

ARP ESSER III

Addressing Learning Loss – 20% Required Set-Aside

February 2023



**ESSER Compliance Team
Special Monitoring Division
Texas Education Agency**



This presentation is intended solely to provide general information and guidance to Texas LEAs, ESCs, and participating Private Schools and reflects the Texas Education Agency's current understanding of statute and applicable federal guidance. The content of this presentation is subject to change as a result of further potential information and guidance provided by federal agencies with regulatory oversight of these programs. This presentation does not constitute legal advice, and entities are, therefore, advised to seek legal counsel regarding the information and guidance provided in this presentation before acting on such information and guidance.



ARP ESSER III Section 2001(e)(1), Reserve to Address Impact of Learning Loss

States that an LEA must reserve not less than 20 percent of its total ARP ESSER allocation to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students' academic, social, and emotional needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups.

As part of TEA's ARP ESSER III state plan, we are required to monitor this requirement.



2023 Program Random Validations

Addressing Learning Loss – Phase 1

153 LEAs

LEAs notified February 23, 2023

Documentation for activities and student groups

Met compliance notifications by July 31, 2023

Addressing Learning Loss - Phase 2

211 LEAs

LEAs notified August 1, 2023

Documentation for activities and student groups

Met compliance notifications by December 31, 2023



Documentation of Evidence-Based Interventions

The documentation must address how the interventions will respond to the academic, social, emotional, and mental health needs of all students, and particularly those students disproportionately impacted by the COVID-19 pandemic, including students from:

- low-income families
- students of color
- English learners
- children with disabilities
- students experiencing homelessness
- children and youth in foster care
- migratory students



Documentation Examples

- Learning Acceleration Plans
- Comprehensive Needs Assessment
- Evidenced-Based Summer School Program Information
- High Dosage Tutoring Program Information
- High Quality Instructional Materials
- Extended Day/Extended Year Program Information
- Community Partnerships Documentation
- Social Workers Hiring Documentation
- At-Risk Coordinators Hiring Documentation
- Professional Development Training
- Board Meeting Presentations/Minutes/Agendas



Documentation Upload to ESSER Compliance WorkApp

- LEAs will upload documentation within the Addressing Learning Loss Smartsheet in the ESSER Compliance WorkApp using the following link:
<https://workapps.smartsheet.com/app/Fhq9c5Jxpm6F83J4x4CqVHWJCJ/7Mg3r2x4C853m>
- The Addressing Learning Loss Smartsheet will go live on February 23, 2023.
- LEAs should highlight the relevant sections of the documentation.



ESSER III 20% Required Set-Aside Frequently Asked Questions (FAQs)



ESSER III – 20% Required Set-Aside Frequently Asked Questions FAQ

How can the *20% Set-Aside* be used to address learning loss support?

The 20% set-aside must be used to support the implementation of evidence-based interventions that provide direct services to students that respond to their academic, social, emotional and mental health needs and also address the disproportionate impact of COVID-19 on vulnerable student populations



ESSER III – 20% Required Set-Aside FAQ

Does each activity need to address academic, social, and emotional needs?

No, a given activity does not need to address all three categories of need. However, an LEA's overall plan for the use of the 20% set-aside **must** address each of these categories in aggregate. For example, an LEA may choose to fund a Counselor to address social and emotional needs of students, while also funding an evidence-based summer school program to address academic needs. As a whole, the LEA's plan would address each needs category.



ESSER III – 20% Required Set-Aside FAQ

Can the 20% set-aside be used to support activities during the regular school day?

Yes. The American Rescue Plan (ARP) Act references that evidence-based interventions could include the general activity categories of summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs. However, the U.S. Department of Education has clarified in their [ESSER FAQ guidance](#) that additional activities can be supported, which could also occur during the regular school day.



What does ‘*evidence-based*’ mean with respect to the 20% set-aside?

All activities funded by the 20% set-aside must be **evidence-based** and **shown to be effective with vulnerable student populations**. ‘*evidence-based*’ is defined as “*an activity, strategy, or intervention that demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes*”. Evidence-based interventions are “*practices or programs that have **evidence** to show that they are effective at producing results and improving outcomes when implemented*”.



ESSER III – 20% Required Set-Aside FAQ

May an LEA include *associated costs* with implementing an evidence-based strategy that advances the purpose of addressing the academic impact of lost instructional time and the disproportionate impact of COVID-19 on underserved populations?

Yes, the cost of providing services to students to address the academic impact of lost instructional time and address the disproportionate impact of COVID-19 on underserved populations may include reasonable and necessary activities to help implement an evidence-based strategy for advancing this purpose. For example, such costs might include expenses associated with professional development, cleaning the space where a program is held, providing snacks or meals to students who are staying at school late to participate in the enrichment activity, or transportation.



ESSER III – 20% Required Set-Aside FAQ

Are there recommended uses of ESSER funds that will assist LEAs in addressing the impact of the COVID pandemic and disruptions leading to learning loss?

Professional Development	Extended Instructional Time	Staffing	Facilities	Technology	Mental Health and Behavioral Supports
<ul style="list-style-type: none"> Reading Academies high-quality instructional materials dyslexia training professional development stipends technology integration training 	<ul style="list-style-type: none"> extended day extended year high-dosage tutoring summer learning community partnerships 	<ul style="list-style-type: none"> tutors reduced class sizes small group instruction staff retention and recruitment bonus pay after school enrichment programs instructional coaching and leadership 	<ul style="list-style-type: none"> ventilation cleaning HVAC systems specialized instructional spaces 	<ul style="list-style-type: none"> devices infrastructure upgrades learning management systems digital tools educational applications 	<ul style="list-style-type: none"> social workers at-risk coordinators additional counseling services teacher training wrap-around programming



Thank You!

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