



# Office of Federal Emergency Relief Programs (OFERP)

## Notes to the Field



### Upcoming Events and Deadlines

- February 19th - Presidents' Day - State offices are closed today
- February 28th - 11 a.m. - FY23 ESSER Performance Report walk-in, no agenda, open session - Register [here](#).
- February 29th -10 a.m. - Fiscal Office Hours for Business Managers and accounting staff - Register [here](#)
- Every Weds. in March - 11 a.m. - FY23 ESSER Performance Report walk-in, no agenda, open session - Register [here](#).
- March 7th - 9 a.m. - OFERP Office Hours - Register [here](#)

## PROGRAM NOTES

### FY 2023 ESSER Performance Report

As you may know the FY 2023 ESSER Performance Report is coming soon! The Office of Federal Emergency Relief Programs hosted an hour office on February 13th to discuss the performance report that will require time and attention from the ESSER applicant coordinator and business office personnel. We have received some feedback and will be making a few modifications to the FY 2023 Performance Report.

Currently, Part V: LEA Student Demographics and Part X: FTE are two self-inputted pages; however, we are working with our Data team to prepopulate these sections with the October 1, 2022 certified data retrieved from NEO for school year 2022-2023. This modification will take about two weeks to complete. We wanted to make you aware of this change to be sure that you do not spend your time and energy of these two sections of the performance report.

The **FY 2023 ESSER Performance Report** is due **April 12, 2024**. All expenditures and activities will reflect the **July 1, 2022 to June 30, 2023** performance period for **CARES ESSER I, CRRSA ESSER II, and ARP ESSER III**. The OFERP team will be hosting walk-in, no agenda, open sessions every Wednesday at 11:00am for an hour starting on **February 28, 2024, through April 10, 2024**. [Click here to register](#). Upon request, one-on-one technical assistance can be provided by the OFERP Team.

### WHAT HAPPENS IF SAUs/LEAs DON'T MEET 20% LEARNING LOSS REQUIREMENT?

Our Federal Emergency Relief team has the responsibility to ensure that all of Maine's SAUs fulfill the minimum of 20% reservation to address loss of instructional time. The US Dept of Education reinforced this responsibility in a message to Maine DOE recently in a formal response to an inquiry we made about what will happen to SAUs/LEAs that do not meet that threshold. Rather than inform us about possible penalties US Dept. of Education might apply to SAUs, we learned that we have the obligation to enforce the rule, or make sure that all Maine SAUs meet the requirement.

Guidance about allowable projects for reservation funds are provided in the Use of Funds [FAQs](#) for ESSER and GEER of December 7, 2022.

Please be familiar with sections C-2. on page 40 and then A-10. on page 19 of the document if you have questions about allowability of projects and about evidence-based practices that may be included in the reservation. School Administrative Units may add new projects, if necessary, to meet the reservation requirement – just keep in mind reasonableness and necessity along with allowability.



### ARP FUNDS MUST BE OBLIGATED BY 9/30/24. WHAT DOES THAT MEAN?

#### § 76.707 When obligations are made.

The following table shows when a State or a subgrantee makes obligations for various kinds of property and services.

If the obligation is for—	The obligation is made—
(a) Acquisition of real or personal property	On the date on which the State or subgrantee makes a binding written commitment to acquire the property.
(b) Personal services by an employee of the State or subgrantee	When the services are performed.
(c) Personal services by a contractor who is not an employee of the State or subgrantee	On the date on which the State or subgrantee makes a binding written commitment to obtain the services.
(d) Performance of work other than personal services	On the date on which the State or subgrantee makes a binding written commitment to obtain the work.
(e) Public utility services	When the State or subgrantee receives the services.
(f) Travel	When the travel is taken.
(g) Rental of real or personal property	When the State or subgrantee uses the property.
(h) A pre-agreement cost that was properly approved by the Secretary under the cost principles in <u>2 CFR part 200, Subpart E—Cost Principles</u>	On the first day of the grant or subgrant performance period.

(Authority: 20 U.S.C. 1221e-3, 3474, and 6511(a))

[45 FR 22517, Apr. 3, 1980. Redesignated at 45 FR 77368, Nov. 21, 1980, as amended at 55 FR 14817, Apr. 18, 1990; 57 FR 30342, July 8, 1992; 79 FR 76094, Dec. 19, 2014]

### 190 Billion Questions Reporters Should Be Asking About Their District’s ESSER Spending

Chad Aldeman, Eduprogess.org, recently published an article about ESSER spending and the “fiscal cliff” that is looming over districts. He writes: “There has been a lot of surface-level discussion of the fiscal cliff but far less discussion of what it will actually mean for schools and students. District leaders would be smart to lead those conversations now, but journalists have a role to play as well. Here are five categories of questions reporters should be asking of district leaders in the coming months:

- Student Needs - How are the children, and what learning gaps still remain?
- Money and Spending - How much ESSER money has the district spent so far, and what was it spent on?
- Student Supports - How were funds spent to support students and accelerate learning in math, science, and reading?
- Staffing - Which programs or staff were intended to be temporary? What will happen to the people working in roles funded by the one-time money?
- Evaluating Impact - Does the district have a plan to collect data and use it to inform planning around the coming fiscal cliff?

See the full list of questions and the complete article [here](#).

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