**May 14th Office Hours: ESSER**

The guidance on distributing to non-public schools is non-binding. While the Secretary provided guidance that dollars should be distributed on a total per pupil basis (as opposed to current Title 1 distribution to non-public), it does not require school districts to follow that guidance. I am concerned that Section B will be pre-populated when it is possible some districts will choose to include non-public schools in a different manner than the guidance provided.

**Answer:** Section B will be pre-populated, but the LEA will have to opportunity to revise that section as needed.

When will CDE know how the proportionate share will be calculated? We need a determination on this quickly.

**Answer:** We have requested a response ASAP; but we know it will be at least a week. Unfortunately, we don't have a commitment to a specific date. We have shared that that LEAs need this information as soon as possible.

Do LEAs have to reach out to all NPS in their District to see if they want to participate or only work with the NPS that elected to participate in Title Programs in FY19 or FY20?

**Answer:** All NPS within the district are eligible to participate in ESSER funded equitable services, regardless of their participation in prior years.

How does this impact already incurred costs related to COVID-19 for NPS's and procured at the NPS?

**Answer:** The LEA will need to discuss costs that have already been incurred (after March 13, 2020) by the non-public school during the consultation process. Examples of how to proceed including the following:

* Scenario 1: If the NPS has paid the invoice, the NPS can work with the provider to see if a refund can be issued. The provider could then bill the LEA for payment.
* Scenario 2: If the invoice is still outstanding, the NPS will need to work with the LEA to have the outstanding expenses paid by the district.

Will we be able to remove the non-publics out of the list if we know that they are for profit or some other circumstance like we can with the Consolidated App?

**Answer:** Yes. It is possible the LEA has additional schools that need to be added to the list or schools that need to be removed from the list. The LEA will be able to make those revisions within the application.

If a non-public school decides not to participate, can that update be made in the application?

**Answer:** Yes. LEAs will need to maintain records and documentation of the consultation with the NPS that indicates the school has elected not to participate.

Will there be a paper form for the consultation like Consolidated Application form?

**Answer:** Yes. We are finalizing the consultation form and will share it soon.

What about the contracts that are made by non-public schools with providers? The terms of any contracts with providers to non-publics need to meet federal regulations-- e.g. purchase of computer equipment.

**Answer:** We understand that contracts are different than invoices. We will need to research this further.

Are PreK-only NPS eligible to receive ESSER funds?

**Answer:** No. If only the non-public school is only serving PreK, the NPS would not be eligible to receive funds.

What grant code should be used for expenditures in FY19-20?

**Answer:** The grant code is 4425.

Will 4425 be used for all 3 CARES act funds (90%, 10%, GEER)?

**Answer:** For additional information, please refer to the [School Finance page](http://www.cde.state.co.us/cdefinance/sfcoa). Both state and federal grant codes will be posted on this page.

Is it allowable for an LEA to recover any lost revenue from programs not occurring in a K-12 setting due to COVID, e.g. before and after school programming or refunded revenue from schools to families?

**Answer:** We will need to take this one back to get additional information.

Where will the non-public school count come from?

**Answer:** The application will include data from the [Non-Public Schools data collection](http://www.cde.state.co.us/cdereval/pupilcurrentnonpublic). LEAs will have the ability to edit the enrollment information within the application if needed.

Can the expenses be budgeted to the General Fund?

**Answer:** As long as the activity is an allowable use of ESSER funds, the LEA can reimburse itself for any expenses incurred out of the general fund after March 13.

We have a non-public school that is listed on CDE's pupil count site incorrectly. It doesn't match the certification submitted, how can I ensure the correct count is used?

**Answer:** If there is incorrect information in the application, the LEA can make the revision in the application.

Is hazard pay an allowable reimbursement? For example, for our Operation & Maintenance staff. We have also incurred overtime costs because of hazard pay.

**Answer:** Inclination is to say, yes, that would be allowable, but need to confirm. We will have to get back with an answer. (“Other activities that are necessary to maintain the continuity of services…”)

What would constitute stakeholder engagement for the use of ESSER funds?

**Answer:** We understand that stakeholder engagement opportunities can be difficult at this time. We are asking for a “good faith effort.” Here is a list of some [practices and strategies](http://www.cde.state.co.us/uip/fscp_covid_may2020) districts across the state that have implemented to engage families and stakeholder groups. Kristen Collins is a great resource!

Will time and effort be required if we pay for salaries?

**Answer:** If salary is paid with federal funds, T&E is generally required. A grantee must maintain appropriate records and cost documentation as required by 2 CFR §200.302(financial management), 2 CFR § 200.430(i) (standards for documenting personnel expenses), and 2 CFR §200.333(retention requirements for records) to substantiate the charging of any compensation costs related to interruption of operations or services.

Can you clearly describe how the platform will calculate proportionate share, so I can be sure we are communicating the formula accurately to NPS. I planned to use the same process as with T2 and T4 (LEA allocation / TSD K-12 enrollment+participating NP’s K-12 enrollment = PPA)

**Answer:** This question is outstanding. We have not programmed the system with a formula because we are still waiting to find out from the Attorney General about how to proceed. We have asked for a decision as soon as possible.