

[Dimensions_Vol40_3_Wilson-20210902053833-45945219375431680.pdf](#)
[ED523517_Impact_Small_groups-20210902053812-45945219375431680.pdf](#)
[Flexible_Math_Groups_ERIC_Journal-20210902053018-.pdf](#)
[Olmstead - Small Group-20210902053758-45945219375431680.pdf](#)

File name cannot include special characters (e.g.: \$, #, &, '.'), and cannot exceed 10 MB. Uploading files that do not comply with these restrictions may result in error and loss of data.

Choose File | No file chosen

c. What evidence does the district have to support the specific intervention(s) or strategy(ies) to address learning loss?

([count] of 2500 maximum characters used)

Students in the district have met or nearly met learning goals for reading since the implementation of a Reading Interventionist who instructs students either individually or in small groups. These results informed our decision to engage a Learning Recovery teacher who could work with students in other content areas such as math, science, and social studies. Research shows that beginning readers benefit most from being taught explicit skills during intensive small group instruction. Additionally, students benefit from small group instruction in math that relies on the ability of the teacher to be flexible and differentiate to the needs of the learner.

d. Include the hyperlink to the evidence source.

([count] of 2500 maximum characters used)

https://www.rcboe.org/cms/lib/GA01903614/Centricity/Domain/15500/Dimensions_Vol40_3_Wilson.pdf
<https://files.eric.ed.gov/fulltext/EJ1152264.pdf>

e. How are these resources providing support for students that missed instructional time?

([count] of 2500 maximum characters used)

Students will be identified for targeted instruction through the results of their MAP assessments, DIBELS, classroom benchmarks, and teacher recommendation. The Learning Recovery teacher will work closely with the classroom teachers, the reading Interventionist, the Special Ed teacher, and the building Principal to analyze data and create small group instruction schedules that work in the best interests of the students.

f. How are these resources providing support for students that have been historically marginalized? (ie: students of color, students who are economically disadvantaged, English learners, and students with disabilities).

Learning Loss Document

([count] of 2500 maximum characters used)

Students with disabilities make up 12% of our student body and economically disadvantaged students account for 50-63%. Mobility is higher than the state average at nearly 13%. The added economic and social pressures on families during the pandemic have resulted in a need for not only academic support, but social and emotional supports as well. The district has implemented the Second Step program to help bolster student self-advocacy and confidence. Second Step (<https://www.evidenceforessa.org/programs/social-emotional/second-step-social-emotional-learning>) is a STRONG evidence-based intervention that will strengthen students' learning in small groups by bolstering confidence and self-advocacy skills.

4. What are the anticipated outcomes for the districts investments? Consider this: If we do x, we expect y to occur, leading to z in regards to student outcome. A district may have multiple theories of action based on the district's investments.

([count] of 2500 maximum characters used)

If we provide targeted academic supports based on both quantitative and qualitative data, we expect to see students meeting or exceeding learning goals, and becoming more confident and self-motivated life-long learners.

5. What student data (ex. Perceptual, Process, Demographic, Achievement) did the district use to determine the priorities? Be specific in your answer.

([count] of 2500 maximum characters used)

Community Consultation Survey data, student assessment data, student attendance records, percent of students receiving free and reduced lunch, student IEPs, and qualitative data from teachers.

Applicant: 13-004-0001-13 BANNER COUNTY PUBLIC SCHOOLS
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The application has been approved. No more updates will be saved for the application.

Budget Detail BUDGET BREAKDOWN (Use whole dollars only. Omit Decimal Places, e.g., 2536)

[Instructions](#)

Note: This Object Code summary displays amounts already paid, to aid in budget amendments. This does not include those reimbursement request(s) submitted but not approved. Do not reduce any Object Code Total below what has already been paid.

Paid to Date Amounts	100 - Salaries	200 - Employee Benefits	300 - Professional & Technical Services	400/500/800 - Other Purchased Services	600 - Supplies	700 - Capital Assets	Indirect Cost
	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Current Budgeted Amounts by Object Code	\$155,223	\$93,587	\$0	\$0	\$18,635	\$0	\$0

Total Allocation Available for Budgeting \$267,455

If the District is budgeting funds for salaries, funds must also be budgeted for employee benefits at a reasonable amount.

On the Original Application, you selected Reimbursement Request as your payment method.

American Rescue Plan (ARP) ESSER III Grant - Allowable Uses - Function Codes 1-17 (must match program information)

Function Code	100 - Salaries	200 - Employee Benefits	300 - Professional & Technical Services	400/500/800 - Other Purchased Services	600 - Supplies	700 - Capital Assets	Total ARP-Act-ESSER-III-6998 Funds	Del Rc
10-Technology	0	0	0	0	18635	0	\$18,635	[
13-Renewal and Acceleration	155223	93587	0	0	0	0	\$248,810	[
	0	0	0	0	0	0	\$0	[
Sub Total	\$155,223	\$93,587	\$0	\$0	\$18,635	\$0	\$267,445	

***** TOTALS *****	\$155,223	\$93,587	\$0	\$0	\$18,635	\$0	\$267,445
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Determining Maximum Indirect Cost allowed

(A) Total Allocation Available for Budgeting	\$267,455	(F) Total budgeted above	\$267,445
(B) Capital Assets Costs	\$0	(G) Budgeted Indirect Cost	0
(C) Allowable Direct Costs (A-B)	\$267,455	(H) Total Budget (F+G)	\$267,445
(D) Indirect Cost Rate %	2.9540	Allocation Remaining (A-H)	\$10
(E) Maximum Indirect Cost (C*(D/(1+D)))	\$7,673		

user ID: 45945219375431680



For additional information please contact the Nebraska Department of Education

[Contact Us](#)

Banner County School District (04-0001)

GEPA Statement

COVID-19 has disrupted students' learning experiences since the forced closure on March 16, 2020. The impact to students' and families' social, emotional, and economic well-being has been tangible, especially for our economically disadvantaged and special education student populations. Our district will use ESSERS III grant funds to purchase digital instructional devices that teachers can use in the classroom to accelerate learning and for remote learning to keep students who are not able to attend school engaged in learning opportunities. Equitable access and academic success for ALL students is our district's priority. Access to technology tools is a concern in our district, where 73% of our students are eligible for free and reduced lunch, and district surveys indicate that only 30-50% of our students have access to technology at home. Our teaching staff will host parent information nights to demonstrate the instructional applications for this technology in order to garner their support for students developing a mindset of "acceleration, not remediation" to meet grade-level expectations.

Based on feedback through our Community Consultation Survey, additional instructional supports for students will be met using ESSER III funds to engage a full-time Learning Recovery (LR) teacher, who will work with students across all grade levels, demographics, and specific learning needs as identified through Individual Education Programs. The LR teacher will use student assessment data to identify learning concerns and to schedule targeted small group instruction.

We will ensure that no student or teacher will be denied participation in district learning opportunities based on gender, race, national origin, disability or age.

Applicant: 13-004-0001-13 BANNER COUNTY PUBLIC SCHOOLS
Application: 2020-2021 ARP Act ESSER III 6998 - 00-
Cycle: Amendment 1

American Rescue Plan - ARP - ESSER III - 6998 ▼

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20% Allocation Learning Loss	Plan for Safe Return	Instructional Materials	Use of Funds	Common Assurances	Standard Agreement	ARP ESSER III Assurances	Assurance Summary	GEPA Information
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American Rescue Plan (ARP) ESSER III Grant - Assurances

[ARP ESSER III Instructions](#)

By checking this box and saving the page, the authorized representative hereby certifies that he or she has read, understood and will comply with the assurances listed below, as applicable to the program(s) for which funding is requested. These assurances are binding for Districts/Fiscal Agents that are accepting funding under this program(s).

When completing assurances below, read the assurance and check the box to indicate that the LEA understands and intends to comply with the corresponding program requirements. The LEA must agree to all assurances understanding that if certain requirements don't apply to the LEA's current context, that the LEA would meet the requirements if the situation were to become applicable.

The LEA will ensure that each program covered by this application will be administered in accordance with all applicable statutes, regulations, program plans, and requirements delineated in this application.

The LEA will ensure that these emergency relief funds allocated to the LEA will only be used to address the impact that the Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on public and non-public elementary and secondary schools in the LEA. This includes both continuing to provide educational services, such as remote learning, while schools and campuses are closed, and developing and implementing plans for the return to normal operations.

The LEA will ensure that the remaining allocated ARP - ESSER III funds will only be used for activities allowable under section 2001(d)(2)(e) of the American Rescue Plan Act of 2021.

The LEA will ensure that the ARP - ESSER III funds will not be used for 1) subsidizing or offsetting executive salaries and benefits of individuals who are not employees of the SEA or LEAs or 2) expenditures related to state or local teacher or faculty unions or associations.

The LEA will ensure that ARP- ESSER III funds will be used for purposes that are reasonable, necessary, and allocable under the ARP Act.

The LEA will comply with maintenance of equity provision in section 2004(c) of the American Rescue Plan Act of 2021.

The LEA will ensure that the ARP - ESSER III funds will not be used for 1) subsidizing or offsetting executive salaries and benefits of individuals who are not employees of the SEA or LEAs or 2) expenditures related to state or local teacher or faculty unions or associations. Similarly, to the CARES and CRRSA, ARP funds generally will not be used for bonuses, merit pay, or similar expenditures, unless related to disruptions or closures resulting from COVID-19.

The LEA will ensure that ARP- ESSER III funds will be used for purposes that are reasonable, necessary, and allocable under the ARP Act and pursuant to 2 CFR § 200.403-405 of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).

The LEA will comply with, all reporting requirements at such time, in such manner, and containing such information as reasonably, including on matter such as: 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,

The LEA ensures records pertaining to the ARP ESSER award under 2 C.F.R. § 200.334 and 34 C.F.R. § 76.730, including financial records related to use of grant funds, will be retained separately from other grant funds, including funds that an SEA or LEA receives under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA)

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

The LEA will meet the requirements of section 442 and section 427 of the General Education Provisions Act (GEPA, 20 U.S.C. 1232(e)) & 1228(a)). Meaning that during the entire duration of time that the entity is receiving funding under ARP - ESSER III, the LEA will:

- Ensure that it has taken steps to ensure equitable access to, and participation in, its federally-assisted programs for students, teachers, and other program beneficiaries with special needs;

- Ensure that each program will be administered in accordance with applicable statutes, regulations, program plans, and applications;
- Ensure that control of funds and property acquired using ARP ESSER III program funds will be maintained and administered by the appropriate public agency;
- Ensure that fiscal control and fund accounting procedures will be used to ensure proper disbursement of, and accounting for, federal funds;
- Report to the state agency or board and to the Secretary as may be needed for the state agency or board and the Secretary to perform their duties under each program, and each LEA will maintain records (as required in Section 443 of the General Education Provisions Act (GEPA)) and provide access to those records as the state board, state agency, or Secretary deems necessary to carry out their responsibilities;
- Provide opportunities for the participation in, planning for, and operation of each program by teachers, parents, and other interested agencies, organizations, and individuals;
- Ensure that applications, evaluations, plans, or reports related to each program will be made available to parents and the public;
- Ensure that facilities constructed under any program will be consistent with overall state construction plans and standards and with the requirements of Section 504 of the General Education Provisions Act (GEPA); Overview and Issues Congressional Research Service 12 Rehabilitation Act of 1973 in order to ensure that the facilities are accessible to and usable by individuals with disabilities;
- The LEA has adopted effective procedures for acquiring and disseminating information and research regarding the programs and for adopting, where appropriate, promising educational practices to teachers and administrators participating in each program; and
- Ensure that none of the funds expended under any applicable program will be used to acquire equipment if such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees.

The LEA will be in compliance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) requirements in 2 CFR, including Subpart D—Post Federal Award Requirements (2 CFR §§200.300-345) and Subpart E—Cost Principles (2 CFR §§200.400-475).

The LEA will comply with the provisions of all applicable acts, regulations and assurances; the following provisions of Education Department General Administrative Regulations (EDGAR) 34 CFR parts 76, 77, 81, 82, 84, 97, 98, and 99; the OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Non procurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and the Uniform Guidance in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

The LEA will comply with all applicable assurances in OMB Standard Forms 424B and D (Assurances for Non-Construction and Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood hazards; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders and regulations.

The LEA will ensure no lobbying or 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 the making or renewal of Federal grants under this program; 34 C.F.R. Part 82.

Maintenance of Equity (MEQ)

The ARP (**section 2004(b) and (c)**) contains both State and LEA maintenance of equity (MEQ) requirements for each of FYs 2022 and 2023.

LEAs must follow maintenance of equity (MEQ) and ensure that the highest-poverty schools are not disproportionately underfunded nor understaffed (in terms of FTEs). Additional guidance will be made available as it is released by the USED.

MEQ is a new requirement at both the LEA and SEA level, however, it will prevent LEAs from disproportionately underfunding and understaffing (in FTE) the highest-poverty districts.

(c) Local Educational Agency Maintenance Of Equity For High-Poverty Schools.—

(1) IN GENERAL.—As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023—

(A) 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—

(i) 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

(ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year; or

(B) reduce per-pupil, full-time equivalent staff in any high-poverty school by an amount that exceeds—

(i) 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

(ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year.