



# ESSER III Funds

Is it time to check on your ESSER fund balance and use these funds?

The 2021 American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) commonly referred to as ESSER III, was the last in the series of federal relief funds that were distributed to assist with recovery from the COVID-19 pandemic.

Given that ESSER III funds must be obligated by September 2023 and completely spent by September 2024, the Office of Special Populations and Monitoring (OSPM) at the Texas Education Agency (TEA) wants to remind local educational agencies (LEAs) of the requirements and allowable uses of these funds.



**LEAs have great flexibility to fund initiatives and provide services to students who were most severely impacted by the COVID-19 pandemic.**

## FOCUSING ON STUDENTS IMPACTED MOST BY THE PANDEMIC

**ESSER III requires a specific level of focus on underrepresented student groups, including:**

STUDENTS FROM LOW INCOME FAMILIES

STUDENTS WITH DISABILITIES

STUDENTS OF COLOR

ENGLISH LEARNERS

MIGRATORY STUDENTS

STUDENTS EXPERIENCING HOMELESSNESS

CHILDREN AND YOUTH IN FOSTER CARE

- ▶ Every LEA is required to set aside at least 20 percent of its ESSER III funds to address learning loss through implementation of evidence-based interventions that focus on these student groups.
- ▶ The focus on students most significantly impacted by the pandemic is continued by allowing all other funds to be spent on any activity authorized by the Individuals with Disabilities Education Act (IDEA) and Subtitle B of the McKinney-Vento Homeless Assistance Act, along with activities authorized by the Elementary and Secondary Education Act (ESEA), the Adult Education and Family Literacy Act (AEFLA), and the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins CTE).
- ▶ The ARP ESSER Act also specifically and separately reserved funds for [IDEA-B](#) activities and for [homeless children and youth \(HCY\)](#) activities.



While there are no direct requirements for LEAs to update their Use of Funds plans, there is a general requirement to adapt to maximize their use. To create your original plans, your LEA was required to engage in meaningful consultation with a variety of stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children in foster care, migratory students, children who are incarcerated, and other underserved students. It might be a good time to reconvene those groups to discuss ongoing needs of these communities.

We encourage you to follow up with your district leaders to ensure all **ESSER III funds** can be expended to benefit all students, including those who were disproportionately impacted by the pandemic.



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## EXAMPLES OF APPROPRIATE USE:

While your LEA focuses on the needs of students who were disproportionately impacted by the pandemic, keep in mind these examples of how ESSER III funds can be spent on underrepresented student groups presented on the previous page:

- ▶ Extended day or extended year activities designed to recover lost instructional time, including costs associated with transportation.
- ▶ Providing language accommodations for English learners to increase their access to content and participation in programs and services.
- ▶ Activities that respond to the social and emotional learning needs of students, including professional development and wrap-around services.
- ▶ Supporting existing educators and staff in adding bilingual, special education, or other specialized certifications by covering the costs associated with earning those certifications.
- ▶ Compensatory services to address lost instructional time.
- ▶ Implementing Child Find policies and procedures.
- ▶ Eliminating evaluation backlogs.
- ▶ Providing positive behavioral supports and interventions and mental health services.
- ▶ Supporting capacity-building activities and improving the delivery of services to improve results for students.
- ▶ Increasing specialized support staffing who are specifically trained in outreach.
- ▶ Transporting students experiencing homelessness or who are in foster care to schools of origin.
- ▶ Assisting with rising mental health and behavioral needs by contracting with community health providers.



- ▶ Providing child care for children who would otherwise be cared for by older, school-age siblings due to a parent being an essential worker.
- ▶ Supporting efforts to locate and reengage students who are chronically absent.
- ▶ Developing and implementing early warning indicator systems, which can track attendance, assignment or course completion and credit accumulation, grades, and discipline rates.
- ▶ Purchasing educational technology.
- ▶ Building and maintaining high quality substitute teachers.
- ▶ Increasing staff compensation and staff support for addressing the needs of special populations.

For additional information, see the [Use of Funds FAQ](#).

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