

Louisiana Association of School Administrators of Federally Assisted Programs

Louisiana Department of Education Updates

Spring LASAFAP Conference 2019

Agenda

- Parent and Family Engagement Reminders
- Schoolwide Planning Guidance & Verification Worksheet
- Neglected and Delinquent Allocation Protocols
- Super Ap Next Steps, Approval and Allocation Timeline
- Vendor Guide Procurement
- Uniform Grant Guidance (UGG)- Federal Procurement Requirements
- Proposed Revisions on Supplement not Supplant Guidance

The background of the slide is a watercolor-style illustration. It features a central white area that tapers to a point at the top, resembling a stylized mountain peak or a sunburst. This white area is surrounded by various shades of blue, from light sky blue to deep, dark teal. The colors are blended and layered, creating a soft, painterly effect. The overall composition is balanced and modern.

ESEA Citations 101

How to Identify ESEA Citations

§1116

Parent & Family Engagement

How to Identify ESEA Citations

§ **1**116

1 = Title I

How to Identify ESEA Citations

§ 1116

1 = Title I

1 = Part A

How to Identify ESEA Citations

§ 1116

1 = Title I

1 = Part A

1 = Subpart 1

How to Identify ESEA Citations

§ 1116

1 = Title I

1 = Part A

1 = Subpart 1

6 = Section 6

§4204

Title IV B 21st CCLC Local Competitive Subgrants

How to Identify ESEA Citations

§4204

Title IVB 21st CCLC

Local Competitive Subgrants

§ 1003

School Improvement

§1301

Title I Part C Migrant

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ESSA Requirements for Parent & Family Engagement

ESEA Requirements (Section 1116)

Every LEA must have a written parent and family engagement policy that describes how the LEA will (among other things):

“involve parents and family members in jointly developing the local educational agency plan under section 1112, and the development of support and improvement plans under paragraphs (1) and (2) of section 1111(d)”

ESEA further states:

“PARENTAL COMMENTS — If the plan under section 1112 is not satisfactory to the parents of participating children, the local educational agency shall submit any parent comments with such plan when such local educational agency submits the plan to the State.”

Parent & Family Engagement Policy

In Super App, LEAs must answer the following questions:

- Describe how the LEA provides all families with the opportunity to offer input on and evaluate its parent and family engagement policy.
- Describe how schools provide all families with the opportunity to provide input on the development of school improvement plans.
- Describe how schools provide all families at least annually a description and explanation of the schools' curricula, assessments used to measure progress, and the achievement level of state standards.

Note: this does NOT constitute the LEA's written policy.

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NEW: Schoolwide Planning Guidance

ESSA Requirements for Title I Schoolwide Plans

The [Every Student Succeeds Act](#) (ESSA) requires that schools implementing a schoolwide program develop a Title I Schoolwide Plan (SWP). **§1114**

The SWP is designed to capture, in writing, a focused and coherent course of action to upgrade the entire educational program of the school while incorporating any other plans for individual programs within the school.

Schoolwide Planning Coordination

- Schools engage in a variety of planning processes
- Districts also develop plans for their schools, including the Super App
- Super App planning may inform schoolwide planning requirements
- Schools can demonstrate meeting requirements in the Schoolwide Plan Verification Worksheet

Components of a Schoolwide Plan

There are three required components of a SW plan that are essential to effective program implementation:

1. **Strategies the school will implement to address school needs**
2. **Strategies that will provide opportunities for all children**, including each accountability subgroup, to meet state standards, strengthen the academic program, increase the amount and quality of learning time, provide an enriched and accelerated curriculum, and address the needs of student at risk of not meeting standards
3. If applicable, any federal, state or local **funding sources the school consolidates**

Schoolwide Plan Verification Worksheet

The [Schoolwide Plan \(SWP\) Verification Worksheet](#) contains a series of questions to assist schools and districts to determine or demonstrate compliance with Schoolwide requirements. The worksheet includes the following:

- Comprehensive Needs Assessment Summary
- Strategies to Address Needs
- Consolidated Funding Streams
- Schoolwide Plan Assurances

1. Comprehensive Needs Assessment

Has the school, or the LEA on the school's behalf, conducted a comprehensive needs assessment that accounts for the school's academic achievement in relation to Louisiana's state standards, particularly the needs of students who are failing, or are at-risk of failing, to meet the standards and any other factors as determined by the LEA?

- **Yes** - If yes, please be prepared to verify the comprehensive needs assessment was completed if requested during monitoring or auditing. *(Please note an LEA assessment of individual school needs can satisfy this requirement.)*
- **No** - If no, please complete a comprehensive assessment of the school's needs and summarize the results on the SWP Verification Worksheet.

2. Schoolwide Strategies

Does the school have a plan describing the strategies it will implement to address its needs (which can include strategies included in the Super App), including a description of how the strategies will:

- **provide opportunities for all children**, including each accountability subgroup, to meet Louisiana's academic 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?**

3. School-level Consolidated Funding

Does the school consolidate its Title I funds with any other federal, state, or local funds?

- **Yes** - If yes, please list the funding streams that will be consolidated in the text box provided on the worksheet.
- **No** - If no, there is no additional information required.

Key Takeaways

- The ESSA SW Planning Guidance works in conjunction with Super App.
- Use of the SWP Verification Worksheet is recommended for all Title I schools implementing a Title I SWP.
- Schools can make adjustments to the Verification Worksheet for Title I Targeted Assistance schools.
- LEAs may consider using the Verification Worksheet for non-Title I schools if the district desires to have a unified school planning process.
- LEAs can use the Verification Worksheet to determine how the new guidance connects to the former SW Guidance under NCLB or for LEAs/schools that choose to modify existing SWP templates to meet ESSA requirements.

Other Important Updates

LEA Neglected & Delinquent Allocations

- ED includes in each LEA's Title I allocation the funding generated for serving students identified as neglected. Neglected student counts included with formula student counts (census, foster care, TANF).
- ED provides a separate total allocation for LEAs serving students that are delinquent
- Clarity regarding the neglected and delinquent set-aside moving forward
 - LDOE will notify LEAs of the portion of their Title I allocations generated by delinquent students only.
 - LEAs will have to determine how much of their Title I allocations should be designated for serving students identified as neglected.
 - If the LEA does not have any students identified as delinquent, no set-aside amounts will be provided by LDOE.

2019-2020 Program Applications

April Program Application Releases

- Migrant
- Homeless
- Neglected & Delinquent program narratives (SSD, OJJ, DOC only)

Super App Next Steps

Complete and submit Central Data

- LEA contacts
- Assurances

Budget Funds

- Carl Perkins
- Non-Public equitable share: ESSA (Titles I, II, III, IV) and IDEA
- Competitive funding allocations (Redesign, SRCL, TIF, SPDG, etc)

Approval and Allocations Timeline

BESE approves competitive applications. LDOE approves CIR and UIR plans.	Apr 17
Remaining allocations uploaded to Super App. School systems amend Super App to account for all formula and competitive allocations.	Apr 30
Supper App grant period begins.	Jul 1
BESE approves competitive allocations for UIR discipline schools. Prior year funds rollover into Super App. Adjustments to estimated formula allocations are made, as necessary.	Aug
School systems receive final allocations for ESSA, IDEA, and Carl Perkins.	Winter

Vendor Guide Procurement

Tier I Curriculum identified in Vendor Guide


- LEAs may use the state pricing for Tier I curriculum identified in the Vendor Guide.

Professional Services identified in Vendor Guide

- For procurement of professional services that are directly aligned to the Tier I Curriculum in the Vendor Guide using federal funds, LEAs may use the state pricing provided.
- For procurement of professional services not directly aligned with Tier I Curriculum identified in the Vendor Guide using federal funds, LEAs will need to follow its local policies regarding the procurement of services **if those local policies** are more restrictive than federal regulations.

Federal Procurement Requirements

Procurement Methods	Federal Requirement <i>Uniform Grants Guidance Section 200.320</i>
Micro Purchases (new method)	Less than \$10,000 No competitive process required.
Small Purchases (informal)	\$10,000- \$250,000 Price or rate quotation from adequate number of qualified sources.
Sealed Bids (formal advertising)	Exceeding \$250,000 Publicly bid and award to lowest responsible bidder.
Competitive Proposals	Exceeding \$250,000 RFP from adequate number of sources; must have written method for selecting recipients.



Supplement Not Supplant
Non-Regulatory Guidance Preview

TITLE I SUPPLEMENT NOT SUPPLANT

Draft for Public Comment

- January 2019
- Preview of potential changes previously shared
- Available at: <https://www2.ed.gov/policy/elsec/leg/essa/snstitleguidance.pdf>.

TITLE I SUPPLEMENT NOT SUPPLANT

The ESEA requires an SEA or LEA to use Title I funds only to **supplement** the funds that would, in the absence of those Title I funds, be made available from state and local sources for the education of students participating in Title I programs, and not to supplant such funds.

ESEA section 1118(b)(1)

TITLE I SNS: Special Rule

No LEA shall be required to:

- Identify that an individual cost or service supported with Title I funds is supplemental; or
- Provide Title I services through a particular instructional method or in a particular instructional setting in order to demonstrate compliance.

ESEA section 1118(b)(3)

TITLE I SNS: LEA Compliance

To demonstrate compliance with the Title I supplement not supplant requirement, the ESEA now requires an LEA to demonstrate that the methodology used to allocate state and local funds to its schools ensures that each Title I school receives all of the state and local funds it would otherwise receive if it were not receiving Title I funds. ***ESEA section 1118(b)(2)***

- Represents a substantial change in determining whether Title I funds are supplemental: focus is on allocation of state and local funds rather than on an activity funded by Title I; and
- Differs from supplement not supplant requirements of other ESEA programs in which the focus remains on whether an activity supported with federal funds is supplemental.

TITLE I SNS: Demonstrating Compliance

A LEA has significant flexibility in adopting a methodology or using its existing methodology to meet the new supplement not supplant requirement. The methodology must:

- Allocate state and local funds to schools in the LEA;
- Provide each Title I school the state and local funds it would receive were it not a Title I school—i.e., treat Title I schools neutrally.
- An LEA may have a single methodology or multiple methodologies (e.g., a different methodology for each grade span).

TITLE I SNS: Methodologies

1. Student characteristics (*weighted student funding*).

- An LEA allocates state and local funds:
- Through a standard formula to allocate dollars based on objective student characteristics.
- Without regard for whether a school receives Title I funds.

2. Staff salaries and supplies.

- Based on average costs of staffing and supplies.
- Without regard for whether a school receives Title I funds.

TITLE I SNS: LEA Level Activities

- A LEA has discretion to determine which state and local funds it allocates to schools through its methodology.
- A LEA likely will retain some state and local funds at the district level for use on personnel and non-personnel services that benefit multiple schools or all schools.
- For example, a LEA might reserve state and local funds at the district level to provide instructional coaches or social workers in all or a subset of schools.
- The compliance test under ESEA section 1118(b)(2) does not apply to state and local funds used for LEA-level activities; however, the general supplement not supplant requirement in ESEA section 1118(b)(1) does apply.
- Under ESEA section 1118(b)(1), a LEA must use Title I funds only to supplement the state and local funds that, in the absence of Title I, would have been made available.

TITLE I SNS: LEA Level Activities

- If an LEA uses Title I funds for a particular purpose and also uses state and local funds at the LEA-level for the same purpose, it must ensure that it does not take into account a school's Title I status in using state and local funds for this purpose.
- In determining compliance, the focus is on ensuring that the state and local funds are used in a Title I-neutral manner.

TITLE I SNS Examples

- Instead of allocating state and local funds to schools for computer technicians through its methodology, a LEA uses state and local funds for this purpose at the district level.
- The LEA also reserves Title I funds at the LEA level to provide supplemental computer technicians in certain Title I schools.
- To meet the supplement not supplant requirement, the LEA must demonstrate that it does not take into account a school's Title I status (i.e., acts in a Title I-neutral manner) in determining how it assigns computer technicians funded by state and local funds.
- This might be done by demonstrating that computer technicians supported by state and local funds are assigned to schools based on Title I-neutral criteria, such as grade spans served and school size.

TITLE I SUPPLEMENT NOT SUPPLANT

EXCLUSIONS

- The ESEA permits an LEA to exclude from a supplanting determination supplemental state and local funds used for programs that meet the intent and purposes of Title I.

ESEA section 1118(d)

- A program meets the intent and purposes of Title I if it would be an allowable use of Title I funds were it implemented in a Title I schoolwide program or targeted assistance school. **34 C.F.R. § 200.79(b)**
- As a result, an LEA may allocate supplemental state or local funds that meet the intent and purposes of Title I in a manner that is **not** Title I neutral.

TITLE I SUPPLEMENT NOT SUPPLANT

Example:

- Through its methodology, a LEA allocates to only non-Title I schools supplemental state and local funds to support after school tutoring for any student who scores below proficient on the LEAP2025 math assessment.
- In its Title I schools , the LEA uses Title I funds to support after school tutoring for any student who scores below proficient on the LEAP2025 math assessment.

TITLE I SUPPLEMENT NOT SUPPLANT

Analysis of example:

- Although the LEA considers Title I status when allocating supplemental state and local funds through its methodology by only allocating to its non-Title I schools the state and local funds for the tutoring program, tutoring is a supplemental program and it benefits students who, by virtue of being not-proficient in math, are failing to meet the Louisiana's math standards.
- Therefore, the state and local funds supporting tutoring qualify for the exclusion because the program is supplemental and meets the intent and purposes of Title I.

TITLE I SNS: Exemptions

A LEA **does not** have to demonstrate compliance under **ESEA section 1118(b)(2)** if it has:

- Only one school.
- All Title I schools.
- A grade span within a single school or all Title I schools (i.e., no methodology is required for this grade span).

Frequently Asked Questions

Must an LEA use the same methodology for charter and non-charter schools within the LEA?

No. An LEA may, at its choosing, allocate state and local funds to charter schools within the LEA using a separate methodology from that through which it allocates state and local funds to non-charter schools, consistent with any/all applicable state charter school laws. For example, some LEAs allocate state and local funds to charter schools to cover facility costs but do not allocate such funds to traditional public schools, which, at the LEA's discretion, could be reason for a different methodology for the allocation of state and local resources to charter schools.

Should an LEA choose to use more than one methodology, each must be neutral with respect to Title I schools.

Frequently Asked Questions

Must an LEA adjust its allocation of state and local resources to account for changes during the school year that might result in the LEA's non-compliance?

No. ESEA section 1118(b)(2) contemplates an annual allocation of state and local funds to demonstrate compliance with the supplement not supplant requirement in section 1118(b)(1). 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.

Frequently Asked Questions

Must an LEA allocate state and local funds for activities required by state or local law to Title I schools?

Yes. Where state or local law requires that all schools comply, and to the extent that an LEA allocates state and local funds for activities required by state or local law through its allocation methodology to schools, then a Title I school must be allocated state and local funds for the activity required by state or local law, similar to any non-Title I school.

Frequently Asked Questions

Must a Title I school receive the state and local funds necessary to provide services required by law for children with disabilities and English learners?

Yes. ESEA sections 1118(b)(1)-(2) and 1114(a)(2)(B) require that a Title I school receive the state and local funds necessary to provide services required by law for children with disabilities and English learners. Examples of services required by law for children with disabilities and English learners include services in an individualized education program (IEP) necessary for a child with disabilities to receive a free appropriate public education (FAPE); services for English learners required by *Lau v. Nichols* 414 U.S. 563 (1974) and the administration of a screener to determine whether a student is English proficient as required under Title VI of the Civil Rights Act of 1964.

Frequently Asked Questions

When must an LEA demonstrate compliance with the supplement not supplant requirement?

ESEA section 1118(b)(5) requires an LEA to meet the compliance requirement under section 1118(b)(2) not later than two years after the date of enactment of the ESSA— *i.e.*, December 10, 2017. Because an LEA cannot reasonably allocate state and local funds under a new methodology in the middle of a school year, the Department used its transition authority under ESSA section 4(b) to delay the use of the new compliance provision until the beginning of the 2018–2019 school year.

Frequently Asked Questions

Must an SEA approve an LEA's methodology for allocating state and local funds to schools?

No. However, the ESEA requires an SEA to monitor its LEAs to ensure compliance with the requirements of the ESEA (see ESEA section 8304(a)(1), (3)(B)), which would include that an LEA has a compliant methodology for allocating state and local funds, among other requirements. Therefore, an SEA may request to review an LEA's methodology as part of its monitoring process.

Frequently Asked Questions

Must Title I, Part A funds be used only for allowable activities given that no LEA may be required to demonstrate that individual costs are supplemental?

Yes. The ESEA requires an LEA to use Title I, Part A funds only for allowable costs, even if the LEA complies with the supplement not supplant requirement. The type of Title I program determines whether a cost is allowable:

- **In a schoolwide program**, Title I funds may be used to upgrade the entire educational program in the school and benefit all students, provided the cost is consistent with the school's comprehensive needs assessment and included in the school's comprehensive schoolwide plan (see ESEA section 1114(a)(1)).
- **In a targeted assistance program** and with respect to funds for district-level activities, the ESEA requires Title I, Part A funds to be used only to serve students who are failing, or most at risk of failing, to meet the state's challenging academic standards (see ESEA section 1115(a)).

Although an LEA need not identify that particular costs supported with Title I, Part A funds are supplemental, it still must use its Title I, Part A funds only for allowable costs.

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