



April 13, 2021

Hon. Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

RE: American Rescue Plan Guidance, Reporting, and Technical Assistance

Dear Secretary Cardona:

We, the undersigned non-profit education policy and research organizations, write to encourage the U.S. Department of Education (USED) to take immediate steps to help state education agencies (SEAs) and local education agencies (LEAs) make thoughtful use of data, evidence, and evaluation in implementing the [American Rescue Plan](#) (ARP). SEAs and LEAs can realize ARP's potential to improve outcomes and advance equity in part by leveraging what we know about what works, for whom, and under what circumstances. They can also generate evidence for novel approaches and/or established approaches being implemented in new settings and under new circumstances. Through **guidance, reporting requirements, and technical assistance**, USED can help shift our education systems *away* from a sole focus on compliance with ARP's requirements and *toward* a more learning- and improvement-oriented use of these substantial new federal resources, both in this initial recovery period and for the long-term. Such a shift would not only help meet the academic, social, and emotional needs of PK-12 students -- especially those disproportionately impacted by COVID-19 -- but it would also help the field navigate recovery and truly build back better by embedding more educationally sound, evidence-based approaches into the mindsets and processes of SEAs, LEAs, and schools.

If well-implemented, ARP funds have the potential to address the significant challenges this moment presents. SEAs and LEAs must make thoughtful decisions about how best to use their ARP funds to meet the unprecedented needs of their students, educators, and communities. ARP's evidence-based provisions provide an important opportunity to promote decision-making that centers data and evidence as levers for advancing racial equity and accelerating recovery. Although the promise of ARP's significant investment in our education system is clear, it is not without risks. The recommendations listed below -- on guidance, reporting and technical assistance -- are intended to help USED mitigate those risks while setting up SEAs and LEAs to take full advantage of this opportunity to accelerate recovery and advance equity.



Recommendation #1: Guidance

A. Clarify what is required and what is flexible.

The first goal for the Department's guidance about implementing ARP's evidence-based provisions is to clarify where there is flexibility and where there is not. As SEAs and LEAs exercise their judgment and respond to their unique contexts, they need clear federal parameters.

1. USED should make clear that *all* ARP funds subject to the following four set asides *must* be used to implement evidence-based interventions aligned with the Every Student Succeeds Act's (ESSA) evidence definitions:
 - SEA 5% set aside to "address learning loss" (§2001(e)(1));
 - SEA 1% set aside for "summer enrichment" (§2001(f)(1));
 - SEA 1% set aside for "comprehensive afterschool programs" (§2001(f)(2)); and
 - LEA 20% set aside to "address learning loss" (§2001(f)(3)).
2. At the same time, this guidance should avoid suggesting the set asides somehow prevent SEAs or LEAs from using their remaining funds on evidence-based approaches. In other words, SEAs and LEAs should understand the set asides are floors -- not ceilings -- for using ARP funds on evidence-based interventions and supports to meet students' academic, social, and emotional needs, as well as on evaluating those efforts to learn more about what works, for whom, and under what circumstances. In fact, to the greatest extent practicable, SEAs and LEAs should be encouraged to apply a data- and evidenced-based lens to spending decisions for the entirety of their ARP funds.
3. ARP also requires that these four set asides be used to address students' academic, social and emotional needs and that they address the disproportionate impact of the coronavirus on specific (and listed) student populations. The law does not, however, indicate the relative focus or degree for these targeting requirements. To assist SEAs and LEAs in determining the relative weight to place on academic, social and emotional needs as well as the degree to which they focus funding on different student groups, USED should provide guidance clarifying the extent to which SEAs and LEAs have the flexibility to determine those weights by themselves. Such guidance would emphasize that the underlying goal of ARP is to assist the student groups listed in the set asides: those most negatively impacted -- economically, academically, socially and emotionally - - by the COVID-19 pandemic.

Specifically, USED should direct SEAs and LEAs to prioritize spending in ways that match the full spectrum of student needs in the wake of more than a year of



experiencing the disruptive effects of COVID-19. These include not only academic recovery and acceleration, but also foundational developmental needs such as physical safety, social and emotional learning, mental health and wellness, and other needs stemming from new or exacerbated trauma. The guidance should reflect the strong and growing base of research evidence indicating that academic support is less likely to be impactful if not coupled with foundational strategies to ensure students and their families feel safe, connected, and cared for.

B. Clarify technical issues related to the “evidence-based” requirement

USED should clarify the following points about the law’s evidence-based requirements, including what “evidence-based” means and what expenditures must be evidence-based.

1. According to ARP, the set aside funds are to be used by SEAs and LEAs only on interventions that meet one of the four tiers of the ESSA evidence definition. USED should incorporate the text of ESSA’s definition in ARP guidance so that every SEA and LEA understands the standard for expending these funds.
2. Because there are four tiers to that definition, spanning from the lighter “demonstrates a rationale” to the more rigorous “moderate” and “strong” tiers, USED should encourage SEAs and LEAs to (i) begin with a deep understanding of the needs of a particular community or student population, (ii) consult the full breadth of evidence related to these issues and the full body of evidence related to particular approaches under consideration, and then (iii) adopt (or adapt) programs or practices supported by the strongest tier of evidence available that meets their needs and aligns with their capacity to implement it well. One way to accomplish this is to make explicit reference to the existing USED guidance, [“Using Evidence to Strengthen Education Investments”](#) or incorporate relevant aspects of that earlier resource into any new guidance USED develops.
3. USED should also re-emphasize the rigor embedded in both requirements of the fourth tier of ESSA’s evidence definition. In particular, USED’s guidance should highlight the opportunity and responsibility of the second requirement: that an SEA or LEA undertake “ongoing efforts to examine the effects” of the approach to build more evidence, especially regarding how interventions improve long-term outcomes and their impact on student groups underrepresented in the current evidence base. Although ESSA only requires “ongoing efforts to examine the effects” of fourth tier interventions, USED should encourage SEAs to measure and report on (and ensure their LEAs study) all ARP-funded interventions, especially given how many will be implemented in novel circumstances and/or with new student populations.



4. USED should clarify that summer learning or summer enrichment, extended day, comprehensive afterschool programs, and extended school year programs are not themselves evidence-based interventions as required by ARP. Rather, the statute requires that the programs or practices SEAs and LEAs use ARP set asides to implement *in those contexts* must be evidence-based. For example, SEAs and LEAs may not use the set aside funding to implement programs or practices during the summer that do not meet ESSA's definition of evidence-based, simply because they are taking place during the summer weeks.
5. Similarly, USED should issue guidance to clarify that practices -- not just branded programs -- can qualify as evidence-based approaches so long as they have sufficient supporting evidence. For instance, there is a [robust base of evidence](#) supporting the effectiveness of high-dosage tutoring for addressing academic needs in a manner that can also support social and emotional growth. So long as an LEA's tutoring program is designed in alignment with that body of evidence, it should be considered "evidence-based," just as a branded tutoring program might be.
6. The remaining funds not included in the set aside (i.e., 93% of SEA and 80% of LEA funds) have very flexible allowable uses, and USED should encourage SEAs and LEAs to consider expending these dollars on evidence-based approaches to meet students' academic, social, emotional, and physical and mental health needs, as well as on evaluating those efforts to learn more about what works, for whom, and under what circumstances. There currently is, and will continue to be, massive experimentation *at scale* within our schools and districts. SEAs and LEAs should be encouraged to consult the relevant evidence base to help drive that experimentation while also carrying out evaluations to capture lessons learned for future use.
7. A final technical clarification USED should include is to ensure SEAs and LEAs are aware that investing in the necessary infrastructure to effectively implement evidence-based interventions is an allowable use of ARP funds. Examples of these related expenditures include, but are not limited to, investments in data infrastructure, developing new ways to comprehensively assess students' needs, developing adults' capacity to implement interventions effectively, and evaluating the implementation and impact of those interventions. SEAs and LEAs can also use ARP funds to periodically review their own efforts (and, in the case of SEAs, of their LEAs), adjust their approaches over time in response to emerging data and experience, and evaluate both implementation and impact.

Recommendation #2: Reporting

Through ARP, SEAs and LEAs will receive more federal financial support at one time than ever before. The law's \$123 billion is an enormous amount of funding, and the public deserves to



know how SEAs, LEAs and schools use those dollars to improve outcomes and advance equity. Moreover, reporting will help the education field understand (i) what investments are being made; (ii) the extent to which funding is being spent on programs and practices with a track record of effectiveness; and (iii) whether investments are, in fact, being targeted toward the student groups identified in ARP as being in greatest need of support. Finally, this initial reporting will lay the foundation for longer-term evaluation of ARP’s effectiveness in improving opportunities and outcomes for students.

To that end, USED should require both SEAs and LEAs to report on their use of funds and the degree to which funds are being expended on evidence-based approaches as defined by ESSA. It is noteworthy that USED’s recently released [ARP ESSER Grant Award Assurances](#) require this kind of reporting for SEAs’ evidence-based set asides. However, both SEAs and LEAs should be required to report information about not only the set asides for evidence-based expenditures, but for their remaining funds as well (i.e., 93% of SEA and 80% of LEA funds).

Specifically, USED should require reporting on evidence-based approaches that includes at least the following:

- For each evidence-based approach,
 - a description of the approach;
 - the amount expended in implementing it;
 - the evidence supporting it;
 - the corresponding tier of evidence from ESSA’s definition of “evidence-based”;
 - the intended outcomes (e.g., meeting academic, social, and/or emotional needs);
 - and the intended beneficiaries (e.g., whether the funds are supporting student populations disproportionately impacted by Covid-19)

- For approaches qualifying as tier 4 evidence, an explanation of the SEA’s or LEA’s “ongoing efforts to examine the effects” of the intervention or support.

By requiring reporting to include the above information about all ARP funds, USED can better understand how federal resources are (or are not) being used in an evidence-based way to meet students’ needs and/or to develop and learn about promising new approaches.

Moreover, USED should quickly translate these reported data into usable information for the field. The process of recovering from the impacts of COVID will be neither quick nor static; it will occur over the course of years with states, districts and schools adjusting their approaches along the way. The more information that USED can share across the education community about approaches that work, for whom, and under what circumstances, the more likely it will be that schools and districts can adequately meet the needs of its student populations.



Recommendation #3: Technical Assistance

To help SEAs and LEAs use ARP resources effectively, equitably, and sustainably, USED should provide robust technical assistance (TA). The following are TA suggestions related to implementing ARP's evidence-based provisions, which are the specific focus of this letter:

1. The Department's release of [Volume 1](#) and [Volume 2](#) of the ED COVID-19 Handbook with more anticipated volumes on the way) as well as the upcoming [Safer Schools and Campuses Best Practices Clearinghouse](#) are good first steps to helping SEAs and LEAs navigate the existing evidence base. The field is also producing helpful compendiums of evidence-based strategies to inform ARP-funded plans (e.g., [this](#) and [this](#)) to supplement the federal government's other [resources](#). But past experience makes clear that TA can be helpful in fostering a thoughtful planning process, rather than merely picking interventions off of a list. SEAs and LEAs will need additional support not only in selecting but also implementing the programs and practices outlined in these resources. This is particularly true considering the unprecedented nature of the current context.
2. USED should encourage SEAs and LEAs to look to their statewide systems of school improvement (and other grant programs focused on using and building evidence) to apply lessons learned and best practices when using ARP funds for evidence-based approaches. Examples of school improvement systems and practices that can inform more general recovery planning include comprehensive needs assessments, developing improvement plans that include evidence-based interventions, support and progress monitoring during implementation, and sustainability planning. Likewise, SEAs and LEAs would likely benefit from TA on how to (i) modernize their data systems, including but not limited to linking across social service agencies and throughout the P-20 continuum, and (ii) better use their systems to generate insights and then apply them to the recovery and acceleration work ahead.
3. USED itself should consider replicating (or adapting, based on lessons learned) prior Department-supported TA efforts, including the communities of practice that supported implementation of Race to the Top, as well as early ESSA technical assistance.
4. In developing a comprehensive TA strategy, USED should, to the extent possible, leverage Regional Educational Laboratory Programs (RELs) and the Comprehensive Centers Network (CCs) to support SEAs and LEAs in making thoughtful decisions about ARP's evidence-based provisions and spending plans. For example, RELs and CCs could create clear, concise resources, such as literature reviews on specific topics of immediate and universal relevance, to help SEAs and LEAs navigate the evidence base to select best practices that meet their needs and align with their capacity to implement it well.



5. Lastly, USED should provide resources to help SEAs and LEAs with financial planning related to ARP's set asides, with an emphasis on engaging in multi-year planning to help sustain effective programming after ARP's spending period concludes. High-quality TA can help SEAs and LEAs avoid both falling off fiscal cliffs, which can occur if SEAs and LEAs spend without long-term planning, and artificially constraining recovery planning, which can occur if SEAs and LEAs are too concerned about sustainability and leave immediate needs unmet as a result. Financial planning that is deeply connected to strategic planning can help SEAs and LEAs align ARP resources with both immediate, medium-term, and longer-term recovery efforts.

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Covid-19 has created a set of unprecedented circumstances for schools and the students they serve. SEAs, LEAs, and schools have demonstrated incredible resilience and flexibility in order to meet the growing needs of students and their families, and they will continue to do so as they enter into what is likely to be a multi-year recovery and acceleration period. Education systems will necessarily have to engage in new practices, approaches, and experimentation to determine the most effective ways to support their students.

At the same time, leaders must draw on the sizable existing evidence base to inform their recovery plans. They must all engage in ongoing efforts to evaluate implementation and impact of their approaches, so that the next time there is a significant disruption, schools have a larger reservoir of learning to consult. We will develop a subsequent letter with suggestions for how the Institute of Education Sciences (IES) might approach using the \$100 million included in ARP for research and dissemination. This additional IES funding can go a long way in helping the field better understand what works, for whom, and under what circumstances, particularly in the context of (i) efforts to replicate or adapt evidence-based approaches to new student groups and settings, and (ii) the likely reliance on the fourth tier of evidence.

Thank you for all you are doing to implement ARP to meet students' needs and advance equity, including through the thoughtful use of evidence, continuous improvement, and evaluation. By adopting the guidance, reporting, and technical assistance recommendations outlined above, the Department can use this unprecedented opportunity to help SEAs and LEAs engage more regularly with evidence-based and evidence-building approaches.

Sincerely,
[Organizations listed in alphabetical order]

A+ Colorado
Alliance for Excellent Education



America Forward

John Bridgeland, Former Director, Domestic Policy Council, CEO & Co-Founder, CIVIC Cascade Philanthropy Advisors, Inc.

Center for Research and Reform in Education, Johns Hopkins University

Committee for Children

Data Quality Campaign

EDGE Consulting Partners

Education Northwest

Educators for Excellence

EdVoice

Empirical Education Inc.

Forum for Youth Investment

Friends of the Children

Knowledge Alliance

National Institute for Excellence in Teaching

Results for America

StriveTogether

Success for All Foundation

Teach for America

TeachPlus

Tennessee SCORE

The Education Trust

TNTP