ESSER III Assurances

ESSER III was allocated through the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 to assist local educational agencies respond to the 2019 Novel Coronavirus.

Submission Confirmation

San Leandro Unified (CDS Code **01612910000000**) successfully completed submission for ESSER III funds on **6/10/2021 12:39:46 PM**.
You may print a copy of this confirmation for your records.

- As a reminder, you are required to create and post a Safe Return to In-Person Instruction and Continuity of Services plan within 30 days of your submittal of these assurances. Additional information about the plan, including how to use an existing plan, is available at: https://www.cde.ca.gov/fg/cr/arpact.asp.
- As a reminder, you are required to develop an ESSER III Expenditure plan by September 30, 2021. Additional information about the Expenditure plan is available at: https://www.cde.ca.gov/fg/cr/arpact.asp.

ESSER III Home
ESSER III search

San Leandro Unified

Contact Information

- **If your DUNS number is blank or incorrect, then**
  - please work with your CDS coordinator to update or revise your information. Your CDS coordinator can be found on your LEA's profile on the California School Directory at https://www.cde.ca.gov/schooldirectory.
  - please contact the Charter Schools Division at charters@cde.ca.gov.

LEA:
San Leandro Unified
DUNS Number:
093447241
First Name:
Kevin
Last Name:

Collins
Job Title:
Assistant Superintendent
E-mail:
kcollins@slusd.us
Telephone:
(510) 667-3504
Question:
What is your favorite color?
Answer:
Blue

Certification

The checkbox was selected, certifying that I have read the applicable certifications, assurances, terms, and conditions identified on this grant application and I agree to comply with all requirements as a condition of funding.

On behalf of San Leandro Unified, I hereby apply to the California Department of Education for ESSER III funds and agree to all of the following assurances:

PART I: General Assurances for Local Educational Agencies (LEAs)

San Leandro Unified will comply with the requirements in Section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e):

(1) The LEA will administer each program covered by the application in accordance with all applicable statutes, regulations, program plans, and applications;

(2) The control of funds provided to the LEA under each program, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;

(3) The LEA will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, federal funds paid to that agency under each program;

(4) The LEA will make reports to the State agency or board and to the U.S. Secretary of Education, as requested, as may reasonably be necessary to enable the State agency or board and the Secretary to perform their duties and that the LEA will maintain such records, including the records required under Section 1232f of this title, and provide access to those records, as the State agency or board or the Secretary deem necessary to perform their duties;

(5) The LEA will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of

each program;

(6) Any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and other members of the general public;

(7) In the case of any project involving construction, the LEA will provide reasonable assurances that–

(A) The project is not inconsistent with overall State plans for the construction of school facilities, and

(B) In developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under Section 794 of title 29 in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities.

(8) The LEA has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects;

(9) None of the funds expended under any applicable program will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization. (20 U.S.C. 1232e)

PART II: ESSER III Usage of Funds Assurances

San Leandro Unified assures that funds will be used in accordance with section 2001(e) of the American Rescue Plan Act of 2021 (ARP Act). Under that Act, LEAs receiving ESSER III funds under this title may use the funds for any of the following:

(1) Shall reserve not less than 20 percent of such funds 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 the coronavirus on the student subgroups described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care; and

(2) Shall use the remaining funds for any of the following:

(A) Any activity authorized by the Elementary and Secondary Education Act of 1965.

(B) Any activity authorized by the Individuals with Disabilities Education Act.

(C) Any activity authorized by the Adult Education and Family Literacy Act.

(D) Any activity authorized by the Carl D. Perkins Career and Technical Education Act of 2006.

(E) Coordination of preparedness and response efforts of LEAs 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.

(F) 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.

(G) Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs.

(H) Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases.

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

(J) Planning for, coordinating, and implementing activities during long-term closures, including providing meals to eligible students, providing technology for online learning to all students, providing guidance for carrying out requirements under the Individuals with Disabilities Education Act and ensuring other educational services can continue to be provided consistent with all Federal, State, and local requirements.

(K) Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the LEA that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and children with disabilities, which may include assistive technology or adaptive equipment.

(L) Providing mental health services and supports, including through the implementation of evidence-based full-service community schools.

(M) 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, children with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

(N) Addressing learning loss 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, of the LEA, including by—

(i) Administering and using high-quality assessments that are valid and reliable, to accurately assess students' academic progress and assist educators in meeting students' academic needs, including through differentiating instruction;

(ii) Implementing evidence-based activities to meet the comprehensive needs of students;

(iii) Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment; and

(iv) Tracking student attendance and improving student engagement in distance education.

(O) 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.

(P) Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and nonmechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.

(Q) Developing strategies and implementing public health protocols including, to the greatest extent practicable, policies in line with guidance from the Centers for Disease Control and Prevention for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff.

(R) Other activities that are necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing staff of the LEA.

The U.S. Department of Education generally does not consider the following to be an allowable use of ESSER III funds, under any part of 2001: 1) subsidizing or offsetting executive salaries and benefits of individuals who are not employees of the state educational agency (SEA) or LEAs or 2) expenditures related to state or local teacher or faculty unions or associations.

PART III: Programmatic, Fiscal, and Reporting Assurances

San Leandro Unified will comply with all of the accountability, transparency, and reporting requirements that apply to the program, which the Governor has already assured.

(1) ARP Act funds generally will not be used for bonuses, merit pay, or similar expenditures, unless related to disruptions or closures resulting from COVID-19.

(2) The LEA receiving ESSER III funds will comply with all reporting requirements. The SEA may require additional reporting in the future, which may include: the uses of funds by the LEAs or other entities and demonstration of their compliance with section 2001(e).

(3) The LEA receiving ESSER III funds will comply with Title 2, Code of Federal Regulations, Section 200.305 that requires sub-grantees to remit interest earned on advances to the federal agency.

(4) The LEA receiving ESSER III funds will comply with the Federal Funding Accountability and Transparency Act, as defined in 2 CFR Part 25 (PL 109-282; PL 110-252) regarding the

establishment of a Data Universal Numbering System (DUNS) number and maintaining a current/active registration in the System for Award Management.

(5) Each LEA that receives ESSER III funds must submit to the CDE, no later than September 30, 2021, an expenditure plan that contains any information reasonably required by the CDE.

(A) The plan, and any revisions to the plan submitted consistent with procedures established by the CDE, must describe —

(i) The extent to which and how the funds will be used to implement prevention and mitigation strategies that are, to the greatest extent practicable, consistent with the most recent CDC guidance on reopening schools, in order to continuously and safely open and operate schools for in person learning;

(ii) How the LEA will use the funds it reserves under section 2001(e)(1) of the ARP Act to address the academic impact of lost instructional time through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs;

(iii) How the LEA will spend its remaining ESSER III funds consistent with section 2001(e) of the ARP Act; and

(iv) How the LEA will ensure that the interventions it implements, including but not limited to the interventions under section 2001(e)(1) of the ARP Act to address the academic impact of lost instructional time, 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 in foster care, and migratory students.

(v) Any information reasonably required by the CDE.

(B) In developing its ESSER III plan, an LEA must—

(i) Engage in meaningful consultation—

(a) With stakeholders, including: students; families; school and district administrators (including special education administrators); and teachers, principals, school leaders, other educators, school staff, and their unions; and

(b) To the extent present in or served by the LEA: Tribes; civil rights organizations (including disability rights organizations); and 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; and

(c) Provide the public the opportunity to provide input and take such input into account.

(ii) An LEA's ARP Act ESSER III plan must be—

(a) In an understandable and uniform format;

(b) To the extent practicable, written in a language that parents can understand or, if it is not practicable to provide written translations to a parent with limited English proficiency, be orally translated for such parent;

(c) Upon request by a parent who is an individual with a disability as defined by the ADA, provided in an alternative format accessible to that parent; and

(d) Be made publicly available on the LEA's website.

(6) An LEA receiving ESSER III shall develop and make publicly available on the LEA's website, not later than 30 days after completing these assurances, a plan for the safe return to in-person instruction and continuity of services.

(A) An LEA must describe in its plan under section 2001(i)(1) of the ARP Act for the safe return to in-person instruction and continuity of services—

(i) How it will maintain the health and safety of students, educators, and other staff and the extent to which it has adopted policies, and a description of any such policies, on each of the following safety recommendations established by the CDC:

(a) Universal and correct wearing of masks.

(b) Modifying facilities to allow for physical distancing (e.g., use of cohorts/podding).

(c) Handwashing and respiratory etiquette.

(d) Cleaning and maintaining healthy facilities, including improving ventilation.

(e) Contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments.

(f) Diagnostic and screening testing.

(g) Efforts to provide vaccinations to school communities.

(h) Appropriate accommodations for children with disabilities with respect to health and safety policies.

(i) Coordination with State and local health officials.

(ii) How it will ensure continuity of services, including but not limited to services to address students' academic needs and students' and staff social, emotional, mental health, and other needs, which may include student health and food services.

(B) During the period of the ESSER III award established in section 2001(a) of the ARP Act, an LEA must regularly, but no less frequently than every six months (taking into consideration the timing of significant changes to CDC guidance on reopening schools), review and, as appropriate, revise its plan for the safe return to in person instruction and continuity of services.

(i) In determining whether revisions are necessary, and in making any revisions, the LEA must seek public input and take such input into account.

(ii) If at the time the LEA revises its plan the CDC has updated its guidance on reopening schools, the revised plan must address the extent to which the LEA has adopted policies, and describe any such policies, for each of the updated safety recommendations.

(C) If an LEA developed a plan prior to enactment of the ARP Act that meets the statutory requirements of section 2001(i)(1) and (2) of the ARP Act but does not address all the requirements in paragraph (A), the LEA must, pursuant to paragraph (B), revise and post its plan no later than six months after receiving its ESSER III funds to meet the requirements in paragraph (A).

(D) An LEA's plan under section 2001(i)(1) of the ARP Act for the safe return to in-person instruction and continuity of services must be—

(i) In an understandable and uniform format;

(ii) To the extent practicable, written in a language that parents can understand or, if it is not practicable to provide written translations to a parent with limited English proficiency, be orally translated for such parent; and

(iii) Upon request by a parent who is an individual with a disability as defined by the ADA, provided in an alternative format accessible to that parent.

(7) As a condition of receiving funds under section 2001 of the ARP Act, a LEA shall not, in fiscal year 2022 or 2023—

(A) Reduce per-pupil funding (from combined State and local funding) for any high-poverty school served by such LEA by an amount that exceeds—

(i) The total reduction in LEA funding (from combined State and local funding) for all schools served by the LEA in such fiscal year (if any); divided by

(ii) The number of children enrolled in all schools served by the LEA in such fiscal year; or

(B) Reduce per-pupil, full-time equivalent staff in any high-poverty school by an amount that exceeds—

(i) The total reduction in full-time equivalent staff in all schools served by such LEA in such fiscal year (if any); divided by

(ii) The number of children enrolled in all schools served by the LEA in such fiscal year.

(8) Paragraph (7) of this part shall not apply to a LEA in fiscal year 2022 or 2023 that meets at least 1 of the following criteria in such fiscal year:

(A) Such LEA has a total enrollment of less than 1,000 students.

(B) Such LEA operates a single school.

(C) Such LEA serves all students within each grade span with a single school.

(D) Such LEA demonstrates an exceptional or uncontrollable circumstance, such as unpredictable changes in student enrollment or a precipitous decline in the financial resources of such agency, as determined by the Secretary of Education.

PART IV: Other Assurances

San Leandro Unified assures that:

(1) The LEA will comply with all applicable assurances in OMB Standard Forms 424B and D (Assurances for Non-Construction and Construction Programs), including the assurances relating to the legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood hazards; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and the general agreement to comply with all applicable Federal laws, executive orders and regulations.

(2) With respect to the certification regarding lobbying in Department Form 80-0013, no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; the State will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 C.F.R. Part 82, Appendix B); and the State will require the full certification, as set forth in 34 C.F.R. Part 82, Appendix A, in the award documents for all subawards at all tiers.

(3) Any LEA receiving funding under this program will have on file a set of assurances that meets the requirements of Section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e).

(4) To the extent applicable, an LEA will include a description of how the LEA will comply with the requirements of Section 427 of GEPA (20 U.S.C. 1228a) in future reports. The description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede access to, or participation in, the program.

(5) The State will comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) requirements in Subpart D—Post Federal

Award Requirements (2 CFR §§200.300-345) and Subpart E—Cost Principles (2 CFR §§200.400-475) to ensure that LEAs, including charter schools that are LEAs, are using ESSER III funds for purposes that are reasonable, necessary, and allocable under the ARP Act.

(6) The State and other entities will comply with the provisions of all applicable acts, regulations and assurances; the following provisions of Education Department General Administrative Regulations (EDGAR) 34 CFR parts 76, 77, 81, 82, 84, 97, 98, and 99; the OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR part 180, as adopted and amended as regulations of the Department in 2 CFR part 3485; and the Uniform Guidance in 2 CFR part 200, as adopted and amended as regulations of the Department in 2 CFR part 3474.

Questions: The Federal Stimulus Team | EDReliefFunds@cde.ca.gov