

STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

ELLEN E. WEAVER
STATE SUPERINTENDENT OF EDUCATION



Transferability of Funds

Elementary and Secondary Education Act (ESEA)

2023

The South Carolina Department of Education does not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, veteran status, or disability in admission to, treatment in, or employment in its programs and activities. Inquiries regarding the nondiscrimination policies should be made to the Employee Relations Manager, 1429 Senate Street, Columbia, South Carolina 29201, 803-734-8781. For further information on federal nondiscrimination regulations, including Title IX, contact the Assistant Secretary for Civil Rights at OCR.DC@ed.gov or call 1-800-421-3481.

Transferability of Funds

I. Overview

Under the ESEA, LEAs may transfer funds they receive by formula under certain programs to other programs to better address local needs. This guidance document outlines transferability requirements that LEAs must follow.

II. Transfers by LEAs

An LEA may transfer funds at any point during the 27- month period of availability of the grant into a grant award for the same fiscal year.

LEAs may transfer all or a portion of funds allocated under:

- Title II, Part A – Supporting Effective Instruction
- Title IV, Part A – Student Support and Academic Enrichment

An LEA may only transfer funds into a program for which that LEA is receiving an allocation. All funds transferred become subject to all rules and regulations for the grant they are transferred into. LEAs must consider how the transfer will impact the required set-asides (Title I) and equitable services.

LEAs may transfer all or a portion of the funds from programs listed above into:

- 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 state grants
- Title III, Part A – State grants for English language acquisition and language enhancement
- Title IV, Part A – Student support and academic enrichment grants
- Title V, Part B – Rural education

An LEA **may not** transfer funds it receives under any other ESEA program.

III. Transfer Process

The LEA must complete the following steps before transferring funds:

1. Engage in timely and meaningful consultation, in accordance with section 8501 of the ESEA, with appropriate private school officials (5103(e)(2))
2. Determine the program(s) from which funds are to be transferred out of and into.
3. Determine the amount and federal fiscal year of funds to be transferred.
4. Establish the effective date for the transfer.
5. Notify the SEA program manager of each transfer at least 30 days before the effective date of the transfer (5103(d)(2)(C)). The SEAs program manager will request the signature of the Team Leader on the transfer document. The SEA program manager will send the signed document back to the LEA.
6. Upload the signed transfer form into GEMS. All transfer forms must align with the allocation amounts.
7. Update and reupload the transfer form when necessary.
8. Submit, not later than 30 days after the date of such transfer, a copy of the LEA's modified plans or applications for all programs affected by the transfer to the SEA (5103(d)(2)(B))