**Letter to Secretary Cardona to Extend Liquidation Extension Deadline for ARP ESSER Funds**

Urge Secretary Cardona to Extend Liquidation Period for ARP ESSER Funds

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**DEADLINE TO SIGN: November 4th COB**

Dear Colleague:

Please join me in urging the U.S. Department of Education (Department) to issue guidance quickly on how school districts can utilize late liquidation flexibility under the American Rescue Plan (ARP) Elementary and Secondary School Emergency Relief (ESSER) Fund to ensure construction and HVAC projects, mental health service contracts and learning recovery and tutoring programs can continue for their students through December 2026. The requested extension to liquidate the ARP ESSER funds is necessary to allow school districts to maximize ESSER’s impact, address significant academic and social-emotional health needs for students, and implement sustainable projects with this one-time funding distribution.

As states and schools continue to address the challenges of the COVID-19 pandemic to meet the needs of their students and teachers, the ESSER program has provided vital resources to classrooms across the country. School districts have used significant amounts of their ARP ESSER funds on facility upgrades, such as new heating ventilation, air conditioning (HVAC) replacement, and repairs to provide students with safer drinking water. If the timeline for the ARP ESSER fund is not extended, then crucial school facility upgrades to protect the health and safety of students and educators may not be possible for school districts across the country. Schools are subject to supply-chain factors and labor shortages that are beyond their control. Without certainty from the U.S. Department of Education that any delays will not be held against districts, they will be unable to move forward with these critical structural upgrades using ARP funds.

Additionally, school districts have used ARP ESSER funds to support learning recovery and to address gaps in foundational skills in mathematics and literacy by investing in tutoring programs, summer school, professional learning, and online instructional materials. The staggering social-emotional and mental health needs of students requires continued staffing and programming as does the ability to continue to procure instructional materials and technology, provide professional development and support for educators and staff. Additional time to liquidate the ARP ESSER funding ensures that districts can maintain these critical pandemic-related services students required to overcome the challenges of the past three academic years.

While we lacked information about what student learning loss would look like when the ARP was signed into law in March 2021, we are now a year and half into implementation and have access to a litany of data about not only what schools and students need, but also what is working. Given the crucial need to meet the immediate needs of students and to address the long-term impacts of the pandemic on academic growth and student mental health, I am urging the Department to use its liquidation authority to issue streamlined, flexible guidance to State Education Agencies in the next 60 days and provide districts with a process for extending their service contracts.

Should you have any questions, please contact Tamar Epps (tamar.epps@mail.house.gov)

Sincerely,

Ann McLane Kuster

Member of Congress

**LETTER TEXT:**

The Honorable Miguel Cardona, Ed. D.

Secretary of Education

United States Department of Education

Washington, D.C. 20202

Dear Secretary Cardona:

We are writing today to request the Department of Education (Department) to issue guidance quickly on how school districts can utilize late liquidation flexibility under the American Rescue Plan (ARP) Elementary and Secondary School Emergency Relief (ESSER) Fund to ensure construction and HVAC projects, mental health supports and learning recovery and tutoring programs can continue to be funded through December 2026. The requested extension to liquidate the ARP ESSER funds is necessary to allow school districts to maximize ESSER’s impact, address significant academic and social-emotional health needs for students, and implement sustainable projects with this one-time funding distribution.

The January 2025 liquidation deadline for ARP ESSER funds has been one of the biggest challenges facing school district finance leaders regarding the management of ARP ESSER funds and in particular, has hampered efforts by districts to invest in major facility upgrades that are critical to student health and learning. As a result of inflation, labor shortages, and supply chain delays, school districts across the country have postponed their originally planned construction projects and many districts face the threat of the funding expiring before they can make the needed facility upgrades. The tight timeline has been particularly challenging for smaller, rural school districts that may not have the flexibility in the choice of contractors or materials and face competition between surrounding school districts who are all considering facility upgrades at the same time.

If the timeline for the ARP ESSER fund is not extended, then crucial school facility upgrades to protect the health and safety of students and educators may not be possible for school districts across the country. Improved school facilities will not only assist in improving learning and teaching conditions for students and educators, but also allow our schools to continue to be a hub of community life.

Another important reason to issue flexible liquidation guidance for ARP funding is related to the significant academic and social-emotional needs of students. Recent state and national assessment data demonstrates that learning recovery efforts must be extended--not artificially cut short. Districts that want to utilize ARP money to extend tutoring contracts, curriculum purchases, and continue delivering mental health supports and telehealth services to students, should be able to do so with ease. Our students continue to need more supports--not fewer.

A recent survey by AASA, The School Superintendents Association found that the top three ARP spending priorities for district leaders were expanding summer learning and enrichment offerings, adding specialist staff such as mental health personnel, and reading specialists and investing in high quality instructional materials and curriculum.[1] As states and schools continue to address the challenges of the COVID-19 pandemic to meet the needs of their students and teachers, the ESSER program has provided vital resources to classrooms across the country. Additional time to liquidate the ARP ESSER funding ensures that districts can maintain the critical pandemic-related services students require to overcome the challenges of the past three academic years.

While we lacked information about what student learning loss would look like when ARP was signed into law in March 2021, we are now 18 months since the passage of the law and have access to a litany of data about not only what schools and students need, but also what is working. Given the crucial need to meet the immediate needs of students and to address the long-term impacts of the pandemic on academic growth and student mental health, we urge the Department to use its liquidation authority to issue streamlined, flexible guidance to State Education Agencies in the next 60 days and provide districts with a process for extending their service contracts through December 31, 2026.

Thank you for your consideration in this important manner for students and educators across the country.

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[1] The School Superintendents Association. (July 2022). School District Spending of American Rescue Plan Funding Part III. <https://aasa.org/uploadedFiles/ARP_Survey_Findings_Part3.pdf>