



State of Alabama
Coronavirus Aid, Relief, and Economic Security (CARES) Act
Elementary and Secondary School Emergency Relief Fund (ESSER)
Local Educational Agency (LEA) Application

In order to receive a CARES Act ESSER Fund allocation, an LEA must submit this application to the SEA.

GENERAL INFORMATION

1. LEA Information

LEA Name	Birmingham City Schools
Mailing Address	P.O. Box 10007
Physical Address	2015 Park Place
City/Town and Zip Code	Birmingham, Alabama 35203
Superintendent's Name	Dr. Mark Sullivan
Contact Person	Ms. Cherye Parker
Contact Person Position	Director of Federal Programs
Contact Telephone Number	(205) 231-9650
Contact Email	cparker@bhm.k12.al.us

PROGRAMMATIC, FISCAL, AND REPORTING ASSURANCES

The United States Department of Education (USED) has approved the application from the State of Alabama for ESSER funds under the CARES Act. The availability of funds is from 4/29/2020 to 4/29/2021. LEAs will be allowed to expend funds until 9/30/2022. Pre-award costs to the ESSER fund will be allowed for allowable cost incurred on or after March 13, 2020.

2. Allowable Service(s) Assurance

The LEA Superintendent or his/her authorized representative assures or certifies that:

The LEA will use ESSER funds for activities allowable under section 18003(d) of Division B of the CARES Act. The United States Department of Education **does not** consider the following to be an allowable use of ESSER funds, under any part of 18003: 1) subsidizing or offsetting executive salaries and benefits of individuals who are not employees of the SEA or LEAs or 2) expenditures related to state or local teacher or faculty unions or associations.

How will the LEA determine the most important educational needs as a result of COVID-19?

Birmingham City Schools will determine the most important educational needs as a result of COVID-19 by completing teacher surveys, parent surveys, and departmental needs assessments. A CARES committee and an Opening of Schools committee will be formed to collect the data. Information from these data sources will be analyzed and the best determination will be made based upon the data results. Birmingham City Schools will work with all stakeholders to ensure the educational needs of students are being addressed.

How does the LEA intend to assess and address student learning gaps resulting from the disruption in educational services?

It is the goal of Birmingham City Schools (BCS) to ensure that every student receives a quality education. BCS will provide opportunities for students to receive extended learning by providing summer enrichment and academic tutoring throughout the regular school year. In addition, students will be screened and progressed monitored throughout the FY21 academic school year to address the learning gaps which may have occurred during the time of COVID-19. Additionally, professional development will be provided to teachers to ensure that student learning needs are being addressed in an effort to close the gap.

Function	Object	Program	Amount	Brief Description of Expenditure
1100	333	1200	\$ 350,000.00	Software Maintenance- Hotspot purchases for students
1100	333	1500	\$ 350,000.00	Software Maintenance- Hotspot purchases for students
1100	333	8100	\$ 350,000.00	Software Maintenance- Hotspot purchases for students
1100	495	1200	\$ 4,561,000.00	Computer Hardware- Chromebooks and Ipads for students
1100	495	1500	\$ 3,048,982.00	Computer Hardware- Chromebooks and Ipads for students
1100	495	8100	\$ 1,404,346.00	Computer Hardware- Chromebooks and Ipads for students
2215	622	8100	\$ 47,000.00	License Fees- Zoom Licenses for Faculty, Staff, and Administration
2140	441	8210	\$ 5,000.00	Custodial Supplies-PPE Material and Cleaning Solutions
2210	441	8220	\$ 150,000.00	Custodial Supplies-PPE Material and Cleaning Solutions
2210	441	8220	\$ 150,000.00	Custodial Supplies-PPE Material and Cleaning Solutions
4120	441	8410	\$ 50,000.00	Custodial Supplies-PPE Material and Cleaning Solutions
3200	329	8320	\$ 955,800.00	Other Professional Services- Building Cleaning
6910	910	8610	\$ 66,777.37	Indirect cost
9200	180	4900	\$ 49,206.21	Private School- Substitutes
9200	192	4900	\$ 10,614.86	Private School- Stipends
9200	230	4900	\$ 5,028.33	Private School- Social Security
9200	240	4900	\$ 867.40	Private School- Medicare
9200	250	4900	\$ 35.90	Private School- Unemployment
9200	312	4900	\$ 69,791.73	Private School- Staff Ed Services
9200	411	4900	\$ 106,255.14	Private School- Classroom Instructional Supplies
9200	412	4900	\$ 5,650.00	Private School- Staff Resources
9200	414	4900	\$ 95,511.90	Private School- Instructional Software
9200	419	4900	\$ 33,314.03	Private School- Other Instructional Supplies
9200	423	4900	\$ 168,189.19	Private School- Audio/Video Material
9200	424	4900	\$ 2,670.42	Private School- Magazine and Periodicals
9200	441	4900	\$ 479,841.98	Private School- Custodial Supplies
9200	491	4900	\$ 124,158.59	Private School- Classroom Equipment
9200	495	4900	\$ 483,390.43	Private School- Computer Hardware
9200	622	4900	\$ 2,219.52	Private School- License Fees
	Total		\$ 13,125,651.00	

What is the LEA's proposed timeline for providing services and assistance to students and staff?

Birmingham City Schools' timeline for providing services and assistance to students and staff:

- March 13, 2020-May 28, 2020
- June 1, 2020- August 16, 2020
- August 17, 2020-September 30, 2020
- October 1, 2020-September 30, 2021
- October 1, 2021-September 30, 2022

All funds will be expended by September 30, 2022.

How will the LEA use ESSER funds to promote remote learning?

Birmingham City Schools will support remote learning by providing students with technology devices to use at home to ensure they are able to participate in the virtual experience. All students in grades K-12 will receive a technology device. In addition, additional WIFI/Hot Spots will be purchased to ensure students will have access to internet at home. Teachers will also be provided devices to ensure they are able to provide remote learning. In addition, teachers will receive professional development to assist them in the area of teaching in a remote learning environment.

3. Equitable Services Assurances

The LEA Superintendent or his/her authorized representative assures or certifies the following:

- The LEA receiving ESSER funds will provide equitable services to students and teachers in non-public schools as required under Section 18005 of Division B of the CARES Act.
- The LEA receiving ESSER funds will provide equitable services to students and teachers in non-public schools located within the LEA in the same manner as provided under Section 1117 of the ESEA, as determined through timely and meaningful consultation with representatives of non-public schools.
- The LEA will ensure that it will maintain control of funds for the services and assistance provided to a non-public school
- The LEA will ensure that it will have title to materials, equipment, and property purchased with ESSER funds.
- The LEA will ensure that services to a non-public school with ESSER funds will be provided by the LEA directly, or through contract with, another public or private entity.

Provide a brief explanation of the following: How will equitable service funds be used by the private schools? How will timely and meaningful consultation occur with private schools? What is the proposed timeline for services and assistance to be implemented by private schools?

Birmingham City Schools intent is to ensure that all private schools who want to participate are provided the opportunity. intent letters were mailed to surrounding private schools for their intent to participate. Those private schools who elect to participate will participate in consultation with the district. Each private school will be assigned a district support person to collaborate with them in completion of their equitable services plan and assist with the understanding of allowable purchases. Private schools equitable services funds will be used to support the same areas as it appear in part 3 of the equitable services plans. After reviewing the equitable services plans from BCS participating private schools, many will utilize funds for sanitation, cleaning supplies, equipment, computer hardware, training, tutoring, personal protective equipment, instructional software, and professional development.

OTHER ASSURANCES AND CERTIFICATIONS

4. Other Assurances and Certifications

The LEA Superintendent or his/her authorized representative assures or certifies the following:

- The LEA that receives ESSER funds will, to the greatest extent practicable, continue to compensate its employees and contractors during the period of any disruptions or closures related to COVID-19 in compliance with Section 18006 of Division B of the CARES Act. In addition, LEAs that accept funds will continue to pay employees and contractors to the greatest extent practicable based on the unique financial circumstances of the LEA. CARES Act funds generally will not be used for bonuses, merit pay, or similar expenditures, unless related to disruptions or closures resulting from COVID-19.
- The LEA will request technical assistance on the use of ESSER funds for remote learning, which includes both distance education as defined in Section 103(7) of the HEA and distance learning as defined in ESEA Section 8101(14), so that students can continue learning during school closures.
- The LEA will cooperate with any SEA monitoring policies and/or procedures with regards to the allowability of expenditures.
- The LEA will use ESSER funds for purposes that are reasonable, necessary, and allocable under the CARES Act.

The LEA Superintendent or his/her authorized representative assures or certifies the following:

- The LEA will provide to the SEA the methodology used to provide services or assistance to students and staff in both public and non-public schools, the uses of funds and demonstration of their compliance with Section 18003(d), such as any use of funds addressing the digital divide, including securing access to home-based connectivity and remote-use devices, related issues in supporting remote learning for all students, including disadvantaged populations.
- The LEA will cooperate with any examination of records with respect to such funds by making records available for inspection, production, and examination, and authorized individuals for interview and examination, upon request.
- The LEA will comply with the provisions of all applicable acts, regulations and assurances; the following provisions of Education Department General Administrative Regulations (EDGAR) 34 CFR Parts 76, 77, 81, 82, 84, 97, 98, and 99; the OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR Part 180, as adopted and amended as regulations of the Department in 2 CFR Part 3485; and the Uniform Guidance in 2 CFR Part 200, as adopted and amended as regulations of the Department in 2 CFR Part 3474.

5. Section 442 of the General Education Provisions Act Assurances

The LEA Superintendent or his/her authorized representative assures or certifies the following:

(a) Each local educational agency which participates in an applicable program under which Federal funds are made available to such agency through a State agency or board shall submit to such agency or board a general application containing the assurances set forth in subsection (b). The application shall cover the participation by that local educational agency in all such programs.

(b) The general application submitted by a local education agency under subsection (a) shall set forth assurances

(1) that the local educational agency will administer each program by the application in accordance with all applicable statutes, regulations, program plans, and applications;

(2) that the control of funds provided to the local educational agency under each program, and title to property acquired with those funds, will be in a public agency and that a public agency will administer those funds and property;

(3) that the local educational agency will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds paid to that agency under each program;

(4) that the local educational agency will make reports to the State agency or board and to the Secretary as may reasonably be necessary to enable the State agency or board and the Secretary to perform their duties and that the local educational agency will maintain such records, including the records required under section 443, and provide access to those records, as the State agency or board or the Secretary deem necessary to perform their duties;

(5) that the local educational agency will provide reasonable opportunities for the participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for and operation of each program;

(6) that any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and other members of the general public;

(7) that in the case of any project involving construction -

(A) the project is not inconsistent with overall State plans for the construction of school facilities, and

(B) in developing plans for construction, due consideration will be given to excellence of architecture and design and to compliance with standards prescribed by the Secretary under section 504 of the Rehabilitation Act of 1973 in order to ensure that facilities constructed with the use of Federal funds are accessible to and usable by individuals with disabilities;

(8) that the local educational agency has adopted effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research, demonstrations, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects; and

(9) that none of the funds expended under any applicable program will be used to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any organization representing the interests of the purchasing entity or its employees or any affiliate of such an organization.

(c) A general application submitted under this section shall remain in effect for the duration of the program it covers. The State agencies or boards administering the programs covered by the application shall not require the submission or amendment of such application unless required by changes in Federal or State law or by other significant change in the circumstances affecting an assurance in such application.

6. Section 427 of the General Education Provisions Act Assurances

(a) The purpose of this section is to assist the Department in implementing the Department's mission to ensure equal access to education and to promote educational excellence throughout the Nation, by -

(1) ensuring equal opportunities to participate for all eligible students, teachers, and other program beneficiaries in any project or activity carried out under an applicable program; and

(2) promoting the ability of such students, teachers, and beneficiaries to meet high standards.

(b) The Secretary shall require each applicant for assistance under an applicable program (other than an individual) to develop and describe in such applicant's application the steps such applicant proposes to take to ensure equitable access to, and equitable participation in, the project or activity to be conducted with such assistance, by addressing the special needs of students, teachers, and other program beneficiaries in order to overcome barriers to equitable participation, including barriers based on gender, race, color, national origin, disability, and age.

(c) The Secretary may establish criteria and provide technical assistance for meeting the requirements of this section.

(d) Nothing in this section shall be construed to alter in any way the rights or responsibilities established under the laws cited in section 400(d) of this Act.

What steps does the LEA propose to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede equal access to, or participation in, the program?

The mission of the Birmingham City Schools is to guide all students to achieve excellence in a safe, secure and nurturing environment. As a result, all students, regardless of ethnicity, economic status, gender, disability and/or age, will be able to take advantage of every opportunity afforded to them as it relates to the educational program. Written policy and procedures are in place to ensure that all teachers, students, and stakeholders receive equitable access to meet high standards and expectation. In addition, students will be provided a challenging curriculum designed to meet the individual need of the student. Teachers will receive quality professional development to meet the academic challenges in an effort to promote educational excellence. Additionally, stakeholders will be able to participate in various surveys to ensure that they are included in the decision making process within district. BCS will continue to take the necessary steps to ensure equity within the educational program.

To the best of my knowledge and belief, all the information and data in this agreement are true and correct. I acknowledge and agree that the failure to comply with all Assurances and Certifications in this agreement, all relevant provisions and requirements of the CARES Act, Pub. L. No. 116-136 (March 27, 2020), or any other applicable law or regulation may result in liability under the False Claims Act, 31 U.S.C. § 3729, *et seq.*; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 CFR Part 180, as adopted and amended as regulations of the Department in 2 CFR Part 3485; and 18 U.S.C. § 1001, as appropriate.

Mrs. Crystal Billingsley-Briggs

LEA Chief School Financial Officer (Typed Name)

LEA Chief School Financial Officer Signature

Dr. Mark Sullivan

LEA Superintendent (Typed Name)

LEA Superintendent Signature

(205) 231-4639

Telephone Number

08/04/2020

Date (mm/dd/yyyy)

(205) 231-4365

Telephone Number

08/04/2020

Date (mm/dd/yyyy)

Send completed application to CARESapp@alsde.edu.

Upon approval of the application, funds will be released to the LEA.

ALSDE Internal Use Only

Date Application Received: 8/3/2020

Date ALSDE Approved: 8/7/2020

State Superintendent and/or Designee Signature

08/07/2020
Date (mm/dd/yyyy)

Date CARES Act ESSER Funds Released: _____