



# West Virginia's State Plan

For the American Rescue Plan  
Elementary and Secondary  
School Emergency Relief Fund

*Submitted to the U.S. Department of Education*

*June 7, 2021*

## Introduction

The American Rescue Plan Elementary and Secondary School Emergency Relief (“ARP ESSER”) Fund, authorized under the American Rescue Plan (“ARP”) Act of 2021, provides nearly \$122 billion to States to support the Nation’s schools in safely reopening and sustaining safe operations of schools while meeting the academic, social, emotional, and mental health needs of students resulting from the coronavirus disease 2019 (“COVID-19”) pandemic. It is particularly important that ARP ESSER funding will enable States and local educational agencies (“LEAs”), and more directly schools, to support students who have been most severely impacted by the COVID-19 pandemic and are likely to have suffered the most because of longstanding inequities in our communities and schools that have been exacerbated by the COVID-19 pandemic.

The U.S. Department of Education (“Department”) is committed to working in partnership with States so that these unprecedented resources are quickly put to work to ensure students have sustained access to in-person instruction and that the resources are used to provide the effective support students need as they persist through and recover from the impacts of the COVID-19 pandemic. The thoughtful and timely use of these funds will have a lasting impact on our Nation’s schools and help to address the inequities in resources, services, and opportunities available to our students.

This template presents an opportunity for States to share their plans for the use of ARP ESSER funds with the public. The Department must approve a State educational agency’s (“SEA’s”) plan in order to make the State’s remaining ARP ESSER allocation available for use. Please note that the Department intends to issue ARP ESSER reporting requirements separately.

## Instructions

Each SEA must provide descriptions and other information that address each requirement listed below. An SEA may use this template or another format as long as every item and element is addressed in the SEA’s response. Throughout this document, questions that refer to an SEA’s ARP ESSER funding are referencing the total allocation to be received by the SEA, including that which it allocates to its LEAs.

Each SEA must submit to the Department by **June 7, 2021**, either: (1) its ARP ESSER plan or (2) the State requirements that preclude submission of the plan by that date and a date by which it will be able to submit its complete ARP ESSER plan.

To submit the SEA’s plan, please email the plan to your Program Officer at [State].OESE@ed.gov (e.g., [Alabama.OESE@ed.gov](mailto:Alabama.OESE@ed.gov)).

In order to ensure transparency, the Department will post each plan on the Department’s website when it is received and will indicate each plan’s approval status.

This template also allows States to fulfill the requirement of the Coronavirus Response and Relief Supplemental Appropriations (“CRRSA”) Act ESSER II 6-month reporting requirement in section 313(f) of the CRRSA Act.


### Grantee and Contact Information

**ARP ESSER PR Award Number:** S425U210036 – West Virginia Department of Education

**SEA Contact:** Michele Blatt, Deputy State Superintendent

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By signing this document, I agree to each of the assurances listed in Appendix C and further assure that: To the best of my knowledge and belief, all information and data included in this plan are true and correct.	
<b>Chief State School Officer or Authorized Representative (Printed Name)</b>  W. Clayton Burch, State Superintendent of Schools	
<b>Signature of Authorized SEA Representative</b> 	<b>Date:</b> June 7, 2021

## A. Describing the State's Current Status and Needs

The Department recognizes the extraordinary efforts made by States, LEAs, and educators to support students during the COVID-19 pandemic. In this section, SEAs will describe the progress they have made, the priorities and student needs guiding their ARP ESSER funding decisions, and their current and projected operating status.

1. Progress and Promising Practices: Provide your assessment of the top 2-3 strategies that have been most effective in supporting the needs of students in your State during the COVID-19 pandemic, especially for students most impacted by the COVID-19 pandemic. Please include, if applicable, how your State will submit and encourage its LEAs to submit lessons learned and best practices to the Department's [\*Safer Schools and Campuses Best Practices Clearinghouse\*](#) so that they can be shared with other States and LEAs.

A.1. West Virginia's top strategies for supporting students during the COVID-19 pandemic have been:

- [Communities In Schools](#) (CIS) was operational in 118 schools across 23 districts at the onset of the pandemic. School leaders in these schools continue to cite how critical the CIS Site Coordinators are to engage and assist struggling students and their families. Based on this success, 37 schools across 8 new districts and 1 current district are working to add the CIS program for the 2021-2022 school year; it is anticipated that additional districts will elect to do so with ARP ESSER resources.
- [Child Nutrition](#) programs have been operational and providing support to West Virginia students from day one of the COVID-19 emergency declaration. Within 48 hours, meal delivery plans were created and have been adapted throughout the summer and school year to ensure that students have access to school meals wherever they are receiving instruction. Between March and December of 2020, over 34 million meals were provided. The [Pandemic EBT](#) program was also initiated in the summer of 2020 and continues to provide electronic food benefits to students currently valued at \$378 million with an estimated \$375 million in additional benefits coming in the summer of 2021.
- [Summer SOLE](#) (Student Opportunities for Learning and Engagement) grants were provided to LEAs from the ESSER II State Activity funds (\$33 million) to offer hands-on, engaging and interactive summer learning experiences that will begin to address students' social-emotional needs and support their recovery from lost learning opportunities. Grant requirements included providing in-person, research-based summer programs lasting at least four weeks (minimum of 4 days/week) with free transportation and meals. The WVDE employed a new Extended Learning Coordinator to provide weekly virtual technical assistance meetings for LEA grant contacts and to coordinate monitoring and data collection. This position will continue to work with extended learning programs throughout all ESSER grant periods.
- [Kids Connect](#) is designed to support the learning needs of children who do not have access to the Internet at their home. By installing the necessary equipment, all public schools, institutions of higher education (IHE), public libraries and state parks have been turned into

Wi-Fi hotspots. From their vehicle, a student can access the Internet to download/upload their homework assignments from 8am to 10pm every day.

The WVDE Office of Communications will coordinate state and LEA contributions to the Safer Schools and Campuses Best Practices Clearinghouse.

2. **Overall Priorities:** Provide your assessment of the top 2-3 issues currently facing students and schools across your State as a result of or in response to the COVID-19 pandemic including, to the extent possible, data illustrating why these are the most critical and/or most widespread issues facing schools and students.

A.2. The top COVID-19 pandemic recovery issues facing West Virginia’s students and schools are:

- **Addressing the social and academic issues of students** who have spent much, or all, of the 2020-2021 school year in remote learning situations. Many have not successfully completed course work and will be lacking in academic skill sets and behavioral skills needed to successfully return to in-person school. Those that chose full-time virtual school will have been out of the school environment for 18 months when they return in the fall of 2021.
  - **Addressing the significant number of secondary learners that failed to earn credits** during the 2020-2021 school year. These students will have both academic and social needs as they struggle to meet graduation requirements.
  - **Addressing the significant loss in academic performance** (based on preliminary 2021 assessment data) in both English language arts and mathematics.
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3. **Identifying Needs of Underserved Students:** Describe your State’s 2-3 highest priority academic, social, emotional, and/or mental health needs for the remainder of the 2020-2021 school year (if applicable) and for the 2021-2022 school year related to the impact of the COVID-19 pandemic on each of the following student groups:
    - i. Students from low-income families,
    - ii. Students from each racial or ethnic group (e.g., identifying disparities and focusing on underserved student groups by race or ethnicity),
    - iii. Gender (e.g., identifying disparities and focusing on underserved student groups by gender),
    - iv. English learners,
    - v. Children with disabilities (including infants, toddlers, children, and youth with disabilities eligible under the Individuals with Disabilities Education Act (“IDEA”)),
    - vi. Students experiencing homelessness,
    - vii. Children and youth in foster care,

- viii. Migratory students, and
- ix. Other groups disproportionately impacted by the pandemic that have been identified by the SEA (e.g., youth involved in the criminal justice system, students who have missed the most in-person instruction during the 2019-2020 and 2020-2021 school years, students who did not consistently participate in remote instruction when offered during school building closures, and LGBTQ+ students).

To the extent possible, this description should include data on indicators such as estimates of the academic impact of lost instructional time,<sup>1</sup> chronic absenteeism, student engagement, and social-emotional well-being.

*Complete the table below, adding rows as necessary, or provide a narrative description.*

**Table A1.**

	<b>Highest priority needs</b>
Students from low-income families	<p>16% opted for full-time virtual learning.</p> <p>Priorities will be:</p> <ol style="list-style-type: none"> <li>1. Assess health/safety, social emotional learning (SEL), and academic status and provide services as needed;</li> <li>2. Re-establish classroom behavioral norms and provide support as needed.</li> </ol>

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<sup>1</sup> For the purposes of the plan, “academic impact of lost instructional time” refers to “learning loss” experienced by students as a result of the COVID-19 pandemic, as referenced in the ARP Act and the CRRSA Act.

	Highest priority needs
Students from each racial or ethnic background used by the State for reporting purposes – please add a row for each racial or ethnic group (e.g., identifying disparities and focusing on underserved student groups by race/ethnicity)	<p>Enrollment Counts:</p> <p>223,600 White, not Hispanic -</p> <p>10,302 Black/African American, not Hispanic -</p> <p>5,087 Hispanic, of any race -</p> <p>1,588 Asian, not Hispanic -</p> <p>201 American Indian/Alaska Native, not Hispanic -</p> <p>111 Native Hawaiian or Pacific Islander, not Hispanic -</p> <p>9,705 Two or more races, not Hispanic</p> <p>-----</p> <p>15% White, not Hispanic -</p> <p>17% Black/African American, not Hispanic -</p> <p>14% Hispanic, of any race -</p> <p>27% Asian, not Hispanic -</p> <p>19% American Indian/Alaska Native, not Hispanic -</p> <p>26% Native Hawaiian or Pacific Islander, not Hispanic -</p> <p>15% Two or more races, not Hispanic -</p> <p>The above listed groups opted for full-time virtual learning.</p> <p>Data from the Spring 2021 School Learning Environment Survey (see A.3.) suggests that all racial/ethnic student groups have been emotionally impacted by the isolation and disruption caused by the pandemic. While percentages of Hawaiian or Pacific Islanders who are sad and worried are significantly higher, the small sample size must be considered before concluding that this group is more impacted than other racial/ethnic groups.</p> <p>Priorities will be:</p> <ol style="list-style-type: none"> <li>1. Assess specific racial/ethnic family fears related to school safety to address concerns and encourage return to in-person instruction;</li> <li>2. Assess health/safety, social emotional learning (SEL), and academic status and provide services as needed;</li> <li>3. Re-establish classroom behavioral norms and provide support as needed.</li> </ol>
Students by gender – please add a row for each gender (e.g., identifying disparities and focusing on underserved student groups by gender)	<p>14% of the State’s males students –</p> <p>17% of the State’s female students –</p> <p>The above listed groups opted for full-time virtual learning.</p> <p>Priorities will be:</p>

	<b>Highest priority needs</b>
	<ol style="list-style-type: none"> <li>1. Assess health/safety, social emotional learning (SEL), and academic status and provide services as needed;</li> <li>2. Re-establish classroom behavioral norms and provide support as needed.</li> </ol>
English learners	<p>13% opted for full-time virtual learning.</p> <p>Priorities will be:</p> <ol style="list-style-type: none"> <li>1. Assess specific family fears related to school safety to address concerns and encourage return to in-person instruction where students can receive sufficient EL services;</li> <li>2. Assess health/safety, social emotional learning (SEL), English language acquisition and academic status and provide services as needed;</li> <li>3. Re-establish classroom behavioral norms and provide support as needed.</li> </ol>
Children with disabilities	<p>13% opted for full-time virtual learning.</p> <p>Priorities will be:</p> <ol style="list-style-type: none"> <li>1. Assess specific family fears related to school safety to address concerns and encourage return to in-person instruction where students can receive sufficient IEP services;</li> <li>2. Assess health/safety, social emotional learning (SEL), and academic status and provide services as needed;</li> <li>3. Re-establish classroom behavioral norms and provide support as needed.</li> </ol>
Students experiencing homelessness	<p>14% opted for full-time virtual learning.</p> <p>Priorities will be:</p> <ol style="list-style-type: none"> <li>1. Assess specific family fears related to school safety as well as other barriers to school attendance and address concerns/barriers and encourage return to in-person instruction where students can receive sufficient services;</li> <li>2. Assess health/safety, social emotional learning (SEL), and academic status and provide services as needed;</li> <li>3. Re-establish classroom behavioral norms and provide support as needed.</li> </ol>
Children and youth in foster care	<p>No data to date on the percentage of foster care student who opted for full-time virtual learning.</p> <p>Priorities will be:</p> <ol style="list-style-type: none"> <li>1. Assess specific family fears related to school safety as well as other barriers to school attendance and address concerns/barriers and</li> </ol>

	<b>Highest priority needs</b>
	<p>encourage return to in-person instruction where students can receive sufficient services;</p> <p>2. Assess health/safety, social emotional learning (SEL), and academic status and provide services as needed;</p> <p>3. Re-establish classroom behavioral norms and provide support as needed.</p>
Migratory students	No data
Other groups of students identified by the State (e.g., youth involved in the criminal justice system, students who have missed the most in-person instruction during the 2019-2020 and 2020-2021 school years, students who did not consistently participate in remote instruction when offered during school building closures, LGBTQ+ students)	<p>Students in the State's non-LEA schools (WV Schools for the Deaf and Blind and the WV Schools for Diversion and Transition) have also had interrupted instruction and services resulting in academic and SEL needs.</p> <p>Students in the State's Multi-County Vocational Schools (MCVCs) have also suffered academically due to lost time to meet clinical instructional hours required for national certification programs.</p> <p>Priorities will be:</p> <ol style="list-style-type: none"> <li>1. Provide additional supports and assistance to ensure uninterrupted instruction in the residential settings;</li> <li>2. Provide additional instructional time for clinical requirements.</li> </ol>

### A.3. From Preliminary data from the Spring 2021 WV School Learning Environment Survey:

Within the past two weeks, how often have you [ ] most of the time or almost always	American Indian / Alaska Native	Asian	Black or African American	Multi-Race	Native Hawaiian or Pacific Islander	White
felt sad?	25.9%	23.8%	30.2%	31.8%	66.7%	27.7%
felt lonely?	25.9%	26.2%	24.4%	31.3%	33.3%	25.8%
felt like not talking to anyone?	41.2%	29.3%	34.9%	38.1%	0.0%	30.9%
had trouble falling asleep?	42.4%	31.0%	33.3%	44.6%	33.3%	33.4%
worried about school work?	43.5%	46.3%	47.6%	56.3%	66.7%	47.6%
felt anxious?	42.2%	33.3%	30.2%	49.2%	33.3%	40.8%
felt like you could not focus in school?	43.5%	21.4%	36.5%	44.7%	33.3%	35.1%

During the past 12 months, did you ...	American Indian / Alaska Native	Asian	Black or African American	Multi-Race	Native Hawaiian or Pacific Islander	White
ever feel so sad or hopeless almost everyday for two weeks or more that you stopped doing some usual activities?	34.50%	43.90	34.50%	44.10%	66.70%	36.20
ever seriously consider attempting suicide?	14.90%	26.80	19.50%	26.00%	33.30%	16.90
make a plan about how you would attempt suicide?	16.10%	19.00	12.60%	22.70%	0.00%	14.00

4. Understanding the Impact of the COVID-19 Pandemic: Describe how the SEA will support its LEAs in identifying the extent of the impact of the COVID-19 pandemic on student learning and student well-being, including identifying the groups of students most impacted by the pandemic. Where possible, please identify the data sources the SEA will suggest its LEAs use in thoughtfully diagnosing areas of need, including data on the academic, social, emotional, and mental health impacts of lost instructional time.

Because state level data collection has also been interrupted during the pandemic, the WVDE has instructed LEAs to rely more on locally collected data such as benchmark assessments, student engagement/school climate surveys, school mental health and Communities In Schools reports, student and staff attendance/enrollment by instructional method, and student Internet/device access. LEAs have been asked to provide information from these sources in their ARP ESSER application presentations and will be expected to include relevant data sets in their ESEA Consolidated Application Needs Assessment moving forward.

Specific WVDE program staff will support LEAs in the disaggregation of data for specific subgroups to ensure that LEAs are identifying all areas of need.

5. School Operating Status: It is essential to have data on how students are learning in order to support the goals of access and equity, especially for student groups that have been disproportionately impacted by the COVID-19 pandemic. Describe the current status of data collection on operational status and mode of instruction of all schools in your State. This description must include:
  - i. A description of to what extent, and how frequently, the State collects now and will collect in the future data for all schools in your State on:
    - a. Mode of instruction: The number of schools in your State that are offering fully remote or online-only instruction; both remote/online and in-person instruction (hybrid model); and/or full-time in-person instruction;
    - b. Enrollment: Student enrollment for all students and disaggregated for each of the student groups described in A.3.i-viii for each mode of instruction; and
    - c. Attendance: Student attendance for all students and disaggregated for each of the student groups described in A.3.i-viii for each mode of instruction.

A.5.i.a. The pandemic has brought many changes to our students' lives, one of which is how schools conduct their daily operations. Across West Virginia, questions are being considered concerning virtual learning vs. in-person learning on student success, social emotional support, achievement gaps, and the list continues.

To address these questions and best support our students, the West Virginia Department of Education (WVDE) initiated data collections to access information from school districts on:

- Number of In-Person learners at each school, and
- Instructional modality by week for each (i.e., fully in-person, blended, fully remote, no school).

The following definitions were used for these collections:

- **In-Person Learners:** Number of students whose caregiver opted for the student to receive instruction in the school facilities on their designated days when school facilities were open.
- **Off-Site Learners:** Number of students whose caregiver opted for the student to receive instruction in the school facilities 0 days a week.
- **Fully In-Person:** 5 days per week in school buildings.
- **Blended:** Mix of online and in-person instruction.
- **Fully Remote:** School facilities were closed and no in-person instruction occurred for the general student population.
- **No School:** Schools and offices were closed (e.g., holiday or similar breaks). No instruction occurred for the student population.

These collections are to be conducted for each of four 9-week grading periods of which the 180-day academic year consists.

A.5.i.b. The WVDE administers and supports a statewide student information system, the West Virginia Education Information System (WVEIS). All local education agencies (LEAs) are required by law to use this system to maintain detailed student education records, including demographic characteristic, enrollment status, academic schedules and grades, and other relevant information. Using information gathered by the collections described in A.5.i.a., it is possible to derive estimates of enrollment information for each mode of instruction, disaggregated for most of the student groups described in A.3.i-viii.

A.5.i.c. Attendance by mode of instruction, disaggregated for most of the student groups described in A.3.i-viii, may also be determined by the process described in A.5.i.b.

- ii. The data described in A.5.i.a. and b. using the template in Appendix A (and to the extent available, the data described in A.5.i.c.) for the most recent time period available. Please note that this data can be submitted separately within 14 calendar days after a State submits this plan. The SEA must also make this data publicly available on its website as soon as possible but no later than June 21, 2021, and regularly provide updated available information on its website. The Department will periodically review data listed in A.5.i on SEA websites.

A.5.ii. See Appendix A.

- iii. To the extent available, a description of the planned operational status and mode of instruction for the State and its LEAs for Summer 2021 and for the 2021-2022 school year.

A.5.iii. The current and planned operational status and mode of instruction for West Virginia's 55 LEAs is:

- All 55 LEAs in West Virginia will provide in-person summer learning opportunities in 2021.
- Barring any significant change in COVID-19 infection rates for the State, it is the expectation of the West Virginia Board of Education that all 55 LEAs will provide in-person instruction 5 days per week when the 2021-2022 school year begins.
- For the 2021-2022 school year, restrictions are being placed on the use of the West Virginia Virtual School platform limiting use only to grades 6-12 and only for courses where certified teachers are not available or where class enrollment is too low to provide a school-based instructor. This is to assure that students enrolling in self-paced full-time virtual education can be successful.
- For the 2021-2022 school year, LEAs may offer district owned virtual/remote learning options.

#### **B. Safely Reopening Schools and Sustaining their Safe Operations**

The Department recognizes that safely reopening schools and sustaining their safe operations to maximize in-person instruction is essential for student learning and student well-being, and especially for being able to address the educational inequities that have been worsened by the COVID-19 pandemic. In this section, SEAs will describe how they will support their LEAs in this vital area.

1. Support for LEAs: Describe how the SEA will support its LEAs in safely returning to in-person instruction and sustaining the safe operation of schools. This description must include:
  - i. How the SEA will support its LEAs implementing, to the greatest extent practicable, prevention and mitigation policies in line with the most up-to-date guidance from the Centers for Disease Control and Prevention ("CDC") for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff;

*Complete the table below, adding rows as necessary, or provide a narrative description.*

B.1.i. On March 4, 2020, West Virginia Governor Jim Justice issued a State of Preparedness for COVID-19 and on March 5, 2020, the WVDE launched the [www.wvde.us/COVID19](http://www.wvde.us/COVID19) website to provide support to the State's 55 LEAs and to keep families and interested citizens informed of how the State's public schools were addressing the various educational concerns raised

throughout the pandemic. This website is a living source of information that continues to be updated as new information is released by state and federal agencies.

On March 13, 2020, Governor Justice ordered all schools to close and engage students in remote learning; this continued for the remainder of the 2019-2020 school year. In preparation for the 2020-2021 school year, the WVDE convened the [School Recovery Advisory Council](#); a [diverse group of stakeholders](#) to consult on the development of the State's [School-Recovery-and-Guidance.pdf \(wvde.us\)](#) which outlines the rules under which schools operate during the COVID-19 pandemic. The Emergency Declaration issued by Governor Justice on March 13, 2020, allowed for the *Roadmap* document to be enforced as policy governing all of the State's public schools. Under the emergency declaration, there was no requirement for public comment; however, the diverse stakeholder group that contributed to the development of this document included school administrators from all levels, teacher and service personnel organizations, parent organizations and student advocacy groups. In compliance with the ARP ESSER regulations, the WVDE will place the latest revision of the *Roadmap* document on public comment on or before June 18, 2021, to coincide with changes being made to the Governor's Executive Orders related to mask requirements and other mitigation strategies. The public comment log will be forwarded to the U.S. Department of Education after the comment period closes.

**Table B1.**

<b>Mitigation strategy</b>	<b>SEA response</b>
Universal and correct wearing of masks	<a href="#">School-Recovery-and-Guidance.pdf (wvde.us)</a>
Physical distancing (e.g., including use of cohorts/podding)	<a href="#">School-Recovery-and-Guidance.pdf (wvde.us)</a> Pages 5-6
Handwashing and respiratory etiquette	<a href="#">School-Recovery-and-Guidance.pdf (wvde.us)</a> Page 5
Cleaning and maintaining healthy facilities, including improving ventilation	<a href="#">School-Recovery-and-Guidance.pdf (wvde.us)</a> Page 5
Contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments	<a href="#">School-Recovery-and-Guidance.pdf (wvde.us)</a> Pages 6-7
Diagnostic and screening testing	The WVDE worked with the WV Bureau for Public Health to secure CDC funding to support school based COVID-19 testing programs.
Efforts to provide vaccinations to educators, other staff, and students, if eligible	<a href="#">Important Information on Student Vaccinations - West Virginia Department of Education (wvde.us)</a>

Mitigation strategy	SEA response
	<a href="#">School-Recovery-and-Guidance.pdf (wvde.us)</a> Page 3
Appropriate accommodations for children with disabilities with respect to the health and safety policies	The State's mask requirements were eliminated on June 20, 2021; eliminating the need for accommodations for students with disabilities.

- ii. Any Statewide plans, policies, estimated timelines, and specific milestones related to reopening and operation of school facilities, including any mechanisms the SEA will use to track, monitor, or enforce their implementation;

B.1.ii. [COVID Recovery Timeline - West Virginia Department of Education \(wvde.us\)](#)

In addition to the state level [School-Recovery-and-Guidance.pdf \(wvde.us\)](#) document, the WVDE also posts:

- LEA school recovery plans [County Recovery Plans - West Virginia Department of Education \(wvde.us\)](#), and
- LEA school outbreak information [COVID-19 Outbreaks in State Public Schools - West Virginia Department of Education \(wvde.us\)](#)

- iii. To what extent the SEA and its LEAs consult with Federal, State, and local health officials. This description should include, if available, whether the SEA and its LEAs have received support for screening testing from their State or local health department based on funding awarded by the CDC; and

B.1.iii. [School-Recovery-and-Guidance.pdf \(wvde.us\)](#)

- mitigation strategies,
- contact tracing and quarantine protocols,
- school closure protocols,
- vaccination clinics, and
- COVID-19 testing programs.

- iv. Any guidance, professional learning, and technical assistance opportunities the SEA will make available to its LEAs.

B.1.iv. The WVDE has provided multiple professional learning and technical assistance opportunities to its LEAs throughout the pandemic. The State Superintendent held a minimum of two Teams meetings each week with district superintendents at the beginning of the State of Emergency to review new information and guidance. The frequency of meetings has fluctuated as needed throughout the pandemic. Program specific professional development has been offered to LEA professional staff such as school business officials, district directors of federal programs, curriculum, special education, and child nutrition, and school nurses. The WVDE also provided a virtual Educator Summit in August of 2020 to provide just in time support for

instructional and professional support staff on strategies for engaging students in remote learning environments. The virtual Educator Summit will be conducted in 2021 with a focus on addressing lost learning opportunities and providing appropriate acceleration strategies.

2. Safe Return to In-Person Instruction and Continuity of Services Plans: Describe how the SEA will ensure that its LEAs that receive ARP ESSER funds meet the requirements in section 2001(i) of the ARP Act and the requirements relating to the ARP ESSER funds published in the Federal Register and available at <https://oese.ed.gov/offices/american-rescue-plan/american-rescue-plan-elementary-and-secondary-school-emergency-relief/> (ARP ESSER requirements) to either: (a) within 30 days of receipt of the funds, develop and make publicly available on the LEA's website a plan for the safe return to in-person instruction and continuity of services, or (b) have developed and made publicly available on the LEA's website such a plan that meets statutory requirements before the enactment of the ARP Act, including:
  - i. How the SEA will ensure that each LEA plan includes, or will be modified to include, the extent to which it has adopted policies and a description of any such policies on each of the strategies listed in table B1;
  - ii. How the SEA will ensure that each LEA plan describes how it will ensure continuity of services including but not limited to services to address the students' academic needs, and students' and staff social, emotional, mental health, and other needs, which may include student health and food services;
  - iii. How the SEA will ensure that the LEA periodically reviews, no less frequently than every six months for the duration of the ARP ESSER grant period (i.e., through September 30, 2023),<sup>2</sup> and revises as appropriate, its plan, and how the SEA will ensure that the LEA seeks public input, and takes such input into account on (1) whether revisions are necessary and, if so, (2) the revisions to the plan; and
  - iv. Describe, to the extent the SEA collects it, information about LEA implementation, to the greatest extent practicable, of each element of the most up-to-date CDC guidance listed in table B1 and its LEAs' needs for support and technical assistance to implement strategies consistent, to the greatest extent practicable, with relevant CDC guidance.

B. 2. Each LEA in the State of West Virginia is bound by the Governor's March 2020 COVID-19 Emergency Declaration to follow the school re-entry plan outlined in the [School-Recovery-and-Guidance.pdf \(wvde.us\)](#). This plan was originally posted in July 2020 and has been revised as needed every time CDC guidance for safe in-person instruction has been updated. The *Roadmap* document was not placed on public comment because the Emergency Declaration

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<sup>2</sup> ARP ESSER funds are subject to the Tydings amendment in section 421(b) of the General Education Provisions Act, 20 U.S.C. 1225(b), and are therefore available to SEAs and LEAs for obligation through September 30, 2024. Review and revisions of these plans, if necessary, are not required during the Tydings period.

made it binding policy without traditional policy enactment procedures. However, the latest update of the document will be released on or before June 18, 2021 to provide updated guidance for summer 2021 and beyond and coincide with changes in the Governor's Executive Order related to mitigation strategies. That version will be placed on public comment to comply with ARP ESSER requirements. A comment log and summary of resulting changes will be provided to the U.S. Department of Education at the close of the comment period. Each LEA will be required to adopt the updated *Roadmap* document as a minimum requirement or with increased requirements and post locally for public comment. Documentation of the local comment logs will be included in the LEA process to apply for ARP ESSER funding. A review of the document will show how the WVDE and the State's LEAs will comply with the ARP ESSER requirement.

B.2.i. The *Roadmap* document includes COVID-19 transmission mitigation strategies that are consistent with current CDC school guidance.

B.2.ii. The *Roadmap* document and the LEA ARP ESSER Application Presentations include strategies for how LEAs will ensure continuity of services including academic, social emotional and other needs of students and staff.

B.2.iii. To the extent that the state remains under the Governor's Emergency Declaration, the WVDE will continue to review and revise the *Roadmap* document every six months or more frequently, if necessary, to stay consistent with current CDC school guidance. Under the Emergency Declaration, LEAs are legally bound to implement the current version of the *Roadmap*. If the Emergency Declaration is lifted, the WVDE will continue to complete document updates every six months and provide those to the LEAs. The WVDE will monitor LEAs to ensure that they have current documents posted on their websites and that they adhere to public comment processes throughout the ARP ESSER grant period.

B.2.iv. The WVDE does not collect standardized data from LEAs on their implementation of the CDC mitigation strategies listed in table B1. WVDE staff field informal communications from LEA staff to clarify guidance and provide technical support. In addition, the WVDE has provided a COVID-19 education website and phone hotline throughout the 2020-2021 school year to address questions and concerns from the public; many of these concerns involve the mitigation strategies listed in table B1. When concerns related to specific LEAs are brought to the hotline, the WVDE provides support and guidance to correct implementation errors.

The WVDE will continue to collaborate with the WV Bureau for Public Health to report school [outbreaks](#) and other relevant COVID-19 tracking for as long as the federal and state public health officials deem it necessary to do so.

### **C. Planning for the Use and Coordination of ARP ESSER Funds**

The Department recognizes that seeking input from diverse stakeholders is essential to developing plans for the use of ARP ESSER funds that are responsive to the needs of students, families, and educators. In this section, SEAs will describe their plans for

consultation and for coordinating the use of ARP ESSER funds with other resources to meet the needs of students.

1. SEA Consultation: Consistent with the ARP ESSER requirements, describe how the SEA engaged in meaningful consultation with stakeholders, and incorporated input into its plan, including, but not limited to:
  - i. students;
  - ii. families;
  - iii. Tribes (if applicable);
  - iv. civil rights organizations (including disability rights organizations);
  - v. school and district administrators (including special education administrators);
  - vi. superintendents;
  - vii. charter school leaders (if applicable);
  - viii. teachers, principals, school leaders, other educators, school staff, and their unions; and
  - ix. stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children and youth in foster care, migratory students, children who are incarcerated, and other underserved students.

The description must include how the SEA provided the public the opportunity to provide input in the development of the plan, a summary of the input (including any letters of support), and how the SEA took such input into account.

C.1. The [Superintendent's Education Advisory Team \(SEAT\)](#) was established in 2021. The SEAT will provide the WVDE insight to understand the landscape facing our students, educators, staff, and families more fully, while also serving an advisory role during this most critical time of recovery and beyond. With a shared spirit of accountability, effective communication, and action, the SEAT will be a part of solutions moving forward to best serve the needs of children and to ensure the education system meets the needs of our state. The SEAT includes teachers, school staff, principals, school district administrators, parents, and student advocacy groups.

The SEAT members completed a survey and participated in small group discussions which led to a summary report titled [Views from the SEAT](#). This report has informed the development of the WVDE's ARP ESSER plan.

The State Superintendent, along with senior staff from Teaching and Learning, Federal Programs and Support, and Legal Services, conducted school visits to thirteen of the State's 55 LEAs during the 2020-2021 school year. Most of the visits were conducted after the return to full-time in-person instruction in February 2021. These visits included focus groups with students, school staff and administrators to discuss concerns and needs related to each school's re-entry plan and hopes for post-COVID learning. The input from these discussions has been integral to the development of the WVDE ARP ESSER plan.

In addition, the plan will be placed on public comment and comments will be logged and used to make plan revisions as deemed appropriate. Due to the compressed timeline for submission of the ARP ESSER plan, the comment period will overlap with the submission date and comments will be incorporated (as needed) through revisions prior to approval of the State's ARP ESSER Application.

2. Coordinating Funds: Describe to what extent the SEA has and will coordinate Federal COVID-19 pandemic funding and other Federal funding. This description must include:

- i. How the SEA and its LEAs 1) are using or have used prior to the submission of this plan and 2) plan to use following submission of this plan, Federal COVID-19 funding under the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and the CRRSA Act to support a safe return to and safely maximize in-person instruction, sustain these operations safely, and address the disproportionate impact of the COVID-19 pandemic on individual student groups (including students from low-income families, children with disabilities, English learners, racial or ethnic minorities, students experiencing homelessness, children and youth in foster care, and migratory students);

*Complete the table below or provide a narrative description.*

**Table C1.**

<b>Funding source</b>	<b>Prior/current SEA and LEA uses (including funding amounts, if applicable)</b>	<b>Planned SEA and LEA uses (including funding amounts, if applicable)</b>
ESSER I (CARES Act)	<p><b>WVDE Uses:</b></p> <ol style="list-style-type: none"> <li>1. \$3.8 million on installation of Wi-Fi hotspots at every public school, library, IHE for use by students across the state;</li> <li>2. \$3.8 million in competitive grants to LEAs for additional educational technology needs;</li> <li>3. \$682 thousand on grants to the WV Schools for the Deaf &amp; Blind and the WV Schools for Diversion &amp; Transition for COVID-19 needs;</li> <li>4. \$260 thousand for Mental Health First Aid; and</li> <li>5. \$20 thousand on administrative activities.</li> </ol> <p><b>LEA Uses:</b></p> <ol style="list-style-type: none"> <li>1. educational technology;</li> <li>2. PPE;</li> </ol>	N/A - all funds have been obligated

<b>Funding source</b>	<b>Prior/current SEA and LEA uses (including funding amounts, if applicable)</b>	<b>Planned SEA and LEA uses (including funding amounts, if applicable)</b>
	3. cleaning supplies and overtime for custodial staff; and 4. 4) coordination of food services	
GEER I (CARES Act)	<b>WVDE Uses:</b> 1. \$292 thousand for Communities In Schools; 2. \$1.9 million in support for non-public school COVID-19 needs; 3. \$2.4 million for unprecedented costs of WV Virtual Schools. <b>LEA Uses:</b> 1. \$2.18 million for Communities In Schools	N/A - all funds have been obligated
ESSER II (CRRSA Act)	<b>WVDE Uses:</b> 1. \$33.9 million for LEA Summer SOLE grants <b>LEA Uses:</b> 1. educational technology; 2. air quality improvement projects; 3. PPE; and 4. 4) salaries	N/A - all funds have been obligated
GEER II (CRRSA Act)	N/A – have not received GEER II funding	N/A

- ii. To what extent ESSER I and ESSER II funds have been awarded to LEAs and, if funds have not yet been made available to LEAs, when they will be. In addition, please provide any available information on the total dollar amounts of ESSER I and ESSER II funds that have been obligated but not expended by the SEA and its LEAs, including whether the SEA is able to track LEA obligations.

C.2.ii. The SEA does not have the ability to track LEA obligations until the LEA closes each month's transaction (usually lagging actual transactions by at least 30 days).

The total dollar amount of funds that have been obligated but not expended by the SEA are:

- ESSER I - \$12,950,638.50
- ESSER II - \$330,658,544.43

- iii. In supporting LEAs as they plan for the safe return to and continuity of in-person instruction and for meeting the academic, social, emotional, and mental health needs of students resulting from the COVID-19 pandemic, the extent to which the SEA is also using

other Federal funding sources including but not limited to under the Elementary and Secondary Education Act of 1965 (“ESEA”), IDEA, Workforce Innovation and Opportunity Act (“WIOA”), funding for child nutrition services, and McKinney-Vento Homeless Assistance Act, and the funds to support the needs of students experiencing homelessness provided by section 2001(b)(1) of the ARP Act.<sup>3</sup>

C.2.iii. Throughout the pandemic, the WVDE has continued to administer all federal programs listed in C.2.iii. To the extent possible, the WVDE has provided guidance and support to LEAs in the appropriate utilization of federal program funding to support the needs of students and staff during the COVID-19 pandemic. For example:

- The WVDE Office of Child Nutrition launched LEA supports on March 13, 2020, that supported the creation of meal delivery programs in all 55 LEAs within 48 hours of the Governor closing all schools. All LEAs continued meal service/delivery throughout the summer of 2020 and during times of remote learning throughout the 2020-2021 school year. In addition, the WVDE Office of Child Nutrition also established the Pandemic EBT program that has provided approximately \$378 million in food benefits to West Virginia students and an anticipated \$375 million in summer 2021 benefits.
- The WVDE has applied for and received multiple ABE, CTE, ESEA and IDEA waivers throughout the pandemic and has provided LEAs with technical support in the appropriate application of those waivers to better meet the needs of students and staff served by the programs. Additional assistance was provided to LEAs in the use of ESEA funds (where appropriate) to meet immediate needs in the initial stages of the COVID-19 school closures and remote learning efforts.
- The WVDE is currently awaiting spending authority from the state legislature to utilize the discretionary portion of the ARP Homeless Children and Youth funding. Data is currently being collected from McKinney-Vento grantees and other LEAs to assess additional needs.

#### **D. Maximizing State-Level Funds to Support Students**

The Department recognizes that States have an extraordinary opportunity to address the disproportionate impact of the COVID-19 pandemic on underserved students through the ARP Act’s required State set-asides to address the academic impact of lost instructional time, provide summer learning and enrichment programs, and provide comprehensive afterschool programs. In this section, SEAs will describe their evidence-based strategies for these resources.

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<sup>3</sup> Please note that the needs of students experiencing homelessness must be addressed (along with the other groups disproportionately impacted by the COVID-19 pandemic) through the use of the ARP ESSER SEA reservations and the required LEA reservation for the academic impact of lost instructional time; the funding provided to support the needs of students experiencing homelessness by section 2001(b)(1) of the ARP Act is in addition to the supports and services provided with ARP ESSER funds.

1. Academic Impact of Lost Instructional Time: Describe how the SEA will use the funds it reserves under section 2001(f)(1) of the ARP Act (totaling not less than 5 percent of the State’s total allocation of ARP ESSER funds) on evidence-based interventions to address the academic impact of lost instructional time by supporting the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students’ academic, social, emotional, and mental health needs. The description must include:
  - i. A description of the evidence-based interventions (e.g., providing intensive or high-dosage tutoring, accelerating learning) the SEA has selected, and the extent to which the SEA will evaluate the impact of those interventions on an ongoing basis to understand if they are working;

D.1.i. The WVDE opted to grant 5% of the State’s total ARP ESSER allocation (which was set aside to address the academic impact of lost instructional time) to LEAs using a formula based on adjusted enrollment counts. This was done to ensure that the greatest percentage of funding is focused on direct services to students. LEAs will include these funds with the LEA funds (20%) set aside for the same purpose. The LEAs will select the specific evidence-based interventions that meet the needs of their students.

The SEA will support LEA efforts through professional development and technical assistance. The SEA utilizes Technical Assistance Centers (TAC) to increase agency capacity to provide technical assistance in implementation of evidence-based interventions. Currently, three TACs are in operation in collaboration with Marshall University:

- WVDE TAC for Early and Elementary Learning (PK-5)
- WVDE TAC for Behavioral and Mental Health (PK-12)
- WVDE TAC for Accessibility and Transitions (PK-12)

Two additional TACs will be created in collaboration with West Virginia University using the ARP ESSER State Activity funds:

- WVDE TAC for Grades 6-12 STEAM
- WVDE TAC for Student Support and Well-Being (PK-12)

The WVDE will develop data collection systems to monitor the impact of ESSER supported interventions and the TACs will provide LEAs support in the data collection and analysis process.

- ii. How the evidence-based interventions will specifically address the disproportionate impact of COVID-19 on certain groups of students, including each of the student groups listed in question A.3.i.-viii. When possible, please indicate which data sources the SEA will use to determine the impact of lost instructional time; and

D.1.ii. Each TAC has been developed to address specific needs and/or groups of students who traditionally need additional instructional or behavioral supports. Based on preliminary data, these same groups of students have been disproportionately impacted by COVID-19. Specific state level data sources used include:

- Preliminary General Summative Assessment data
- End of semester transcribed grades (first semester 2020)
- WV Virtual School data

LEAs have also used the following data sources:

- Local benchmark assessment data
- Attendance/remote log-on data
- Behavioral data
- Course failure data
- School climate survey data
- Student support service delivery data

The WVDE TAC for Early and Elementary Learning is focused on providing support for quality early childhood programs designed to counterbalance the effects of poverty on early childhood development. This program directly impacts disadvantaged students.

The WVDE TAC for Behavioral and Mental Health is focused on providing support for school-based mental health programs and helping schools implement positive behavior support programs. This assistance addresses the needs of multiple groups of students listed in A.3.i.-viii.

The WVDE TAC for Accessibility and Transitions is focused on providing support for students with disabilities to ensure that they have appropriate support and accommodations to access quality instruction.

The WVDE TAC for Grades 6-12 STEAM will be focused on providing students and teachers access to quality STEAM programs, resources, and professional development. Specific attention will be given to bring these STEAM opportunities to disadvantaged students, female students, and students in racial/ethnic groups that may not have a background rich in STEAM content.

The WVDE TAC for Student Support and Wellbeing will be focused on supporting the expansion of the Communities In Schools (CIS) program and incorporating various student support service programs within the framework of CIS. The CIS framework supports the provision of targeted services to students experiencing homelessness, children in foster care, students living in poverty, and other student that may be experiencing difficulties at school or at home.

- iii. The extent to which the SEA will use funds it reserves to identify and engage 1) students who have missed the most in-person instruction during the 2019-2020 and 2020-2021 school years; and 2)

students who did not consistently participate in remote instruction when offered during school building closures.

D.1.iii. The WVDE and the LEAs will focus on the data sets listed in D.1.ii. and target programs toward students identified as unsuccessful based on those data sets. It is expected, based on preliminary data, that the students who have missed the most in-person instruction and did not consistently participate in remote instruction will be among the students targeted for interventions; however, that is not an exclusive factor for selection.

2. Evidence-Based Summer Learning and Enrichment Programs: Describe how the SEA will use the funds it reserves under section 2001(f)(2) of the ARP Act (totaling not less than 1 percent of the State's total allocation of ARP ESSER funds) for evidence-based summer learning and enrichment programs, including those that begin in Summer 2021, and ensure such programs respond to students' academic, social, emotional, and mental health needs. The description must include:
  - i. A description of the evidence-based programs that address the academic, social, emotional, and mental health needs of students (e.g., providing intensive or high-dosage tutoring, accelerating learning) the SEA has selected, and the extent to which the SEA will evaluate the impact of those programs;

D.2.i. The WVDE opted to grant 1% of the State's total ARP ESSER allocation (which was set aside to address summer learning and enrichment) to LEAs using a formula based on adjusted enrollment counts. This was done to ensure that the greatest percentage of funding is focused on direct student services. The WVDE dedicated the entire portion of ESSER II State Activity funding to LEAs for Summer SOLE (Student Opportunities for Learning and Engagement) grants to begin implementing evidence-based extended learning interventions in the summer of 2021 and continue with afterschool and summer programs throughout the ESSER II grant period. LEAs will include the ARP ESSER summer learning and enrichment funds with their Summer SOLE funds to continue implementing evidence-based summer programs throughout the ESSER grant periods. The LEAs will select specific evidence-based interventions that meet the needs of their students.

The SEA will continue to support LEA efforts through professional development and technical assistance from the various TACs described in D.1.ii. In addition, the WVDE has employed a Coordinator for Extended Learning in the Office of Federal Programs and Support. This coordinator works alongside the 21<sup>st</sup> Century Community Learning Center (CCLC) staff to provide additional technical assistance and support to LEAs in the development of evidence based extended learning.

The WVDE will develop data collection systems to monitor the impact of ESSER supported interventions and the TACs will provide LEAs support in the data collection and analysis process.

- ii. How the evidence-based programs will specifically address the disproportionate impact of COVID-19 on certain groups of students, including each of the student groups listed in question A.3. i.--viii. When possible, please indicate which data sources the SEA will use to identify students most in need of summer learning and enrichment programs; and

D.2.ii. LEAs will provide summer learning and enrichment opportunities to all students. Specifically, students with disabilities will be offered Extended Year Services (EYS) and, to the extent possible, EYS will be offered in conjunction with summer enrichment programs so students with disabilities can participate in both opportunities.

Transportation and meals are required to be provided for all Summer SOLE programs and will continue to be provided throughout the ESSER grant periods. Other support services such as health services and counseling are also being offered in some summer programs. This will ensure that disadvantaged students in various subgroups will be able to participate and will receive other needed services while in attendance.

- iii. The extent to which the SEA will use funds it reserves to identify and engage 1) students who have missed the most in-person instruction during the 2019-2020 and 2020-2021 school years; and 2) students who did not consistently participate in remote instruction when offered during school building closures.

D.2.iii. The WVDE and the LEAs will focus on the data sets listed in D.1.ii. and target programs toward students identified as unsuccessful based on those data sets. It is expected, based on preliminary data, that the students who have missed the most in-person instruction and did not consistently participate in remote instruction will be among the students targeted for interventions; however, that is not an exclusive factor for selection.

- 3. Evidence-Based Comprehensive Afterschool Programs: Describe how the SEA will use the funds it reserves under section 2001(f)(3) of the ARP Act (totaling not less than 1 percent of the State's total allocation of ARP ESSER funds) for evidence-based comprehensive afterschool programs (including, for example, before-school programming), and ensure such programs respond to students' academic, social, emotional, and mental health needs. The description must include:
  - i. A description of the evidence-based programs (e.g., including partnerships with community-based organizations) the SEA has selected, and the extent to which the SEA will evaluate the impact of those programs;

D.3.i. The WVDE opted to grant 1% of the State's total ARP ESSER allocation (which was set aside to address afterschool programs) to LEAs using a formula based on adjusted enrollment counts. This was done to ensure that the greatest percentage of funding is focused on direct student services. The WVDE dedicated the entire portion of ESSER II State Activity funding to LEAs for Summer SOLE (Student Opportunities for Learning and Engagement) grants to begin implementing evidence based extended learning programs in the summer of 2021 and continue with afterschool and summer programs throughout the ESSER II grant period. LEAs will include the ARP ESSER afterschool funds with their Summer SOLE funds to continue implementing evidence-based afterschool programs. The LEAs will select specific evidence-based interventions that meet the needs of their students.

The SEA will continue to support LEA efforts through professional development and technical assistance from the various TACs described in D.1.ii. In addition, the WVDE has employed a Coordinator for Extended Learning in the Office of Federal Programs and Support. This coordinator works alongside the 21<sup>st</sup> Century Community Learning Center (CCLC) staff to provide additional technical assistance and support to LEAs in the development of evidence based extended learning.

The WVDE will develop data collection systems to monitor the impact of ESSER supported interventions and the TACs will provide LEAs support in the data collection and analysis process.

- ii. How the evidence-based programs will specifically address the disproportionate impact of COVID-19 on certain groups of students, including each of the student groups listed in question A.3.i.-viii. When possible, please indicate which data sources the SEA will use to identify students most in need of comprehensive afterschool programming; and

D.3.ii. Transportation and meals are required to be provided for all Summer SOLE extended learning programs and will continue to be provided through the ESSER funding periods. This will ensure that disadvantaged students in various subgroups will be able to participate and will receive other needed services while in attendance.

- iii. the extent to which the SEA will use funds it reserves to identify and engage 1) students who have missed the most in-person instruction during the 2019-2020 and 2020-2021 school years; and 2) students who did not consistently participate in remote instruction when offered during school building closures.

D.3..iii. The WVDE and the LEAs will focus on the data sets listed in D.1.ii. and target programs toward students identified as unsuccessful based on those data sets. It is expected, based on preliminary data, that the students who have missed the most in-person instruction and did not

consistently participate in remote instruction will be among the students targeted for interventions, that is not an exclusive factor for selection.

4. Emergency Needs: If the SEA plans to reserve funds for emergency needs under section 2001(f)(4) of the ARP Act to address issues responding to the COVID-19 pandemic, describe the anticipated use of those funds, including the extent to which these funds will build SEA and LEA capacity to ensure students' and staff's health and safety; to meet students' academic, social, emotional, and mental health needs; and to use ARP ESSER funds to implement evidence-based interventions.

D.4. The WVDE will utilize the remaining 3% of the total ARP ESSER allocation on the following:

- Up to 0.5% on administrative costs only as necessary;
- Establish two new TACs at West Virginia University for STEAM and Student Support and Well-being;
- WVDE technology infrastructure upgrades and programming to build capacity for ESSER data collection;
- Upgrade the WV Virtual School platform;
- Provide funding to non-LEA public schools (WV Schools for the Deaf & Blind and WV Diversion and Transition Schools) to prevent, prepare for and respond to COVID-19; and
- Other needs not yet identified.

#### **E. Supporting LEAs in Planning for and Meeting Students' Needs**

The Department recognizes that the safe return to in-person instruction must be accompanied by a focus on meeting students' academic, social, emotional, and mental health needs, and by addressing the opportunity gaps that existed before – and were exacerbated by – the pandemic. In this section, SEAs will describe how they will support their LEAs in developing high-quality plans for LEAs' use of ARP ESSER funds to achieve these objectives.

1. LEA Plans for the Use of ARP ESSER Funds: Describe what the SEA will require its LEAs to include in LEA plans consistent with the ARP ESSER requirements for the use of ARP ESSER funds, how the SEA will require such plans to be made available to the public, and the deadline by which the LEA must submit its ARP ESSER plan (which must be a reasonable timeline and should be within no later than 90 days after receiving its ARP ESSER allocation). The LEA plans must include, at a minimum:
  - i. The extent to which and how the funds will be used to implement prevention and mitigation strategies that are, to the greatest extent practicable, in line with the most recent CDC guidance, in order to continuously and safely operate schools for in-person learning;
  - ii. How the LEA will use the funds it reserves under section 2001(e)(1) of the ARP Act (totaling not less than 20 percent of the LEA's total

allocation of ARP ESSER funds) to address the academic impact of lost instructional time through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs;

- iii. How the LEA will spend its remaining ARP ESSER funds consistent with section 2001(e)(2) of the ARP Act; and
- iv. How the LEA will ensure that the interventions it implements, including but not limited to the interventions under section 2001(e)(1) of the ARP Act to address the academic impact of lost instructional time, will respond to the academic, social, emotional, and mental health needs of all students, and particularly those students disproportionately impacted by the COVID-19 pandemic, including students from low-income families, students of color, English learners, children with disabilities, students experiencing homelessness, children and youth in foster care, and migratory students.

E.1. The WVDE developed the [ARP ESSERF Application Process](#) which outlines LEA requirements for LEA ARP ESSER plans. The process includes:

1. ARP ESSER Technical Application Webinar to review application requirements and fiscal requirements.
2. An initial grant award (May 24, 2021) to each LEA containing 25% of their ARP ESSER allocation – in compliance with the requirement to make funds available within 60 days of the SEA receiving funds.
3. In-person presentation, by each LEA, to explain their ARP ESSER plans to a WVDE leadership team representing multiple relevant program areas.
4. Submission of an ARP ESSER Application within the WVDE's electronic Grants and Planning System (GPS) including a detailed budget, digital copies of the LEA's ARP ESSER plan presentation, public comment log, [Construction Assurances](#) (if applicable) and [ARP ESSER Construction Addendum](#) (if applicable). Deadline for this submission is August 1, 2021.
5. Release of a revised grant award making 100% of the allocation available to LEAs with approved applications.

The items in E.1.i-iv. must be covered in the LEA ARP ESSER presentation and ARP ESSER Application in GPS before the WVDE will approve the application and revised the LEA grant award making 100% of the funding available.

2. LEA Consultation: Describe how the SEA will, in planning for the use of ARP ESSER funds, ensure that, consistent with the ARP ESSER requirements], its LEAs engage in meaningful consultation with stakeholders, including, but not limited to:
  - i. students;
  - ii. families;

- iii. school and district administrators (including special education administrators); and
- iv. teachers, principals, school leaders, other educators, school staff, and their unions.

The LEA must also engage in meaningful consultation with each of the following to the extent present in or served by the LEA:

- i. Tribes;
- ii. civil rights organizations (including disability rights organizations); and
- iii. stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children and youth in foster care, migratory students, children who are incarcerated, and other underserved students.

The description must also include how the SEA will ensure that LEAs provide the public the opportunity to provide input in the development of the LEA's plan for the use of ARP ESSER funds and take such input into account.

E.2. Pages 3-10 of the ARP ESSERF Application Process provides LEAs with a guide to planning for effective use of ARP ESSER funding. This guide includes the inclusion of stakeholder input. In addition, page 13 of the document provides the requirements for the ARP ESSER public comment process. Each LEA must upload a digital copy of their ARP ESSER public comment log to their ARP ESSER Application in GPS.

3. Describe how the SEA will support and monitor its LEAs in using ARP ESSER funds. The description must include:
  - i. How the SEA will support and monitor its LEAs' implementation of evidence-based interventions that respond to students' academic, social, emotional, and mental health needs, such as through summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs – including the extent to which the SEA will collect evidence of the effectiveness of interventions employed;

E.3.i. The WVDE will support LEA implementation of evidence-based interventions through technical assistance delivered by WVDE program staff and TACs.

The WVDE is developing standardized data collection tools for extended learning programs that will be used for afterschool and summer programs beginning in the 2021-2022 school year. Summer 2021 data will be collected from individual county developed progress reports because time did not permit the development of well vetted collection tools. These tools will be used to monitor implementation of required ARP ESSER interventions.

In addition, the WVDE Office of Federal Programs and Support will include ARP ESSER monitoring indicators in the annual review of LEA Strategic Plans (part of the ESEA Consolidated Application) and cyclical ESEA Consolidated Monitoring.

- ii. How the SEA will support and monitor its LEAs in specifically addressing the disproportionate impact of the COVID-19 pandemic on certain groups of students, including each of the student groups listed in question A.3.i.-viii; and

E.3.ii. The WVDE standardized data collection tools will, to the extent possible, connect with the WVEIS database which will allow for the disaggregation of data by subgroup. This will allow the LEAs to analyze and monitor subgroup performance and progress.

WVDE program staff and TACs working with specific student subgroups will provide assistance to LEAs with significant subgroup concerns.

- iii. How the SEA will support and monitor its LEAs in using ARP ESSER funds to identify, reengage, and support students most likely to have experienced the impact of lost instructional time on student learning, such as:
  - a. Students who have missed the most in-person instruction during the 2019-2020 and 2020-2021 school years;
  - b. Students who did not consistently participate in remote instruction when offered during school building closures; and
  - c. Students most at-risk of dropping out of school.

E.3.iii. The WVDE and the LEAs will focus on the data sets listed in D.1.ii. and target programs toward students identified as unsuccessful based on those data sets. It is expected, based on preliminary data, that the students who have missed the most in-person instruction and did not consistently participate in remote instruction will be among the students targeted for interventions; however, that is not an exclusive factor for selection.

For many years, LEAs have implemented focused interventions for students most at-risk of dropping out of school. This practice will continue and the capacity that has been developed for that purpose will be augmented with the ARP ESSER resources.

- 4. Describe the extent to which the SEA will support its LEAs in implementing additional strategies for taking educational equity into account in expending ARP ESSER funds, including but not limited to:
  - i. Allocating funding both to schools and for districtwide activities based on student need, and
  - ii. Implementing an equitable and inclusive return to in-person instruction. An inclusive return to in-person instruction includes, but is not limited to, establishing policies and practices that avoid the over-use of exclusionary discipline measures (including in- and out-of-school suspensions) and creating a positive and supportive learning environment for all students.

E.4.i-ii. In February 2021, the West Virginia Board of Education, WVDE, and the Herbert Henderson Office of Minority Affairs announced the WV Public Education Equity Partnership. With leadership from Office of Minority Affairs Executive Director Jill Upson, the WVBE and the State’s educational leaders, this partnership provides supports and research-proven methods to all LEAs and schools to promote school environments that ensure no student is placed at a disadvantage, and all students have the opportunity to learn.

The WVDE will support and implement regulations and/or guidance provided by the U.S. Department of Education regarding Maintenance of Equity as required by the ARP Act.

## F. Supporting the Educator Workforce

The Department recognizes the toll that the COVID-19 pandemic has taken on the Nation’s educators as well as students. In this section, SEAs will describe strategies for supporting and stabilizing the educator workforce and for making staffing decisions that will support students’ academic, social, emotional, and mental health needs.

1. Supporting and Stabilizing the Educator Workforce:
  - i. Describe the extent to which the State is facing shortages of educators, education administration personnel, and other school personnel involved in safely reopening schools, and the extent to which they vary by region/type of school district and/or groups of educators (e.g., special educators and related services personnel and paraprofessionals; bilingual or English as a second language educators; science, technology, engineering, and math (“STEM”) educators; career and technical education (“CTE”) educators; early childhood educators). Cite specific data on shortages and needs where available.

*Complete the table below, changing or adding additional rows as needed, or provide a narrative description.*

**Table F1.**

Area	Data on shortages/needs	Narrative description
Data is based on the number of staff on a 1 <sup>st</sup> Class/Full-time Permit for Professional Teaching, Student Support & Administration.		
Special educators and related service personnel and paraprofessionals	382	Special education is the highest shortage area state-wide. The shortage is more than twice the shortage of the second priority area.
Bilingual educators	14	Many WV LEAs utilize WV Virtual Schools to deliver world language courses which alleviates the need for certified teachers at the school level.

Area	Data on shortages/needs	Narrative description
English as a second language educators	0	
STEM educators	62	This would include positions requiring certification in science, technology, or math.
CTE educators	138	It is difficult to get qualified individuals to leave the private sector for lower paying teaching positions (i.e. nurses, welders).
Early childhood educators	4	
School counselors	63	
Social workers		WVDE does not license Social Workers.
Nurses	44	
School psychologists	6	

- ii. Describe how the SEA will assist its LEAs in identifying the most urgent areas of shortages or potential shortages, with particular plans for individual LEAs facing the most significant needs (e.g., by avoiding layoffs, providing high-quality professional learning opportunities, and addressing the impact of stress or trauma on educators). Include a description of how other Federal COVID-19 funding (e.g., ESSER and GEER funds under the CARES Act and CRRSA Act) have already been used to avoid layoffs during the COVID-19 pandemic.

F.1.ii. Currently, the WVDE does not have formal mechanisms to assist LEAs in identifying urgent and potential teacher shortage areas. However, the WVDE can provide LEAs assistance in the analysis of staffing data from the WV Certified List of Personnel submitted in the second month of each year along with certified student enrollment data. This analysis can provide data on the number and trends related to teaching positions that have been filled with teachers who are not fully certified in the content areas for which they have been employed. This is an area of focus in which the WVDE can improve through use of ESSER resources.

Many LEAs will use ESSER funding to avoid reductions in force that would have been required due to dropping enrollment numbers. In addition, many LEAs will use ESSER funding to employ additional staff to support smaller class sizes/promote better social distancing. The WVDE has provided suggestions for broadening the qualifications for job postings, to the extent possible, and conducting a wide search for applicants to ensure that an adequate candidate pool will be available for these new positions.

The WVDE has made LEAs aware that ESSER funds may be used to support mental health services and programs for staff to address the impact of COVID-19 stress or trauma. The State has many programs that promote and fund Expanded School Mental Health (ESMH) programs

and one of the Technical Assistance Centers (TAC) will also be available to assist LEAs in making plans to support staff and students with these concerns.

- iii. Describe the actions the SEA will take to fill anticipated gaps in certified teachers for the start of the 2021-2022 school year and to what extent the SEA will further support its LEAs in expanding the educator pipeline and educator diversity while addressing the immediate needs of students disproportionately impacted by the pandemic (e.g., recruiting teaching candidates to provide high-dosage tutoring or implementing residencies for teacher candidates).  
[Click here to enter text.](#)

F.1.iii. The State Superintendent of Schools and the Chancellor of the WV Higher Education Policy Commission (HEPC) has established the Educator Preparation Taskforce to clearly define and address the multifaceted teacher shortage challenges facing West Virginia. The Taskforce's work will inform the West Virginia Board of Education and the State Legislature as they set policy on teacher preparation.

To address immediate concerns related to providing an adequate educator workforce during the pandemic, the following strategies have been deployed:

- Increasing the Substitute Teacher Pool - Partnering with HEPC, the WVDE developed a temporary program allowing college students finishing their education degrees to serve as substitute teachers. This helped alleviate some of the burden created by quarantine requirements and illness that removed teachers from the classrooms.
- West Virginia Residency Model – West Virginia is working toward a 2021 implementation of the residency model for teacher preparation.
- Optional Pathway to Teacher Certification – In March of 2021, the State Legislature created a third option for acquiring a Professional Teaching Certificate which went into effective on May 27, 2021.
- West Virginia Department of Education Teacher Academy – is designed to support teachers new to the profession using research-based materials and instructional strategies aligned to the West Virginia Professional Teacher Standards.

The WVDE has provided technical assistance to LEAs in determining appropriate ways to utilize ESSER funding to keep staff employed despite dropping enrollment that would have led to reductions in force. The WVDE has also encouraged LEAs to use ESSER funding to employ additional staff (teachers, professional support, paraprofessional and service personnel) who can provide various support to meet student needs.

2. Staffing to Support Student Needs: Describe the extent to which the SEA has developed or will develop strategies and will support its LEAs in increasing student access to key support staff within school buildings, including school counselors, special education personnel, nurses, social workers, and psychologists

(e.g. hiring additional personnel or freeing up these staff to focus on providing services to students).

F.2. The WVDE has provided extensive assistance, through the Communities In Schools (CIS) program to assist LEAs in the selection and training of various professional support staff positions. This support will increase through the development of the new WVDE TAC for Student Support and Well-being.

In addition, the WVDE, in partnership with the WVDHHR and the WVDE TAC for Behavioral and Mental Health, supports LEAs in the implementation of Expanded School Based Mental Health. Several LEAs have funded projects through a variety of funding sources that place mental health service providers in schools. These models will be used to show other LEAs how they can increase provision of mental health services with ESSER funds.

### **G. Monitoring and Measuring Progress**

The Department recognizes that transparency on how ARP ESSER funds are used and their impact on the Nation's education system is a fundamental responsibility of Federal, State, and local government. In this section, SEAs will describe how they are building capacity at the SEA and LEA levels to ensure high-quality data collection and reporting and to safeguard funds for their intended purposes.

1. Capacity for Data Collection and Reporting: It is important for an SEA to continuously monitor progress and make adjustments to its strategies, as well as to support its LEAs in making adjustments to LEA strategies, based on impact. Describe how the SEA will ensure its capacity and the capacity of its LEAs to collect data on reporting requirements, including but not limited to the examples of reporting requirements described in the SEA's Grant Award Notification (listed in Appendix B). Describe the SEA's capacity and strategy to collect data from its LEAs (disaggregated by student group, where applicable), to the greatest extent practicable, including any steps the SEA will take to build its capacity in the future (which may include the use of ARP ESSER and other Federal COVID-19 pandemic funds at the SEA and LEA levels), on issues that may include the following:
  - i. Student learning, including the academic impact of lost instructional time during the COVID-19 pandemic;
  - ii. Opportunity to learn measures (e.g., chronic absenteeism; student engagement; use of exclusionary discipline; access to and participation in advanced coursework; access to technology, including educator access to professional development on the effective use of technology; access to high-quality educators; access to school counselors, social workers, nurses, and school psychologists; and results from student, parent, and/or educator surveys);
  - iii. Fiscal data that is comparable across the State (e.g., per-pupil expenditures at the LEA and school levels);

- iv. Jobs created and retained (by position type);
- v. Participation in programs funded by ARP ESSER resources (e.g., summer and afterschool programs); and
- vi. Other reporting requirements reasonably required by the Secretary (please refer to Appendix B of this template; final requirements will be issued separately).

G.1. The WVDE and its LEAs have the capacity to comply with ARP ESSER reporting requirements. The WVDE administers and supports a statewide student information system, the West Virginia Education Information System (WVEIS). All local education agencies (LEAs) are required by law to use this system to maintain detailed student education records, including demographic characteristic, enrollment status, academic schedules and grades, and other relevant information. WVEIS data collections are used in the State's ESEA Accountability System which already includes:

- Academic performance on the WV General Summative Assessment;
- Chronic absenteeism;
- Discipline; and
- Advance coursework.

WVEIS data collections also include:

- Per-pupil expenditures at the LEA and school levels;
- Access to technology;
- Access to high-quality educators and other staff; and
- Jobs created and retained.

The WVDE will convene the WVEIS Advisory Committee and a representative group of LEA Chief Instructional Leaders to determine the best methods to collect data on:

- Student learning (other than state level assessment), including the academic impact of lost instructional time;
- Student social emotional learning needs;
- Student engagement
- Participation in programs funded ESSER (summer and afterschool); and
- Other items reasonably required by the Secretary of Education.

The additional data elements will be collected, to the extent possible, through WVEIS so that data can be analyzed at the subgroup level and contribute to the school and LEA strategic planning process.

2. Monitoring and Internal Controls: Describe how the SEA will implement appropriate fiscal monitoring of and internal controls for the ARP ESSER funds (e.g., by updating the SEA's plan for monitoring funds and internal controls under the CARES and CRRSA Acts; addressing potential sources of waste, fraud, and abuse; conducting random audits; or other tools). In this response, please describe the SEA's current capacity to monitor ARP ESSER; steps, if needed, to increase capacity; and any foreseeable gaps in capacity, including how the SEA will provide its LEAs with technical assistance in the anticipated areas of greatest need.

G.2. The WVDE Office of Federal Programs and Support proposes to monitor all ESSERF grants to LEAs as follows:

1. Each of the State's LEAs will submit an ESSERF Application through the WVDE Grants and Planning System (GPS) platform. This will allow the WVDE to monitor for the allowability of proposed grant activities and compliance with equitable services allocation rules (ESSER I only). In addition, LEAs will upload documents related to federal requirements for pre-approval of construction projects and the WVDE will document pre-approval within GPS.
2. The WVDE E-grants system and financial drawdown system provides detailed expenditure information to monitor the allowability of expenditures and the extent to which LEAs spent funding as they proposed within their applications.
3. The WVDE's financial system, used by all LEAs, also provides the mechanism for LEAs to request, and the WVDE to approve, line-item transfers throughout the grant period.
4. The WVDE monitors the provision of equitable services to non-public schools by reviewing equitable services allocation processes through the ESSERF Application in GPS and collects Meaningful Consultation documentation through uploads in the system. The WVDE Ombudsman receives concerns from private schools related to equitable services and works with both parties to resolve concerns and assure that equitable services are provided in a timely and effective manner.
5. The WVDE will monitor LEA fund balances for this program quarterly to identify LEAs that are lagging in use of funding to assure that all funds are spend in a timely manner.
6. The WVDE will monitor LEA internal controls through the cyclical ESEA Consolidated Monitoring process as the Uniform Grant Guidance requirements are the same.
7. The WVDE will monitor program progress through annual review of LEA strategic plans, the ESEA Accountability system and various program progress reports for specific interventions supported through WVDE TACs.

## Appendix A: School Operating Status and Instructional Mode Data Template

Indicate the date or time period represented by the following data.

**Table 1**

In the most recent time period available, how many schools in your State offered each mode of instruction or learning model described below? Each row should account for all schools in your State, so that, for each row, the sum of the numbers in the “offered to all students,” “offered to some students,” and “not offered” columns is equal to the number in the “all schools” column.

School counts below were collected for each week within the second 9-week grading period of the 2020-2021 school year, extending from November 9, 2020 through January 11, 2021. All schools in the state represented in the counts made full-time virtual instruction available to all students. Regardless of remote, blended/hybrid, or in-person instructional mode, all schools offered all students a full-time virtual learning option. The estimated percent of students at each school opting for full-time virtual learning ranged from:

Elementary Instructional Level	0.0% to 85.5%
Middle Instructional Level	0.0% to 64.9%
Secondary Instructional Level	0.0% to 65.5%

School counts of “remote or online only” in Table 1.a. reflect the number of schools for which only remote learning was documented for each week of the nine-week period. Students in these schools otherwise would have received in-person instruction one or more days per week when school facilities were open. All other schools were operating on various combinations of blended/hybrid and in-person instructional models.

Table 1.a.

All Instructional Levels				
	All schools	Offered to all students	Offered to some students	Not offered
Remote	52	52	0	0
School buildings open with both remote/online and in-person instruction (hybrid)	625	625	0	0
School buildings open with full-time in-person instruction	0	0	0	0
Elementary Instructional Level				
	All schools	Offered to all students	Offered to some students	Not offered
Remote	32	32	0	0
School buildings open with both remote/online and in-person instruction (hybrid)	305	305	0	0
School buildings open with full-time in-person instruction	0	0	0	0
Middle Instructional Level				

	All schools	Offered to all students	Offered to some students	Not offered
Remote	13	13	0	0
School buildings open with both remote/online and in-person instruction (hybrid)	140	140	0	0
School buildings open with full-time in-person instruction	0	0	0	0
<b>Secondary Instructional Levels (Includes Career Technical Centers)</b>				
	All schools	Offered to all students	Offered to some students	Not offered
Remote	9	9	0	0
School buildings open with both remote/online and in-person instruction (hybrid)	142	142	0	0
School buildings open with full-time in-person instruction	0	0	0	0

To illustrate the fluid nature of school operations in response to COVID-19, a more recent snapshot (i.e. as of April 9, 2021) instructional mode by school grade level is provided Table 1.b. As with Table 1.a., all schools in the state at the time of this snapshot made full-time virtual instruction available to all students. The significant increase in school buildings open with full-time in-person instruction at the time of this snapshot is due to the January 13, 2021, directive by the West Virginia Board of Education requiring the return to in-person instruction for PreK-12 schools. Waivers were granted to 16 LEAs to provide 4-day in-person instructional weeks; reserving the fifth day for teachers to focus on students choosing remote instruction. The other 39 LEAs have been providing 5-day in-person instruction since February 2021.

Table 1.b.

<b>All Instructional Levels</b>				
	All schools	Offered to all students	Offered to some students	Not offered
Remote	0	0	0	0
School buildings open with both remote/online and in-person instruction (hybrid)	143	143		
School buildings open with full-time in-person instruction	534	534		
<b>Elementary and Middle Instructional Levels</b>				
	All schools	Offered to all students	Offered to some students	Not offered
Remote	0	0	0	0
School buildings open with both remote/online and in-person instruction (hybrid)	106	106	0	0
School buildings open with full-time in-person instruction	420	420	0	0

Secondary Instructional Levels (Includes Career Technical Centers)				
	All schools	Offered to all students	Offered to some students	Not offered
Remote or online only	0	0	0	0
School buildings open with both remote/online and in-person instruction (hybrid)	37	37	0	0
School buildings open with full-time in-person instruction	114	114	0	0

To the extent data are available, please complete the above table for 1) all schools in the State, and 2) separately for each instructional level (e.g., pre-kindergarten/elementary schools, middle schools, high schools).

**Table 2**

In the most recent time period available, what was the enrollment and mode of instruction for the schools in your State?

*Add or change rows as needed*

Number of students	Total enrollment	Virtual/online only†	Both remote/online and in-person instruction (hybrid)	Full-time in-person instruction
Students from low-income families	132,081	22,080	19,104	90,897
White, not Hispanic	223,600	34,297	33,548	155,755
Black or African American, not Hispanic	10,302	1,780	509	8,013
Hispanic, of any race	5,087	720	262	4,105
Asian, not Hispanic	1,588	436	68	1,084
American Indian or Alaskan Native, not Hispanic	201	38	11	152
Native Hawaiian or Pacific Islander, not Hispanic	111	29	3	79
Two or more races, not Hispanic	9,705	1,459	634	7,612
Race/Ethnicity information not available	0	0	0	0
English learners	1,752	220	75	1,457
Children with disabilities	46,890	6,296	6,377	34,217
Students experiencing homelessness	8,842	1,251	2,255	5,336
Children and youth in foster care **	NA	NA	NA	NA
Migratory students	0	0	0	0

† As noted above, all schools in West Virginia made full-time virtual instruction available to all students during the most recent time period for which information is available. The information in Table 2 reflects estimates of student counts receiving full-time virtual/online

instruction for the time period. All other students were on various combinations of blended/hybrid and in-person instructional models.

\*\* Information about children and youth in foster care is collected and certified by WV Department of Health and Human Resources at the end of the school year.

## **Appendix B: Reporting Language Included in the Grant Award Notification (“GAN”)**

As described in the Grant Award Notification (“GAN”), the SEA will comply with, and ensure that its LEAs comply with, all reporting requirements at such time and in such manner and containing such information as the Secretary may reasonably require, including on matters such as:

- How the State is developing strategies and implementing public health protocols including, to the greatest extent practicable, policies and plans in line with the CDC guidance related to mitigating COVID-19 in schools;
- Overall plans and policies related to State support for return to in-person instruction and maximizing in-person instruction time, including how funds will support a return to and maximize in-person instruction time, and advance equity and inclusivity in participation in in-person instruction;
- Data on each school’s mode of instruction (fully in-person, hybrid, and fully remote) and conditions;
- SEA and LEA uses of funds to meet students’ social, emotional, and academic needs, including through summer enrichment programming and other evidence-based interventions, and how they advance equity for underserved students;
- SEA and LEA uses of funds to sustain and support access to early childhood education programs;
- Impacts and outcomes (disaggregated by student subgroup) through use of ARP ESSER funding (e.g., quantitative and qualitative results of ARP ESSER funding, including on personnel, student learning, and budgeting at the school and district level);
- Student data (disaggregated by student subgroup) related to how the COVID-19 pandemic has affected instruction and learning;
- Requirements under the Federal Financial Accountability Transparency Act (“FFATA”); and
- Additional reporting requirements as may be necessary to ensure accountability and transparency of ARP ESSER funds.

## Appendix C: Assurances

By signing this document, the SEA assures all of the following:

- The SEA will conduct all its operations so that no person shall be excluded from participation in, be denied the benefits of, or be subject to discrimination under the ARP ESSER program or activity based on race, color, national origin, which includes a person's limited English proficiency or English learner status and a person's actual or perceived shared ancestry or ethnic characteristics; sex; age; or disability. These non-discrimination obligations arise under Federal civil rights laws, including but not limited to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments Act of 1972, section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. In addition, the SEA must comply with all regulations, guidelines, and standards issued by the Department under any of these statutes;
- The SEA will comply with all ARP Act and other ARP ESSER requirements and all requirements of its Grant Award Notification, including but not limited to:
  - Complying with the maintenance of effort provision in section 2004(a)(1) of the ARP Act, absent a waiver by the Secretary pursuant to section 2004(a)(2) of the ARP Act; and
  - Complying with the maintenance of equity provisions in section 2004(b) of the ARP Act, and ensuring its LEAs comply with the maintenance of equity provision in section 2004(c) of the ARP Act (please note that the Department will provide additional guidance on maintenance of equity shortly);
- The SEA will allocate ARP ESSER funds to LEAs in an expedited and timely manner and, to the extent practicable, not later than 60 days after the SEA receives ARP ESSER funds (i.e., 60 days from the date the SEA receives each portion of its ARP ESSER funds). An SEA that is not able to allocate such funds within 60 days because it is not practicable (e.g., because of pre-existing State board approval requirements) will provide an explanation to the Department within 30 days of receiving each portion of its ARP ESSER funds (submitted via email to your Program Officer at [State].OESE@ed.gov (e.g., Alabama.OESE@ed.gov)), including a description of specific actions the SEA is taking to provide ARP ESSER funds to LEAs in an expedited and timely manner and the SEA's expected timeline for doing so;
- The SEA will implement evidence-based interventions as required under section 2001(f) of the ARP Act and ensure its LEAs implement evidence-based interventions, as required by section 2001(e)(1) of the ARP Act;
- The SEA will address the disproportionate impact of the COVID-19 pandemic on underserved students (i.e., students from low-income families, students from racial or ethnic groups (e.g., identifying disparities and focusing on underserved student groups by race or ethnicity), gender (e.g., identifying disparities and focusing on underserved student groups by gender), English learners, children with disabilities, students experiencing homelessness, children and youth in foster care, and migratory students), as required under section 2001(f) of the ARP Act, and ensure its LEAs address the disproportionate impact of the COVID-19 pandemic on underserved students (i.e., students from low-income families, students from racial or ethnic groups, gender, English learners, children with disabilities, students experiencing homelessness, children and

youth in foster care, and migratory students), as required by section 2001(e)(1) of the ARP Act; and

- The SEA will provide to the Department: (1) the URL(s) where the public can readily find data on school operating status and (2) the URL(s) for the SEA and/or LEA websites where the public can find the LEA plans for a) the safe return to in-person instruction and continuity of services required under section 2001(i) of the ARP Act, and b) use of ARP ESSER funds. SEAs should consider ensuring a standardized URL format in all cases (e.g., xxx.gov/COVIDplan).

## Appendix D

OMB Control No. 1894-0005 (Exp. 06/30/2023)

### NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act ("GEPA") that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

#### **To Whom Does This Provision Apply?**

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

#### **What Does This Provision Require?**

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special

needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access to, or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

#### **What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?**

The following examples may help illustrate how an applicant may comply with Section 427.

(1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

(2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

(3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it

intends to conduct "outreach" efforts to girls, to encourage their enrollment.

(4) An applicant that proposes a project to increase school safety might describe the special efforts it will take to address concerns of lesbian, gay, bisexual, and transgender students, and efforts to reach out to and involve the families of LGBT students.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

## **Section 427 of GEPA**

The West Virginia Department of Education (WVDE) adheres to Section 427 of the General Education Provisions Act (GEPA) and will ensure, to the fullest extent possible, equitable access to, participation in, and appropriate educational opportunities for all individuals served by the programs included in its Consolidated Plan for Elementary and Secondary Education. Federally funded activities, programs, and services provided through the programs included in this plan will be accessible to all teachers, students, and program beneficiaries regardless of their gender, race, color, national origin, religion, age, or disability.

The WVDE will fully enforce all federal and state regulations designed to ensure equitable access to all program beneficiaries and to overcome barriers to equitable participation in all state level activities supported by federal assistance associated with this Consolidated Plan. The WVDE will hold LEAs accountable for assuring equal access and providing reasonable and appropriate accommodations to meet the needs of a diverse group of students, staff, community members, and other participants.

Steps taken to ensure equitable access may include, but not be limited to:

- The WVDE provides reasonable accommodations for student state assessments based on disability and native language.
- The WVDE assures that all state communications, including print and electronic media, are compliant with applicable ADA requirements.
- The WVDE adheres to the requirement that schools provide a free appropriate public education (FAPE) to all school aged children who are individuals with disabilities as defined by section 504 and IDEA or who are English learners.
- The WVDE considers cultural relevance and the ability of the intended audience to meaningfully understand information when it develops, acquires, approves and/or disseminates instructional materials; reasonable efforts are taken to overcome any barriers.
- The WVDE includes school culture and climate, as well as student health and safety issues in its statewide strategic plans and LEA strategic planning guidance.
- The WVDE has developed, adopted or identified a variety of strategies, activities, programs and evidence based practices that are made available to LEAs and schools for adoption. The WVDE provides professional development, coaching and technical assistance to LEAs and schools to assist them in implementation of these practices with fidelity.
- The WVDE implements an electronic grants management system that includes a requirement for each LEA to provide assurances that they do not discriminate against any person on the basis of gender, race, color, national origin, religion, age or disability.
- The WVDE enforces these requirements through supportive training and technical assistance as well as monitoring and complaint resolution.

### **Estimated Burden Statement for GEPA Requirements**

**According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 3 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (Public Law 103-382). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537 or email [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) and reference the OMB Control Number 1894-0005.**