



Title I, Part A of the Every Student Succeeds Act (ESSA): A Program and Fiscal Handbook

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A. Introduction to Title I, Part A & ESSA: A Fiscal Handbook

This handbook provides general guidance from USBE on how local educational agencies (LEAs) may spend Title I, Part A funds under the Every Student Succeeds Act (ESSA). Use this handbook in conjunction with other guidance documents from USBE on the use of Title I, Part A and other federal programs funds. Guidance documents are listed and linked to this handbook. Guidance documents and forms referenced in this handbook are also available on the USBE Student Advocacy Services Federal Programs webpages:

<https://schools.utah.gov/sas>.

Title I, Part A is the U.S. Department of Education's (ED) largest K-12 grant program. Title I provides *supplemental* funding to help low-income schools improve the academic achievement of educationally disadvantaged students. ED awards Title I, Part A funds to state education agencies (SEAs), which then subgrant funds to LEAs based on a federal formula. LEAs may retain some money to carry out certain activities, and then must allocate the rest to eligible schools. Please note: The federal formula used to determine LEA allocations of Title I funds is based on U. S. Census Bureau counts of children from low-income families residing in each school district. The formula is not based on the LEA's or school's percentage of students who qualify for free/reduced lunch.

President Lyndon B. Johnson signed the original Elementary and Secondary Education Act (ESEA) into law in 1965. The ESEA established the Title I program. The Every Student Succeeds Act (ESSA) is the most recent Congressional reauthorization of the ESEA. President Barack Obama signed ESSA into law on December 10, 2015. The version of ESEA prior to ESSA was the No Child Left Behind Act of 2001 (NCLB). ESSA went into effect on July 1, 2017. For more information about ESSA, please see the U.S. Department of Education website:

<http://www2.ed.gov/policy/elsec/leg/essa/index.html>.

It is important to note that this handbook only provides an overview of each of the Title I, Part A programmatic and spending rules and options; it does not discuss all details of compliance requirements that apply. For more information, please see the USBE's Student Advocacy Services Federal Programs website:

<https://schools.utah.gov/sas>.

This handbook:

- Provides an overview of the Title I, Part A program
- Summarizes general federal education spending provisions that apply to Title I, Part A
- Addresses the use of Title I, Part A funds by LEAs
- Summarizes Schoolwide, Targeted Assistance, and LEA Title I Initiatives
- Addresses the use of Title I, Part A funds by schools operating "Schoolwide Title I programs"
- Addresses the use of Title I, Part A funds by schools operating "Targeted Assistance Title I programs"
- Provides guidance on consolidating Title I, Part A funds with other funds in a schoolwide program
- Addresses key fiscal tests LEAs must meet as a condition of receiving Title I, Part A funds: (1) maintenance of effort, (2) comparability, and (3) supplement-not-supplant
- Addresses conditions LEAs agree to when accepting Title I, Part A funds

B. General Federal Spending Provisions that Apply to Title I, Part A

There are general federal spending provisions that apply to federal education funds, including Title I, Part A.

1. All costs charged to ED grants must be necessary and reasonable for the performance or administration of the grant considering the amount of money spent and the needs of the program.¹

This requirement comes from a set of federal regulations known as the Uniform Grant Guidance (UGG), which applies to all federal grants including ED grants.²

The UGG affects ED grant spending in a number of ways:

A. Lists costs that may never be paid for with federal funds.³ For example, federal funds can never pay for alcohol⁴ and typically cannot pay for lobbying.⁵ Other costs that are not allowable include, but are not limited to:

- providing food and beverages at meetings (an exception is allowed for meetings that are held for the specific purpose of parent engagement)
- purchasing incentives for students and parents (e.g., gift cards, field trips used for reward purposes that don't have a direct tie to State standards, etc.)
- purchasing vehicles
- construction costs
- legal expenses for "prosecution of claims" against the federal government
- entertainment
- fines and penalties
- advertising/PR unless required
- religious worship or instruction

B. Lists general criteria all costs supported with federal funds must satisfy.⁶ For example, federal funds can only pay for costs that are allocable to the relevant grant.⁷ Allocable costs must be:

- charged only in proportion to the value received by the program
- legal under state and local law
- conforms with federal law and terms of the grant
- in accordance with general acceptable accounting principles (GAAP)
- not included as matching funds
- adequately documented

¹ 2 CFR 200.403(a).

² [Uniform Grant Guidance](#) (UGG) is contained in Part 200 of Title 2 of the Code of Federal Regulations. Federal guidance and other resources about the UGG are available at [UGG Guidance and Resources](#).

³ See 2 CFR Part 200, Subpart E.

⁴ 2 CFR § 200.423.

⁵ 2 CFR § 200.450.

⁶ See 2 CFR § 200.403.

⁷ 2 CFR § 200.403(a).

- C. **Sets additional requirements costs supported with federal funds.**⁸ For example, LEAs that use federal funds for employee salaries and benefits must keep records documenting how much time the employees spent on grant activities (i.e., **Time and Effort**).⁹ Records must be maintained for all employees whose salaries are paid, in whole or in part, with federal funds and for all “cost objectives” for which the employee worked.

All employees charged to federal grants must document the time they spend working on the grants’ objectives to demonstrate that the amounts charged to federal programs are true and accurate (commonly referred to as **Time and Effort** documentation).

Semiannual certifications: If an employee works solely on a single Federal award or cost objective, charges for the employee’s salary and wages must be supported by certifications twice a year that the employee worked solely on that program or cost objective for the period covered by the certification. The certification must be prepared at least semiannually and include a dated signature of the employee and supervisory official having firsthand knowledge of the work performed by the employee. The report should also include a statement that 100% of the employee’s time and effort was spent in approvable Title I activities.

Time/Effort Semiannual Documentation must include:

- Name of LEA
- Name of employee
- Employee’s job title
- Pay period dates – at least semi-annually – dates should include the month(s), days, and year(s) of the certification period
- A statement that 100% of the employee’s time and effort was in support of approved (Name of Program (e.g., Title I)) activities
- Signed by employee and dated
- Signed by employee’s supervisor and dated

Personnel activity reports (PAR): If an employee works on multiple activities or cost objectives, a distribution of the employee’s salary and wages must be supported by a personnel activity report (PAR) or equivalent documentation. A PAR is required if an employee works on:

- More than one Federal award
- A Federal award and a non-Federal award
- An indirect cost activity and a direct cost activity
- Two or more indirect activities that are allocated using different allocation bases
- An unallowable activity and a direct or indirect cost activity

Time/Effort Documentation on PARs must include:

- Name of the LEA
- Name of employee

⁸ See 2 CFR §§ 200.420-200.475.

⁹ 2 CFR § 200.430.

- Employee’s job title
- Pay period dates – at least monthly (to include one or more pay periods) or by pay period – should include the month(s), days, and year(s) of the certification period
- All accounts used to pay salary with the percentage of time or actual hours worked used for each accounting code
 - Time must be listed for ALL accounting codes used for salary
 - Must indicate total time for each accounting code
- Signed by employee and dated
- Signed by employee’s supervisor and dated
- If the employee works on a fixed schedule every week, then the employee will be able to do a semi-annual certification provided their FIXED schedule is attached to the certification document.

Documentation of employee work schedules must include sufficient controls to ensure schedules are accurate. Additionally, the certification must include a full disclosure of any known deficiencies with the system or known challenges with implementing the system. Time and effort documentation may be used by auditors and SEA personnel when conducting audits and/or sub-recipient monitoring.

Examples Include:

- [Semi-Annual Reporting](#)
- [Monthly PAR](#)
- [Fixed Schedule](#)
- [Monthly PAR Fixed Schedule](#)

D. Sets rules for how LEAs procure goods and services with federal funds,¹⁰ how they track items paid for with federal funds,¹¹ and the kinds of records they must keep about their grant spending.¹²

Procurement and Inventory

- Districts should have standard procedures that are utilized when a piece of equipment (property) is received, and those standard procedures should comply with the federal rules on managing equipment found in the Education Department General Administrative Regulations (EDGAR), 34 CFR §80.32 (d). The rules are fairly straightforward:
 - Equipment purchased with federal funds must be used in the program or project for which it was acquired, as long as it is needed. When it is no longer needed for that project or program, it may be used in other activities supported by a federal agency or disposed of in accordance with proper procedures.
 - Equipment may be made available to other federally funded projects or programs, as long as it will not interfere with the work for which it was originally purchased.

¹⁰ 2 CFR §§ 200.317-200.326.

¹¹ 2 CFR §§ 200.313-200.314.

¹² See, for example, 2 CFR § 200.318(h)(i) for procurement records or 2 CFR § 200.302(b)(3) for financial records.

- Property records must be kept by the LEA that include, at a minimum, all of the following:
 1. Name/identity of title holder
 2. Description of the property
 3. Source of the property
 4. Name of the custodian of the property.
 5. Name, make, or manufacturer
 6. Acquisition date and cost of the property
 7. Method of acquisition and if purchased, voucher, check or the warrant number
 8. Percentage of the federal participation in the acquisition of the equipment (if non-federal, as well as federal, funds were used)
 9. Location, use and condition of the property.
 10. Any disposition information such as the date of disposal and sale price
 11. The date the item was last physically inventoried and the condition of the item as of that date
- Equipment must be permanently marked, if practicable
- Inventory must be reconciled at least annually and when there is a change of custodian
- There must be a control system established to prevent loss, damage or theft of the equipment and any such loss, damage or theft should be investigated
- There must be appropriate maintenance procedures established to keep the equipment in good condition
- If the LEA determines that it is appropriate to sell the equipment, there must be procedures established to ensure the highest possible return
- The LEA must have procedures for proper disposition of equipment when it is no longer needed for the project or program, or any other activities currently or previously supported by a federal agency. These procedures specify circumstances under which a sub-recipient may retain, sell, or otherwise dispose of the equipment.
- For ESSA Programs – Supplies and Materials that are expected to last more than one year need to be inventoried and marked with the name of the Program that purchased the material, excluding books and furniture.

2. Activities supported by ED funds must be consistent with the LEA’s annual application for funds approved by the SEA.¹³ LEAs should plan and set goals first and then create a budget that supports the goals the LEA has set based on data. For Title I, Part A, this is the LEA’s annual Title I, Part A plan submitted through the USBE’s online grants management system. Once the LEA’s plan and budget is approved by the SEA, equipment purchases between \$5,000 and \$25,000 are also approved. Any capital outlay for equipment greater than or equal to \$25,000 requires an additional approval by the SEA. After the LEA’s plan and budget is approved by the SEA the LEA can apply for reimbursement.

3. Some parts of ESSA require LEAs to spend funds on activities that are supported by evidence, are demonstrated to be effective, or that are consistent with a formal needs assessment. Even where this

¹³ 34 CFR § 76.700.

is not required, ED grant spending has the greatest impact when LEAs spend federal funds on effective activities designed to meet specific program goals. To do this, LEAs are encouraged to:

- Carefully consider the needs of students, educators, and other relevant stakeholders;
- Determine which activities are most likely to effectively address those needs; and
- Prioritize activities when deciding what costs to support with ESSA funds (unless those activities covered by other funding sources).

C. Purpose of Title I

The purpose of Title I, Part A is to provide all children “**significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.**”¹⁴ To achieve that, states must develop accountability systems to identify and support schools with academically struggling students, and LEAs and schools must use their Title I, Part A funds to improve student outcomes, including academic achievement. The Utah State Board of Education’s Strategic Plan: *Excellence for Each Student: Education Elevated* provides the foundation for Utah’s public education system. In addition, [USBE's Education Elevated](#) defines student outcomes necessary to ensure each Utah student is the beneficiary of an excellent education.

- The state accountability system is central to Title I. State accountability systems include: State-adopted, challenging academic standards in least math, reading/language arts, and science,¹⁵
- High-quality academic assessments that measure how well students are mastering state standards in at least math, reading/language arts, and science,¹⁶
- A system that differentiates school performance based on a variety of indicators,¹⁷
- A system to identify and support certain low-performing schools (known as “comprehensive support and improvement” (CSI) schools and “targeted support and improvement” (TSI) schools),¹⁸ and
- Reporting student achievement and other data to ED and the public.¹⁹

LEAs that receive Title I funds must carry out a variety of activities as a condition of participating in the program including, but not limited to:

- Developing and implementing plans to support and improve low-performing schools identified by the state through its accountability system,²⁰
- Reporting student achievement and other data to the SEA and the public,²¹

¹⁴ ESSA, Section 1001.

¹⁵ ESSA, Section 1111(b)(1).

¹⁶ ESSA, Section 1111(b)(2).

¹⁷ ESSA, Section 1111(c)(4)(B). The indicators are (1) student achievement on the state academic assessment, (2) for elementary and middle schools, a measure of student growth or another academic indicator that allows for meaningful differentiation of school performance, (3) for high schools, high school graduation rates, (4) progress in achieving English language proficiency, and (5) an indicator of school quality or student success, such as student engagement, educator engagement, access to and completion of advanced coursework, postsecondary readiness, school climate and safety, or another state-selected indicator that meets ESSA requirements. ESSA, Section 1111(c)(4)(B)(i)-(v).

¹⁸ ESSA, Section 1111(d).

¹⁹ ESSA, Section 1111(h).

²⁰ ESSA, Section 1111(d)(1)&(2).

²¹ ESSA, Section 1111(h).

- Notifying parents about issues such as teacher qualifications, assessments, and identification of students as English learners,²²
- Collaborating with child welfare agencies to ensure the educational stability of children in foster care,²³
- Providing services to homeless children,²⁴
- Providing services to children in local institutions for neglected children, and if appropriate, to children in local institutions for delinquent children, and neglected or delinquent children in community day programs,²⁵
- Allocating Title I funds to eligible schools through a poverty-based procedure known as “ranking and serving,”²⁶
- Developing policies and providing services to engage parents and families,²⁷
- Providing services to eligible private school students,²⁸ and
- Overseeing Title I activities in Title I schools.²⁹

Schools that receive Title I funds must design and implement programs to support eligible Title I students using one of two models:

- A **schoolwide model**, available to any school with at least forty percent poverty (or to schools below forty percent poverty with a waiver, which, under ESSA, can be issued by the SEA).³⁰
 - Schools operating a schoolwide model can use Title I funds to upgrade their entire educational program,³¹
 - All students are considered “eligible Title I students,”³² and
 - Schoolwide schools must develop a plan describing the services they will provide based on a comprehensive assessment of the school’s needs.³³ This needs assessment must take into account the academic achievement of all students, particularly the needs of those of students struggling to meet state academic standards, and any other factors as determined by the LEA.³⁴
- A **targeted assistance model**, available to any Title I school that does not operate a schoolwide program.³⁵
 - Schools operating a targeted assistance model must use Title I funds to help educationally-disadvantaged students meet state standards, and³⁶

²² ESSA, Section 1112(e).

²³ ESSA, Section 1112(c)(5)(B).

²⁴ ESSA, Section 1113(c)(3)(A)(i). Please see footnote 49 for more information.

²⁵ ESSA, Section 1113(c)(3)(A)(ii)&(iii).

²⁶ ESSA, Section 1113.

²⁷ ESSA, Section 1116.

²⁸ ESSA, Section 1117.

²⁹ 2 CFR § 200.328(a).

³⁰ ESSA, Section 1114(a)(1).

³¹ ESSA, Section 1114(a)(1)(A).

³² ESSA, Section 1114(a)(2).

³³ ESSA, Section 1114(b).

³⁴ ESSA, Section 1114(b)(6).

³⁵ ESSA, Section 1115.

³⁶ ESSA, Section 1115(b)(2)(A).

- Students are eligible for Title I if they: (1) are failing, or at risk of failing, to meet state standards, (2) participated in certain federally-funded preschool programs, (3) received services under the Migrant Education Program, (4) are in a local institution for neglected or delinquent children or are attending a community day program, or (5) are homeless.³⁷

D. How Title I, Part A Funds May be Used

Title I, Part A funds may support a wide range of activities to help eligible Title I, Part A students meet State academic standards. This includes:

- Providing eligible students with a well-rounded education, which ESSA defines as: *“courses, activities, and programming in subjects such as English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, physical education, and any other subject, as determined by the SEA or LEA, with the purpose of providing all students access to an enriched curriculum and educational experience.”*³⁸
- Instructional supports;
- Non-instructional supports such as behavior and mentoring;
- Counseling and prevention supports; and
- Improving overall school quality.

Historically, many LEAs and schools have used Title I, Part A funds narrowly for discrete instructional supports primarily focused on reading and math. This may have happened because the NCLB law’s complexity led to narrower interpretations about the appropriate use of Title I, Part A funds.

The language of ESSA is clearer than NCLB. Under ESSA, Title I, Part A funds may be used flexibly to meet a broad range of student needs, which *can include* reading and math instructional supports, but *may also address other identified student needs*.

The chart on page 11 highlights common ways Title I, Part A spending has been used in a more limited way compared to what is actually allowed under ESSA. Understanding and addressing these limitations is important for ensuring ESSA’s Title I, Part A funds are used to their full potential.

³⁷ ESSA, Section 1115(c).

³⁸ Please see ESSA, Section 8101(52) defining a “well-rounded education”.

Common Title I, Part A Limitations Not Required by ESSA (or NCLB) ³⁹	
Common Limitation Not Required by Federal Law	Actual Legal Authority
Limiting Title I, Part A spending to reading/language arts and math	<i>Title I, Part A funds may be used broadly under ESSA for a broad range of subjects (see definition of well-rounded education on page 10). (Under NCLB, funds could have been used for subjects like science, social studies, art, and others, though that was not common.)⁴⁰</i>
Limiting Title I, Part A spending only to instruction or materials	<i>ESSA permits Title I, Part A funds to be used for non-instructional supports, including school climate, attendance improvement, and school counselors.⁴¹ (Guidance under NCLB also provided flexibility that Title I could be used for non-instructional supports such as school climate, increasing attendance, school counselors, etc.)⁴²</i>
Limiting Title I, Part A spending to remedial programs	<i>ESSA is now more explicit that Title I, Part A funds may be used for advanced learning opportunities for struggling students.⁴³ (While NCLB did not impose such a restriction, many schools shifted focus more narrowly when the NCLB accountability systems were implemented. ED guidance permitted spending on advanced learning opportunities for struggling students.⁴⁴)</i>
Limiting Title I, Part A spending to specific students in a schoolwide program school	<i>ESSA permits Title I, Part A schoolwide spending on broad improvement strategies based on the school's needs.⁴⁵ NCLB also permitted Title I, Part A funding to upgrade the entire educational program of a schoolwide Title I school.</i>

E. Required Set-Asides of Title I, Part A Funds at the LEA Level

Before allocating Title I, Part A funds to schools, LEAs **must reserve**, or set-aside, Title I, Part A funds for the following **required activities**:

1. **Equitable services for eligible private school students.** LEAs must reserve a proportional amount based on the number of eligible private school students in the LEA.³⁹ ESSA requires an LEA to determine the amount of funds available for providing equitable services under Title I **prior** to any expenditures or transfers of funds.⁴⁰ This includes all reservations previously taken “off the top” of an LEA’s Title I allocation, including reservations for administration, parental engagement, and district-wide initiatives.⁴¹ Private schools receiving services must be non-profit (PNP). LEAs may not provide funds directly to PNP schools.

Please Note: The Equitable Services requirement under ESSA pertains to each of the following federal programs:

- Title I, Part A: Improving Basic Programs Operated by Local Education Agencies

³⁹ ESSA, Section 1117(a)(4). ED, (2016) available at [Fiscal Changes and Equitable Services Requirements Under the Elementary and Secondary Education Act of 1965 \(ESEA\), as Amended by the Every Student Succeeds Act \(ESSA\)](#) .

⁴⁰ ESSA, Section 1117(a)(4).

⁴¹ See U.S. Department of Education, [Non-Regulatory Guidance: Fiscal Changes and Equitable Services Requirements under the Elementary and Secondary Education Act of 1965 \(ESEA\), as amended by the Every Student Succeeds Act \(ESSA\)](#) (November 2016), Q&A O-1. This guidance will be referred to as “ED 2016 Fiscal Changes Guidance” for the rest of this document.

- Title I, Part C: Education of Migratory Children
- Title II, Part A: Supporting Effective Instruction
- Title III, Part A: English Language Acquisition and Language Enhancement
- Title IV, Part A: Student Support and Academic Enrichment Grants
- Title IV, Part B: 21st Century Community Learning Centers

Please see ED's [Fiscal Changes and Equitable Services Requirements Under the Elementary and Secondary Education Act of 1965 \(ESEA\), as Amended by the Every Student Succeeds Act \(ESSA\)](#) (2016).

Additional information from ED about providing equitable services for students, teachers, and parents from eligible private non-profit schools may be found at ED's [Office of Non-Public Education](#)

2. **Services for homeless children.** This set-aside may be used to pay for the cost of a homeless liaison, transportation for eligible students, and other activities required under the McKinney-Vento Homeless Education Act. Students are eligible whether or not they attend, Title I schools. *LEAs must reserve "such funds as are necessary," based on an assessment of homeless children's needs; ESSA does not specify an amount.*⁴²
3. **Parent and Family Engagement (PFE).** Under ESSA, "parent involvement" has been changed to "parent and family engagement." At least 1% must be set-aside if the LEA's allocation of Title I, Part A funds is \$500,000 or more.⁴³ Calculate the PFE set-aside by taking 1% of your total allocation. Of that 1%, no less than 90% must go to Title I schools. The remaining 10% (or less) may remain at the LEA level. The parent and family engagement set aside is required if the LEA receives \$500,000 or more of Title I, Part A funds.⁴⁴

⁴² ESSA, Section 1113(c)(3)(C).

⁴³ ESSA, Section 1116(a)(3)(A). ESSA clarifies LEAs can reserve more than one percent at their discretion.

⁴⁴ Please note ninety percent is a change from NCLB which required LEAs to distribute ninety-five percent of the reserved funds to schools.

F. Optional Set-Asides of Title I, Part A Funds at the LEA Level

LEAs may also set-aside funds for the following **optional activities**:

Administering the Title I program. LEAs may reserve a reasonable and necessary amount.⁴⁵ It is recommended that LEAs set-aside not more than 5% for program administration.

IMPORTANT NOTE: While there is no specific cap on the amount of money an LEA can reserve for LEA-managed initiatives, the bulk of Title I, Part A funds generally should be allocated to schools because Title I, Part A is designed to be a school-based program.

Early Learning. Use this set-aside for district-wide early learning activities for eligible children.⁴⁶ Whether in the entire LEA or just a portion of the LEA, there are a number of early learning activities, including full day kindergarten and preschool, that may be funded with Title I, Part A dollars.

- The ED guidance [Serving Preschool Children through Title I](#) explains options for the early learning set-aside and the staffing and educational requirements that apply if using Title I, Part A funds for early learning.

Foster Care. Use this set-aside to support foster care students who are categorically eligible for Title I, Part A under ESSA.⁴⁷ This may include additional costs to transport children in foster care to their school of origin consistent with Section 1112(c)(5).

- For more information on Title I, Part A and Foster Care, review the following joint guidance from the U. S. Department of Education and the U. S. Department of Health and Human Services: [Ensuring Educational Stability for Children in Foster Care](#).

School Improvement. Schools identified for school improvement under the provisions of ESSA include two categories: Targeted Support and Intervention (TSI) and Comprehensive Support and Intervention (CSI). Following is a brief description of these categories of schools. Additional information will be added to this section after Utah's ESSA Consolidated State Plan has been approved and the Utah State Board of Education's Board Rule for school improvement is revised.

- **Targeted Support and Intervention (TSI) Schools**
 - Any school with one or more consistently underperforming disaggregated student groups.
- **Comprehensive Support and Intervention (CSI) Schools**
 - Title I Schools in the lowest-performing 5% of Title I schools for two consecutive years
 - All public high schools with a 4-year cohort graduation rate less than 67% for two consecutive years
 - Title I Schools previously identified as TSI schools that do not improve after a maximum of four years move to CSI status schools

TSI and CSI schools⁴⁸ must develop plans for improving student outcomes that (among other things):

- Are informed by all the indicators for differentiating schools listed above,
- Include evidence-based interventions (see box below), and

⁴⁵ 34 CFR Part 200, Reservation of funds by an LEA.

⁴⁶ ESSA, Section 1113(c)(5).

⁴⁷ U.S. Department of Education and U.S. Department of Health and Human Services, [Ensuring Educational Stability for Children in Foster Care](#) (2016), Q&A 30.

⁴⁸ For CSI schools, the LEA develops the plan, which must be approved by the school. ESSA, Section 1111(d)(1)(B).

- Are based on an assessment of the school’s needs.⁴⁹

Definition of “Evidence-Based” in ESSA⁵⁰

Evidence-based means an activity, strategy, or intervention that:

- i. demonstrates a **statistically significant effect on improving student outcomes or other relevant outcomes based on—**
 - (I) **strong evidence from at least one well-designed and well-implemented experimental study;**
 - (II) **moderate evidence from at least one well-designed and well-implemented quasi-experimental study; or**
 - (III) **promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or**
- ii. (I) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and
 (II) includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

A school identified for improvement under ESSA **must implement evidence-based practices** if the school is the recipient of any Title I 1003(a) school improvement funds.

- LEAs with identified CSI and/or TSI schools may (but are not required to) set aside part of their Title I, Part A funds to support identified schools in the implementation of evidence-based strategies to improve student outcomes.
- LEAs with CSI or TSI schools may set aside 5% of Title I, Part A funds to provide financial incentives and rewards to teachers in CSI or TSI schools for the purpose of recruiting and retaining effective teachers.
- LEAs may provide transportation for students in CSI schools if the LEA chooses to offer these students the option to transfer to another higher-performing school.
- Under ESSA, TSI and CSI schools that receive Title I funds have the same Title I, Part A spending options as any other Title I school, and can also use their Title I, Part A funds to support the school’s TSI and CSI initiatives.
- It is important to note the distinction between how Title I, Part A funds may be used in a TSI or CSI school versus how Section 1003 school improvement funds must be used. Under ESSA, regular Title I, Part A funds may support any allowable Title I, Part A cost whether it meets ESSA’s definition of evidence-based or not. This is different from how Section 1003 school improvement funds must be used. **Section 1003 school improvement funds can only be used to support activities that meet ESSA’s top three tiers of evidence** (highlighted in bold text above). In other words, Section 1003 funds can only be used to fund activities, strategies, or interventions based on a study that demonstrates the activity, strategy, or intervention has a *statistically significant effect* on improving student outcomes.⁵⁰

⁴⁹ ESSA, Section 1111(d)(1)(B) and Section 1111(d)(2)(B).

⁵⁰ ESSA, Section 8101(21)(B) stating:

- Therefore, while TSI and CSI schools must implement evidence-based interventions under ESSA’s school improvement requirements, this requirement does not directly affect their use of regular Title I, Part A funds under ESSA.

For more information on the evidence requirements under ESSA, please see ED’s Guidance: [Using Evidence to Strengthen Education Investments](#).

Additional information and resources related to evidence-based practices are available at the following websites:

- [Best Evidence Encyclopedia](#) developed by the Center for Data-Driven Reform in Education at Johns Hopkins University
- [Evidence for ESSA](#) developed by the Center for Data-Driven Education Reform at Johns Hopkins University:
- [What Works Clearinghouse](#) developed by the Institute of Education Sciences (IES) at the U. S. Department of Education
- [Results for America](#) resource page, includes a variety of resources for state and local leaders
- [Results First Clearinghouse Database](#) developed by the Pew Charitable Trusts:
- [Center on School Turnaround](#) at WestEd:
 - [Four Domains for Rapid School Improvement A Systems Framework](#)
- [The LEA Guide for Identifying Evidence-Based Interventions for School Improvement](#), developed by the Florida Center for Reading Research
- [RAND](#) report on evidence-based school leadership interventions:
- [University of Virginia Partnership for Leaders in Education](#)
- [Using Evidence to Create Next Generation High Schools](#), developed by the U.S. Department of Education:
- [Roadmap to Evidence-Based Reform for Low-Graduation Rate High Schools](#), developed by the Every Student Graduates Center at Johns Hopkins University
- [National Implementation Research Network](#) (NIRN)
- Resources provided by regional educational laboratories and comprehensive centers: For example, Utah is located in the region served by [WestEd](#)

A Deeper Look at Title I, Part A Set-Asides for LEA-Managed Initiatives

LEAs may set-aside Title I, Part A funds to implement LEA Title I, Part A initiatives that are managed at the central office level (rather than the school level), and designed to improve the achievement of students eligible for Title I, Part A services. LEA-managed initiatives are sometimes called “districtwide” initiatives because they benefit all, or a group, of Title I, Part A schools. However, these initiatives are not truly districtwide in an LEA

(B) DEFINITION FOR SPECIFIC ACTIVITIES FUNDED UNDER THIS ACT. When used with respect to interventions or improvement activities or strategies funded under section 1003, the term “evidence-based” means a State, local educational agency, or school activity, strategy, or intervention that meets the requirements of subclause (I), (II), or (III) of subparagraph (A)(i).

with both Title I and non-Title I schools. For example, an LEA cannot use Title I, Part A funds to benefit students in non-Title I schools.

Guidance from ED permits LEAs to use Title I, Part A funds for the following types of district-managed initiatives for all, or a subset of, an LEA's Title I, Part A schools. The following examples illustrate *possible* uses of Title I, Part A funds for a LEA-managed Title I, Part A initiative. Other uses of funds that are consistent with Title I, Part A rules are also permissible.⁵¹

- Contracting with an outside provider with expertise in school improvement to support low-achieving Title I, Part A schools;⁵²
- Summer school courses, or after-school tutoring, to prepare low-achieving students to participate successfully in advanced coursework;⁵³
- Supplemental instructional materials to improve the academic achievement of low-achieving students, including students with disabilities and English language learners;⁵⁴
- Hiring an outside expert to work with the staff of low-achieving Title I, Part A schools to build their capacity to analyze student data and identify promising interventions;⁵⁵
- Paying for extended time for teachers in Title I, Part A schools to review data for at-risk students and identify interventions to better meet the needs of those students;⁵⁶ and
- Extending learning time (ELT) in Title I, Part A schools (before- and after-school programs, Saturday school and summer school, extending half-day kindergarten to full day, offering an early start to the school year for students needing transition support, extending the school year, extended learning opportunities during the school day, and adding time during the day for collaborative teacher planning).⁵⁷
- There is a narrow exception allowing Title I, Part A funds to support extended learning time for students not attending a Title I, Part A school (e.g., a non-Title I school that has been identified as a Turnaround School under state statute). In 2016, ED wrote, "An LEA generally may not use Title I funds to pay for ELT in Title I schools while also using non-Title I funds to support ELT in non-Title I schools. However, an LEA that wants to provide ELT programs *for only low-achieving students* in both its Title I and non-Title schools may be able to do so, consistent with 34 C.F.R. § 200.79."⁵⁸

IMPORTANT NOTE: While there is no specific cap on the amount of money an LEA can reserve for district-managed initiatives, the bulk of Title I funds generally should be allocated to schools because Title I is designed to be a school-based program.

⁵¹ ED 2009 Title I Reform Guidance, Q&A B-8.

⁵² ED 2009 Title I Reform Guidance, Q&A B-8.

⁵³ ED 2009 Title I Reform Guidance, Q&A C-1.

⁵⁴ ED 2009 Title I Reform Guidance, Q&A C-8.

⁵⁵ ED 2009 Title I Reform Guidance, Q&A D-1.

⁵⁶ ED 2009 Title I Reform Guidance, Q&A D-4.

⁵⁷ ED 2009 Title I Reform Guidance, Q&A G-5.

⁵⁸ See Appendix A in this Guide. Letter from Ann Whalen to Chief State School Officers dated Feb 26, 2016.

G. Title I, Part A: Ranking and Serving Schools

Title I, Part A requires LEAs to **concentrate the funds** in schools with the highest percentages of poverty and to provide **sufficient funds** to make a difference in the academic performance of the students attending these schools.

In order to determine which schools will receive Title I, Part A funds, each LEA with **1,000 or more** enrolled students must put its schools in **rank order** from highest to lowest concentrations of poverty.

Ranking Schools

1. Determine each school's poverty rate. LEAs typically use student eligibility for free and/or reduced-price lunch (FR) as the poverty rate. However, ESEA allows LEAs to use other options including:

- Eligibility for Temporary Assistance to Needy Families (TANF)
- Census data
- Eligibility for Medicaid
- A combination of these measures that works best for the LEA.

2. Rank schools in order of poverty from highest to lowest.

Serving Schools

- 1. LEAs must first provide Title I, Part A funds to any school with a poverty rate of 75% or higher without regard to the grade span the school serves.** See ESEA Section 1113. Once Title I funds are allocated to schools with 75% or higher poverty, the LEA may choose to serve schools in rank order by grade span. For example, an LEA may choose to concentrate Title I, Part A funds in eligible elementary schools while skipping secondary schools that have less than 75% poverty.
- 2. Determine whether the LEA wants to use the new provision in ESSA to serve high schools with at least 50% poverty.**
- 3. Determine the per-pupil amounts in rank order (PPA).** Higher poverty schools must receive an equal or greater per-pupil allocation than students in schools with lower poverty. For example, if Poplar Elementary has a poverty rate of 67% it cannot receive a smaller PPA amount than Walnut Elementary that has a poverty rate of 60%.
- 4. For schools with poverty rates less than 75% (or for high schools with less than 50% if the LEA uses #2), the LEA may choose to serve schools with specific grade spans (i.e., serve eligible elementary schools but skip middle or high schools).**
- 5. LEAs may provide Title I, Part A funds to schools with poverty rates of 35% or higher or at or above the district average poverty rate.** For example, if the district average poverty rate is 42% it may choose not to serve schools with poverty rates below 42%; however, the district could choose to serve schools with poverty rates down to 35% if it chooses to spread its Title I funds to those schools.
- 6. Some schools, specifically schools that are small or have highly mobile student populations, may have poverty rates that change significantly from year to year. Thus, a school might qualify for Title I funding one year and not the next. In that case, the LEA may consider a school eligible for an additional year. Keep in mind grandfathering only works if a school falls below the LEA average poverty rate or 35% whichever is higher.**
- 7. Charter schools must have a minimum of 10 low-income students based on the federal definition to qualify for Title I, Part A funds. [See ED Guidance](#)**

H. Targeted Assistance Title I Programs: Requirements and Use of Title I, Part A Funds

A **targeted assistance Title I program** is available to any Title I, Part A school that: (1) chooses not to operate a schoolwide Title I program, (2) is in its first year designated as a Title I school, and/or (3) has less than 40% poverty.⁵⁹

In a targeted assistance Title I school, the school uses Title I, Part A funds to provide additional supports to specifically identified students who are struggling to meet State standards. See USBE's [Title I, Part A webpage](#) USBE's [Targeted Assistance Program Checklist](#) for more information on designing and operating a Targeted Assistance Program.

Schools operating a targeted assistance program must use Title I, Part A funds to help identified *educationally disadvantaged* students meet state standards.⁶⁰ Student eligibility for services in a targeted assistance Title I school is not restricted to students who are economically disadvantaged. Targeted assistance schools must determine which students they will serve by identifying the students with the greatest need for assistance from among the following eligible groups:

- Students identified as failing, or most at risk of failing, to meet State standards,
- Students who participated in Head Start, or ESSA-funded preschool or literacy programs for young children, within the past two years including Title I-supported preschool,
- Students who received services under the Title I, Part C Migrant Education Program,
- Students who are in a local institution for neglected or delinquent children or are attending a community day program, and
- Students who are homeless or in foster care.⁶¹

Spending Options in a Targeted Assistance Program

Targeted assistance schools must use Title I, Part A funds to help identified students meet state standards, which can include programs, activities, and academic courses necessary to provide a well-rounded education.⁶²

Targeted assistance schools may use Title I, Part A funds to serve its eligible students by:

- Expanding learning time for eligible students, including before- and afterschool programs, summer programs, and other intersession opportunities,
- Implementing a schoolwide tiered behavior model to prevent and address behavior problems,
- Providing early intervening services to eligible students, including services coordinated with similar activities and services carried out under IDEA,
- Providing eligible students with extra supports aligned to the school's regular education program, which may include services to assist preschool children in the transition from early childhood education programs to elementary school programs,
- Providing professional development to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with eligible students, and
- Implementing strategies to increase the engagement of parents of eligible students.⁶³

⁵⁹ ESSA, Section 1115.

⁶⁰ ESSA, Section 1115(b)(2)(A).

⁶¹ ESSA, Section 1115(c).

⁶² ESSA, Section 1115(b)(2)(A).

⁶³ ESSA, Section 1115(b)(2).

Targeted assistance schools can also use Title I, Part A funds to provide eligible students with health, nutrition, and other social services⁶⁴ that are not otherwise available to them if:

- The school has engaged in a comprehensive needs assessment and established a collaborative partnership with local service providers, if appropriate; and
- Funds are not reasonably available from other public or private sources.⁶⁵

A secondary school operating a targeted assistance program may use Title I, Part A funds to provide dual or concurrent enrollment program services to eligible children.⁶⁶

Targeted assistance Title I schools must:

- Help provide an accelerated, high-quality curriculum,
- Minimize the removal of children from regular Tier one classroom instruction during regular school hours,
- Review the progress of eligible students on an ongoing basis and revise the targeted assistance program, if necessary (including exiting students from Title I services when they no longer need them), to provide students additional assistance to meet state standards.⁶⁷
- Must maintain records to document which students receive services.

Coordinating Targeted Assistance Programs with Other Programs and Supports

Because targeted assistance programs can only serve specifically identified students, schools sometimes “wall-off” their Title I, Part A programs to prove that only eligible students participated. This is not required by the Title I law or federal rules. In fact, Title I, Part A encourages schools to coordinate Title I services with other programs, including the regular education program and IDEA.

For example, the targeted assistance section of the law says:

*Nothing in this section shall be construed to prohibit a school from serving students under this section simultaneously with students with similar educational needs, in the same educational settings where appropriate.*⁶⁸

The law also encourages targeted assistance schools to coordinate and integrate federal, state, and local services and programs, such as programs supported under ESSA, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and comprehensive support and improvement activities or targeted support and improvement activities.⁶⁹

This coordination extends beyond student services and includes Title I staff as well. For example, to promote the integration of Title I, Part A staff into the regular school program and overall school planning and improvement efforts, such staff can:

- Participate in general professional development and school planning activities; and

⁶⁴ Examples of such services include basic medical equipment such as eyeglasses and hearing aids, compensation of a coordinator, family support and engagement services, integrated student supports, and professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children. ESSA, Section 1115(e)(2)(B).

⁶⁵ ESSA, Section 1115(e)(2).

⁶⁶ ESSA, Section 1115(f).

⁶⁷ ESSA, Section 1115(b)(2)(G).

⁶⁸ ESSA, Section 1115(e)(1).

⁶⁹ ESSA, Section 1115(b)(2)(F).

- Assume limited duties that are assigned to similar personnel, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.⁷⁰

Staffing Requirements in Targeted Assistance Programs

There are specific Title I staffing requirements for paraeducators and teachers.

Paraeducators and substitute paraeducators assigned to a Title I targeted assistance school who are paid with Title I funds, including paraprofessionals working in preschool programs or with special education students, must continue to meet federal standards previously used under ESEA. This means that paraeducators and substitute paraeducators must have a high school diploma plus one of the following requirements:

- An associate degree
- 48 semester hours or 60 quarter hours of college credit
- Passing score on the PRAXIS Parapro exam

Paraprofessionals working in Title I schools may perform a variety of tasks, including:

- Tutoring eligible students, if the tutoring occurs at a time when a student would otherwise receive instruction from a classroom teacher,
- Classroom management, including organizing instructional materials,
- Managing a computer lab,
- Assisting with parental engagement activities,
- Providing support in a library media center,
- Translating for parents or families,
- Instructional services to students under the supervision of a licensed teacher.

Some paraprofessionals are not subject to the ESEA requirements. This includes paraprofessionals with the following specific responsibilities:

- Paraprofessionals whose assigned duties are limited to parent engagement activities must have a high school diploma, but do not have to meet any of the additional requirements.
- Paraprofessionals whose responsibility is limited solely to providing translation services for English learners must have a high school diploma, but do not have to meet any of the additional requirements.
- Paraprofessionals who provide personal care services or other non-instructional services to special education students do not have to meet the highly qualified paraprofessional requirements. If, however, the paraprofessional provides instructional support in the special education classroom and is paid with Title I funds, or works in a schoolwide Title I program, s/he must meet the “highly qualified” requirement of ESEA.

Teachers assigned to Title I, Part A targeted assistance programs must meet applicable [state professional licensure requirements](#) for Utah’s requirements. A teacher assigned to a Title I, Part A targeted assistance school may be out-of-field or out-of-endorsement as long as they hold an eligible license type. Local board approval must be in place prior to the date the teacher was assigned to teach in a Title I, Part A targeted assistance program. For more information about teacher licensing in Utah please see:

⁷⁰ ESSA, Section 1115(d).

I. Schoolwide Title I Programs: Requirements and Use of Title I, Part A Funds

The **schoolwide Title I program** offers high poverty schools the flexibility to implement comprehensive school reform strategies and not be limited only to narrow services for identified students.

A schoolwide program is available to any Title I school with at least forty percent (40%) poverty. The school must have a comprehensive needs assessment and have spent adequate time to develop a Title I schoolwide plan for meeting its needs with the engagement of all relevant stakeholders. Under ESSA, it is also an option for schools below forty percent poverty if granted a waiver.⁷¹

In a schoolwide Title I program all students and staff may participate in Title I-funded activities, and the school may use Title I funds to support any reasonable activity designed to improve the school's educational program so long as it is consistent with the school's needs and schoolwide plan.

- Schools operating a schoolwide Title I program can use Title I, Part A funds to upgrade its entire educational program;⁷²
- All students are considered eligible for Title I, Part A services;⁷³ and
- Schoolwide schools must develop a plan describing the services they will provide based on a comprehensive needs assessment of the school.⁷⁴ See: [USB E Title I Schoolwide Planning Template](#).

Spending Options in a Schoolwide Program

Depending on its needs, a schoolwide program school could use Title I to support:

- High-quality preschool or full-day kindergarten and services to facilitate the transition from early learning to elementary education programs,
- Recruitment and retention of effective teachers, particularly in high-need subjects,
- Instructional coaches to provide high-quality, school-based professional development,
- Increased learning time,
- Evidence-based strategies to accelerate the acquisition of content knowledge for English learners,
- Activities designed to increase access and prepare students for success in high-quality advanced coursework to earn postsecondary credit while in high school (e.g., Advanced Placement, International Baccalaureate, early college high schools, and dual or concurrent enrollment programs),
- Career and technical education programs to prepare students for postsecondary education and the workforce,
- Counseling, school-based mental health programs, mentoring services, and other strategies to improve students' nonacademic skills,
- School climate interventions (e.g., anti-bullying strategies, positive behavior interventions and supports),
- Equipment, materials, and training needed to compile and analyze student achievement data to monitor progress, alert the school to struggling students, and drive decision making,
- Response-to-intervention strategies intended to allow for early identification of students with learning or behavioral needs and to provide a tiered response based on those needs,

⁷¹ ESSA, Section 1114(a)(1).

⁷² ESSA, Section 1114(a)(1)(A).

⁷³ ESSA, Section 1114(a)(2).

⁷⁴ ESSA, Section 1114(b).

- Activities that have been shown to be effective at increasing family and community engagement in the school, including family literacy programs,
- Devices and software for students to access digital learning materials and collaborate with peers, and related training for educators (including accessible devices and software needed by students with disabilities), and
- Two-generation approaches that consider the needs of both vulnerable children and parents, together, in the design and delivery of services and programs to support improved economic, educational, health, safety, and other outcomes that address the issues of intergenerational poverty.⁷⁵

For more information about using Title I funds in a schoolwide setting under ESSA, please see ED’s guidance [Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program](#).

The Schoolwide Plan and Its Relationship to the Use of Title I Funds

The schoolwide plan is a strategic tool to identify the school’s needs and explain which improvement strategies it will use to address those needs.⁷⁶ A schoolwide Title I plan must be based on a **comprehensive needs assessment** of the entire school. The needs assessment must take into account information on the academic achievement of children, particularly the needs of those children who are failing, or are at-risk of failing, to meet state standards, and any other factors as determined by the LEA.⁷⁷ The schoolwide plan must address the school’s identified needs.⁷⁸

The composition of the schoolwide plan changed under ESSA. Under NCLB, schools had to address ten components in their schoolwide plans. ESSA takes a more comprehensive approach, as described below. Under ESSA, there are four required plan components. Schools that are currently operating schoolwide programs must amend their existing plans to reflect these changes within one year of ESSA taking effect (i.e., July 1, 2018).⁷⁹ See: [USBE’s Schoolwide Title I Planning Template](#).

All schoolwide buildings will need to update schoolwide plans to meet ESSA requirements during the 2017-18 school year.⁸⁰ There are four components of the Title I, Part A schoolwide plan required under ESSA. (Under NCLB, there were 10 required components.) The four required components under ESSA are:

- Needs Assessment
- School Reform Strategies
- Activities to Ensure Mastery
- Coordination and Integration of Funds.

See USBE’s [Title I, Part A webpage](#) for more information on designing and operating a Schoolwide Title I Program. [USBE’s Schoolwide Title I Planning Template](#) aligns the four components with reform strategies to help improve student outcomes.

Using the information from the comprehensive needs assessment, the schoolwide plan must describe strategies the school will implement to address its needs, including a description of how the strategies will:

⁷⁵ U.S. Department of Education, [Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program](#), pp. 4-5 (2016) This guidance will be referred to as “*ED 2016 Schoolwide Guidance*” for the rest of this document.

⁷⁶ ESSA, Section 1114(b)(7)(B). See also *ED 2016 Schoolwide Guidance*, pp. 9-10, for more information about consolidation.

⁷⁷ ESSA, Section 1114(b)(6).

⁷⁸ ESSA, Section 1114(b).

⁷⁹ ESSA, Section 1114(b)(1).

⁸⁰ ESSA, Section 1114(b)(1).

- Provide opportunities for all students, including each disaggregated group of students, to meet state standards,
- Use methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum, which may include programs, activities, and courses necessary to provide a well-rounded education, and
- Address the needs of all children in the school, but particularly the needs of those at risk of not meeting state standards, through activities which may include:
 - Counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students’ skills outside the academic subject areas,
 - Preparation for and awareness of opportunities for postsecondary education and the workforce, which may include career and technical education programs and broadening secondary school students’ access to coursework to earn postsecondary credit while still in high school (such as Advanced Placement, International Baccalaureate, dual or concurrent enrollment, or early college high schools),
 - Implementation of a schoolwide multi-tiered model of support to prevent and address problem behavior, and early intervening services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act,
 - Professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments, and to recruit and retain effective teachers, particularly in high-need subjects, and
 - Strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs.⁸¹

In addition, if a schoolwide Title I school consolidates Title I with other funds, the plan must also list the specific state, local, and federal programs that will be consolidated in the schoolwide program.⁸² It is important to note that Title I funds can be used to support comprehensive initiatives in a schoolwide school *even if Title I funds are not consolidated with other program funds*.⁸³

Developing a Schoolwide Plan

The schoolwide Title I plan must be developed:

- During a 1-year period, for schools not already operating schoolwide programs, unless the LEA determines, in consultation with the school, that less time is needed to develop and implement the schoolwide program;⁸⁴
- With the involvement of key stakeholders;⁸⁵ and

⁸¹ ESSA, Section 1114(b)(7)(A).

⁸² ESSA, Section 1114(b)(7)(B). See also *ED 2016 Schoolwide Guidance*, pp. 9-10, for more information about consolidation.

⁸³ See *ED 2016 Schoolwide Guidance*, p.9, stating:

NOTE: A schoolwide program school has flexibility in its use of Title I funds even absent consolidation. The uses of Title I funds described throughout this document are available to a schoolwide program school that does not consolidate its Title I or other Federal funds. Consolidation, however, affords even greater flexibility.

⁸⁴ ESSA, Section 1114(b)(1).

⁸⁵ ESSA, Section 1114(b)(2). ESSA specifies parents and other members of the community and individuals who will carry out such plan, including teachers, principals, other school leaders, paraprofessionals, administrators, the LEA, tribes and tribal

- In coordination and integration with other federal, state, and local services, resources, and programs, if appropriate, such as programs supported under ESSA, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and schools implementing comprehensive support and improvement activities or targeted support and improvement activities.⁸⁶

Duration of a Schoolwide Title I Plan and Parental and Public Access

ESSA clarifies that schoolwide Title I plans:

- Remain in effect for the duration of the school’s participation in Title I, Part A except that schools must regularly monitor and revise the plan and implementation as necessary based on student needs to ensure that all students are provided opportunities to meet state standards.⁸⁷
- The schoolwide plan must be available to the LEA, parents, and the public, and the information contained in the plan should be understandable to the extent practical.⁸⁸

Schoolwide Title I Plan and Use of Title I, Part A Funds

The schoolwide Title I plan provides the foundation for how a school can use Title I, Part A funds. The schoolwide Title I school’s budget and spending must **directly align** to its Title I, Part A schoolwide plan. The school **plans first** and **then spends** Title I, Part A funds to support the strategies identified in its plan.

In a schoolwide program, **all** students and staff may participate in Title I, Part A-funded activities, and the school may use Title I, Part A funds to support any reasonable activity designed to improve the school’s educational program so long as it is consistent with the school’s needs assessment and plan and documented in the plan.

Depending on its needs, a schoolwide program Title I school could use Title I, Part A funds to support:

- High-quality preschool and services to facilitate the transition from early learning to elementary education programs,
- Recruitment and retention of effective teachers, particularly in high-need subjects,
- Instructional coaches to provide high-quality, school-based professional development,
- Increased learning time,
- Evidence-based strategies to accelerate the acquisition of content knowledge for English learners,
- Activities designed to increase access and prepare students for success in high-quality advanced coursework to earn postsecondary credit while in high school (e.g., Advanced Placement, International Baccalaureate, early college high schools, and dual or concurrent enrollment programs),
- Career and technical education programs to prepare students for postsecondary education and the workforce,
- Counseling, school-based mental health programs, behavior mentoring services, and other strategies to improve students’ nonacademic skills,
- School climate interventions (e.g., anti-bullying strategies, positive behavior interventions and supports),
- Equipment, materials, and training needed to compile and analyze student achievement data to monitor progress, alert the school to struggling students, and drive decision making,
- Response-to-intervention strategies intended to allow for early identification of students with learning or behavioral needs and to provide a tiered response based on those needs,

organizations (to the extent feasible), and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, if the plan relates to a secondary school, students, and other individuals determined by the school.

⁸⁶ ESSA, Section 1114(b)(5).

⁸⁷ ESSA, Section 1114(b)(3).

⁸⁸ ESSA, Section 1114(b)(4).

- Activities that have been shown to be effective at increasing family and community engagement in the school, including family literacy programs,
- Devices and software for students to access digital learning materials and collaborate with peers, and related training for educators (including accessible devices and software needed by students with disabilities), and
- Two-generation approaches that consider the needs of both vulnerable children and parents, together, in the design and delivery of services and programs to support improved economic, educational, health, safety, and other outcomes that address the issues of intergenerational poverty.⁸⁹

For more information about using Title I, Part A funds in a schoolwide setting under ESSA, please see ED’s guidance, [Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program](#).

Staffing Requirements in Schoolwide Programs

There are specific Title I, Part A staffing requirements for paraeducators and teachers.

Paraeducators and substitute paraeducators assigned to a schoolwide Title I school who are paid with Title I funds, including paraprofessionals working in preschool programs or with special education students, must continue to meet federal standards previously used under ESEA. This means that paraeducators and substitute paraeducators must have a high school diploma plus one of the following requirements:

- An associate degree
- 48 semester hours or 60 quarter hours of college credit
- Passing score on the PRAXIS Parapro exam

Paraprofessionals working in Title I schools may perform a variety of tasks, including:

- Tutoring eligible students, if the tutoring occurs at a time when a student would otherwise receive instruction from a classroom teacher,
- Classroom management, including organizing instructional materials,
- Managing a computer lab,
- Assisting with parental engagement activities,
- Providing support in a library media center,
- Translating for parents or families,
- Instructional services to students under the supervision of a licensed teacher.

Some paraprofessionals are not subject to the ESEA requirements. This includes paraprofessionals with the following specific responsibilities:

- Paraprofessionals whose assigned duties are limited to parent engagement activities must have a high school diploma, but do not have to meet any of the additional requirements.
- Paraprofessionals whose responsibility is limited solely to providing translation services for English learners must have a high school diploma, but do not have to meet any of the additional requirements.
- Paraprofessionals who provide personal care services or other non-instructional services to special education students do not have to meet the highly qualified paraprofessional requirements. If, however, the paraprofessional provides instructional support in the special education classroom and is paid with Title I funds, or work in a schoolwide Title I program, he must meet the “highly qualified” requirement of ESEA.

⁸⁹ U.S. Department of Education, [Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program](#), pp. 4-5 (2016). This guidance will be referred to as “*ED 2016 Schoolwide Guidance*” for the rest of this document.

Teachers assigned to Title I schoolwide school programs must meet applicable [state professional licensure requirements](#). A teacher assigned to a Title I schoolwide school may be out-of-field or out-of-endorsement as long as they hold an eligible license type. Local board approval must be in place prior to the date the teacher was assigned to teach in a Title I schoolwide school program. For more information about teacher licensing in Utah please see:

J. Consolidating Funds in Title I Schoolwide Programs

Consolidating Funds in a Title I, Part A Schoolwide Program

A school operating a schoolwide Title I program may consolidate Federal, State, and local education funds to address the needs of students in the school.⁹⁰ If a schoolwide school consolidates Title I, Part A with other funds, its Title I, Part A schoolwide plan must also list the specific state, local, and federal programs that will be consolidated in the schoolwide program.⁹¹

It is important to note that Title I, Part A funds can be used to support comprehensive initiatives in a schoolwide school *even if Title I, Part A funds are not consolidated with other program funds.*⁹²

A school that chooses to consolidate funds within its Title I, Part A schoolwide program is not exempt from the following federal requirements⁹³:

- Health, safety, civil rights, and gender equity;
- Student and parental participation and engagement;
- Services to private school children;
- Maintenance of effort;
- Time and effort documentation for staff paid with Title I, Part A funds;
- Comparability of services; and
- Uses of federal funds to supplement and not supplant the school's share of state and local funds.

Federal Funds for Consolidation

In general, ED guidance allows for a schoolwide building to consolidate federal funds it receives from discretionary (competitive) and formula grants, except where ED has expressed limitations. A schoolwide program that includes other federal education programs does not have to conform to the specific statutory or regulatory requirements for each separate program so long as the intent and purposes of those programs are met in the schoolwide plan.⁹⁴

Note: The authority to use funds under other programs in schoolwide program schools does not apply to funds that are allocated by formula to non-schoolwide buildings in a district. This is not an authority to redistribute funds among buildings. Any redistribution of funds would have to be consistent with the authorizing statute.

Federal Funds with Limits or Conditions for Consolidation

ED has placed limitations, or conditions, on consolidating the following federal funds:

- **Individuals with Disabilities Education Act (IDEA), Part B:** Formula or discretionary grant programs under IDEA and funds provided for eligible children with disabilities under Section 8003(d) of the ESEA may be included in a schoolwide Title I program; however, certain conditions apply and the amount of IDEA, Part B funds are restricted to the proportion of funding for students with disabilities attending the Title I

⁹⁰ ESEA section 1114(a)(1), (3)

⁹¹ See *ED 2016 Schoolwide Guidance*

⁹² See *ED 2016 Schoolwide Guidance*, p.9, stating:

NOTE: A schoolwide program school has flexibility in its use of Title I funds even absent consolidation. The uses of Title I funds described throughout this document are available to a schoolwide program school that does not consolidate its Title I or other Federal funds. Consolidation, however, affords even greater flexibility.

⁹³ Federal Register, Vol. 69, No. 127, 7/2/2004.

⁹⁴ Federal Register, Vol. 69, No. 127, 7/2/2004.

Schoolwide school.

- **Title I, Part C**—Education of Migratory Children. Title I, Part C, Migrant Education funds may be combined in a schoolwide program only after the LEA consults with parents and documents that it has met all identified student needs that result from a migratory lifestyle. In addition, any inclusion of Title I, Part C funding is contingent upon approval by the Utah State Board of Education’s Migrant Education staff.
- **Title VI, Part A**—Indian, Native Hawaiian, and Alaska Native (funds provided under ESEA, Title VI, Part A directly to eligible local school districts for Indian Education services). Title VI, Part A, Indian Education funds may be combined in a schoolwide Title I program as long as they are used to assist American Indian students in meeting state academic standards and “only if the parent committee established by the LEA under ESEA approves the inclusion of those funds.”
- **Title I, Part D**—Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk (programs under ESEA, Title I, Part D, Subpart 1 to state agencies for services to children in state institutions for neglected or delinquent children may be combined, unless funds are used for transition services involving a schoolwide Title I program school).

Federal Funds Excluded from Consolidation

The following federal funds are excluded from consolidation:

- Funds provided under the **School Facilities Infrastructure Improvement Act** to ensure the health and safety of students through the repair, renovation, alteration, and construction of school facilities.
- Programs under the **Adult Education Act or ESEA, Title IX, Part A, Subpart 3 (Adult Indians)** unless adult literacy services are integrated within a schoolwide Title I program plan. Adult education funds could be included, for example, if they provide adult literacy as part of a family literacy activity under a schoolwide program plan.
- The ED funds awarded to **institutions of higher education**, unless those funds support elementary or secondary schools (e.g., the School, College, and University Partnerships Program).
- Federal programs that are not administered by the Secretary of Education, such as the **National School Lunch Program** and **Head Start**.

State Funds for Consolidation

The following state funds may be consolidated in a schoolwide program:

- State basic education allocations from the State Legislature,
- Local education funds.

State Funds Excluded From Consolidation

The following state funds are not allowed for consolidation because they are entitlements. The students identified for these programs must be provided services.

- State Special Education funds

Local Funds & Consolidation

Local education revenue may be consolidated in schoolwide programs.

Sample Plan Illustrating How to Consolidate Funds in Schoolwide Plan

These are the programs commonly consolidated in a Schoolwide Title I Plan.

This is an example only. It does not represent the only set of program funds that may be consolidated.

Program	Amount Available	How the Intents and Purposes of the Program will be Met
Basic Education	\$1,719,026	To provide all students with instruction aligned to grade level specific state standards including differentiation and enrichment services as needed. Basic education funds are combined to support the activities listed above. Examples include: classroom teachers, textbooks, supplemental materials, supplies, equipment, technology, staff development, and substitutes.
Title I, Part A	\$269,477	To provide all children significant opportunity to receive a fair, equitable, and high quality, well-rounded education, and to close educational achievement gaps.
Title II, Part A	\$33,118	Preparing, training, and recruiting effective teachers, principals, or other school leaders.
Title III, Part A	\$17,855	To ensure that students who are English learners, including immigrant children and youth, develop English proficiency and meet the same academic content and achievement standards that other children are expected to meet. Funds are used to implement language instruction education programs designed to help English learners achieve these standards.
School Trust Land Funds	\$40,000	May be used in consultation with the School Community Council
Local funds	\$40,000	Local revenue may be combined in schoolwide programs.
Total	\$2,119,476	

Budgeting and Accounting for Funds Consolidated in a Schoolwide Program.

Good communication between LEA business administrators and schoolwide program staff is important in the application, budgeting, reporting, and accounting process for a schoolwide program.

The Title I, Part A schoolwide plan must list the specific state, local, and federal programs that will be consolidated in the schoolwide program.⁹⁵ A schoolwide school is not required to maintain separate fiscal accounting records, by program, that identify the specific activities supported by those particular funds.⁹⁶ They must maintain records that demonstrate the schoolwide program addresses the intent and purposes of each federal program with funds that were consolidated into the schoolwide program.⁹⁷

⁹⁶ Federal Register, Vol. 69, No. 127, 7/2/2004.

⁹⁷ Federal Register, Vol. 69, No. 127, 7/2/2004.

Combined funds do not lose their identity when combined in a schoolwide program. Expenditures and revenues must address the population of students for whom the funds were provided.

The district may use any reasonable method to demonstrate how the funds in a schoolwide program have been expended. USBE has provided the following example.

Example: Distribution of Expenditures Based on Revenues

A building has a schoolwide program with a total of \$1,000,000 in revenues:

Funding Stream	Amount	Percent
Basic Education Allocation from the State Legislature	\$500,000	50%
Title I, Part A—Improving the Academic Achievement of the Disadvantaged	\$250,000	25%
Title II, Part A—Highly Qualified Teachers and Principals	\$100,000	10%
IDEA, Part B—Special Education, see note below	\$50,000	5%
Carl D. Perkins Career and Technical Education Improvement Act	\$100,000	10%
Total	\$1,000,000	100%

In this example, the district may allocate all of the building’s schoolwide program expenditures proportionally (using percentages) that match the building’s budgeted schoolwide revenues.

*Note: Staff paid out of particular program funds need not work in that same program in order to meet the specific intent and purposes described in the schoolwide plan.

K. LEA Maintenance of Effort

LEAs receiving Title I, Part A funds must comply with the annual **Maintenance of Effort (MOE)** requirement.⁹⁸ In short, MOE requires districts to maintain a consistent floor of state and local funding for free public education from year-to-year. Maintenance of Effort applies to Title I, Part A; Title I-C migrant education; Title I-D neglected and delinquent; Title II effective educators; Title III English language acquisition; Title III immigrant; Title IV-B 21st Century Community Learning Centers; and Title VI American Indian Education.

Consistent with maintenance of effort (MOE) policy, a LEA may not use funds to reduce the level of expenditures for the education of children from state and/or local funds below the level of those expenditures for the preceding fiscal year.

For eligibility determination, the SEA must determine that the LEA budgets at least the same total spent for that purpose from the same source for the most recent prior year for which information is available. Sources of funds may be either local funds only or a combination of State and local funds.

The SEA will not consider any expenditure made from funds provided by the Federal Government for which the SEA or the LEA is required to account to the Federal Government in determining the LEA’s compliance.

Allowable reductions:

- The voluntary departure, by retirement or otherwise, or departure for just cause of service personnel
- A decrease in the enrollment of qualifying students

⁹⁸ ESSA, Sections 1118(a) and 8521.

- The termination of costly expenditures for long-term purchases, such as the acquisition of equipment

Maintenance of Effort can be satisfied by a LEA by one of the following two ways:

- By looking at the amount the LEA has expended in non-federal expenditures two years previously, taking 90% of that amount, the results must be greater than or equal to the amount spent in the previous year for the LEA to have no reduction in funds for the current year, or
- By looking at the amount the LEA has expended per pupil in non-federal expenditures two years previously, taking 90% of that amount, the results must be greater than or equal to the per pupil cost of the amount spent in the previous year for the LEA to have no reduction in funds for the current year.

Calculating the percentage of fund reduction, if necessary, is also determined two ways:

- Overall expenditures, or
- Per pupil expenditures.

Since the LEA can satisfy the MOE by either method, the SEA will use the lower of the two percentages to calculate the actual percentage of decrease for the current year, this percentage is multiplied by the previous year's allocation to determine the dollar amount of reduction. The amount of reduction will be made to the following year's allocation.

MOE is reviewed annually and LEAs that have maintained the level of state and local funding for four (4) out of every five (5) years will not be assessed penalties. USBE's Financial Operations office calculates MOE using the accounting records LEAs supply annually to SEA. The SEA is required to reduce the amount of Title I, Part A allocations in the exact proportion by which a LEA fails to maintain effort by falling below 90 percent of both the combined fiscal effort per student and aggregate expenditures (using the measure most favorable to the district).

After MOE is calculated, LEAs are able to apply to ED for a waiver if there are extenuating circumstances, such as a natural disaster or a precipitous decline in the financial resources of the LEA.

L. Title I, Part A Supplement Not Supplant Under ESSA

Title I, Part A funds should add to (*supplement*) and not replace (*supplant*) state and local funds. ESSA revised the Title I, Part A supplement not supplant (SNS) requirement.

ESSA Ends the "Three Presumptions of Supplanting"

Prior to ESSA, SNS was tested by analyzing an individual Title I, Part A cost's compliance with "three presumptions of supplanting."⁹⁹ Under ESSA, compliance with SNS will no longer be tested through individual Title I, Part A costs,¹⁰⁰ so these three presumptions no longer apply. Note: Schoolwide programs under NCLB already had this flexibility. ESSA extends this flexibility to targeted assistance programs.¹⁰¹

⁹⁹ Under NCLB and previous versions of ESEA, a Title I, Part A supplanting violation was presumed if Title I, Part A paid for:

- 1) An activity required by federal, state, or local law,
- 2) An activity that was paid for with state or local funds in the prior year, or
- 3) The same services for Title I, Part A students that state and local funds support for non-Title I, Part A students.

¹⁰⁰ ESSA, Section 1118(b)(3)(A).

¹⁰¹ ESSA, Section 1118(b)(3) "No local educational agency shall be required to—(A) identify that an individual cost or service supported under this part is supplemental; or (B) provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency's compliance with paragraph (1)."

New: LEA Demonstrates Methodology to Allocate State and Federal Funds to Schools

Under ESSA, LEAs must demonstrate that the methodology used to allocate state and local funds to schools provides each Title I, Part A school with all the state and local money it would receive if it did not participate in the Title I, Part A program.¹⁰²

The LEA is responsible for retaining documentation that it has a methodology to distribute funding and staffing to schools without taking Title I, Part A funds into account. It should be able to show that it has a method for distributing core funding and staff for the schools prior to distributing Title I, Part A funds. Clear documentation for the 2017-18 school year will be important. LEAs' methodology will be reviewed beginning with the 2018-19 monitoring cycle and annually thereafter. The compliance date for SNS is December 10, 2017.

Note: The methodology does not mean that each school will necessarily receive the same staff level or amounts per student. The methodology may have additional amounts based on the needs of the student population, i.e. a weighted methodology. The key for the SNS analysis is that the LEA can document and explain that Title I, Part A funding was not a factor in how state and local resources were distributed to schools.

M. Title I, Part A Comparability of Services

As a condition of receiving Title I, Part A funds, LEAs must ensure that state and local funds are used to provide services that, taken as a whole, are comparable between Title I, Part A and non-Title I, Part A schools.¹⁰³ LEAs use October enrollment data to conduct the annual comparability analysis. LEAs need to make appropriate adjustments to staffing in Title I, Part A and Non-Title I, Part A schools if the analysis demonstrates an issue with comparability.

LEAs must be able to document that the services provided with state and local funds in Title I schools are comparable to those provided in non-Title I schools in the LEA. State and local funds must be used in participating Title I schools to provide services that, taken as a whole, are "at least comparable" to services provided by schools that do not participate in the Title I program.

If an LEA serves all the schools in its district with Title I funds, the LEAs must use state and local funds to provide services that are "substantially comparable" in each participating school. Comparability may be determined on a grade-span-by-grade-span basis or a school-by-school basis.

LEA Written Assurance of Comparability of Services:

- On-site files contain a written assurance that it has developed and implemented the following three features:
 1. An LEA-wide salary schedule
 2. A policy to ensure equivalence among schools with regard to teachers, administrators and other staff, and

¹⁰² ESSA, Section 1118(b)(2). "a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part."

¹⁰³ ESSA, Section 1118(c).

3. A policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.
- Other measures that can be used:
 1. Student/instructional staff ratios or
 2. Student/instructional staff salary ratios
 - The LEA does not have to include unpredictable changes in student enrollment or personnel assignments that occur after the beginning of a school year in determining comparability of services.

Maintenance of Procedures and Records:

- LEA must develop procedures for complying annually with the comparability requirements
- LEA must maintain records (updated biennially) that document its compliance (i.e., if the LEA files a written assurance that it has established and implemented a district-wide salary schedule, policies to ensure equivalence among schools in staffing, and the provision of materials and supplies, it must keep records documenting that the salary schedule and policies were actually implemented and that equivalence was achieved among schools in staffing, materials, and supplies).
- Exclusions:
 - Comparability rules allow the same exclusion of funds permitted under the supplanting analysis
 - LEAs may exclude supplemental state and local funds expended in any school attendance area or school for programs that meet the intent and purposes of Title I
 - LEAs also may exclude funds expended for language instruction educational programs (i.e., bilingual education for children of limited English proficiency), as well as the excess cost of providing services to children with disabilities as determined by the LEA
 - Preschool staffing and students may be excluded from comparability analysis.

N. Title I, Part A Carryover Provision

Federal regulations limit the amount a LEA can carry over to 15% of the Title, Part A funds. LEAs may request a waiver of the 15% carryover limit once in three years or return all funds over the 15% limit for reallocation.

If the carryover amount is less than or equal to 15%, no waiver is required, however, there **must** be a reimbursement request that covers all expenses up-to-and including September 30th of the year the funds are awarded.

More than 15% carry-over on September 30th requires waiver approval. A waiver may be requested after the September expenditures have been determined and the exact percentage of carry-over has been calculated.

- A reimbursement request must be submitted up to and including all expenses as of September 30th
- September reimbursement request is due to USBE no later than October 15th
- Analysis of all expenditures and programs with more than 15% carryover will be conducted
- Waiver request to carry-over more than 15% in Title I, Part A will be due no later than November 1st
- Programs will be notified upon approval/disapproval of request
- Programs may only request a waiver once every three years

Waiver requests must:

- Be written on LEA letterhead, and
- Include the following information:
 - Name of the LEA

- Date of the waiver request
- Name and Title of person making the request
- Fiscal year for which the request is being made
- Total funds allocated for the fiscal year
- Total amount of remaining funds to be carried over
- Percentage of funds remaining on the date of the request
- Brief description of why a waiver is being requested and a plan for how the remaining funds will be used
- Printed name and dated signature of person making the request
- **Waiver must be submitted no later than November 1st**

No waiver is required For LEAs with a yearly allocation less than \$50,000 that wish to carry-over more than 15%. However, the LEA **must** submit a reimbursement request that covers the time period up-to and including September 30th of the year the funds are awarded. Failure to do so may result in a loss of funding.

O. Transferability of Federal Funds

Under the ESEA, LEAs may transfer funds received by formula under certain programs to other programs to better address State and local needs. The ESSA amended the transferability authority by changing the programs from and to which an LEA may transfer funds and removes limits on the amount of funds that may be transferred.

LEAs may transfer funds **out of** only the two following programs (*ESEA section 5103(a)*):

- Title II, Part A: Supporting Effect Instruction
- Title IV, Part A: Student Support and Academic Enrichment Grants
- **An LEA may not transfer funds it receives under any other ESEA program.**

LEAs may transfer funds from the two programs listed above **into** any of the following programs (*ESEA section 5103(b)(2)*):

- Title I, Part A: Improving Basic Programs Operated by LEAs
- Title I, Part C: Education of Migratory Children
- Title I, Part D: Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-risk
- Title II, Part A: Supporting Effective Instruction
- Title III, Part A: English Language Acquisition and Language Enhancement
- Title IV, Part A: Student Support and Academic Enrichment Grants
- Title V, Part B: Rural Low Income Schools

Except as provided above, the previous [Guidance on the Transferability Authority](#) remains in effect.

P. Conditions of Receiving Title I, Part A

Utah public Local Education Agencies (LEAs) are legally responsible for compliance with, or assurances, regarding specific requirements. Each local school board and charter school governing board shall provide, consistent with State law, written assurance of these requirements.

As a condition of receiving Title I, Part A funds, each LEA annually agrees to a set of assurances prior to submitting its annual application through the online grants management system. Some of these requirements extend beyond the Title I, Part A program. The SEA monitors compliance of these requirements through the LEA Compliance and Assurance Checklist. This checklist is due no later than July 1st of each year and is collected by USBE Financial Operations staff through an online system. The LEA Compliance and Assurance Checklist must be submitted by the LEA Superintendent or Charter School Leader not a designee.

Q. Responsibilities Associated with Acceptance of Federal Education Funds

Programs accepting federal education funds are responsible for assuring that the use of funds is consistent with:

- Current Federal Statutes and Regulations,
- Current State and Local Regulations,
- Any special conditions imposed on the specific grant, and
- The underlying needs of the program.

Data driven decision making should be used to ensure funds are targeted to:

- Areas of weakness
- Personnel development
- Reporting
- Schoolwide or targeted assistance Title I schools
- School Improvement support for low-performing schools

R. Reimbursement Requirements

There is a reimbursement policy for requesting federal funds. Funds should not be requested until the LEA has already paid for the services and expenses being requested. In other words, if the funds have NOT left the LEA's bank, the funds cannot be requested. If funds are requested before having been spent or if the same funds are requested more than once, these funds must be returned to the SEA within one month to avoid interest penalties.

All federal reimbursement requests are subject to audit. The auditor will request the needed documentation and the LEA must send the requested documents to the SEA or review. Funds cannot be released on an audited request until documentation has been received, reviewed, and approved. Some of the documentation that may be required, but is not limited to, includes employee time/effort documentation, travel documentation, documents for Purchased Professional and Technical services (this include agendas and sign-in sheets), invoices for equipment, etc.

Audits are mandatory when an LEA submits only one request for the full amount of its award or when the substantially approved date of the LEA's online application is after July 1. The substantially approved date is the date when the LEA Compliance and Assurance Checklist has been submitted to USBE. Any reimbursement request, even with documentation, that is prior to the substantially approved date is not allowable. This assurance means that until the new grant is approved, funds will be spent in a manner approved for the previous year. The Student Advocacy Services Section at USBE requests that you submit reimbursement requests at least quarterly.

