

Safe Return to In-Person Instruction and Continuity of Services

Section 2001(i) of the ARP Act requires an LEA that receives ARP ESSER funds to develop and make publicly available on the LEA's website, within 30 days after receiving its allocation, a plan for the safe return to in-person instruction and continuity of services. Prior to making the plan publicly available, the LEA must seek public comment on the plan and take such comments into consideration when developing the plan.

Under the interim final requirements, an LEA plan for safe return to in-person instruction and continuity of services must describe how the LEA will maintain the health and safety of students, educators, and other staff and the extent to which it has adopted policies, and a description of any such policies, on each of the prevention and mitigation strategies recommended by the CDC.

The plan must also describe how an LEA will ensure continuity of services, which must address students' academic needs and students' and staff social, emotional, mental health, and other needs, and which may include student health and food services.

In addition, the LEA must regularly, but no less frequently than every six months (taking into consideration the timing of significant changes to CDC guidance on reopening schools), review and, as appropriate, revise its plan for the safe return to in-person instruction and continuity of services, and must seek and take public input into account in determining whether and what revisions are necessary.

An LEA that developed a school reopening and continuity of services plan prior to the date of enactment of the ARP Act and that meets the above requirements for public comment will be deemed in compliance but, within no more than six months, the LEA must review and, if necessary, revise the plan to meet the requirements of the interim final requirements.