

**Questions from Districts regarding the Implementation of the Equity in Distance Learning Act
August 7, 2020**

1. Eligible Expenses

- a. Is this item eligible for reimbursement under the Equity in Distance Learning Act (EDLA)?
- i. Section 4 (h) of EDLA defines eligible expenses as "cost incurred by a school ... to facilitate or enhance distance learning capabilities under its distance learning plan ..." In order for a device or web application to be eligible for reimbursement:
1. All higher priority components as defined in SB3044 must be purchased
 2. The expense must be
 - a. Purchased no later than Sept. 11, 2020 and submitted for reimbursement before Nov. 1, 2020 (with allowances for devices ordered by Sept. 11 but are scheduled to arrive after Nov. 1).
- AND either
- b. Purchased through the MDE's digital learning program/express products list (EPL)
- OR
- c. Alternatively,
 - i. Must meet or exceed MDE-defined minimum specifications (including Mobile Device Management (MDM) and protective case)
 - ii. Must – if it is a device – be insured (3-year accidental damage protection)
 - iii. Must be purchased after March 14, 2020
3. The expense must be included in the district's distance learning plan, which should explain how the product facilitates or enhances distance learning,
- b. If we purchased laptops above the specifications, will they only be reimbursed at a maximum of the state's estimated price?
- i. Correct. In order for a reimbursement for purchases of devices not through the EPL, the devices must meet the criteria outlined under the previous question. If eligible, the district will be reimbursed the state allocation portion of the amount of the device on the EPL.
1. For example, if a device is listed at \$600 on the EPL and the district purchases the device at that price, the MDE will reimburse the districts \$500 (with the remaining \$100 covered by the district's 20% match).
 2. Alternatively, if a district purchases a device not listed on the EPL but the device is equivalent and meets all MDE-defined minimum specifications, and the district pays \$650 for the device, the MDE will reimburse the districts \$500 based on the EPL price (with the remaining \$150 covered by the district).

2. Device Insurance

a. Answers to questions about device insurance.

- i. Device insurance is required for any device for which reimbursement is requested. The device insurance provision is to ensure that the device can be repaired or replaced to ensure students continue to receive high-quality instruction throughout the digital learning program with minimal disruption. Device warranty, by itself, is insufficient to meet this requirement. Services such as 3-year accidental damage protection or 3-year AppleCare+ do meet this requirement. If a district has other means of insuring devices, it must submit a plan with its application describing, to the satisfaction of the MDE, how it will address issues such as:
 1. minimizing the time a student or educator is without a functioning device
 2. how it will repair a non-functioning or damaged device
 3. how it will replace a device that cannot be repaired, or is lost or stolen

3. Device ownership

a. Answers to questions about ownership and final disposition of devices.

- i. The EDLA requires the devices to be purchased by the district; therefore, they will become property of the district. The EDLA specifically addresses ownership and disposition of devices in section 7 (f)(iii). Devices may be "sold by public auction" or "traded in to a vendor as part of a subsequent purchase." Whatever plans a district has for the final disposition of devices should be reflected in both the district's responsible use policy and sustainability plan.

4. Cases

a. Can we buy the cases from the EPL?

- i. Yes. Devices purchased from the EPL will include cases. However, we anticipate the vendors offering additional distance learning accessories on the EPL.

b. Does a carrying sleeve count as a case?

- i. No. A sleeve only protects the device when the device is not being used. A case protects the device both when not being used and when it is used (getting knocked off a desk, etc.)

5. Plans

a. When can districts submit their plans?

- i. Districts must submit their distance learning plan, sustainability plan, and responsible use policy by Sept. 1, 2020. A district can submit their plans and application as soon as the MDE opens the application window in mid-August. Applications will be processed and approved on a first come, first served basis.

b. Does a district have to have approval of its plan to order through the EDLA EPL?

- i. Yes. Submission of a distance learning plan, sustainability plan, and responsible use policy are required for participation in the EDLA.

6. Financial/purchasing

a. Is March 14, 2020 the date of the invoice or date of the purchase order?

- i. If the purchase order date precedes March 14, 2020, then the purchase was not made in response to Governor Reeves' State of Emergency Declaration and would therefore be ineligible.
- b. Can the MDE provide the districts' W-9s for the vendors awarded in the EPL?
 - i. We will make this available to the districts, as necessary.
- c. If a district does not have any more available funds in the grant, can we use the EPL to purchase additional equipment at the district's expense?
 - i. Yes. The district will only be reimbursed up to the amount of their allocation. The district must meet its 20% match, but this is not a ceiling for the total funds a district may contribute.
- d. If the contract pricing is higher than the estimated pricing, will that increase the school's variance?
 - i. Yes.