New to Title I? We Got You!

Consolidated Finance and Applications Team

Office of Federal and State Accountability

March 30, 2022

Molly M. Spearman – State Superintendent of Education

Welcome and Introductions

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Agenda

- Purpose of Title I
- Title I Coordinator Role
- Allowable Use of Funds
- Supplement, Not Supplant
- Q&A

TITLE I BACKGROUND AND PURPOSE

Title I is the first title in the ESEA of 1965 as reauthorized as the NCLB Act of 2001 and now as ESSA of 2015.

Title I is the largest federal aid program for K-12 schools.

The purpose is to ensure that all students have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and assessments.



President Lyndon B. Johnson signing ESEA of 1965.



President Barack Obama signing ESSA in December 2015.

Title I Coordinator Roles



Title I Coordinator Roles

1

Title I Coordinators need to be up-to-date on the latest in education reform efforts and to understand curriculum and instruction.

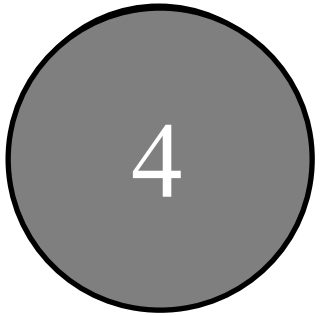
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Title I Coordinators need to know the law, the regulations, and guidance related to Title I.

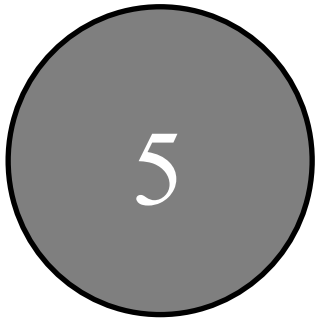
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Title I Coordinators also need to be familiar with EDGAR (Education Department General Administrative Regulations).

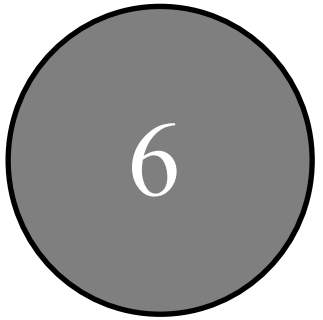
Title I Coordinator Roles- cont'd.



Title I Coordinators have a **major responsibility** to see that the funds that flow to the district and schools are used for the educational purposes intended in the law.



Title I Coordinators have a **major role** in overseeing that the funds which are spent are in compliance with applicable law, regulations, and guidance.



Title I Coordinators need to be well versed in both program and compliance.

Title I



Tips to Survive

- Learn federal programs from multiple perspectives.
- Evaluate your program activities.
- Understand and control your budgets.
- Tap outside resources.
- Train your staff and those with whom you work.
- Be visible – Be the Title I expert.
- Seek help from veteran Title I Coordinators.
- Work with your SEA staff.

What must be included in a LEA Title I Plan?

Under Section 1112 of ESEA, the district plan must describe:

- How the LEA will identify and address disparities that result in low-income and minority students being taught by ineffective, out of field, and inexperienced teachers
- Poverty criteria the LEA will use to select served schools
- The services to be provided to homeless children and youth
- Strategies for parent and family engagement
- How the LEA will support, coordinate, and integrate Title I services for preschool students with other early childhood programs (if applicable)

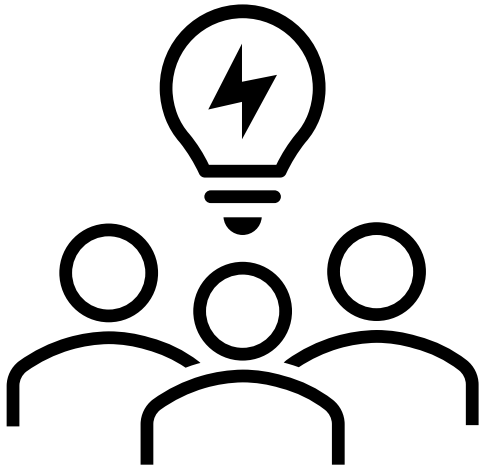
LEA Assurances

The LEA plan must ensure that it will:

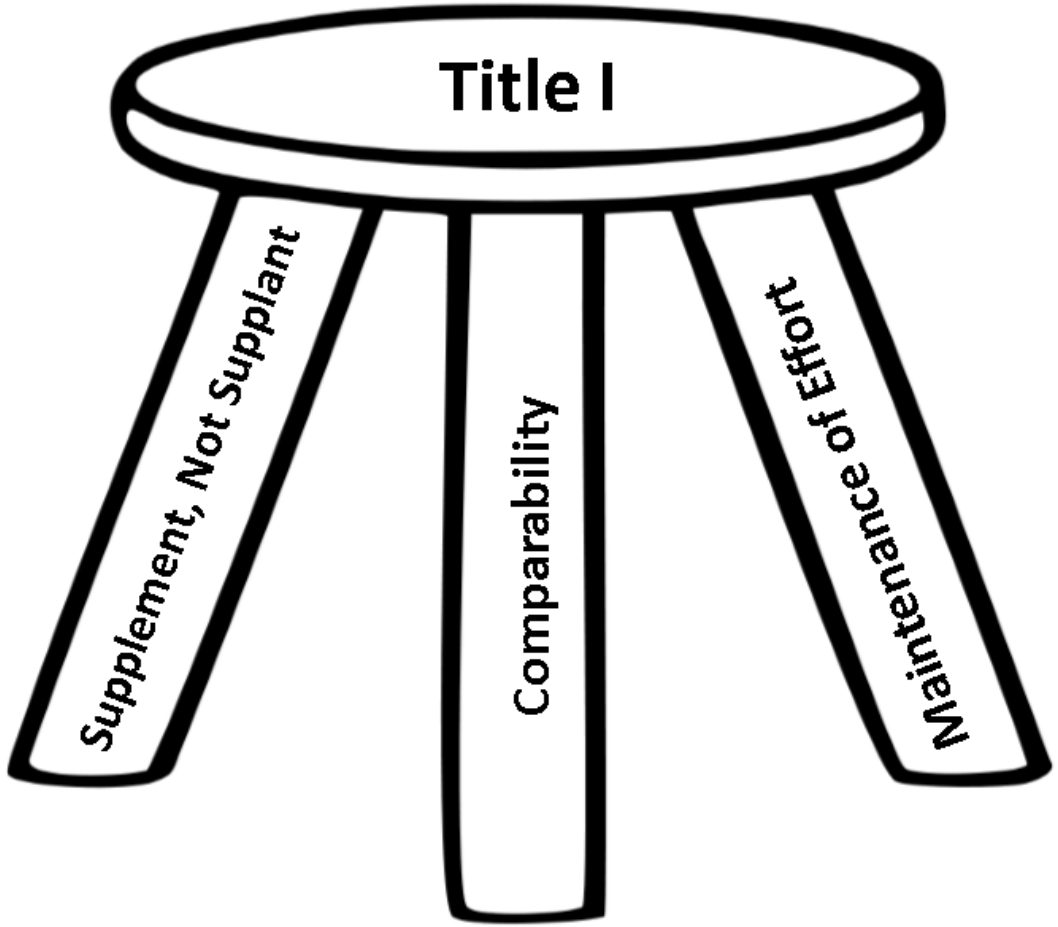
- **Ensure** that migratory children and former migratory children are selected to receive Title I services on same basis as other children.
- **Provide** equitable services to private school children.
- **Coordinate and integrate** Title I services with other educational services such as MLs, children with disabilities, migratory children, and homeless children and youth.
- **Designate** a point of contact with DSS. Establish procedures for transporting foster care students to school of origin.
- **Ensure** that teachers and paraprofessionals working in Title I programs meet state certification and licensure requirements.

Plan Development

Each LEA plan shall be developed in consultation with teachers, principals, administrators (include administrators of programs described in other parts of this title) and other appropriate school personnel, and with parents of children in schools served under this part. *(Section 1112. Local Educational Agency Plans)*



Fiscal Requirements



There are three major fiscal rules that reinforce the fundamental Title I requirement:

- Supplement Not Supplant (SNS)
- Comparability
- Maintenance of Effort (MOE)

These fiscal rules ensure that federal funds are used to provide extra services to children who are at greater risks of failing to reach state academic standards.

Fiscal Requirements

These rules require that the LEA demonstrate:

- Services provided with Title I funds are ***in addition*** to the level of services that would be provided in the absence of federal funds. (SNS)

- State and local funding of Title I schools is ***at least equivalent*** to the funding provided to non-Title I schools. (Comparability)

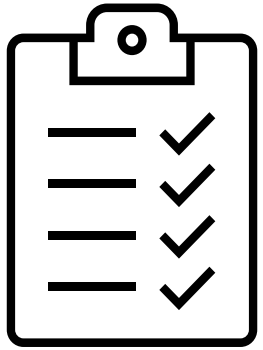
- The state and the district are ***maintaining the current level*** of state and local financial support for education from year to year. (MOE)

ALLOWABLE USE OF FUNDS

What is the best way for an LEA to keep up with the changing regulations and mandates?

Best Practices and Resources for Federal Program Compliance:

1. Become knowledgeable of ESSA. Read the law and available guidance.
2. Subscribe to the USED news feeds and other reputable sources such as Title I Monitor, LRP Publications, and Thompson Grants Management.
3. Attend conferences such as the National ESEA Conference, NAFEPA, SCATA, and other state-led conferences and meetings.
4. Become knowledgeable of state and local regulations that may impact ESSA implementation.



What is the "bottom line" regarding required procedures?

Hierarchy of Requirements

- Administrative Statutes (Single Audit Act of 1984)
- Authorizing Legislation (Programmatic Statue)
- Appropriations Language/Law
- Federal Regulations
  - Non-Regulatory Guidance
  - Letters and Press Releases
  - Guidance from State Agency (Program Office, Finance, Auditing)
- State Laws

What is the “bottom line” regarding required procedures?



Districts have the authority to develop procedures for its programs



Procedures must adhere to:

- ESSA
- Uniform Grant Guidance/EDGAR (Education Department General Administrative Regulations)
- State and local law and regulations

What are the allowable costs in the federal grants?

Levels of Complexity:
ESEA Law and Regulations
ESEA Program Guidance
2 CFR Part 200– Basic allowability
34 CFR Part 76 – General allowability for the USDE
USED Policy Letters

Determining Allowability

Cost must be:

- ✓ Necessary
- ✓ Reasonable
- ✓ Allocable
- ✓ Conform to EDGAR
- ✓ Meet Terms and Conditions of the Grant Award
- ✓ Consistent with State and Local Policies
- ✓ Provided Consistent Treatment
- ✓ Adequately Documented
- ✓ Supplemental

First Test of Allowability

2 CFR Part 200.403

To be allowable, a cost must generally

a.) be necessary and reasonable for the performance of the Federal award and allocable thereto under these principles.



Documentation

2 CFR Part 200.403

g.) Be adequately documented.

34 CFR 76.730-76.731 –

LEAs must keep records for at least **6** years to show compliance with the program requirements

The amount of funds;	How funds were used;	Total cost of project activity;	Other records to facilitate and effective audit

Allowable Costs

- ***In deciding whether a cost is allowable, you need to decide if it fits the grant program.***
- Do your homework as not everyone you talk to will have the “right” answer.
- Look at flexibility as what you want to do may not fit one grant program but may fit another program.
- Be able to “defend” your position and your decision.
- There is no single list of allowable Title I or ESEA activities.
- Check with your district’s policies. District policies can be more restrictive than Title I regarding allowability.

When determining if expenditures are appropriate, ask the following questions:

- How does this expenditure directly support student achievement for at-risk students?
- How does this expenditure directly support meaningful professional development?
- How does this expenditure increase the participation of parents in school activities or assist parents to support student achievement?
- How does this expenditure foster continuous improvement?
- Have activities been evaluated to modify or discontinue?

Allowable

- Salaries and Benefits
  (teacher to reduce class size or to provide remediation services)
- Professional Development
  (Conference attendance or bringing in a speaker or consultant)
- Instructional Supplies and Materials
  (purchasing supplemental reading or math programs; books for PLCs) Funding can be used for items to support more than ELA and Math
- Family Engagement Activities
- Extended Day Programs
- Student Incentives *
  (capped at 1% of school allocation)

vs

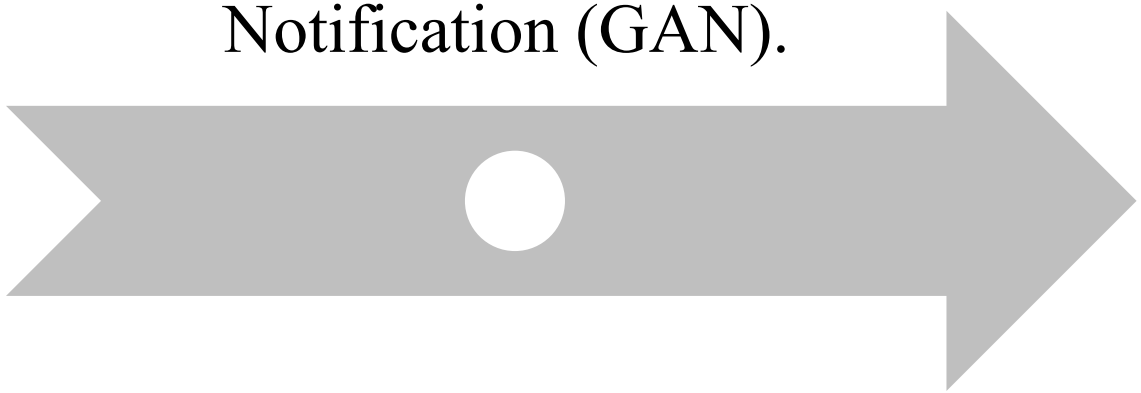
Non-allowable

- Entertainment Costs (including amusement, social activities, and ceremonials and any associated costs)
- Some Field Trips
  (amusement parks; fairs)
- Refreshments (Professional Development or staff meetings)
- Gift Certificates/Gift Cards
- Items used for Public Relations (canvas bags, t-shirts)

- See Reference Guide for Examples

Understanding EDGAR
(Education Department General Administrative Regulations)

Know what parts of EDGAR are applicable to your program. Look closely at the Grant Award Notification (GAN).



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION
MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

by November 11, 2019, to
Jewell Stanley
Office of Federal and State Accountability
1429 Senate Street, Suite 504C
Columbia, SC 29201
Questions? Contact Jewell Stanley at
803-734-8131; jstanley@ed.sc.gov
Keep a signed copy for your records.

SUBGRANT AWARD NOTIFICATION

1. Name and Address of Subgrantee: Sumter School District 1345 Wilson Hall Road Sumter, SC 29150-1890	**2. Subaward Information:** **Grant Status:** New **Grant Number:** H63010100120 **Subaward Name:** 20 Title I **Sub Program Number:** 01 **Award Amount:** $6,685,589.86 **Total Obligated to Subgrantee:** $6,685,589.86 **District Revenue Code:** H6304310 **District Subfund:** 201
3. Name of Authorized Official: Dr. Penelope E. Martin-Knox	
4. Subgrantee Unique Identified (DUNS #): 185647567 **Subgrantee Code:** 4301	**5. Federal Award Information (as applicable):** **FAIN:** S010A190040 **Awarding Agency:** US Department of Education **Federal Award Date:** 7/1/2019 **R&D Award?** No **CFDA** #84.010A **and Name:** Title I Part A Basic Grants to LEAs
6. Period of Performance: Start: 7/1/2019 End: 9/30/2021	
7. Type of Agency: LEA	
8. Project Title: 2020 Title I, Part A	
9. Federal Project Description: 84.010A Title I Part A Basic Grants to LEAs	

10. Scope of Work and/or Special Conditions (continued on page 2):

A. Funds are for the purpose of ensuring that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments.

B. This subgrant is provided with the understanding that the program will be implemented in a manner that complies with all assurances, terms and conditions, and applicable regulations.

11. Applicable Regulations (continued on page 2):

A. Provisions of Title I, Part A and F, and Title VIII, as applicable, of the Elementary and Secondary Education Act if 19565, as amended by the Every Student Succeeds Act, and the General Education Provisions Act (P.L. 103-382).

B. Title I regulations in 34 CFR Part 200.

12. This grant award is made on the premise that the funds will be spent as designated in the approved application and budget for the amount indicated below.

Indirect Cost Rate: 3.79% (***de minimis*?** No)	**Federal Funds Total**
TOTAL	**$6,685,589.86**

13. This signature below indicates the grantee's agreement to comply with all assurances, terms and conditions, monitoring procedures, state or federal statutes, program requirements, and all applicable federal laws and guidance. I agree that my electronic signature is the legally binding equivalent to my handwritten signature.

Award Approval	**Award Approval**
Molly M. Spearman 11-1-19	11/20/19

11. **Applicable Regulations (continued on page 2)**:

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B. Title I regulations in 34 CFR Part 200.

11. **Applicable Regulations (continued on page 2)**:

C. Education Department General Administrative Regulations (EDGAR) in 34 CFR Parts 76 (except for 76.650-76.662 (Participation of Students Enrolled in Private Schools)), 77, 81, and 82.

D. 2 CFR Part 170 Reporting Subaward and Executive Compensation Information.

E. 2 CFR Part 175 Award Term for Trafficking in Persons.

F. 2 CFR Part 180 Debarment and Suspension Regulation, as adopted at 2 CFR Part 3485.

G. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200, as adopted at 2 CFR Part 3474.

H. "Tydings Amendment," Section 421 (b) of the General Educations Provisions Act, 20 U.S.C. 1225 (B).

I. Travel: State budget proviso, General Appropriations Act, 2019 SC Act 91, Proviso 117.20, Act 178 of 1981, and 1976 Code Section 19-101.01 of the South Carolina Code of Regulations.

J. SCDE's Assurances and Terms and Conditions for Federal Subawards (eff. 7/1/2019).

Where do I find USDE Policy updates?

- Sign up for updates under ESSA on the www.ed.gov



Grants Management Resources

Good Reading:

- USED's EDGAR page: https://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html
  (Note, there are only a few remaining awards that fall under the old OMB circulars and not the 2 CFR Part 200).

- USED's Laws and Guidance: https://www2.ed.gov/policy/landing.jhtml

Training at Your Desk:

- Grants training modules by the Chief Financial Officers Council (CFO): https://cfo.gov/grants/training/

- The US Department of Education's online courses on grant fundamentals: https://www2.ed.gov/fund/grant/about/training-management.html?src=grants-page

SUPPLEMENT, NOT SUPPLANT

Supplement, Not Supplant

According to Federal Guidance:

- LEAs may use Title I funds only to supplement or increase the level of funds that would, in the absence of Title I funds, be made available from state and local sources for the education of students participating in Title I programs.

Supplement, Not Supplant

Another way to look at supplement, not supplant is to ask the question - what would districts and schools be required to offer in the absence of any federal funding? For example – the state required Defined Minimum Program for elementary, middle, and high schools.

LEAs are required to submit a neutral methodology to demonstrate that all schools have received their fair share of state and local funding.

Title I funds should not be used **to meet** other federal requirements (Title III, IDEA, etc.)

WHAT ABOUT DISTRICT-LEVEL ACTIVITIES?

If a LEA reserves state and local funds for district-level activities:

- The LEA must conduct activities with those funds in a manner that does not take into account a school's Title I status.
  - For example, the LEA reserves the State and local funds for a social worker at the district level.
  - The LEA deploys the social worker to different schools throughout the school year on an as-needed basis.
  - Access to or assignment of the social worker must be Title I neutral in order to comply with the general SNS requirement.
- SNS Guidance Section VI

How to Determine if Activities are Supplemental at the District Level

Testing for Presumptions of Supplanting:

- Is it required by the state, district, or federal statute or regulation?
- Are the same services provided for in non-Title I schools or students with (non-supplemental) state/local funds?
- Were these activities paid for in prior years with state/local funds?

Other Questions to Consider

Are the Title I schools receiving similar services provided for by state/local funding as non-Title schools?

Are Title I schools receiving their “fair share”?

Are the Title I schools being treated comparably (similar positions, technology, etc.)?

ESSA SNS – Title I

Districts developed a methodology beginning in 2018-2019 SY for demonstrating that Title I funded schools receive their fair share of state and local dollars (which the SCDE monitors).

The SEA must look at school budgets, staffing formulas, weighted per pupil distribution funds for instruction, MOE, comparability, and other factors affecting equity.

The bottom line is to look at state/local funding of schools, in the absence of federal funding, and determine if the schools are receiving funding or resources equitability.



Supplemental Title I Activities

Common supplemental uses of Title I funds:

- Decreasing class size (below state requirements)
- Providing extra supplies/materials
- Providing additional professional development
- Extending learning time (before/after school or summer school)
- Funding extra support services - nurses, guidance counselors, etc.
- The greatest flexibility for use of Title I funds is in the schoolwide project.

Always feel free to call your Title I Program Contact to get an opinion on supplement, not supplant issues.

SNS and Class Size Reduction (CSR) Teachers

- Be mindful of SNS methodology when incorporating CSR teachers.
- Employ (1) Teacher @ 1.0 FTE to reduce classroom size to provide more individual and small group academic instruction for Grade 5. Reduce student-teacher ratio from 25:1 to 16:1. (Self-Contained)

SCHOOL DISTRICT OF OCONEE COUNTY
414 South Pine Street, Walhalla, South Carolina 29691
Phone: 864.886.4400 · Facsimile: 864.886.4402
www.oconee.k12.sc.us

Personnel Allocations – Elementary School Staffing Formula – State and Local Funds 2020-2021

Principal 1.0 per school	Assistant Principal 0.5 ≤ 300 students 1.0 301≥ 600 students 1.5 ≥ 601 students	Guidance Counselor 1.0 ≤ 600 students 1.5 ≥ 601 students
Elementary School 1 to 18.5	Middle School 1 to 18	High School 1 to 21
Special Education Determination based on enrollment	Art / Music Teacher 0.4 ≤ 11 total sections of K5 – 5th grade 0.6 12 ≤ 15 total sections of K5 – 5th grade 0.8 16 ≤ 20 total sections of K5 – 5th grade 1.0 21 ≤ 25 total sections of K5 – 5th grade 1.2 26 ≤ 30 total sections of K5 – 5th grade	Physical Education Teacher 0.8 ≤ 12 total sections of K5 – 5th grade 1.0 13 ≤ 15 total sections of K5 – 5th grade 1.2 16 ≤ 18 total sections of K5 – 5th grade 1.4 19 ≤ 21 total sections of K5 – 5th grade 1.6 22 ≤ 24 total sections of K5 – 5th grade 1.8 25 ≤ 27 total sections of K5 – 5th grade 2.0 28 ≤ 30 total sections of K5 – 5th grade
Librarian / Media Specialist 1.0 per school	Reading Coach 1.0 per school	Nurse 1.0 per school
Clerical 3.0 ≤ 400 students 3.5 401 ≥ 500 students 4.0 501 ≥ 600 students 4.5 601 ≥ 700 students 5.0 701 ≥ 800 students		

Elementary Per Pupil - Instructional programs, supplies, activities technology, etc. – State and Local Funds

Allocation by Category	Grade/Category	Per Pupil
Regular Education	Pre – K Kindergarten Grades 1st – 5th	$56 $77 $58
Students with Disabilities	* SC ^PIP *+ SC Grades K – 12th Δ Resource	$56 $90 $16
Media Books and Materials	All Students	$23
Technology (instructional equipment & instructional technology)	All Students	Per pupil allocation

* SC = Self-Contained
^ PIP = Preschool Intervention Program
+ SC K – 12th grades = $90 (instruction, supplies, and admin/guidance)
Δ Resource = $16 is in addition to the regular education per pupil allocation

The School District of Oconee County is an Equal Opportunity School System
District and Schools Fully Accredited by the Southern Association of Colleges and Schools

MAY VARIOUS METHODOLOGIES BE USED?

As long as the methodology is neutral, LEAs may:

- Use various methodologies;
- Base methodologies on grade span or school type;
- Use a different methodology for charter schools;
- Vary methodologies based on student enrollment size; or
- Account for schools in need of additional funds to serve high concentrations of children with disabilities, English learners, or other such groups of students the LEA determines require additional support.

SNS Guidance Q&A 8, 9, 13,

ARE THERE ANY SNS EXCEPTIONS?

Excluded Funds:

- SEA or LEA may exclude supplemental state or local funds used for program that meet the intents and purposes of Title I, Part A.
- SNS Guidance Q&A 7
- This also applies to the MEP program re: supplemental funds that meet MEP intents and purposes.

Excluded from SNS Methodology Test:

- Single School LEAs
- LEAs with only Title I schools
- A grade span that contains only (1) a single school, (2) non-Title I schools, or (3) Title I schools (i.e., no methodology is required for this grade span)

MUST THE LEA CONTINUOUSLY UPDATE THE SNS METHODOLOGY?

No, the LEA is not required to adjust its allocation of State and local resources to account for changes during the school year.

- It's an annual allocation of State and local funds to demonstrate compliance.
- Accordingly, an LEA makes this demonstration at only one point during the year and is not required to continuously demonstrate compliance throughout the school year

DOES THIS MEAN ALL COSTS ARE ALLOWABLE?



NO -- Keep in mind just because a cost is not a supplanting issue does not make it automatically allowable.



All costs must be allowable under Title I, Part A

Must be included in your district/schoolwide/targeted assistance plan

All costs must be necessary, reasonable, and allocable under UGG/EDGAR

All cost must adhere to law and all regulations

Questions



Thank you for attending!

Please reach out to us if you have any questions:

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Jennifer Rhodes, jrhodes@ed.sc.gov