

Side-by-side: ESSER, ESSER II, and ESSER III allowable activities

ESSER, passed as Section 18003 of the CARES Act in March 2020; ESSER II, passed as Section 313 of the CRRSA Act in December 2020; and ESSER III, included in Section 2001 of the American Rescue Plan Act, H.R. 1319, provides billions in funding for state and local educational agencies to spend on allowable activities to respond to COVID-19.

The following side-by-side chart shows the allowable activities for each pool of funding.

Allowable Activities for ESSER, ESSER II, and ESSER III		
ESSER (CARES Act)	ESSER II (CRRSA Act)	ESSER III (ARPA)
Any activities authorized under the Elementary and Secondary Education Act, IDEA, Carl D. Perkins Career and Technical Education Act, Adult Education and Family Literacy Act, and McKinney-Vento. CARES Act Section 18003(d)(1).	Any activities authorized under the Elementary and Secondary Education Act, IDEA, Carl D. Perkins Career and Technical Education Act, Adult Education and Family Literacy Act, and McKinney-Vento. CRRSA Act Section 313(d)(1).	Any activities authorized under the Elementary and Secondary Education Act, IDEA, Carl D. Perkins Career and Technical Education Act, and Adult Education and Family Literacy Act. ARPA Section 2001(e)(2)(A) through Section 2001(e)(2)(D).
Coordination of preparedness and response efforts of LEAs with state, local, tribal, and territorial public health departments, and other relevant agencies, to prevent, prepare for, and respond to the coronavirus. CARES Act Section 18003(d)(2).	Coordination of preparedness and response efforts of LEAs with state, local, tribal, and territorial public health departments, and other relevant agencies, to prevent, prepare for, and respond to the coronavirus. CRRSA Act Section 313(d)(2).	Coordination of preparedness and response efforts of LEAs with state, local, tribal, and territorial public health departments, and other relevant agencies, to prevent, prepare for, and respond to the coronavirus. ARPA Section 2001(e)(2)(E).
Providing resources for principals and others school leaders to address school-specific needs. CARES Act Section 18003(d)(3).	Providing resources for principals and others school leaders to address school-specific needs. CRRSA Act Section 313(d)(3).	Not included in ARPA.
Activities that address unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youths, including how outreach and service delivery will meet the needs of each population. CARES Act Section 18003(d)(4).	Activities that address unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youths, including how outreach and service delivery will meet the needs of each population. CRRSA Act Section 313(d)(4).	Activities that address unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youths, including how outreach and service delivery will meet the needs of each population. ARPA Section 2001(e)(2)(F).

Allowable Activities for ESSER, ESSER II, and ESSER III

ESSER (CARES Act)	ESSER II (CRRSA Act)	ESSER III (ARPA)
Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs. CARES Act Section 18003(d)(5).	Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs. CRRSA Act Section 313(d)(5).	Developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs. ARPA Section 2001(e)(2)(G).
Training and professional development for LEA staff on sanitation and minimizing the spread of infectious diseases. CARES Act Section 18003(d)(6).	Training and professional development for LEA staff on sanitation and minimizing the spread of infectious diseases. CRRSA Act Section 313(d)(6).	Training and professional development for LEA staff on sanitation and minimizing the spread of infectious diseases. ARPA Section 2001(e)(2)(H).
Purchasing supplies to sanitize and clean facilities operated by an LEA. CARES Act Section 18003(d)(7).	Purchasing supplies to sanitize and clean facilities operated by an LEA. CRRSA Act Section 313(d)(7).	Purchasing supplies to sanitize and clean facilities operated by an LEA. ARPA Section 2001(e)(2)(I).
Planning and coordination during long-term closures, including how to provide meals to eligible students, how to provide online learning technology to all students, how to provide guidance on meeting IDEA requirements, and how to ensure other educational services can continue to be provided consistent with federal, state, and local requirements. CARES Act Section 18003(d)(8).	Planning and coordination during long-term closures, including how to provide meals to eligible students, how to provide online learning technology to all students, how to provide guidance on meeting IDEA requirements, and how to ensure other educational services can continue to be provided consistent with federal, state, and local requirements. CRRSA Act Section 313(d)(8).	Planning and coordination during long-term closures, including how to provide meals to eligible students, how to provide online learning technology to all students, how to provide guidance on meeting IDEA requirements, and how to ensure other educational services can continue to be provided consistent with federal, state, and local requirements. ARPA Section 2001(e)(2)(J).
Purchasing educational technology, which could include hardware, software, and connectivity, for students served by the LEA that aids in regular, substantive educational interaction between students and educators, including low-income students and students with disabilities. This could also include assistive technology or adaptive equipment. CARES Act Section 18003(d)(9).	Purchasing educational technology, which could include hardware, software, and connectivity, for students served by the LEA that aids in regular, substantive educational interaction between students and educators, including low-income students and students with disabilities. This could also include assistive technology or adaptive equipment. CRRSA Act Section 313(d)(9).	Purchasing educational technology, which could include hardware, software, and connectivity, for students served by the LEA that aids in regular, substantive educational interaction between students and educators, including low-income students and students with disabilities. This could also include assistive technology or adaptive equipment. ARPA Section 2001(e)(2)(K).
Providing mental health services and supports. CARES Act Section 18003(d)(10).	Providing mental health services and supports. CRRSA Act Section 313(d)(10).	Providing mental health services and supports. ARPA Section 2001(e)(2)(L).

Allowable Activities for ESSER, ESSER II, and ESSER III

ESSER (CARES Act)	ESSER II (CRRSA Act)	ESSER III (ARPA)
<p>Planning and implementing summer learning and supplemental afterschool program activities, including providing classroom instruction or online learning during the 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. CARES Act Section 18003(d)(11).</p>	<p>Planning and implementing summer learning and supplemental afterschool program activities, including providing classroom instruction or online learning during the 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. CRRSA Act Section 313(d)(11).</p>	<p>Planning and implementing summer learning and supplemental afterschool program activities, including providing classroom instruction or online learning during the 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. ARPA Section 2001(e)(2)(M).</p>
<p>Other activities necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing staff. CARES Act Section 18003(d)(12).</p>	<p>Other activities necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing staff. CRRSA Act Section 313(d)(15).</p>	<p>Other activities necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing staff. ARPA Section 2001(e)(2)(R).</p>
	<p>Addressing learning loss among all students in all subgroups, including by:</p> <ul style="list-style-type: none"> • Administering high-quality, reliable assessments that can assess student academic progress and assist educators in meeting student needs, including by using differentiated instruction. • Implementing evidence-based activities to meet the comprehensive needs of students. • Providing information and assistance to parents and families on ways to support students. • Tracking student performance and engagement in distance learning environments. CRRSA Act Section 313(d)(12). 	<p>Addressing learning loss among all students in all subgroups, including by:</p> <ul style="list-style-type: none"> • Administering high-quality, reliable assessments that can assess student academic progress and assist educators in meeting student needs, including by using differentiated instruction. • Implementing evidence-based activities to meet the comprehensive needs of students. • Providing information and assistance to parents and families on ways to support students. • Tracking student performance and engagement in distance learning environments. ARPA Section 2001(e)(2)(N).

Allowable Activities for ESSER, ESSER II, and ESSER III		
ESSER (CARES Act)	ESSER II (CRRSA Act)	ESSER III (ARPA)
	School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards and support student health needs. CRRSA Act Section 313(d)(13).	School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards and support student health needs. ARPA Section 2001(e)(2)(O).
	Inspecting, testing, maintaining, repairing, replacing, and upgrading projects to improve the indoor air quality in school facilities, including HVAC systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement. CRRSA Act Section 313(d)(14).	Inspecting, testing, maintaining, repairing, replacing, and upgrading projects to improve the indoor air quality in school facilities, including HVAC systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement. ARPA Section 2001(e)(2)(P).
		Development of strategies and implementation of public health protocols that align with Centers for Disease Control and Prevention guidance on reopening and operating school facilities to maintain the health and safety of students, educators, and other staff. ARPA Section 2001(e)(2)(Q).

Source: CARES Act Section 18003; CRRSA Act Section 313; and American Rescue Plan Act, H.R. 1319.

--[Charles Hendrix](#) covers education funding and other Title I issues for LRP Publications.

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