

ARP ESSER LEA Plan for Safe Return to In-Person Instruction and Continuity of Services Checklist

Purpose

This document is intended to clarify how Local Education Agencies (LEAs) can meet the requirements of the ARP ESSER Interim Final Rule to develop a plan for the safe return to in-person instruction and continuity of services. The Agency of Education is committed to limiting the burden on LEAs to meet this federal requirement in light of the exemplary work already completed by LEAs to safely return students to in-person instruction.

Background

Per the [Interim Final Rule](#) (IFR) released by the US Department of Education on April 22, 2021, “The statutory requirements for each LEA to develop a plan for the safe return to in-person instruction and continuity of services, to seek and incorporate public comment on the plan, and to make the plan publicly available are important for planning and transparency as LEAs work to return to, or continue, the safe operation of in-person instruction. However, the statute does not explicitly define what it means for a plan to provide for a safe return to and continuity of in-person instruction.”

In addition, the IFR states that, “...section 2001(i)(3) of the ARP Act states that an LEA that developed a plan for the safe return to in-person instruction and continuity of services prior to the date of enactment of the ARP Act will be deemed to have met the requirement to develop a plan under section 2001(i)(1) as long as the plan meets the statutory requirements (i.e., is publicly available on the LEA's website and was developed after the LEA sought and took into account public comment).”

The AOE has determined that if LEAs meet the following list of requirements they do not need to develop an additional plan, although they still must meet the federal requirement to conduct a “...periodic review and, when needed, revision of the plan to ensure it remains relevant and meets statutory and regulatory requirements” (ARP ESSER IFR).

Please Note: The ARP ESSER Phase II application in GMS will include an attestation that an LEA has met the IFR requirements.

IFR Checklist

Per the IFR, LEAs must make information available on their website “...in an understandable and uniform format; to the extent practicable, written in a language that parents can understand or, if not practicable, orally translated; and upon request by a parent who is an individual with a disability, provided in an alternative format accessible to that parent.” This information can

Contact Information:

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include links to relevant guidance or websites, including AOE and Vermont Department of Health Guidance, or CDC guidance and resources.

Please note: It is not the expectation of the AOE that all of the information below is contained in a single document on the website. For example, this information could be made available through multiple webpages, informational handouts to families, or links, but the LEA should bear in the mind the requirement to make information accessible.

- Information concerning the following is publicly available on an LEA website and appears in an accessible format:
 - cleaning and health protocols;
 - universal and correct wearing of masks;
 - modifying facilities to allow for physical distancing (e.g., use of cohorts/podding);
 - handwashing and respiratory etiquette;
 - cleaning and maintaining healthy facilities, including improving ventilation;
 - contact tracing in combination with isolation and quarantine;
 - diagnostic and screening testing;
 - efforts to provide vaccinations to school communities;
 - appropriate accommodations for children with disabilities with respect to health and safety policies; and
 - coordination with State and local health officials.
- Information concerning the following is publicly available on an LEA website and appears in an accessible format:
 - services to address students' academic needs;
 - services to address students' and staff social, emotional, mental health and other needs; and
 - the provision of meals or other school provided services (e.g. health), even during a period of school closure.
- The LEA has a process to make a periodic, but no less frequently than every six months, review of its plan and, as appropriate, revise the plan.
 - The review should take into consideration the timing of significant changes to CDC guidance on reopening schools (e.g. an LEA might develop an updated approach to cohorting or drop off/pick up procedures in response to updated health guidance from Vermont Department of Health for Fall 2021)
 - Any revisions should include an opportunity for public comment. (e.g. posting on the website with a contact address).