



ESSER Updates and Maintenance of Equity

FASFEPa FALL FORUM

September 15, 2021



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CARES ESSER I

- All funds have been allocated.
- As of September 10, 2021, over 79% of funds have been spent

CRRSA/ESSER II – Advance Lump Sum

- Legislative Budget Commission approved additional budget authority
- Program Period for ESSER II Advance Lump Sum has been extended through 9/30/23

ESSER II APPLICATIONS & AWARDS

The following awards have been issued as of 9/15/21:

NonEnrollment – 36

Academic Assistance – 48

Technology Assistance – 26

For Lump Sum, FDOE has preliminarily approved 32 applications, now pending Legislative review and approval of budget amendment.



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ARP ESSER LEA Maintenance of Equity Requirements

ARP Maintenance of Equity Requirements

For 2021-22 and 2022-23, an LEA may NOT:

- Reduce state and local per-pupil funding in high-poverty schools by an amount that exceeds the total reduction, if any, of combined state and local per-pupil funding for all schools in the LEA.
- Reduce the number of full-time equivalent (FTE) staff per-pupil in high-poverty schools by an amount that exceeds the total reduction, if any, of FTE staff per-pupil in all schools in the LEA.

Determining “High-Poverty Schools”

“High-Poverty School” is a school that is in the highest quartile of schools served by the LEA based on the % of economically disadvantaged students in the school.

Determining “High-Poverty Schools”

FDOE has determined that LEAs will use the poverty measure used for Title I, Part A, Rank and Serve.

- Rank each school by its % economically disadvantaged
- Divide the total number of schools by 4 to determine the number of schools in the highest quartile. (Always round up.)
- Identify the highest-poverty quartile of schools.
 - LEA-wide
 - Grade-Span

Example: LEA-Wide Determination

(from U.S. Department of Education Guidance dated August 6, 2021)

School	% Economically Disadvantaged	Grade Span	High Poverty School?
School A	80%	Elementary	Yes
School B	75%	Elementary	Yes
School C	65%	Elementary	Yes
School G	60%	Middle	No
School I	40%	High	No
School D	35%	Elementary	No
School E	25%	Elementary	No
School H	25%	Middle	No
School F	15%	Elementary	No

Example: Grade-Span Determination (from U.S. Department of Education Guidance dated 8/6/21)

School	% Economically Disadvantaged	Elementary	Middle	High	High-Poverty School?
School A	80%	X			YES
School B	75%	X			NO
School C	65%	X			NO
School D	35%	X			NO
School E	25%	X			NO
School F	15%	X			NO
School G	60%		X		YES
School H	25%		X		NO
School I	40%			X	YES

Which funding sources to include?

- Generally includes all sources of State and Local funds LEA has available for current expenditure for free public education.
- Does NOT include:
 - Capital outlay
 - Debt Service
 - Federal funds
 - Private donations
 - One-time disbursement for a specific purpose (next slide)

Which funding sources to include?

U.S. Department of Education FAQ #26

The LEA must use consistent funding sources from year to year and document its sources of data. As a result, if an LEA can document a one-time disbursement for a specific purpose (e.g., a revenue surplus that was distributed only for one year), then those funds may be excluded from MOEquity calculations.

Determining Compliance with MOEq Fiscal Test

(LEA-wide) Step One: Determine the total per-pupil reduction of State and Local Funding, if any:

- **State and Local per-pupil amount for 2021-22.**

Divide the total State and Local funds for FY 2022 by the aggregate number of students enrolled in all schools served by the LEA in FY 2022.

- **State and Local per-pupil amount for 2020-21.****

Divide the total State and Local funds for FY 2021 by the aggregate number of students enrolled in all schools served by the LEA in FY 2021.

- **State and Local per-pupil reduction for 2021-22.**

If FY22 is less than FY 2021, the difference is the amount by which the LEA has reduced its per-pupil amount of State and Local funds for FY 2022. If an LEA has increased or maintained funding, the per-pupil reduction is treated as zero.

Determining Compliance with MOEq Fiscal Test

(LEA-wide) Step Two: Determine the per-pupil reduction of State and Local Funding, if any, for each high-poverty school in the LEA

- **High-poverty school per-pupil amount for 2021-22.**

Divide the total State and Local funds provided to each High-Poverty School for FY 2022 by the number of students enrolled in FY 2022.

- **High-poverty school per-pupil amount for 2020-21.****

Divide the total State and Local funds provided to each High-Poverty School for FY 2021 by the number of students enrolled in FY 2021.

- **High-poverty School per-pupil reduction for 2021-22.**

If FY22 is less than FY 2021, the difference is the amount by which the LEA has reduced its per-pupil amount of State and Local funds to that High-Poverty School for FY 2022.

Determining Compliance with MOEq Fiscal Test

(LEA-wide) Step Three: Compare the per-pupil reduction, if any for each high-poverty school with the per-pupil reduction in State and Local funds to all schools in the LEA.

If any High-Poverty School receives a reduction in the per-pupil amount of State and local funds (Step Two) that is greater than the total per-pupil reduction for the LEA (Step One), the LEA has not maintained equity.

For Grade-Span Determinations, the process is the same, but the comparisons are across grade-spans.

What Enrollment Data to Use?

U.S. Department of Education FAQ #27

To determine the per-pupil amount for each fiscal year, an LEA may use the most appropriate available enrollment data for the applicable fiscal year, which could be the same enrollment data it relied on to distribute or allocate funds for the applicable fiscal year. These data may include, among other data, its prior year enrollment data, an average of multiple prior years' enrollment, or projected enrollment data for the next fiscal year.

Determining Compliance with MOEq Staffing Test

Which Staff to Include?

- All sources of funding (federal, state, local)
- Instructional and Non-instructional
 - Compliance is based on both instructional and non-instructional
 - LEAs are “encouraged” to consider maintaining equity for instructional staff and in terms of its overall staffing budget
- Where time is split between schools, must count proportionately
- Include Contracted Staff

Determining Compliance with MOEq Staffing Test

Step One: Determine the District-wide Per-Pupil Staff Reduction:

- **Determine the per-pupil FTE for the LEA as a whole for 2021-22:** Divide the total number of FTE by the aggregate number of students enrolled in all schools served by the LEA
- **Determine the per-pupil FTE for the LEA as a whole for 2020-21:** Divide the total number of FTE by the aggregate number of students enrolled in all schools served by the LEA
- **Determine the per-pupil Reduction in FTE for the LEA for 2021-22:** If the per-pupil # of FTE for 2021-22 is less than the per-pupil # for 2020-21, the difference is the per-pupil reduction. If the 2021-22 FTE is greater or the same as 2020-21, the reduction is zero.

Determining Compliance with MOEq Staffing Test

Step Two: Determine the High-Poverty School Per-Pupil Staff Reduction:

- **Determine the per-pupil FTE for each High-Poverty School for 2021-22:**
Divide the total number of FTE by the number of students enrolled for 2021-22.
- **Determine the per-pupil FTE for each High-Poverty School for 2020-21:**
Divide the total number of FTE by the number of students enrolled for 2020-21.
- **Determine the per-pupil Reduction in FTE for the LEA for 2021-22:** If the per-pupil # of FTE for 2021-22 is less than the per-pupil # for 2020-21, the difference is the per-pupil reduction. If the 2021-22 FTE is greater or the same as 2020-21, the reduction is zero.

Determining Compliance with MOEq Staffing Test

Step Three:

Compare the per-pupil FTE reduction, if any, for each High-Poverty School (Step 2) with the per-pupil reduction for the district as a whole. If any High-Poverty School has a per-pupil reduction that is greater than the LEA as a whole, the LEA has not maintained staffing equity.

For Grade-Span Determinations, the process is the same, but the comparisons are across grade-spans.

These steps will be repeated for 2022-23.

MOEq EXEMPTIONS

An LEA need not maintain equity if the LEA:

- Has a total enrollment of less than 1,000 students;
- Operates a single school;
- Serves all students within each grade span with a single school; or
- Demonstrates an exceptional or uncontrollable circumstance, such as unpredictable changes in student enrollment or a precipitous decline in the financial resources of the LEA.

MOEq EXEMPTIONS

Exceptional or Uncontrollable Circumstances

U.S. Department of Education FAQ #32 –

LEAs who are not and will not implement an aggregate reduction in combined State and local funding in 2021-22 are eligible for an exemption.

- Qualifying LEAs must complete the certification in Appendix B of USED’s FAQs and submit to FDOE

Additional Exemptions based on Exceptional or Uncontrollable Circumstances will be considered on case-by-case basis.

- LEAs claiming such an exemption should send the request directly to USED, copying the FDOE

Resources

U.S. Department of Education Frequently Asked Questions regarding Maintenance of Equity:

https://oese.ed.gov/files/2021/08/Maintenance-of-Equity-updated-FAQs_final_08.06.2021.pdf



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