# Office Hours: June 4, 2020

1. Should we be sharing with Neglected facilities?

Answer: There is no requirement but if there are identified needs, funds can be used.

1. In general, can you describe that allowable use more on declines and how we can use the funds?

Answer: Under ESSER, you are allowed to use funds for employing existing staff. Those funds have to be considered necessary to continue services within the LEA.

1. Does this apply to the larger pot of CRF?

Answer: We are working on guidance around CRF. The answer above is just for ESSER. We are working on clarifications about CRF right now.

1. So those could be teachers, EAs, district staff correct -- thinking district staff for mental health for example?

Answer: When determining if the LEA can use ESSER funds for an activity, including salary positions, it should be determined if the expense was incurred due to COVID and/or if it is necessary to resume normal educational operations.

1. So we can apply ESSER funds to cover state shortfall, by applying the ESSER funds to pay for Special Education costs that we would not otherwise be able to continue in light of state cuts?

Answer: It would have to fall under IDEA. Explicitly explain how those expenditures are related to school closures or implementing resuming normal operations.

1. Can we backfill salaries and benefits for existing staff even if there are no anticipated declines?

Answer: If there are no anticipated declines, it might be a stretch to use those because it may not meet the threshold of maintaining that continuity of operation or services while schools are closed.

1. Do you have a recommendation for set aside for McKinney-Vento in the current situation? We are currently at 20% unemployment rate in our county, but are not getting reports of additional students losing their homes. My guess is that we will have more reporting in the fall.

Answer: Look at what your district has per district, Title I students. Each McKinney student should be equivalent to your Title I students.

1. I am confused about backfilling salaries, which I thought I understood was an allowable use of ESSER funds. Our plan was to backfill counselor salaries from March 13 until the end of school (May 15) for continuity of mental health support services for students during this time because mental health support services looked very different during school closure than they did before the pandemic. Counselors had to learn to implement different support mechanisms to reach students to provide what they needed. Is backfilling counselor salaries based on this rationale allowable?

Answer: CRF is far more restrictive. There is a requirement that if you are reimbursing salaries, there needs to be a clear difference in the role that the person is providing. For ESSER, it can be for any type of mental health support related to COVID. It sounds like an allowable activity.

1. Technology and charter schools: if we reimburse a charter for technology, who "owns" the technology? We wouldn't take it back come October 2022, they would keep and maintain those devices, correct? Does it follow the rules of Title that the program owns the technology? This seems difficult to manage, both CRF and ESSER funds.

Answer: CDE will need to take this back and it will be added to an FAQ format. ESSER specifically indicates that the internal control policies that apply to federal funds also apply to ESSER funds.

1. On technology also, if we get a significant price break in licensing for online applications if we do a multi-year license instead on one-year can this purchase be justified under ESSER and CRF? We would be planning on using these applications going forward.

Answer: CDE will double check on that with our Grants Fiscal team. T

1. So CRF is March 1 in the award, but ESSER is March 12 ? I understand March 13, but CRF says March 1

Answer: CDE doesn’t know why it is March 1 for CRF. March 13 was the declaration of the national emergency.

1. To propose backfilling counselor salaries after March 13 for continuity of mental health support services for students during school closure, which is the most appropriate Allowable Activity to choose in the Budget Request section of the application: Mental Health Services and Support or Other Activities for Operations and Services? Is this salary for additional counselors or existing people? They were already on staff but performing very different duties.

Answer: In this example, Mental Health Services and Support seems to be most clearly aligned.

1. If we do "backfill" mental health, then they have to do retroactive Time & Efforts for ESSER?

Answer: Yes, they would have to be tracked due to reporting requirements.

1. Are signed NPS consultation forms due at the time the application is submitted. Is the form available?

Answer: Here is the [NPS certification form](http://www.cde.state.co.us/fedprograms/nps-certification-form-pdf): www.cde.state.co.us/fedprograms/nps-certification-form-pdf. They are also due December 31

1. Does time and effort fall under CRF?

Answer: Grants Fiscal will double check but we think that is a yes as well.

1. Do we share funds with Charter schools based on their number of Free/Reduced students?

Answer: The CARES Act does not directly address allocation of district ESSER funds to charter schools that are not standalone LEAs. The clear legislative intent, however, is to benefit all public schools and students regardless of school type.CDE asks that districts include their charter schools on equal footing with traditional schools when determining the most important educational needs as a result of COVID-19, consistent with the intent of the CARES Act, see CARES Act Sec. 18003(d)(3), and the intent of Colorado law, see C.R.S. 22-30.5-112(3).

1. Is it necessary to use the same method that is used for Title I?

Answer: It is not. It goes back to that good faith effort to be equitable.

1. Can you please put the 2020-2021 Income Eligibility Guidelines link in the chat?

Answer: Here is the URL for the [USDA Food and Nutrition Service Income Eligibility Guidelines](https://www.fns.usda.gov/cn/income-eligibility-guidelines). www.fns.usda.gov/cn/income-eligibility-guidelines. The direct link to the [Federal Register](https://www.federalregister.gov/documents/2020/03/20/2020-05982/child-nutrition-programs-income-eligibility-guidelines) is provided. www.federalregister.gov/documents/2020/03/20/2020-05982/child-nutrition-programs-income-eligibility-guidelines

1. Under ESSER for charters though we must retain control of the funds -- so only reimburse as they spend the funds since we have to do an RFF for these funds and not give them to them upfront. Is that correct?

Answer: Only reimbursing as they spend their funds is correct. That is how the funds are structured.

1. Does this mean that CRF can be used for salaries? Do you know when the guidance will be available for CRF?

Answer: We are still clarifying the guidance around CRF. We will get the guidance out as soon as possible.

1. How do we confirm that you received our CRF intent?

Answer: CDE will email you to the right person

1. Can more than more person be listed as a ESSERAPP Applicant?

Answer: Yes.

1. Do we know reporting for CRF? Also, charter distribution of CRF pass thru or reimbursement?

Answer: CDE is taking these questions back.

1. Any update on GEER? Has governor applied?

Answer: An announcement is coming June 4th or 5th.

1. In regards to the purchase of goods/services for multiple years. This is not allowed under GAAP. This topic has been discussed at the FPP level.

Answer: Need to go back to regulations in order to get an answer with the citation.