

New Mexico's LEA-Level FY2022 Maintenance of Equity Plan

All local educational agencies (LEAs) that accept Elementary and Secondary School Emergency Relief (ESSER) funds authorized under the American Rescue Plan (ARP) Act of 2021, otherwise referred to as ARP ESSER funds, are subject to local Maintenance of Equity (MOEquity) provisions unless they are excepted for one or more of the following reasons:

1. Enroll fewer than 1,000 students;
2. Operate a single school;
3. Serve all students within each grade span with a single school;
4. Demonstrate to, and receive approval from, the United States Department of Education for an exceptional or uncontrollable circumstance.

To demonstrate compliance with the MOEquity provisions, NMPED will implement the following:

1. In December of each year, LEAs will be monitored for local MOEquity based on data reported for each school within the LEA which is subject to the local MOEquity provisions in each state fiscal year (SFY) 2022 and 2023. At this time, NMPED will determine if any LEAs are non-compliant.
2. NMPED will calculate staffing and funding data to ensure compliance with the local MOEquity provisions.
3. By March 31st of each year, LEAs will be required to describe what adjustments they will make to be in compliance prior to the start of the next school year.