



**#259-22**

**Commonwealth of Virginia  
Virginia Department of Education  
Superintendent's Memo #259-22**

DATE: November 4, 2022  
TO: Division Superintendents  
FROM: Jillian Balow, Superintendent of Public Instruction  
SUBJECT: **ARP Act ESSER Local Plans for the Safe Return to In-Person Instruction and Continuity of Services - Six Month Review Requirement**

Per [Section 2001\(i\) of the American Rescue Plan \(ARP\) Act](#) and the [Interim Final Rule on ARP Act Elementary and Secondary School Emergency Relief \(ESSER\) funds](#), school divisions must periodically review and update as necessary local plans for the Safe Return to In-Person Instruction and Continuity of Services as a requirement of receiving ARP Act ESSER formula funds. The review process must occur at least every six months through September 30, 2023.

The third six month review should be completed by **December 1, 2022**. During the plan review process, school divisions must seek public comment on their local plans and must take such comment into account when considering plan revisions. The Office of Federal Pandemic Relief Programs will continue to monitor compliance with this requirement.

**For more information**

Questions about ARP Act ESSER local plans for the Safe Return to In-Person Instruction and Continuity of Services should be directed to [vdoefederalrelief@doe.virginia.gov](mailto:vdoefederalrelief@doe.virginia.gov).

JB/LS