



**CALIFORNIA DEPARTMENT
OF EDUCATION**

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STATE SUPERINTENDENT OF
PUBLIC INSTRUCTION

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May 24, 2021

Dear County Superintendents of Schools:

**Preliminary Allocation Amounts for American Rescue Plan,
Elementary and Secondary School Emergency Relief Fund
Fiscal Year 2020–21**

Elementary and Secondary School Emergency Relief III (ESSER III) funds are part of the American Rescue Plan (ARP) Act which was signed into law on March 11, 2021 (Public Law 117.2). ESSER III funds are apportioned to local educational agencies (LEAs) to address the impact of COVID-19 on elementary and secondary schools. Each state must use no less than 90 percent of its allocation (\$13,561,996,091) to make subgrants to LEAs, based on each LEA's share of funds received under Title I, Part A in fiscal year 2020–21.

Preliminary Allocation Amounts

The California Department of Education (CDE) has posted the Preliminary ESSER III Allocation Schedule on the ESSER III Funding Results web page at, <https://www.cde.ca.gov/fg/fo/r14/esseriiii20result.asp>.

Currently, the U.S. Department of Education (ED) has made 74 percent of total grant funds (\$10,045,923,031) available for apportionment at this time. Until ED makes the full award available to California, LEA apportionments will be limited to 74 percent of the full allocation amount.

ESSER III Application and Safe Return Plan

In order to receive an allocation, LEAs must apply for funding by submitting the ESSER III Legal Assurances. A link to the web application will be made available on the ARP Act Funding web page at, <https://www.cde.ca.gov/fg/cr/arpact.asp>. The CDE anticipates that the ESSER III Legal Assurances will be made available on CDE's ARP Act Funding web page between June 1 and June 7.

Within 30 days of submitting ESSER III Legal Assurances LEAs must adopt a Safe Return to In-Person Instruction and Continuity of Services (Safe Return) Plan. The Safe

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Return Plan is a requirement of the ARP Act, and all associated requirements must be fulfilled within 30 days of a LEA submitting ESSER III Legal Assurances. Additional information concerning the requirements of the Safe Return Plan, including a template to assist LEAs in meeting the federal requirements will be made available on CDE's ARP Act Funding web page at, <https://www.cde.ca.gov/fq/cr/arpact.asp> between June 1 and June 7.

Notifications will be sent to the CDE ED Relief Funds listserv with updates on the availability of the web application and information on the Safe Return Plan. If you are not already subscribed, please join the listserv by sending a blank email message to join-edrelieffunds@mlist.cde.ca.gov.

Payments

The first apportionment will include LEAs that submit the ESSER III Legal Assurances by June 25 and is expected to be received by LEAs in August. LEAs that do not apply by June 25, 2021 may apply after June 25 to receive funds through subsequent apportionments.

To meet federal cash management requirements to reduce the time elapsed between the receipt and disbursement of federal funds, an LEA's first apportionment payment will equal 10 percent of its ESSER III allocation. Subsequent apportionments will be based on quarterly expenditure reporting and equal to 10 percent of an LEA's ESSER III allocation plus expenditures, adjusted for funds previously paid.

For standardized account code structure coding, use Resource Code 3213: Elementary and Secondary School Emergency Relief III (ESSER III) Fund for the 80 percent portion, Resource Code 3214: Elementary and Secondary School Emergency Relief III (ESSER III) Fund: Learning Loss for the 20 percent portion, and Revenue Object Code 8290, All Other Federal Revenue.

Use of Funds

An LEA may use ESSER III funds for any allowable expenditure incurred on or after March 13, 2020, the date the national emergency was declared due to COVID-19. Additional information can be found on the ARP Act ESSER III web page at <https://www.cde.ca.gov/fq/cr/arpact.asp>.

An LEA must reserve not less than 20 percent of its total ESSER III allocation to address learning loss through the implementation of evidence-based interventions and ensure that such interventions respond to students' academic, social, and emotional needs. For a complete list of allowable uses go to the ARP Act ESSER III web page referenced in the previous paragraph.

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The COVID-19 Relief Funding Summary, <https://www.cde.ca.gov/fg/cr/relieffunds.asp>, highlights key information related to ARP ESSER III, as well as the other state and federal stimulus funding sources available due to COVID-19.

Under the federal Tydings Amendment, Section 421(b) of the General Education Provisions Act, any funds that are not obligated at the end of the federal funding period, March 24, 2021 through September 30, 2023, shall remain available for obligation for an additional period of 12 months, through September 30, 2024.

If you have any program related questions regarding ESSER III, such as allowable uses of funds or federal compliance requirements, please contact the CDE Federal Stimulus Team by email at EdReliefFunds@cde.ca.gov or visit the CDE ARP Act web page at <https://www.cde.ca.gov/fg/cr/arpact.asp>. For questions concerning the ESSER III eligibility amounts and ESSER III payments, please contact the Categorical Allocations and Audit Resolution Office, by email at CAAR@cde.ca.gov.

Sincerely,

Elizabeth Dearstyne, Director
School Fiscal Services Division

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