

Administrative Manual for ESSA Programming

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Department of Education

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Introduction

Every Student Succeeds Act (ESSA)

On December 10, 2015, President Barack Obama signed the bipartisan Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act (ESEA) of 1965. ESSA replaced No Child Left Behind (NCLB) as the nation's primary federal K-12 education law. ESSA provides flexibility for states and local educational agencies (LEAs) in using federal funds to ensure opportunities and success for all students. The law maintains ESEA's origins as a civil rights law and focuses on meeting the educational needs of historically underserved students, including low-income students, students of color, English Learners, and students with disabilities, among other subgroups.

The U.S. Department of Education (USDE) approved Pennsylvania's current Consolidated State Plan on January 20, 2023 ([Pennsylvania's Consolidated State Plan](#))

Pennsylvania places a high value on decisions made locally by communities and local leaders. Pennsylvania's Consolidated State Plan recognizes that ESSA provides significant autonomy and flexibility at both the state and local levels for spending federal funds. As such, the State Plan articulates certain priorities that promote student success while providing flexibility for LEAs and communities to make their own decisions about how to use federal funds, driven by students' needs, determined within a local context, as appropriate. These priorities include:

- Development of innovation and capacity in Science, Technology, Engineering, Mathematics (STEM) opportunities for all students including access to technology and computer science;
- Provision of equitable opportunity for advanced coursework including Advanced Placement, International Baccalaureate, and Dual Enrollment with college credit;
- Expansion of Career and Technical Education programs and coursework to provide additional pathways to postsecondary success, high value industry credentials, and work-based experiences;
- Development of a community schools' model to engage community supports and help meet the non-academic needs of children;
- Enhancement of school climate to provide a safe and nurturing environment for teaching and learning;
- Engagement of parents and families to promote academic, social, and emotional success for every child;
- Promotion of strategies for successful transitions for students from early childhood through postsecondary success;
- Personalized Learning including equitable access for every child to a "well- rounded" education that includes English, reading and language arts, health and physical education, STEM, music and the arts, social studies, civics, and world languages; and
- Professional development for educators including culturally responsive and trauma-informed concepts and competencies.

The Commonwealth's education vision is grounded in the following:

Governor Shapiro's vision for education in Pennsylvania is to provide students with the resources they need to succeed in the classroom and beyond. Governor Shapiro is working to fully fund our public schools, bring career and technical education back into our classrooms, expand higher education opportunities for students, support our teachers, and empower parents.

More information can be found at [Governor Shapiro's 25-26 Budget](#) (PDF).

Document Features

Boxes are used throughout this manual to highlight information and emphasize important requirements essential for LEA personnel to understand about federal programs. If requirements are not met, an LEA's program is out of compliance, which will result in the need for corrective action and may result in the reduction of federal education funds.

This manual provides Pennsylvania federal program coordinators and LEA administrators with the information needed to implement successful federal programs that comply with state and federal requirements, laws, regulations, and guidance.

All LEAs are assigned a Regional Coordinator, Fiscal Technician, and a Support Staff member. These assignments are available through [PDE's Federal Programs Contact Us](#). LEAs are encouraged to reach out to their team for questions that arise. Beyond the LEA's designated team, there are various opportunities to get targeted technical assistance. Check out the DFP Monthly Newsletter for Technical Assistance opportunities.

Key Terminology

This section defines key terms associated with implementing, managing, and monitoring federally funded programs that comply with all applicable state and federal requirements, laws, regulations, and guidance.

Definitions

Administrative Costs – These are expenditures associated with the management of a federally-funded program.

Affirmation of Consultation with Nonpublic School Officials – The goal of reaching agreement between an LEA and appropriate nonpublic school officials is grounded in timely, meaningful, and open communication between the LEA and nonpublic school officials on key issues that are relevant to the equitable participation of eligible nonpublic school students, teachers and other education personnel, and families in ESEA programs.

Allocable – Allocable is used to denote that goods or services involved are chargeable or assignable to the federal award in accordance with the relative benefit received; in other words, the federal grant program derived a benefit in proportion to the funds charged to it.

Appropriate State Certification – Appropriate State Certification refers to the requirement that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification. More information can be found at the following links:

- [CSPG 1 - Appropriate Certification in Pennsylvania](#)
- [CSPG 24 - Appropriate Certification in Charter Schools in Pennsylvania](#)

Attendance Area – This refers to the geographic area served by a specific school.

Carryover – Carryover is the portion of a federal allocation that is not expended by the end of the grant period. Funds not expended are added to the federal allocation available the following fiscal year.

Carryover for Equitable Services – Under extenuating circumstances, LEAs may carryover equitable nonpublic services funds up to one year; any carryover funds must be expended for equitable nonpublic services before any new funds are expended by providing services to other eligible nonpublic school students with nonpublic carryover funds. Only when all eligible nonpublic school officials decline services using carryover funds may they be used to support eligible Title I activities in the LEA.

Carryover Provision for Title IA – LEAs with Title IA allocations greater than \$50,000 per year cannot carry over more than 15% of their allocation from one year to the next unless the SEA waives the limitation (allowable once every 3-year cycle if the SEA believes the LEA's waiver request is reasonable and necessary).

[Example: 22-23 funds into 23-24 (carryover requested in the 23-24 application) is Year 1 of the 3-year cycle. 23-24 funds into 24-25 (carryover requested in 24-25 application) is Year 2. 24-25 funds into 25-26 (carryover requested in 25-26 application) is Year 3.]

Chart of Accounts – The [Chart of Accounts for Local Education Agencies](#) (PDF) is a manual that classifies three basic types of financial activity: revenues and other financing sources, expenditures and other financing uses, and transactions affecting the balance sheet only. For each type of transaction (i.e., revenue, expenditure, balance sheet), the account code is made up of a combination of dimensions. Each dimension describes one way of classifying financial activity. The dimensions included in the manual for each type of transaction are:

- **Revenues:** Fund, Revenue Code, Funding Source
- **Expenditure:** Fund, Function, Object, Funding Source, Instructional Organization, Operational Unit, Subject Matter, Job Classification, Special Cost Center
- **Balance Sheet:** Fund, Balance Sheet Account

Community Eligibility Provision (CEP) – The Community Eligibility Provision (CEP) is a reimbursement option for eligible LEAs and schools that wish to offer free meals to all children in high-poverty schools. The adoption of the CEP will influence other programs, including Title IA. The Title IA ranking and serving process via Selection of Schools will be affected the most. The traditional data source used by most LEAs is based upon the number of children eligible for free and reduced-price lunches under the Richard B. Russell National School Lunch Act. Because household applications are no longer collected, a similar data source must be established. Information regarding how to obtain this data is included in the [Community Eligibility Provision Guidance](#) (PDF).

Comprehensive Support and Improvement (CSI) Schools – CSI refers to the lowest-performing 5 percent of schools receiving Title I funds in the state identified by Pennsylvania's accountability system described in its approved ESSA State Plan, any public high school with a graduate rate of 67 percent or less, and Title I schools with a consistently underperforming subgroup that, on its own, is performing as poorly as students in the lowest-performing 5 percent of Title I schools, and that has failed to improve after the school has implemented a targeted support and improvement plan over a four year-span.

Consolidated Application – A consolidated application is the avenue by which an LEA applies for Title IA, IIA, IIIA, and IVA funds.

Cost/Price Analysis – A cost/price analysis is the process used to determine the reasonableness of bids and proposals. LEAs are required to perform a cost or price analysis for every procurement transaction, including contract modifications, in excess of the simplified acquisition threshold.

County Children and Youth Agency (CCYA) – An LEA collaborates with staff of state or local County Children and Youth Agency to develop and implement clear written procedures for how foster children are transported (how they will be transported and how costs will be paid) to their schools of origin, if applicable. LEAs are required to designate a Point of Contact (POC) if the CCYA notifies an LEA in writing that it designated a POC.

eGrants – The Pennsylvania Department of Education’s grants management system that provides local educational agencies and community-based programs with online access to prepare and submit grant applications for funding consideration.

eSignature – A superintendent or chief executive officer who requested and received permission to approve their LEA’s eGrants application with an electronic signature may approve their LEA’s application(s) electronically without having to upload a signed grant agreement to eGrants. If those LEA officials do not have eSignature, they may refer to the PDE Resources webpage for [instructions and a copy of the Resolution Document for eSignature](#) approval.

English Learner (EL) – An English learner is a speaker of other languages who is learning English. ELL, ESL, or LEP are acronyms that are sometimes used to refer to non-English speakers.

Equitable Nonpublic Services – Under ESSA, Sections 1117(b)(1) and 8501(c)(1)(5), an LEA is required to consult with officials from all nonpublic schools within its attendance area to agree on how to provide equitable and effective programs for eligible nonpublic school children.

Equipment – Equipment is defined as tangible and non-expendable personal property having a useful life of more than one year and/or a unit acquisition cost of more than \$10,000.

Excess Funds – Excess Funds are carryover funds that exceed the maximum carryover allowed by federal requirements, laws, regulations, and guidance.

Expenditure of Funds – Payment for obligations made during a fiscal year.

Federal Award Identification Number (FAIN) – The FAIN (formerly CFDA) is a government-wide compendium of federal programs, projects, services, and activities used to identify financial and non-financial assistance programs by a standard code.

Financial Accounting Information (FAI) System – Funds are transferred electronically via the FAI system to an LEA according to a monthly payment schedule based on the approved budget and grant agreement. Quarterly cash on hand reports are submitted to the Comptroller’s Office via the FAI System.

Federal Funding Accounting and Transparency Act (FFATA) – The Federal Funding Accountability and Transparency Act of 2006 (FFATA) affects ALL federal funds. FFATA is incorporated into eGrants to ensure that mandatory award information is included in each program application. **NOTE:** FFATA is referred to as Funding Accountability and Transparency Data (FAAT) in Pennsylvania’s eGrants system.

Final Approval – Final Approval is given on the date when the Division of Federal Programs determines that an LEA’s Consolidated Application is complete and acceptable. This approval is given after an application has passed the review of the Division of Federal Programs, Bureau of Management Services, Legal Division, and the Comptroller.

Foster Care – Title I foster care provisions apply to any child who has or had been in any of the following foster care settings for at least 24 hours: Family foster homes, Group homes, Relative foster homes, Child care institutions, Residential facilities, Pre-adoptive homes, and Emergency shelters.

Full-Time Equivalency (FTE) – FTE refers to the amount of time an employee spends in fulfilling their assignment. One FTE is a full-time employee. If not full-time, the FTE is usually expressed as a decimal fraction to the nearest tenth. FTE is a data element included in an LEA’s Consolidated Application and refers to salaried positions or those paid an hourly rate rather than those who receive a stipend for one-time events.

Future Ready Comprehensive Planning Portal (FRCPP) – The Future Ready Comprehensive Planning Portal was designed to provide a consistent planning framework and collection mechanism for all Pennsylvania LEAs. See [PDE's Comprehensive Planning Portal](#) for guidance in accessing the FRCPP.

Homeless Children and Youth – Children and youth may be identified as “homeless” if they:

- share housing of other persons due to loss of housing, economic hardship or a similar reason;
- live in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
- live in emergency or transitional shelters;
- are abandoned in hospitals;
- have a primary nighttime residence in a public or nonpublic place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- live in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

"Migratory children" may qualify as homeless under federal law because they are living in circumstances described above, and "unaccompanied homeless youth" include any child who is "not in the physical custody of a parent or guardian."

Hold-Harmless (Title IA) – Hold-harmless refers to the percentage of a given fiscal year’s allocation guaranteed to an LEA the following fiscal year.

Individuals with Disabilities Education Act (IDEA) – The Individuals with Disabilities Education Act is a law that makes available a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children. The IDEA governs how states and public agencies provide early intervention, special education, and related services to more than 6.5 million eligible infants, toddlers, children, and youth with disabilities.

Local Educational Agency (LEA) – LEAs are school districts, intermediate units, and charter schools.

Logic Model-- A logic model is a graphic illustration of the relationship between a program's resources, activities, and its intended effects. Logic models clearly and concisely show how interventions affect behavior and achieve a goal. They can be described as road maps that specify causal pathways and the step-by-step relationship between planned work and intended results. Specifically, a logic model is a visual way to illustrate the resources or inputs required to implement a program, the activities and outputs of a program, and the desired program outcomes (short-term, long-term).

Maintenance of Effort (MoE) – Maintenance of effort ensures LEAs maintain a consistent floor of state and local funding for free public education from year-to-year. LEAs that receive Title IA and Title IIIA funds are subject to maintenance of effort requirements.

Memorandum of Understanding (MOU) –A memorandum of understanding (MOU) is an agreement between two parties that is not legally binding, but which outlines the responsibilities of each of the parties to the agreement.

Micro Purchases – Micro purchases are individual procurement transactions of supplies or services where the aggregate amount of which does not exceed the micro-purchase threshold.

MyPDESuite – MyPDESuite is a web portal that enables users to access various PDE data collection applications such as eGrants, FAI, FRCPP, PIMS, and TIMS. More information and technical assistance can be found on [PDE's MyPDESuite help](#) webpage.

Necessary Cost – A key aspect in determining whether a cost is necessary is an LEA's ability to demonstrate and prove that the cost addresses an existing need and is included in their LEA or school plan.

Obligation of Funds – Obligation of Funds is an accepted process to commit to purchasing and paying for goods and services by issuing purchase orders, contracts, or grant agreements during a specified period. With respect to federal funds administered by the Division of Federal Programs, funds may not be obligated prior to July 1 or by the date when a Consolidated Application is in a substantially approvable form, whichever is later.

Obligation Window – This refers to the period in which grant monies can be used.

Ombudsman – An ombudsman monitors and enforces ESSA equitable nonpublic services required by Title IA, IIA, IIIA, and IVA.

Paraprofessionals/Instructional Assistants – Paraprofessionals must meet ONE of the following requirements listed below to work in or be paid by a Title IA program ([CSPG 101 - Utilization of Paraprofessional Staff](#)):

- attained an associate degree or higher;
- completed at least two years of postsecondary study (48 credits); or

- successfully completed a state or locally developed assessment in reading, writing, and mathematics.

Performance Management – Performance Management refers to the use of goals, measurement, evaluation, analysis, and data-driven reviews to improve the effectiveness and efficiency of agency operations.

Performance Measures – Performance Measures is the broad term for the measures you look at to gauge how your program and/or organization is performing.

Point of Contact (POC) – A point of contact (POC) is a person or a department serving as the coordinator or focal point of information concerning an activity or program. LEAs collaborate with state or local County Children and Youth Agency (CCYA) to develop and implement written procedures associated with providing foster children with transportation services to their school of origin. If CCYA notifies an LEA in writing that it has designated a Point of Contact, the LEA is required to designate a Point of Contact as well.

Program Goals – Program Goals are outcome-based and focus on desired changes in knowledge, skills, or performance among participants. These goals guide program implementation and serve as the foundation for measuring success and impact.

Proposals – A proposal is a procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids.

Reallocated Funds – Reallocated Funds refer to funds redistributed by the Division of Federal Programs among eligible LEAs.

Reasonable Cost – Reasonable cost is a price that is consistent with what a reasonable person would pay in the same or similar circumstances for the same or similar item.

Reconfigurations (School Reconfigurations) – From time-to-time school districts find it necessary to change their school organization. Examples of changes include opening or closing a school, changing grade level configurations, changing the name of a school, or closing a school building. Sometimes, these changes can affect an LEA's eligibility to participate in federal programs. An LEA should contact its Division of Federal Programs regional coordinator to seek further assistance with specific scenarios. More information can be found at the School Reconfigurations page on PDE's website.

Rural Education Achievement Program (REAP) – See Small Rural School Achievement (SRSA).

Sealed Bids – Sealed bids are the procurement method for good/supplies above the Simplified Acquisition threshold. Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the lowest responsible bidder whose bid conforms to all the material terms and conditions for a bid solicitation.

Selection of Schools (SOS) – The data entry wizard in Pennsylvania’s eGrants system of an LEA’s Consolidated Application is used to identify which buildings are eligible for Title IA services, building level allocations, nonpublic equitable shares, and public set aside amount.

Single Attendance Area – Single Attendance Area refers to an LEA that does not have the same grades in more than one building.

Simplified Acquisitions – These purchases are those that fall above the micro-purchase threshold but below either the sealed bids or competitive proposals thresholds.

Small Rural School Achievement (SRSA) – SRSA is a funding source for small rural schools that comes directly from the U.S. Department of Education under Title VB; although these funds are not included in an LEA’s Consolidated Application, an LEA may use them to support programs included in its Consolidated Application. LEAs eligible for these funds are also called REAP school

Subgrantee Risk Assessment – A risk assessment is conducted each year on one of two cohorts of the LEAs across the state that receive federal funds. This risk assessment is used to determine LEAs level of monitoring need. Factors include, but are not limited to, timeliness of required submissions, allocation size, staff turnover, carryover, completion of previous year corrective actions, and previous monitoring results. Additional consideration is given to the length of time since an LEA’s last monitoring visit. Based on assigned points, each LEA is designated as high, medium, or low risk. High-risk LEAs are prioritized for onsite monitoring, while medium-risk LEAs participate in desk reviews with virtual follow-up.

Substantially Approvable – The Consolidated Application is considered substantially approvable when all required items have been received by the Division of Federal Programs. Even though a Consolidated Application may not have final approval, an LEA may begin to obligate funds on the date its Consolidated Application is substantially approvable or July 1, whichever is later.

Supplement, not Supplant (SNS) – Federal funds must be used to supplement (add to) and in no case supplant (remove/replace) non-federal funds.

Supplement, not Supplant – All Title IA, Title ID, Title IIA, Title IIIA, and Title IVA expenditures must be used to provide supplemental services and may not supplant or replace required activities. When identifying services that will be provided to students, LEAs must understand that federal funds cannot be used to provide services that are required by local or state laws. In other words, federal resources must be used to provide services that augment an LEA’s efforts to support effective instruction. Whether federal funds are supplanting state or local funds is determined on a case-by-case basis. Presumptions of Supplanting are as follows: 1. Used Federal funds to provide services that are required under other federal, state or local laws.

Supplemental Page for Consultation with Nonpublic School Officials – The supplemental page is used to list multiple nonpublic schools that require signature from only one authorized nonpublic representative.

System for Award Management (SAM) – Recipients of federal funds must maintain an active registration in SAM and maintain their Unique Entity ID (UEI). Failure to maintain a current SAM registration results in funds being frozen until registration is renewed and verified. Funds are not released until an LEA's SAM registration renewal is verified.

Targeted Support and Improvement (TSI) Schools – TSI schools are schools with one or more consistently underperforming subgroups based upon Pennsylvania's accountability system described in its approved ESSA State Plan.

Term of Grant Agreement – The term consists of beginning and ending dates when an LEA may commit, obligate, and expend funds. The term is also referred to as the obligation window.

Title IA Comparability – Comparability is a fiscal requirement that is intended to demonstrate that an LEA using Title IA funds to supplement, and not supplant, non-federal funds that would otherwise be used for authorized activities under Title IA.

Title IA-like Program – Title I Like is a provision in the Title I law that permits districts to use district and state funds to provide remedial services to children in schools not serviced by Title I.

Transferability – An LEA has flexibility to move up to 100 percent of its Title IIA and Title IVA funds to Title IA, Title IIA, Title IIIA, and/or Title IVA. Funds may not be transferred out of Title IA and Title IIIA.

Tydings Amendment – This amendment allows educational agencies additional time to spend federal monies they receive. The Tydings Amendment was incorporated by Congress into the General Education Provisions Act. Under the amendment, grantees can carry over for one year any funds that were not spent during the grant award period.

Uniform Grants Guidance (UGG) – The federal government updated and condensed all federal grants guidance documents into one uniform guidance document that applies to ALL federal grants. Uniform Grant Guidance (UGG) went into effect on December 26, 2014, and applies to every federal funding source regardless of the federal agency awarding the funds. The purpose of UGG is to eliminate fraud, waste, and abuse.

Unique Entity ID (UEI) – In order to receive federal funds as a subrecipient, an organization must have a UEI, which is a 12-character alphanumeric ID assigned to an entity and have an active registration at the System for Award Management (SAM) at the time of application.

Federal Programs Acronyms

AFR – Annual Financial Report

AOC—Affirmation of Consultation

ASC – Appropriate State Certification

A-TSI – Additional Targeted Support and Improvement (schools)

BR—Budget Revision

CCYA – County Children and Youth Agency

CEP – Community Eligibility Provision

CRP—Contractor Responsibility Program

CSI – Comprehensive Support and Improvement (schools)

CSPG – Pennsylvania Department of Education’s Certification and Staffing Policy Guidelines

CSR—Class Size Reduction

DFP – Division of Federal Programs

EDGAR – Education Department General Administrative Regulations

EL – English Learner

ELD – English Language Development

ESEA – Elementary and Secondary Education Act

ESSA – Every Student Succeeds Act

ESL – English as a Second Language

ESOL – English for Speakers of Other Languages

EUT—Effective Use of Technology (Title IV specific)

FAI – Financial Accounting Information System

FAIN—Federal Accounting Identification Number

FER – Final Expenditure Report

FFATA – Federal Funding Accountability and Transparency Act

FPC – Federal Program Coordinator

FRCPP—Future Ready Comprehensive Planning Portal

FRPAI—Future Ready PA Index

FTE – Full-Time Equivalency

GED – General Education Diploma

GEPA – General Education Provisions Act

IDEA – Individuals with Disabilities Education Act

IEP – Individualized Education Plan

IGA – Intergovernmental Agreement

IU – Intermediate Unit
LEA – Local Educational Agency
LEP – Limited English Proficient
N&D – Neglected and Delinquent
NP--Nonpublic
PAFPC—Pennsylvania Association of Federal Programs Coordinators
PASA—Pennsylvania Alternate State Assessment
PDE—Pennsylvania Department of Education
PFE – Parent and Family Engagement
PFCE—Parent, Family, and Community Engagement (unique to Title IIIA)
POC – Point of Contact
PSSA – Pennsylvania System of School Assessment
PPR—Program Performance Report
RC – Regional Coordinator
REAP – Rural Educational Achievement Program
RLIS – Rural Low-Income Schools
ROF—Reservation of Funds
SAM – System for Award Management
S&H—Safe and Healthy (Title IV specific)
SEA – State Educational Agency
SOS—Selection of Schools
SPAC – State Parent Advisory Council
SRSA – Small Rural School Achievement
TSI – Targeted Support and Improvement (schools)
UEI – Unique Entity ID
UGG – Uniform Grants Guidance
USDE—United States Department of Education
WRE—Well-Rounded Education (Title IV specific)

Part I – Program

Section 1 – General Guidelines

Consolidated Application

An LEA may receive Title IA, IIA, IIIA, and IVA funds only if it has a state-approved plan for implementing the programs. In Pennsylvania, an LEA's Consolidated Application is used to meet the federal requirement of a state-approved plan. An LEA's plan is to be developed in consultation with teachers, principals, administrators, other appropriate school personnel including paraprofessionals and specialized instructional support personnel, and parents/family members of children in schools served with Title IA funds. Each LEA is required to review its LEA plan annually and to make any necessary changes.

Any program changes must be included in the Consolidated Application and be approved by the LEA's Regional Coordinator in DFP prior to implementation. Revisions to the LEA plan are made in eGrants and resubmitted for approval.

Funds may not be obligated until July 1 or the date an application is received by DFP in a substantially approvable form, whichever is later. Therefore, LEAs are encouraged to submit their applications by July 1. DFP expects all applications to be submitted no later than early September for funded programs to begin at the start of the school year.

To access the online application, click on the following link: [Pennsylvania's eGrants System](#).

To receive a substantially approvable date, an LEA must submit the following components of its Consolidated Application:

- Consolidated Application (and revisions, if needed), submitted in eGrants, reviewed and approved by the LEA's DFP Regional Coordinator.
- Nonpublic Affirmation Form for Titles IA, IIA, IIIA, and IVA if applicable.
- Consortium signoff (online), if applicable.
- Title ID Neglected or Delinquent form, if applicable.
- A Grant Agreement signed and dated electronically, or a pen and ink signature provided by the Chief School Administrator

If the required components are received by DFP separately, the approval date will be the date on which the final component is received. For LEAs serving nonpublic schools with Title I funds, the application will not be approved unless services for nonpublic schools have been budgeted, or documentation indicates that services were declined.

Equitable Services for Nonpublic School Children¹

ESSA section 1117 requires participating LEAs, in consultation with appropriate nonpublic school officials, to provide eligible children attending nonpublic non-profit elementary and secondary schools, their teachers, and their families with Title IA services or other benefits that are equitable to those provided to eligible public-school children, their teachers, and their families. Eligible nonpublic school children are children who reside in a participating Title IA public school attendance area and are low achieving.

Timely and Meaningful Consultation

Timely and meaningful consultation with appropriate nonpublic school officials is an essential requirement in an LEA's implementation of an effective Title I program for eligible nonpublic school children, their teachers, and their families. Consultation involves discussions between public and nonpublic school officials on key topics that affect the ability of eligible nonpublic school students to participate equitably in Title IA programs. Effective consultation provides a genuine opportunity for all parties to express their views and to have those views considered. Successful consultation establishes positive and productive working relationships, makes planning effective, continues throughout implementation of equitable services, and serves to ensure that the services provided meet the needs of eligible students and teachers. A unilateral offer of services by an LEA with no opportunity for discussion or the application of a blanket rule is not adequate consultation. Only after discussing key topics relating to the provision of Title IA equitable services should an LEA make its final decisions with respect to those services.

Below is an example for how LEAs are required to calculate proportionate share of Title IA funds for equitable services:

Example of Determining the Amount of Title I Funds for Equitable Services

Public School Attendance	Number of Public School Low-Income Children	Number of Nonpublic School Low-Income Children	Total Number of Low-Income Children
A	500	120	620
B	300	9	309
C	200	6	206
D	350	15	365
Totals	1,350	150	1,500
Proportionate Share	90%	10%	
Proportionate Share	\$900,000	\$100,000	

In the above example, the proportionate amount of Title IA funds to be reserved for nonpublic equitable services is 10% of the LEA's Title IA funds or \$100,000.

¹ ESEA Section 1117

Although LEAs calculate the proportionate share of Title IA funds available for equitable services set-aside, ESSA requires an LEA to maintain control of Title IA funds, materials, equipment, and property. Nonpublic school officials have no authority to obligate or receive Title I funds. Thus, no Title I funds may be paid to a nonpublic school, even as reimbursement (ESSA section 1117(d)(1)).

Annual LEA Requirements for Equitable Services under Title IA

- Identifies nonpublic schools which are attended by children from LEA, regardless of whether the schools are within its boundaries.
- Identifies children residing within school boundaries who are eligible to receive services (ESSA, Section 1117(a)(1) and 1115(c)).
- Allocates Funds for Equitable Services (ESSA, Section 1117(a)(4)(A)).

Consults with nonpublic school officials (ESSA, Section 1117(b)(1) and 34 C.F.R. 200.63) in a meaningful and timely manner.²

Consultation with nonpublic school officials is an essential requirement in an LEA's implementation of an effective Title I program for eligible nonpublic school children, their teachers, and their families.

Consultation involves discussions between public and nonpublic school officials on key issues that affect the ability of eligible nonpublic school students to participate equitably in Title I programs.

The "goal of reaching agreement" between an LEA and appropriate nonpublic school officials is grounded in timely, meaningful, and open communication between the LEA and the nonpublic school officials on key issues that are relevant to the equitable participation of eligible nonpublic school students, teachers and other education personnel, and families in ESSA programs.³

Consultation topics must include:

- How the children's needs will be identified;
- What services will be offered;
- How, where, and by whom the services will be provided;
- How the services will be academically assessed and how the results of that assessment will be used to improve services;
- The size and scope of the equitable services to be provided to eligible nonpublic school children, and the proportion of funds that is allocated for services, and how the proportion of funds allocated for equitable services is determined;

² Each LEA is required to retain documentation signed by an authorized nonpublic school representative that affirms the LEA consulted with nonpublic school officials; a copy of the agreement following the consultation is uploaded into eGrants. Likewise, an LEA is required to retain documentation when a nonpublic school declines services or fails to respond when LEA reaches out to consult.

³ ESSA sections 1117(b)(1) and 8501(c)(1)(5).

- The method or sources of data that are used to determine the number of children from low-income families in participating school attendance areas who attend nonpublic schools;
- How and when the LEA will make decisions about the delivery of services to eligible children, including a thorough consideration and analysis of the views of nonpublic school officials on the provision of services through a contract with potential third-party providers;
- If the LEA disagrees with the views of the nonpublic school officials on the provision of services through a contract, the LEA will provide in writing to nonpublic school officials an analysis of the reasons why it has chosen not to use a contractor;
- Whether the LEA will provide services directly or through a separate government agency, consortium, entity, or third-party contractor;
- Whether the LEA will provide equitable services to eligible nonpublic school children by combining and using funds in coordination with eligible funds available for services to nonpublic school children under programs covered by Section 8501(b)(1);
- Discussion of service delivery mechanisms that the LEA can use to provide equitable services to eligible nonpublic school children (ESSA, Section 1117(b)(4); and
- Total carryover funds available to support equitable services and determining how they will be used (ESSA, Sections 1117(b) and 8501(c).
- Pennsylvania's written affirmation indicates not only that consultation occurred but also allows nonpublic school officials to report that meaningful and timely consultation did not occur or that the program design is not equitable for eligible nonpublic school children (ESSA, Section 1117(b)(1)).

LEAs serving nonpublic school students must develop a Title IA complaint procedure for nonpublic schools.

DFP developed several new forms associated with nonpublic equitable services as follows:

- a. [Intent to Participate Form Title IA](#);
- b. [Affirmation of Consultation with Nonpublic School Officials](#);⁴ and/or
- c. [Supplemental Page for Consultation with Nonpublic School Officials](#), which is used to list multiple nonpublic schools that require a signature from only one authorized nonpublic representative.

The LEA and nonpublic school officials may choose one or both of the following options for using the funds reserved for instructional services for eligible nonpublic school children:

1. School-by-School Basis: Provide equitable services to eligible children in each nonpublic school with the funds allocated for the children who reside in participating public school attendance areas and attend that nonpublic school; or

⁴ Signed affirmation forms are uploaded into Pennsylvania's eGrants before an LEA submits its Consolidated Application.

2. Pooling Option:⁵ Combine funds allocated for nonpublic school children in all participating areas to create a pool of funds from which the LEA provides equitable services to eligible nonpublic school children who are in the greatest educational need of those services and reside in participating public school attendance areas.

The LEA and nonpublic school officials decide the criteria for nonpublic school students. Title IA funds may not be used to identify the nonpublic school children who are eligible to participate. However, Title IA funds may be used to select participants from among those who are eligible and to determine the specific educationally appropriate Title I services based on the needs of the nonpublic school students.

Equitable Share Carryover

To ensure that equitable services are provided to nonpublic schools in a timely manner, an LEA is required to consult with nonpublic school officials concerning their students' need and obligate funds using the Reservation of Funds page in Pennsylvania's eGrants system to allocate funds for equitable services under each federal program.⁶ Obligation of all equitable services funds must occur in the fiscal year funds are received by the LEA. LEAs are required to carryover equitable nonpublic services funds up to one year; any carryover funds must be expended for equitable nonpublic services before any new funds are expended. If the funds are not obligated by the nonpublic school to which they were not originally allocated, the carryover funds must then be redistributed to other Title I nonpublic participating schools' students. The LEA must set a reasonable deadline for obligation of the carryover funds. Only when all eligible nonpublic school officials decline services using carryover funds may they be used to support eligible Title I activities in the LEA. Nonpublic equitable share carryover should be discussed during consultation and reported in the Title I project carryover section of the eGrants application.

Nonpublic Closures

An LEA generally uses poverty data collected during the previous school year to determine the proportional share. When a nonpublic school that was open the previous year closes prior to the new application process, the LEA should:

- Include students from low-income families who attended the closed school in the previous school year in the proportional share calculation if:
 - There is documentation to show that these children will be attending another nonpublic school, and
 - Students reside in a participating Title I public school area of the LEA for the upcoming school year.

⁵ If this option is used, the LEA, in consultation with officials from the nonpublic schools, must establish criteria to determine the eligible nonpublic school students in greatest educational need who should receive services. Additionally, the services provided to eligible children attending a particular nonpublic school do not depend on the amount of funds allocated for children in that school.

⁶ ESSA sections 1117(a)(4)(B) and 8501(a)(4)(B).

If there is no documentation that these children attend a nonpublic school or continue to reside in a Title I school attendance area of the LEA, then they **would not** be part of the proportional share calculation for the upcoming school year.

For assistance with nonpublic school closures/mergers and determining the Title I equitable share calculation, please contact your Regional Coordinator.

Nonpublic Complaint Resolution Procedures

ESSA requires each LEA that provides equitable nonpublic school services to have board-adopted standard complaint resolution procedures for nonpublic equitable services and for parents and families. These procedures are used to resolve allegations of violations of federal program requirements. The procedures must be available to the public and each building must have a copy; an LEA is required to maintain evidence that it distributed its complaint procedures to nonpublic school officials. If a complainant disputes an LEA decision, DFP has adopted written procedures. [Division of Federal Programs' Complaint Procedures for Nonpublic School Children](#) are available on DFP's webpage.

In accordance with ESSA, PDE has 45 days to respond to a complaint from parents, teachers, or other individuals concerning potential violations of ESSA Section 8501, related to nonpublic school children and teachers.⁷ The U.S. Department of Education's Secretary of Education has 90 days to investigate and resolve an appeal of an SEA's resolution of a complaint related to equitable nonpublic services.

A sample complaint resolution is available on the ["Sample Complaint Resolution" section](#) on the DFP webpage.

Annually, LEAs are required to disseminate their complaint procedures to parents and family members of students and appropriate nonpublic school officials or representatives.

Ombudsman for Nonpublic Equitable Share Services

ESSA requires each SEA to designate an ombudsman, who monitors and enforces ESSA equitable nonpublic services requirements of Title IA, Title IIIA, and Title IVA.⁸

The ombudsman serves as an impartial mediator, whose primary responsibilities are to provide guidance to LEAs and nonpublic school officials. In the event disputes arise and a mutually agreed upon decision cannot be achieved through independent consultation between an LEA and nonpublic school officials, the ombudsman facilitates further conversations and reviews programs to ensure equitable nonpublic services and other program supports are provided consistent with federal requirements.

⁷ ESSA section 8503.

⁸ ESSA sections 1117(a)(3)(B) and 8501(a)(3)(B).

Services for Nonpublic School Children

Services agreed upon shall be provided by employees of a public agency or through contract with an individual, association, agency, or, with sufficient safeguards, religiously affiliated nonpublic schools (*Agostini v. Felton*, 521 U.S. 203 (1997)). Title IA services may be provided in subject areas or at grade levels that are different from those provided to public school students if the services are provided in the same grade-span as the services provided to public school children. These services must hold reasonable promise that the academic performance of nonpublic school participants will improve.

The public LEA makes the final decisions with respect to the services provided to nonpublic children with federal funds from its federal Consolidated Application. The public LEA controls funds, employment, and contracts used to provide services to nonpublic students, parents, and teachers.

Services ***must*** benefit students, ***not*** nonpublic schools, and they must follow Uniform Guidance and Procurement Procedures as applicable.⁹

Services for participating nonpublic school children may include, but are not limited to, the following:

- Instructional services provided by public school employees or third-party contractors;
- Special educational services;
- Instructional services (including evaluations to determine the progress in meeting such students' academic needs);
- Counseling;
- Mentoring;
- One-on-one tutoring; and
- Other benefits under Title I (such as dual or concurrent enrollment, educational radio and television, computer equipment and materials, other technology, and mobile educational services and equipment).

The LEA must engage in the procurement of equipment, supplies, and services needed to provide equitable services, including preparation and submission of any purchase orders. Nonpublic school officials have no authority to obligate ESSA funds. Therefore, LEAs may not request, require, or authorize nonpublic school officials to submit purchase orders.

The following are options for providing equitable services to eligible nonpublic school children with Title I funds:

- **School-by-School:** Provide equitable services to eligible children in each nonpublic school with the Title I funds generated by the children from low-income families who reside in participating Title I public school attendance areas and attend that nonpublic school.

⁹ ESEA sections 1117(d) and 8501(d)

- **Pooling within an LEA:** Must be discussed during consultation and agreed upon by all parties. It is meant to provide equitable services to eligible children attending a nonpublic school that is part of a group of nonpublic schools (such as a group of schools under the authority of a single organization) by pooling the Title I funds generated by children from low-income families who reside in participating Title I public school attendance areas and attend a nonpublic school in the group. The LEA, in consultation with appropriate nonpublic school officials, must establish criteria to determine the eligible nonpublic school students in greatest educational need to receive services. The services provided to eligible children attending a particular nonpublic school do not depend on the amount of funds generated by children from low-income families in that school; rather, the services are based on educational need. If nonpublic school officials representing different groups of nonpublic schools request pooling, the LEA may establish a separate pool for each requesting group.
- **Pooling across LEAs:** Must be discussed during consultation and agreed upon by all parties. Because eligibility for Title I services is based on a child's residence and not where the child attends school, it is common that multiple LEAs have a responsibility to provide services to eligible children who attend the same nonpublic school, making provision of those services through pooling across LEAs potentially more educationally effective and efficient than each individual LEA providing services to eligible students in the same nonpublic school. Thus, multiple LEAs may pool the Title I funds generated by their nonpublic school children from low-income families who reside in a participating Title I public school attendance area to serve eligible low-achieving nonpublic school children who reside in those LEAs. In other words, low-achieving nonpublic school children in greatest need who reside in a participating Title I public school attendance area in any of the applicable LEAs may be served with the pooled funds. The LEAs, in consultation with appropriate nonpublic school officials, must establish criteria to determine the eligible nonpublic school students in greatest educational need to receive services.

Late Submission of Consolidated Applications

An LEA that fails to submit a Consolidated Application for funds within the initial fiscal program period (July 1 – September 30 of the following year) will forfeit its Title IA allocation unless it submits the application within the carryover period for that fiscal year. If the application is not submitted by the end of carryover, all funds are forfeited.

The Tydings Amendment allows an LEA to carryover up to 15 percent of its Title IA allocation into the carryover period. An LEA may request a waiver once every three years to exceed the 15 percent carryover limit if there is reasonable justification and state educational agency (SEA) approval is obtained. Failure to submit an application for funds is not a "reasonable justification;" therefore, an LEA will only be eligible to claim 15 percent of its Title IA allocation without having a reasonable justification.

The remaining funds will be reallocated to other LEAs during the reallocation process.

Monitoring

Monitoring typically occurs from January through May of each year. LEAs complete an online self-assessment available at [Pennsylvania's Federal Monitoring On-Line System](#) (referred to as FedMonitor).

DFP uses the Subgrantee Risk Assessment to assess risk of LEAs and determine monitoring methods. This is done by dividing LEAs across the state into two cohorts. Each year one cohort is added to the risk assessment to be assessed by the risk factor reports. Under the requirements provided under the Uniform Grants Guidance, DFP created a Subgrantee Risk Assessment that is completed for LEAs that receive federal funds. Categories for the risk assessment include, but are not limited to, missing deadlines of reports and applications, allocation size, new personnel, previous monitoring findings, and corrective action late or incomplete submission.

Monitors, who conduct LEA reviews, are retired administrators trained by DFP staff and hired to serve in the capacity as federal program monitors. Monitors use self-assessments completed by an LEA to verify compliance with each federal program requirement for Title IA, Title ID, Title IIA, Title IIIA, Title IVA, Uniform Grants Guidance, Fiscal Review, REAP, and Ed-Flex Waivers. LEAs can access their final monitoring report, which is available in FedMonitor. LEAs should refer to [DFP's Monitoring](#) webpage for the latest monitoring tool information.

Findings of Non-Compliance

There are multiple ways for LEAs to be considered out of compliance with federal requirements:

- Single audits;
- Complaints filed with PDE/USDE;
- Fiscal review;
- Monitoring conducted by DFP or representatives; or
- Application reviews.

If an LEA is found to be out of compliance in one or more areas during a monitoring visit, Corrective Action is generated through FedMonitor. Corrective Action documentation must be uploaded into FedMonitor by the due date. If an LEA fails to submit appropriate documentation of corrective action, the following consequences may result in:

- Suspension of further payments of programs in the current Consolidated Application until appropriate documentation is provided;
- Non-approval of the following year's Consolidated Application will not be approved;
- Denial of the use of funds for all or part of the cost of the program activity that is deemed to be out of compliance; or
- LEA returning funds that have been determined to be misused

DFP will review corrective action evidence/documentation and will upload a final letter in FedMonitor indicating that any and all compliance issues have been resolved.

Parent/Family Members Notification

Every Student Succeeds Act (ESSA) requires LEAs that receive federal funds to communicate with parents and/or family members relating to the following four circumstances:

1. Annually LEAs are required to disseminate Federal Programs Complaint Resolution Procedures to parents/family members of students and appropriate nonpublic school officials or representatives.
2. At the beginning of each school year, a participating LEA must notify parents/family members of each student attending a Title IA building that they may request the professional qualifications of classroom teachers and/or paraprofessionals who provide services to their child; an LEA must respond to these requests in a timely manner.
3. An LEA must notify all parents/family members whenever their child in a Title IA building is assigned to or taught for four or more consecutive weeks by an individual who does not hold appropriate state certification.

Within 30 days of the start of the school year, an LEA must inform parents/family members that their EL child has been identified for participation in a language instruction educational program.

Program Goals and Performance Measurement

An LEA is required to establish program goals consistent with the intent of the federally funded program. Each Title program has its own unique areas to measure performance. All goals must be **outcome-based** to reflect the impact or results of the program's activities.

The required program goals of each Title program are listed below.

- Title IA:
 - Student Achievement
 - Parent and Family Engagement (over \$500K or by LEA choice)
 - Nonpublic student achievement (if applicable)
 - Neglected student achievement (if applicable)
- Title ID
 - Student Achievement
- Title IIA
 - Professional Development (if applicable)
 - Nonpublic (if applicable)
 - Class Size Reduction student achievement (if applicable)
- Title IIIA
 - Student Achievement
 - Nonpublic student achievement (if applicable)
- Title IVA
 - Well Rounded (if applicable)
 - Safe and Healthy (if applicable)
 - Effective Use of Technology (if applicable)
 - Nonpublic (if applicable)

Outcomes

Outcomes are the levels of performance or achievement that occur because of the activities or services provided. Outcomes quantify performance and assess success of the process (e.g., level of achievement, level of satisfaction).

- Percentile Rank on an assessment
- Level of Proficiency
- Rating on a scale
- Growth score

Program Goal Characteristics

Part of alleviating common project challenges is to set specific goals that provide structure and guidance throughout the project. SMARTIE goals provide the road map for what is to be accomplished at the end of the project and define the *characteristics* of a goal. Developing SMARTIE goals helps improve the chances of accomplishing end goals. SMARTIE goals are:

S – Specific: Well defined, clear, and unambiguous

M – Measurable: The goal includes specific criteria that measure progress and are quantifiable, objective, and/or operationally defined. What metrics will be used to determine if benchmarks are being met?

A – Attainable: The goal is attainable given the time-constraints and available resources. It may require identifying intermediate actions and milestones. Consider determining *how* to accomplish the goal and *if* any tools/skills/personnel are needed. If you don't currently possess the ones that are necessary, consider what it would take to attain them.

R – Relevant, Results-driven: The goal has a meaningful impact on the overarching mission of the program. Is the goal objective? Is it important? Is it related to student success?

T – Time-Bound: The goal includes a clear start date, end date and milestones in between. Providing time constraints also creates a sense of urgency. Short-term goals are achievable within a program year and may be part of a long-term goal.

I – Inclusive: It brings traditionally marginalized people, particularly those most impacted, into processes, activities, and policy/decision-making in a way that shares power.

E – Equitable: It includes an element of fairness and justice that addresses systemic inequity and oppression.

Program Goal Components

All program goals are required to contain four components – Audience, Behavior, Condition, Degree (ABCD).

Program Goal Components - ABCD	
Audience	– Name of the group undergoing measurement (e.g. first grade, students receiving intervention, teachers, etc.)
Behavior	– Describes what learners will demonstrate or do is (e.g. rate, solve, attend)
Condition	– the test/tool that is being used (e.g. Acadience data, iReady; also, events held, items purchased, survey rating, etc.) and when (BOY/EOY, pre-/post-test).
Degree	– the degree of change(e.g. 50%, 20% improvement, 6 per year, % of participants rating a certain way, etc.)

Below are examples of program goals written in ABCD format, as they relate to Title IA, IIA, IIIA and IVA.

Title IA - Schoolwide Goal (LEA level) – Student Achievement Goal Example:

Audience	Behavior	Condition	Degree	Goal Statement
5 th grade students	Score	Spring 2022	Increase of 8 points – average Spring 2025 score of 190 to projected Spring 2026 score of 198	5 th grade students will increase the mean ELA RIT score from 190 in the Spring of 2025 to 198 in Spring of 2026.

Title IA - Targeted Assistance – Student Achievement Goal Example:

Audience	Behavior	Condition	Degree	Goal Statement
Kindergarten Title I students	Increase letter and sound identification	Acadience and sound identification probes in September 2025 and May of 2026	Letter and sound identification average increases from 10 points to 23 points	Kindergarten Title I students will demonstrate an increase of their letter and sound identification Acadience scores from the September average of 10 points to an average of 23 points in May.

Title IA - Parent & Family Engagement Goal Example:

Audience	Behavior	Condition	Degree	Goal Statement
Parents/ caregivers	Attend	3 parent and family engagement activities/ events	40% of parents/caregivers for SY 25-26 – increase of 10% from SY 24-25	40% of parents/caregivers will attend at least one of three Parent and Family Engagement activities/events in the 25-26 SY resulting in a 10% increase from the 24-25 SY attendance rates.

Title IIA - Professional Development Goal Example:

Audience	Behavior	Condition	Degree	Goal Statement
LEA teachers attending PD	Give a rating of “4” on a 5-point Likert scale (1 is least positive and 5 is most positive)	Survey question “The learning I acquired during this PD activity will have a positive impact on my students’ achievement.”	80% of participants	80% of teachers attending LEA provided professional development will give a rating of “4” on a 5-point Likert scale (1 is least positive and 5 is most positive) to the survey question “The learning I acquired during this PD activity will have a positive impact on my students’ achievement.”

Title IIA - Classroom Size Reduction (CSR) Goal Example:

Audience	Behavior	Condition	Degree	Goal Statement
Second grade students in the CSR classroom	Mean score	End-of-year Acadience Oral Reading Fluency assessment	Within 5%ile points	Second grade students in the CSR classroom will have a mean score within 5%ile points of the mean score of all the other second grade classrooms on the end-of-year Acadience Oral Reading Fluency assessment.

Title IIIA - English Learner Student Achievement Goal Example:

Audience	Behavior	Condition	Degree	Goal Statement
English Learners	Score	Annual WIDA ACCESS assessment, current year and prior year	50% of ELs with an increase of 0.6 points	50% of English Learners will make a gain of 0.6 on the annual WIDA ACCESS assessment over the previous year's score.

Title IVA – Well-Rounded Educational Opportunities Goal Example:

Audience	Behavior	Condition	Degree	Goal Statement
Students in AP courses taking the AP exam	Score	AP exam	3 or higher	75% of students enrolled in Advanced Placement courses and take the Advanced Placement exam will score a “3” or higher.

Title IVA – Safe & Healthy Students Goal Example:

Audience	Behavior	Condition	Degree	Goal Statement
Students that meet with the school-based mental health clinician	Rate the experience “had a positive effect on their mental health.”	End-of-year survey	60% of respondents	60% of students that meet with the school-based mental health clinician will respond on an end-of-year survey that the experience had a positive effect on their mental health.

Title IVA – Effective Use of Technology Goal Example:

Audience	Behavior	Condition	Degree	Goal Statement
Faculty and staff attending the Cybersecurity PD	Score an 80%	End of course assessment	90% of faculty and staff will score 80% or higher	90% of faculty and staff attending the LEA provided Cybersecurity professional development will score 80% or higher on the end of course assessment.

Program Records Retention

All records must be retained:

- For the current year plus the previous six years;
- Until any pending audits have been completed; and
- Until all audit/monitoring corrective action(s) and recommendations have been completely resolved.

Program records should include, but are not limited, to:

- Student eligibility criteria and participation rosters for targeted assistance programs;
- Assessment/performance reports;
- Consolidated Applications and revisions;
- Program evaluation data; and
- Financial reports.

Retention of records may be done electronically if sufficient back-up policies are in place and the LEA can ensure adequate preservation of documents.

Reducing Federal Funds when Program Ceases to Operate

Federal funds awarded to LEAs are intended to support program purposes during the full term of the grant agreement with the LEA. In the event a federally funded program is no longer implemented, or it will cease operation in the future, PDE, in its sole discretion, may terminate monthly payments to the LEA and withhold remaining funds until the LEA provides appropriate documentation applicable to claimed program expenses up to the last date the program operated.¹⁰

School Reconfigurations and Closings

From time to time, LEAs find it necessary to change their school organizations. Examples of changes include opening or closing a school building or changing the grade structure or name of a school. The following laws and regulations apply when these types of changes occur:

School closings:

- a. 22 Pa. Code § 349.28: Closing of school buildings to K-12 educational use.
- b. Article V, 24 PS § 5-524: Closing school or department; notice to and suspending employees; other employment.
- c. Article VII, 24 PS § 7-780: Public hearing prior to closing school.
- d. Article XIII, 24 PS § 13-1311: Closing schools.
- e. 22 Pa. Code § 4.41(c): Scheduling [approval of the Department for changes].

If any of the above occurs, PDE approval is required. Additionally, an LEA should consult with its solicitor when it might furlough school personnel.

¹⁰ This occurs without limitation of any other remedies to which LEA is entitled.

School reconfiguration:

- a. 22 Pa. Code § 4.41(c): Scheduling [approval of the Department for changes].

For changes to be effective in the following school year, all changes must be submitted to and received by PDE no later than July 31 (or the last Friday before July 31, if July 31 falls on a weekend). PDE will not authorize changes for the following school year before June 14, regardless of the date sent. The effective date of approved school reorganization will be July 1 of the new school year, regardless of when request is received and processed. After reconfiguration changes are approved by PDE, the Division of Data Quality will update EdNA, not the LEA. The Division of Data Quality will provide the Superintendent with branch codes for new schools or changes to any of its school's four-digit branch codes once all changes to the LEA and its schools are complete. PDE approval implies neither federal designation statuses will change nor approval of staff curtailment or furlough.

Additional information may be found at [School Reconfigurations](#).

Stakeholder Engagement

- Title IA, IIA, IIIA, IVA
 - LEAs may engage a variety of stakeholders in developing all ESSA Title program applications.
 - LEAs will need to maintain that level of engagement as they resubmit their applications for ESSA funds each year.
 - Title IVA requires ongoing consultation

Stakeholder Requirements for Monitoring

Dated agendas and sign-in sheets. Agendas must be specific and include topics (e.g., Title IVA). Agendas must identify attendees' roles.

State and Local Equity Plan Requirements

State Educational Agencies (SEA).

Section 1111 (g)(1)(B) requires each SEA receiving a Title I, Part A grant to describe in its ESSA plan:

- “how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by ineffective, out-of-field or inexperienced teachers”, and
- “the measures the [SEA] will use to evaluate and publicly report the progress of the [SEA] with respect to such description.”

Local Educational Agencies (LEA).

Section 1112 (b)(2) of the ESSA requires that each LEA receiving a Title IA subgrant to submit plans that includes a description of how:

- “the [LEA] will identify and address... any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers.”

As a result, LEAs are required to analyze data to:

- Identify why teachers are not appropriately state certified;
- Determine if novice teachers¹¹ are concentrated in specific schools;
- Measure progress by determining if strategies in the plan are working or should be changed; and
- Revisit the plan regularly and update as needed.

Refer to PDE’s [Equity Plan--Guiding Questions](#) for more information.

Unallowable Expenses

The use of Federal funds to purchase gift cards or gift certificates of any kind is a violation of Uniform Grants Guidance Cost Principles. Failure to follow these guidelines could result in suspension/loss of federal funds.

Refer to PDE’s [Unallowable Costs Under UGG](#) webpage for more information.

¹¹ Teachers who have less than three years of teaching experience.

Section 2 – Title IA – Improving Basic Programs Operated by Local Education Agencies

Legislative Purpose

Title IA was enacted to ensure 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 assessments. This can be accomplished by:

- meeting the educational needs of low-achieving children;
- closing the achievement gap between high-performing and low-performing children;
- having high standards for all students;
- enriching and accelerating instruction,
- decentralizing decision-making, improving accountability;
- providing high-quality professional development;
- coordinating and integrating services;
- expanding family involvement;
- extending learning time; and
- providing early intervention.

Title IA-funded schools are either Schoolwide Program (SWP) schools or Targeted Assistance (TA) schools.

Allowable Uses of Funds

The Pennsylvania Department of Education (PDE) recommends that LEAs consider the following general criteria when approving activities or expenditures supported with Title IA funds:

1. The activity/expenditure is aligned to meet the challenging State academic content standards (ESSA Section 1112(a)(3)(B)(i), and 1112(b));
2. The activity/expenditure is reasonable, necessary, and allocable cost to the program (2 CFR §§200.404, and 200.405);
3. Title IA funds used supplement the funds that would, in the absence of such funds, be made available from State and local sources, and do not supplant such funds (ESSA Section 1118(b)(1));
4. Title IA funds used are current Federal fiscal year or the subsequent fiscal year (ESSA Section 1127(a)).

Targeted Assistance Programs

Targeted assistance schools may use Title IA funds to serve their eligible students by:

- Expanding learning time for eligible students, including before- and after-school programs, summer programs, and opportunities;
- Providing early intervening services to eligible students, including services coordinated with similar activities and services provided under IDEA;
- Providing eligible students with extra supports aligned to the school's regular education program, which may include services to assist preschool children as they transition from early childhood education programs to elementary school programs;
- Providing professional development for 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 and family of eligible students.¹²

A secondary school operating a targeted assistance program may use Title IA funds to provide dual or concurrent enrollment program services to eligible children.¹³

Schoolwide Programs

A school operating a schoolwide program may use Title IA funds for any activity that supports the needs of students in the school as identified through its comprehensive needs assessment and articulated in the schoolwide plan. A school operating a schoolwide program may consolidate federal, state, and local funds to better address the needs of students in the school. In implementing the schoolwide plan, a school must, among other things, use effective methods and instructional strategies that are based on evidence, provide instruction by appropriately state certified teachers, provide high-quality, ongoing professional development, and increase parent involvement.

A school operating a schoolwide program need not limit activities to services that are supplemental. However, the LEA is still required to demonstrate that its methodology for allocating state/local funds ensures that each Title I school receives all state/local funds it would otherwise have received if it was not receiving Title IA funds.

Depending on its needs, a schoolwide program school could use Title IA funds 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;
- Professional development for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments;

¹² ESSA, Section 1115(b)(2).

¹³ ESSA, Section 1115(f).

- 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;
- Educational materials and resources to accelerate learning (curriculum, intervention programs and staff, etc.);
- Activities designed to increase access to and prepare students for success in high-quality advanced coursework to earn postsecondary credit while in high school (e.g., Advanced Placement,¹⁴ 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;
- Response-to-intervention strategies intended to allow early identification of students with learning or behavioral needs and to provide a tiered response to meet their needs;
- 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;
- 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);
- Activities effective in increasing family and community engagement in the school, including family literacy programs; and
- Two-generation approaches that consider the needs of both vulnerable children and parents and families when designing and delivering services and programs that support improved economic, educational, health, safety, and other outcomes related to intergenerational poverty.¹⁵

To learn more about using Title I funds in a schoolwide setting under ESSA, LEAs are encouraged to review the [US Department of Education's guidance *Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program*](#) (PDF).

¹⁴ Beginning in 2017, ESSA eliminated Title I.G – Advanced Placement Fee Reduction Program funding dedicated specifically to offset the cost of Advanced Placement (AP) Exams for low-income students under a Title I program. Title I or Title IV SSAFE funds may be used to provide AP testing assistance. For additional assistance or information about any aspect of the AP Test Program, information is available from the College Board.

¹⁵ U.S. Department of Education, *Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program*, pp. 4-5 (2016), available at ED 2016 Schoolwide Guidance, which is referenced throughout this manual as ED 2016 Schoolwide Guidance.

Annual Title IA Allocation Timeline

Month	Task
January	<ul style="list-style-type: none"> • DFP receives updated census data from USDE; • DFP posts census data to website for LEAs to review; and • DFP informs LEAs of census data appeal process to USDE.
February/March	<ul style="list-style-type: none"> • Deadline for LEAs to appeal census data with USDE; and • DFP receives preliminary Title I allocations from USDE.
April/May	<ul style="list-style-type: none"> • DFP receives preliminary Title I allocations from USDE and calculates preliminary state-determined Title I allocations for all eligible LEAs. The consolidated application is then opened for LEAs to complete using these preliminary allocations.
July/September	<ul style="list-style-type: none"> • Once the Consolidated Application is open in eGrants, LEAs can secure the earliest possible start date (July 1) by submitting their application on or before that date. DFP has set a consolidated application deadline of early September to calculate risk and ensure programs start at the beginning of the school year.
September/November	<ul style="list-style-type: none"> • DFP receives final Title I allocations from USDE. • DFP surveys all open and operating charter schools to update enrollments that will inform the calculation of the final adjusted Title I allocations for all LEAs.
January/February	<ul style="list-style-type: none"> • DFP releases final Title I allocations, including adjustments for charter schools. • DFP updates Title I allocations in Pennsylvania's eGrants system for LEAs to revise their Consolidated Applications in accordance with revised allocations.

Carryover. An obligation window is the time period in which grant monies can be used and obligated. When a Consolidated Application (including Title IA) is submitted and determined to be in an approvable form by the DFP prior to July 1, an LEA has a 15-month obligation window beginning July 1.

- For example, an LEA's 2049-50 Consolidated Application is determined to be in an approvable form prior to or by July 1, obligation window is July 1, 2049 until September 30, 2050.

The beginning date of an obligation window varies depending on when DFP determines an approvable application was submitted by an LEA. Regardless of when the obligation window opens, the closing date is always September 30th of the following year.

Carryover is a provision that extends the obligation window for an additional 12 months. DFP must approve the use of carryover. If carryover is determined to be allowable, the obligation window is extended for an additional 12 months.

- In the example above, the 2049-50 obligation window would extend to September 30, 2051.

Title IA carryover is capped at 15 percent per year; however, once within a three-year cycle an LEA may request from DFP a waiver to the 15 percent cap¹⁶. For more in-depth detail regarding the availability of this waiver, LEAs should contact DFP.

Title IA carryover funds will always remain in the budget from the originating program year. The only time that carryover funds are accounted for during the extended obligation window is during the Reservation of Funds process in eGrants. An LEA must determine if carryover funds will be used as originally requested or if they will be redistributed and used consistent with plans developed for the carryover period. The Selection of Schools data entry wizard in eGrants is used to allocate carryover funds.

Annual Title IA Evaluation

Each Title IA school must conduct an annual review of data to assess the effectiveness of its Title IA program. Title IA teachers and paraprofessionals, classroom teachers, and building administrators are to be involved in the annual evaluation of Title IA programs to determine effectiveness and identify what improvements are needed.

Documentation of the program evaluation includes:

- Appropriate representation of school personnel;
- Agenda;
- Sign-in sheets of participants;
- Review of student achievement data;
- Review of parents' evaluations;
- Review of program strengths and weaknesses; and
- Documentation of recommendations and revisions.

Schools should also meet with Title IA parents in the spring to evaluate Title IA services and the LEA's and School's Parent and Family Engagement Policy. Input from parents, such as a survey, should be considered as part of the annual Title IA evaluation.

¹⁶ ESSA, Section 1127(a)

Building Eligibility and the Selection of Schools (SOS)

Reservation of Funds

Before allocating Title IA funds to eligible school buildings, LEAs must first reserve funds from their allocation to meet certain required (and optional) set asides. An LEA must determine the proportionate share of Title IA funds (calculated by a formula) available for equitable nonpublic services based on the total amount of Title IA funds received, plus any federal funds that were transferred into Title IA.

Under ESSA, nonpublic equitable share is calculated before the Reservation of Funds process. This is a significant change from NCLB where the nonpublic equitable share was calculated after the Reservation of Fund process. An additional change exists in the calculation of nonpublic shares under ESSA. Summer School and/or Professional Development are now included when an LEA calculates its equitable nonpublic share. For more information regarding nonpublic funds usage refer to the Nonpublic Section of this manual or to [US Department of Education's November 21, 2016 Non-Regulatory Guidance on Nonpublic Equitable Share Requirements](#) (PDF).

An LEA is required to reserve funds for mandatory components of its Consolidated Application, while reserving funds for other activities is optional; the following table lists both required and optional activities that are part of the reservation of funds process:

Reservation of Funds Section of eGrants - Required

Program Activity	Description
Parent and Family Engagement	<ul style="list-style-type: none">• Minimum of 1 percent set-aside for parent and family engagement if Title IA allocation (including transfers) is greater than \$500,000;• 90 percent of the 1 percent set aside must be used at the building level as opposed to the LEA/district level;¹⁷ giving priority to high-need schools• An LEA can reserve more than 1 percent – the increased reservation can be used either at the LEA or building level;• If an LEA's Title IA allocation is less than \$500,000, it can reserve funds for parent and family engagement as an option.

¹⁷ Section 1116 (a) (1-3).

Program Activity	Description
Distributed Parent and Family Engagement	<ul style="list-style-type: none"> • If required to set aside 1 percent for parent and family engagement, then 90 percent of those funds will be calculated in this distributed parent and family engagement set aside. • These are not additional parent and family engagement funds, but part of the 1 percent set aside designated for building level activities.
Neglected	<ul style="list-style-type: none"> • Allocation for Title IA services provided to Neglected Institutions. A Neglected Institution is a public or nonpublic residential facility, other than a foster home, that is operated for the care of children who have been committed to the institution or voluntarily placed in the institution under applicable State law, due to abandonment, neglect, or death of their parents or guardians. (NOTE: Most LEAs do not serve this type of institution thereby making this reservation requirement moot, but for those LEAs that do the funds should be segregated and specifically reserved.)
Homeless Children and Youth	<ul style="list-style-type: none"> • Set-aside for providing Title IA services and support services to homeless students attending Title IA and non-Title IA schools; • No minimum or maximum amount is defined in ESSA; • All LEAs are required to set aside funds for homeless children and youth with no exceptions;¹⁸ • This set aside must be taken from Title IA funds.

Reservation of Funds Section of eGrants - Optional

Program Activity	Description
Audit	<ul style="list-style-type: none"> • Cost to conduct annual audit of federal programs.
Community Day Programs	<ul style="list-style-type: none"> • Costs associated with providing Title IA preschool programs and services in a community-based setting.
Indirect Costs	<ul style="list-style-type: none"> • All or part of the restricted indirect costs rate (ICR) approved for the LEA; • The ICR is established via the Pennsylvania Annual Financial Reporting (AFR) process.

¹⁸ ESSA provides that the homeless reservation is applicable even when all buildings are served via the Selection of Schools process. This constitutes a significant change from NCLB where an LEA reserved funds only when it had buildings that were not served by Title I.

Program Activity	Description
LEA-Wide Professional Development	<ul style="list-style-type: none"> • Costs for providing LEA-wide Title IA professional development; • Non-Title IA staff may participate in Title IA-paid staff development if the activity is addressing the needs of Title IA students and the Non-Title IA staff work with Title I students at some point during the day.
Title I Pupil Transportation	<ul style="list-style-type: none"> • Costs for providing transportation for extended day Title IA programs.
LEA-wide Preschool Programs	<ul style="list-style-type: none"> • An LEA may reserve a portion of its allocation to serve eligible preschoolers throughout the district. A child may be served regardless of residence, so long as the child is identified as most at-risk in the same way preschoolers are identified as at-risk for school-based targeted assistance programs. An LEA may operate a preschool program to serve all children in the district only if all schools in the district are Title IA schools operating schoolwide programs.
Program Evaluation	<ul style="list-style-type: none"> • Activities associated with the LEA evaluation to determine the effectiveness of federal programs (local assessments).
Salary and Fringe Benefit Differentials	<ul style="list-style-type: none"> • The difference in salary and benefits when seniority is considered for positions that are otherwise the same;¹⁹ • This reservation must be calculated consistently and should apply only to Title IA-paid staff.
LEA-wide Summer and Intersession Programs	<ul style="list-style-type: none"> • Title IA costs associated with providing summer school, extended day services, and/or extended year programming.
State & Federal Liaison Administrative Costs	<ul style="list-style-type: none"> • Costs of staff, who are responsible for administering Title IA in an LEA.
Homeless Liaison and/or Transportation	<ul style="list-style-type: none"> • LEAs may cover the salaries and benefits of the required Homeless Liaison position. • LEAs may use Title IA to help ensure that Homeless Transportation needs are met, which is an integral part of the child's best interest. All possible state and local transportation funding should be utilized before the Title IA reservation is accessed.

¹⁹ If the base Title I salary and benefit compensation cost for a reading specialist is \$80,000 annually and the same position with 10 years of experience cost \$90,000, \$10,000 may be reserved as a salary and fringe benefit differential.

Program Activity	Description
Foster Liaison and/or Transportation	<ul style="list-style-type: none"> • LEAs may cover the salaries and benefits of the required Foster Liaison position. • LEAs may use Title IA to help ensure that Foster Transportation needs are met, which is an integral part of the child’s best interest. All possible state and local transportation funding should be utilized before the Title IA reservation is accessed.
Nonpublic Administrative Costs	<ul style="list-style-type: none"> • Fees associated with the cost of third-party nonpublic service providers.

Low-Income Data

Title IA funds can only be used in “eligible school attendance areas. A “school attendance area” is the geographic area of a school where children served by that school reside. This low-income based funding distribution process, determined by low-income head count, should not be confused with the head count of students who will eventually be determined to be in academic need. Different criteria are used to establish the funding distribution and the identification of students who require Title IA services.

Five measures of poverty may be used to identify children from low-income families as a baseline for the Selection of Schools funds distribution process:

1. The number of low-income children, ages 5 through 17, according to the most recent census data approved by the Secretary of Education;
2. The number of children eligible for free and reduced-price lunches under the Richard B. Russell National School Lunch Act;
3. The number of children in families receiving assistance under the state program funded under Part A of Title IVA of the Social Security Act (Temporary Assistance to Needy Families or “TANF”);
4. The number of children eligible to receive Medicaid assistance; or
5. A composite of the above measures.

Instead of using counts in a middle or high school, an LEA may use a feeder pattern. A feeder pattern allows LEAs to project the percentage of low-income children in a middle or high school based on the average poverty rate of all the attendance areas that feed into the middle or high school. An LEA should contact its DFP Regional Coordinator to discuss how to complete its application using this method to determine poverty.

Ranking and Serving Eligible Buildings

Once an LEA established a common poverty metric, the annual process of ranking and serving Title IA buildings begins. LEAs must rank their buildings from highest to lowest based on poverty percentages. Different ranking allowances exist for buildings below 75 percent low-income than for those at 75 percent low-income or above.

Buildings at or above 75 percent low-income must be ranked and served regardless of grade span. This includes LEAs where only one building exists per grade span (for example one K-6 building and one 7-12 building).

If funds remain after serving schools at or above 75 percent, an LEA ranks and serves remaining eligible buildings, which can be ranked and served regardless of grade span or by grade span. A grade span determination is not based on the “type” of building (elementary, for example), but rather by the building configuration determined by the LEA. For example, a K-3 building and 4-6 building can be ranked within the same grade span, but more often they are ranked as different grade spans. Buildings that are ranked as district-wide need to be at or above the district average to be served, while buildings ranked by grade span must be ranked within the poverty order established for that grade span, but they can be served if they are at or above the district average or at or above an established grade span average.

There are two other mechanisms that allow buildings to be served on a district-wide or grade span basis when the poverty level of a building is below the district average or a grade span average:

- The 35 percent rule allows any building that is at or above 35 percent poverty to be served with Title IA funds; or
- The grandfather clause can be used to serve a building that is not eligible for service via district average, grade span average, or the 35 percent rule. In this case an otherwise ineligible school is eligible for service for one year, if it had been eligible and served by one of the other mechanisms (district average, grade span average, or 35 percent rule) in the previous school year.

Please review all ranking methods in step 3 of the selection of schools and choose the method that best fits the LEAs needs.

Resource: [USDE Selection of Schools guidance, including ESSA updates](#) (PDF).

Community Eligibility Provision (CEP) Effects on Title IA School Ranking

The Healthy, Hunger-Free Kids Act of 2010 (Public Law 111-296) offers LEAs an alternative to collecting household applications in the National School Lunch and National School Breakfast Programs, which eliminates unnecessary paperwork previously required by the Richard B. Russell National School Lunch Act.

The CEP is a reimbursement option for eligible LEAs and schools that wish to offer free meals to all children in high-poverty schools. This program is administered by the Division of Food and Nutrition in PDE. Information relating to CEP is available in these resources: [Division of Food and Nutrition's Community Eligibility Provision webpage](#).

The adoption of the CEP will influence other programs, including Title IA. The Title IA ranking and serving process via Selection of Schools will be affected the most. The traditional data source used by most LEAs is based upon the number of children eligible for free and reduced-price lunches under the Richard B. Russell National School Lunch Act. Because household

applications are no longer collected, a similar data source must be established. Information regarding how to obtain this data is included in the March 2015 US Department of Education's Guidance: The Community Eligibility Provision and Selected Requirements Under Title IA.

Educating Children and Youth Experiencing Homelessness

Students under any of these categories are considered "homeless:"

- Children and youth who share the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- Children and youth who are living in cars, motels, hotels, trailer parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;
- Children and youth who have a primary nighttime residence that is a public or nonpublic place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- "Migratory children" who qualify as homeless under federal law because they are living in circumstances described in the above three bulleted items. The term "migratory children" means children who are (or whose parent(s) or spouse(s) are) migratory agricultural workers, including migratory dairy workers or migratory fishermen, and who have moved from one school or LEA to another in the preceding 36 months, to obtain (or accompany parents or spouses as they obtain) temporary or seasonal employment in agricultural or fishing work; and
- "Unaccompanied homeless youth" including any child who is "not in the physical custody of a parent or guardian," including youth who ran away from home, thrown out of their home, abandoned by parents or guardians, or separated from their parents for any other reason.

Serving Students Experiencing Homelessness with Set-Aside Funds

Title IA requires school districts to reserve sufficient Title IA funds to provide services to students experiencing homelessness that are comparable to those provided to students in Title IA schools. These services may include providing educationally related support services to children in shelters and other locations where children experiencing homelessness may live (20 U.S.C. 6313(c)(3)(A)). Homeless set-aside funds may be used to provide comparable services to students experiencing homelessness who do not attend a Title IA school, but also may be used to provide services to students experiencing homelessness, including those attending Title IA schools, that are not ordinarily provided to other Title IA students, including funding the local homeless liaison position, and funding transportation to and from the school of origin (20 U.S.C. Section 6313(c)(3)(C)(I)).

Title IA set-aside funds to support students experiencing homelessness must be included in the reservation of funds with expenditures described in the budget.

Title IA funds may cover part or the full salary of the homeless liaison as well as the cost of transporting students experiencing homelessness to and from the school of origin. Such expenditures must be reflected both in the reservation of funds and in the budget.

Title IA funds must be used only as a last resort when funds or services are not available from other public or nonpublic sources, such as the USDA's National School Lunch Program and Breakfast Program, public health clinics, or local discretionary funds used to provide similar services for economically disadvantaged students.

Services must be reasonable and necessary to assist homeless students to take advantage of educational opportunities. While the following list is not exhaustive, it provides examples of possible services which Title IA funds may support for homeless students:

- Items of clothing, particularly if needed to meet a school's dress or uniform requirement;
- Clothing and shoes necessary to participate in physical education classes;
- Student fees that are necessary to participate in the general education program;
- Personal school supplies such as backpacks and notebooks;
- Birth certificates necessary to enroll in school;
- Immunizations;
- Medical and dental services;
- Eyeglasses and hearing aids;
- Counseling services to address anxiety related to homelessness that is impeding learning;
- Outreach services to students living in shelters, motels, and other temporary residences;
- Extended learning time (before and after school, Saturday classes, summer school) to compensate for lack of quiet time for homework in shelters or other overcrowded living conditions;
- Tutoring services, especially in shelters or other locations where homeless students live;
- Parental and family engagement specifically oriented to reaching out to parents of homeless students;
- Fees for Advanced Placement and International Baccalaureate testing;
- Fees for college entrance exams such as the SAT or ACT; and
- GED testing for school-age students.

In the Title IA Consolidated Application, an LEA must explain the method used to determine the amount of funds set aside to support homeless children and youth. This must include:

- Needs assessment;
- Past homeless student enrollment and support service cost data;
- Reserving a flat percentage based on the LEA's overall poverty rate;
- Reserving an amount per homeless child equal to the LEA's Title IA per-pupil allocation; and
- How the homeless liaison was consulted or involved in determining the set-aside for homeless children and youth.

Ensuring Educational Stability for Children and Youth in Foster Care

Best Interest Determination (BID)

Children in foster care have the right to remain enrolled in their school of origin unless there is a determination that it is not in the child's best interest to attend the school of origin. This determination is made through a best interest determination, or BID, conference. The BID conference should include the legal educational decision maker, representatives from the school district of origin, district of current resident placement, placing child welfare agency, and the staff from residential facilities when applicable. The student's preferences should also be taken into consideration in order to make a holistic and well-informed decision. A BID conference must be held as soon as possible after the child has experienced an entry or change in placement and a child should remain enrolled in their prior school and provided with appropriate transportation until a BID conference is conducted and a decision is made regarding school stability. An LEA or the placing child welfare agency may initiate, organize, and coordinate the BID. LEAs should use and reference Pennsylvania's [Best Interest Determination \(BID\) for Children in Foster Care School Placement Form](#) (PDF) to guide the BID conference.

Transportation

Students who enter foster care or who change foster care placements are entitled to receive transportation when transportation is needed to remain in their school of origin. School and child welfare partners must work together to implement clear procedures to ensure that transportation is provided, arranged, and funded in order to ensure educational stability.

The Title IA foster care provisions apply to all children in foster care enrolled in schools in the state and local educational agencies. The reporting system includes all children who have or had been in foster care at least 24 hours. The foster care settings include, but are not limited to:

- Family foster homes;
- Relative foster homes;
- Group homes;
- Emergency shelters;
- Residential facilities;
- Child care institutions; and
- Pre-adoptive homes.²⁰

LEAs will collaborate with State or local County Children and Youth Agency (CCYA) to:

- Develop and implement clear written procedures for how transportation to the child's school of origin will be provided, arranged, and funded for the duration of the time in foster care; procedures must ensure that children will promptly receive transportation in a cost-effective manner in accordance with the Fostering Connections Act; and

²⁰ 45 C.F.R. § 1355.20(a).

- Ensure that, if there are additional transportation costs incurred in providing transportation to the school of origin, LEAs will provide transportation if:
 - The local CCYA agrees to reimburse the LEA;
 - The LEA agrees to pay the cost; or
 - The LEA and local CCYA agree to share the cost.

Transportation plans for foster youth should be updated as needed. LEAs should revise their plan if something is not working between the LEA and the county children and youth agency. Transportation plans must be updated or revised between the agencies at least every three years.

Students in foster care requiring specialized transportation as outlined in an IEP must also be accommodated in accordance with IDEA and any other applicable laws.

LEAs are required to designate a Point of Contact (POC) for the corresponding CCYA if the CCYA notifies the LEA, in writing, that it has designated a POC. Responsibilities of an LEA's POC include coordination with local CCYAs to develop a process for implementing ESSA provisions.

Immediate Enrollment

If a determination is made that remaining in the school of origin is not in the child's best interest, the enrolling LEA must ensure that a child in foster care is immediately enrolled in their new school and promptly provided with transportation even if the student does not have documentation required for enrollment. The enrolling school must contact and collaborate with the student's prior school for relevant records. The placing CCYA should share appropriate education-related records as available with the enrolling school. LEAs should review and revise their policies and practices to remove any barriers to immediate enrollment and records transfer for their children in foster care.

Title IA funds may cover part or the full salary of the foster care liaison as well as the cost of transporting foster students to and from the school of origin. Such expenditures must be reflected both in the reservation of funds and in the budget.

Questions should be addressed to the SEA Point of Contact below:

Matthew Butensky
mbutensky@csc.csiu.org
(717) 763-1661 x171

More information can be found on the [Center for Schools and Communities](#) website.

Parent and Family Engagement

Section 1116 of ESSA requires LEAs to provide opportunities for parents and family members to be partners and decision-makers in various aspects of Title IA programs. An LEA may receive funds under Title IA only if:

- The LEA conducts outreach to all parents and family members;
- The LEA implements programs, activities, and procedures for the engagement of parents and family members; and
- The LEA planned and implemented the Title IA program with expectations and objectives for meaningful parent and family engagement.

Requirements

Within the first two weeks of the school year, an LEA must directly notify parents of each student attending all Title IA schools that they may request the qualifications of the teachers and paraprofessionals.

The LEA Parent and Family Engagement Policy must be reviewed and revised (if necessary) annually with parent and family input and disseminated to parents and family members in a format and, to the extent practicable, in a language such parents understand. This is required for all LEAs including Charter Schools. Proof of distribution and date is required for monitoring purposes. LEA level and school level policies are required for Title IA schools. Each of these policies have different requirements. Each requirement included in the policy must have a description of how the LEA or school carries out that requirement. The LEA should maintain procedures to ensure that schools are meeting these requirements at the school level.

Title IA requires documentation that Title IA parents and family members are involved in the planning, implementation, and evaluation of Title IA. Each Title IA school is responsible for the following parent and family engagement requirements:

- Convene an annual meeting at a convenient time, to which all Title I parents shall be invited and encouraged to attend, to inform parents of their school's Title I program and to explain the requirements of Title I and the right of parents to be involved.
- Offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with Title I funds, transportation, child care, or home visits, as such services relate to parental involvement
- Involve parents, in an organized ongoing, and timely way, in the planning, review, and improvement of the Title I program, including the planning, review, and improvement of the school parent and family engagement policy and the joint development of the schoolwide program plan, if applicable, except that if a school has a process in place in process for involving parents in the joint planning and design of the school's programs, the school may use the process, if such process included an adequate representation of Title I.

- Provide Title I parents the following
 - Timely information about Title I programs.
 - A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging State academic standards.
 - If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any suggestions as soon as practicably possible.
 - If the schoolwide plan is not satisfactory to Title I parents, submit any parent comments on the plan when the school makes the plan available to the LEA. (Only applies to Schoolwide schools).
 - Shall educate teachers, specialized instructional support personnel, and other staff, with the assistance of parents, in the value and utility of contributions of parents and family members, and in how to reach out to, communicate with, and work with parents and family members as equal partners, implement and coordinate parent programs, and build ties between parents and family members and the school.
 - Describes how the school will aid parents in understanding the State's academic content standards and student achievement standards, local academic assessments and how to monitor a child's progress and work with teachers to improve the achievement of their children.
 - States that a school-parent compact was jointly developed with parents and the compact outlines how parents, the entire school staff and students will share in the responsibility for improved student achievement.
 - Describes how the school provides materials and training to help parents to work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parent involvement.
 - States how the school will, to the extent feasible and appropriate, coordinate, and integrate parent involvement programs and activities with other Federal, State, and local programs including public preschool programs and conduct other activities, that encourage and support parents and family members in more fully participating in the education of their children.
 - States how the school will ensure that information related to school and parent programs, meetings, and other activities is sent to the parents and family members of participating children in a format and to the extent practicable, in a language the parents and family members can understand.
 - States how the school, to the extent practicable, will provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children).

If a school is operating a Title IA funded preschool program, (not from set aside funds) preschool language must be in its policy.

Use of Funds

If an LEA receives a Title IA allocation greater than \$500,000, the LEA must reserve at least 1 percent of its Title IA allocation to help schools carry out the PFE activities. LEAs may reserve more than 1 percent. At least 90 percent of the 1 percent must be distributed to schools, with priority given to high need schools.

An LEA has discretion to define what “high need” means for this purpose. For example, an LEA might identify a Title I school as high need if the school is implementing a comprehensive support and improvement, targeted support and improvement, or additional targeted support and improvement plan (CSI, TSI, or ATSI, respectively) under ESEA section 1111; has lower academic performance for all students or certain subgroups of students relative to other Title IA schools in the LEA; or a has a greater concentration of students from low-income families compared to other Title IA schools in the LEA.

Parents and family members must have input on how the funds are allotted for parent and family engagement activities.

Example: \$600,000 Title IA allocation

- at least \$5,400 must be set aside for Parent and Family Engagement
- \$5,400 should be distributed to schools with priority given to high-need schools
- \$600 will remain at the LEA level

LEAs can reserve a percentage higher than 1 percent, and that increased reservation can be used at the LEA or building level.

LEAs that are required to reserve funds must use the funds to carry out activities and strategies consistent with the LEA Parent and Family Engagement Policy, and must include at least one of the options below:

- Professional development for school and LEA personnel on parent and family engagement strategies;
- Supporting programs that reach parents and family members at home, in the community, and at school;
- Disseminating information on best practices;
- Collaborating, or providing schools with subgrants to collaborate, with community-based or other organizations to improve parent and family engagement; and/or
- Engaging in other activities that are described in the LEA/School Parent and Family Engagement Polices

Allowable Expenses	Documentation
<ul style="list-style-type: none">• Childcare for family activities• Transportation to a family engagement activity, such as a Title IA annual meeting	<ul style="list-style-type: none">• Receipts, itemized invoices, cancelled checks, and billing statement• Dated and signed attendance sheets from family engagement activities

Allowable Expenses	Documentation
<ul style="list-style-type: none"> • Community outreach, such as a family engagement app for a smartphone • Family literacy programs • Training staff in family engagement • Parent liaison • Parent advisory council 	<ul style="list-style-type: none"> • Parent surveys and other family feedback that support an expense • Title IA policy papers, such as a family engagement policy, schoolwide plan or school improvement plan, that explain and support expenditures on family engagement

State Parent Advisory Council (SPAC)

SPAC is an essential component of the Title IA program under the Every Student Succeeds Act (ESSA). As part of the federal education law, ESSA requires each state that receives Title IA funds to establish a State Parent Advisory Council.

SPAC includes parents of children participating in Title IA. The purpose of this council is to share ideas with the Division of Federal Programs about involving Title IA parents to increase student achievement.

SPAC members will be selected and invited to participate in SPAC based on LEA recommendations, geographic location, and current participation in the Title IA program.

For more information, visit the [State Parent Advisory Council \(SPAC\) website](#).

Program Models

Targeted Assistance Programs (TAS)

Schools operating a targeted assistance model are required to use Title IA funds to help disadvantaged students meet state standards. Students are eligible for Title I if they are failing, or at risk of failing, to meet state standards. The following students are eligible for Title IA services:

- Students who participated at any time in Head Start or Title IA preschool at any time during the previous two years;
- Students who attended a community day program or live in a state or local neglected or delinquent institution;
- Students who were served in the previous two years under the Migrant Education program; and
- Students who are homeless.

Title IA Student Selection

The eligible population for Title I services in a TAS program is:

- Students who are not older than 21 who are entitled to a free public education through grade 12; and

- Students who are not yet at grade level at which the LEA provides a free public education (ESSA Section 1115(c)(1)(A)).

Of the eligible population identified above, the LEA will determine eligible students using the following criteria:

- Students identified by the school as failing, or most at risk of failing, to meet the challenging state academic standards on the basis of multiple, educationally related, objective criteria established by the LEA and supplemented by the school, except that students from preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the LEA and supplemented by the school (ESSA Section 1115(c)(1)(B)).

Listed below are specific points to keep in mind regarding the student selection process:

- The selection criteria should be given to all students in any grade;
- Multiple selections or criteria must be used to determine eligibility;
- Examples of criteria used for student selection could include report card grades, book tests, informal reading inventories, Dibels, PSSA, etc.;
- The students must be ranked in priority order according to greatest need for services;
- Economically disadvantaged, English Learners, and migrant students are eligible on the same basis as all other students; students in these groups may not be excluded since they are receiving other services;
- While children with disabilities may qualify for Title IA, a school may decide that the non-Title I services these children receive are sufficient for them to meet the state's challenging academic standards; however, students may receive services simultaneously from both IDEA and Title IA; and
- If a new student moves into an LEA, the same selection and ranking method used to identify other eligible students must be used. Even if the student received services in another school, the new school's criteria must be met before the student can receive services.

Components of a Targeted Assistance Program

Targeted assistance schools must use Title IA funds to provide programs, activities, and academic courses necessary to provide a well-rounded education designed to help eligible students meet state academic standards.²¹

Targeted assistance schools must:

- Help provide an accelerated, high-quality curriculum;²²

²¹ ESSA, Section 1115(b)(2)(A).

²² ESSA, Section 1115(b)(2)(6).

- Minimize the removal of children from the regular classroom during regular school hours for instruction provided by Title IA;²³
- Review the progress of eligible students on an ongoing basis and revise the targeted assistance program, if necessary, to provide students with additional assistance to meet state academic standards;²⁴
- Be incorporated into existing school planning;
- Use effective methods and instructional strategies that rely on evidence-based research; and
- Coordinate with and support the regular educational program, which may include services to assist preschool children transition into early childhood programs such as Head Start or state-run preschool programs.

Title IA TAS should consider the following general criteria when approving activities or expenditures supported with Title IA funds:

1. The activity/expenditure serves the needs of students that are identified as failing, or most at risk of failing to meet challenging State academic standards on the basis of multiple, educational related, objective criteria established by the LEA and supplemented by the school (ESSA Section 1115(c)(1)(B)).
2. Staff members paid with Title I funds may assume limited duties that are assigned to similar personnel who are not so paid, 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 (ESSA Section 1115(d)(2)).

If an expenditure/activity does not meet all the above rationale, it is not likely to be an authorized use of Title IA funds.

Coordinating Targeted Services with Other Programs and Supports

ESSA 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.²⁵

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

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

²³ ESSA, Section 1115(b)(d)(6).

²⁴ ESSA, Section 1115(b)(2)(G).

²⁵ 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, if the time spent on those duties is proportionate to the total work time when it is compared to similar personnel at the same school.²⁶

Schoolwide Programs (SWP)

A schoolwide program is a comprehensive reform strategy designed to upgrade the entire educational program in a Title IA school; its primary goal is to ensure that all students, particularly those who are low-achieving, are able to demonstrate proficient and advanced levels of achievement based on state academic achievement standards.

Title IA Schoolwide Program Waivers

States may waive the 40 percent poverty threshold for schoolwide programs upon request and demonstration that a schoolwide program would best serve needs of students. In Pennsylvania, schools under the 40 percent poverty threshold desiring to operate a schoolwide program must complete the narrative on the “Intent to Plan” form. The “Intent to Plan” form is available upon request from an LEA’s DFP Regional Coordinator or on the PDE Website at [Title IA](#).

Required Components of a Schoolwide Program

The following are required components of a schoolwide program:

1. Comprehensive needs assessment
 - A schoolwide plan must be based on a comprehensive needs assessment of the entire school that assesses student academic achievement, particularly the needs of children who are failing or are at-risk of failing, to meet state academic standards, and other factors identified by the LEA.²⁷
 - Using the information from the comprehensive needs assessment, the schoolwide plan must describe the strategies the school will implement to address its needs, including a description of how the strategies will:
 - Provide opportunities for all children, including each subgroup of students, to meet state standards; and
 - 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.

²⁶ ESSA, Section 1115(d).

²⁷ ESSA, Section 1114(b)(6).

2. Comprehensive schoolwide plan
 - Must be developed with the involvement of parents and members of the community to be served and individuals who will carry out the plan, including teachers, principals, other school leaders, paraprofessionals present in the school, administrators, the local educational agency, tribes and tribal organizations present in the community, specialized instructional support personnel, technical assistance providers, school staff, and students (secondary).
3. Annual evaluation of the schoolwide plan, including revisions as necessary.

Schoolwide Plan Requirements

The comprehensive schoolwide plan must:

- Be developed annually
 - In coordination with other Federal, State and local programs;
 - With meaningful consultation with district and building leaders, teachers, staff, parents, students, and community members.
- Be regularly monitored and revised to ensure all students are provided opportunities to meet academic standards;
- Be made available to the public in an understandable and uniform format, and to the extent practicable, provided in a language that parents can understand;
- Include a description of the strategies the school will implement to address school needs and how those strategies will:
- Provide equitable opportunities for all children, including low-income students, students from major racial and ethnic groups, students with disabilities, and English Learners;
- 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;
- Address the needs of all children in the school, but particularly the needs of those at risk of not meeting academic standards.

Please note: Specifics of the schoolwide plan, including evidence-based strategies and instructional methods used, are determined at the discretion of district and building leaders.

All Schoolwide Plans and School Improvement Plans (CSI, A-TSI, TSI) are completed in **PA Future Ready Comprehensive Planning Portal (FRCPP) and due September 1**. All four types of plans are identical with minor differences particular to each type of plan. CSI, TSI, and A-TSI plans are required to utilize strategies found on Levels 1 to 3 of the ESSA Tiers of Evidence. The portal can be accessed through MyPDESuite. Any questions about the content of the plan or how to access the plan should be directed to the FRCPP RA account at RA-EDFRCPP@pa.gov.

Title IA Schoolwide Programs (SWP) should consider the following general criteria when implementing activities or expenditures supported with Title IA funds:

1. The activity/expenditure meets a need identified in the comprehensive needs assessment (ESSA Section 1114(b)(6));
2. The activity/expenditure is included in the Schoolwide Plan/School Improvement Plan's Action Plan; and
3. The Schoolwide Plan/School Improvement Plan has been approved by PDE.

Qualifications for All Teachers Working in a Program Supported with Title IA Funds

Under ESSA, all teachers and paraprofessionals working in a program supported by Title IA funds are required to meet appropriate state certification and licensure requirements, regardless of whether the route to certification is traditional or alternative.

For specific information on appropriate Pennsylvania teacher certification, LEAs are encouraged to review Certification Staffing Policies (CSPGs) **developed by PDE's Bureau of School Leadership and Teacher Quality; direct any questions relating to teacher certification to staff in the Bureau of School Leadership and Teacher Quality.**

School Improvement

Comprehensive Support and Improvement (CSI) and Targeted Support and Improvement (TSI)

ESSA requires SEAs to identify low-performing schools based, at least in part, on measures of student academic achievement. Title I schools identified as low performing and high schools with low graduation rates are designated as Comprehensive Support and Improvement (CSI) schools with low performing subgroups of students are designated as Targeted Support and Improvement (TSI) schools.²⁸

Under ESSA, states are required to develop accountability systems to identify schools in need of improvement:

- Schools in need of Comprehensive Support and Improvement include:
 - The lowest-performing five (5) percent of Title I schools in the state as determined by the state's accountability system;
 - Any public high school failing to graduate one-third or more of its students; and
 - Title I schools with a consistently underperforming subgroup that, on its own, is performing as poorly as students in the lowest-performing five (5) percent of Title I schools, and that has failed to improve after the school has implemented a targeted support and improvement plan over a four-year span.²⁹

²⁸ Under ESSA, low-performing schools are no longer designated as a focus and/or priority school.

²⁹ ESSA, Section 1111(c)(4)(D).

- Schools in need of Targeted Support and Improvement (TSI) are schools with one or more consistently underperforming subgroups.³⁰

CSI and TSI schools³¹ must develop plans for improving student outcomes that:

- Are informed by all the indicators for differentiating schools listed above;
- Include evidence-based interventions (see below); and
- Are based on an assessment of the school’s needs.³²

TSI and CSI schools must implement evidence-based interventions³³ under ESSA’s school improvement requirements; this requirement does not directly affect their use of Title IA funds under ESSA.

Definition of “Evidence-Based” in ESSA

Evidence-based means an activity, strategy, or intervention demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on strong, moderate, or promising evidence. ESSA Tiers of Evidence rank the level of effectiveness of evidence-based interventions. They are designed to ensure that states, districts, and schools can identify practices, programs and policies that work across various populations. The ESSA Tiers of Evidence are below, with Tiers 1-3 considered as evidence-based:

- Tier 1 – Strong Evidence of effectiveness
- Tier 2 – Moderate evidence
- Tier 3 – Promising evidence
- Tier 4 – Provides rationale

Under ESSA, CSI and TSI schools that received Title IA funds have the same Title IA spending options as any other Title IA school, plus they can use their Title IA funds to support the school’s CSI and TSI initiatives. It is important to note the distinction between how Title IA funds may be used in a TSI or CSI school versus how Section 1003 school improvement funds must be used. Under ESSA, Title IA funds may support any allowable Title IA cost whether it meets ESSA’s definition of evidence-based or not. This is different from how Section 1003 school improvement funds may be used. Section 1003 funds can only be used to support activities that meet ESSA’s top three tiers of evidence. 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 that has a *statistically significant effect* on improving student outcomes. 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 Title IA funds under ESSA.

³⁰ ESSA, Section 1111(c)(4)(C)(iii) and Section 1111(d)(2). ESSA does not define what it means to be consistently underperforming, but rather leaves it for states to define through their consolidated state plan.

³¹ For CSI schools, the LEA develops the plan, which must be approved by the school, LEA and SEA. ESSA, Section 1111(d)(1)(B).

³² ESSA, Section 1111(d)(1)(B) and Section 1111(d)(2)(B).

³³ ESSA, Section 8101(21)(B) - 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).

Translation Requirements under Title IA

ESSA requires that schools provide certain information to parents and families of students “to the extent practicable, in a language parents can understand”³⁴ due to civil rights obligations. Below is a list of such information that must be provided in an accessible language to parents of students in Title IA programs.

- Student achievement information³⁵
- Annual report cards for state and local educational agencies³⁶
- Parents’ right to know information about teacher qualifications³⁷
- Information about a school’s Title IA plan³⁸
- Information about a school identified for improvement status,³⁹ including:
 - What it means to be identified for improvement;
 - Why the school was identified for improvement;
 - What the state and local agencies are doing to address problems leading to improvement status;
 - How parents can be involved in addressing issues related to school improvement; and
 - Parents’ rights to transfer children to different schools when they are enrolled in schools identified for improvement.
- LEA and school parent and family engagement policy,⁴⁰ including:
 - Meaningful consultation opportunities for setting parent and family engagement policy and activities;
 - Information about school parent engagement programs;
 - Notifications of Title IA meetings; and
 - Notifications about school family engagement activities.
- Notifications about student identification as an English Learner,⁴¹ including
 - Reasons for identification;
 - The student’s English proficiency and academic achievement levels;
 - Language instruction educational program options, including exit requirements; and
 - Parents’ right to decline to enroll their child in a Language Instruction Education Program.

³⁴ ESSA Section 1112(e)(4)

³⁵ ESSA Section 1111(b)(2)(B)(x)

³⁶ ESSA Section 1111(h)(1)(B)(ii)

³⁷ ESSA Section 1112(e)(1)(A) & Section 1112(e)(4)

³⁸ ESSA Section 1114(b)(4)

³⁹ ESSA Section 1111(d)

⁴⁰ ESSA Section 1116

⁴¹ ESSA Section 1112(e)(3)(A)

Section 3 – Title ID – Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent or At-Risk

Legislative Purpose

The purpose of Title ID is to:

- Improve educational services for students in local, tribal, and State institutions for neglected or delinquent children and youth so that such students have the opportunity to meet the same challenging State academic standards that all children in the State are expected to meet.
- Provide at-risk youth with the services needed to make a successful transition from institutionalization to further schooling or employment; and
- Prevent at-risk youth from dropping out of school, and to provide dropouts and youth returning from correctional facilities or institutions for neglected or delinquent students with a support system to ensure their continued education and the involvement of their families and communities.

The term “institution for neglected or delinquent children and youth” refers to:

- Any local institutions for neglected children that meet the following definition: “a public or private residential facility, other than a foster home, that is operated for the care of children who have been committed to the institution or voluntarily placed in the institution under applicable State law, due to abandonment, neglect, or death of their parents or guardians.”⁴²
- Any local institutions for delinquent children that meet the following definition: “a public or private residential facility for the care of children who have been adjudicated to be delinquent or in need of supervision” (section 1432(4)(B) of the ESSA). In this category, children in local adult correctional institutions should also be included.⁴³

Application Process

An LEA that wants to use Title ID funds to operate prevention and intervention programs for delinquent or other at-risk youth in an eligible institution is required annually to complete a plan in Pennsylvania’s eGrants system for DFP review. Title ID Subpart 1 and Subpart 2 Delinquent plans are subgrants within the LEA’s Consolidated Application. Neglected plans are part of the LEA’s Title IA plan. Additionally, annually, a Formal Agreement needs to be signed by the LEA and institution and uploaded in eGrants. Copies of all signed Formal Agreements will be uploaded to Pennsylvania’s eGrants system by December 1. This is required for both Subpart 2 Neglected and Delinquent institutions. The Subpart 1 institutions submit a separate Institution-

⁴² ESSA section 1432(1) and (4).

⁴³ ESSA section 1432(1) and (4); 34 CFR § 200.90(c).

Wide Plan directly to the program manager on an annual basis in addition to their eGrants application.

Data Reporting

Disaggregated data are submitted by August 31 in the Neglected and Delinquent (N&D) Reporting System at [Pennsylvania's Neglected and Delinquent Advisory Committee](#) for each student who was served by Title ID in a neglected or delinquent institution throughout the year. Information collected includes demographic data and profile data regarding the student's stay at the facility, educational services received, and progress of the student.

The N&D Reporting system was designed to collect data required to meet federal reporting requirements for (1) all children/youth in neglected or delinquent institutions who receive programs and services funded by Title ID, and (2) all children/youth enrolled in neglected or delinquent institutions during a specific time period.

Detailed instructions related to reporting student data are available at [Pennsylvania's Neglected and Delinquent Advisory Committee](#). This should be checked annually because changes to both data reporting and annual counts are possible with updated regulations.

Determining Allocations

A PDE form, PDE-3048, also known as the October Child Count, is a count of all students aged 5-17 who resided in a neglected and delinquent facility between October 31 and November 29 of each year. Annually the report is due mid-December and, after it is submitted to the US Department of Education, it is used to generate funding for the following fiscal year. If an LEA fails to report student data relating to Title ID services received or to submit PDE-3048, it will not receive Title ID funding the following school year. Both Subpart 2 Neglected and Delinquent institutions are required to submit this form electronically at [Pennsylvania's Neglected and Delinquent Advisory Committee](#). Subpart 1 institutions are required to submit Annual Counts directly to the program manager annually by the established deadline as determined by the program manager in order to meet USDE requirements.

Financial Records

The allocation for delinquent children comes from Title ID and is accounted for separately. Funds for neglected children should be spent on services that are comparable to those provided to other public-school children.

No part of an LEA's Title ID funds can be used by the LEA for anything other than providing high-quality educational programs or transition programs for children and youth in an eligible institution.

A Final Expenditure Report (FER) is submitted in eGrants by October 30th or sooner if all funds have been expended for N&D services.

Program Goals

To fulfill the intent of Title ID funding, at a minimum an LEA will develop at least one goal related to “Improving Student Achievement” of children and youth who are enrolled in an eligible delinquent or neglected institution. Other performance goals will focus on whether the programs and services enabled children/youth to:

- Maintain and improve educational achievement;
- Accrue credits for grade promotion and graduation;
- Make the transition to a regular school program or other education program operated by the LEA;
- Complete secondary school or its equivalent and obtain employment after leaving the correctional facility or institution for neglected or delinquent children and youth; and
- Participate in postsecondary education and job training programs, as appropriate.

Annually, an LEA is required to report on its measurable performance goals; this is done through Pennsylvania’s eGrants system. During the monitoring process, federal program monitors will review documentation and data to determine the accuracy of the status of performance goals reported by each LEA that received Title ID funds.⁴⁴ An LEA is required to use multiple, appropriate measures for student progress and to use program findings to improve future services and program offerings in support of neglected and delinquent children/youth.

Types of Facilities

- Subpart I establishes the State agency Neglected or Delinquent (N or D) program, through which ED provides Federal financial assistance to SEAs to enable them to award subgrants to State Agencies (SAs) that operate educational programs for children and youth in institutions or community day programs for children who are neglected, delinquent and at-risk and for children and youth in adult correctional facilities.
- Subpart 2 authorizes ED to award grants to SEAs to enable them to award subgrants to LEAs to provide programs that serve children and youth who are in locally operated correctional facilities or are attending community day programs for delinquent children and youth. Additionally, Subpart 2 programs may provide assistance to children and youth who are neglected or at-risk of dropping out of school.

New Institution

When a new institution opens, the LEA or the institution must complete the New Facility Form found under the [New Facilities section of the PA N&D Committee website](#). If the facility does not have an AUN number assigned to the specific address, the New AUN Form must also be completed. Instructions for submission are at the top of each form.

⁴⁴ 2 CFR § 200.328.

Facility new to Title ID or a new facility –

- If the facility does not have an AUN submit the AUN form.
- Complete and submit the New Facility Form using assigned or existing AUN.

Closure of Institution

When an institution closes, the LEA is responsible for immediate notification to PDE. PDE, not the LEA or institution, will determine the disposition of any unused fund balance. Reporting requirements still need to be met for any time period the institution was open prior to closing.

The allocation for neglected children comes from Title IA and is accounted for separately. The amount of the neglected allocation is found by clicking on the Consolidated Application Neglected page in Pennsylvania's eGrants system. Funds for neglected children should be spent on services that are comparable to those provided to other public-school children.

Section 4 – Title IIA – Supporting Effective Instruction

Title II, Part A is a U.S. Department of Education grant program that provides supplemental funding to help support effective instruction.

Legislative Purpose

Title IIA funds can be used to provide supplemental activities that strengthen the quality and effectiveness of teachers, principals, and other school leaders. The purpose of Title IIA is to:

- Increase student achievement consistent with state standards,
- Improve the quality and effectiveness of teachers, principals, and other school leaders,
- Increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and
- Provide low-income and minority students greater access to effective teachers, principals, and other school leaders.

For federal non-regulatory guidance on the Title IIA program, please see [Non-Regulatory Guidance for Title II, Part A: Building Systems of Support for Excellent Teaching and Learning](#) (PDF) (September 2016).

Allowable Uses of Funds

LEAs can use Title IIA funds for a wide range of activities to support the quality and effectiveness of teachers, principals, paraprofessionals/paraeducators, and other school staff. Activities supported with Title IIA funds must:

- Be consistent with Title IIA's purpose (see above);
- Address the learning needs of *all* students, including but not limited to children with disabilities, English Learners, and gifted and talented students;⁴⁵
- Prioritize funds to schools that are implementing comprehensive support and improvement (CSI) activities and targeted support and improvement (TSI) activities; and
- Have the highest percentage of children counted under Section 1124(c)⁴⁶ (primarily low-income children).

ESSA requires LEAs to ensure that professional development be:

- A. Evidence-based,⁴⁷
- B. Measured for effectiveness,⁴⁸ and

⁴⁵ ESSA, Section 2103(b)(1)-(2).

⁴⁶ ESSA, Section 2102(b)(2)(C).

⁴⁷ SEAs and LEAs should look for activities supported by promising, strong, or moderate evidence in a similar setting and/or population to the ones being served. It is recommended to use the [What Works Clearinghouse](#), [Evidence for ESSA](#), [Evidence for PA](#), and [Regional Educational Laboratories \(RELs\)](#)

⁴⁸ LEA evaluation tools may include surveys, student achievement data.

C. Meet the statutory definition of “professional development”.⁴⁹

Allowable uses of Title IIA funds under ESSA include the activities below. A more detailed description of these activities can be found later in this section.

- Professional development in the area of:
 - Improved teaching, student learning and achievement
 - Technology integration
 - Data usage
 - Parent Engagement
 - IEP development and implementation
 - English language learners
 - Gifted learners
 - STEM activities
 - Career and technical education integration and work-based learning
 - Early learning activities
 - Selecting and implementing assessments
 - Identification of interventions for trauma and mental illness
 - Identification of interventions for safety, alcohol, drug abuse, and chronic absenteeism
 - Sexual abuse prevention
 - Improving staff working conditions
 - Library programs for improving instructional services
- Supplemental teacher/principal evaluation systems
- Supplemental induction/mentoring programs
- Recruitment and retention efforts
- Class size reduction to a level that is evidence-based⁵⁰

All Title IIA expenditures must adhere to the supplement, not supplant requirement and therefore cannot supplant or replace activities required by other federal, state, or local laws. The chart below outlines allowable uses of Title IIA funds.

⁴⁹ ESSA Section 8101(42) defines “professional development,” specifically noting that the professional development activities are sustained (not stand-alone, 1-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused.

⁵⁰ LEAs must demonstrate effectiveness through class enrollment numbers, student achievement data and periodic observation and feedback to class size reduction teacher hired.

Support for Instructional/Professional/Administrator Staff

Allowable Uses of Funds	Unallowable Uses of Funds
<p>Allowable:</p> <ul style="list-style-type: none"> • High quality, evidence-based professional development that meets the statutory definition (intensive, ongoing, collaborative, job-embedded, data-driven and classroom-focused) • Academic/Instructional coaches (only the portion of salary that provides direct support of Title IIA activities) • Development/support for LEA teacher and principal preparation programs • Differential pay for teachers in high-need LEAs • Salaries for certified, qualified Class Size Reduction teachers • Stipends (See next section Stipends & Fringe Benefits) • Professional Development Coordinator (only portion of salary that provides direct support for Title IIA activities) • *Travel (Registration): Conference registration, transportation, per diem, lodging for Title IIA funded professional development activities (*Costs must be reasonable and necessary; prior approval is needed from Regional Coordinator for out-of-state travel) 	<p>Unallowable:</p> <p>Professional development that does not meet the statutory definition</p> <p>Uncertified, out-of-field Class Size Reduction teacher</p> <p>Any direct reimbursement to Nonpublic schools</p> <p>Substitute costs in nonpublic schools</p> <p>Food and refreshments, including working lunches</p>

Stipends & Fringe Benefits

Allowable Uses of Funds	Unallowable Uses of Funds
<p>Allowable:</p> <ul style="list-style-type: none"> • Stipends for qualified staff (teachers, principals, other school leaders and other specialized instructional support personnel) to participate in professional development trainings to improve classroom practice or content knowledge outside of contracted hours (unless listed in collective bargaining agreement) • Stipends for teacher mentors or teacher mentor coordinators • Stipend pay for teacher leaders who take on additional responsibilities for retention purposes, such as providing teacher mentorship or coaching • Stipend/compensation pay for expanded collaborative planning time or professional learning communities among teachers outside of their regular contracted hours • Stipends for recruitment purposes for hard-to-staff areas • *Sign-on bonuses for recruitment purposes of qualified staff/teachers in identified high need content areas and high-need schools (LEA must have a procedure in place regarding who qualifies to receive them and why) • *Bonuses for retention purposes (LEA must have a procedure in place regarding who qualifies to receive them and why; must be budgeted for upfront and not used at end of year) • *Unallowable if included in collective bargaining contract 	<p>Unallowable:</p> <ul style="list-style-type: none"> • Stipends for unqualified personnel to participate in professional development • Bonuses or incentives for teachers not identified in hard-to-staff areas

Support for Contracted Services

Allowable Uses of Funds	Unallowable Uses of Funds
<p>Allowable:</p> <ul style="list-style-type: none"> • Professional Development Consultants for the purpose of providing content knowledge or classroom practice for qualified personnel • Consultants to improve student behavior in the classroom and interventions for identified high-needs populations • Professional development for paraprofessionals to improve content knowledge or classroom practices • Substitute costs for teachers to attend Title IIA funded professional development 	<p>Unallowable:</p> <ul style="list-style-type: none"> • Nonpublic substitute teachers for nonpublic teachers attending professional development • Costs for consultants for State Mandated Training

Support for Supplies, Materials, & Equipment

Allowable Uses of Funds	Unallowable Uses of Funds
<p>Allowable:</p> <ul style="list-style-type: none"> • Supplies/materials only for professional development (i.e., materials used to deliver the professional development) • Printing/copying for professional development activities • Portion of software/digital content used for Title IIA professional development activities 	<p>Unallowable:</p> <ul style="list-style-type: none"> • Supplies to be used in classroom for students • Supplies for nonpublic students • Any direct reimbursement to Nonpublic schools • Anything not directly connected to Title IIA funded professional development activities • Hardware, computers, or other electronic devices unrelated to Title IIA funded activities • Hardware or software for student use

Other

Allowable Uses of Funds	Unallowable Uses of Funds
<ul style="list-style-type: none">• For recruitment and retention purposes: coursework costs for teachers to earn additional certifications in high-need areas such as special education; bilingual education; science, technology, engineering, and mathematics (STEM); and career and technical education (CTE)• Survey administration costs for school climate surveys• Developing, improving and implementing feedback mechanisms and evaluation systems that aim to improve school working conditions	<p>Unallowable:</p> <ul style="list-style-type: none">• Coursework costs for additional certifications not identified as a high-need area

High-Quality Professional Development

Title IIA funds can be used to provide evidence-based,⁵¹ high-quality, personalized professional development for teachers, instructional leadership teams, principals, or other school leaders.⁵² Professional development activities supported by Title IIA funds must meet the statutory definition, which is “sustained (not stand-alone, one-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused⁵³ – the combination of which contribute to effective teaching. These opportunities may be aimed to effectively support new and early career educators to advance their professional practice and their ability to produce positive student outcomes.

Identifying and implementing evidence-based interventions

ESSA requires Title IIA activities to be evidence-based and meet one of the four tiers of the ESSA Tiers of Evidence. ESSA Tiers of Evidence rank the level of effectiveness of evidence-based strategies and interventions. They are designed to ensure that states, districts and schools can identify programs, practices, products, and policies that work across various populations. The four tiers are:

- Tier 1 – Strong evidence of effectiveness
- Tier 2 – Moderate evidence
- Tier 3 – Promising evidence
- Tier 4 – Provides rationale

⁵¹ At least to the extent SEAs and LEAs in consultation with each other determine evidence is available.

⁵² ESSA, Section 2103(b)(3)(E).

⁵³ ESSA Section 8101(42)

When identifying strategies or interventions and determining the tier of evidence in which they meet, it is recommended for LEAs to use the following resources:

- [What Works Clearinghouse](#)
- [Evidence for PA](#)
- [Pennsylvania Training and Technical Assistance Network \(PaTTAN\)](#)
- [Evidence for ESSA](#)

Completion of the table below is required during monitoring in order for an LEA to demonstrate how a practice or intervention is evidence-based and meets an ESSA Tier of Evidence.

Category/Topic: Reading

Evidence-based practice and rationale	Grade band	Tier and source
<p>Provide reading interventions</p> <p>Students struggling with reading who are provided with interventions in word and pseudo-word reading, passage reading, fluency, and reading comprehension perform better than students who do not receive intervention.</p> <p><i>Note: This review of research literature assessed the evidence base supporting reading interventions in grades 1-3 to improve reading outcomes for students who may not respond to typical classroom reading instruction.</i></p>	<p>1-3</p>	<p>Tier 1, Strong</p> <p>Source: Gersten, R., Newman-Gonchar, R. A., Haymond, K. S., & Dimino, J. (2017). What is the evidence base to support reading interventions for improving student outcomes in grades 1–3? (REL 2017–271). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Southeast.</p>

Develop a Plan

LEAs are encouraged to prioritize activities that will have the greatest impact on teaching and learning. USDE’s [Non-Regulatory Guidance – Evidence to Strengthen Educational Investments](#) (PDF) (revised September 2023) provides a 5-part process of learning and improvement to help support LEAs successfully choose and implement evidence-based *project components* (evidence-based activities, strategies, and interventions) that are designed to improve outcomes for learners. The 5-step process includes:

1. Identifying local needs, including the needs of the learner population being served;
2. Selecting relevant, evidence-based project components that organizations have the capacity to implement, including implementation of the project components;
3. Planning for and then,
4. Supporting and refining the implementation of the project components; and
5. Examining and reflecting upon how the project components are working.

These steps, when taken together, promote a cycle of continuous improvement designed to support better outcomes for learners. It is highly recommended that LEAs use this guidance to drive positive outcomes in all ESSA programs.

Note, there should be a clear connection between identified needs and Title IIA activities. Nonpublics within an LEA's geographic boundaries that have chosen to participate in Title IIA must develop a plan based on their needs.

Recruiting/Retaining Effective Teachers; Implementing Supports for Principals and Other School Leaders

ESSA supports the development and implementation of initiatives to assist in recruiting, hiring, and retaining effective teachers, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards to improve within-LEA equity in the distribution of teachers. LEAs may also use Title IIA funds to implement supports for principals and other school leaders. This can include:

- Providing expert help in screening candidates and enabling early hiring;⁵⁴
- Offering differential and incentive pay for teachers, principals, or other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;⁵⁵
- Teacher, paraprofessional, principal, or other school leader advancement and professional growth,⁵⁶ which, according to USDE guidance can include creating hybrid roles that allow teachers to provide instructional coaching to colleagues while remaining in the classroom, as well as other responsibilities such as collaborating with administrators to develop and implement distributive leadership models and leading decision-making groups;⁵⁷
- New teacher, principal, or other school leader induction and mentoring programs that are designed to improve classroom instruction and student learning and achievement, and increase the retention of effective teachers, principals, or other school leaders;⁵⁸
- Development and provision of training for school leaders, coaches, mentors, and evaluators on how accurately to differentiate performance, provide useful feedback, and use evaluation results to inform decision-making about professional development, improvement strategies, and personnel decisions;⁵⁹ and
- A system for auditing the quality of evaluation and support systems.⁶⁰

⁵⁴ ESSA, Section 2103(b)(3)(A)

⁵⁵ ESSA, Section 2103(b)(3)(B)

⁵⁶ ESSA, Section 2103(b)(3)(B)(iii)

⁵⁷ USDE 2016 Title II, Part A Guidance, p. 14

⁵⁸ ESSA, Section 2103(b)(3)(B)(iv)

⁵⁹ ESSA, Section 2103(b)(3)(B)(iv)

⁶⁰ ESSA, Section 2103(b)(3)(D)

Below are two examples of evidence-based supports for teachers and leaders.⁶¹

Teacher Residency Program⁶²

LEAs may use Title IIA funds to establish, improve, or support school-based residency programs for teachers or prospective teachers, for at least one academic year where they:

- Teach alongside an effective teacher who is the teacher of record for the classroom; and
- Receive concurrent instruction – from either the LEA or a teacher preparation program – in the teaching of the content area in which the teacher will become certified or licensed; and
- Acquire effective teaching skills, as demonstrated through completion of a high quality, clinical teaching experience provided by a teacher residency program, or other measure determined by the state.⁶³

Title IIA also supports educator diversity. Research shows that diversity in schools, including representation of underrepresented minority groups among educators, can provide significant benefits to all students.^{64 65} In addition to benefits for all students, improving the diversity of the educator workforce may be particularly beneficial for minority students as an LEA strives to close the achievement gap.⁶⁶ Below are examples of how Title IIA funds can be used to support these efforts.

Supporting Educator Diversity

LEAs may use Title IIA funds to:

- Provide financial support to educator recruitment programs within the community to improve hiring and retention of a diverse workforce;
- Offer career advancement opportunities for current staff members, such as paraprofessionals, who have worked in the community for an extended period-of-time, to support their efforts to gain the requisite credentials to become classroom instructors;

⁶¹ Refer to [USDE's Non-Regulatory Guidance: Using Evidence to Strengthen Education Investments](#) (PDF)

⁶² USDE 2016 Title II, Part A Guidance, p. 8.

⁶³ ESSA, Section 2002(5).

⁶⁴ N. Tyler, Z. Yzquierdo, N. Lopez-Reyna, & S. Saunders Flippin (2004). "Cultural and Linguistic Diversity and the Special Education Workforce: A Critical Overview." *The Journal of Special Education*, 38(1): 22-38.

⁶⁵ A. Egalite, B. Kisida, & M. Winters (2015). "Representation in the Classroom: The Effect of Own-race Teachers on Student Achievement." *Economics of Education Review*, 45: 44-52; T. Dee (2004). "Teachers, Race, and Student Achievement in a Randomized Experiment." *The Review of Economics and Statistics*, 86: 195-210.

⁶⁶ J. Grissom & C. Redding (2016). "Discretion and Disproportionality: Explaining the Underrepresentation of High-Achieving Students of Color in Gifted Programs," *AERA Open*, 2: 1–25; A. M. Villegas & J. J. Irvine (2010). "Diversifying the Teaching Force: An Examination of Major Arguments." *The Urban Review*, 42: 175–192.

- Partner with preparation providers including local community colleges, institutions of higher education (IHEs), minority serving institutions, and alternative certification providers, to build a pipeline of diverse candidates;
- Provide ongoing professional development aimed at cultural competency and responsiveness, and equity coaching, designed to improve conditions for all educators and students, including educators and students from underrepresented minority groups, diverse national origins, English language competencies, and varying genders and sexual orientations;
- Provide time and space for differentiated support for all teachers, including affinity group support;
- Support leadership and advancement programs designed to improve career and retention outcomes for all educators, including those from underrepresented minority groups; and
- Develop and implement other innovative strategies and systemic interventions designed to attract, place, support, and retain culturally competent and culturally responsive, effective educators, especially educators from underrepresented minority groups, such as having personnel or staff-time dedicated to recruiting diverse candidates of high quality who can best teach to the diversity of the student population.⁶⁷

Reducing Class Size

ESSA supports the use of Title IIA funds to reduce class size to a level that is evidence-based, to the extent the State (in consultation with LEAs) determines that such evidence is reasonably available, to improve student achievement through the recruiting and hiring or additional effective teachers.

Due to mixed research results on the effectiveness of class size reduction, LEAs must consider several influencing variables of the students and setting before implementing this strategy, such as:

- Age
- Grade span
- Character of students, including demographic background, and
- The extent of class-size reduction (length of time).

For example, a meta-analysis of 77 studies demonstrated that the greatest achievement gains for class size reduction were made when certain smaller class thresholds of 18 or fewer were reached and at the K-3 level, with the greatest achievements occurring among students of color and in low-income and urban settings.⁶⁸ Therefore, the variables above must be considered when determining whether reducing class size will be an effective strategy and use of federal funds.

⁶⁷ USDE 2016 Title II, Part A Guidance, p. 19.

⁶⁸ Glass, G.V., & Smith, M. (1979). Meta-analysis of class size and achievement. *Educational Evaluation and Policy Analysis*, 1(1), 2-16. Retrieved from [Evidence-Based Interventions: A Guide for States Policy Brief](#) (PDF) (learningpolicyinstitute.org)

Class Size Reduction Requirements for LEAs

If utilizing Title IIA funds for class size reduction (CSR), the LEA is required to submit the following information in the consolidated application:

- Class size without CSR teacher
- Class size with CSR teacher
- Grade Span

In addition, LEAs are required to:

- Collect and report student achievement data
- Carry out regular classroom observations and feedback to the Class Size Reduction Teacher hired

Title IIA Nonpublic Equitable Share

ESSA Section 8501(c)(1) requires an LEA to consult with nonpublic school officials⁶⁹ relating to how, where, and by whom its equitable services will be provided for its students, teachers, principals, and other school personnel. DFP developed an [Intent to Participate Form-Title VIII](#) (Word), which an LEA may use or adapt to invite nonpublic school officials to participate in services for its students, teachers, principals, and other school personnel.

Pennsylvania's eGrants system calculates the equitable nonpublic share for Title IIA funds in the Consolidated Application section. The LEA enters its previous year's nonpublic enrollment, and eGrants calculates the breakdown of the equitable nonpublic amounts owed and populates the list of participating nonpublic schools in eGrants' Title IIA application. The breakdown is a straight proportionate share of the LEA's entire Title IIA allocation, minus anticipated public and nonpublic administration costs.

The nonpublic official is granted third party view access in eGrants to review the application and services as agreed upon during consultation. The LEA is required to grant permission in eGrants to its participating nonpublic school officials to view the application. If a nonpublic school is listed in the application it must also be listed in the third party view section of the eGrants subproject.

Refer to the carryover section in the eGrants project for nonpublic carryover guidance.

Nonpublic equitable participation applies to all nonpublic schools within LEA boundaries that have chosen to participate in Title IIA.

⁶⁹ Charter schools are exempt from the equitable services provision of Title II, Part A.

Nonpublic School Equitable Services Checklist

- ✓ LEA contacts the eligible nonpublic school official early for timely and meaningful consultation to determine the professional learning needs of its teachers and students.
- ✓ LEAs cannot simply offer nonpublic school educators to attend LEA-sponsored professional learning activities.
- ✓ LEAs remain in control of the funds (no money goes directly to the nonpublic schools).

Uses of Title IIA funds for Nonpublic Schools

Item/Service	Eligible Activities/Expenditures	Non-Eligible Activities/Expenditures
Contracted Services	<ul style="list-style-type: none"> • Consultants to provide professional learning to improve content knowledge or classroom practice of teachers, principals, and other school leaders • Consultants to improve student behavior in the classroom and identifying early and appropriate interventions to help students with special needs • Consultants to provide training to improve content knowledge or classroom practice of paraprofessionals • Consultants to provide professional learning to support or facilitate National Board certification • Substitutes for teachers, principals, or other school leaders to attend Title IIA funded professional learning 	<ul style="list-style-type: none"> • Substitutes for teachers attending Title IIA funded professional learning • Consultants for state mandated training
Supplies and Materials	<ul style="list-style-type: none"> • Supplies or materials to be used strictly for professional learning such as books or instructional resources • Professional learning activity supplies, such as chart paper, pens, binders, easels • Printing or copying for professional learning activities 	<ul style="list-style-type: none"> • Supplies to be used in the classroom or by students • Anything not directly connected to Title IIA funded professional learning activity • Books, software, instructional technology for private schools

Item/Service	Eligible Activities/Expenditures	Non-Eligible Activities/Expenditures
Travel (Registration)	<ul style="list-style-type: none"> • Conference registration for Title IIA funded professional learning activities • Expenses for transportation, per diem, and lodging if the costs are reasonable and necessary • A conference conducted by a religious organization often includes both secular and religious content. If an otherwise allowable professional conference is conducted by a religious organization, an LEA may pay only for a teacher's participation in that portion of the conference program that is secular, neutral, and nonideological. 	<ul style="list-style-type: none"> • Any direct reimbursement to a private school • Food and refreshments, including working lunches
Other Costs	<ul style="list-style-type: none"> • Cost of state tests to fulfill teaching certificate requirements (teachers) • Professional learning memberships or subscriptions • Advertising to recruit effective educators • Space rental for professional learning activities • Nonpublic school allocation for professional learning 	<ul style="list-style-type: none"> • Any materials, travel expenses, or supplies that are not directly connected to Title IIA funded professional learning • Cost of National Board candidate or assessment fees
Equipment	<ul style="list-style-type: none"> • Portion of software or digital content used as part of a Title IIA funded professional learning activity 	<ul style="list-style-type: none"> • Equipment (hardware, computers, or other devices) – unless directly associated with Title IIA funded professional development • Software or licenses • Hardware or software for student use

Transferability

Under ESSA, LEAs can transfer up to 100 percent of Title IIA funds into:

- Title I, Part A – Improving Basic Programs Operated By Local Education Agencies
- Title I, Part D – Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
- Title III, Part A – Language Instruction for English Learners and Immigrant Students
- Title IV, Part A – Student Support and Academic Enrichment (SSAE) Grants
- Title V, Part B – Rural Education Initiative (RLIS)

Section 5 – Title IIIA – Language Instruction for English Learners and Immigrant Students

Legislative Purpose

Title IIIA is designed to provide federal funds to enable English Learners (ELs), including immigrant children and youth ages 3-21 to:

- Increase English language proficiency; and
- Increase achievement in state content standards.

SEAs, LEAs, and schools are accountable for increasing the English proficiency and core academic content knowledge of EL students. Title IIIA funds are supplemental and aim to enhance language instruction educational programs (LIEP). The curriculum of the LIEP must be evidence-based and demonstrate effectiveness.

Allowable Uses of Funds

General

Allowable Uses of Funds	Unallowable Uses of Funds
<p>Allowable:</p> <ul style="list-style-type: none">• Supplemental software, curricula, instructional and interim assessment materials that upgrade and improve the instructional program and proficiency of English Learners• Tutorials and academic, CTE instruction• Intensified instruction which may include materials in a language that the student can understand• Developing and implementing effective preschool, elementary school, or secondary school language instruction	<p>Unallowable:</p> <ul style="list-style-type: none">• Instructional materials and supplies related to the core English Learner program• Translation or interpretation required under the Office of Civil Rights statutes• Translation or interpretation services required for Title IA program purposes• Administration of the ELP assessment (i.e., WIDA). LEAs have an obligation to identify and assess all potential multilingual learners

Allowable Uses of Funds	Unallowable Uses of Funds
<p>educational programs that are coordinated with other relevant programs and services</p> <ul style="list-style-type: none"> • Early college high school or dual or concurrent enrollment programs or courses designed to help English learners achieve success in postsecondary education • High quality, evidence-based professional development that meets the statutory definition (intensive, ongoing, collaborative, job-embedded, data-driven and classroom-focused) • Bilingual paraprofessionals, family liaisons, English Learner instructional coaches, teaching/tutoring for extended day/year programs, ESL/family literacy instructors and other supplemental support personnel • Programming and materials that support parent and community engagement aimed at improving student achievement, such as: Parent ESL/family literacy classes, technology usage classes, library nights, workforce development events, health and human services events • Translation and interpretation costs strictly for Title IIIA-program related activities • Costs related to supplemental (and in addition to Title IA events) parent, family and community engagement events 	<ul style="list-style-type: none"> • Professional development that does not meet the statutory definition • Site administrators funded 100% by Title IIIA funds. Any part of their salary charged to Title IIIA for supplemental administrative duties must be beyond the scope of the contractual duties, calendar, and job description and must not exceed the 2% cap on direct administrative costs.

Immigrant Children & Youth

Allowable Uses of Funds	Unallowable Uses of Funds
<p>Allowable:</p> <ul style="list-style-type: none">• Family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children• Bilingual paraprofessionals or personnel who have been specifically trained to provide services to immigrant children and youth• Provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth• Supplemental software, curricula, instructional and interim assessment materials that upgrade and improve the instructional program and proficiency of English Learners• Basic instructional services for immigrant children, including the payment of costs of providing supplemental classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instructional services• Programming related to the introduction of the educational system and civics education in the United States• Comprehensive community services and activities that support parents and families of immigrant youth, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants	<p>Unallowable:</p> <ul style="list-style-type: none">• Supplemental educational software focused on English proficiency for immigrant students when such funds are also being used to purchase the same educational software for English Learners that are not immigrants.

Required Use of Funds

An LEA is required to use its Title IIIA EL funds to assist ELs to learn English and meet state academic standards,⁷⁰ while Immigrant funds are used to pay for activities that provide enhanced instructional opportunities for immigrant children and youth.

LEAs are required to use Title IIIA funds for three activities:

1. **Supports for the Title IIIA language instruction program to participating students** that meet the needs of ELs and demonstrate success in increasing English language proficiency and students' academic achievement;⁷¹
2. **Effective professional development to classroom teachers** (including teachers in classroom settings that are not the settings of LIEPs), principals and other school leaders, administrators, and other school or community-based organizational personnel.
3. **Providing parent, family, and community engagement activities**, designed to increase student achievement through the involvement of families in the education of their children.

As with all Title IIIA costs, these three required activities must be supplemental to state and locally funded programming the LEA is delivering to meet its civil rights obligations to EL students as well as requirements under Title IA. It is advised to refer to the "Information require to be translated under Title IA" for more information. The table below outlines the required uses of Title IIIA funds as well as the allowable and unallowable uses.

Required Uses of EL Funds

1. **Supporting Effective Instruction/LIEPS (Language Instruction Educational Program)**
LEA must use funds that support effective language instruction educational programs (LIEPs) that meet the needs of ELs and demonstrate success in increasing English language proficiency and student academic achievement, including establishing, implementing, developing and sustaining effective language instruction educational programs.
2. **Professional Development**
Provide high-quality effective professional development to classroom teachers (including Early Learning Program staff and teachers in classroom settings that are not the settings of language instruction educational programs), principals, administrators, and other school or community-based organizational personnel.
3. **Parent, Family & Community Engagement**
Provide effective engagement to parents, family and community through community participation programs, family literacy services, and other outreach and training activities that help support involvement to ELs.

⁷⁰ ESSA, Section 3115(a).

⁷¹ ESSA, Section 3115(c)(1). For federal guidance about LIEPs, please see USDE 2016 Title III, Part A Guidance, Section C.

Other Spending Considerations and Rules

Funding Requirements

An LEA may not use more than 2 percent of its subgrant for administrative costs, which includes both direct costs and indirect costs.⁷² If an LEA does not meet the minimum \$10,000 threshold for EL students, it cannot receive Title IIIA funds unless it joins a consortium to accept the funds.⁷³ This threshold applies only to EL funds. An LEA may apply for and receive immigrant funding provided it had at least a 10 percent increase in the number of immigrant students during the previous two years (i.e., at least 10 additional immigrant students).

Maintenance of Effort

An LEA that receives Title IIIA funds must comply with a maintenance of effort requirement.⁷⁴ The maintenance of effort provision ensures an LEA maintains a consistent floor of state and local funding for free public education from year-to-year.⁷⁵

Title IIIA Funds Planning Template

The purpose of the template below is to guiding questions for districts and consortiums to consider when preparing their Title IIIA application. These questions can be helpful in deciding how to best leverage Title IIIA funds and to encourage coordination between other funding streams.

Activity	What required Title IIIA activity does the expenditure primarily address? (providing language instruction; providing professional development; providing parent, family, community activities)	If this activity was provided the previous year, how was it funded?	Will this activity also be funded through Title IA? (Y/N)	Which word below best describes how this activity is supplementing? (improve/upgrade; expanding/growing; modifying/reforming; specializing)	Was this activity previously funded by general funds? (Y/N)

⁷² ESSA, Section 3115(b).

⁷³ ESSA, Section 3114(b).

⁷⁴ ESSA, Section 8521.

⁷⁵ While maintenance of effort remains substantially the same as it was under NCLB, there were two major changes which occurred under ESSA; both changes are addressed in Question A-17 in [USDE's 2016 Non-Regulatory Guidance: English Learners and Title III of ESEA, as amended by ESSA](#) (PDF).

Annual State English Language Proficiency Assessment

PDE is part of the multi-state World Class Instruction Design and Assessment (WIDA) Consortium, which developed an assessment entitled ACCESS for ELs. ACCESS for ELs was adopted by PDE as Pennsylvania's statewide annual assessment instrument to measure English language proficiency. ACCESS for ELs is a standards-based, criterion referenced English language proficiency assessment that measures ELs' social and instructional English proficiency, as well as their English proficiency across the four language domains of listening, speaking, reading, and writing in academic subjects of language arts, mathematics, science, and social studies.

Civil Rights Obligations

Under the first presumption of supplanting listed above, an LEA may not use its Title IIIA funds to meet the requirements of federal, state, or local law. Federal laws, specifically Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act (EEOA), establish legal obligations to ensure that ELs can meaningfully and equally participate in educational programs and services. USDE guidance explains that to meet these civil rights obligations for EL students, an LEA is required to:

- Identify and assess all potential EL students in a timely, valid, and reliable manner;
- Provide EL students with a language assistance program that is educationally sound and proven successful, consistent with *Castañeda v. Pickard* and the U.S. Supreme Court decision in *Lau v. Nichols*;
- Provide sufficiently well-prepared and trained staff and supports for the language assistance programs for EL students;
- Ensure that EL students have equal opportunities to participate meaningfully in all curricular and extracurricular activities;
- Avoid unnecessary segregation of EL students;
- Ensure that EL students who have or are suspected of having a disability under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 are identified, located, and evaluated in a timely manner and that their language needs are taken into consideration in evaluations and delivery of services;
- Meet the needs of EL students who opt out of language assistance programs;
- Monitor and evaluate EL students in language assistance programs to ensure their progress with respect to acquiring English proficiency and grade level content knowledge, exit EL students from language assistance programs when they are proficient in English, and monitor exited students to ensure any academic deficits were remedied prior to their exit;⁷⁶
- Evaluate the effectiveness of a school district's language assistance program(s) to ensure that EL students in each program acquire English proficiency and that each

⁷⁶ [Addendum to 2016 Non-Regulatory Guidance: ELs; Selected Topics -- Entrance and Exit of English Learners from Language Instruction Education Programs, Reporting, and Former English Learners \(PDF\)](#).

program is reasonably calculated to allow EL students to attain parity of participation in the standard instructional program within a reasonable period of time; and

- Ensure meaningful communication with limited English proficient (LEP) parents.⁷⁷

Because Title IIIA funds may not be used to meet legal obligations, including civil rights obligations, Title IIIA funds may not be used to meet the obligations in the above bulleted list.

Example 1: Title IIIA Expenditures Not Allowed for LEA Obligations Required under Title VI and EEOA

An LEA uses its Title IIIA funds to identify EL students.

Example 1 above is considered supplanting since an LEA is required to identify EL students under Title VI of the Civil Rights Act of 1964 and EEOA.⁷⁸

Example 2: Allowable Title IIIA Expenditure

An LEA uses its Title IIIA funds to hire extra staff to enable it to meet its staffing obligations under federal civil rights laws.

Example 2, hiring extra staff, is supplemental in nature since the specialist provides supplemental services to EL students, and therefore allowable.⁷⁹ Moreover, USDE guidance states that an LEA may use its Title IIIA funds to hire a specialist on EL students with interrupted formal education or English learners with disabilities to provide *supplemental* support for them; an LEA could also use Title IIIA funds to hire staff that would provide *supplemental* LEA-wide instructional support to teachers of ELs. USDE guidance also notes that determinations about Title IIIA's supplement, not supplant requirement are always fact specific.

Data Collection and Reporting

Data Collection for Professional Development Activities

Every Title IIIA recipient, including LEAs and IU leads, is required to report on the impact and results of professional development activities funded under Title IIIA via PIMS. This reporting occurs each fall. Instructions for this reporting can be found on [PDE's Title IIIA webpage](#).

⁷⁷ See Question A-3 in [USDE's 2016 Non-Regulatory Guidance: English Learners and Title III of ESEA, as amended by ESSA](#) (PDF), additional information about the civil rights obligations to EL students is available in a Dear Colleague Letter dated [January 7, 2015 Joint Letter from U.S. Department of Justice and U.S. Department of Education](#) (PDF).

⁷⁸ See Question A-8 in [USDE's 2016 Non-Regulatory Guidance: English Learners and Title III of ESEA, as amended by ESSA](#) (PDF).

⁷⁹ See Question D-7 in [USDE's 2016 Non-Regulatory Guidance: English Learners and Title III of ESEA, as amended by ESSA](#) (PDF).

Reporting of English Learner and Immigrant Students

The purpose of the Limited English Proficient System (LEP System) is to collect information on ESL/Bilingual Education Programs and ELs for reporting data to PDE and the USDE. The PIMS system is used to validate EL and Immigrant student counts for funding purposes. The timeframes for reporting are below:

- April – LEA-enrolled students
- October - Nonpublic students

Exact deadlines can be found on [PDE's PIMS Manuals & Calendar](#) webpage under “Data & Reporting.”

Definitions of English Learner and Immigrant Children and Youth

Under ESSA, an “English learner” is a student who:

- Is aged 3 to 21;
- Is enrolled or preparing to enroll in an elementary school or secondary school;
- Was not born in the United States or whose native language is a language other than English;
- Is a Native American or Alaska Native, or a native resident of the outlying areas; and
- Comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
- Is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- Has difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual —
 - The ability to meet the challenging State academic standards;
 - The ability to successfully achieve in classrooms where the language of instruction is English; or
 - The opportunity to participate fully in society.⁸⁰

Under ESSA, “immigrant children and youth” are students, who:

- Are aged 3 to 21;
- Were not born in any of 50 states,⁸¹ the District of Columbia, the Commonwealth of Puerto Rico, or any of their outlying areas; and
- Have not been attending one or more schools in any one state for more than three (3) full academic years.⁸²

⁸⁰ ESSA, Section 8101(20) and USDE's [Title IIIA Non-Regulatory Guidance](#) (PDF), p. 43.

⁸¹ ESSA, Section 8101(48).

⁸² ESSA, Section 3201(5) and USDE's [Title IIIA Non-Regulatory Guidance](#) (PDF), p. 43.

LEA Eligibility

There are two types of Title IIIA subgrants available to LEAs: the English Learner subgrant⁸³ and Immigrant subgrant.⁸⁴

To be eligible for Title IIIA funds, LEAs are required to complete the following:

1. EL home language survey
2. PIMS annual data collection (Pennsylvania Information Management System), which identifies the number of ELs and Immigrants;⁸⁵
3. WIDA Access assessment for English Learners; and
4. Meet the \$10,000 allocation threshold based on student population (total per pupil dollar amount of identified EL and immigrant students), including nonpublic EL and immigrant students. LEAs that do not meet the \$10,000 threshold may join a consortium in order to receive funding and services

To be eligible for receiving funds under the immigrant subgrant, an LEA must have at least a 10 percent increase in average the number of immigrant students during the previous two years.

LEA Evaluation Requirements

LEAs are required to have an LIEP evaluation procedure in place and must carry it out on a periodic basis. The findings are meant to determine effectiveness of programs and activities in assisting ELs to attain English proficiency and meet state academic standards. The results of the evaluation must be used by the LEA and PDE to implement program improvements. Below is PDE's program evaluation tool:

- PDE: [Considerations for EL Program Review](#)

LEAs are also required to complete an LIEP survey on an annual basis, regardless of Title IIIA status. This survey captures information regarding the LEA's program. The questions in this survey are covered in Appendix AF of the [PIMS User Manual Volume II](#).

⁸³ ESSA Section 3114(a)

⁸⁴ ESSA Section 3114(d)(1)

⁸⁵ This includes entering the numbers of nonpublic immigrant and EL students in the EL database.

Nonpublic Equitable Share

Title IIIA funds are subject to a nonpublic equitable share services requirement.⁸⁶

Under Title IIIA's equitable services, an LEA must ensure that eligible ELs and immigrant children and youth attending nonpublic schools are provided instructional services funded by Title IIIA.⁸⁷

Nonpublic students qualifying for Title IIIA funding should be given Title IIIA services through the LEA however nonpublic schools are not required to participate.

LEAs are responsible for nonpublic students in any nonpublic school within the LEA's geographic boundaries. Tools and resources for identifying all ELs are in Chapter One of the [U.S. Department of Education's English Learner Toolkit](#).

The public EL and IMM counts are reported in the PIMS April snapshot and the nonpublic EL and IMM counts are reported in the "District Fact Template" in October.

- The LEA is required to consult with nonpublic school officials to determine if they wish to participate. Eligible students must be identified, and timely and meaningful consultation should be carried out after the PIMS submission has occurred and must be completed before the Consolidated Application is submitted to PDE.
- [Intent to Participate Form Title VIII](#) is a tool developed by DFP for LEAs to use to communicate with nonpublic schools to determine their participation in Title IIIA. Total school enrollment counts are not used to determine nonpublic equitable share as it is in Title IIA and Title IVA.
- The LEA must engage in the procurement of equipment, supplies, and services needed to provide equitable services, including preparation and submission of any purchase orders. Nonpublic school officials have no authority to obligate ESSA funds. Therefore, LEAs may not request or require nonpublic school officials to submit purchase orders.

Refer to the carryover section in the eGrants project for nonpublic carryover guidance

⁸⁶ ESSA, Section 8501(b)(1)(C).

⁸⁷ See Question C-6 in [USDE's 2016 Non-Regulatory Guidance: English Learners and Title III of ESEA, as amended by ESSA](#) (PDF) and [USDE's 2016 Non-Regulatory Guidance: Fiscal Changes and Equitable Services Requirements](#) (PDF), Section P.

Supplement, Not Supplant

Title IIIA is subject to a strict “supplement, not supplant” (SNS) requirement.⁸⁸ SNS requires funds to add to (supplement) and not replace (supplant) other federal, state, and local funds. Districts are required to first meet the legal obligations of Title VI of the Civil Rights Act of 1964 and the EEOA. The federal government presumes supplanting in both of the following circumstances:

1. An LEA uses its Title IIIA funds to provide services that it is required to provide under other laws (in the case of Title IIIA, Title VI of the Civil Rights Act and Equal Education Opportunities Act [EEOA] requirements); or
2. An LEA uses its Title IIIA funds to provide services that it paid using state or local funds the prior year.⁸⁹

These presumptions can be rebutted or disputed with evidence and possibly overcome if an LEA can demonstrate that it would have been unable to use state or local funds to provide the services being questioned.⁹⁰

Example: Presumed Supplanting Violation

Paying for an interventionist that provides intensive small-group interventions to EL students with Title IIIA funds would violate the second presumption of supplanting if the LEA had paid for this interventionist with local funds the prior year.

Note: The LEA may be able to rebut the presumption of supplanting if it can show it did not have local funds available to pay for the interventionist.

⁸⁸ ESSA, Section 3115(g).

⁸⁹ See Question A-2 in USDE’s [Title IIIA Non-Regulatory Guidance](#) (PDF).

⁹⁰ See Question A-2 and A-3 in USDE’s [Title IIIA Non-Regulatory Guidance](#) (PDF).

Section 6 – Title IVA – Student Support and Academic Enrichment (SSAE) Grants

Legislative Purpose

The purpose of Title IVA is to improve student academic achievement by increasing the capacity of states, LEAs, schools, and local communities to:

- Provide all students access to a well-rounded education
- Improve school conditions for student learning
- Improve the use of technology in order to improve academic achievement and digital literacy of all students.⁹¹

LEAs may conduct these activities in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or nonpublic entity with a demonstrated record of success.⁹²

Before an LEA decides which activities to support, it needs to consider both LEA and school needs; objectives and intended outcomes; stakeholder input; and funding floors and ceilings for certain activities established by Title IVA.

Allowable Uses of Funds

Below is a list of allowable activities under Title IVA of the ESSA. The list is not exhaustive.

General Uses of Funds

Allowable Uses of Funds	Unallowable Uses of Funds
<p>Allowable:</p> <ul style="list-style-type: none">• Salaries of personnel to carry out identified programs and services (ex. Teachers/qualified instructors including school resource officers for supplementary Title IVA educational programs, mental health and counseling services providers, reasonable benefits costs (per usual district policies)• Supplemental educational resources and equipment• Direct services for students	<p>Unallowable:</p> <ul style="list-style-type: none">• Salaries of personnel who do not carry out Title IVA-specific programs and services• Administrative costs that exceed 2% cap• Costs, including materials, supplies and equipment, that do not align with the LEA's identified Title IVA program needs and objectives• Professional development that does not meet the statutory definition and is unrelated to allowable Title IVA programs and activities

⁹¹ ESSA, Section 4101; see USDE's [Title IVA Non-Regulatory Guidance: Student Support and Academic Enrichment Grants](#) (PDF).

⁹² ESSA, Section 4108(4).

Allowable Uses of Funds	Unallowable Uses of Funds
<ul style="list-style-type: none"> • Equitable services for eligible Nonpublic school students and teachers • Mental health and counseling service providers • High quality, evidence-based professional development that meets the statutory definition (intensive, ongoing, collaborative, job-embedded, data-driven and classroom-focused) 	<ul style="list-style-type: none"> • Advertising, public relations, and promotional items (i.e., banners, t-shirts, lanyards, wristbands, water bottles, etc.) • Direct reimbursement to nonpublic schools (if applicable) • Construction (i.e., major building construction, structural alterations to buildings, building maintenance, and repairs) • Costs associated with purchase of firearms, storage, and training • Unreasonable/excessive costs or costs that do not comply with program performance (e.g., shared activities for another federal title must be pro-rated). • Food (meals, catering, special events, and celebrations) • Social events • Gift cards and prizes of monetary value • Non-educational games and devices • Non-educational field trips or field trips with the objective of social and emotional learning or relationship-building • Costs for entertainment such as amusement parks and entertainment venues • Technology infrastructure costs cannot exceed 15% of funds allocated for Effective Use of Technology (EUT). These include devices, equipment, software applications, platforms, digital instructional resources and/or other one-time IT purchases. • Costs for activities that supplant and are not supplemental

Activities to Support Well-Rounded Education

Allowable Uses of Funds	Unallowable Uses of Funds
<p>Allowable:</p> <ul style="list-style-type: none"> • Improving access to arts and humanities instruction, that of which is supplemental to the state-required content areas of dance, music, theatre and visual arts • Improving access to foreign language instruction, that of which is supplemental to the state-required World Languages requirement under Pa Code Title 22 Chapter 4 regulations • Strengthening instruction in American history, civics, economics, geography, government education, and environmental education, that of which is supplemental to the state-mandated requirements • Supporting college and career counseling, including providing information on opportunities for financial aid through the early FAFSA • Social and Emotional Learning (SEL): Programs and activities that build resilience, self-control, empathy, persistence, and other social and behavioral skills • Providing programming to improve instruction and student engagement in STEM, including computer science, and increasing access to these subjects for underrepresented groups • Promoting access to accelerated learning opportunities including AP and IB programs, dual or concurrent enrollment programs and early college high schools 	

Activities to Support Safe & Healthy Students

Allowable Uses of Funds	Unallowable Uses of Funds
<p>Allowable:</p> <ul style="list-style-type: none"> • Promoting community and parent involvement in schools • Providing school-based mental health services and counseling • Promoting supportive school climates to reduce the use of exclusionary discipline and promoting supportive school discipline • Establishing or improving chronic absenteeism and dropout prevention • Reducing use of exclusionary discipline practices and promoting supportive school discipline • Supporting re-entry programs and transition services for justice-involved youth • Implementing programs that support a healthy, active lifestyle (nutritional and physical education) • Implementing systems and practices to prevent bullying and harassment • Child sexual abuse awareness and prevention (ex. information for parents/guardians on how to recognize child sexual abuse and how to discuss with child; age appropriate and developmentally appropriate instruction for students on recognizing and reporting abuse) • Developing relationship building skills to help improve safety through the recognition and prevention of coercion, violence, or abuse. • Establishing community partnerships. • Suicide prevention • Violence prevention, crisis management and conflict resolution 	

Activities to Support the Effective Use of Technology

Allowable Uses of Funds	Unallowable Uses of Funds
<p>Allowable:</p> <ul style="list-style-type: none"> • Supporting high-quality, evidence-based professional development for educators, school leaders, and administrators to personalize learning and improve academic achievement • Building technological capacity and infrastructure • Carrying out innovative blended learning projects • Providing students in rural, remote, and underserved areas with the resources to benefit from high-quality digital learning opportunities • Delivering specialized or rigorous academic courses and curricula using technology, including digital learning technologies and assistive technologies 	

Funding Restrictions

Technology Infrastructure – ESSA, Section 4109(b) limits the amount of SSAE funds that an LEA may spend on technology to no more than 15 percent of those technology funds to acquire technology infrastructure.⁹³ Therefore, an LEA may not spend more than 15 percent of its SSAE technology funds on devices, equipment, software applications, platforms, digital instructional resources, and/or other one-time IT purchases.⁹⁴

Administrative Costs – ESSA, Section 4105(c) specifies that an LEA may not spend more than 2 percent of its SSAE funds on direct administrative costs.⁹⁵

⁹³ ESSA, Section 4109(b).

⁹⁴ USDE [Title IVA Non-Regulatory Guidance: Student Support and Academic Enrichment Grants](#) (PDF), p. 32.

⁹⁵ ESSA, Section 4105(c).

Specific Allowable Activities

The next section includes additional information on specific allowable activities under SSAE.

School-Based Mental Health Services

LEAs may use SSAE funds for school-based mental health services, including early identification of mental health symptoms, drug use, and violence, and appropriate referrals to direct individual or group counseling services, which may be provided by school-based mental health services providers.⁹⁶

LEAs may also use SSAE funds for school-based mental health services partnership programs that are conducted in partnership with a public or nonpublic mental health entity or health care entity, and provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are:

- Based on trauma-informed practices that are evidence-based (to the extent the state, in consultation with LEAs, determines that such evidence is reasonably available);
- Coordinated (where appropriate) with early intervening services provided under the Individuals with Disabilities Education Act (IDEA); and
- Provided by qualified mental and behavioral health professionals who are certified or licensed by the state and practicing within their area of expertise.⁹⁷

LEAs must obtain prior written consent from the parent of each child under the age of 18 to participate in any mental-health assessment or service funded with SSAE and conducted in connection with school.⁹⁸ Before obtaining consent, the LEA must provide the parent with written notice describing in detail:

- The mental health assessment or service;
- The purpose for the assessment or service;
- The provider of such assessment or service;
- When the assessment or service will begin; and
- How long such assessment or service may last.⁹⁹

⁹⁶ ESSA, Section 4108(5)(B)(i).

⁹⁷ ESSA, Section 4108(5)(B)(ii).

⁹⁸ ESSA, Section 4001(a)(1)(A). Please note informed written consent is not required in an emergency where it is necessary to protect the immediate health and safety of the child, other children, or LEA personnel. Informed written consent is also not required when the LEA actively seeks parental consent but cannot reasonably obtain it, including when a parent does respond to notice from the LEA, or the child is at least 14 years old and is considered an “unaccompanied youth” under Section 725 of the McKinney Vento Homeless Education Act. Section 4001(a)(2).

⁹⁹ ESSA, Section 4001(a)(1)(B).

This consent does not waive any rights or protections under Family Educational Rights and Privacy Act (FERPA).¹⁰⁰

Pay for Success

LEAs may use Pay for Success initiatives aligned with the goal of supporting safe and healthy students.¹⁰¹ A Pay for Success initiative is a performance-based grant, contract, or cooperative agreement awarded by a public entity in which a commitment is made to pay for improved outcomes that result in social benefit and direct cost savings or cost avoidance to the public sector.¹⁰²

Addressing Trauma and Violence

LEAs may use SSAE funds for high-quality training for school personnel, including specialized instructional support personnel, related to:

- Suicide prevention;
- Effective and trauma-informed practices in classroom management;
- Crisis management and conflict resolution techniques;
- Human trafficking;¹⁰³
- School-based violence prevention strategies including programs addressing sexual violence;
- Drug abuse prevention, including educating children facing substance abuse at home; and
- Bullying and harassment prevention.¹⁰⁴

Addressing Sexual Abuse

LEAs may use SSAE funds for child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide:

- Age-appropriate and developmentally-appropriate instruction for students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to safely report child sexual abuse; and
- Information to parents and guardians of students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child.¹⁰⁵

¹⁰⁰ ESSA, Section 4001(a)(1)(C).

¹⁰¹ ESSA, Section 4108(5)(I).

¹⁰² ESSA, Section 8101(40). More information about pay for success initiatives is available from USDE at [Pay for Success Initiatives](#)

¹⁰³ Defined as an act or practice described in paragraph (9) or (10) of section 103 of the [Trafficking Victims Protection Act of 2000 \(22 U.S.C. 7102\)](#).

¹⁰⁴ ESSA, Section 4109(5)(D).

¹⁰⁵ ESSA, Section 4108(5)(E).

Reducing Exclusionary Discipline Practices

LEAs may use SSAE funds for designing and implementing a locally-tailored plan to reduce exclusionary discipline practices in elementary and secondary schools that:

- Is consistent with best practices;
- Includes strategies that are evidence-based (to the extent the state, in consultation with LEAs, determines that such evidence is reasonably available); and
- Is aligned with the long-term goal of prison reduction through opportunities, mentoring, intervention, support, and other education services.¹⁰⁶

Positive Behavioral Interventions and Supports (PBIS)

LEAs may use SSAE funds to implement schoolwide positive behavioral interventions and supports (PBIS).¹⁰⁷ This can include coordinating with similar IDEA activities to improve academic outcomes and school conditions for student learning.

Guiding questions for determining allowability:

- Is this educational or for entertainment?
- Does this promote prevention, school safety, and positive behavior?
- Unallowable uses for incentives
- Cash awards
- Gift cards
- Incentives/rewards that advertise a product, brand or the LEA

For more information on PBIS, visit [Center on PBIS](#)

Objectives and Outcomes

ESSA requires an LEA to develop objectives for its SSAE programs and intended outcomes,¹⁰⁸ which must be evaluated periodically to determine effectiveness of SSAE-funded activities.¹⁰⁹ An LEA is required to report on its progress in achieving its program objectives and outcomes to its SEA, which in turn submits a status report on all of its funded SSAE activities.¹¹⁰

¹⁰⁶ ESSA, Section 4108(5)(F).

¹⁰⁷ ESSA, Section 4108(5)(G).

¹⁰⁸ ESSA, Section 4106(e)(1)(E).

¹⁰⁹ Ibid.

¹¹⁰ ESSA, Section 4104(a)(2); see also ESSA, Section 4106(e)(2)(F).

Requirements

When an LEA receives \$30,000 or more in SSAE funds, it is required to complete a comprehensive needs assessment once every three years that includes, at a minimum, a focus on well-rounded education, safe and healthy students; and effective use of technology.¹¹¹ Based on the results of the needs assessment, the LEA must use:

- Not less than 20 percent on activities to support a well-rounded education;
- Not less than 20 percent on activities to support safe and healthy students; and
- A portion of funds for activities to support the effective use of technology.

The above percentages are intended to establish minimum thresholds at the LEA level and do not apply to the amount of funds distributed to a school and activities, provided it's consistent with the needs assessment and school prioritization. A single activity can be used to satisfy more than one category of required costs specified above. Although an LEA that receives less than \$30,000 in SSAE funds is not required to conduct a formal needs assessment,¹¹² it is encouraged to consider needs when it decides how to spend the funding.¹¹³

Comprehensive Needs Assessment

It is a requirement to conduct a Comprehensive Needs Assessment once every three years if an LEA receives \$30,000- or more. This data must be used to determine how funds are spent at the district and/or school level. LEAs may use the data from their district plan in the Future Ready Comprehensive Planning Portal (FRCPP) as their needs assessment or may use a different needs assessment.

Prioritization of High-Need Schools

Title IVA requires an LEA to prioritize its SSAE funds to schools that are identified as the following:

- Have the greatest needs determined by the LEA;
- Have the highest percentages or numbers of low-income children;
- Are identified for Comprehensive Support and Improvement under Title I;
- Are implementing Targeted Support and Improvement plans under Title I; or
- Are identified as a persistently dangerous school under Section 8532.¹¹⁴

¹¹¹ ESSA, Section 4106(d)(3).

¹¹² ESSA, Section 4106(d)(2).

¹¹³ USDE [Non-Regulatory Guidance: Student Support and Academic Enrichment Grants](#) (PDF).

¹¹⁴ Ibid.

Stakeholder Engagement

In addition to conducting a comprehensive needs assessment, an LEA or a consortium of LEAs must consult with stakeholders within the geographic area served by the LEA in a timely and meaningful manner. **At least two meetings are required – one taking place prior to the Title IVA grant submission and once again thereafter.** Stakeholders include, but are not limited to, the following:

- Parents
- Teachers
- Principals
- Other school leaders
- Specialized instructional support personnel
- Nonpublic schools
- Community partners/ organizations
- Others with relevant experience (i.e. behavioral health specialist)

An LEA or a consortium of LEAs must continue to consult with stakeholders during program implementation to improve its activities conducted and to coordinate with other related community activities, hence the requirement for two stakeholder meetings.¹¹⁵ The first relates to consulting with stakeholders prior to making decisions about programs and submission of the application, while the second is continuous stakeholder engagement to improve the program during implementation.

Supplement, not Supplant

An LEA that receives SSAE funds is required to comply with a supplement, not supplant requirement, where SSAE funds are to add to (supplement) and not replace (supplant) state and local funds.¹¹⁶ Under SSAE, supplanting is presumed when:

- An LEA uses its SSAE funds to pay for an activity that is required by federal, state, or local law; or
- An LEA uses its SSAE funds to pay for an activity it supported the prior year with state or local funds.¹¹⁷

¹¹⁵ ESSA, Section 4106(c)(2)).

¹¹⁶ ESSA, Section 4110.

¹¹⁷ USDE [Title IVA Non-Regulatory Guidance: Student Support and Academic Enrichment Grants](#) (PDF), p. 14.

An LEA may overcome a presumption of supplanting if it has written documentation (e.g., state or local legislative action, budget information, or other documentation) that:

- It did not have adequate state and/or local funds to implement the activity in question; and
- In the absence of the SSAE program funds, the activity would not have been carried out.¹¹⁸

Title IVA Nonpublic Equitable Share

Title IVA allocations are subject to a nonpublic equitable share requirement for all nonpublic schools located within an LEA's geographic boundary; charter schools are exempt from this requirement. This share is calculated based on a proportionate share of an LEA's total allocation.¹¹⁹

An LEA must engage in meaningful and timely consultation with representatives from participating nonpublic schools before completing the nonpublic equitable share page of eGrants. An LEA may use DFP's [Intent to Participate Form-Title VIII](#) (Word) or other form of communication to invite nonpublic schools located within its geographic boundary to participate in Title IVA nonpublic equitable share activities.

The nonpublic official is granted third party view access in eGrants to review the application and services as agreed upon during consultation. The LEA is required to grant permission in eGrants to its participating nonpublic school officials to view the application. If a nonpublic school is listed in the application, it must also be listed in the third-party view section of the eGrants subproject.

The LEA must engage in the procurement of equipment, supplies, and services needed to provide equitable services, including preparation and submission of any purchase orders. Nonpublic school officials have no authority to obligate ESSA funds. Therefore, LEAs may not request or require nonpublic school officials to submit purchase orders.

Additionally, the LEA must always maintain control of program funds as well as title to all materials, equipment, and property purchased with Federal funds. (ESSA section 8501(d)(1)).

NOTE: Nonpublic equitable services share are not required to follow the percentage requirements as LEAs receiving over \$30,000.

Refer to the carryover section in the eGrants project for nonpublic carryover guidance.

¹¹⁸ Ibid.

¹¹⁹ A consortium is to report intended uses of funds for each consortium member.

Section 7 – Title VB – Rural Education Initiative/Rural Education Achievement Program (REAP)

Legislative Purpose

The purpose of Title V.B RLIS is to address the unique needs of rural districts that frequently lack the personnel and resources needed to compete effectively for federal competitive grants and that receive formula grant allocations in amounts too small to be effective in meeting their intended purposes.

REAP is designed to assist rural school districts in using federal resources more effectively to improve the quality of instruction and student academic achievement. It consists of the following two separate programs:

Subpart I - Small, Rural School Achievement (SRSA) Program

The SRSA Program (SRSA) provides eligible LEAs with greater flexibility in using formula grant funds they receive under certain state-administered federal programs.¹²⁰ It also authorizes the Secretary to award formula grants directly to eligible LEAs (i.e., those LEAs eligible under the alternative uses of funds program) to carry out activities authorized under other specified federal programs.

Subpart II - Rural and Low-Income School (RLIS) Program

The Rural and Low-Income Schools (RLIS) Program RLIS Program¹²¹ is designed to address the needs of rural, low-income schools. USDE awards formula grants to State Education Agencies, which award subgrants to eligible LEAs either competitively or based on a formula. The funds are to be used to carry out activities specified by the statute. LEAs may use RLIS funds to support a broad array of local activities to support student achievement.

¹²⁰ The Alternative Uses of Funds Authority is a flexibility provision that allows eligible LEAs to combine funding under certain programs to carry out local activities under other specified federal programs.

¹²¹ CFDA no. 84.358B, [USDE RLIS Program](#)

Allowable Use of Funds

Allowable Use of RLIS Funds

The LEA may use RLIS funding to implement activities authorized under any of the following programs:	Examples of allowable use of RLIS funds:
Parent and Family Engagement Activities	<ul style="list-style-type: none">• Parent and Family Engagement activities
Title IA	<ul style="list-style-type: none">• Activities authorized under Title IA; and• Professional development
Title IIA	<ul style="list-style-type: none">• Teacher recruitment and retention (subject to state law)
Title III	<ul style="list-style-type: none">• Activities authorized under Title III
Title IVA	<ul style="list-style-type: none">• Educational technology; and• Activities authorized under Safe and Drug-Free Schools and Communities (restrictions on security expenditures do apply here)

Eligibility for Funding

Eligibility for SRSA Funds

The total number of students in average daily attendance at all the schools served by the LEA is fewer than 600; or

1. Each county in which a school served by the LEA is located has a total population density of fewer than 10 people per square mile; and
2. All schools served by the LEA are designated with a school locale code of 41, 42, or 43, as determined by the Secretary of Education; or
3. The LEA is in an area determined “rural” by a governmental agency of the state.

For the SRSA program, the grant allocation, application, and payment processes are handled directly by the USDE.

Eligibility for RLIS Funds

An LEA is eligible for the RLIS Program if it is not eligible for SRSA funding, 20 percent or more of its school-age population are from families with incomes below the census poverty line, and all of the schools served by the district are designated with a School Locale Code of 32, 33, 41, 42, or 43, as determined by the USDE. Due to these specific criteria, an LEA’s eligibility may change each year.

REAP-Flex

“REAP-Flex” is the term that the USDE has given to the “alternative uses of funds” authority under the Small, Rural School Achievement program. This authority provides flexibility to eligible rural LEAs to use specific federal formula funds (i.e., each LEA’s “applicable funding”) to support local activities under an array of federal programs to better meet student academic needs.

REAP-Flex authority provides flexibility to eligible rural LEAs to use Title VB funds for purposes allowable under Titles I, II, and III. REAP LEAs may transfer up to 100 percent of these funds. Under REAP-Flex, an LEA must spend these funds on local activities authorized under one of these programs without having to meet the set aside requirements of those programs.

REAP-Flex does not involve a transfer of funds from one program to another. Instead, REAP-Flex gives an LEA broader authority in spending “applicable funding” for alternative uses under selected federal programs. In contrast, when an LEA transfers funds from one program to another under the transferability authority, the transferred funds increase the allocation of the receiving program and are subject to all rules and requirements of the receiving program.

Section 8 – Title VIII F – Uniform Provisions

Based on the geographic location of the nonpublic school, ESSA section 8501 requires an LEA participating in a covered ESSA program, in consultation with appropriate nonpublic school officials, to provide eligible nonpublic school children and educators with services or other benefits that are equitable to those provided to eligible public-school children and educators.

Programs governed by Title VIII include the following formula grants administered by the Division of Federal Programs:

- Title IIA – Supporting Effective Instruction;
- Title IIIA – Language Instruction for English Learners and Immigrant Students;
- *Title IVA – Student Support and Academic Enrichment Grants*

Allocating funds for Equitable Services

The ESSA requires an LEA to ensure that its expenditures for equitable services for eligible private school children and educators under covered ESSA programs are equal on a per-pupil basis to the expenditures for participating public school children and educators, taking into account the number and educational needs of the eligible private school children and educators (ESSA section 8501(a)(4)(A); 34 C.F.R. § 299.7(a)).

Consultation

An LEA must consult with appropriate nonpublic school officials regarding equitable services under covered ESSA programs. The goal of consultation is reaching agreement between the LEA and appropriate nonpublic school officials on how to provide equitable and effective programs for eligible nonpublic school children and educators (ESSA section 8501(c)(1)).

Obligation of Funds

Funds allocated to an LEA for educational services and other benefits to eligible private school children and educators must be obligated in the fiscal year for which the funds are received by the LEA (ESSA section 8501(a)(4)(B); 34 C.F.R. § 299.7(a)(3)).

An LEA may carry over unobligated funds despite the statutory requirement regarding obligation of funds.

If an LEA is engaging in ongoing consultation, providing equitable services as required, and meeting the obligation of funds requirement in ESSA section 8501(a)(4)(B), it generally should not have any, and certainly no significant, carryover. The ESSA, however, does not prohibit carryover of funds for equitable services and, in most cases, requires it. **See the “Carryover section” in your eGrants Consolidated Application for additional guidance.**

Transferability and Consultation

Before transferring any funds, an LEA must engage in timely and meaningful consultation with appropriate nonpublic school officials and give due consideration to the views of these officials prior to making decisions regarding transfers. (ESSA section 5103(e)(2)).

Please refer to each individual subgrant section for additional information.

[Title IIA Nonpublic Equitable Share](#)

[Title IIIA Nonpublic Equitable Share](#)

[Title IVA Nonpublic Equitable Share](#)

Part II – Uniform Grants Guidance (UGG)–2 CFR Part 200

The Federal Government updated and condensed all federal grants guidance documents into one uniform guidance document that apply to ALL federal grants to eliminate fraud, waste, and abuse. Uniform Grants Guidance (UGG) first went into effect December 26, 2014 and applies to every federal funding source an LEA is eligible to receive, regardless of whether the funds originate from USDE or another federal agency.

Guidance and single audits focus on the expectation that federal grants exist to achieve specific goals. Consequently, UGG requires any recipient of federal grants, including LEAs, to establish measurable performance goals that are consistent with goals and objectives established for each funding program. LEAs will use their annual Program Performance Reports to document their progress in meeting, exceeding, or falling short of their established performance goals.

Basic Factors & Determination of Cost Allowability – 2 CFR 200.403

To be allowable, a cost must:

- Be necessary, reasonable, and allocable.
- Comply with the cost principles and federal award.
- Be consistent with policies and procedures applying uniformly to federal and nonfederal activities and costs.
- Be consistently treated as either direct or indirect costs.
- Be determined in accordance with generally accepted accounting principles (GAAP).
- Not be included or used to meet cost sharing/match requirements.
- Be adequately documented.
- Incurred during the approved budget period.

Any changes or variations from the state-approved budget and grant application need prior approval from a DFP Regional Coordinator.

Expenditures from federal grants must be aligned with approved budgeted items. Any cost that is approved in a federal grant application is considered *necessary* for the completion of the approved grant activities.

A cost is *reasonable* if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost is made. An LEA must follow their procurement procedures in determining the reasonableness of the cost of a purchase made with federal grant funds. It must also be allocable to the federal award.

A cost is *allocable* to the federal award if the goods or services involved are chargeable or assignable to the federal award in accordance with the relative benefit received. This means that the federal grant program derived a benefit in proportion to the funds charged to the program.

LEAs should consider the following questions when determining whether federal funds may be used to purchase a specific cost:

- Is the proposed cost allowable under the relevant program;
- Is the proposed cost consistent with an approved program plan and budget;
- Is the proposed cost consistent with program specific fiscal rules;
 - For example, the LEA may be required to use federal funds only to supplement the amount of funds available from nonfederal (and possibly other federal) sources.
- Is the proposed cost consistent with EDGAR; and
- Is the proposed cost consistent with specific conditions imposed on the grant (if applicable)?

Statutory Requirements	Definition or Explanation
2 CFR § 200.402: Total costs	The total costs of a Federal award are the sum of the allowable direct and allocable indirect cost less any applicable credits.
2 CFR § 200.403: Costs	Costs must meet the following general criteria in order to be allowable under Federal awards: <ul style="list-style-type: none"> • be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
2 CFR § 200.404: Reasonable costs	A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. Consideration must be given to: <ul style="list-style-type: none"> • whether the cost is of a type generally recognized as ordinary and necessary for the operation of the non-Federal entity or the proper and efficient performance of the Federal award.
2 CFR § 200.405: Allocable costs	A cost is allocable to a particular federal award or other cost objective if: <ul style="list-style-type: none"> • the goods or services involved are chargeable or assignable to that Federal award or cost objective in accordance with relative benefits received.

Expenditures Requiring Prior Approval

The following expenditures must be included in an LEA's Consolidated Application and require approval by DFP before they may be obligated and/or incurred:

- Salaries of administrative staff (Clerical and Federal Program Coordinators).
- Out-of-state travel. To attend workshops and/or conferences out-of-state, an LEA must submit a robust justification as well as a breakdown of costs including the number of staff, cost incurred per person for travel and lodging, meals, registration, and any incidentals. The LEA must document how it determined out-of-state travel was the most

cost-effective way for training to occur including the consideration of virtual options. Prior to obligating funds, written approval must be obtained from the LEA's Regional Coordinator in DFP.

- Entertainment Costs, Equipment, Student Activity Costs, Memberships, Subscriptions, and Professional Activities costs must be included in budgets and/or narratives; documentation must be kept on file as required.¹²²

If expenditures are not included in the LEA's Consolidated Application for approval, the LEA must submit the request to its DFP Regional Coordinator for approval prior to obligating funds; if expenditures are approved, the Consolidated Application is revised during a revision or funding adjustments.

LEA Internal Risk Assessment

What is an LEA Internal Risk Assessment? A risk assessment assesses the risks facing the entity as it seeks to achieve its objectives. This assessment provides the basis for developing appropriate risk responses and assesses the risks the entity faces from both external and internal sources.¹²³

The next section outlines requirements for the self-assessment, provides information on risk assessment principles, and includes information on the [LEA Internal Controls Risk Assessment Tool](#) (Word) provided by PDE as a resource for LEAs. Refer to the Government Accountability Office's [Standards for Internal Control in the Federal Government](#) (PDF) manual or more information.

Requirements for Self-Assessment 200.329

The non-Federal entity must:

- Monitor its activities under Federal awards to assure compliance with applicable Federal requirements and performance expectations are being achieved
- Monitoring must cover each program, function or activity

Risk Assessment Principles

1. Develop clear objectives to enable the identification of risks and risk tolerance levels;
2. Identify risks to the achievement of objectives across the entity and analyze risks as a basis for determining how the risks should be managed;
3. Consider the potential for fraud; and
4. Identify and assess changes that could significantly impact the system.

Refer to [GAO Standards for Internal Control](#) (PDF).

¹²² UGG Sec. 200.333.

¹²³ The Bruman Group, PLLC. "Updating Policies and Procedures for Compliance." BruMan Summer Leadership Forum, August 2023, Pittsburgh, PA.

Risk Assessment Template for LEAs

This section includes information on the [LEA Internal Controls Risk Assessment Tool](#) (Word) provided by PDE as a resource for LEAs.

Tool Overview

The Risk Assessment Tool comprises multiple sections, each addressing specific aspects of the grant administration process in accordance with State and local requirements, the Uniform Grants Guidance (2 CFR Part 200), and the Education Department General Administrative Regulations (EDGAR).

As a part of the ongoing review process, the [insert office overseeing the risk assessment process] should review the assessment to confirm that it reflects current risks and internal control considerations and determine whether updates are needed based on recent audit or monitoring results, changes in operations, or concerns identified by District/Charter staff. This supports the requirement under 2 CFR §200.303 for ongoing monitoring and evaluation of internal controls. Districts/Charters must tailor this template to ensure it addresses all areas of local concern and compliance. Where State requirements are more restrictive than federal standards (e.g., lower procurement or equipment thresholds), the more restrictive state and/or local requirement should be incorporated and assessed.

In each section, there is a set of questions (called factors) related to potential risks and compliance issues, all tied to the federal requirements under the UGG. The response to each question will ultimately inform a risk rating of low risk, moderate risk, or high risk. The key below provides some definitions and examples to assist the District/Charter with making the risk determination, but ultimately the risk rating will be up to the District/Charter, factoring in existing internal controls, District/Charter priorities, and other risk tolerances.

Completing the Risk Assessment

- Identify a primary Point of Contact (POC) who will oversee and manage the process needs to be identified. This POC needs to be a representative from the District or Charter School.
- Ensure there are multiple reviewers representing all areas of administering grant programs (e.g. federal programs coordinator, human resources, business office, superintendent, technology director, etc.)
- Consider monitoring or audit findings as well as concerns raised by stakeholders to determine priority areas for review.
- Provide robust and varied evidence to support the risk ratings, such as surveys, staff interviews, document review, etc.
- Identify areas of focus—assign roles and establish timelines for completion.
- Document all reviews—agendas and sign-in sheets, emails, rolling agenda, etc.
- ***Instances of noncompliance require prompt action (2 CFR § Section 200.303(e))***

Policies and Procedures

LEAs must establish and maintain policies and procedures for compliance purposes. These help ensure internal controls, support staff changes and transitions, and help avoid audit and monitoring findings.

A *policy* is a guiding principle used to set direction in an organization.¹²⁴ A policy may:

- Change infrequently
- State generally “who”, “what”, “when”, or “why”
- Be broad and general

A *procedure* is a series of steps to be followed as a consistent and repetitive approach to accomplish an end result.¹²⁵ A procedure may:¹²⁶

- Continuously change and improve
- State specifically “who,” “what,” “when,” and “how”
- Offer a detailed description of activities

LEAs must develop and obtain official school board approval of written policies relating to:

- Conflicts of Interest Policy – 2 CFR 200.318(c)
- Accounting Policies – 2 CFR 200.306(h)(2)(i); 200.400; and 200.430(i)(v)
- Time and Effort Policies – 2 CFR 200.430(a)(2)
- Fringe Benefits Policies – 2 CFR 200.431
- Employee Health and Welfare Policies – 2 CFR 200.437(a)
- Travel Reimbursement Policy – 2 CFR 200.475(a)

Additionally, LEAs must develop and adhere to the written procedures that govern:

- Real property sales procedures – 2 CFR 200.311(c)(2)
- Time & Effort Procedures – ED Cost Allocation Guide
- Written Allowability Procedures – 2 CFR 200.302(b)(7)
- Written Cash Management Procedures – 2 CFR 200.302(b)(6) and 200.305
- Written Procurement Procedures – 2 CFR 200.318
- Procedures for Managing Equipment – 2 CFR 200.313(d)

Policies and procedures broadly fall into the following categories: Organization, structure, and Function; Grant Application Process; Financial Management System; Allowability; Procurement;

¹²⁴ The Bruman Group, PLLC. “Updating Policies and Procedures for Compliance.” BruMan Summer Leadership Forum, August 2023, Pittsburgh, PA.

¹²⁵ Ibid.

¹²⁶ Ibid.

Inventory and Property Management; Record Keeping and Record Retention; Monitoring; Programmatic Requirements; and Emergency Policies and Procedures.¹²⁷

During monitoring, LEAs will be required to show evidence of their written policies and procedures as well as evidence that employees follow the written policies and procedures in their management of federal grant funds.

Procurement

Procurement and Intergovernmental Agreements (IGAs)

PDE consulted the USDE concerning the appropriate process for LEAs to enter into IGAs to procure goods or services from IUs or other LEAs with federal funds. USDE advised PDE that while federal regulations permit IGAs as an appropriate alternative contractual arrangement for procurement or acquisition of shared goods and services for economies of scale, the use of IGAs does not override the requirement to use competitive methods for procurement. Therefore, when LEAs join together to procure goods or services with federal funds, each LEA must comply with applicable federal regulations, including the competitive procurement requirements and the purchase of shared/common services in accordance with § 200.320(a)-(d).¹²⁸ LEAs should establish strong internal procurement procedures and controls they follow when they obtain goods and services with federal funds.

Procurement Methods – 2 CFR 200.320

Under UGG, there are three levels of procurement thresholds that define requirements for a subgrantee to follow when making purchase of goods/supplies and services with federal funds:

A. Informal

- Micro-purchases
- Simplified Acquisitions

B. Formal

- Competitive sealed bids
- Competitive proposals

C. Noncompetitive procurements

Refer to the [Code of Federal Regulations \(CFR\)](#) webpage and [PDE's UGG Procurement Threshold](#) webpage for detailed information.

¹²⁷ The Bruman Group, PLLC. "Updating Policies and Procedures for Compliance." BruMan Summer Leadership Forum, August 2023, Pittsburgh, PA.

¹²⁸ The exception is when the requirements for a sole source procurement are met under § 200.320(f). LEAs must examine the suitability of sole source procurement on a case-by-case basis and ensure that costs in all cases can be documented to be reasonable.

Informal Procurement – 200.320(a)

Informal procurement expedites the completion of transactions, minimizes administrative burdens, and reduces costs.

- **Micro-purchases:** These purchases are of small dollar value and do not require the soliciting competitive price or rate quotations if the recipient or subrecipient considers the price reasonable based on research, experience, purchase history or other information. In the aggregate amount, they do not exceed the micro-purchase threshold.
- **Simplified acquisitions:** These are purchases that are higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If simplified acquisition procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

Formal Procurement – 200.320(b)

Formal procurement is used for purchases that exceed the simplified acquisition threshold. Formal procurement methods are competitive and require public notice. The two types of formal procurement are:

- **Sealed bids:** Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the lowest responsible bidder whose bid conforms to all the material terms and conditions of the invitation.
- **Proposals:** A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids.

Noncompetitive Procurements – 200.320(c)

Noncompetitive procurement is appropriate only for/when:

- Micro-purchases - the aggregate amount of the good/service does not exceed the threshold;
- The item is only available from a single source;
- There is a public emergency for the requirement that will not permit delay resulting from publicizing a competitive solicitation; or
- After soliciting a number of sources, competition is determined inadequate.

When services are purchased with federal funds, LEAs must follow guidance regarding the topics below:

- **Cost or price analysis:** An LEA is required to perform a cost or price analysis in connection with every procurement action in excess of the simplified acquisition threshold, including contract modifications.¹²⁹ A cost analysis usually means an LEA

¹²⁹ 2 CFR § 200.324(a).

evaluates the separate cost elements that make up a total price. A price analysis means an LEA evaluates the total price, without looking at individual cost elements.

- *Sole Source (Non-competitive procurement)*: Using sole source as a method of procurement is allowable in rare cases. To justify a sole source purchase, an LEA will need to show evidence that the vendor is the ONLY vendor (in the world) that can provide the goods/services, or that there was a nationally declared emergency where a response or need did not allow time for a procurement process to occur. In all cases, LEAs should maintain documentation of their process and be prepared to defend this procurement method for auditors/monitors/SEA staff.
- *Business managers*: LEAs should consult with Business Managers during the procurement process to ensure that the procurement procedures also align with State Procurement requirements. In cases where federal and state requirements do not align, the more restrictive of the two methods should be followed.

Procurement procedures must be followed for all purchases with federal funds. Federal and state acquisition thresholds are adjusted periodically. For updated thresholds for goods and services, please refer to [Procurement Thresholds for Federal Funds](#).

Procurement Standards

The Rules:

- General procurement standards 200.318
- Competition 200.319
- Methods of procurement 200.320
- Domestic preferences 200.322
- Awards to responsible contractors 200.318(h)
- Suspension and debarment 200.214
- 2 CFR 180.300; 180.220

Risk Examples:

- Failure to compete
- Unallowable prioritization
- Vendor complaints re: processes
- Significant use of noncompetitive procurement
- Lack of Internal Controls 200.303

The non-Federal entity must:

- a. Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award.
 - These internal controls should be in compliance with guidance in:
 - i. “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States, or
 - ii. The “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- b. Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- c. Evaluate and monitor the non-Federal entity's compliance with statutes, regulations and the terms and conditions of Federal awards.
- d. Take prompt action when instances of noncompliance are identified including in audit findings.
- e. Take reasonable measures to safeguard protected personally identifiable information (PII) and other information designated or deemed sensitive.

Property

Equipment is a tangible personal property (including information technology systems) that has a useful life of more than one year and a per-unit acquisition cost equal to or in excess of the lesser of the capitalization level established by the LEA for financial statement purposes, or \$10,000.

Supplies are all tangible personal property other than those described in § 200.33 Equipment. A computing device is a supply if the acquisition cost is less than \$10,000 per unit, regardless of its useful life.

Computing devices are machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories or peripherals for printing, transmitting, and receiving, or storing electronic information. Computing devices purchased with federal funds must be tracked and inventoried in accordance with UGG requirements. If less than \$10,000 per unit, they are classified as Supplies

Inventory Control & Procedures – 2 CFR 200.313(d)

Inventory control includes:

- Property records
- Description, serial number or other ID, source of funding, title, acquisition date and cost, percent of federal participation, location, use and condition, and ultimate disposition date including sale price
- Physical inventory at least every 2 years
- Control system to prevent loss, damage, and theft
- All incidents must be investigated
- Adequate maintenance procedures
- If authorized or required to sell property, use proper sales procedures to ensure highest possible return

All equipment/capital outlay/computing devices, regardless of cost, must be tracked and inventoried in order to provide adequate controls for LEAs to safeguard all equipment purchased with federal funds. This includes “computing devices” such as laptop computers, calculators, PDAs, digital cameras, scanners, and other items that are easily stolen.

Inventory Best Practices

- Define property classification and internal controls for each classification
- Review inventory records to ensure all required categories are maintained
- Have a policy regarding lost, stolen or damaged items
- Have clear disposition procedures

An LEA may purchase or lease equipment with ESSA funds if:

1. The cost is reasonable, necessary, and allocable in order to operate its federal program effectively; and
2. Existing equipment is not sufficient.

Real property and equipment purchased with ESSA funds may be made available to other educational programs or projects, provided it does not interfere with its use for the ESSA program or significantly shorten the equipment’s useful life.

Procedures for managing equipment must meet the following requirements:

- Inventory must be current and available for review and audit.
- The following information must be included for each piece of equipment and computing device purchased with federal funds; LEAs must maintain the following:
 - Description of the property, including manufacturer’s model number, if any;
 - Manufacturer’s serial number or other identification number;
 - Identification of the funding source used to purchase the property;
 - Acquisition date and unit cost;

- Source of property (company name);
- Who holds title to the property;
- Percentage of federal funds used in the purchase of the property;
- Present location, use, condition of the property, and date the information was reported.
- Any ultimate disposition data including the date of disposal, transfer, replacement or sale price of the equipment;
- Physical inventory must be conducted at least every two years;
- There must be a control system in place to prevent loss, damage, or theft;
- Adequate maintenance procedures must be implemented;
- If authorized or required to sell property, proper sales procedures must be maintained to ensure highest possible return; and
- Items acquired using federal monies shall be physically marked to display source of funding and acquisition date.

An LEA must develop control systems and procedures for adequately maintaining equipment in good condition and to safeguard against loss, damage, or theft of the equipment. This directive also pertains to “computing devices” (see below).

LEAs must also track equipment used in the Nonpublic Schools and local institutions for neglected and delinquent children. An annual physical inventory must also be completed.

Disposition of Equipment – 2 CFR 200.313

Equipment must be disposed of in accordance with applicable laws and procedures when all the following criteria are met:

- Equipment is no longer needed in the current program;
- Equipment is not needed in other programs currently or previously funded by a federal agency; and
- Equipment is an item that has a current per-unit fair market value of less than \$10,000.

Records of transferred equipment must be retained for three years from date of transfer. The written notification to purge or transfer equipment must include:

- Item;
- Date of acquisition;
- Original cost;
- Reason for purging or transfer; and
- Anticipated use.

Generally, disposition of equipment is dependent on its fair market value (FMV) at the time of disposition. If the item has a current FMV of \$10,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency. If the item has a current FMV of more than \$10,000, the federal awarding agency is entitled to the federal share of the current market value or sales proceeds.

The LEA may retain \$1,000 to cover expenses associated with the selling and handling of the equipment

LEAs must request disposition instructions from DFP when the acquisition cost is \$10,000 or more per unit.

Disposition of Supplies—2 CFR 200.314

If there is a residual inventory of unused supplies at the end of the period of performance exceeding \$10,000 in total aggregate value, and the supplies are not needed for any other Federal award, the State or LEA may retain or sell the supplies.

- **Unused supplies** means supplies that are in new condition, not having been used or opened before
- The **aggregate** value of unused supplies consists of all supply types, not just like-item supplies

Time & Effort Documentation Related to Payment of Staff – 2 CFR 200.430(i)

Employees paid with federal funds must track and formally document their time and effort. LEAs must have a system for documenting and reporting the time of employees paid out of federal funds which includes:

- Full-time and part-time employees;
- Stipends paid from federal funds that are considered salary expenses; and
- Substitute teachers.

Time and effort reports should be prepared by all Appropriately State Certified employees that are federally funded and have salaries and benefits that are charged:

- to a single federal award (working on one cost objective);
- to multiple federal awards (working on multiple cost objectives); or
- to any combination of a federal award and other federal, state or local fund sources.

Requirements for Systems of Time and Effort – 2 CFR 200.430(i)

Charges to federal awards for salaries and wages must be based on accurate records systems. Those systems must meet the following requirements regarding time and effort outlined in the Uniform Grants Guidance (UGG):

1. **Maintain a system of internal controls.** Records should be supported by a system of internal controls which provides reasonable assurance that charges are accurate, allowable, and allocable. Signatures and affirmations are good examples of internal controls. LEAs may establish processes for gathering electronic signatures to meet time and effort documentation requirements.

2. **Incorporate documentation into official records.** There is no federal standard that must be met for these records, but LEAs must maintain and follow a formal process for time and effort. Written policies and procedures are essential to implementing an effective time reporting system. Instructions should be developed for:
 - a. the completion of time and effort reporting
 - b. the approval cycle that is required.
 - c. the processing of personnel charges to federal awards
 - d. the internal review process that will be established to ensure effective internal control over the Federal award.
3. **Reasonably reflect total activity for which the employee is compensated.** Time and effort documentation of employee work distribution should not equal more than 100% of the activities for which they are compensated.
4. **Encompass all activities in time and effort documentation.** The documentation must reflect the actual time spent by the employee on activities of the federal program(s) being charged. 100% of effort must be recorded regardless of federal vs. non-federal time. This applies whether documentation is for part-time or full-time employees.
5. **Comply with established accounting policies and practices.** LEAs should ensure salary expenses are tracked and that reconciliation processes follow internal accounting practices.
6. **Track time by cost objective.** Records should show that federal funds are used to pay for specific cost objectives required by the program and should reflect how activities are charged to federal grants. Some examples of cost objectives for Title IA programs might include administrative costs, equitable services, and parent and family engagement.

Identifying Cost Objectives

Time and effort is not based on how employees are paid (funding source), but on the work that is done (cost objectives). A cost objective is a set of work activities allowable under a particular funding source or sources.

A **single cost objective** is a single function or activity for which cost data is needed.

Example:

- *A Reading Specialist who spends 100% of their time providing only schoolwide program services under Title IA.*

It is possible to work on a single cost objective even if an employee is paid from more than one Federal award, or a Federal award and a non-Federal award. The key to determining whether it is a single cost objective is whether the employee's work supports one function or activity.

A **multiple cost objective** is when an employee works on more than one function or activity, **AND** the activities performed may not be considered a single cost objective. Examples include:

- *An Instructional Coach in a Title IA schoolwide school is assigned to work part time on providing Title IIA professional development activities to teachers as part of the school's overall plan and part time as a Title IA Instructional Coach.*
- *A counselor working 50% of their time on Title IVA under Safe and Healthy Students and 50% of their time on nonfederal duties.*

Semiannual Certification for Staff Working on One Cost Objective

Where employees are expected to work solely on a single federal program or cost objective, charges for their salaries and wages will be supported by the completion of the Semiannual Certification Form. These certifications will be signed at least twice a year by the employee or supervisor with knowledge of the employee's schedule.

LEAs should keep these forms on file to certify that all staff fully funded with federal funds are conducting activities consistent with the purposes of the funding sources.

In a schoolwide building, all employees in that building are considered part of the schoolwide program (to the extent that they support activities in the approved Schoolwide Plan) and may complete the Semiannual Certification Form as documentation of their time and effort. Alternatively, the building principal could also meet this requirement by signing a payroll listing of all employees each semester.

Requirements for Employees Working on Multiple Cost Objectives

Employees who are paid at least partially from federal sources and working on multiple cost objectives are required to complete a Personnel Activity Report (PAR). The employee is required to sign the form, certifying that the time spent on federal grant programs and activities is proportionate. The form should be submitted on a basis defined in the LEA's Time & Effort Procedures. The PAR must be signed by the employee after the fact, account for 100 percent of the employee's time, and should include appropriate supporting documentation, such as the employee's work schedules.

When an employee is not spending their time on the grant activities as required, the supervisor will work with the individual to ensure that their work effort is consistent with grant requirements and the funding percentage included in a grant agreement; the supervisor will reconcile payroll, if needed. For additional information on allowable cost objectives, please refer to Uniform Grants Guidance, 2 CFR 200.430.

Alternate Time Documentation for Staff with Fixed Schedules

If the LEA has an employee working on multiple cost objectives with a fixed schedule, a semiannual certification may be used. All requirements for maintaining semiannual certification apply. The LEA should keep copies of the employees' schedules as evidence.

Time and Effort Procedures

Time and effort procedures are a step-by-step overview of the process LEAs use to document time and effort for federally funded employees.

An LEA must develop procedures for:

- The completion of time and effort reporting that:
 - Describes the circumstances under which employees are required to prepare time and effort forms.
 - Describes the required time and effort (forms).
 - Includes samples of the forms.
 - Describes required time and effort records for employee(s) with supplemental contracts/stipends and extra hours.
- The approval cycle that is required (for example, biweekly approval through payroll processing).
- The processing of personnel charges to federal awards.
- An internal review process will be established to ensure effective internal control over the federal award.

For more information, please refer to the [Cost Allocation Guide for State and Local Governments](#) (PDF).

Frequently Asked Questions

1. Why are time and effort reports needed?

Time and effort reports are required to document that federal funds were charged only for time actually worked on allowable cost activities and to ensure that federal programs paid only their proportionate share of personnel costs.

2. Who is required to prepare time and effort reports?

Time and effort reports must be prepared by all Appropriately State Certified employees that are federally funded and have salaries and benefits that are charged:

- Directly to a single federal award;
- Directly to multiple federal awards; or
- Directly to any combination of a federal award and other federal, state or local fund sources.

3. What determines the frequency in which employees should report on time and effort?

In general, to ensure appropriate internal controls over employee compensation, if an employee has a variable schedule and works on multiple cost objectives, the employee should report their time more frequently, such as **monthly**. If an employee works under a single cost objective or under multiple cost objectives and has a fixed schedule, time and effort may be reported less frequently, such as **semiannually**. Ultimately, the

frequency in which employees report their time in effort is determined by the LEA's Time and Effort Procedures.

4. Are electronic signatures acceptable for time and effort reporting?

Electronic signatures are permitted so long as adequate security is in place to ensure their validity.

5. How long should LEAs keep time and effort documentation?

It is recommended that LEAs keep documentation for at least six years plus the current.

6. Is time and effort required for vendors or contractors paid with federal funds?

No. Time and effort requirements as outlined in this document apply only to employees. Contractors should check with their employers to see what timekeeping or administrative requirements apply.

7. How should time worked by substitutes on federal grants be documented?

There are a number of situations in which substitute costs can be charged to federal funds and LEAs should have policies and procedures that describe how costs are allocated, including substitutes, to federal programs.

8. Is time and effort required for stipends, supplemental contracts, and or/extra hours charged to federal awards?

Yes. Any salary expenses charged to federal funds are subject to time and effort documentation.

- Time and Effort for Stipends
 - Time and Effort procedures must be updated to reflect the time documentation for employees paid with a stipend.
 - A contract discussing the deliverables can be used as the appropriate documentation since it is a flat fee.
- Time and Effort for Contracted Hours (e.g., After School or Summer School)
 - Set up a time sheet or other documentation identifying the cost objectives (activities) for the employee.
 - Have the employee track their time weekly or at the conclusion of the pay period.
 - After the time sheets are turned in, calculate the amount of time spent on each cost objective.
 - Charge the total hours for each cost objective to the appropriate funding source.
 - Follow the LEA's written Time and Effort Procedures.

9. Can administrators charge time to federal programs?

Yes and no. Federal program directors may charge time to federal programs as long as they maintain time and effort documentation reflecting actual time worked on each federal and state program under their supervision.

Superintendents, Assistant Superintendents, and support staff for these individuals are considered a general government cost and generally may not charge time to federal awards (pursuant to the supplement, not supplant provision). The only exception to this rule is when any such official has specific program administration or direct student service duties and documents actual time spent in the performance of those duties by completing monthly time and effort records.

10. What happens when budgeted time does not match employee effort?

If employees are not working as expected, then LEAs must resolve the issue by either: (1) changing the activities that are assigned to the employee to ensure alignment with the budget in the approved application; or (2) changing the funding sources to align with the employee's work.

Part III – General Fiscal Guidelines

LEA Allocations

DFP computes and disseminates the allocations for each LEA. Allocations are posted on the [Division of Federal Programs](#) website each year when released.

LEAs are authorized to receive allocations for Title IA funds when they meet the criteria for a Basic Grant, at minimum, and the other funding streams shown, as applicable:

- **Basic Grants** provide funds to LEAs when the number of formula is at least 10 and at least 2 percent of its school-age population;
- **Concentration Grants** flow to LEAs where the number of formula children exceeds 6,500 or at least 15 percent of the total school-age population;
- **Targeted Grants** are based on the same data used for Basic and Concentration Grants, except that data are weighted so LEAs with higher numbers or higher percentages of children from low-income families receive more funds. Targeted Grants flow to LEAs where the number of children counted in the formula (without the formula weights being applied) is at least 10 and at least 5 percent of an LEA's school-age population; and
- **Education Finance Incentive Grants (EFIG)** distribute funds to states based on weighted factors that measure:
 - a state's effort to provide financial support for education compared to its relative wealth measured by its per capita income; and
 - the degree to which education expenditures among LEAs within the state are equalized.

EFIG Grants flow to LEAs where the number of children counted in the formula (without the formula weights being applied) is at least 10 and at least 5 percent of an LEA's school-age population.

Reallocation

Excess funds are made available for reallocation to LEAs whenever possible. Refer to the Division of Federal Programs webpage for [Title I Reallocation Procedures](#) and [Title II Reallocation Procedures](#); reallocation procedures for other funding programs will be developed as needed.

Funding Adjustments

Adjustments to allocations occur annually in the winter to reflect revised allocations from the federal government and adjustments to LEA allocations that arise when enrollment counts from new charter schools and updated enrollment counts from existing charter schools are considered.

LEAs are notified when allocation adjustments are made. eGrants opens in late February or early March for LEAs to update their budgets and narratives.

Amendments

An amendment is created when a new subproject or grant award is added to an LEA's original Consolidated Application. A new sign off, either electronic or printed hard copy, is required.

Obligation of Funds

An LEA may use grant funds only for obligations (encumbrances) made during the grant period, as defined by the start and termination dates included on its fully executed Consolidated Application. The following table shows when an obligation is made for various kinds of property and services: [ECFR Obligation Table](#)

If the obligation is for:	The obligation is made:
Acquisition of property	On the date which the LEA makes a binding written commitment to acquire the property
Personal services by an employee of the LEA	When the services are performed
Personal services by a contractor who is not an employee of the LEA	On the date when the LEA makes a binding written commitment to obtain the services
Performance of work other than personal services	On the date on which the State or subgrantee makes a binding written commitment to obtain the work
Public utility services	When the LEA receives the services
Travel	When the travel is taken
Approved Pre-Agreement Cost	On the first day of the grant or subgrant performance period
Rental of property	When the LEA uses the property

If this commitment is made before the grant period, the LEA must include in the commitment letter or contract a statement similar to the following: "The provision of payment for these services is contingent on the availability of federal funds and approval for the use of those funds by DFP."

Administrative Funds

Although federal law does not set a cap on administrative funds for programs other than 2% for Title IIIA and IVA, DFP monitors the amount of funds budgeted for administrative costs. Generally, budgets showing administrative costs in excess of 10 percent of an LEA's allocation for any program may be flagged for questioning and follow-up.

The following types of activities are examples of administrative tasks; the list is not exhaustive, but it is provided as a guideline for an LEA to use when determining the time commitment spent by a federally-funded employee on administration. If there are other activities being considered, the LEA is asked to contact its DFP Regional Coordinator. The types of tasks typically associated with grant administration include:

- Assists with development of plans and eGrants application;
- Supervises staff and/or budget;
- Understands and informs staff of legal requirements;
- Monitors program evaluation;
- Maintains required documentation and evidence for monitoring/audits;
- Completes the process of Nonpublic Consultation and administers the Nonpublic Program;
- Monitors implementation of activities; and
- Helps develop strategies.

Interest Earned

The Cash Management Improvement Act (CMIA) and related regulations require states to minimize the time that lapses between the transfer of funds from the United States Treasury and the expenditure of funds. 2 CFR § 200.305 requires LEAs to promptly remit (at least quarterly) interest earned on advances over \$500 per year.

Remit interest to US Department of Health and Human Services (HHS).

Mailing address:

HHS Program Support Center
PO Box 979132
St. Louis, MO 63197

Budget Function Descriptions

To assist LEAs with budget preparation, descriptions for commonly used functions are included below. A resource for LEAs is the Commonwealth of Pennsylvania's [Chart of Accounts for Local Education Agencies](#) for Function and Object codes/names, which do change periodically.

1000 – INSTRUCTION on the budget summary

1190 Additional Other Instructional Programs – Instructional programs applicable to but not listed elsewhere in the 1400 series of accounts.

1450 Instructional Programs Outside the Established School Day – Use for instruction for before and after school programs. Record tutoring programs if provided outside the normal school hours to this function. Tutoring during the regular school day should be recorded in the appropriate function.

1500 Nonpublic School Programs (Instructional Costs) – Activities for students attending a school established by an agency other than the state, a subdivision of the state, or the federal government, which usually is supported primarily by other than public funds. The services consist of such activities as those involved in providing instructional services. Attendance, social work, health services and transportation are classified to the applicable 2280 support services function for nonpublic schools.

1800 Pre-Kindergarten – Activities designed to provide Pre-K students with learning experiences. (Previously included under 1190-5.)

2100 – PUPIL PERSONNEL SERVICES

2100 Support Services (Pupil Personnel) – Activities designed to assess and improve the well-being of students to supplement the teaching process and to meet the applicable provisions of Article XIII of the Pennsylvania Public School Code of 1949, as amended, and Chapter 7 of the Pennsylvania Code. Included in the subfunction are activities designed to provide program coordination, consultation, and services to the pupil personnel staff of an LEA.

2160 Social Work Services – Activities such as: investigating and diagnosing student problems arising out of the home, school, or community; casework and group work services for the child, parent or both; interpreting the problems of students for other staff members; and promoting modification of the circumstances surrounding the individual student which are related to their problem insofar as the resources of the family, school, and community can be brought to bear effectively upon the problem.

2200 – STAFF SUPPORT SERVICES

2220 Technology Support (previously Audiovisual Services) – Activities such as selecting, preparing, caring for, and making available to members of the instructional staff the equipment, films, filmstrips, transparencies, tapes, TV programs, and other similar materials, whether maintained separately or as part of an instructional materials center. Included are activities in the audiovisual center, TV studio, and related work-study areas, and the services provided by audiovisual personnel.

2240 Computer Assisted Instruction Services – Activities concerned with planning, programming, writing, and presenting educational projects which have been especially programmed for a computer.

2250 School Library Services – Activities such as: selecting, acquiring, preparing, cataloging, and circulating books and other printed materials; planning the use of the library by students, teachers, and other members of the instructional staff; and guiding individuals in their use of library books and materials whether maintained separately or as part of an instructional materials center. Included here are activities for planning the use of the library by students and instructing students in their use of library books and materials, whether maintained separately or as part of an instructional materials center or related work-study area.

2260 Curriculum Development/Pre-Service – Activities designed to provide specialized curriculum assistance to teachers and/or LEA's in developing the curriculum, preparing, and utilizing special curriculum materials, and understanding and appreciating the various techniques which stimulate and motivate students.

2270 Staff Development – Activities of an instructional staff development service designed to contribute to the professional or occupational growth and competence of members of the LEA instructional staff. These activities include workshops, demonstrations, and in-service courses. Included are costs for development staff members' salaries and benefits.

2280 Nonpublic Support Services – Activities associated with assisting, supporting, advising, and directing the nonpublic school staff with, or on the content and process of providing learning tools and experiences for nonpublic students.

2300 – ADMINISTRATIVE SUPPORT SERVICES

2350 Legal and Accounting Services – Costs associated with the single audit of federal programs.

2380 Office of the Principal Services – Activities concerned with directing and managing the operation of a particular school. It includes the activities performed by the principal, assistant principals, and other assistants in general supervision of all operations of the school, evaluation of the staff members of the school, assignment of duties of staff members, supervision, and maintenance of the records of the school, and coordination of school instructional activities with instructional activities of the LEA. It includes clerical staff for these activities. Management contracts must be reviewed to determine the portion of the contract fee attributable to duties associated with this office.

2400 – HEALTH SUPPORT SERVICES

2400 Support Services (Pupil Health) – Physical and mental health services which are not direct instruction. Included are activities that provide students with appropriate medical, dental, and nurse services.

2600 – OPERATION AND MAINTENANCE

2600 Operation and Maintenance of Plant Services – The activities concerned with keeping the physical plant open, comfortable, and safe for use, and keeping the grounds, buildings, and equipment in effective working condition and state of repair.

2700 – STUDENT TRANSPORTATION

2700 Student Transportation Services – Includes activities concerned with the conveyance of students to and from school as provided by state and federal law. It includes transportation costs only for trips between home and school.

2800 – CENTRAL SUPPORT SERVICES

2810 Planning, Research and Development (previously known as Local Reform) – Those activities, on a systemwide basis, associated with conducting and managing programs of planning, research development, and evaluation for a school system.

2813 Evaluation Services (Program Evaluation) – Those activities concerned with ascertaining or judging the value or amount of an action or an outcome by careful appraisal of previously specified data in light of the particular situation and the goals and objectives previously established.

2820 Information Services (Dissemination) – Those activities concerned with writing, editing and other preparation necessary to disseminate educational and administrative information to students, staff, manager, and the general public through direct mailing, the various news media, or personal contact.

2830 Staff Services – Activities concerned with maintaining an efficient staff for the school system. It includes such activities as recruiting and placement, staff transfers, in-service training, health services, and staff accounting.

2850 State/Federal Agency Liaison Services – Those activities associated with acquiring, conducting, and managing programs or with planning, administration, implementation, coordination, reporting, and/or evaluation of programs and projects which are federally- or state-funded.

2900 – Other Support Services – All other support services not classified elsewhere in the 2000 series.

3300 – Community/Parent Services – Those activities concerned with providing community services to students, staff, and parents.

5000 – Other Expenditures and Financing Uses – commonly referred to as “Approved Indirect Cost.”

When completing the budget section of eGrants, LEAs are advised to adhere to the following:

- Include a **description** of the cost allocated to that expenditure for all costs in detailed budget sections; PDE must know how funds are to be spent and cannot determine if an expense is allowable without a description.
- **Indirect Costs** should be entered in Other Expenditures section under Function 5000 and Object 900; NO other expenditure may use Function 5000, and NO other expenditure should use Object 900.
- Be aware of budget items requiring **prior written approval** and break those items out as individual line items on the detailed budget:
 - Out-of-state travel for professional development (include name, location, number of staff, and a per person cost breakout that includes travel, lodging, registration, meals and incidentals) – Line 2270

- Clerical and Administrative salaries (must include the position and percent of time paid by program in description) – Line 2850
- Field trips
- Entertainment costs
- Food – Line 3100 (these costs must be realistic and associated with parent and family engagement, stakeholder meetings, professional development, or other types of allowable activities)
- Subscriptions and organization memberships
- Equipment (over \$5,000 per unit) – Object 700
- Be aware of how the **nonpublic** proportionate share is budgeted:
 - Costs for the nonpublic instructional program (including all third-party vendors and contracts) must be budgeted in line 1500 Nonpublic School Programs.
 - LEA internal administration costs for administering nonpublic programs are budgeted to Line 2280 – Nonpublic Support Services.

Budget Revisions

An LEA may revise its approved budget throughout the term of its project. A budget revision is required when total expenditures of any function code in the budget exceed the approved budgeted amount by 20 percent or more, or when a function code is added that was not in the previous approved budget. An LEA may also need to do a budget revision if there is a change to Object Code 700 – Property of +/- \$1.00 or more. An LEA should prepare a budget revision to reconcile final expenditures to the approved budget immediately before it submits the Final Expenditure Report, and only AFTER all funds are expended, or all funds are received by the LEA, immediately before the Final Expenditure Report.

Budget revisions should be used to document any changes to Function Code 1500 – Nonpublic Services.

For instructions on how to complete your budget revision, please contact your DFP Technician via the [DFP Contact Us](#) webpage.

Indirect Costs

Indirect cost is an optional reimbursement for expenditures not otherwise included in the application budgets. The indirect cost is calculated using a formula from the total direct costs (including salaries, employee benefits, purchased services, and materials and supplies) and the LEA's approved restricted indirect cost rate. LEAs must apply for an indirect cost (IC) rate annually through their annual financial report (AFR). Approved IC rates are updated annually in Pennsylvania's eGrants system, and eGrants calculates the maximum indirect cost for each program. When LEAs complete an original Consolidated Application, the IC amount is an estimate using the previous year's rate.

Indirect Costs were changed as a result of the UGG. Salaries of administrative and clerical staff are now treated as indirect costs; however, direct charge of these costs may be appropriate, but only if all the following conditions are met:

- Administrative or clerical services are integral to a project or activity;
- Individuals involved can be specifically identified with the project or activity;
- Such costs are explicitly included in the budget or have the prior written approval of the federal awarding agency; and
- The costs are not also recovered as indirect costs.

Final Expenditure Report (FER)

An LEA awarded federal funding through its approved application is required to submit an electronic FER through Pennsylvania's eGrants System. *The FER must be submitted within 30 days after funds are committed and obligated/ expended, but no later than 30 days after the project's termination date.* Expenditures in function code line totals may not exceed the approved budgeted amount by 20% or more. Expenditures in excess of the approved budget or allowable variations must be paid by an LEA's local funds.

If you need instructions on how to complete your FER, please contact your DFP Tech.

Quarterly Reports

The Federal Cash Management Act prohibits an LEA from having more cash on hand than its obligations warrant. Therefore, quarterly reports are used to track LEA expenditures and cash payments. The Reconciliation of Cash on Hand (Quarterly Reports) are due by the 10th working day of January, April, July, and October when an LEA receives payments in the previous quarter. LEAs should begin filing quarterly reports the first quarter after payments begin. Total Cash Disbursed should be a cumulative figure of all expenses incurred to the grant from beginning to the end of the previous quarter. If an LEA fails to submit its quarterly report, monthly payments are suspended until the outstanding report is submitted. Quarterly reports are submitted through the Financial Accounting Information (FAI) system. Inquiries regarding payments or quarterly reports should be sent to ra-faiecs@pa.gov.

Carryover

Carryover amounts are reflected on the project carryover screen of the subsequent year's program application. Carryover funds remain in the originating grant and should be recorded in the Final Expenditure Reports of the originating grant. Funds that are not used and carried over into the next fiscal year are subject to the following limitations:

- **Title IA** – LEAs with a Title IA allocation of \$50,000 or more may not carryover more than 15 percent of the funds allocated each year beyond September 30 the following year. However, DFP may grant a waiver of this limitation once every three-year cycle if the LEA's request is reasonable and necessary. LEAs with an allocation of less than \$50,000 may carryover up to 100 percent of their allocation; and

- **Title IA Nonpublic Carryover** – The LEA, in consultation with nonpublic school officials must use these funds the following year to provide equitable services to students in the affected nonpublic school. If, after consultation, those nonpublic school officials decline such services, the LEA must add the funds to the proportional share available for equitable services to other participating nonpublic schools. If there are no other participating nonpublic schools, the funds may be used to provide Title IA services in public schools. Both the LEA and nonpublic school official should maintain proper documentation.
- **Titles ID, IIA, IIIA, and IVA** – There is no limit on carryover for these programs.
- **Title IIA, IIIA and IVA Nonpublic Carryover** – Carryover under these programs differs from Title IA. The scenarios below must be discussed during consultation.
 - In the case of an LEA that provides equitable services to nonpublic school students and/or educators, but these services cost less than anticipated, these funds carry over to the next year to a general “pot” of funds for expenditures for public schools and participating nonpublic schools for the next year. The amounts for both are based on the remaining equitable share and calculated at the LEA level using the ratio listed in the original nonpublic section calculation ratio.
 - If funds are remaining because an LEA does not fully provide required equitable service activities for nonpublic school students and/or educators in a specific school year as agreed upon in consultation, the funds must be carried over and used for services for the students and/or educators in the impacted nonpublic school(s) in the following school year.

Payment Schedule

Funds will be electronically transferred via the FAI system to an LEA according to a monthly payment schedule based on the approved budget and grant agreement. Payments are calculated based on the start and termination dates on the approved grant agreement. The first payment will be transferred once the Comptroller’s Office approves the LEA’s Application. That payment usually includes two months of funding to account for the time it took to process the application and grant agreement through the Commonwealth’s approval process. After receiving the initial payment, an LEA will receive one payment each month.

Requirements each month

An LEA must maintain separate and identifiable accounting records for receipts and expenditures for each of its federally funded programs. The LEA may not commingle funds unless they are used in a schoolwide program. When funds are used in a schoolwide program, the LEA must develop a separate source code for reporting expenses for each of its programs.

All program funds must be accounted for in the program they were originally allocated to regardless of whether they were transferred in or out of another program. For example, if an LEA is allotted \$100,000 in Title IIA, but transferred \$30,000 to another program, they still

complete their Final Expenditure Reports (FER) and Quarterly Reports based on the initial Title IIA allocation of \$100,000.

Sabbatical Leave Request for Title IA Staff

Sabbatical leave requests for Title IA staff are required in accordance with federal and state regulations. Sabbatical leave requests are authorized from Title IA providing there is no reduction in size, scope, and quality of Title IA services.

The process for requesting Sabbatical Leave is:

1. The LEA's Superintendent or Chief Executive Officer prepares an official letter on LEA letter that requests sabbatical leave; the individual's name and title are included in the LEA's official written request.
2. [Sabbatical Leave Worksheet for Title I Staff \(PDE 5305\)](#) (PDF) is completed and must accompany LEA's formal letter to the LEA's DFP's regional coordinator.
3. Upon PDE approval, the LEA will receive an approval memo, a Sabbatical Leave Reimbursement Worksheet, and a copy of the Superintendent's or Chief Executive Officer's original letter of request - all of which serve as evidence the request was approved.

Comparability of Services

ESSA, Section 1118(c) stipulates that an LEA may receive Title IA funds, but only if it uses its state and local funds to provide services in Title I schools that are at least comparable to the services provided in non-Title I schools. If an LEA serves all schools with Title I funds, the LEA must use state and local funds to provide services that are substantially comparable in each Title I school.

Demonstrating comparability is a prerequisite for an LEA to receive Title IA funds. Since Part A allocations are made annually, comparability is an annual requirement.

To comply with comparability, annually an LEA must log into the PDE's Comparability Reporting website, which opens about October 1 and remains open until the reporting deadline of November 15. When an LEA has more than one building per grade span, buildings with *similar* grade spans must be compared. Similar grade spans is defined by a two-grade span difference or less; for example, an LEA compares a K-2 school with a K-4 school, but it would not need to compare a K-2 school with a K-5 school. Finally, by November 15, each LEA **must** create, print out, sign, and upload the Comparability Assurances form into [PDE's Title I Comparability Reporting](#).¹³⁰ After an LEA enters its comparability data, the website automatically runs multiple scenarios to check for compliance.

¹³⁰ The website login page includes a link to printable step-by-step instructions for requesting a user account (if not already a user), completing Comparability reporting, printing, and signing the Assurances document, and uploading the signed Assurances document.

To avoid errors with Title I Comparability:

1. LEAs are cautioned against reporting actual number of students instead of reporting the percentage of free and reduced students;
2. LEAs should be certain to “x” off the correct statement that matches its comparability status;
3. If an LEA does not have an individual designated as its federal program coordinator, its superintendent or chief executive officer should sign the Title I Comparability Assurance twice.

The following LEAs are exempt from submitting Title I Comparability data, but are required to upload a signed Title I Comparability Assurance document:

- Any charter school (both brick-and-mortar and cyber charter schools) because it generally has one grade span in its building; and
- Any school district that does not have overlapping grade spans in multiple buildings.

Maintenance of Effort (MOE)

ESSA made several updates to the maintenance of effort provision. Please note that provisions available in 2008 did not change and remain applicable.

Annually PDE determines Maintenance of effort (MOE) using the measure most favorable to the LEA. If an LEA meets either of the two tests, aggregate expenditures, or expenditures per pupil they have maintained fiscal effort.

Using AFR data, MOE calculations of aggregate expenditures are determined based on a formula that looks at net expenditures for the prior and current year. The per pupil for prior and current year is determined by dividing the net expenditures and the average daily membership (ADM) of the prior and current year of the years being compared.

ESSA updated the maintenance of effort provisions in Title IA, Title ID, Title IIA, Title IIIA, Title VB, Subpart 2 and Title VIA, Subpart 1.¹³¹ It did not change the definition of preceding fiscal year or information related to expenditures listed below that are to be included and excluded.

Expenditures to be included

In determining whether an LEA has maintained fiscal effort, PDE must consider the LEA's expenditures from State and local funds for free public education. These include expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities. [34 CFR 299.5(d)(1)]

¹³¹ ESEA sections 8101(11), 6118(c), 8521(a).

Expenditures to be excluded

Expenditures for community services, capital outlay, debt service, or supplemental expenses made as a result of a Presidentially declared disaster are not to be included in the determination. In addition, any expenditures made from funds provided by the Federal government are excluded from the determination. [34 CFR 299.5(d)(2)]

"Preceding fiscal year"

For purposes of determining maintenance of effort, the "preceding fiscal year" is the Federal fiscal year, or the 12-month fiscal period most commonly used by PDE for official reporting purposes, prior to the beginning of the Federal fiscal year in which funds are available. [34 CFR 299.5(c)]

When an 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 LEA), PDE is required to reduce the LEA's allocation in that program area by the same proportion it failed to maintain effort.¹³²

Waiver

The Secretary may waive the requirements of this section if the Secretary determines that a waiver would be equitable due to:¹³³

1. exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the local educational agency; or
2. a precipitous decline in the financial resources of the local educational agency.

Changes in an LEA's organizational structure may include:

- Merger with another LEA;
- Dividing into two or more LEAs; and
- Eliminating grade levels (e.g., previously served grades K-12 and now serves grades K-8).
- Changes in management or operations structure to create economies of scale to be more efficient (e.g., each school in the LEA previously employed budget and fiscal management staff, but the LEA decided to consolidate its budget and fiscal management staff into a single team located in the central office).

¹³² ESEA Section 8521(b).

¹³³ ESEA Section 8521(c).

Five-Year Rule

ESSA Section 8521(b)(1) establishes flexibility regarding the reduction of an LEA's allocation for failing to maintain MOE. Specifically, the law states:

- An SEA (PDE) must reduce an LEA's allocation under a covered program if the LEA fails to maintain effort in a given fiscal year and also failed to maintain effort in one or more of the five immediately preceding fiscal years.

For example, if an LEA is found noncompliant for FY2020, PDE will look back to FYs 2015, 2016, 2017, 2018, and 2019 (the five preceding fiscal years) to determine if the LEA failed in any of those five years.

- If noncompliant in any of those five preceding years, then the LEA's Title allocations will be reduced.
- If compliant in all of those five preceding years, then the LEA's next Title allocation will not be reduced.

If an LEA receives a waiver of the maintenance of effort requirement from USDE for a given fiscal year, the LEA has effectively maintained effort for that fiscal year. Accordingly, in determining whether the LEA had failed to maintain effort for one or more of the five immediately preceding fiscal years, PDE would count the year in which the LEA received a waiver as a year of maintaining effort.

Before actual reductions occur in an LEA's federal program(s) allocation, PDE will notify the LEA in writing of the following options:

- Review its AFR to ensure it is accurate.
- Submit a revised AFR to the PDE at RA-SchlFin@pa.gov.
- Provide a waiver from the USDE.

Fiscal and Compliance Audits

All LEAs must arrange for an independent audit of their records, at least annually, and provide a copy of the audit to PDE's Bureau of Budget by October 31 following each audit period. LEAs that use \$1,000,000 or more in federal funds a year are required to have a single or program-specific audit conducted for that year in accordance with § 200.501.

Transferability

ESSA provides additional flexibility to LEAs by allowing funds to be transferred from Title IIA and IVA to Title IA, Title ID, and Title IIIA; there is no cap on the amount that may be transferred. Funds may also be transferred between Title IIA and IVA; Title IA, Title ID or Title IIIA funds cannot be transferred to another federally funded program. Once funds are transferred, they may not be transferred back to the original program area.

When an LEA transfers funds into Title IA or Title IIIA, the transferred funds are used to support projects and activities consistent with acceptable uses of Title IA or Title IIIA program funds. However, expenditures associated with transferred funds are tracked back to the program where funds originated. Funds that are transferred are subject to the rules and requirements of the programs to which they are transferred.

Procedure for transferring funds into Title IA (must be completed prior to using transferred funds for new activities):

- Notify PDE of intent to transfer funds by entering a transferred amount in the Reservation of Funds eGrants page (only for Title IA) before any activities are conducted or funds expended;
- Update eGrants Narrative to reflect the changes in program resulting from the transfer of funds;
- Track activities in the new program area (e.g. Title IA); and
- Track expenditures back to the original federal program area (e.g. Title IIA).

For example: If an LEA wants to transfer 50 percent of its Title IIA allocation to Title IA to purchase supplies, the LEA would complete the “Transferability of Funds” page in eGrants, add to the “Reservation of Funds” eGrants page the amount of Title IIA funds being transferred, update the narrative, and report the purchase of supplies as a Title IA activity and the expenditure of the funds under Title IIA.

An LEA must notify PDE of its intent to transfer funds prior to conducting any activities with the transferred funds. Notification occurs whenever an LEA enters a transferred amount in the “Reservation of Funds” eGrants page and it completes the “Transferability” eGrants page. Funds transferred into Title IA cannot be transferred out.

Resources

Systems

- [EGrants Online Help System](#) – PDE – On-line technical manual in using eGrants.
- [Federal Monitoring System \(IMS/FedMonitor\)](#) – PDE - Information on Monitoring, uploading evidence and corrective action.
- [MyPDESuite Login](#) – PDE – main page to request applications like eGrants, FAI, and FRCPP.
- [Pennsylvania Information Management System \(PIMS\)](#) – PDE – statewide longitudinal data system for data reporting to meet federal and state reporting requirements.
- [PDE's Standards Aligned System \(SAS\)](#) - PDE's comprehensive, researched-based resource to improve student achievement.
- [SAM.gov - System for Awards Management](#) – USGOV – in order to receive federal funds as a subrecipient, an organization must have an active registration in the System for Awards Management (SAM) and have a UEI which is a 12-character alphanumeric ID assigned to an entity. Funds are not released until an LEA's SAM registration renewal is verified.

ESSA

- [Every Student Succeeds Act Statute](#) (PDF) – USDE – direct link to the ESSA Statute
- [Every Student Succeeds Act Resources](#) – USDE – Provides information and updates to ESSA as well as resources, including guidance and regulatory information
- [ESSA Title Programs](#) – USDE – Provides an interface to pull specific Title Program information from the Statute
- [Non-Regulatory Guidance: Using Evidence to Strengthen Education Investments](#) (PDF) – USDE – Reviews steps for effective decision-making about evidence use and evidence building; review criteria for identifying the strength of evidence that support evidence-based project components.

Evidence-based resources – identification & implementation

- [Pennsylvania Training and Technical Assistance Network \(PaTTAN\)](#) – PDE – provides an array of professional development and technical assistance targeted to improving student results.
- [PA Evidence Resource Center](#) – PA Evidence Resource Center – Provides resources, tutorial and trainings on the Tiers of Evidence and Resources for Educators including practice guides, intervention reports, and research reviews.
- [WWC | Find What Works!](#) – USDE/IES – Provides resources, tutorial and trainings on the Tiers of Evidence and Resources for Educators including practice guides, intervention reports, and research reviews.
- [Evidence for ESSA](#) – Center for Research & Reform in Education – Johns Hopkins University - Provides reviews of research on effective programs and practices in most subjects and grade levels, Pre-k to 12.

- [Best Practices Clearinghouse](#) – Safer Schools and Campuses Best Practices Clearinghouse – A clearinghouse that is designed to support students, young children, families, teachers, early childhood providers, faculty, and staff as school, early childhood, and campus communities continue to recover from the effects of the coronavirus disease 2019 (COVID-19) pandemic, especially as it relates to Title IVA.
- [Non-Regulatory Guidance: Using Evidence to Strengthen Education Investments](#) (PDF) – USDE – Non-regulatory guidance including steps, resources and frameworks for improving educational investments in ESSA programs.
- [National Comprehensive Center \(NCC\)](#) – NCC – collaborative network that provides a resource library of products and services that address educational needs and common challenges.
- [Evidence-Based Interventions: A Guide for States](#) (PDF) – Learning Policy Institute – Policy brief that discusses the research base of 4 areas: high-quality professional development, class-size reduction, community schools and wraparound services, and high school redesign.

Title IA

- [Title IA Nonregulatory Guidance: Schoolwide Guidance](#) (PDF) - USDE
- [Supplement Not Supplant under Title IA Guidance](#) (PDF) – USDE resource
- [Information for Limited English Proficient Parent & Guardians and for Schools and School Districts that Communicate with Them](#) (PDF) – USDE Office for Civil Rights – Fact sheet which answers questions about the rights of parents and guardians who do not speak, listen, read or write English proficiently because it is not their primary language.
- [Parent and Family Engagement Non-Regulatory Guidance](#) (PDF) - USDE

Title ID

- [Title ID Federal Program Office](#) – USDE – Homepage of Title ID office, including resources
- [Pennsylvania's Neglected and Delinquent Advisory Committee](#) – PA – Provides information on reporting, monitoring, resources, training, and events to ensure quality services for children in Title ID Programs in PA.
- [Home | NDTAC: Technical Assistance Center for the Education of Youth Who Are Neglected, Delinquent, or At-Risk](#) - National Tech. Assistance Center - Information to provide direct assistance to States, schools, communities, and parents seeking information on the education of children and youth who are considered neglected, delinquent, or at-risk.

Title IIA

- [Title IIA Non-Regulatory Guidance](#) – USDE – Building Systems of Support for Excellent Teaching and Leading
- [Non-Regulatory Guidance: Using Evidence to Strengthen Education Investments](#) (PDF) – USDE – Non-regulatory guidance including steps, resources and frameworks for improving educational investments, especially as it relates to Title II, Part A.
- [Effective Educator Development Programs - Office of Elementary and Secondary Education](#) – USDE
- [Class Size Matters](#) – Class Size Matters – A clearinghouse for information on class size reduction, including research studies

Title IIIA

- [Title IIIA Non-Regulatory Guidance](#) (PDF) – USDE – Information on obligations and rights under ESSA and other relevant laws and regulations as it relates to Title IIIA.
- [PA Educating English Learners](#) – PDE – Homepage of curriculum & instruction of English Learners
- [PA ELD Portal](#) – SAS – Resources for ELD, including support materials, a translation library, technical assistance resources and professional learning opportunities.
- [English Learner Toolkit](#) – USDE/ NCELA – Tool kit designed to help SEAs and LEAs) in meeting their legal obligations to ELs and in providing all ELs with the support needed to attain English language proficiency while meeting college- and career-readiness standards.
- [Civil Rights Principles for Multilingual Learner Education](#) (PDF) – The Leadership Conference Education Fund – Overview of civil rights for English Learners

Title IVA

- [Title IVA Non-Regulatory Guidance](#) (PDF) – USDE – Information on allowable uses of funds, role of the SEA, fiscal responsibilities, and the local application requirements. Appendix provides resources, tools, and additional innovative strategies to support effective implementation of the SSAE program to improve outcomes for all students.
- [T4PA Center](#) – USDE – Technical assistance center providing Title IVA resources, information and training for the three priority content areas of Title IVA
- [Well-Rounded Education Programs, Federal Program Office](#) – USDE – Homepage of program office
- [Safe and Supportive Schools Programs, Federal Program Office](#) – USDE – Homepage of program office

Title VB

- [Small, Rural School Achievement Program Office](#) – USDE – Homepage of program office
- [Guide to Using Rural Education Achievement Program \(REAP\) Funds](#) – USDE
- [Rural and Low-Income School Program Office](#) – USDE – Homepage of program office

Nonpublic/Equitable Services

- [Title VIII F Non-Regulatory Guidance](#) (PDF) – USDE – Provide LEAs information on equitable services to eligible private school children and educators that are covered in ESSEA programs under Title VIII F as well as Title IA.
- [Title IA Non-Regulations: Providing Equitable Services to Eligible Private School Children, Teachers, and Families](#) (PDF) – USDE
- [Equitable Services](#) – PDE – Information on TIA, TVIIF (services for TIIA, TIIIA, TIVA), Intent to Participate, Affirmations, Consultation, Transferability and Carryover
- [Office of Non-Public Education \(ONPE\)](#) – USDE – provides information on Non-Public Education in regard to leadership and outreach to help provide programming and services for students in nonpublic schools.

Foster Care and Homeless Children

- [Students in Foster Care](#) – USDE – provides information in regards to nonregulatory guidance, resources for youth in foster care, educational stability, and other related educational programs.
- [Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care](#) (PDF) - USDE - Information to provide educational stability for children in foster care, with particular emphasis on collaboration between SEAs, LEAs, and child welfare agencies to ensure that students in foster care have the opportunity to achieve at the same high levels as their peers and limiting educational disruption by keeping children who move in foster care in their schools of origin.
- [National Center for Homeless Education](#) – NCHE – Information on resources and information on services to help child or youth experiencing homelessness
- [The Most Frequently Asked Questions on the Education Rights of Children and Youth in Homeless Situations](#) (PDF) – NAEHCY & NLCHP – Document providing answers to frequently asked questions on the McKinney-Vento Homeless Assistance Act and the education rights of children and youth in homeless situations, based on the amendments made by ESSA.
- [Education for Homeless Children and Youths Program Non-Regulatory Guidance](#) (PDF) – USDE – Title VII-B of the McKinney-Vento Homeless Assistance Act

Parent and Family Engagement

- [Parent and Family Engagement Non-Regulatory Guidance](#) (PDF) - USDE
- [Parent and Family Engagement](#) – PDE – Information on the Parent and Family Engagement Policies, School Parent Compact, and a required components checklist
- [PA State Parent Advisory Council \(SPAC\)](#) – PDE – Advisory council for the state that provides technical assistance to LEAs, programs and trainings for educators and families, and provides resources to LEAs for families.
- [Parent and Family Engagement Presentations](#) – PFE 101 Recording, Policy presentation, and building capacity information

Monitoring

- [Monitoring](#) – PDE – Homepage of ESSA monitoring, including updated program and fiscal monitoring tools
- [ESSA Monitoring Resources and Templates](#)

Fiscal

- [Manual of Accounting and Financial Reporting](#) – PDE – Chart of Accounts which provides for classification of three basic types of financial activity: revenues and other financing sources; expenditures and other financing uses; and transactions affecting the balance sheet only.
- [Budget Revisions](#) (PDF) – PDE – Instructions and information for completing Budget Revisions
- [Final Expenditure Reports](#) (PDF) – PDE – Instructions and information for completing a Final Expenditure Report to close program(s)

Community Eligibility Provision (CEP)

- [Community Eligibility Provision \(CEP\)](#) – PDE – Information and resources on CEP, a reimbursement option for eligible LEAs and schools that wish to offer free meals to all children in high poverty schools.

Uniform Grant Guidance (UGG)

- [PDE Uniform Grants Guidance \(UGG\)](#) – PDE – State homepage with resources
- [USDE Uniform Grant Guidance \(UGG\)](#) – USDE – Federal homepage with links to law, regulations, guidance and resources
- [Electronic Code of Federal Regulations \(e-CFR\) - 2 CFR Part 200](#) - eCFR/OMB - Electronic form of UGG requirements (EDGAR Handbook)
- [Procurement thresholds for Federal Funds](#) - PDE – Homepage
- [Equipment Inventory Checklist to Comply with Requirements](#) (PDF) – PDE – Homepage
- [PAFPC Document Library](#) – PAFPC – Resource for sample documentation and templates for Parent & Family Engagement, Time & Effort, etc.