

Best Practices in Implementing ARP ESSER LEA Use of Funds Plan Meaningful Consultation and Public Input Federal Requirements

In developing its ARP ESSER LEA Use of Funds plan, an LEA must engage in meaningful consultation with specific stakeholder groups and provide the public the opportunity to provide input and take such input into account.

Please see the relevant excerpt of the U.S. Department of Education’s “Interim Final Requirements of ARP ESSER” here:

- (b) In developing its ARP ESSER plan, an LEA must—*
 - (i) Engage in meaningful consultation—*
 - (A) With stakeholders, including: Students; families; school and district administrators (including special education administrators); and teachers, principals, school leaders, other educators, school staff, and their unions; and*
 - (B) To the extent present in or served by the LEA: Tribes; civil rights organizations (including disability rights organizations); and stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children in foster care, migratorystudents, children who are incarcerated, and other underserved students; and*
 - (ii) Provide the public the opportunity to provide input and take such input into account.*

To best advance the use of unprecedented APR ESSER resources for the benefit of students, families, and teachers, *meaningful* consultation should be inclusive, widely advertised and available, and ongoing.

As stated in NHDOE’s ARP ESSER LEA Use of Funds Plan template, each LEA should:

1. Include:
 - How the LEA provided the public the opportunity to provide input in the development of the plan;
 - A description of the input (including any public statements, emails, letters, etc.); and
 - How the LEA took such input into account.
2. Describe the specific consultation that was conducted for *each* of the required stakeholder groups.
**NHDOE recognizes that meaningful consultation is ongoing and that many use of funds decisions have not yet been made given that funds are available until September 30, 2024. We encourage LEAs to include information in its ARP ESSER LEA Use of Funds Plan about efforts to continue consultation and the extent to which use of funds decisions have been made thus far.*

Per the U.S. Department of Education’s technical assistance materials, an LEA should ensure that consultation is broad and represents the diversity of the community the LEA serves.

ARP ESSER LEA Use of Funds Plans NHDOE definitions:

1. Stakeholders are community members who are involved and invested in districts, schools, programs, and outcomes for students. Per the federal requirements stakeholders include:
 - Students;
 - Families;
 - School and district administrators, including special education educators;
 - Teachers, principals, school leaders, other educators, school staff, and their unions;
 - Tribes, if applicable;
 - Civil rights organizations, including disability rights organizations; and

- Stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children and youth in foster care, migratory students, children who are incarcerated, and other underserved students.

Per NHDOE's own meaningful consultation in the development of its ARP ESSER State Plan, stakeholders may also include:

- Community-based organizations; and
 - Early childhood education providers and families.
2. Consultation is the process of communicating to, learning from, and partnering with stakeholders that acknowledges the unique needs and strengths of the stakeholders involved. Meaningful consultation should be inclusive, widely advertised and available, and ongoing.

ARP ESSER LEA Use of Funds Plans NHDOE frequent questions and answers:

1. Q: *What role or authority does the local school board have in determining the use of ARP ESSER funds?*
A: While local school boards are not required stakeholders in federal requirements for ARP ESSER LEA Use of Funds Plan meaningful consultation, NHDOE strongly recommends LEAs engage in meaningful consultation with their local school boards in the development, approval if applicable, and progress of their use of funds plans.
2. Q: *We advertised a webinar/meeting and no one came. What does this mean for our stakeholder consultation?*
A: If an LEA can document this outreach, including how it was inclusive and widely advertised and available, it may be considered a part of their consultation efforts. The NHDOE encourages LEAs to pursue consultation through multiple mediums, noting that webinars may not reach families with no or limited internet access. For example, an LEA may schedule multiple consultation sessions at different times of the day and conduct consultation through multiple mediums. An LEA may also reach stakeholders through multiple mediums, including email, mail, and phone, and may consider offering childcare services to further support participation in consultation.
3. Q: *How can we ensure that we have fully sought out consultation from all stakeholder populations in our LEA, especially those that represent underserved student groups who may be disproportionately impacted by the pandemic?*
A: LEAs are encouraged to work with their EL Coordinators and EL Family Liaisons, Migrant Education Coordinators, and Homeless Liaisons, among others, to ensure that all stakeholders have access to consultation sessions.