December 14, 2022

TO: BOCES District Superintendents
    School District Superintendents
    School District Business Officers
    Charter School Leaders

FROM: Phyllis D. Morris, Chief Financial Officer

RE: Updated U.S. Department of Education (USDE) Frequently Asked Questions on Use of Federal Elementary and Secondary School Emergency Relief (ESSER) and Governor’s Emergency Education Relief (GEER) Funds

Attached and online, please find an updated Frequently Asked Questions document issued by USDE on allowable uses of federal ESSER and GEER funding provided under the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, and federal ESSER funding provided under the American Rescue Plan (ARP) Act.

New Q and A E-3.d. “How long may ESSER or GEER-funded activities continue after the liquidation period?” suggests that pre-payment for services that extend beyond the liquidation period may be allowable, subject to State Educational Agency (SEA) approval. The New York State Education Department (NYSED) has not allowed use of ESSER and GEER funding for such pre-payments and our position remains unchanged. As USDE’s document states, “Generally, it is not good stewardship of Federal funds or prudent business practice to prepay for services that will extend many years into the future.”

Please direct questions to CARESAct@nysed.gov.

Attachment

cc: Commissioner Betty A. Rosa
    Sharon Cates-Williams
    Jim Baldwin
    Jason Harmon
    Theresa Billington
    Erica Meaker
    Ed Lenart