

American Rescue Plan ESSER III Funds FAQs

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Grant Summary	GS-Q1	What is the purpose of the ARP ESSER III funds?	The purpose of ESSER in general is to award subgrants to local educational agencies (LEAs) to address the impact that COVID-19 has had, and continues to have, on elementary and secondary schools.	04/28/21
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Grant Summary	GS-Q4	How is the agency planning to use the state's allocated discretionary funds?	ESSER III requires states to distribute discretionary funds to target evidence-based practices for learning acceleration, summer enrichment, and after school programming. The agency is in the process of developing a state plan that aims to streamline grant processes and provide supports to LEAs aligned to those required evidence-based practices. Prior to being finalized, the proposed state plan will be released for stakeholder comment and feedback and will include pending legislation from the 87th legislative session.	04/28/21
Eligibility	E-Q1	Who is eligible to apply for ARP ESSER III funding?	LEAs, including school districts and charter schools, that received a Title I, Part A grant in school year 2020-2021 are eligible and will receive allocations for the ESSER III grant.	04/28/21
Eligibility	E-Q2	Why must the LEA have received a Title I, Part A grant to be eligible for ARP ESSER III?	The ARP statute designates the funding distribution formula for ESSER III funds.	04/28/21
Eligibility	E-Q3	What is the formula for distributing ARP ESSER III funding to LEAs?	TEA must allocate 90% of its total ESSER III grant by formula to LEAs. TEA must determine each LEA's ESSER allocation in proportion to the amount of funds the LEA received under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA) in the most recent fiscal year (2020-2021).	04/28/21
Eligibility	E-Q4	How will LEAs know their grant amounts?	Grant allocations will be posted on the Grants Administration Entitlements web page .	04/28/21
Timeline	T-Q1	When will the funds be made available to LEAs?	By statute, TEA must make the allocations and grant application available to LEAs within 60 days of receiving the federal award from USDE. This deadline is May 23, 2021, but TEA is making the allocations and application for funding available in late April.	04/28/21
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Timeline	T-Q4	Is there a deadline for LEAs to receive the grant funds?	Yes, TEA must award (issue grant NOGAs) all funds to LEAs within one year or the funds return to USDE. All funds must be issued a NOGA by March 24, 2022.	04/28/21
Application Process	AP-Q1	Must the LEA submit a grant application to TEA to receive the ARP ESSER III funds?	Yes, the LEA must submit the grant application to TEA in the time and manner requested by the state in order to receive the ESSER III funds. In addition, the PS3013 and 3014 Program Schedules to the application serve as the LEA's required ESSER III Use of Funds Plan.	04/28/21
Application Process	AP-Q2	Will the grant application be a paper PDF application emailed to TEA like ESSER I?	No, the ESSER III grant application will be available in the eGrants system.	04/28/21

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Application Process	AP-Q3	What are the federal requirements around the LEA ESSER III Use of Funds Plan?	<p>The LEA must engage in meaningful consultation with stakeholders and give the public an opportunity to provide input in the development of its plan for the uses of ARP ESSER III funds. Specifically the LEA must engage in meaningful consultation with students; families; school and district administrators (including special education administrators); and teachers, principals, school leaders, other educators, school staff, and 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 language learners, children experiencing homelessness, children in foster care, migrant students, children who are incarcerated, and other underserved students.</p> <p>The LEA must provide its plan for the uses of ARP ESSER III funds in an understandable and uniform format; to the extent practicable, written in a language that parents can understand or, if not practicable, orally translated; and, upon request by a parent who is an individual with a disability, provide in an alternative format accessible to that parent.</p> <p>The LEA program schedules to the ESSER III application, or a separate document containing all the information included in the program schedules, serving as the LEA's plan for the uses of ARP ESSER III funds will be posted to the LEA's website within 30 days of receiving its ESSER III Notice of Grant Award.</p>	04/28/21
Grant Requirements	GR-Q1	Are the ARP ESSER III funds required to be supplemental to the LEA's state and local funds?	No, the LEA has flexibility within the allowable uses of funds to supplant state and local funds. However, the use of ESSER III funds must still meet the intent of the program statute (Q1 above) and be a statutorily allowable use of the funds (Q22 below).	04/28/21
Grant Requirements	GR-Q2	Since local supplanting is allowed, what indirect cost rate does the LEA use on this grant?	The LEA may reserve any amount for indirect costs not to exceed its unrestricted indirect cost rate.	04/28/21
Grant Requirements	GR-Q3	Is a back to school plan required to receive the ARP ESSER III funds?	Yes. The LEA must post to its website its "Safe Return to In-Person Instruction and Continuity of Services Plan" within 30 days of receiving your ESSER III NOGA. Before posting the plan to our website, you must make the plan available for public comment and take any comments received into consideration in finalizing the plan. Any existing plan that meets the statutory requirements may be posted to meet this compliance requirement. USDE requires this plan to be reviewed every 6 months and revised accordingly.	04/28/21
Grant Requirements	GR-Q4	Is there a private school equitable services requirement like ESSER I?	No, private schools have a separate program to receive services from the state under ARP.	04/28/21
Grant Requirements	GR-Q5	Is there a local ESSER Maintenance of Effort requirement?	<p>No, however there is a state-level MOE requirement and both state and local Maintenance of Equity (MOE) requirements.</p> <p>It is important to note that IDEA MOE and ESSA MOE requirements still apply to the LEA and you will want to be cognizant of your state and local spending in relation to these MOE requirements, especially if supplanting the ESSER funds locally.</p>	04/28/21

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Grant Requirements	GR-Q6	What is the local Maintenance of Equity (MOQ) requirement?	<p>Since supplanting is allowed, it is important for LEAs to pay attention to how they supplant with ESSER III funds and supplant equally across campuses to not cause MOQ concerns.</p> <p>The local MOQ requirement is that LEAs shall not reduce (1) per-pupil spending of state and local funds, or (2) FTEs, for any high poverty school by an amount that exceeds the total reduction(s) within the LEA. "High poverty school" is defined as a school with a higher percentage of economically disadvantaged students than the median school percentage of the LEA or the LEA's grade span (based on Title I, Part A economically disadvantaged student data).</p> <p>More information will be provided once USDE release MOQ guidance.</p>	04/28/21
Grant Requirements	GR-Q7	Is there any exception or waiver to the local MOQ requirement?	Yes. An LEA that has fewer than 1000 total enrollment, has only one campus within the LEA, only one campus per grade span (elementary, middle school, high school) within the LEA, or receives a waiver from USDE may be exempt from the requirement.	04/28/21
Grant Requirements	GR-Q8	What is the biggest difference between ESSER I, ESSER II, and ESSER III funds?	The allowable activities expanded with ESSER II and again with ESSER III. Also, ESSER III contains two planning requirements, a 20% set-aside for funding to be expended for learning loss type activities, and has the new Maintenance of Equity provisions. A side-by-side comparison of the three ESSER programs will be available on the TEA coronavirus website.	04/28/21
Grant Requirements	GR-Q9	The application contains an assurance about assuring the governing board makes no assumptions that the state will provide replacement funds for ESSER in future years. Does the board need to be made aware of this statement?	<p>Yes. Since the large influx of ESSER funding into LEAs can result in funding deficits when it ends, the LEA must plan for how to effectively and efficiently use the ESSER funds. It is recommended to use the ESSER grant funds for one-time or short-term types of expenditures to address the identified needs caused by the pandemic. Although long-term uses of the ESSER funds are also allowable, these types of uses may cause the LEA to not have funding to continue these activities after the ESSER period of availability ends, thus creating fiscal deficits.</p> <p>Also remember that federal regulations require the LEA to provide public notice of its intent to submit the application for the ESSER funds and how it will use these funds. Many LEAs provide this public notice at the local board meeting.</p>	04/28/21

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Allowable Uses	AU-Q1	What are the allowable uses of the ARP ESSER III funds?	<ol style="list-style-type: none"> 1. Any activity authorized under ESEA, IDEA, Adult Education and Family Literacy Act, or the Carl D. Perkins Career and Technical Education Act of 2006 2. Coordination of preparedness and response efforts of LEA with State and local public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to the coronavirus 3. Activities to address the unique needs of low-income 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 student population 4. Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs 5. Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases 6. Purchasing supplies to sanitize and clean the facilities of the LEA, including buildings operated by the LEA 7. Planning for, coordinating, and implementing activities during long-term closures, including providing meals to eligible students, providing technology for online learning to all students, how to provide guidance for carrying out requirements under IDEA, how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements 8. Purchasing educational technology (hardware, software, and connectivity) for students that aids in regular/substantive educational interaction between students and instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment 9. Providing mental health services and supports, including through implementation of evidence based full-service community schools 10. Planning and implementing activities related to summer learning, including providing classroom instruction or online learning during summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care, and supplemental afterschool programs, providing classroom instruction or online learning, addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care 11. Addressing learning loss among LEA students, including low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care, including administering and using high-quality assessments, implementing evidence-based activities to meet the comprehensive needs of students, providing information and assistance to parents & families on effectively supporting students, and tracking student attendance and improving student engagement in distance education 12. 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 13. Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement 14. Developing strategies and implementing public health protocols including, to the greatest extent practicable, policies in line with guidance from CDC for the reopening and operation of school facilities 15. Other activities that are necessary to maintain the operation of and continuity of services in the LEA, including continuing to employ existing staff of the LEA to the greatest extent practicable 	04/28/21

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Allowable Uses	AU-Q2	Are the ARP ESSER III funds required to be used for specific uses?	Yes, LEAs must expend a minimum of 20% of their grant funds on— 1. Evidence-based interventions, such as summer learning, extended day comprehensive after-school programs, or extended school year programs; and 2. Ensure interventions respond to students' academic, social, and emotional needs and address disproportionate impact of coronavirus on student populations as defined in ESEA, Title I, Part A; students experiencing homelessness; and youth in foster care.	04/28/21
Allowable Uses	AU-Q3	Are there recommended uses of ESSER III funds that will assist LEAs address the impact of the COVID pandemic and disruptions leading to learning loss?	The LEA should use their local data and comprehensive needs assessment process to determine the best uses of funds for their students and staff. TEA has focused on this issue over the last year and can recommend several potential uses of funds for consideration While keeping in mind the purpose and requirements under ESSER III related to accelerating student learning, TEA strongly encourages school systems to plan for how to use these one-time federal funds expeditiously over the entire covered period to facilitate a more comprehensive long-term approach to learning acceleration. This may include aligned strategies that are currently part of a districts' current plans and strategies. A qualitative review of draft local learning acceleration plans revealed the following trends and suggestions, which is not meant to be exhaustive. This list includes and is not limited to the following: <ul style="list-style-type: none"> Professional Development: comprehensive Reading Academies, high-quality instructional materials, dyslexia training, professional development stipends, technology integration training Extended Instructional Time: extended day, extended year, high-dosage tutoring, summer learning Staffing: tutors, reduced class sizes, small group instruction, staff retention and recruitment incentive pay, after school enrichment programs, instructional coaching and leadership Facilities: ventilation, cleaning, HVAC systems, specialized instructional spaces Technology: devices, infrastructure upgrades, learning management systems, digital tools, educational application Mental Health and Behavioral Supports: social workers, at-risk coordinators, additional counseling services, teacher training and programming, wrap-around and community partnerships 	04/28/21
Allowable Uses	AU-Q4	Since the funding formula ties to Title I, Part A, are the ARP ESSER III funds subject to any requirements of Title I?	No	04/28/21
Allowable Uses	AU-Q5	May the LEA use ARP ESSER III funds for any campus within the LEA or only on Title I campuses?	The statute does not define how the LEA distributes funds to campuses within the LEA; therefore, the LEA may support any campus in the LEA with ESSER III funds.	04/28/21
Grant Reporting	GR-Q1	How will the ESSER III funds be tracked and reported ?	The ESSER I, II, and III funds are all appropriated under different statutes and therefore must be tracked and reported separately. For example ESSER I is fund code 266, ESSER II will be fund code 281, and ESSER III will be fund code 282.	04/28/21
Grant Reporting	GR-Q2	Will there be special reporting requirements for ARP ESSER III grants?	USDE has not yet released the reporting requirement. However, LEAs should expect stringent reporting on use of funds from USDE, TEA, or both.	04/28/21

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Audits and Monitoring	AM-Q1	Should the LEA expect the ARP ESSER III funds to be audited or monitored for program compliance?	Yes, with a federal grant of this size the LEA should expect to be reviewed by either TEA, USDE, OIG, GAO or any other federal agency with oversight responsibilities. TEA is required to monitor stimulus funds at a greater level than other federal grants.	04/28/21
Audits and Monitoring	AM-Q2	What are some examples of records and documentation an LEA should maintain for audit and monitoring purposes?	<p>Auditors will request and review documentation to verify that program funds were obligated in compliance with fiscal, program, and other applicable grant requirements. Auditors will review district's financial management system, internal controls, cash management, budgetary controls, allowability of costs, period of availability and set asides. Additionally, auditors will request and review source documentation supporting both payroll and non-payroll costs to determine that expenditures charged to grant funds were allowable, allocable, reasonable and necessary to meet program requirements. At a minimum, the district should maintain the following documentation to demonstrate compliance with program requirements.</p> <ul style="list-style-type: none"> • Policies and procedures • Detailed general ledgers and payroll journals compliant with FASRG • Procurement records (i.e. contracts, leasing agreements) • Personnel Records including job descriptions, salary authorizations, payroll and Time and Effort records reconciled to payment • Needs assessment and/or planning documents describing the need for the use of program funds. • Inventory records of equipment purchased with grant funds • Source documentation supporting expenditure of grant funds (i.e. purchase orders with accompanying Invoices, receipts, canceled check/check registry/screenshot from accounting system, proof of electronic payment/payment screen-shoots (as applicable) indicating that payment was made (paid) • Spreadsheet or other documents with relevant supporting documentation reconciling payment documentation to dollar amount that includes description of how funds were used, a unique payment number, the date payment was recorded and a signatory approval 	04/28/21
Funding	F-Q1	What other requirements should we consider when deciding how to spend the ARP ESSER III funds?	The LEA should consider their identified needs to address the impact of the COVID-19 pandemic on their campuses. In addition, you should consider ESSA and IDEA MOE requirements, the ESSER Maintenance of Equity (MOE) requirement, and potential fiscal deficits that may arise in future years due to the large influx of this federal funding.	04/28/21
Funding	F-Q2	How could MOE requirements impact how the LEA expends ARP ESSER III funds?	<p>There is no local ESSER MOE requirement. Independent of ESSER there is a local ESSA MOE requirement for all expenditures and a local IDEA MOE requirement for special education expenditures. (See GR-Q5 above)</p> <p>If the LEA supplants state and local funds with the ESSER III funds (which is allowable) the LEA's state and local fund spending will decrease. The ESSA and IDEA MOE compliance requirements test the LEAs spending of state and local funds at a level to match prior year spending. The ESSA requirement is to meet at least 90% of the prior year spending and the IDEA requirement is 100%.</p> <p>See the ESSA MOE Guidance Handbook at https://tea.texas.gov/sites/default/files/ESSA%20LEA%20Maintenance%20of%20Effort%20%28MOE%29%20Guidance%20Handbook%20tm.pdf and the IDEA MOE Guidance Handbook at https://tea.texas.gov/sites/default/files/IDEA-B%20LEA%20MOE%20Handbook.pdf for more information on the MOE requirements.</p>	04/28/21

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Funding	F-Q3	How can we address potential fiscal deficits in future years?	The LEA has the option to supplant state and local funds with the ESSER III grant funds as long as it uses the ESSER III grant funds for allowable uses under the ARP ESSER Statute (see Q22 above). When the LEA does this, it frees up state and local funds for other uses or to be "saved" for use at a later date. Saving state or local funds for use after the ESSER III grant ends can provide the LEA more time to address student learning loss.	04/28/21
Funding	F-Q4	This FAQ references ARP ESSER III funds can be expended as pre-award funds. Can the LEA reimburse itself for costs already expended?	Yes, pre-award is allowed from March 13, 2020, through the date the LEA submits the ESSER III grant application to TEA. The LEA may reimburse itself for allowable ESSER III costs that occurred during that pre-award period as long as it requests those pre-award costs in the grant application and is approved by TEA.	04/28/21
Funding	F-Q5	If the LEA reimburses state or local funds with ARP ESSER III federal grant funds for pre-award costs, are those federal funds now treated as state funds?	No. ESSER funds (ESSER I, II, and III) are federal funds and must follow all federal grant rules and regulations. The ESSER funds must also be reported separately and meet all federal fiscal and programmatic compliance requirements.	04/28/21
Funding	F-Q6	When can the LEA start reimbursing itself using ARP ESSER III funds?	You may begin planning to reimburse the LEA for pre-award cost now as you plan your ESSER III budget, but the actual accounting transactions to book the reimbursement cannot occur until the ESSER III grant application is approved with the pre-award costs included.	04/28/21
Funding	F-Q7	Now that we can supplant state and local funds with the ESSER III grant funds what should we do with the unexpended state and local funds?	The LEA will restrict the use of state and local M&O funds in a restricted or committed fund balance account. This could be a one-time reservation or certain amounts that equal up to the ESSER III grant award over the three year availability of the ESSER III grant.	04/28/21
Funding	F-Q8	How could my LEA reserve the state and local funds that were supplanted by ESSER III for future uses to continue to educate students after the ESSER III grant ends?	If LEAs take steps to use federal funds for purposes previously paid for with state and local funds, that will allow state local funds to be used for other purposes. Some LEAs may want to designate or otherwise preserve a portion of these freed up state and local funds for long term COVID-19 learning loss intervention support. One method to do this would be to add these funds on a restricted basis to your general fund balance. A school district and its board will determine the amount of funds that will be reserved in fund balance either as restricted or as committed in a fund balance account as defined by Governmental Accounting Standards Board Statement 54. The amount of state and local funds can be restricted all at one time or up to three annual installments based on the ESSER III grant awards. A non-profit open-enrollment charter school would use "Net Assets with Donor Restrictions" to restrict the use of state and local funds that became available due to supplanting the state and local funds with ESSER III grant award funds.	04/28/21
Funding	F-Q9	What is an example of changes I would make to expenditure codes in the event my school system used ESSER III grant funds for allowable purposes that are currently being funded with general fund dollars?	For example, if the district received \$1,000,000 in ESSER III grant funds, the district would reclass up to \$1,000,000 of allowable expenditures in the general fund (199) to the new ESSER III fund (282). Therefore, unencumbering general fund budgeted funds to be restricted for later use to continue to support the students of the district after the ESSER III grant award ends. Or if the district receives the same \$1,000,000 award but determines to use it over the three year grant period the district would reclass \$334,000 in general fund expenditures in the 2021 fiscal year to the ESSER III fund (282) and then restrict \$334,000 of unencumbered budgeted funds as restricted or committed fund balance. In the two subsequent years 2022 and 2023 the district would code \$333,000 to the ESSER III grant fund (282) and restrict \$333,000 in fund balance in the general fund for later use to continue to support the students of the district.	04/28/21

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