

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:
Hampshire	Denise Hott Patty Lipps	Carrie Reeves Mami Itamochi Elizabeth McCoy	January 27, 2023

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>
<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>

<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>Compliance</b></p>
---	--------------------------

## II. Fiscal Resources

	<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>
<p>1. The LEA only spends funds for allowable activities based on an approved ESSER II, ARP ESSER, and ARP HCY Applications.</p> <p><b>Sample Evidence: Expenditure</b> 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.</p> <p><b>WVDE Verification:</b> WVEIS, ESSER II, Summer SOLE, ARP ESSER and ARP HCY Approved Applications</p>	<p><b>Does Not Meet Compliance - Finding</b></p> <p>Integrated Speech Solutions</p> <ul style="list-style-type: none"> <li>• No bid documentation provided</li> <li>• Not in the approved budget for ESSER II.</li> </ul> <p>LEA stated that because they couldn't fill the Speech Language Pathologist position they had to go with an outside vendor. This service still needed to follow bid procurement procedures.</p> <p>UZBL – iPad cases totaling \$6,400</p> <ul style="list-style-type: none"> <li>• No bid documentation provided</li> </ul> <p>LEA stated that this vendor was showcased at a technology conference and had been purchased from before; however, since the total purchase was over \$5,000 the bid procurement procedures of Policy 8200 (7.11.2) should have been followed.</p>

Dollardays International - masks totaling over \$5,000

- No bid documentation provided

LEA stated that the finance director would google to find the lowest price available; however, no documentation was provided to show the cost comparison.

Wards Science

- No bid documentation provided

The LEA stated that no bid procedure was followed because the individual price was under \$5,000. Policy 8200 (7.3) states that the threshold level to be used is determined by the total estimated cost of the item being purchased, which is the unit cost multiplied by the quantity. The Microscope Cordless Standard Compound totaled \$5,360 for the 20 units and the Cabinet Microscope Micro-Char Station totaled \$6,100 for 2 units.

Equiparts – Water Bottle Filling Stations

- No bid documentation provided
- Not in approved application

The LEA stated that no bid procedure was followed because the individual price was under \$5,000. Policy 8200 (7.3) states that the threshold level to be used is determined by the total estimated cost of the item being purchased, which is the unit cost multiplied by the quantity. While individually they only cost \$1,096.90 together, they cost \$5,484.50

Woodwind and Brass - Purchase of two tubas

- No bid documentation provided LEA stated they think the school did get multiple quotes; however, no documentation was provided. Policy 8200 (7.3) states that the threshold level to be used is determined by the total estimated cost of the item being purchased, which is the unit cost multiplied by the quantity. The total purchase of the tubas was \$14,098 for 2.

For Corrective Action: The LEA will need to submit in writing their procedures for ensuring that the bid process is followed and that all personnel have been trained on Policy 8200, to the Office of Federal programs by May 8, 2023.

The LEA will need to submit budget revisions in GPS to capture any items not in the approved budgets by May 8, 2023.

Pioneer Pole Buildings - Outdoor Classroom projects

- This check was for deposits on each of the projects (6 in total) for a total amount of \$53,444.
- No Construction Application provided in the approved ARP ESSER Application
- Not in the approved budget.

Policy 8200 (26.4) Payments cannot be made in advance of the materials being

furnished or the services rendered.

Pioneer Pole Buildings – Outdoor Classroom Projects

- These projects are not in the approved ARP ESSER Application.
- No construction applications were submitted for approval for these projects.
- The invoices for this check for these projects totaled \$118,703.

These invoices in conjunction with the deposits total \$ 172,147.

For Corrective Action: The LEA will need to submit documentation to show that the outdoor construction projects received the required prior written approval. If the LEA does not have supporting documentation of this prior approval (as outlined in the uniform grant guidance, this must be dated prior to the LEA requesting reimbursement for this project), then the LEA must reimburse the ARP ESSER account in the total amount spent on the outdoor classrooms, \$172,147.

<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</b></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>
<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>

**Did Not Meet Compliance- Finding**

Springfield – Green Spring Elementary did not meet Maintenance of Equity for FTE and Romney Elementary did not meet Maintenance of Equity for Per Pupil Expenditures.

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 Maintenance of Equity before the start of the next school year.

7. (1) As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023—

(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—

- (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
- (ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year; or

(B) reduce per-pupil, full-time equivalent staff in any high-poverty school by an amount that exceeds—

- (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
- (ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year.

(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:

- (A) Such local educational agency has a total enrollment of less than 1,000 students.
- (B) Such local educational agency operates a single school.
- (C) Such local educational agency serves all students within each grade span with a single school.

**Sample Evidence:** 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:

- Schools in the highest poverty quartile did not have a greater per-pupil reduction than the average reduction for all schools.
- Schools in the highest poverty quartile did not have a greater reduction in FTE per pupil than the average reduction for all schools.

Narrative explaining exceptional circumstances that could have resulted in an exception from this statutory indicator.

**WVDE Verification:** 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>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><b>WVDE Verification:</b> ARP Application</p>	<p><b>Compliance</b></p>
<p>9. LEA maintains written standards of conduct covering conflicts of interest</p> <p><b>Sample Evidence:</b> copies of Conflict-of-Interest policy and procedures, signed conflict of interest questionnaires for the applicable time frame</p>	<p><b>Does Not Meet Compliance – Finding</b></p> <p>LEA did not upload a policy or procedures for covering Conflicts of Interest.</p> <p>For Corrective Action: The LEA must submit in writing their policy and procedures that cover conflict of interest by May 8, 2023.</p> <p>If the LEA does not currently have a policy or written procedures in place for</p>

covering conflict of interest the LEA must create a policy or written procedures and submit them in writing to the Office of Federal Programs by June 30, 2023.