

ARRA Use of Funds Guidance and Questions

Title I, Part A and IDEA, Part B

ABBREVIATED GUIDANCE ON THE TITLE I, PART A PROGRAM	ABBREVIATED GUIDANCE ON THE IDEA, PART B PROGRAM
<p>Title I ARRA funds are Title I, Part A funds. All Title I, Part A statute, rules, and regulations apply to the ARRA Title I funds.</p> <p>Complete guidance on Title I is available at http://ritter.tea.state.tx.us/nclb/newpolicy/title1a.pdf.</p> <p>Also refer to the eGrants Program Guidelines for Title I Part A ARRA funds.</p>	<p>IDEA ARRA funds are IDEA, Part B funds. All IDEA, Part B statute, rules, and regulations apply to the ARRA IDEA funds.</p> <p>Complete guidance on IDEA is available at http://ritter.tea.state.tx.us/special.ed/guidance/</p> <p>Also refer to the eGrants Program Guidelines for IDEA, Part B ARRA funds.</p>
<p>Intent and Purpose of Title I, Part A Funding: Title I, Part A provides supplemental resources to local education agencies to help schools with high concentrations of students from low-income families provide high-quality education which will enable all children to meet the state student performance standards. Title I, Part A supports campuses in implementing either a schoolwide program or a targeted assistance program.</p>	<p>Intent and Purpose of IDEA, Part B Funding: The purpose of IDEA-B funding is</p> <p>(a) To ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living;</p> <p>(b) To ensure that the rights of children with disabilities and their parents are protected;</p> <p>(c) To assist States, localities, educational service agencies, and Federal agencies to provide for the education of all children with disabilities; and</p> <p>(d) To assess and ensure the effectiveness of efforts to educate children with disabilities.</p>
<p>Intended Program Beneficiaries: The intended program beneficiaries are students who experience difficulties mastering the State academic achievement standards.</p>	<p>Intended Program Beneficiaries: The intended program beneficiaries are students with disabilities residing in the State between the ages of 3 and 21, inclusive.</p>
<p>Basic Program Requirements for Schoolwide Campuses: The Campus Improvement Plan of a Schoolwide Campus must:</p> <ul style="list-style-type: none"> ▪ Incorporate the requirements of a Schoolwide Plan as cited in P.L. 107-110, Section 1114(b); ▪ Clearly incorporate the Ten Components of a Schoolwide Program; ▪ Describe how the school will use Title I, Part A resources and other sources to implement the ten components; ▪ Include a list of state and federal programs whose funds will be combined to 	<p>Basic Program Requirements:</p> <ul style="list-style-type: none"> • Federal regulations stipulate that each program must demonstrate that it meets the excess cost requirements of IDEA-B. The excess cost requirement prevents an LEA from using funds provided under Part B of the act to pay for all the costs directly attributable to the education of a child with a disability. An LEA meets the excess cost requirement if it has spent at least a minimum average amount for the education of its children with disabilities before funds

ARRA Use of Funds Guidance and Questions

Title I, Part A and IDEA, Part B

<p>implement a schoolwide program;</p> <ul style="list-style-type: none"> ▪ Describe how the intent and purposes of the federal programs whose funds are combined on a schoolwide campus are met; and ▪ Include sufficient activities to address the needs of the intended beneficiaries of the federal programs whose funds are combined on a schoolwide campus for upgrading the entire education program. 	<p>under Part B of the act are used.</p> <ul style="list-style-type: none"> • The LEA assures that provision has been made for appropriate consultation with representatives of private school students with disabilities and for appropriate participation of students with disabilities enrolled in private schools by their parents. • The LEA assures that it has in effect policies, procedures, and programs that are consistent with State policies and procedures.
<p>A Title I, Part A Targeted Assistance Program must:</p> <ul style="list-style-type: none"> ▪ Implement the Eight Components of a Targeted Assistance Program; ▪ Include in the Campus Improvement Plan the student eligibility criteria used for identifying the Title I, Part A students in greatest need of service—students who are failing, or most at risk of failing, to meet the state’s student performance standards. The campus must use multiple (at least two), educationally related, objective criteria established by the LEA; and ▪ Describe in the Campus Improvement Plan how Title I, Part A funds are spent on effective methods and instructional strategies that are based on scientifically based research for participating Title I, Part A students. 	
<p>Supplement, Not Supplant: The federal supplement, not supplant provision is intended to ensure that services provided under Title I are used to supplement (<i>increase the level of services</i>), and not supplant (<i>replace</i>), services that would otherwise be provided to participating students with state and local funds if Title I funds were not available. Any program activity required by state law, State Board of Education (SBOE) rule, or local board policy may not be funded with Title I, Part A funds. State or local funds may not be decreased or diverted for other uses merely because of the availability of these funds.</p> <p>The LEA must maintain documentation that clearly</p>	<p>Supplement, Not Supplant: The federal supplement, not supplant provision is intended to ensure that services provided under IDEA-B are used to supplement (<i>increase the level of services</i>), and not supplant (<i>replace</i>), services that would otherwise be provided to participating students with state and local funds if IDEA-B funds were not available. Any program activity required by state law, State Board of Education (SBOE) rule, or local board policy may not be funded with IDEA-B funds. State or local funds may not be decreased or diverted for other uses merely because of the availability of these funds.</p>

ARRA Use of Funds Guidance and Questions

Title I, Part A and IDEA, Part B

demonstrates the supplementary nature of these funds. This must include documentation that the activity as well as the funds are supplemental.

On a Title I Targeted Assistance Program (TAP) records must be maintained that document that Title I, Part A funds are expended on activities and services for only Title I, Part A eligible children identified as having the greatest need for special assistance.

On Title I Schoolwide Programs (SWP) the Title I, Part A funds are only required to supplement the amount of funds available from non-federal sources for the campus including funds to provide services that are required by law for children with disabilities and children with limited English proficiency. The campus is not required to demonstrate that activities are supplemental. The campus does not identify (target) particular students or provide supplemental services to identified students as on a TAP. Other funds may be used on a schoolwide campus in combination with Title I, Part A to upgrade the entire educational program of the campus. Such schoolwide programs are exempt from statutory or regulatory requirements of other federal education programs, provided that the intent and purposes of each program is met and the needs of the intended beneficiaries of the federal fund sources combined are met. The effectiveness of the program is measured by student performance.

An LEA may exclude from its S/NS compliance any state or local funds expended in any school for programs that meet the intent and purpose of Title I, Part A. Title I regulations govern what constitutes a program that meets the intent and purpose of Title I, Part A.

A Targeted Assistance-like program (funded from state or local sources and not Title I) meets the intent and purpose of Title I if the program:

- Serves only students failing or most at-risk of failing to meet the state's academic achievement standards,
- Provides supplementary services designed to meet the special needs of the students in the program, and
- Uses the state's assessment system to determine effectiveness of the program.
-

A Schoolwide-like program (funded from state or

The LEA must maintain documentation that clearly demonstrates the supplementary nature of these funds. This must include documentation that the activity as well as the funds are supplemental.

ARRA Use of Funds Guidance and Questions

Title I, Part A and IDEA, Part B

local sources and not Title I) meets the intent and purpose of Title I if the program:

- Campus meets the SW poverty threshold (40%) for eligibility,
- Promotes schoolwide reform and upgrades the entire educational operation of the campus to support students in their achievement toward meeting the state's student academic achievement standards;
- Meets the educational needs of all children in the school, particularly the needs of children who are failing, or most at risk of failing, to meet the State's challenging student academic performance standards; and
- Uses the state's assessment system to determine effectiveness of the program.

Presumptions of Supplanting

There are three presumptions of supplanting, which may be rebutted with proper documentation.

- Providing services that the LEA is required to make available under other federal law, state law, State Board of Education rule, or local policy.

Rebuttal: It is extremely hard to document and prove that the LEA would not have implemented the other federal, state, or local requirements. The review also considers how all other funds were expended.

- Providing services that the LEA provided the prior school year with nonfederal funds.

Rebuttal: This presumption may be rebutted with proper documentation; however, the documentation must show that the original source of funding is no longer available and the service or activity would not have been continued in the next year. This situation must be documented at the time the decisions to not continue the service or activity is made. The decision cannot be made due to Title I funds being available. This situation cannot be documented after the fact. Note: Providing services with ARRA Title I funds that the LEA provided the prior school year with regular Title I funds is not a supplant, as both are federal funds.

- Providing services to students participating in a Title I program that the LEA provides

ARRA Use of Funds Guidance and Questions

Title I, Part A and IDEA, Part B

<p>to non-Title I students or students at non-Title I schools with nonfederal funds. <i>Rebuttal: The rebuttal to this presumption is often the exclusion for Title I-like programs (described above), which is allowed in statute.</i></p>	
<p>Consolidating Funds on Title I Schoolwide Programs: There are two ways to consolidate funds on a Title I Schoolwide program based on USDE's latest guidance on implementing schoolwide programs.</p> <ol style="list-style-type: none"> 1. Full consolidation of federal, state, and local funds in SWP budget: <ul style="list-style-type: none"> o Expenditures for any cost on the campus are allowable from the SWP budget. 2. Federal consolidation—only combining federal funds in SWP budget: <ul style="list-style-type: none"> o Expenditures for only educational (instructional, as defined by USDE staff) costs on the campus are allowable from the SWP budget. <p>If the LEA is using only Title I, Part A funds in the SWP budget, then there is no consolidation of funds on a schoolwide program.</p> <ul style="list-style-type: none"> ▪ Expenditures for only educational (instructional, as defined by USDE staff) costs on the campus are allowable from the SWP budget, and ▪ LEA must track Title I, Part A funds to allowable Title I activity. 	<p>Consolidating Funds on Title I Schoolwide Programs: If an LEA is participating in a schoolwide program, the LEA assures that the requirements of Part B of the act are met and that children with disabilities in schoolwide program schools receive services in accordance with a properly developed individual education plan and are afforded all of the rights and services guaranteed to children with disabilities under the act.</p>
<p>Allowable Uses of Funds: Title I, Part A, funds must be expended for programs, activities, and strategies that are scientifically based on research and meet needs (identified in the campus' comprehensive needs assessment process) that are listed in the CIP. All applicable requirements in the ESEA, the Title I, Part A, regulations, other applicable laws and regulations, and Office of Management and Budget (OMB) circulars (such as OMB Circular A-87, related to cost principles for State, local, and Indian</p>	<p>Allowable Uses of Funds: IDEA-B funds must be expended for programs, activities, and strategies that are scientifically based on research and that meet the needs of the students served. All applicable requirements of the IDEA-B regulations, other applicable laws and regulations, and Office of Management and Budget (OMB) circulars (such as OMB Circular A-87, related to cost principles for State, local, and Indian tribe governments:</p>

ARRA Use of Funds Guidance and Questions

Title I, Part A and IDEA, Part B

tribe governments: and OMB Circular A-133, related to audits conducted under the Single Audit Act) apply to the use of ARRA Title I, Part A, funds.

In all cases, all required district-level set-asides apply to ARRA Title I, Part A, funds (unless a waiver is granted). While TEA anticipates that, due to LEAs striving to invest these funds in ways that do not result in unsustainable continuing commitments after the funding expires LEAs may plan for higher than normal district-level initiatives, the LEA must allocate an appropriate amount of the ARRA Title I, Part A, funding to campuses following the statutory allocation rules.

Funds may be used to increase the per-pupil amount allocated to each Title I, Part A, campus or to serve new Title I, Part A, campuses. Regardless, a campus with a lower low-income percentage may not receive a higher per per-pupil allocation than a campus with a higher low-income percentage.

Schoolwide Programs:

On schoolwide program campuses, you may use Title I, Part A, funds for activities that are part of the CIP to improve student performance and upgrade the entire educational program. Funds must be expended for allowable uses of funds based on the type of consolidation of funding (full or federal only) or Title I only funding, the campus has chosen to implement on the Schoolwide campus. In a schoolwide program, the amount of Title I, Part A, funding on the campus must be supplemental.

Targeted Assistance Programs:

In targeted assistance schools, you may only use Title I, Part A funds only to meet the needs of children identified as being in the greatest need of services. Students must be selected using multiple, educationally-related, objective criteria established by your organization. In a targeted assistance program, the program, activity, or strategy must be supplemental as well as the funds.

Districtwide Title 1 Initiatives:

Regardless of which types of Title I, Part A program you operate, it is possible that some Title I, Part A, administrative, professional development, parental involvement, or even instructional activities are conducted through the central office through districtwide Title I initiatives. The purpose of a Title I funded district initiative is

and OMB Circular A-133, related to audits conducted under the Single Audit Act) apply to the use of ARRA IDEA-B funds.

For specific information regarding allowable uses of funds, refer to reference materials in the IDEA-B Application Guidelines, Part 2: Program Guidelines and Use of Funds in the eGrants Application.

Key Questions to Determine Allowability

The LEA must be able to respond appropriately to and maintain clear documentation for each of the following questions to determine whether an expenditure would be allowable:

1. How is the program, activity, or strategy reasonable and necessary to carry out the intent and purpose of the program?
2. How does the program, activity, or strategy address an identified need?
3. How is the program, activity, or strategy supplemental to other state or Federal programs?
4. How will the program, activity, or strategy be evaluated to measure a positive impact on student achievement?

ARRA Use of Funds Guidance and Questions

Title I, Part A and IDEA, Part B

to reduce administration and overhead costs for activities implemented on all the Title I campuses or all Title I campuses within a grade span grouping. District initiatives funded by Title I must meet needs identified either by all the Title I campuses or all Title I campuses within a grade span grouping and provide the initiative activity/service to all the Title I campuses or all Title I campuses within a grade span grouping.

In implementing Title I district initiatives, there would be little variation in how the activity is implemented among all the Title I campuses or all Title I campuses within a grade span grouping. Districtwide Title I initiatives may not be provided to non-Title I campuses.

A schoolwide program is operated on a single campus. Therefore, expenditures for Title I schoolwide programs may not be coded to central organization codes unless the expenditure benefits more than one schoolwide program and cannot be apportioned among the schoolwide programs benefiting from the expenditure. If the expenditure benefits only one schoolwide program (i.e., campus), then the expenditure must be coded to the appropriate campus organization code.

Key Questions to Determine Allowability

The LEA must be able to respond appropriately to and maintain clear documentation for each of the following questions to determine whether an expenditure would be allowable:

1. How is the program, activity, or strategy reasonable and necessary to carry out the intent and purpose of the program?
2. How does the program, activity, or strategy address a need previously identified in the campus comprehensive needs assessment?
3. How is the program, activity, or strategy to be funded described in the campus or district improvement plan before the decision of whether to pay the expenditure from Title I, Part A, funds?
4. How will the program, activity, or strategy be evaluated to measure a positive impact on student achievement?
5. If for a schoolwide campus, how will the program, activity, or strategy upgrade the entire educational program on the campus?
6. How is the program, activity, or strategy

ARRA Use of Funds Guidance and Questions Title I, Part A and IDEA, Part B

<p>supplemental to other non-Federal programs? On a schoolwide program, the amount of Title I, Part A, funding on the campus must be supplemental. On a targeted assistance program, the program, activity, or strategy must be supplemental. Are any rebuttals to the assumptions of supplanting clearly documented for auditors?</p>	
--	--