

Information Regarding ESSER III Unfinished Learning and “Evidence-Based” Strategies

What are the federal requirements for school districts regarding the term “Unfinished Learning” in relation to the American Rescue Plan Act (ESSER III)?

Section 2001(e)(1) of the ARP Act requires an LEA (School District) to reserve not less than 20 percent of its ARP ESSER allocation to address the academic impact of lost instructional time (in Oregon, “Unfinished Learning”) through the implementation of evidence-based interventions (e.g., providing intensive or high-dosage tutoring or accelerating learning; see FAQ A-10 for a definition of evidence-based), such as summer learning or summer enrichment, extended day, comprehensive after-school programs, or extended school year programs, and ensure that the interventions implemented respond to students’ social, emotional, mental health, and academic needs and address the disproportionate impact of COVID-19 on students from low-income families, students of color, children with disabilities, English learners, migratory students, students experiencing homelessness, and children and youth in foster care. While ESSER I and ESSER II funds may also be used for these purposes, a school district is not required to set aside a specific amount of ESSER I and ESSER II funds to address the academic impact of lost instructional time. Effective strategies to address the impact of lost instructional time are further described in Volume 2 of the Department’s COVID-19 Handbook available at: <https://www2.ed.gov/documents/coronavirus/reopening-2.pdf>.

May the State and/or school districts use ESSER and GEER funds to develop or implement an innovative approach to providing instruction to accelerate learning and mitigate the effects of lost instructional time for those students most impacted by the COVID-19 pandemic?

Yes. The state educational agency or school district may use ESSER and GEER funds to develop or implement an innovative approach to providing instruction to accelerate learning and mitigate the effects of lost instructional time for students most impacted by the COVID-19 pandemic.

To the extent an innovative approach is evidenced-based, a school district may use the ARP ESSER funds it reserves to implement the innovative approaches to address the impact of lost instructional time. As described in FAQ A-10, one of the tiers of evidence included in the definition of “evidence-based” refers to an approach that “demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes”; and includes “ongoing efforts to examine the effects of such activity, strategy, or intervention.” This could include emerging technology-based or technology-enabled approaches, including educational technology platforms, that meet this definition.

What does it mean for a program to be evidence-based?

The ARP Act defines the term “evidence-based” as having the meaning in section 8101(21) of the ESEA. Accordingly, “evidence-based” includes several tiers of evidence. Specifically, “evidence-based,” when used with respect to a State, school district, or school activity, means an activity, strategy, or intervention that:

- Demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—
 - Strong evidence from at least one well-designed and well-implemented experimental study (“tier 1”);
 - Moderate evidence from at least one well-designed and well-implemented quasi-experimental study (“tier 2”); or

- Promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias (“tier 3”); or
- Demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes and includes ongoing efforts to examine the effects of such activity, strategy, or intervention (“tier 4”).

Given the novel context created by the COVID-19 pandemic, an activity need not have generated such evidence during the COVID-19 pandemic to be considered evidence-based. The Department’s What Works Clearinghouse (available at <https://ies.ed.gov/ncee/wwc/>) identifies the tier of evidence that reviewed studies meet, as applicable. As part of the “demonstrates a rationale (tier 4)” level of evidence, grantees may develop and use approaches that are novel, if they are consistent with theoretical and empirical findings from research and the grantee will continue to review the effects of the practice to build the evidence base. Developing a logic model can help to demonstrate a rationale. Logic model resources are available at <https://ies.ed.gov/ncee/edlabs/regions/pacific/elm.asp>. A state educational agency should consider using funds to provide technical assistance to its SCHOOL DISTRICTs on identifying and implementing evidence-based interventions. States can also review the Department’s guidance on using evidence, which can be found here <https://www2.ed.gov/policy/elsec/leg/essa/guidanceuseinvestment.pdf>. Finally, States should make use of the federally funded [Comprehensive Center network](#).

(US Department of Education [FAQs for ESSER and GEER Programs](#), A-4, A-22, A-10)

Additional Information from the ODE Pandemic Recovery Team:

To qualify as addressing Unfinished Learning, an expense must:

- be part of a project/activity/intervention that addresses learning loss through the implementation of evidence-based interventions;
- ensure that such interventions respond to students’ academic, social, and emotional needs; and
- address the impact of the COVID-19 pandemic on groups of students disproportionately impacted by the pandemic.

For each Unfinished Learning expense, general guidance is that a district should be able to complete this statement:

"Based on the information we had at the time, we spent (FUNDS) on (ACTIVITY/PROJECT) . This addresses unfinished learning by (SPECIFIC INTERVENTION) . This supports students most impacted by the pandemic through (EVIDENCE) . We know this was a priority because (INPUT FROM COMMUNITY) , as supported by (RECORDS/DOCUMENTATION) ."

Questions?

Please contact ODE’s Pandemic Recovery team at: ode.esser@ode.oregon.gov with any questions.