

February 15, 2022

Garth McKinney
Interim Superintendent
Nashua School District
141 Ledge Street
Nashua, NH 03060

Via U.S. and electronic mail
(mckinneyg@nashua.edu)

RE: Recommendations for meaningful stakeholder consultation regarding ARP ESSER III funds

To the office of Superintendent McKinney:

My name is Aviana Coco; I am currently partnering with Disability Rights Center - NH (DRC-NH) on a project regarding New Hampshire school districts' use of the American Rescue Plan Elementary and Secondary School Emergency Relief III (ARP ESSER III) funds. The main goal of our project is to connect the families DRC-NH serves to up-to-date information about school's plans for the funds and share opportunities for families to consult with their districts regarding fund allocation, as this funding provides a substantial opportunity for districts to invest in a wide variety of potential resources to address students' needs.

During our investigation, we determined that few school districts are maintaining sufficient communication with stakeholders. Federal requirements outlined within the American Rescue Plan Act of 2021 mandate that Local Educational Agencies (LEA's) engage in meaningful consultation with a variety of stakeholders, including "Students; families; ... and (B) To the extent present in or served by the LEA: ...civil rights organizations (including disability rights organizations); and stakeholders representing the interest of children with disabilities, English learners, ... and other underserved students".¹ Consultation should continue throughout the duration of time ARP ESSER III funds are allocated in order to be meaningful.

Back in August of 2021, DRC-NH provided New Hampshire LEA's with recommendations for maintaining meaningful communication with the public, including:

¹: Interim Final Requirements for the American Rescue Plan Elementary and Secondary School Emergency Relief ("ARP ESSER FUND"), promulgated by the U.S. Department of Education pursuant to Section 2001 of the American Rescue Plan Act of 2021. Federal Register, Volume 86, No. 76, p. 21201 (April 22, 2021)

²: DRC-NH Letter to Superintendents and School Board Members: Input on American Rescue Plan Emergency Relief Funds. DRCNH.org (August 6, 2021).

³: [Nashua School District] LEA ARP ESSER Plan: "A Plan for the LEA's Use of ARP ESSER funds" (September 2021). Accessed via nashua.edu on February 14, 2022.

- Reach out to parent and community organizations to inform them of ARP ESSER funding plan requirements and seek their input.
- Post information re: plan development and how to provide input on the LEA's website, social media accounts, and other relevant platforms.
- Publicize and hold public meetings.²

We recognize Nashua School District's (NSD's) efforts to seek input from stakeholders including "the Nashua Teachers' Union, before/after school providers, PK, Special Education, ELL, and McKinney-Vento/Social Workers"³ regarding the district's original use of funds plan via virtual meetings. This original use of funds plan, posted to the Department of Education's website in August of 2021³, lacks specific details such as the estimated proportion of funds to be allocated to various areas. This is understandable and expected for an early plan outlining roughly three years of future spending. However, for meaningful consultation to be maintained, stakeholders must (a) have access to updated plans and (b) be presented with additional opportunities to consult with the district as plans for ARP ESSER III fund allocation become more detailed. The use of funds plan states that "Additional meetings and opportunities for input will be provided"³. Upon reviewing the district website, we were unable to find information about any recent or upcoming opportunities for stakeholder engagement. We were also unable to locate any updated information re: fund allocation. We have reached out to the district via email and phone calls to inquire about such opportunities and information; superintendent McKinney was able to provide information re: fund allocation from November 2021 upon request, and we were unable to connect with any representative who could inform us about opportunities for stakeholder engagement.

In the interest of ensuring that the families served by DRC-NH, along with all other relevant stakeholders, have access to updated information and opportunities to provide input on how they feel ARP ESSER III funds should be allocated in NSD, we extend the following recommendations:

- Replace the hyperlink on the district website currently leading to the original NSD ARP ESSER III use of funds plan³ with a hyperlink to a page containing up-to-date information regarding the ongoing process of fund allocation as well as a list of ways for stakeholders to provide input.
- Hold dedicated public meetings for discussing ARP ESSER III fund allocation, at least every six months and upon any major changes or additions to the use of funds plan.
- Provide alternative and accessible ways for the public to provide their input during the COVID-19 pandemic, such as an online survey, dedicated email address, etc. Make this information available and easy to find on the district website, school websites, and other easily accessible locations.

- Publicize opportunities for consultation and ways for families to find up-to-date information via social media, school email, and other relevant platforms.
- Designate an individual or team within the district who stakeholders may contact with questions or comments regarding the district's use of ESSER III funds (e.g. school board members, district grants manager, etc.). List the contact information for this individual or team on the school website including both a telephone number and email address – ideally, on a virtual hub of information pertaining to ESSER funds (as recommended above).

Thank you for taking the time to review these recommendations. The COVID-19 pandemic has impacted our community so severely over the past two years, and we commend the NSD faculty for their ongoing efforts to support students and families during such unprecedented times. It is our aim to ensure that the families served by DRC-NH, along with other relevant stakeholders, are informed and empowered to partake in the discussion of how best to use this funding to build back education for New Hampshire's young learners.

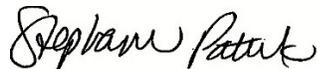
Please respond to this letter sharing the concrete steps NSD intends to take to establish and maintain meaningful consultation with stakeholders by Tuesday, February 22nd.

Additionally, please reach out with any questions, comments, or requests for how our project might be able to assist the maintenance of meaningful stakeholder engagement.

Sincerely,



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Stephanie Patrick, Executive Director
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