

FY23 CFM Pre-Recorded Webinar Series

Elementary & Secondary School Emergency
Relief (ESSER) Grant Programs

September 14, 2022

Presenters




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Agenda

- ESSER Grants monitored for FY23 Cross-Functional Monitoring
 - Coronavirus Response & Relief Supplemental Appropriations (CRRSA) Act
 - American Rescue Plan (ARP) Act
- Cross-Functional Monitoring indicators applicable to ESSER
 - **Indicator 1:** LEA Monitoring of Programs
 - **Indicator 5:** Internal Controls, Expenditures, Inventory, Drawdowns, Cost Principles-*ALL Programs*
 - **Indicator 22:** CRRSA Act and ARP Act use of funds for construction, modifications, alterations, painting, etc. of a facility.
- Process for conducting ESSER's FY23 Cross-Functional Monitoring

Who will be reviewing the district's documents for Cross-Functional Monitoring?

		
<p>Cassandra Dobbs</p>	<p>Stephanie Reed</p>	<p>Charmaine Simmons</p>
<p>ESSER Budget & Monitoring Specialist</p>	<p>ESSER Budget & Monitoring Specialist</p>	<p>ESSER Grants Program Manager</p>
<p>FY23: Monitoring Districts A through L</p>	<p>FY23: Monitoring Districts M through Z</p>	<p>Program Manager Reviewer/Approver</p>



ESSER FY23 Cross-Functional Monitoring

Indicator 1

Indicator 1

ESSER Inclusion in LEA's Handbook

- **Recommendation #1:** Ensure the ESSER description is separate from the ESSA description. *(These are two different funding sources)*
 - **Example:** Monitoring is an essential component of ensuring that all facets of federal programs are being implemented as prescribed by the Every Student Succeeds Act (ESSA) under the Elementary and Secondary Education Act (ESEA) and the Elementary and Secondary School Emergency Relief Act (ESSER). It is a process of systematically providing technical assistance and collecting data to provide information that can guide program implementation.

ESSER Act

CARES Act

CRRSA Act

ARP Act

ESEA Act

Title I, Part A

Title I, Part C

Title I, Part D

Title II, Part A

Title III, Part A

Title IV, Part A

Title IV, Part B

Title V, Part B

Title IX, Part A

Indicator 1

ESSER Inclusion in LEA's Handbook

- Include written procedures used to monitor all critical requirements of the ESSER grants (CARES, CRRSA, ARP Acts) and their implementation in the District.
- Include a general overview of the ESSER grants. Each grant must be identified separately as these are different funding sources under ESSER.

Example:

In response to the economic outcome of the COVID-19 pandemic in the United States, Congress passed three bills that provided immediate and direct financial assistance to state and local educational agencies through the Elementary and Secondary School Emergency Relief funds. These funds were provided to support areas with the greatest need, where the academic and non-academic components of school districts had the most significant impact due to COVID-19. As additional funding was provided, the funds were intended to support state and local school districts' efforts to safely reopen schools, address significant gaps in learning, and support measures of implementation that will continue to reduce the effects of COVID-19 on students and families.

- **CARES Act-Coronavirus Aid, Relief & Economic Security (CARES) Act**
- **CRRSA Act-Coronavirus Response & Relief Supplemental Appropriations (CRRSA) Act**
- **ARP Act-American Rescue Plan (ARP) Act**

Indicator 1

ESSER Inclusion in LEA's Handbook

CRRSA Act

ARP Act

Indicator 1

Indicator 1

Use of Funds Form

ARP Application

Six-Month Review Documents

Maintenance of Equity

Required ARP Act Provisions	Which entities must comply with these requirements?	When is the due date for this documentation?
ARP Application	An LEA that receives ARP ESSER funds will develop, submit to the SEA, and make publicly available on the LEA's website, a plan for the LEA's use of ARP ESSER funds. The plan, and any revisions to the plan will be submitted consistent with procedures.	July 10, 2021
ARP Six-Month Review	The LEA assures, during the period of the ARP ESSER award established in section 2001(a) of the ARP Act the LEA will periodically, but no less frequently than every six months, review and, as appropriate, revise its plan.	October 22, 2022
ARP Maintenance of Equity	Each LEA that receives ARP ESSER funds must comply with the applicable MOEquity requirements in section 2004(b) or (c) of the ARP Act, respectively, as a condition of receiving those funds.	November 1, 2022

Indicator 1

ESSER Inclusion in LEA's Handbook

When May a Formal Complaint be Filed?

A formal complaint may be filed when an organization or individual believes that a recipient of funding has violated a requirement of a federal statute or regulation related to the administration of a program. The complaint must allege a violation that occurred not more than one (1) year prior to the date that the complaint is received, unless a longer period is reasonable because the violation is considered systemic or ongoing. The federal ESSA programs for which formal complaints may be filed and investigated are:

- Title I, Part A – Improving Basic Programs Operated by Local Educational Agencies
- Title I, Part A – School Improvement Grants, referred to as 1003(a) and 1003(g)
- Title I, Part C – Education of Migratory Children
- Title I, Part D – Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
- Title II, Part A – Supporting Effective Instruction
- Title III, Part A – Language Instruction for English Learners and Immigrant Students
- Title IV, Part A – Student Support and Academic Enrichment
- Title IV, Part B – 21st Century Community Learning Centers
- Emergency Relief Funds CARES Act, CRRSA Act, ARP Act

Filing Formal Complaints Under ESSER Programs

ESSER Funding



Recommendation #2:

ESSER complies with the EDGAR and UGG regulations; please include ESSER in your programs where a complaint may be filed.

Indicator 1

ESSER Inclusion in LEA's Handbook

- **Recommendation #3:** Indicate that the ESSER grants are not subject to the supplement, not supplant provision.
 - Example: “Except for the ESSER grants, the ESEA grants comply with the supplement, not supplant provision.”
- **Recommendation #4:** If applicable, include procedures for major construction/renovations or minor remodels.
 - Examples of renovations include moving walls, replacing carpet with tiles, etc.



ESSER FY23 Cross-Functional Monitoring

Indicator 5

Indicator Five Sampling Process

1. The GaDOE ESSER team will review a *sample* of ESSER expenditures for the FY23 Cross-Functional Monitoring.
2. An email requesting detailed expense reports will be sent out four weeks before the scheduled CFM date.
3. Please respond to the email with the district's *FY22 and FY23 Payroll & Detail Expenditure Reports for program 4180-CRRSA Act and program 4190- ARP Act.*
4. We will highlight the sample of expenditures we request to see further supporting documentation.
5. The sample will be returned to the LEA to ensure adequate time for the district to prepare the necessary source documentation for review on its scheduled CFM date.
6. Please consider a naming mechanism for all submitted document files to streamline the review process.

CRRSA Act

Indicator 5

ARP Act

Indicator 5

Indicator Five

Sampling Process

- Ensure you have submitted an amendment before expending funds on anything not in your local educational agency's budget that the state educational agency approved.
 - The GaDOE Federal Programs Handbook states that an LEA must submit budget amendments for any award changes (reduction or increase) or changes on originally approved budgets that exceed 25 percent in any function code using the LEA consolidated application approved process. I recommend following this guide if any budgeted items exceed the percentage.
 - Still, the LEA will need to include items charged to the grant before the final closing of the grant not included in the approved budget to ensure you have aligned with [2 CFR 200.308-Revision of budget and program plans](#).

The ESSER specialists are available to review and approve amendments to ensure the LEA has aligned with the federal regulations.

- Cassandra Dobbs- Districts A through L
- Stephanie Reed- Districts M through Z

Indicator Five

Sampling Process

Written Personal Compensation Policies (Time and Effort to include salaries, substitutes, and stipends)- 2 CFR Sec. 200.430(a)(1); SBOE 160-3-3-.04

- Do ESSER funds require time and effort documentation or periodic certifications? **YES.**
- The LEA should have documentation on file for the scope of work for retention/recruitment bonus etc.
- Can the LEA produce documentation demonstrating the established criteria of how the listed employees met the criteria to receive the bonuses?
- Can the LEA produce documentation of how the dollar amount is considered necessary and reasonable?
- Furthermore, please ensure you have documented evidence for the incentive compensation pursuant to an established plan, which could be **established in response to COVID-19.**

Indicator Five Sampling Process

- **Recommendation #5:** Include information regarding hazard pay and recruitment/retention bonuses in Personnel Compensation guidelines.
 - Example: Employees may receive hazard pay and recruitment/retention bonuses for a national or local emergency to perform critical services. Instances when this may happen, may include a pandemic or a natural disaster. Employees will be compensated for completing an objective from a supervisor related to the abovementioned conditions.

Complete on LEA letterhead.

Periodic Certification Form - Group

LEA: _____ School: _____

Time Period: _____ through _____

I certify that the employees listed below worked for the LEA to receive (ESSER II-(4180) Retention bonus) during the time period indicated above.

This form must be signed by a supervisory official having first-hand knowledge of the work performed by the employees listed below.

Name of Employee	
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
11.	
12.	
13.	
14.	
15.	
Supervisor (Print Name)	
Supervisor Signature	
Date	

Reference
2 C.F.R. Part 200 (\$200.430)

[Sample Periodic Certification Forms](#)

Indicator Five

Sampling Process

- Maintenance of property records to include the person responsible for maintaining documentation.
- Purchase Orders and Inventory Records showing:
 - Item description
 - Cost
 - Source of funding for equipment, including the Federal Award Identification Number (FAIN)
 - CARES Act FAIN: S425D210012
 - CRRSA Act FAIN: S425D210012
 - ARP Act FAIN: S425U210012
 - Date of purchase
 - Serial number or other identification numbers,
 - Location
 - Use
 - Condition of property
 - Disposition data including date of disposal.

PO Number	Item Description	Serial Number or Serial Number	FAIN Number	Condition	Funding Source	Vendor	Cost	Acquisition Date	Use of Equipment	Disposition	Location
2033	HP Designjet T650 24" Printer	CN17V3MoDZ	S425D210013	NEW	ARP-ESSER III	Nisewonger Audio Visual Center	2800	1/5/2022	A		Central Office
2033	Ultimate 27" Roll Laminator	BGM21121075PRO	S425D210014	NEW	ARP-ESSER III	Nisewonger Audio Visual Center	2351	1/5/2022	A		Central Office



ESSER FY23 Cross-Functional Monitoring

Indicator 22

Indicator Twenty-Two Minor/Major Construction

ESSER specific: Evidence that the LEA submitted all required documentation complying with the terms as stated by the statute.

Please provide supporting documentation for any construction expenditure, including the following:

- Approval Letter from GaDOE Facilities- If not previously provided
- The weekly payroll demonstrates that all prevailing Davis Bacon Wage requirements have been met.

CRRSA Act


Indicator 22

ARP Act

Indicator 22

GaDOE Facilities Approval Letter

- If the LEA is drawing down funds for approved ESSER construction/renovation projects, the LEA should have met State Board Rule 160-5-4-15 and all other federal regulations outlined in the construction assurance form.



Educating Georgia's Future

fin (404)-656-2454 Fax (404) 651-7688
Date

Contact name; Superintendent
Company name or School District
address
city, state, zip code

Re: ESSER-Funded Project Document Review for
Non-Educational Facilities
New Facility, Addition, Renovations, Modification
Facility Name School
Facility Code – If Applicable XXX_XXXX
School District

Dear XXXXXX:

This letter shall serve as an acknowledgement, instead of an approval¹, that design documents prepared by (Architectural Firm) for the above-referenced project has been received by the Georgia Department of Education's (GaDOE) Facilities Services Unit and reviewed for compliance with those guidelines and state board rules that apply.

GaDOE Facilities Services Unit further acknowledges that the scope of work described in the design documents for the above-named facility was designed by a design professional who is licensed and registered in the State of Georgia in accordance with O.C.G.A. §§ 43-4-14, 43-15-7, 43-15-9, 43-15-15, and all other applicable statutes.

The school district, in its contractual obligations with a constructor, shall be responsible for all permits for construction in the design documents. The design professional shall be responsible for the inspection of the work for compliance with the design documents where such inspection and site visit are customary to the contract between the school district and the design professional.



If the school district has chosen the construction delivery method known as "Self-Performed", or use inmate labor, the school district shall be responsible for obtaining all required permits and a "Certificate of Occupancy", when a "Certificate of Occupancy" is required.

All work described in the design documents shall comply with all Federal, State, and Local laws governing the construction in the locale of the project.

¹ An approval cannot be issued because the above-referenced facility is not considered an educational facility as defined in O.C.G.A. § 20-2-260(b)(5).

Twin Towers East • 205 Jesse Hill Jr. Drive • Atlanta, GA 30334

Richard Woods, Georgia's School Superintendent
An Equal Opportunity Employer

Educating Georgia's Future

(404) 656-2454 FAX (404) 651-7688
Date

Superintendent
School District
Address
City State Zip Code

RE: Renovations, Modifications, Addition, New Facility
xxxxxxxxxxxx School
Facility Code – XXX-XXXX
School District
Funding Source – XXXXXXXXXXXx

Dear Superintendent XXXXX:

The documents for the above referenced project, prepared for bidding and construction use by Design Professional, have been reviewed by this office for compliance with the policies and regulations set by the State Board of Education for construction, renovation and modifications of school facilities in Georgia.

This set of documents meets the State Board square footage requirements for all spaces.

If the construction delivery method is Design/Bid/Build, the bidding date should be set no earlier than DATE. The local system shall publicly advertise the contract opportunity. Such notice shall be posted conspicuously in the governing authority's office and shall be advertised in the legal organ of the county or by electronic means on an Internet website of the governmental entity or an Internet website identified by the governmental entity. Contract opportunities shall be advertised a minimum of two times, with the first advertisement occurring at least four weeks prior to the opening of the sealed bids or proposals. The second advertisement shall follow no earlier than two weeks from the first advertisement. Plans and specifications shall be available on the first day of the advertisement and shall be open to inspection by the public. The advertisement shall include such details and specifications as will enable the public to know the extent and character of the work to be done. All required notices of advertisement shall also advise of any mandatory prequalification requirements or pre-bid conferences as well as any federal requirements pursuant to subsection (d) of Code Section 36-91-22.

Local school systems shall advertise contract opportunities on the Georgia Procurement Registry in accordance with code Section 36-80-27, 36-91-20 and 50-5-66.


With any other construction delivery method, the local system must comply with the appropriate provisions of GA Code Section 36-91, and applicable State Board Rules for advertisement and bidding project.

No approval from the Georgia Department of Education, Facility Services Unit is intended to take precedence over any laws and codes governing construction in the state of Georgia. A written approval from the GaDOE Facilities Services Unit does not relieve the design professional or school district from its responsibility to design a school facility to meet any design criteria called for in any impact study effecting the construction of the building and site of public schools in the state of Georgia when a hazard(s) is known.

Projects funded in whole or in part with Federal Funding is required to comply with "Davis Bacon" wage rates.

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Richard Woods, Georgia's School Superintendent
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Davis Bacon Wage Requirement

- LEA assures the language of Davis Bacon Wage requirements are included in the contract between the LEA and the vendor.
- The responsibility for Davis-Bacon Act requirements falls primarily on the contractor through a weekly certified payroll using form WH-347.
- The LEA's duty requires the contractor to submit the weekly certified payrolls for the periods contained in each invoice for payment.
- The LEA should provide the information for the GaDOE Federal Programs and auditors that the certification of prevailing wages was met. Maintaining these records for at least five years.

Reimbursement Request- (with Davis Bacon Wage payroll documentation)- [WH-347](#)

(1)		(2)		(3)		(4) DAY AND DATE				(5)		(6)		(7)		(8)					(9)	
NAME AND INDIVIDUAL IDENTIFYING NUMBER (e.g., LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER) OF WORKER		STATUS OF EMPLOYMENT (REGULAR, SEASONAL, TEMPORARY, CONTRACT, PART-TIME)		WORK CLASSIFICATION		HOURS WORKED EACH DAY				TOTAL HOURS		RATE OF PAY		GROSS AMOUNT EARNED		FICA	WITH-HOLDING TAX	OTHER	TOTAL DEDUCTIONS	NET WAGES PAID FOR WEEK		

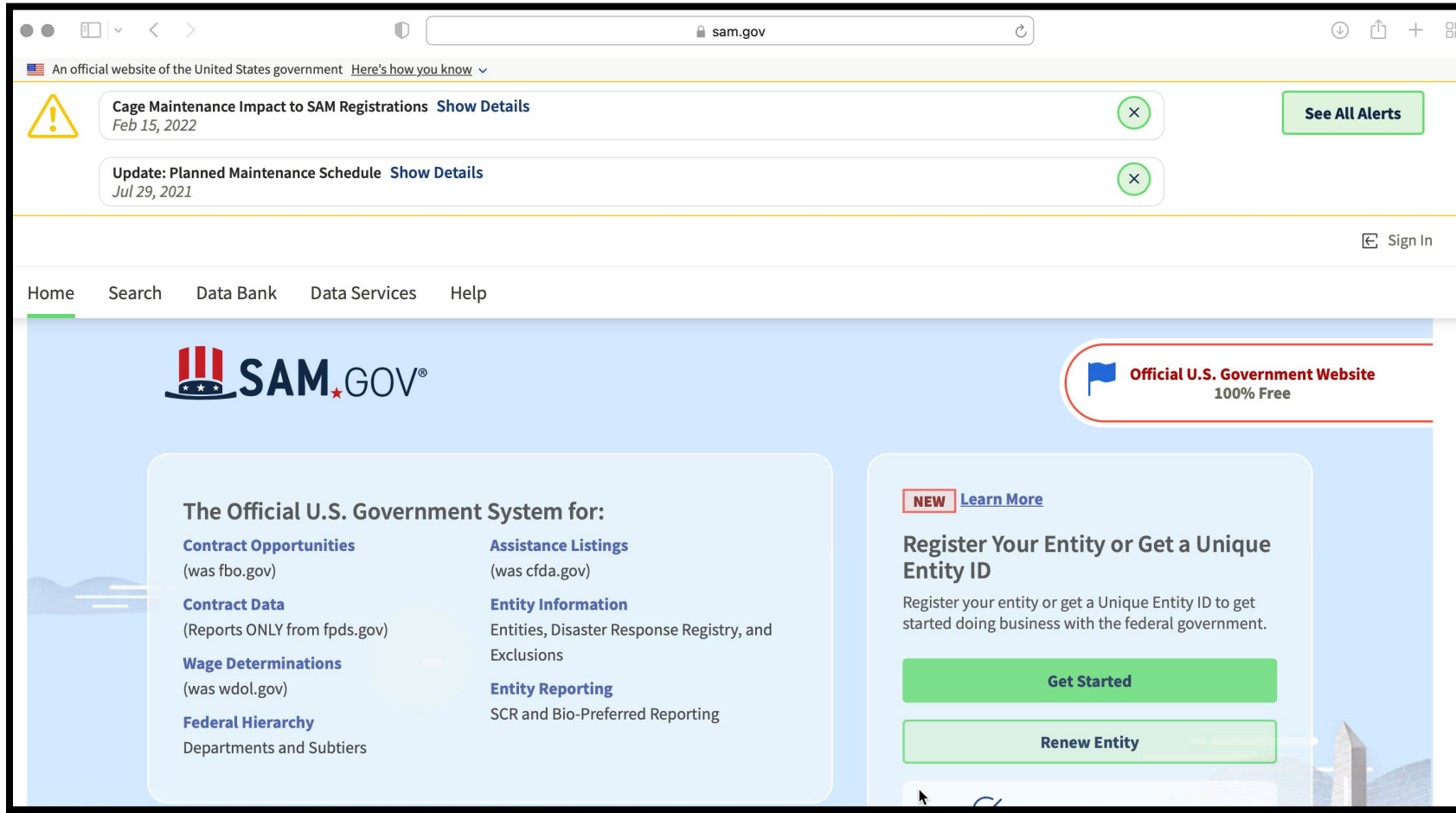
While completion of Form WH-347 is optional, it is mandatory for covered contractors and subcontractors performing work on Federally financed or assisted construction contracts to respond to the information collection contained in 29 C.F.R. §§ 3.3, 5.5(a). The Copeland Act (40 U.S.C. § 3145) contractors and subcontractors performing work on Federally financed or assisted construction contracts to "furnish weekly a statement with respect to the wages paid each employee during the preceding week." U.S. Department of Labor (DOL) regulations at 29 C.F.R. § 5.5(a)(3)(i) require contractors to submit weekly a copy of all payrolls to the Federal agency contracting for or financing the construction project, accompanied by a signed "Statement of Compliance" indicating that the payrolls are correct and complete and that each laborer or mechanic has been paid not less than the proper Davis-Bacon prevailing wage rate for the work performed. DOL and federal contracting agencies receiving this information review the information to determine that employees have received legally required wages and fringe benefits.

Public Burden Statement

We estimate that it will take an average of 55 minutes to complete this collection, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding these estimates or any other aspect of this collection, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S3602, 200 Constitution Avenue, N.W., Washington, D.C. 20210.



How will the LEA know what prevailing Davis Bacon Wage is correct?



1. Review www.sam.gov
2. Select *Wage Determinations*
3. Select *Public Building Works (Davis Bacon Act)*
4. Complete the criteria specific to your LEA's geographic location. (**State-Georgia, County-**, DBA **Construction Type-Building. Ensure status is set to active**)
5. Select the corresponding code **Davis-Bacon Act WD #GAXXXX**
6. Review document that reports corresponding wages for the scope of work.

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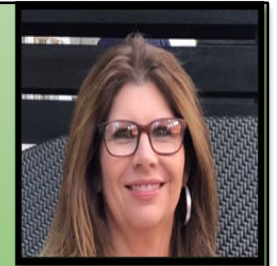
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Feedback

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The survey can be accessed by QR code or the abbreviated link below.



OR

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Open your phone's camera and hold it up until you can see QR code. Your phone will prompt you to access a website – allow access.

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