

**ESSER Annual Data Collection: 60-day Comment Responses**

Summary Comment	Applicable Section	Commentator(s)	ED Response
<p><b>Burden</b> This administrative burden will overwork exhausted state and district employees as well as take time away from implementing the amazing programs/systems built to address the needs of students. Many LEAs don't have the human capital to complete such detailed federal reporting annually for this many years. They may have to hire additional staff to complete this task which means fewer funds for school level activities that directly benefit students.</p> <p>As a small school district we are already overwhelmed trying to manage through this pandemic; dealing with mask mandates, social distancing, union demands, confirmed cases, contact tracing, etc. In the midst of this we are required to hold stakeholder meetings and gather input for deciding the best use of these funds. We then have the monumental task of purchasing, receiving, inventorying and distributing this significant influx of new supplies and resources. We are grateful for the funds, but all of the hoops, reporting and regulations are killing us.</p> <p>Schools are accustomed to tracking and reporting on expenditures, but not in the detail and categories required by ESSER. Student count information for each subgroup will be difficult to compile. This information is not readily available in the State's data system and would take significant time to manually calculate.</p> <p>We have likely already expended nearing 25 hours just in reviewing USED's proposed data elements and determining our SEA capacity to collect and report them. USED's estimate that completing the form will require approximately 25 hours per SEA to complete and 40 hours per LEA is a significant underestimate.</p>	<p>Whole form</p>	<p>South Dakota Department of Education – 80; Council of the Great City Schools – 79; California Statewide Educational Organizations for School Districts and County Offices of Education, and Los Angeles Unified School District – 77; Missouri Department of Elementary and Secondary Education– 75; Commentator from TX – 74; Commentator from CA – 73; Oregon Department of Education – 70; Montana Office of Public Instruction – 69; Arizona Department of Education – 68; Eula ISD – 66; DC OSSE - 64; New York State Education Department – 62; Pennsylvania Department of Education – 60; Anonymous – 58; Moran ISD – 57; AASA – 56; California Department of Education – 55; Wisconsin Department of Public Instruction – 54; Rotan ISD – 53; Anonymous – 52; Anonymous – 51; Commentator from CA – 49; Commentator – 48; Commentator from CO – 46;</p>	<p>Based on public comment and further review of the amount of time necessary for LEAs and SEAs to compile the information and fill out the data collection form, ED has increased the burden estimate to 120 hours for LEAs and 120 hours for SEAs.</p> <p>ED acknowledges that reporting this information results in burden on SEAs and LEAs, that systems may not yet be in place to collect and report the information, and that developing such systems takes time.</p> <p>Several questions will be made optional in this year's collection to provide grantees with time to establish systems to collect data. The questions that are optional in this year's collection will be required in next year's collection.</p> <p>Additionally, the ESSER collection form will be updated to collect data on 'Planned Uses of Funds' instead of 'Obligations' to lessen the burden on submitters and ensure accurate reporting.</p> <p>In addition to their primary purposes of ensuring that schools can reopen and continue operations safely and addressing students' social, emotional, mental health, and academic needs in response to the COVID-19 pandemic, ESSER funds may be used for data collection, reporting, and general improvements to data systems. It is important that parents, educators, and the public have accurate, transparent, and meaningful information about how students are learning during and after the pandemic and what learning opportunities are available.</p> <p>ED believes the additional burden caused by this data collection, including the disaggregation of data by subgroups, is necessary to effectively monitor the use of funds and to ensure an equitable recovery for those subgroups most impacted by the COVID-19 pandemic.</p>

		<p>Loraine ISD - 44;  Anonymous - 43;  Commentator from TX - 42;  Highland ISD - 41;  Anonymous - 40;  Commentator from CA - 38;  Commentator from CA - 37;  Anonymous - 36;  Oakfield JUSD - 35;  Weatherly ASD - 34;  Enterprise Elementary SD - 33;  Commentator from CA - 31;  Anonymous - 29;  Commentator from CA - 28;  Orville USD - 26;  Napa Valley USD - 25;  Thermalito Union ESD - 24;  Commentator from CA - 23;  Mt. Diablo USD - 22;  Riverbank USD - 21;  Green Dot Public Schools - 20;  Keyes Union ESD - 19;  Anonymous - 18;  Nazareth ISD - 13;  Grape Creek ISD - 14;  Stratford ISD - 01;  Excelsior ISD - 09;  Commentator from TX - 10;  Eden CISD - 08;  Commentator from TX - 04;  Commentator from TX - 07;  Commentator from TX - 06;  Whole Instrument Cognitive Interviews</p>	
<p><b>Timeline</b>  Please extend the reporting timeline so there is adequate time for LEAs to receive the questions, generate and submit responses, then allow the state agency to submit an aggregate response.</p> <p>We would strongly encourage USDE to provide states with the final data collection form no less than 4 months from the due</p>	<p>Whole form</p>	<p>South Dakota Department of Education - 80;  Anonymous - 72;  Arizona Department of Education - 68;  Commentator from TX - 63;  New York State Education Department - 62;</p>	<p>Form change.</p> <p>The timeline of the collection is dependent on OMB approval, but ED anticipates it will begin after February 2022.</p> <p>ED believes it is important for grantees to report information in a timely manner regarding the</p>

<p>date.</p> <p>It would take a significant amount of time for us to develop, test, and deploy an IT system that can adequately collect the immense amount of data that must be collected from over 1,700 LEAs and additional non-LEAs. Given both the volume and diversity of the data, we would also need more time to develop, test, and deploy a system to collect the data, as well as review the data post-collection and work with entities to address any concerns.</p>		<p>Moran ISD – 57; California Department of Education – 55; Rotan ISD – 53; Loraine ISD – 44; Highland ISD – 41; Weatherly ASD – 34; Thermalito Union ESD – 24; Green Dot Public Schools – 20; Commentator from TX – 16; Water Valley ISD – 11; Commentator from TX – 04; Directed Questions Cognitive Interviews</p>	<p>implementation of ESSER to inform the Department's monitoring and technical assistance and to provide transparency to the public about the uses of the ESSER funds.</p>
<p><b>Unnecessary/Duplicative Collection</b> States already have a monitoring process in place following their subgrantee application, review, and approval process.</p> <p>LEAs will continue to conduct their traditional federal program single audit functions, thereby already addressing expenditure compliance in a more timely manner than the proposed federal data collection effort. This after-the-fact data collection adds little to the compliance framework already in place for federal education programs.</p> <p>Congress has already addressed public transparency in the Safe Return Plan.</p> <p>Much of the information collection is redundant to the information already included in LEA ESSER applications.</p> <p>Please consider streamlining the reports by pulling information provided on the quarterly reports along with the annual external independent audit results</p> <p>These reporting requirements are duplicative as state educational agencies are currently required to provide ED with Maintenance of Equity information that is being asked for again in the report. This information should be pre-populated as to ensure that there will be no inappropriate data changes from the original reporting.</p>	<p>Whole form</p>	<p>Council of the Great City Schools – 79; Oregon Department of Education – 70; Pennsylvania Department of Education – 60; California Department of Education – 55; Anonymous - 47; Commentator from TX – 42; Enterprise Elementary SD – 33; Commentator from CA – 28; Grape Creek ISD – 14</p>	<p>No Change.</p> <p>ED acknowledges that SEAs and LEAs are asked to provide data through a variety of other collections and believes this collection is unique in regards to the questions asked and the collection reporting period.</p> <p>ED believes this collection is necessary to effectively monitor the use of ESSER funds and ensure that parents, educators, and the public have accurate, transparent, and meaningful information about how LEAs and SEAs are using their funds to support student learning during and after the pandemic.</p>

<p><b>Inability to Hire Staff</b> Attempts to hire staff to comply with ESSER reporting have been unsuccessful.</p> <p>We would hire additional staff to help but cannot even fill the current open positions we have for classroom staff.</p>	<p>Whole form</p>	<p>Anonymous – 36; Commentator from CA – 31; Oroville USD – 26; Keyes Union ESD – 19</p>	<p>ED acknowledges the difficulties in hiring personnel currently experienced across the country.</p> <p>The ESSER collection form will be updated to collect data on 'Planned Uses of Funds' instead of 'Obligations' to lessen the burden on submitters and ensure accurate reporting.</p> <p>Additionally, several questions will be made optional in this year's collection to provide grantees with time to establish systems to collect data. The questions that are optional in this year's collection will be required in next year's collection.</p> <p>Under ESSER I, II and ARP ESSER, SEA emergency reserve funds may be used to cover costs associated with reporting</p>
<p><b>Student Level Participation/Allocation</b> School districts often do not have program information by activity at the school-level, student-level, and subgroup-level as being proposed by the Department in a number of the survey form questions.</p> <p>Requirements that target the collection of student-level data (Section 4, subsection B) are not possible at the state level as our systems do not connect those components to program funding data.</p> <p>In Section 4, SEAs are asked to identify the number of students served from specific populations for each intervention in each LEA, which has a high risk of including personally identifiable information since the n-sizes for many subgroups of students will be very small.</p> <p>We do not currently collect information regarding student participation in evidence-based summer programs or summer enrichment programs, evidence-based afterschool programs, extended instructional time, or high dosage tutoring during the school days.</p>	<p>Section 4 Sub-Sections A and B</p>	<p>Council of the Great City Schools – 79; South Dakota Department of Education – 80; California Statewide Educational Organizations for School Districts and County Offices of Education, and Los Angeles Unified School District – 77; Missouri Department of Elementary and Secondary Education– 75; Anonymous -72; Montana Office of Public Instruction – 69; Arizona Department of Education – 68; Colorado Department of Education; DC OSSE – 64; New York State Education Department – 62; Irvine USD – 61; Pennsylvania Department of Education – 60; Council of Chief State School Officers – 59;</p>	<p>Form change.</p> <p>ED acknowledges that the requirements to collect student-level participation and allocation data were not communicated early enough for many grantees to be able to collect this data during this reporting period.</p> <p>Several questions related to disaggregated student-level participation and allocation data will be made optional in this year's collection to provide grantees with time to establish systems to collect data. The questions that are optional in this year's collection will be required in next year's collection.</p>

		<p>Moran ISD – 57;  AASA – 56;  Wisconsin Department of Public Instruction – 54;  Rotan ISD – 53;  Lorraine ISD – 44;  Commentator from TX – 42;  Highland ISD – 41;  Arkansas Department of Education – 39;  Delaware Department of Education – 32;  Downington ASD – 17;  Commentator from TX – 16;  Directed Questions Cognitive Interviews;  Whole Instrument Cognitive Interviews</p>	
<p><b>Narrative Responses</b>  Compliance reporting for ESSER grants will be challenging due to the short turnaround time to submit the narrative responses.</p> <p>Please keep in mind the time commitment for the federal agency staff to review narrative responses for LEAs across the nation. A common frustration of leaders is being required to complete reports with copious amounts of information for the public that seldomly reads them.</p> <p>It is unclear if USDE will require one narrative response per LEA or one response per activity selected by the LEA. If this is required down to an activity level for an LEA, that is going to be a significant number of responses that will require review.</p> <p>Guidance from ED about expectations of specificity for narrative responses would be very helpful.</p> <p>Please limit your questions to non-narrative responses as it will be a significant hardship for the state agency who will have to compile and summarize the LEA responses prior to submission for the state's report</p>	Whole form	<p>Council of the Great City Schools – 79;  Missouri Department of Elementary and Secondary Education– 75;  Anonymous – 72;  Colorado Department of Education – 67;  Pennsylvania Department of Education – 60;  Moran ISD – 57;  Wisconsin Department of Public Instruction – 54;  Rotan ISD – 53;  Lorraine ISD – 44;  Highland ISD – 41;  Delaware Department of Education – 32;  Grape Creek ISD – 14;  Anonymous – 12;  Water Valley ISD – 11;  Commentator from TX – 04;  Commentator from TX – 07;</p>	<p>Form change.</p> <p>ED acknowledges that narrative responses may result in burden to the LEAs and SEAs and has modified the form to remove many of the previously proposed narrative responses to lessen the burden on grantees.</p> <p>ED believes the information collected in the remaining narrative responses is critical to ensure ESSER funds are used in accordance with program requirements and to inform technical assistance needs. LEAs and SEAs are given great flexibility in choosing and designing the activities that meet the ARP mandatory set-aside requirements to address the impact of lost instructional time and the social, emotional, mental health, and academic needs of those students disproportionately impacted by the COVID-19 pandemic. As a result, the collection tool must provide LEAs and SEAs sufficient flexibility in responding.</p>
<b>Retrospective Collection</b>	Whole form	South Dakota Department of	Form Change.

<p>LEAs will be asked to generate data for CARES ESSER funding which dates back 18 months without being previously notified that such data elements were required, potentially resulting in inaccurate data reporting.</p> <p>By the time the comment period on the ESSER Data Collection Form ends, some schools will have been in session for several weeks. LEAs have been operating and spending ESSER funding without a clear idea of what the federal reporting requirements will be, particularly for ESSER I and II.</p>		<p>Education – 80; New York State Education Department – 62; California Department of Education – 55; Directed Questions Cognitive Interviews</p>	<p>In response to public feedback, several questions will be made optional in this year’s collection to provide grantees with time to establish systems to collect data. The questions that are optional in this year’s collection will be required in next year’s collection.</p>
<p><b>Obligations</b> LEAs do not track obligations, which will lead to inaccurate reporting of data and expenditures.</p> <p>Our SEA does not collect, nor does it find it feasible to collect obligated funds data</p> <p>Many LEAs work to strategically spend funds and may switch funding sources when the time comes to finalize the expenditures. For this reason, and since many LEAs do not track obligations, we believe that it does not make sense for obligations</p> <p>Funds are obligated at different points in time per 34 CFR 76.707 therefore reporting obligations will only confuse an audience who isn’t immersed in school finance.</p> <p>As the availability of ESSER III funds are pending a state appropriation, it is likely that current funding sources may change because LEAs will revise how programs are paid for once funds are available</p>	<p>Whole form</p>	<p>California Statewide Educational Organizations for School Districts and County Offices of Education, and Los Angeles Unified School District – 77; Missouri Department of Elementary and Secondary Education- 75; Anonymous - 72; Arizona Department of Education – 68; Oregon Department of Education – 67; DC OSSE – 64; New York State Education Department – 62; Pennsylvania Department of Education – 60; Council of Chief State School Officers – 59; California Department of Education – 55; Wisconsin Department of Public Instruction – 54; Rotan ISD – 53; Highland ISD – 41; Obligations Focus Groups; Whole Instrument Cognitive Interviews</p>	<p>Form Change.</p> <p>The ESSER collection form will be updated to collect data on ‘Planned Uses of Funds’ instead of ‘Obligations’ to lessen the burden on submitters and ensure accurate reporting.</p>
<p><b>Use of Funds Categories</b> The proposed reporting requirements request that expenditures be tracked in a restrictive manner.</p>	<p>Whole form</p>	<p>California Statewide Educational Organizations for School Districts and County Offices of Education, and Los Angeles Unified School</p>	<p>Form change.</p> <p>Throughout the form, the Use of Funds Categories have been updated to align with allowable uses of funds in the</p>

<p>We recommend the Use of Funds categories repeated in several places on the form be updated to capture more detailed information in critical areas and represent a broader range of allowable programs and activities.</p> <p>Categorically the information requested does not align with accounting codes or typical LEA reporting structures or the categories that have been shared through the guidance from the USED.</p> <p>The overlap present in categories and the request to respond to the categories in the order they are presented is confusing and could lead to misunderstandings of how funds were used.</p> <p>No option of “Other” for items within the social and emotional supports, school safety and operations, and early childhood categories. We suggest modifications to this section of the report to ensure that activities can be reported appropriately based on LEA activity.</p>		<p>District – 77; Alliance for Excellent Education et al – 76; Oregon Department of Education – 70; Arizona Department of Education – 68; Irvine USD – 61; Pennsylvania Department of Education – 60; Council of Chief State School Officers – 59; AASA – 56; Arkansas Department of Education – 39</p>	<p>CARES, CRRSA, and ARP statutes.</p> <p>ED acknowledges that capturing more detailed information on grantees’ use of funds would be useful but must balance this utility against the amount of burden caused by collecting this data.</p>
<p><b>Blended Funding</b> LEAs may blend funding sources within the same intervention, complicating both data collection and analysis.</p>	<p>Whole form</p>	<p>Missouri Department of Elementary and Secondary Education- 75;</p>	<p>ED acknowledges that LEAs will often fund interventions using multiple funding sources. If an intervention was funded using multiple funding sources, grantees should report the amount of money expended from each funding source for that intervention.</p>
<p><b>Evidence-based Activities</b> Neither CARES nor CRRSA, limit SEA spending to these categories or require spending on evidence-based activities. The structure of the tables could be interpreted to limit state spending options, or at least imply that SEAs must expend funds in certain areas when there is no legal requirement to do so. We strongly request ED clarify this table and/or remove it from the form.</p>	<p>Section 2 Sub-Section A1 and A2</p>	<p>Council of Chief State School Officers – 59;</p>	<p>No change.</p> <p>In areas where spending on evidence-based activities was optional, ED does not believe that asking grantees to report on the amount spent on evidence-based activities implies that funds must have been spent on evidence-based activities.</p>
<p><b>School Level Allocations/Equitable Allocation to High Poverty Schools</b> There is no requirement for LEAs to allocate ESSER funds to individual schools – whether in the aggregate or on a per-pupil basis. LEAs have been leveraging their funds based on their local needs and contexts which may include both LEA-level and school level expenses. Given this, there is a strong probability that data reported here could be misinterpreted and misused.</p>	<p>Section 3, Sub-Section B</p>	<p>California Statewide Educational Organizations for School Districts and County Offices of Education, and Los Angeles Unified School District – 77; Arizona Department of Education – 68; Colorado Department of Education – 67;</p>	<p>Form Change</p> <p>ED acknowledges that funds could be allocated at the LEA level with no allocation to individual schools.</p> <p>If funds were allocated solely at the LEA level, no allocation to individual schools should be reported.</p> <p>ED has updated this question to provide additional</p>

<p>School districts procured technology equipment at an LEA level to maximize its purchasing power, to reduce costs, and to efficiently expedite public dollars, before deploying supplies to school sites to serve every student.</p> <p>Many LEAs are spending ESSER funds centrally – sometimes for the benefit of individual schools, sometimes for groups of schools, and sometimes for whole district activities like summer programming, tutoring, and after-school programming.</p> <p>With the exception of the identification of high-poverty schools to determine LEA maintenance of equity under the ARP Act, there is no requirement that ESSER spending be tracked at the per-pupil level in high-poverty schools.</p>		<p>DC OSSE – 64; Irvine USD – 61; Pennsylvania Department of Education – 60; Council of Chief State School Officers – 59; Wisconsin Department of Public Instruction – 54; Arkansas Department of Education – 39; Delaware Department of Education – 32; Directed Questions Cognitive Interviews</p>	<p>guidance on calculating per-pupil expenditures.</p>
<p><b>Fed Fiscal vs. State Fiscal/Academic Year</b> The proposed reporting periods do not align with LEA's fiscal year, necessitating LEAs to report only budgeted estimates. We recommend that the reporting periods align with the end of the state fiscal years (July 1 to June 30) instead of February 10, 2022, which will provide a reasonable timeframe to meet the requests of these reports.</p> <p>If the USDE is asking for per pupil allocations, LEAs would need to state which academic year the expenditure is in which is not currently part of the USDE data collection form.</p>	<p>Whole form</p>	<p>California Statewide Educational Organizations for School Districts and County Offices of Education, and Los Angeles Unified School District – 77; New York State Education Department - 62; Pennsylvania Department of Education – 60; Wisconsin Department of Public Instruction – 54</p>	<p>ED acknowledges that the reporting period for this collection does not align with the fiscal year or academic year of all SEAs and LEAs. Fiscal and academic years vary between localities across the country, so it is not possible for ED to ensure alignment with the reporting periods.</p> <p>The form has been updated to provide additional guidance on calculating per-pupil allocations to the extent applicable to individual responses.</p>
<p><b>FTE Reporting/Hiring and Retention</b> Asking for a delineation and categorization for every employee hired or paid for with ESSER funds in every school in every district in every state across the nation seems entirely unnecessary, burdensome, and unproductive. We do not collect this data.</p> <p>Accurately attributing attrition and retention to ESSER funding in the short-term is challenging.</p> <p>A more reasonable approach to reporting fiscal information associated with employees is to use the number of full-time equivalent (FTE) positions funded with the resources.</p> <p>We suggest combining staff hired and retained into one</p>	<p>Section 3 Sub-Section D(11); Section 4 Sub-Section C; Section 5</p>	<p>Council of the Great City Schools – 79; South Dakota Department of Education – 80; California Statewide Educational Organizations for School Districts and County Offices of Education, and Los Angeles Unified School District – 77; Missouri Department of Elementary and Secondary Education– 75; Arizona Department of Education – 68; Colorado Department of Education – 67;</p>	<p>Form change.</p> <p>In response to public feedback, the question concerning the hiring and retention of FTEs supported by ESSER funds will be optional on this year's ESSER form but will be required in next year's collection.</p> <p>Additionally, the reporting of expenditures for staff hiring and retention was simplified and grouped into a single category.</p>

<p>category to lessen the burden on LEAs and SEAs.</p> <p>FTEs should be consistent with ED Facts, which requires FTE reporting to the tenth, as opposed to the one-hundredth, which is proposed by the ESSER collection form.</p> <p>Reporting the amount obligated and expended by FTE for specific positions would be a significant undertaking that neither WDPI nor LEAs have the capacity to implement.</p> <p>“Staff Hiring” is not defined. For example, would recruitment stipends be appropriate – or only salaries for new personnel?</p>		<p>New York State Department of Education – 62;  Pennsylvania Department of Education – 60;  Council of Chief State School Officers – 59;  California Department of Education – 55;  Wisconsin Department of Public Instruction – 54;  Delaware Department of Education – 32;  Directed Questions Cognitive Interviews;  Whole Instrument Cognitive Interviews</p>	
<p><b>Equitable Access to Key Staff</b>  Access to key staff members, while vitally important to providing students with appropriate supports, is not a statutory requirement under any of the programs, nor was it addressed in ARP-ESSER state plans.</p> <p>Requirements that target the collection of staffing data (Section 4, subsection C and section 5) are not possible at the state level as our systems do not connect those components to program funding data.</p> <p>it is unclear how certain broad categories of staff, such as teachers, should be listed. Additionally, it is unclear how staff who may serve in multiple capacities should be listed for an individual LEA, and there is no “Other” option listed.</p> <p>This method of reporting would not account for staff (such as counselors and nurses who respond to crises) who work in individual schools on an as-needed basis.</p> <p>The state does not have data for non-LEA FTE positions.</p>	<p>Section 4 Sub-Section C</p>	<p>South Dakota Department of Education – 80;  New York State Education Department – 62  Pennsylvania Department of Education – 60;  Council of Chief State School Officers – 59;  Arkansas Department of Education – 39;  Whole Instrument Cognitive Interviews</p>	<p>Form change.</p> <p>In response to public feedback, the question concerning the Equitable Access to Key Staff will be optional on this year’s ESSER form but will be required in next year’s collection.</p> <p>The form has been updated to provide additional guidance on reporting in this section.</p>
<p><b>Learning Recovery/Acceleration</b>  This section asks, “Did this LEA use ESSER (ESSER I, ESSER II or ARP ESSER) funds to support learning recovery or acceleration for subpopulations who were disproportionately impacted by the COVID-19 pandemic?” Since all LEAs are required to spend</p>	<p>Section 4 Sub-Section B2</p>	<p>New York State Education Department - 60;  Council of Chief State School Officers – 59;</p>	<p>Form change.</p> <p>In response to public feedback, the question concerning the Equitable Support for Learning Recovery will be optional on this year’s ESSER form but will be required in</p>

<p>a portion of their ARP funds for that purpose, it is unclear what information ED is seeking with this question.</p> <p>There is inconsistency in the granularity asked between items f, g, and h and the rest of the items in this section. Please reword to reflect a more consistent level of detail.</p> <p>Finally, some of the activities in the table (e.g., mental health services and supports, purchasing educational technology) do not seem clearly related to learning recovery and acceleration. This will lead to confusion for those doing the reporting.</p>			<p>next year's collection.</p> <p>The prompt for the question was changed to "How did this LEA use ESSER (ESSER I, ESSER II or ARP ESSER) funds to support learning recovery or acceleration for subpopulations who were disproportionately impacted by the COVID-19 pandemic?"</p> <p>Items f, g, and h in this table do not ask for granularity of participants because participation would be either very difficult to define (mental health supports, for instance, could be delivered in ways that do not allow for consistent participation definitions; similarly, training for staff does not easily correspond to a participation definition for students), or would encompass the full enrollment at that school (full-service community school).</p> <p>ED believes that spending on mental health services and supports, and educational technology may be related learning recovery.</p>
<p><b>Alternative Collections</b>  (We) recommend replacing proposed annual ESSER Data Collection with a single 2023 Data Collection: The cost and staff burden of this ESSER data collection could be reduced by at least half by collecting information only once at the end of school year 2022-23. By the time the yearly proposed ESSER information is collected, analyzed, and reported, most of the funds will have been expended and the impact on ongoing ESSER program decisions will be minimal.</p> <p>Other potential options would be to delay the due date for the February 2022 reporting by 3-6 months or to require reporting at this level of detail in the final ESSER report due in February 2024, but allow SEAs to provide only the highest-priority information in the intervening years.</p> <p>A national program evaluation would likely produce a better perspective on ESSER-supported activities using traditional sampling and site visit procedures.</p>	<p>Whole form</p>	<p>Council of the Great City Schools - 79;  DC OSSE - 64</p>	<p>ED acknowledges that collecting ESSER data annually creates burden on LEAs and SEAs.</p> <p>ED believes this burden is necessary to effectively monitor the use of funds and ensure that parents, educators, and the public have timely, accurate, transparent, and meaningful information about how students are learning during and after the pandemic and what learning opportunities are available.</p>
<p><b>Emergency vs. Administrative Costs</b></p>	<p>Section 2(1)(d)</p>	<p>Alliance for Excellent Education et al</p>	<p>ED concurs. Form change. The form has been updated to</p>

<p>Section 2(1)(d) calls for SEAs to report the amount that they reserved for administrative costs and emergency needs, and it states that this amount may not exceed ½ a percent of the state’s total ESSER allocation. That statement is incorrect; the ½ a percent limitation covers only state administration. Any funding for emergency needs can be financed from remaining funds available for state-level expenditures.</p> <p>Clarify the percentage of SEA Reserve funds that may be spent on administrative costs and for emergency needs</p>		<p>– 76; Council of Chief State School Officers – 59;</p>	<p>clarify the amount of SEA reserve funding that may be spent on Emergency and Administrative costs.</p>
<p><b>Direct Services</b> Section 2(1)(f) asks SEAs to report the amount of funding that they have used for “direct services.” It is not clear what this amount is intended to include. (The definitions on page 2 do not include a definition of “direct services.”) Does it include funds used for emergency needs, summer enrichment, or after-school programs, which are already captured in (1)(d) and(1)(f)?</p>	<p>Section 2(1)(E)</p>	<p>Council of Chief State School Officers – 59;</p>	<p>ED concurs. Form change. (1)(F) will be eliminated from Section 2 as “Direct Services” are already captured in the other categories.</p>
<p><b>Supporting Documentation</b> We request that USED consider creating a technical appendix or FAQ document with much more specific detail about how to calculate and report on all of the information requested, particularly in Section 3. For example, clarifying whether LEAs should list all activities, planned and otherwise, as uses of funds or only those that have been carried out during the reporting year.</p> <p>USDE did not provide definitions for the staffing roles listed in this form.</p> <p>Lack of clear definitions will compromise the quality of the data collected, causing confusion and extra work for LEAs and SEAs. we fear there could be risk of using this data for future federal funding decisions that would be inaccurate.</p> <p>It would be helpful for USDE to clarify what is meant by “early childhood education programs,” as there are a wide variety of early childhood programs and funding sources.</p> <p>A complete proposed data dictionary of required data elements, and proposed requirements and actual proposed</p>	<p>Whole form</p>	<p>Oregon Department of Education – 70; DC OSSE – 64; Arizona Department of Education – 68; New York State Education Department – 62; Commentator from TX – 16; Directed Questions Cognitive Interviews; Whole Instrument Cognitive Interviews</p>	<p>ED appreciates the commentators’ feedback on the supporting documentation that would be helpful to grantees.</p> <p>The form has been updated in several places to provide grantees with additional clarification and direction on how to report.</p> <p>Additionally, ED plans on providing grantees with supporting documentation (e.g., technical appendix or FAQ document) to assist with ESSER reporting and will consider this feedback when developing and implementing those supports.</p>

<p>file structures/templates must be provided as soon as possible, as they are critical for informing the systems and data processes that SEAs will need to develop to respond to these collection requirements within USED's proposed timeline.</p>			
<p><b>Low Attendance/Participation</b> It is unclear as to whether this question is required for all districts, or only those using ESSER funds to re-engage students with poor attendance or participation. This has not been communicated as a requirement of CARES, CRSSA, or ARP Acts. Therefore, some LEAs may not have such activities as part of their LEA Plans for Use of Funds.</p> <p>Please clarify that that there is no requirement to use ESSER funds (including the ARP funds reserved for addressing learning loss) to reengage students with poor attendance or participation.</p> <p>We recommend asking both how the LEA identified students with poor attendance or participation in in-person, hybrid, and remote learning as well as how they sought to reengage those students.</p>	<p>Section 3(d) (10)</p>	<p>Alliance for Excellent Education et al – 76; Colorado Department of Education; Council of Chief State School Officers – 59;</p>	<p>Form Change.</p> <p>The question concerning the methods employed by LEAs to reengage students with low attendance or participation has been updated to allow grantees to respond by choosing selections from a list.</p> <p>If ESSER funds were not used for this purpose, grantees should select “The LEA did not conduct any activities”.</p> <p>ED acknowledges that additional data concerning how students with low attendance or participation were identified would be useful but must balance this utility against the amount of burden caused by collecting the data.</p>
<p><b>Reporting Period</b> For ESSER II, the applicable reporting period covers from December 21, 2020, to September 30, 2021. ARP ESSER covers the period from October 1, 2020, to September 30, 2021. These time periods do not correctly account for the retroactive nature of these funding sources as they can be used for expenses going back to March 13, 2020. This does not promote accountability as states will not have the ability to report a significant amount of expenditures to ED. Thus, the data that would be public would not be reflective of actual expenditures.</p>	<p>Whole form</p>	<p>California Department of Education – 55;</p>	<p>Form change.</p> <p>The form has been updated to provide guidance on reporting ESSER funds used to reimburse expenditures prior to the start of the reporting period.</p>
<p><b>ARP State Set-aside – COVID impact</b> In Section 2, Subsection A3, the form asks, “How did the SEA allocate [ARP State set-aside] funds to students most impacted by the COVID-19 pandemic?” However, there is no requirement that states allocate their set-aside funds in that manner. States must set aside at least 7% of their total ARP award for certain activities that must address the disproportionate impact of the pandemic on subgroups of students, but SEAs are not required to allocate funds to</p>	<p>Section 2 Sub- Section A3</p>	<p>Council of Chief State School Officers – 59; Whole Instrument Cognitive Interviews</p>	<p>No change.</p> <p>ED does not believe this question implies that SEAs are required to allocate funds to subgrantees based on COVID impact.</p> <p>ED believes the implementation data collected in this section is different than the data collected in the ARP</p>

<p>subgrantees based on COVID impact. We request this information is clarified in final guidance to avoid confusion.</p> <p>This data was provided by States in their ARP ESSER State plans</p>			ESSER State plans.
<p><b>MoEquity Reporting Qualifier</b> In the Maintenance of Equity guidance, it was communicated that only LEAs that are required to meet the Maintenance of Equity requirement will be reporting on high poverty schools' per-pupil funding rates compared to non-high poverty schools' per-pupil funding rates.</p> <p>In order to ease reporting and align with messages already communicated to SEAs and LEAs, we request that only LEAs required to meet Maintenance of Equity would be required to report in Section 4 and Section 5.</p>	Section 4 Section 5	DC OSSE - 64	<p>No change.</p> <p>The Maintenance of Equity reporting section (Section 6 in the revised form) only requires SEAs to report data for high-need and high-poverty LEAs for the purposes of maintaining equity at the State level.</p>
<p><b>ESSER I, II, III Reporting Clarification</b> These sections [Section 3: C, D(8), D(10), D(11)] appear to combine CARES CRRSA and ARP ESSER expenditures into one response, but the 20% set-aside requirement only applies to ARP ESSER. Please clarify or remove.</p> <p>There is a lack of clarity regarding what data is required just for ESSER III expenditures and what covers ESSER I &amp; II. For requirements that cover ESSER I, II, III, how do SEAs and USED reconcile expenditures and activities that occurred prior to the publishing of the ARP ESSER requirements?</p>	Whole form; Section 3 Sub- Section C, D(8), D(10), D(11)	Oregon Department of Education - 70; New York State Education Department - 62	<p>ED concurs. Form change.</p> <p>The form has been updated to provide additional clarification about the reporting that is only required for ARP ESSER funds.</p>
<p><b>LEA Maintenance of Equity Reporting</b> As the proposed data collection form includes no required reporting on the LEA MoEquity provisions (only SEA MoEquity), further clarification and guidance should be provided to SEAs on how ED will monitor implementation and compliance with the new requirement.</p>		Alliance for Excellent Education et al - 76;	<p>No change.</p> <p>ED acknowledges that this data is important and has proposed in a Federal Register notice published on October 5, 2021 that SEAs make information and data on how LEAs are maintaining local equity in each State publicly available. Additionally, the Department published a Request for Information (RFI) on implementation of the maintenance of equity requirements. We encourage all stakeholders to review that information request and respond to the specific questions presented in the RFI.</p>
<p><b>Requested Addition</b> We encourage ED to collect information regarding the use of ESSER SEA reserve funds disaggregated by student group</p>		Alliance for Excellent Education et al - 76;	<p>No change.</p> <p>ED acknowledges that this data would be useful but must</p>

			balance this utility against the amount of burden caused by collecting the data.
<p><b>Requested Addition</b> We recommend that the list of Student Outcomes be expanded to include additional data points that capture critical information on student outcomes (including graduation rates, FAFSA completion rates, and college and career readiness indicators) and student engagement and participation (including data on disciplinary activities, such as suspensions). Additionally, available data on the impact and outcomes of programs undertaken with ESSER funding should be collected and appended where available.</p>	Section 4 Sub-Section C	Alliance for Excellent Education et al – 76;	ED acknowledges that this data is important and, instead of asking that it be reported on the APR, will generate this data from other ED reports and include it in the APR public reporting (which is reflected in the updated form). This will reduce burden for respondents and avoid the possibility of inconsistent data entry for fields that are already collected elsewhere.
<p><b>Data Quality Checks</b> We encourage ED to develop strong data quality checks during and after submission to maximize the utility of the information provided by SEAs and LEAs, specifically prioritizing the quality of data in the following use-of-funds categories: Mandatory ESSER allocations to LEAs, Actual subgrants awarded to LEAs, data on obligations and expenditures:</p>		Alliance for Excellent Education et al – 76;	ED concurs and will institute data quality checks during and after submission.
<p><b>Requested Addition – Data Chart</b> To increase ease of reporting and to aid SEAs in understanding the full scope of reporting requirements, we recommend that ED produce a simple chart outlining the data collected through the Data Collection Form and what data will be included through other data sources, such as the Civil Rights Data Collection and Common Core of Data. To streamline and ease reporting requirements, this table could include links to data sources in one central location.</p>		Alliance for Excellent Education et al – 76;	No change.  ED does not believe there is overlap in the data collected in this collection and the other data collections listed by the commentator.
<p><b>Requested Addition</b> We recommend ED edit the language in Section 3(c)(5) to clarify that SEAs should provide specific information on how selected activities/interventions met the intended purpose of the set-aside for <i>each listed</i> student subgroup. Doing so will strengthen ED’s ability to assess the degree to which these students have been served through ESSER-funded activities.</p>	Section 3(c)(5)	Alliance for Excellent Education et al – 76;	No change.  ED acknowledges that this data would be useful but must balance this utility against the amount of burden caused by collecting the data.
<p><b>Clarification</b> Spending that addresses lost instructional time, summer enrichment programs, and afterschool programs could be blended or braided in ways that are not easily reported on the current chart.</p>	Section 2(1) (a,b,c)	Alliance for Excellent Education et al – 76;	Form change.  This section has been updated to provide additional clarification and align with statutory SEA Reserve requirements.

Please clarify reporting requirements for SEAs and encourage comprehensive and holistic approaches to spending			
<p><b>Requested Addition</b> We recommend requesting information on the evidence base and method of evaluation the SEA intends to use to track and report outcomes for all interventions or programs funded using ESSER SEA Reserve Funds, whether they were included in the original SEA plan or included in an amended SEA plan</p>	Section 2 Narratives	Alliance for Excellent Education et al – 76;	<p>No change.</p> <p>ED acknowledges that this data would be useful but must balance this utility against the amount of burden caused by collecting the data.</p>
<p><b>Requested Addition</b> In Section 2 subsection A, we recommend adding a column to this chart asking whether LEAs receiving awards specifically from SEA Reserve Funds were otherwise ineligible for ESSER I, II, and ARP ESSER funds</p>	Section 2 Sub-Section A	Alliance for Excellent Education et al – 76;	<p>No change.</p> <p>ED acknowledges that this data would be useful but must balance this utility against the amount of burden caused by collecting the data.</p>
<p><b>Requested Addition</b> We recommend clarifying and adding further detail to the available responses to indicate how SEAs and LEAs identified the students most affected by the pandemic in Section 2, Sub-Section A, Sub-Section A-3, as well as in Section 4, Subsection A, question 1 (see suggested language below). For allocations of SEA Reserve Funds, we also recommend adding a structured response focused on which data points SEAs used to allocate funds and making other edits to clarify and expand some of the data collected throughout both structured responses.</p>	Section 2 Sub-Section A, Sub-Section A3; Section 4, Sub-Section A1	Alliance for Excellent Education et al – 76;	<p>Form change.</p> <p>The available responses to indicate how SEAs and LEAs identified the students most affected by the pandemic has been updated to include ‘Opportunity to learn data’ and ‘Other student outcome data, such as data on student’s school experiences and social and emotional wellbeing’ as suggested by the commentator.</p> <p>ED believes a narrative response is appropriate to capture the formula or decision-making rubric used by SEAs to allocate ARP ESSER funds to students most impacted by the COVID-19 pandemic.</p>
<p><b>Requested Addition</b> We recommend ED require states to collect information from LEAs on the total amount of ESSER I, ESSER II, and ARP ESSER funds provided to each school (in addition to the per-pupil allocations) and to submit this information to ED as part of this data collection.</p>	Section 3 Sub-Section B	Alliance for Excellent Education et al – 76;	<p>No change.</p> <p>ED acknowledges that this data would be useful but must balance this utility against the amount of burden caused by collecting the data.</p>
<p><b>Requested Addition</b> We recommend the editing the narrative question concerning ESSER Mandatory Subgrants to LEAs, 20% Reserve to Address Impact of Lost Instructional Time to clarify that SEAs should provide specific information on <b>each</b> listed student subgroup</p>	Section 3 Sub-Section C	Alliance for Excellent Education et al – 76;	<p>No change.</p> <p>ED acknowledges that this data would be useful but must balance this utility against the amount of burden caused by collecting the data.</p>
<p><b>Requested Addition</b> We recommend the request for data on staff hiring and retention supported by ESSER funds be updated to include categories for “school resource officers” and “school staff,</p>	Section 3 Sub-Section D	Alliance for Excellent Education et al – 76;	<p>Form change.</p> <p>“Attendance officers” has been removed from the staff category lists.</p>

<p>tutors, and other student support personnel” and deleting “attendance officers.”</p> <p>Additionally, to understand how SEAs and LEAs have used ESSER funding to recruit and support qualified and diverse personnel, demographic data should be collected for all staff categories represented in the provided table.</p>			<p>ED believes categories of staff listed are appropriate.</p> <p>ED acknowledges that this demographic data would be useful but must balance this utility against the amount of burden caused by collecting the data.</p>
<p><b>Requested Addition</b> We recommend that additional dimensions of resource equity, including mode of instruction, use of exclusionary discipline, access to/and success in advanced coursework, and access to strong and diverse educators, should be added to the table under question 12 and responses should be expanded from a simple “yes/no” to whether ESSER I, ESSER II, and ARP ESSER funds were utilized for each purpose. ED should collect information on SEA Reserve and LEA subgrant funds separately in this section</p>	Section 3 Sub-Section D(12)	Alliance for Excellent Education et al - 76;	<p>Form change.</p> <p>The form has been updated to include assessment data, average daily attendance, chronic absenteeism, rates of suspension and expulsion, and incidences of bullying and harassment in the student outcomes section that will be generated from other ED reports and included in the APR public reporting. This will reduce burden for respondents and avoid the possibility of inconsistent data entry for fields that are already collected elsewhere.</p>
<p><b>Requested Addition</b> To strengthen the data collected through these tables and ensure the reflect a full picture of the impact of SEA Reserve and LEA subgrant funds, we recommend that the disaggregated student subgroup data be reported for the percentage of students served within each subgroup (e.g., the percentage of an LEA’s low-income students that participated in an activity), in addition to the total number of students served.</p>	Section 4 Sub-Section B2	Alliance for Excellent Education et al - 76;	<p>Form change.</p> <p>This section has been updated to collect the percentage of each subgroup that participated in each respective activity.</p>
<p><b>Clarification</b> We recommend editing the specific categories of staff serving at schools in this section to include a distinct category for “Support personnel not covered by additional categories (including paraprofessionals, academic coaches, and student support personnel)” and change “Attendance Officers” to “School Resource Officers”</p>	Section 4 Sub-Section C	Alliance for Excellent Education et al - 76;	<p>Form change.</p> <p>“Attendance officers” has been removed from the staff category lists.</p> <p>ED believes the other categories of staff listed are appropriate.</p>
<p><b>Clarification – Evidence-based activities</b> Clarify that all of the SEA’s reserve funds, with the exception of the .5% set-aside for administrative costs and the optional set-aside for emergency needs, must be spent on evidence-based activities.</p>	Section 2 Sub-Section A3	Results for America - 71;	ED has reviewed the use of ‘Evidence-based’ language throughout the form and has updated it where it deemed appropriate.
<p><b>Clarification – Evidence-based activities</b> Add the phrase “through evidence-based interventions” to</p>	Section 3 Sub-Section C	Results for America - 71;	ED has reviewed the use of ‘Evidence-based’ language throughout the form and has updated it where it deemed

the end of the header title. And add the word “evidence-based” before “activities or interventions” in items 3-5 and in all bullet points.			appropriate.
<p><b>Clarification – Evidence-based activities</b> Insert the word “evidence-based” before “full-service community schools.” To align with Sec. 2001(e)(2)(L) of ARPA.</p> <p>Remove the blackout boxes or clarify that any uses of subgrant funds can be evidence-based and thus meet or exceed the requirement that 20% of funds be spent on evidence-based interventions.</p>	Section 3 Sub-Section D	Results for America – 71;	ED has reviewed the use of ‘Evidence-based’ language throughout the form and has updated it where it deemed appropriate.
<p><b>Requested Addition</b> We recommend including two additional items that would also enhance LEA’s data infrastructure and capacity.</p> <p>Add “data interoperability” and “data sharing” as options for spending ARPA funds on building “data infrastructure or capacity.”</p>		Results for America – 71;	The ‘Data Infrastructure or Capacity’ section was removed from the form to lessen burden on submitters and ensure the collection of accurate data.
<p><b>Directed Question 3, Option A</b> We believe that Option A is less burdensome overall for SEAs and will allow ED to consistently calculate and define the categories of high-poverty and non-high poverty schools to ensure consistency among all States and districts.</p>		Alliance for Excellent Education et al – 76; Anonymous – 72; Colorado Department of Education – 67; Rotan ISD – 53; Highland ISD – 41	Form change.  The form has been updated to collect the average amount expended per pupil at or on behalf of Title I and non-Title I participating schools. The question prompt has also been updated to provide additional reporting guidance.
<p><b>Directed Question 3, Option B:</b> We believe that allowing LEAs to provide the average per-pupil calculation for high-poverty schools compared to non-high-poverty schools is preferable, however, it does pose a burden for LEAs.</p>		Pennsylvania Department of Education – 60;	Form change.  The form has been updated to collect the average amount expended per pupil at or on behalf of Title I and non-Title I participating schools. The question prompt has also been updated to provide additional reporting guidance.
<p><b>Utility of Evidence-based Practices</b> The evidence-based practices that do exist were not normed for implementation during a prolonged world-wide pandemic. It may be very hard to implement those practices to fidelity. Gathering data on best practices, what worked and what didn’t and the why behind those outcomes may be more valuable to address gaps in education during a crisis.</p>		Oregon Department of Education – 70;	No change.  ED acknowledges that the COVID-19 pandemic created unprecedented challenges for SEAs and LEAs that may have affected the implementation of evidence-based practices.
<p><b>Form Redundancy</b> Section 3 Sub-Section D(6) is redundant to the tables in Section 3 Sub-Section A. We suggest this section is removed</p>	Section 3	New York State Education Department - 62	No change.  ED does not believe that these tables are redundant.

<p><b>Combine Narrative Questions</b> Please consider combining narrative questions 4 and 5 in Section 3 Sub-Section C as many LEAs are planning these together</p>	Section 3 Sub-Section C	Colorado Department of Education - 67;	<p>No change.</p> <p>ED believes these questions are distinct and should remain separate.</p>
<p><b>Requested Addition</b> We would like the instrument to include questions that address: 1) What COVID recovery interventions are districts using (e.g., tutoring, social emotional supports) and what are their key features (e.g., high-dosage tutoring, specific social emotional curricula)? 2) Which students are targeted for COVID recovery efforts? 3) Which students are actually participating in and regularly attending COVID recovery interventions?</p> <p>Section 3 Sub-Section C4 could ask states to describe key features of learning acceleration interventions</p>	Section 3 Sub-Section C4; Section 4 Sub-Section B	CALDER - 66	<p>No change.</p> <p>Items 1 and 2 are addressed in the form.</p> <p>Item 3 will be optional for grantees in this year's collection but will be required next year.</p> <p>Additional LEA narrative responses would add burden for grantees and ED must weigh the utility of collecting this data against the amount of burden caused by its collection.</p>
<p><b>Internet Services - Blended Funding</b> This question combines two funding streams (SEA Reserve Funds and mandatory LEA subgrants) from three different grant programs into a single data reporting element. According, this requirement will be confusing for our LEAs who may not be aware of the degree to which their allocation under each respective program is from the SEA reserve or the mandatory subgrants.</p>	Section 3 Sub-Section D(12)	New York Education Department - 62	<p>No Change.</p> <p>This question asks only for the combined funding total from all sources.</p>
<p><b>Requested Addition - LGBTQ+ Underrepresented Students</b> GLSEN urges the Department to amend Section 3, Subsection C, Questions 3 and 5 of the proposed ESSER ARP Integrated Reporting Form (1810-0749) to include "lesbian, gay, bisexual, transgender, queer, nonbinary, gender nonconforming, and intersex (LGBTQ+) students" in the list of underrepresented student groups.</p>	Section 3 Sub-Section C(3)(5)	GLSEN - 50	<p>No change.</p> <p>The groups that are listed in the form are those that are required by statute to be targeted through the evidence-based interventions</p>
<p><b>Legal Conflict - Arkansas</b> The request for data in these subsections will create a conflict with Arkansas's Act 1181 of 2015 that prohibits the state from requiring schools to submit data that has already been reported. Since districts have been reporting expenditures according to the funding codes already established, to require them to report the same information again (but into different</p>	Section 3 Sub-Section C and D	Arkansas Department of Education - 37	<p>No change.</p> <p>ED believes this collection is unique in regard to the questions asked, categories of data collected, and the collection reporting period.</p>

categories) would be a violation of state law.			
<p><b>Additional Reporting</b></p> <p>On behalf of a group of parents, we ask that you require that the report filed by the district be immediately available on a public facing website so parents aren't having to wait a year to see it. We further believe LEAs should be required to PDF their submitted report and publish it to the District website, present it to a public Board Meeting `and email it to all parents within 30 days of submission.</p>		Anonymous - 30	<p>No change.</p> <p>The construction of this form has no bearing on local reporting requirements.</p>