



Elementary and Secondary Education Relief funding (ESSER)

On March 12 2021, President Biden signed the American Rescue Act into law. This legislation includes a substantial round of Elementary and Secondary Education Relief funding (ESSER). This third round of ESSER funding, ESSER III, totaled \$126,000,000,000 for K-12 education. School districts have until September 30, 2024, to obligate these funds, but grant activities may continue beyond that date.

This graphic shows the funding available for education from all three stimulus packages in 2020-2021, including the American Rescue Act:

**How Much Will Congress Spend to Shore Up Schools?**

The Covid-19 relief plans before Congress all dedicate billions to stabilizing education budgets amid deep losses in state revenue. But the amounts vary from bill to bill.

<b>FutureEd</b> <small>GEORGETOWN UNIVERSITY</small>	<b>CARES Act</b> Signed into Law March 2020	<b>Covid Relief Package</b> Signed into Law December 2020	<b>American Rescue Plan</b> Passed by the Senate March 2021
Education Total	\$30.7 billion	\$82 billion	\$168 billion
K-12	\$13.2	\$54	\$126
Higher Ed	\$14	\$22	\$40
Governors	\$3	\$4	\$2.7

To get a sense of how much money that is, consider that each school district that receives Title I-A funding will receive around 8 times their annual Title I-A allocation in ESSER III funds. This is in addition to the funds from ESSER I (\$13.2 billion) and ESSER II (\$54.3 billion) which have already gone out to the states and school districts for distribution.

This table from National Conference of State Legislature includes state-by-state allocations for all three stimulus packages.

How do ESSER funds support music education?

The law identifies 20 types of spending as allowable uses of ESSER funds, the first of which is “any activity authorized by” the Every Student Succeeds Act (ESSA) and other federal education laws. This means that if funding an

activity is authorized under any well-rounded education program, such as the [Student Support and Academic Enrichment Grant](#) authorized under Title IV-A of ESSA, then that purchase would be allowable with ESSER funds as well. Other federal laws for which ESSER funds can be used include the Individuals with Disabilities Education Act (IDEA), the Adult Education and Family Literacy Act, the Perkins Career and Technical Education (CTE) Act, and the McKinney-Vento Homeless Assistance Act.

In addition, [guidance from the U.S. Department of Education](#) explicitly states that ESSER funds can be used for “other activities that are necessary to maintain operation of and continuity of and services, **including continuing to employ existing or hiring new LEA and school staff.**” This does, of course, include music and arts educators. For secondary schools, where staffing is contingent on enrollment numbers in specific courses, ESSER funding may allow music and other arts educators to remain employed using the federal funds while the programs are rebuilt post-pandemic.

For ESSER III funds, Local education agencies must use at least 20% of funds to address learning loss through evidence-based interventions that respond to students’ academic, social, and emotional needs. Music education supports the social and emotional well-being of students, whether through distance learning or in person. Music related activities may be eligible for support under this set aside.

ESSER funds can also be used to support music instruction while mitigating the spread of COVID-19. Outlined below are potential purchases or payments these funds may support, identified with the relevant use number from the statute (included at the bottom of this post).

### **How are ESSER funds distributed to schools?**

ESSER funds are allocated to school districts using the Title I funding formula found in the Every Student Succeeds Act. The funds, however, are **NOT** considered Title I funds, and do not have to follow Title I funding restrictions. There are no programmatic Title I or other restrictions to these funds, so long as they are used for one of the 12 allowable activities listed in the statute at the bottom of this toolkit.

### **I teach at a school that isn’t a Title I school. Can I still access these dollars for my music program?**

The short answer is...maybe. If your school district receives Title I funding for any of its schools, it will receive ESSER funding. ESSER funding is *not* tied to Title I schools, so it can be used for programs at all schools within the district. You will need to make the case for the funds (see below) and understand that there will be other requests that may be prioritized above yours.

### **I teach at a private school. Will the private school have access to these dollars?**

All three rounds of ESSER funding provide a form of equitable services that allow for non-profit private schools to obtain ESSER funds. Under ESSER I, a school district that receives funds must provide equitable services to students and teachers in non-public schools. ESSER II creates a separate program of Emergency Assistance for Non-Public Schools under which non-profit private schools may apply to the state department of education to receive services or assistance. Under ESSER III, a state department of education provides funding to nonpublic schools that enroll a significant percentage of children from low-income families and are most impacted by COVID-19.

### **How flexible are ESSER funds and can they pay for music teacher positions if those positions have been cut or are threatened to be cut?**

Yes, the funds can be used to support activities and staff which normally would not be fundable from

federal dollars, such as music education positions (even if those positions were paid for with local and state funds in the past). ESSER funds are meant to be extremely flexible to fit the needs of the local school district in support of schools reopening, and in supporting students through and past the pandemic.

**Who determines how the funds are spent in my school district?**

If you work in a school district that has Title I schools, your school district will receive an allocation of these funds. To see an estimate of what your school district will receive, visit this [webpage](#)<sup>ii</sup>. Your district's federal programs administrator or Title I Director will most likely be the person submitting the application for these funds to your state department of education. They will need to prioritize the needs that will be funded by these dollars.

### **What sorts of things should I ask for out of ESSER funds for our music program?**

Read up on the funds and listen to the recording of NAFME's April 20 webinar with NAMM. This webinar includes concrete examples of how school districts have made use of ESSER funds to support music within schools safely during the pandemic. Consider the needs that your music program has, particularly due to the pandemic. Here are some questions to get you started:

- Do you have a need for additional personal protective equipment (including bell covers) to help students return to music making in person?
- Do you have need for additional instruments, so students do not have to share them, to create a safer learning environment?
- Do you have needs for ways to reach and engage students who have not been successful in virtual or hybrid learning situations?
- Do you have ideas on summer learning opportunities that can include music – both for students already engaged in your programs and for students who haven't been participating?

All of these are examples of music program needs that fit the parameters of ESSER funding and may be part of what a district could support using ESSER funds. You may also want to review the [2015 Opportunity to Learn Standards](#) to fully assess the needs of your school district's music education programs. Also consider the forthcoming Distance Learning supplement created for these standards this year by NAFME's Council of Music Program Leaders. Additional suggestions on ways to plan out your ask based on your local needs can be found in this [blog post](#).

### **How do I make an ask on behalf of the music education programs in my district?**

Ask for a meeting with your district's Federal Programs Manager or the person in charge of building your school district's ESSER funding request to discuss the needs of your music education program for the fall and your ideas for summer learning. You may also want to have your principal or other administrators engaged in your music program to this meeting. Be prepared to provide evidence as to your needs, including research to back up any instructional strategies and costs you are suggesting.

### **What if I'm told no?**

As you work with your federal programs' person or staff in your district, remember that they are having to balance needs in all subject areas and across all the district's schools. While the needs for music education may not be a priority for ESSER funding right now, it is important to see if your needs can be on the list in case funding opens up later. You can also discuss if perhaps your needs would qualify for Title IV-A funding, particularly under the well-rounded education section of that law. To learn more about Title IV-A visit this [toolkit](#) created by NAFME.

## **Where can I go if I have more questions?**

Feel free to email us at [advocacy@nafme.org](mailto:advocacy@nafme.org) with your questions and keep an eye out for additional resources. We will continue to update this toolkit with examples of successful music education asks over the weeks and months to come.

## **What are the eligible uses of funds in the law?**

(1) Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, 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 Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins 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 Homeless Assistance Act (42 U.S.C. 11431 et seq.).

(2) Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.

(3) Providing principals and other school leaders with the resources necessary to address the needs of their individual schools.

(4) Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.

(5) Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.

(6) Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.

(7) Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.

(8) Planning for and coordinating during long-term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq.) and how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements.

(9) 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 and students with disabilities, which may include assistive technology or adaptive equipment.

(10) Providing mental health services and supports.

(11) Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

12) Addressing learning loss in local educational agencies among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care.

(13) School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs.

(14) 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, control systems, and window and door repair and replacement.

(15) Other activities that are necessary to maintain the operation of and continuity of services in local educational H. R. 748—287 agencies and continuing to employ existing staff of the local educational agency.

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<sup>i</sup> created by Georgetown University

<sup>ii</sup> Created by Whiteboard Advisors