

West Virginia Department of Education  
 Elementary and Secondary School Emergency  
 Relief Fund (ESSERF)  
 LEA Monitoring Document

| LEA:  | LEA Personnel:                           | WVDE Program Monitor(s):                              | Date(s) of Monitoring Visit: |
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| Boone | Rae Boyd<br>Rashonda Lambert<br>Amy Hale | Carrie Reeves<br>Michelle Leftwich<br>Elizabeth McCoy | October 17, 2022             |

The following monitoring document is provided to local education agency personnel to be used for the monitoring of their ESSER II and ARP ESSER funded programs, including ARP-HCY. For each of the monitoring indicators, program compliance and/or effectiveness is determined based on interview responses, supporting evidence provided by the Local Education Agency (LEA), as well as information gathered through the statewide WVEIS data collection and the Grants and Planning System (GPS) platform.

The list, found beside Sample Evidence, has examples of documentation that may be submitted and/or reviewed. The LEA must keep documentation related to monitoring indicators for five years past the end of the project period. An official notice of monitoring will be provided to the LEA, which will indicate the exact school year documentation that is to be submitted for the monitoring year in which the LEA is scheduled for review. The LEA will submit required documentation, via Office 365—One Drive folder provided by the Office of Federal Programs. If monitoring findings warrant, the WVDE Office of Federal Programs reserves the right to request prior year documentation to complete monitoring reviews.

During review, the program monitor(s) will provide the following ratings for each monitoring item:

- **Compliance**-- the LEA meets all requirements of statute or regulation in the implementation of its program.
- **Meets Compliance with Recommendations**-- the LEA meets minimum requirements of statute or regulation in the implementation of its program. In this case, a recommendation may be issued.
- **Does Not Meet Compliance**-- the LEA does not meet the minimum requirements of statute or regulation in the implementation of its program, in this case, a finding will be issued.

## I. Program Requirements

|  | <b>RATING &amp; COMMENTS</b> <ul style="list-style-type: none"> <li>▪ Compliance</li> <li>▪ Meets Compliance with Recommendation(s)</li> <li>▪ Does Not Meet Compliance—Finding</li> <li>▪ NA - Not applicable</li> </ul> |
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| <p>1. An LEA receiving funds under ARP ESSER shall develop and make publicly available on the LEA’s website, not later than 30 days after receiving the allocation of funds, a plan for the safe return to in-person instruction and continuity of services. This plan shall be updated no less than every six months.</p> <p><b>Sample Evidence: Published</b> Safe Return to In-Person Instruction and Continuity of Services plan, any published updates based on periodic reviews (at-least every 6 months)</p> <p><b>WVDE Verification:</b> LEA Webpage</p>   | <b>Compliance</b>   |
| <p>2. An LEA receiving funds under ARP ESSER must develop, submit to the SEA on a reasonable timeline, and make publicly available on the LEA’s webpage, a plan for the LEA’s use of ARP ESSER funds.</p> <p><b>WVDE Verification:</b> ARP ESSER Application, LEA Webpage</p>  | <b>Compliance</b>   |
| <p>3. An LEA receiving funds under ARP ESSER shall reserve not less than 20 percent of such funds to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student subgroups described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care.</p> <p><b>Sample Evidence:</b> Expenditure Report that shows Cost Center for Addressing Learning Loss</p> <p><b>WVDE Verification:</b> ARP ESSER Application</p> | <b>Compliance</b>   |

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| <p>4. Activities coded to the 20% required learning loss set-aside need to meet one of the four tiers of evidence-based interventions.</p> <p><b>Sample Evidence:</b> Supporting documentation, research articles, websites, etc., that support the practices utilized.</p> | <p><b>Meets Compliance with Recommendation:</b></p> <p>A website link to the Avid website was provided. The Avid site linked to ESSA Tier Evidence for the program implementation. Expenditure reports indicate specific professional development provided to staff to address learning loss but did not include relevant evidence to demonstrate connected research studies to support these offerings.</p> <p>Moving forward, it is recommended that the district’s use of ESSER II and ARP funds for strategies/practices/supplemental resources, which includes professional development, are supported by clear, documented evidence (research studies) in compliance with the ESSA Tiers of Evidence.</p> |
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**II. Fiscal Resources**

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|  | <p><b>RATING &amp; COMMENTS</b></p> <ul style="list-style-type: none"> <li>▪ Compliance</li> <li>▪ Meets Compliance with Recommendation(s)</li> <li>▪ Does Not Meet Compliance—Finding</li> <li>▪ NA - Not applicable</li> </ul> |
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1. The LEA only spends funds for allowable activities based on an approved ESSER II, ARP ESSER, and ARP HCY Applications.

**Sample Evidence: Expenditure** Reports for ESSER II, Summer SOLE, ARP ESSER and ARP HCY grant awards. A sampling of financial records will be requested by WVDE to check allowable costs.

**WVDE Verification:** WVEIS, ESSER II, Summer SOLE, ARP ESSER and ARP HCY Approved Applications

**Does Not Meet Compliance – Finding**

The following purchases were missing bid documentation and did not follow Policy 8200 for the bid requirements.

ESSER II Funding:

- Mutuality, LLC – purchase of filters – purchase for over \$100,000
- Rush Enterprises – purchase of masks for over \$145,000

ARP ESSER

- Rush Enterprises – Water Bottle Filling Stations totaling over \$98,000

For Corrective Action: With the number of findings for the ESSER I monitoring, along with these items for ESSER II / ARP, the LEA will need to set up and complete a training on Policy 8200 with the Office of School Finance from WVDE. All directors at the LEA level that are involved in the requisition and purchasing process at the LEA will need to attend this training. A sign-in sheet or participant list from TEAMS will need to be provided to the Office of Federal Programs and Support to show that all directors took part in this training. The Office of Federal Programs and Support

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|   | <p>will work with both the LEA and the Office of School Finance to get this Policy 8200 training set up.</p>  |
| <p>2. The LEA does not exceed their approved indirect costs rate.</p> <p><b>WVDE Verification:</b> WVEIS, ESSER II, Summer SOLE, ARP ESSER, and ARP HCY Applications</p> <p><i>EDGAR, Section 76.563</i></p>  | <p><b>Compliance with Recommendation</b></p> <p>It was determined that Boone used their Unrestricted rate for the ESSER II Application. WVDE Office of Federal Programs has updated the ESSER II application to reflect the unrestricted rate. Please update the budget to reflect what items were removed from the budget in order to cover the unrestricted indirect cost rate.</p> |
| <p>3. The LEA has a clean fiscal audit.</p> <p><b>Sample Evidence:</b> Copies of latest audit reports and audit responses to corrective actions.</p>  | <p><b>Compliance</b></p>  |
| <p>4. The LEA supports an updated equipment list for all federally funded purchased items (public and private schools) and conducts a physical inventory of all equipment at least once every two years.</p> <p><b>Sample Evidence:</b> ESSER funded equipment inventory, LEA interviews, written procedures for managing equipment</p> | <p><b>Compliance</b></p>  |

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| <p>5. All ESSER II, Summer SOLE, ARP HCY, and ARP ESSER funded staff complete Time and Effort reports (monthly or semi-annual).</p> <p><b>Sample Evidence:</b> Time and Effort reports for all individuals paid out of ESSER II, Summer SOLE, ARP ESSER, and ARP HCY funding (full and part-time)</p> <p><b>WVDE Verification:</b> Certified list, Expenditure reports</p> <p><i>OMB 2 CFR Part 200.430 Subpart E</i></p>  | <p><b>Compliance</b></p>  |
| <p>6. LEA has a system of internal controls.</p> <p><b>Sample Evidence:</b> Internal Controls Policy / Procedure</p>   | <p><b>Compliance</b></p>  |
| <p>7. (1) As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023—</p> <p>(A) reduce per-pupil funding (from combined State and local funding) for any high-poverty school served by such local educational agency by an amount that exceeds—</p> <p>(i) the total reduction in local educational agency funding (from combined State and local funding) for all schools served by the local educational agency in such fiscal year (if any); divided by</p> <p>(ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year; or</p> <p>(B) reduce per-pupil, full-time equivalent staff in any high-poverty school by an amount that exceeds—</p> <p>(i) the total reduction in full-time equivalent staff in all schools served by such local educational agency in such fiscal year (if any); divided by</p> <p>(ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year.</p> <p>(2) EXCEPTION. —Paragraph (1) shall not apply to a local educational agency in fiscal year 2022 or 2023 that meets at least 1 of the following criteria in such fiscal year:</p> <p>(A) Such local educational agency has a total enrollment of less than 1,000 students.</p> <p>(B) Such local educational agency operates a single school.</p> <p>(C) Such local educational agency serves all students within each grade span with a single school.</p> | <p><b>Does Not Meet Compliance – Finding</b></p> <p>The Per-pupil FTE for Van Elementary did not meet Maintenance of Equity.</p> <p><b>For Corrective Action: The LEA must submit by May 30, 2023, to the Office of Federal Programs and Support the adjustments the LEA will make to be in compliance with the per-pupil FTE before the start of the next school year.</b></p> |

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| <p><b>Sample Evidence:</b> Any data table, summary, or spreadsheet comparing state and local allocations for fiscal years 2022 and 2023 against the comparison year. Data should demonstrate that:</p> <ul style="list-style-type: none"> <li>- Schools in the highest poverty quartile did not have a greater per-pupil reduction than the average reduction for all schools.</li> <li>- Schools in the highest poverty quartile did not have a greater reduction in FTE per pupil than the average reduction for all schools.</li> </ul> <p>Narrative explaining exceptional circumstances that could have resulted in an exception from this statutory indicator.</p> <p><b>WVDE Verification:</b> per-pupil funding and per-pupil FTE staff data will be run by WVDE, if the LEA does not meet compliance, it will then need to upload the above Sample Evidence.</p>   |           |
| <p>8. An LEA using ESSER funds for remodeling, renovation, and new construction must comply with additional federal requirements. These projects require prior written approval by the SEA. Approved construction projects also must comply with applicable Uniform Guidance requirements, Davis-Bacon prevailing wage requirements, and all the Department's applicable regulations regarding construction.</p> <p><b>Sample Evidence:</b></p> <ul style="list-style-type: none"> <li>- Copies of consultation with governmental agencies, architecture plans with building permits, historic and environmental surveys.</li> <li>- Copies of insurance paperwork for Contractor.</li> <li>- Plans for Maintenance of Operations.</li> <li>- Relevant RFP and or solicitation documents.</li> <li>- Copies of relevant contracts showing wage agreements.</li> <li>- Copies of input from engineers, architects, or other professionals specifying compliance with requirements listed.</li> <li>- Written statements from contractors and accompanying documentation to demonstrate prevailing wages have been researched and compiled with when paying contractors and subcontractors (e.g., payment ledgers of wages paid and a copy of the prevailing wage scale for the area).</li> <li>- Any local written policies or protocol documents that summarize the LEA's process for ensuring compliance with statutory and regulatory requirements of using ESSER funds for construction purposes.</li> </ul> | <p>NA</p> |

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| <b>WVDE Verification:</b> ARP Application  |                   |
| 9. LEA maintains written standards of conduct covering conflicts of interest<br><br><b>Sample Evidence:</b> copies of Conflict-of-Interest policy and procedures, signed conflict of interest questionnaires for the applicable time frame | <b>Compliance</b> |