

Equitable Services to Independent Schools under ESSER: FAQ

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law on March 27, 2020. This law includes authorization of The Elementary and Secondary School Emergency Relief Fund (ESSER), a grant program to help K-12 educational entities prevent, prepare for, and respond to the coronavirus pandemic. Eligible independent schools are entitled to equitable participation in these funds.

Q1: Which independent schools are eligible to take part in equitable services under ESSER?

A1: Non-profit independent schools that are approved or recognized by the Vermont Agency of Education and are located within the physical boundaries of an LEA that received ESSER funds are eligible to participate. See Appendix C for a list of those schools.

Q2: Which Vermont LEAs received ESSER funds?

A2: All Vermont LEAs received ESSER funds, as all Vermont LEAs received Title I Part A funds in State Fiscal Year 2020. See Q3.

Q3: How were allocations to LEAs determined?

A3: By statute, ESSER funds were allocated to SEAs and LEAs based on the formulas by which Title I Part A allocations are made. Any Vermont LEA that received Title I Part A funds in State Fiscal Year 2020 received ESSER funds. The amount of ESSER funds allocated to each LEA is approximately 83% of the amount of Title I Part A funds received by the LEA in State Fiscal Year 2020.

Q4: When will LEAs receive ESSER funds?

A4: As of July 15, all Vermont LEAs have received their ESSER allocations and the online application to use these funds is open.

Q5: What is the process by which independent schools will participate in these funds?

A5: Before completing their ESSER applications, LEAs must conduct consultation with all eligible independent schools within their physical boundaries, regardless of whether these schools have participated in equitable services in the past. During this process, each independent school will inform LEAs if they wish to share in services and materials purchased with ESSER funds, will provide LEAs with enrollment and low-income data needed to determine an equitable share of the LEA's allocation, will discuss the independent school's needs, and will develop in partnership with the LEA a plan for the services to be provided, as allowable under ESSER. Agreed upon strategies for equitable services are written into the LEA's online application.

Q6: When should consultation occur?

A6: Consultation with eligible independent schools must occur before the LEA completes its ESSER application. When submitting the application, the LEA assures that all eligible independent schools have been consulted. While initiating the process of consultation is the responsibility of the LEA, eligible independent schools are invited to conduct outreach if they have not been contacted.

Q7: What are allowable uses of ESSER funds?

A7: See Appendix A.

Q8: How are independent school enrollment and low-income numbers determined?

A8: These numbers should be agreed upon by the independent school and LEA during consultation. If the independent school can provide a low-income measure, such as Free and Reduced Lunch (FRL) eligibility, that is the same or similar to the measure used by the LEA, this is allowable. It is also allowable for the two parties to agree on an alternative measure, such as financial aid eligibility, if FRL data is not available at the independent school.

Q9: How does the LEA calculate the amount of ESSER funds available for equitable services?

A9: [Equitable Services Calculations for ESSER Funds](#) describes the two allowable calculation options provided by the US Department of Education, as well as Vermont’s interpretation of the law. In all calculations, a per pupil amount of ESSER funds is determined by dividing the LEA’s total allocation by a sum of independent and public-school students. This sum/divisor varies with each calculation option. The per pupil amount is then multiplied by the number of independent school students represented in the calculation, yielding the total amount of funds for equitable services to independent schools. See Appendix B for additional details.

Q10: When can an independent school expect to receive funds?

A10: **All ESSER funds, including those reserved to provide equitable services, must remain in the control of the LEA.** The LEA is solely responsible for planning for and ensuring the delivery of equitable services to independent schools. Direct services, such as academic interventions, professional development, counseling services or similar, must be provided by LEA employees (which can include new hires for the specific purpose of providing equitable services) or through a third-party contract. Services for independent schools should begin at the same time that strategies funded under ESSER begin in the LEA’s public schools.

Q11: To whom should independent schools or LEAs direct unresolved questions or concerns about equitable services under ESSER?

A11: Independent schools and LEAs are encouraged to work in close partnership to reach mutually satisfactory agreements around equitable services eligibility, data, consultation, planning and implementation. As needed, both independent schools and LEAs may contact the AOE's Ombudsman for Equitable Services, Jesse Roy, at jesse.roy@vermont.gov, for consultation around unresolved questions or concerns.

Appendix A: Allowable Uses of ESSER Funds

LEAs that receive ESSER funds may spend them on the following allowable uses:

1. Purchase educational technology (including hardware, software, connectivity, and assistive technology) for students,
2. Purchase sanitation supplies/contract with vendors to sanitize and clean facilities,
3. Provide mental health services and supports,
4. Plan and implement summer, extended, and afterschool learning opportunities for students,
5. Support other activities necessary to maintain operations, services, and employment of existing staff,
6. Plan for and coordinate continuity of learning and continuity of operations during long-term closures,
7. Support activities to meet the unique needs of low-income students, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, students in foster care, and other vulnerable populations,
8. Provide professional development and training for staff on sanitation and minimizing the spread of infectious disease,
9. Coordinate COVID-19 preparedness and response efforts with local units of government,
10. Provide principals and other school leaders with resources to address individual school needs,
11. Develop and implement procedures and systems to improve preparedness and response efforts,
12. Support any activity authorized by the Elementary and Secondary Education Act of 1965 as amended (ESEA), the Individuals with Disabilities Education Act (IDEA), the Adult Education and Family Literacy Act; the Carl C. Perkins Career and Technical Education Act (Perkins); or the McKinney-Vento Homeless Assistance Act, that is not addressed above.

For a detailed description of allowable activities, please see [Section 18003\(d\) of the CARES Act](#).

Appendix B: Equitable Services Calculations

The US Department of Education (USED) gives LEAs two options for calculating the share of ESSER funds that should be allocated for equitable services to eligible independent schools that wish to participate. An LEA may choose from these two options when completing their application for ESSER funds in Vermont's Grants Management System (GMS). The first option is based on USED's original interpretation of the CARES Act. This "total enrollment" calculation is based on the total enrollment of all participating non-public schools in an LEA. Under the second option, an LEA may base its equitable services calculation on the number of low-income students in participating non-public schools, but the LEA must then use its ESSER funds in only the LEA's Title I schools.

USED Option 1 ("Total Enrollment" Calculation):

The proportionate amount for equitable services is determined by dividing the total SY20-21 enrollment in qualifying non-public schools within the LEA's geographic boundaries that have chosen to participate by the total SY 20-21 enrollment in the LEA's schools and in participating non-public schools within the LEA's geographic boundaries.

USED Option 2 ("Title I Schools Low Income" Calculation):

The proportionate amount for equitable services is determined by dividing the total SY20-21 low-income children in qualifying non-public schools within the LEA's geographic boundaries that have chosen to participate by the total low-income students in the LEA's SY20-21 Title I participating (e.g., "served") schools and in participating non-public schools within the LEA's geographic boundaries.

AOE Interpretation ("Total Low Income" Calculation)

The Agency of Education (AOE) views the USED guidance on calculation of equitable services as inconsistent with the plain language of Section 18005 of the CARES Act. Therefore, the AOE has provided in GMS a means to calculate equitable share per what the AOE believes is a more appropriate interpretation of the statute ("Total Low Income" Calculation). While LEAs are required to calculate the amount for equitable services using USDOE Option 1 or 2, LEAs may choose to only budget the lesser of this amount and the amount generated by the AOE's interpretation, pending further clarification.

The proportionate amount of the LEA's total ESSER allocation for equitable services is determined by dividing the total SY20-21 low-income children in qualifying non-public schools within the LEA's geographic boundaries that have chosen to participate by the total SY20-21 low-income students in the LEA's schools and in participating non-public schools within the LEA's geographic boundaries.

Appendix C: Independent Schools Eligible for Equitable Services Under ESSER

Below is the list of non-profit, approved or recognized independent schools—those eligible for equitable services under ESSER—operating in Vermont as of July 2020. Please note that this list is revised regularly as schools begin and cease to operate or as statuses change. LEAs and independent schools are asked to work closely together, and with the Agency of Education, to ensure that all eligible schools are identified and have the opportunity to participate in equitable services. Questions about the status of an independent school, or its inclusion on or exclusion from this list, should be directed to Pat Pallas Gray at pat.pallasgray@vermont.gov.

| LEA | Location | School Name | Non-Profit / For Profit | Approved/ Recognized |
|--------------------|-------------------|-----------------------------------|-------------------------|----------------------|
| Addison Central | Middlebury | Bridge School | Non- Profit | A |
| Addison Central | Middlebury | Mary Johnson Children's Center | Non- Profit | A |
| Addison Central | Ripton | North Branch School | Non- Profit | R |
| Addison Northwest | Vergennes | Ark Kindergarten | Non- Profit | R |
| Addison Northwest | Vergennes | Champlain Valley Christian | Non- Profit | A |
| Barre | Barre | Choice Academy | Non- Profit | A |
| Barre | Barre Town | Montessori School of Central VT | Non- Profit | R |
| Barre | Barre | St. Monica's/St. Michael's School | Non- Profit | A |
| Barre | Websterville | Websterville Christian Academy | Non- Profit | R |
| Bennington Rutland | Manchester | Burr & Burton Academy | Non- Profit | A |
| Bennington Rutland | Dorset | Long Trail School | Non- Profit | A |
| Bennington Rutland | Manchester | Maple Street School | Non- Profit | A |
| Bennington Rutland | Winhall/Bondville | Mountain School at Winhall | Non- Profit | A |
| Bennington Rutland | Dorset | Red Fox Community School | Non- Profit | A |
| Burlington | Burlington | Baird | Non- Profit | A |
| Burlington | Burlington | Christ the King | Non- Profit | A |
| Burlington | Burlington | Mater Christi | Non- Profit | A |
| Burlington | Burlington | Rock Point | Non- Profit | A |
| Caledonia Central | Marshfield | Christ Covenant (The Fold) | Non- Profit | R |
| Caledonia Central | Plainfield | Maplehill School | Non- Profit | A |
| Champlain Valley | Williston | Bellwether | Non- Profit | R |
| Champlain Valley | Williston | Brownell Mountain School | Non- Profit | A |
| Champlain Valley | Williston | Jean Garvin School (The) | Non- Profit | A |
| Champlain Valley | Shelburne | Lake Champlain Waldorf | Non- Profit | A |
| Champlain Valley | Williston | Trinity Baptist School | Non- Profit | R |
| Champlain Valley | Williston | Two Roads Academy | Non- Profit | A |
| Essex-Westford | Westford | Barn School (The) | Non- Profit | R |
| Essex-Westford | Essex Jct. | Green Mountain Montessori School | Non- Profit | A |
| Hartford | White River Jct. | Mid Vermont Christian School | Non- Profit | A |
| Hartford | Hartford | Potter's House | Non- Profit | R |
| Hartford | Hartford | The Ecocommunity School | Non- Profit | R |
| Hartford | Hartford | Upper Valley Waldorf | Non- Profit | A |

| LEA | Location | School Name | Non-Profit / For Profit | Approved/ Recognized |
|--------------------|----------------------|------------------------------------|-------------------------|----------------------|
| Harwood | Waitsifeld | Green Mountain Valley School | Non- Profit | A |
| Harwood | Moretown | Stone Path Academy | Non- Profit | A |
| Harwood | Waitsifeld | True North | Non- Profit | R |
| Kingdom East | East Burke | Burke Mountain Academy | Non- Profit | A |
| Kingdom East | East Burke | East Burke School | Non- Profit | A |
| Kingdom East | Lyndon/Lyndonville | Elevation Christian Academy | Non- Profit | R |
| Kingdom East | Lyndon/Lyndonville | LEARN | Non- Profit | A |
| Kingdom East | Lyndon/Lyndonville | Lyndon Institute | Non- Profit | A |
| Kingdom East | Lyndon/Lyndonville | Riverside School | Non- Profit | A |
| Kingdom East | Lyndon/Lyndonville | Thaddeus Stevens School (A) | Non- Profit | A |
| Lamoille North | Johnson | Laraway | Non- Profit | A |
| Lamoille South | Morriville | Bishop John Marshall | Non- Profit | A |
| Lamoille South | Morrisville | East Meadow School | Non- Profit | A |
| Lamoille South | Stowe | Mount Mansfield Ski Club & Academy | Non- Profit | A |
| Lamoille South | Stowe | Mountain River School | Non- Profit | R |
| Maple Run | St. Albans | Soar Learning Center | Non- Profit | A |
| Montpelier-Roxbury | Montpelier | Pacem School | Non- Profit | A |
| Mount Abraham | Bristol | Red Cedar | Non- Profit | R |
| Mount Mansfield | Richmond | Mansfield Cooperative School | Non- Profit | R |
| Mount Mansfield | Jericho | Saxon Hill School | Non- Profit | A |
| North Country | Morgan | Turning Points | Non- Profit | A |
| North Country | Brighton/Island Pond | Twelve Tribes | Non- Profit | R |
| North Country | Newport | United Christian Academy | Non- Profit | R |
| Orange East | Thetford | Open Fields | Non- Profit | R |
| Orange East | Thetford | Thetford Academy | Non- Profit | A |
| Orange Southwest | Randolph | East Valley Academy | Non- Profit | A |
| Orange Southwest | Randolph | VAST | Non- Profit | A |
| Orleans Central | Orleans | Brownington Parochial School | Non- Profit | R |
| Orleans Central | Barton | St. Paul's Elementary School | Non- Profit | A |
| Orleans Southwest | Wolcott | Wolcott Mennonite School | Non- Profit | R |
| Rivendell | Vershire | Mountain School of Milton Academy | Non- Profit | A |
| Rutland City | Rutland | Christ the King | Non- Profit | A |
| Rutland City | Rutland | Fay Honey Knopp School | Non- Profit | A |
| Rutland City | Rutland | Mount St. Joseph Academy | Non- Profit | A |
| Rutland City | Rutland | Rutland Area Christian School | Non- Profit | A |
| Rutland City | Rutland | Sheldon Academy | Non- Profit | A |
| Rutland City | Rutland | Twelve Tribes | Non- Profit | R |
| South Burlington | South Burlington | Centerpoint | Non- Profit | A |
| South Burlington | South Burlington | Rice Memorial High School | Non- Profit | A |
| South Burlington | South Burlington | Schoolhouse (The) | Non- Profit | A |

| LEA | Location | School Name | Non-Profit / For Profit | Approved/ Recognized |
|--------------------|------------------|------------------------------------|--------------------------------|-----------------------------|
| South Burlington | South Burlington | Vermont Commons | Non- Profit | A |
| Southwest Vermont | Bennington | Forrest Ward Memorial School | Non- Profit | A |
| Southwest Vermont | Bennington | Grace Christian School | Non- Profit | A |
| Southwest Vermont | Bennington | Green Mountain Mennonite | Non- Profit | R |
| Southwest Vermont | Bennington | Hiland Hall | Non- Profit | A |
| Southwest Vermont | Bennington | New England School for Girls | Non- Profit | A |
| Southwest Vermont | Bennington | Sacred Heart School | Non- Profit | A |
| Southwest Vermont | North Bennington | Southshire Community School | Non- Profit | A |
| Southwest Vermont | Bennington | Vermont School for Girls | Non- Profit | A |
| Southwest Vermont | North Bennington | Village School of North Bennington | Non- Profit | A |
| St. Johnsbury | St. Johnsbury | Arlington School (The) | Non- Profit | A |
| St. Johnsbury | St. Johnsbury | Caledonia Christian School | Non- Profit | A |
| St. Johnsbury | St. Johnsbury | Cornerstone School | Non- Profit | A |
| St. Johnsbury | St. Johnsbury | Good Shepherd Catholic | Non- Profit | A |
| St. Johnsbury | St. Johnsbury | St. Johnsbury Academy | Non- Profit | A |
| Two Rivers | Ludlow | Okemo Mountain School | Non- Profit | A |
| Two Rivers | Ludlow | Black River Independent School | Non- Profit | R |
| Washington Central | East Montpelier | Orchard Valley School | Non- Profit | A |
| White River | Chelsea | Brookhaven Learning Center | Non- Profit | A |
| White River | Sharon | Sharon Academy (The) | Non- Profit | A |
| Windham Central | Newfane | Kindle Farm Children's Service | Non- Profit | A |
| Windham Central | West Dover | Mt. Snow Academy | Non- Profit | A |
| Windham Central | Stratton | Stratton Mountain School | Non- Profit | A |
| Windham Northeast | Westminster | Compass School | Non- Profit | A |
| Windham Northeast | Westminster | Kurn Hattin Homes | Non- Profit | A |
| Windham Northeast | Bellows Falls | Twelve Tribes | Non- Profit | R |
| Windham Northeast | Saxton's River | Vermont Academy | Non- Profit | A |
| Windham Southeast | Brattleboro | Community Schoolhouse | Non- Profit | A |
| Windham Southeast | Putney | Grammar School | Non- Profit | A |
| Windham Southeast | Putney | Greenwood School | Non- Profit | A |
| Windham Southeast | Brattleboro | Hilltop Montessori | Non- Profit | A |
| Windham Southeast | Brattleboro | INSPIRE | Non- Profit | A |
| Windham Southeast | Brattleboro | Meadows School | Non- Profit | A |
| Windham Southeast | Brattleboro | Neighborhood Schoolhouse | Non- Profit | A |
| Windham Southeast | Putney | Putney School | Non- Profit | A |
| Windham Southeast | Brattleboro | St. Michael's School | Non- Profit | A |
| Windsor Central | Killington | Killington Mountain School | Non- Profit | A |
| Windsor Central | Reading | Springbrook Farm | Non- Profit | R |
| Winooski | Winooski | St. Francis Xavier | Non- Profit | A |