**Virginia Department of Education**

**American Rescue Plan Act Maintenance of Equity Requirements for Local Educational Agencies**

**School Year 2021-2022/Fiscal Year 2022**

[Section 2004(c) of the American Rescue Plan (ARP) Act](https://www.congress.gov/bill/117th-congress/house-bill/1319/text) requires Local Educational Agencies (LEAs) to meet Maintenance of Equity requirements as a condition of receiving ARP Act Elementary and Secondary School Emergency Relief (ESSER) funds. An LEA that received ARP Act ESSER funds may not reduce per-pupil funding (from combined state and local funding) for any high-poverty school by an amount that exceeds the total reduction across all schools in the LEA. An LEA also may not reduce per-pupil, full-time equivalent (FTE) staff in any high-poverty school by an amount that exceeds the total reduction in FTE staff across all schools in the LEA. These requirements are applicable in school years 2021-2022 and 2022-2023 (fiscal years 2022 and 2023).

# **Identification of Excepted LEAs**

An LEA may be excepted from the requirements if it meets one of the criteria below.

1. The LEA has a total enrollment of less than 1,000 students
2. The LEA operates a single school
3. The LEA serves all students within each grade span within a single school
4. The LEA has been granted an exception from the U.S. Department of Education due to an exceptional or uncontrollable circumstance under Section 2004(c)(2)(D) of the ARP Act
5. The LEA has certified to the Virginia Department of Education that it did not have an aggregate reduction in combined state and local per pupil funding

On June 8, 2022, the U.S. Department of Education published a [Notice of Final Requirement (NFR)](https://www.federalregister.gov/documents/2022/06/08/2022-12296/final-requirements-american-rescue-plan-act-elementary-and-secondary-school-emergency-relief-fund) regarding Section 2004(c) of the ARP Act. The NFR establishes state requirements for publishing LEA- and school-level Maintenance of Equity data to demonstrate that LEAs are maintaining both fiscal and staffing equity in fiscal years 2022 and 2023.

The information below meets the NFR requirement to publish a list of LEAs that are excepted from the ARP Act Maintenance of Equity requirement for school year 2021-2022/fiscal year 2022. If multiple criteria apply to an LEA, the first applicable exception is listed.

| **LEA NCES ID** | **Div**  **Num** | **LEA/School Division Name** | **Excep-tion A** | **Excep-tion B** | **Excep-tion C** | **Excep-tion D** | **Excep-tion E** | **Not Excep-ted** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 5100060 | 001 | ACCOMACK |  |  |  |  | X |  |
| 5100090 | 002 | ALBEMARLE |  |  |  |  | X |  |
| 5100152 | 003 | ALLEGHANY |  |  |  |  | X |  |
| 5100180 | 004 | AMELIA |  |  | X |  |  |  |
| 5100210 | 005 | AMHERST |  |  |  |  | X |  |
| 5100240 | 006 | APPOMATTOX |  |  | X |  |  |  |
| 5100270 | 007 | ARLINGTON |  |  |  |  | X |  |
| 5100300 | 008 | AUGUSTA |  |  |  |  | X |  |
| 5100330 | 009 | BATH | X |  |  |  |  |  |
| 5100360 | 010 | BEDFORD |  |  |  |  | X |  |
| 5100390 | 011 | BLAND | X |  |  |  |  |  |
| 5100420 | 012 | BOTETOURT |  |  |  |  | X |  |
| 5100480 | 013 | BRUNSWICK |  |  |  |  | X |  |
| 5100510 | 014 | BUCHANAN |  |  |  |  |  | X |
| 5100540 | 015 | BUCKINGHAM |  |  | X |  |  |  |
| 5100600 | 016 | CAMPBELL |  |  |  |  | X |  |
| 5100660 | 017 | CAROLINE |  |  |  |  | X |  |
| 5100690 | 018 | CARROLL |  |  |  |  | X |  |
| 5100720 | 019 | CHARLES CITY | X |  |  |  |  |  |
| 5100750 | 020 | CHARLOTTE |  |  |  |  | X |  |
| 5100840 | 021 | CHESTERFIELD |  |  |  |  | X |  |
| 5100870 | 022 | CLARKE |  |  |  |  | X |  |
| 5101020 | 023 | CRAIG | X |  |  |  |  |  |
| 5101050 | 024 | CULPEPER |  |  |  |  | X |  |
| 5101080 | 025 | CUMBERLAND |  |  | X |  |  |  |
| 5101140 | 026 | DICKENSON |  |  |  |  | X |  |
| 5101170 | 027 | DINWIDDIE |  |  |  |  | X |  |
| 5101200 | 028 | ESSEX |  |  | X |  |  |  |
| 5101260 | 029 | FAIRFAX |  |  |  |  | X |  |
| 5101320 | 030 | FAUQUIER |  |  |  |  | X |  |
| 5101350 | 031 | FLOYD |  |  |  |  | X |  |
| 5101380 | 032 | FLUVANNA |  |  | X |  |  |  |
| 5101440 | 033 | FRANKLIN |  |  |  |  | X |  |
| 5101470 | 034 | FREDERICK |  |  |  |  | X |  |
| 5101590 | 035 | GILES |  |  |  |  | X |  |
| 5101620 | 036 | GLOUCESTER |  |  |  |  | X |  |
| 5101650 | 037 | GOOCHLAND |  |  |  |  | X |  |
| 5101690 | 038 | GRAYSON |  |  |  |  | X |  |
| 5101710 | 039 | GREENE |  |  |  |  | X |  |
| 5101740 | 040 | GREENSVILLE |  |  |  |  | X |  |
| 5101770 | 041 | HALIFAX |  |  |  |  | X |  |
| 5101830 | 042 | HANOVER |  |  |  |  | X |  |
| 5101890 | 043 | HENRICO |  |  |  |  | X |  |
| 5101920 | 044 | HENRY |  |  |  |  | X |  |
| 5101950 | 045 | HIGHLAND | X |  |  |  |  |  |
| 5102010 | 046 | ISLE OF WIGHT |  |  |  |  | X |  |
| 5102100 | 048 | KING GEORGE |  |  |  |  | X |  |
| 5102070 | 049 | KING AND QUEEN | X |  |  |  |  |  |
| 5102120 | 050 | KING WILLIAM |  |  | X |  |  |  |
| 5102160 | 051 | LANCASTER |  |  | X |  |  |  |
| 5102190 | 052 | LEE |  |  |  |  | X |  |
| 5102250 | 053 | LOUDOUN |  |  |  |  | X |  |
| 5102280 | 054 | LOUISA |  |  |  |  | X |  |
| 5102310 | 055 | LUNENBURG |  |  |  |  | X |  |
| 5102370 | 056 | MADISON |  |  | X |  |  |  |
| 5102430 | 057 | MATHEWS | X |  |  |  |  |  |
| 5102460 | 058 | MECKLENBURG |  |  |  |  | X |  |
| 5102490 | 059 | MIDDLESEX |  |  | X |  |  |  |
| 5102520 | 060 | MONTGOMERY |  |  |  |  | X |  |
| 5102580 | 062 | NELSON |  |  |  |  | X |  |
| 5102610 | 063 | NEW KENT |  |  |  |  | X |  |
| 5102710 | 065 | NORTHAMPTON |  |  |  |  | X |  |
| 5102730 | 066 | NORTHUMBERLAND |  |  | X |  |  |  |
| 5102790 | 067 | NOTTOWAY |  |  |  |  | X |  |
| 5102820 | 068 | ORANGE |  |  |  |  | X |  |
| 5102850 | 069 | PAGE |  |  |  |  | X |  |
| 5102880 | 070 | PATRICK |  |  |  |  | X |  |
| 5102940 | 071 | PITTSYLVANIA |  |  |  |  | X |  |
| 5103030 | 072 | POWHATAN |  |  |  |  | X |  |
| 5103060 | 073 | PRINCE EDWARD |  |  | X |  |  |  |
| 5103090 | 074 | PRINCE GEORGE |  |  |  |  | X |  |
| 5103130 | 075 | PRINCE WILLIAM |  |  |  |  | X |  |
| 5103150 | 077 | PULASKI |  |  |  |  | X |  |
| 5103210 | 078 | RAPPAHANNOCK | X |  |  |  |  |  |
| 5103270 | 079 | RICHMOND |  |  | X |  |  |  |
| 5103330 | 080 | ROANOKE |  |  |  |  | X |  |
| 5103370 | 081 | ROCKBRIDGE |  |  |  |  | X |  |
| 5103390 | 082 | ROCKINGHAM |  |  |  |  | X |  |
| 5103420 | 083 | RUSSELL |  |  |  |  | X |  |
| 5103480 | 084 | SCOTT |  |  |  |  | X |  |
| 5103510 | 085 | SHENANDOAH |  |  |  |  | X |  |
| 5103520 | 086 | SMYTH |  |  |  |  | X |  |
| 5103600 | 087 | SOUTHAMPTON |  |  |  |  | X |  |
| 5103640 | 088 | SPOTSYLVANIA |  |  |  |  | X |  |
| 5103660 | 089 | STAFFORD |  |  |  |  | X |  |
| 5103750 | 090 | SURRY | X |  |  |  |  |  |
| 5103780 | 091 | SUSSEX | X |  |  |  |  |  |
| 5103810 | 092 | TAZEWELL |  |  |  |  | X |  |
| 5103870 | 093 | WARREN |  |  |  |  | X |  |
| 5103900 | 094 | WASHINGTON |  |  |  |  | X |  |
| 5103980 | 095 | WESTMORELAND |  |  |  |  | X |  |
| 5104080 | 096 | WISE |  |  |  |  | X |  |
| 5104110 | 097 | WYTHE |  |  |  |  | X |  |
| 5104150 | 098 | YORK |  |  |  |  | X |  |
| 5100120 | 101 | ALEXANDRIA |  |  |  |  | X |  |
| 5100450 | 102 | BRISTOL |  |  |  |  | X |  |
| 5100560 | 103 | BUENA VISTA | X |  |  |  |  |  |
| 5100780 | 104 | CHARLOTTESVILLE |  |  |  |  | X |  |
| 5100960 | 106 | COLONIAL HEIGHTS |  |  |  |  | X |  |
| 5100990 | 107 | COVINGTON | X |  |  |  |  |  |
| 5101110 | 108 | DANVILLE |  |  |  |  | X |  |
| 5101290 | 109 | FALLS CHURCH |  |  | X |  |  |  |
| 5101510 | 110 | FREDERICKSBURG |  |  |  |  | X |  |
| 5101560 | 111 | GALAX |  |  | X |  |  |  |
| 5101800 | 112 | HAMPTON |  |  |  |  | X |  |
| 5101860 | 113 | HARRISONBURG |  |  |  |  | X |  |
| 5101980 | 114 | HOPEWELL |  |  |  |  | X |  |
| 5102340 | 115 | LYNCHBURG |  |  |  |  | X |  |
| 5102400 | 116 | MARTINSVILLE |  |  |  |  | X |  |
| 5102640 | 117 | NEWPORT NEWS |  |  |  |  | X |  |
| 5102670 | 118 | NORFOLK |  |  |  |  | X |  |
| 5102760 | 119 | NORTON | X |  |  |  |  |  |
| 5102910 | 120 | PETERSBURG |  |  |  |  | X |  |
| 5103000 | 121 | PORTSMOUTH |  |  |  |  | X |  |
| 5103180 | 122 | RADFORD |  |  | X |  |  |  |
| 5103240 | 123 | RICHMOND CITY |  |  |  |  | X |  |
| 5103300 | 124 | ROANOKE CITY |  |  |  |  | X |  |
| 5103690 | 126 | STAUNTON |  |  |  |  | X |  |
| 5103710 | 127 | SUFFOLK |  |  |  |  | X |  |
| 5103840 | 128 | VIRGINIA BEACH |  |  |  |  | X |  |
| 5103930 | 130 | WAYNESBORO |  |  |  |  | X |  |
| 5104020 | 131 | WILLIAMSBURG-JAMES CITY |  |  |  |  | X |  |
| 5104020 | 132 | WINCHESTER |  |  |  |  | X |  |
| 5101410 | 135 | FRANKLIN CITY | X |  |  |  |  |  |
| 5100810 | 136 | CHESAPEAKE CITY |  |  |  |  | X |  |
| 5102220 | 137 | LEXINGTON | X |  |  |  |  |  |
| 5103460 | 139 | SALEM |  |  |  |  | X |  |
| 5102980 | 142 | POQUOSON |  |  | X |  |  |  |
| 5102360 | 143 | MANASSAS CITY |  |  |  |  | X |  |
| 5102390 | 144 | MANASSAS PARK |  |  | X |  |  |  |
| 5100930 | 202 | COLONIAL BEACH | X |  | X |  |  |  |
| 5103950 | 207 | WEST POINT | X |  |  |  |  |  |
| 5100058 | 218 | VIRGINIA SCHOOL FOR THE DEAF AND BLIND | X |  |  |  |  |  |
| 5100070 | 917 | DEPARTMENT OF JUVENILE JUSTICE | X |  |  |  |  |  |

# **Identification of High Poverty Schools in Nonexcepted LEAs**

The information below meets the NFR requirement to publish a list of high poverty schools in LEAs that are not excepted from the ARP Act Maintenance of Equity requirement for school year 2021-2022/fiscal year 2022.

| **LEA NCES ID** | **Div Num** | **LEA/School Division Name** | **High Poverty School NCES ID** | **High Poverty School Name** |
| --- | --- | --- | --- | --- |
| 5100510 | 014 | BUCHANAN | 510051001897 | COUNCIL ELEMENTARY/MIDDLE |
| 5100510 | 014 | BUCHANAN | 510051001946 | TWIN VALLEY ELEMENTARY/MIDDLE |

**SEA Process to Ensure Compliance**

The information below meets the NFR requirement to describe the State Education Agency’s (SEA's) process to ensure that LEAs that are not excepted from Maintenance of Equity for school year 2021-2022/fiscal year 2022 meet the fiscal and staffing requirements.

| **Date** | **Activity** |
| --- | --- |
| October 2021 | LEA exception certifications due to SEA |
| March 2022 | Nonexcepted LEAs provide school year 2021-2022/fiscal year 2022 fiscal and staffing data |
| April 2022 | SEA determines whether fiscal and staffing equity were met |
| May-June 2022 | If Maintenance of Equity is not met, SEA works with LEA to make appropriate adjustments to address areas of deficiency in the current or subsequent year |

# **School-Level Data for Nonexcepted LEAs**

The information below meets the NFR requirement to publish school-level data for LEAs that are not excepted from the ARP Act Maintenance of Equity requirement for school year 2021-2022/fiscal year 2022. Note: The FTE staff ratio is reported as staff members per student.

LEA-Level Data – Buchanan County

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **LEA NCES ID** | **Div Num** | **LEA/School Division Name** | **LEA Per-Pupil Funding Fiscal Year 2021** | **LEA Per-Pupil Funding Fiscal Year 2022** | **LEA Per-Pupil Reduction** | **LEA FTE Staff Ratio Fiscal Year 2021** | **LEA FTE Staff Ratio Fiscal Year 2022** | **LEA FTE Staff Reduction** |
| 5100510 | 014 | BUCHANAN | $7,146 | $6,940 | ($206) | 0.14 | 0.15 | 0.01 |

School-Level Data – Buchanan County

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **High Poverty School NCES ID** | **High Poverty School Name** | **School Per-Pupil Funding Fiscal Year 2021** | **School Per Pupil Funding Fiscal Year 2022** | **School Per-Pupil Reduction** | **School FTE Staff Ratio Fiscal Year 2021** | **School FTE Staff Ratio Fiscal Year 2022** | **School FTE Staff Reduction** | **Fiscal and Staffing Equity Met?** |
| 510051001897 | COUNCIL ELEMENTARY/MIDDLE | $7,644 | $7,733 | $89 | 0.18 | 0.20 | 0.02 | Yes |
| 510051001946 | TWIN VALLEY ELEMENTARY/MIDDLE | $6,543 | $6,337 | ($206) | 0.15 | 0.17 | 0.02 | Yes |