

NM Public Education Department

Supplemental Local Educational Agency (LEA) Assurances for the Application for receipt of award authorized by the ARP ESSER III Fund, Index 24330 related to the required LEA Plan for Safe Return to In-Person Instruction and Continuity of Services

Name of LEA

The LEA provides the following assurances to the New Mexico Public Education Department (NMPED) as the State Educational Agency (SEA), related to the LEA Plan for Safe Return to In-Person Instruction and Continuity of Services required in Section 2001(i)(1) of the ARP Act. Check all that apply in the relevant column. If an LEA is unable to check one or more of the boxes in the relevant column, the SEA will work with the LEA and take steps, as appropriate, to ensure compliance.

Reentry plans submitted last school year and approved by PED can be used for this purpose if the LEA received public comment in the development of that plan and took those comments into consideration when developing the plan. Last year's reentry plans do not have to meet all of the requirements outlined in the footnote on the following page. If an LEA did not receive public comment and take those comments into consideration when developing their reentry plan last year, the LEA will be required to develop an updated plan that meets the requirements outlined in the footnote on the following page.

If the LEA is submitting a plan developed prior to the enactment of ARPA on March 11, 2021

- The LEA developed a plan for the safe return to in-person instruction and continuity of service prior to the enactment of The American Rescue Plan (ARP) Act of 2021, Public Law 117-2 on March 11, 2021; (eg: the PED Reentry plan approved last year will meet this requirement)
- The LEA sought public comment on the plan at the time the plan was developed;
- The LEA took public comments into account in the development of the plan;

If the LEA is submitting a plan developed after the enactment of ARPA on March 11, 2021

- The LEA developed a plan for the safe return to in-person instruction and continuity of service, and the plan meets the requirements outlined in the ARP Act¹
- The LEA sought public comment on the plan;
- The LEA took public comments into account in the development of the plan;

The LEA, through its duly authorized representative named below, agrees to these assurances, and certifies that the information contained in these assurances is complete and correct to the best of the signatory's knowledge and belief, and such information may be relied upon by New Mexico Public Education Department and the U.S. Department of Education.

Signature of Superintendent or Charter School Director	Name of LEA
Printed Name of Superintendent or Charter School Director	Date

¹ LEA Plan for Safe Return to In-Person Instruction and Continuity of Services.

(a) An LEA must describe in its plan under section 2001(i)(1) of the ARP Act for the safe return to in-person instruction and continuity of services—

(i) how it 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 following safety recommendations established by the CDC:

(A) Universal and correct wearing of masks.

(B) Modifying facilities to allow for physical distancing (e.g., use of cohorts/ podding).

(C) Handwashing and respiratory etiquette.

(D) Cleaning and maintaining healthy facilities, including improving ventilation.

(E) Contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments.

(F) Diagnostic and screening testing.

(G) Efforts to provide vaccinations to school communities.

(H) Appropriate accommodations for children with disabilities with respect to health and safety policies. (I) Coordination with State and local health officials.

(ii) how it will ensure continuity of services, including but not limited to services to address students' academic needs and students' and staff social, emotional, mental health, and other needs, which may include student health and food services.

(b)(i) During the period of the ARP ESSER award established in section 2001(a) of the ARP Act, an 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.

(ii) In determining whether revisions are necessary, and in making any revisions, the LEA must seek public input and take such input into account.

(iii) If at the time the LEA revises its plan the CDC has updated its guidance on reopening schools, the revised plan must address the extent to which the LEA has adopted policies, and describe any such policies, for each of the updated safety recommendations.

(c) If an LEA developed a plan prior to enactment of the ARP Act that meets the statutory requirements of section 2001(i)(1) and (2) of the ARP Act but does not address all the requirements in paragraph (a), the LEA must, pursuant to paragraph (b), revise and post its plan no later than six months after receiving its ARP ESSER funds to meet the requirements in paragraph (a).

(d) An LEA's plan under section 2001(i)(1) of the ARP Act for the safe return to in-person instruction and continuity of services must be—

(i) In an understandable and uniform format;

(ii) To the extent practicable, written in a language that parents can understand or, if it is not practicable to provide written translations to a parent with limited English proficiency, be orally translated for such parent; and

(iii) Upon request by a parent who is an individual with a disability as defined by the ADA, provided in an alternative format accessible to that parent.