



OREGON  
DEPARTMENT OF  
EDUCATION

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## OREGON DEPARTMENT OF EDUCATION'S FEDERAL FUNDS GUIDE

Federal Programs under the Elementary and Secondary Education Act  
(ESEA) as amended by the Every Student Succeeds Act (ESSA)

August 2017

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## PURPOSE

The purpose of this document is to provide school and district leaders, grant administrators, teachers, and other stakeholders an overview of Oregon’s federal grants under the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA). Formula grants under ESEA are noncompetitive grants that local educational agencies (LEAs) are eligible for based on each title’s criteria.

Formula grants under ESEA that affect the majority of Oregon school districts are primarily governed by:

- Title I-A – Improving Basic Programs Operated by Local Educational Agencies;
- Title II-A – Supporting Effective Instruction;
- Title III-A – English Language Acquisition, Language Enhancement and Academic Achievement; and
- Title IV-A – Student Support and Academic Enrichment Grants (newly reauthorized under ESSA).

Smaller formula grants under ESEA that serve specific student groups or schools include:

- Title I-C – Education of Migratory Children
- Title I-D – Neglected, Delinquent, and At-Risk
- Title V – Small, Rural, and Low-Income Programs

Competitive grants under ESEA:

- Title IV-B – 21<sup>st</sup> Century Community Learning Centers
- Title IX-A – Homeless Children and Youth (McKinney-Vento)

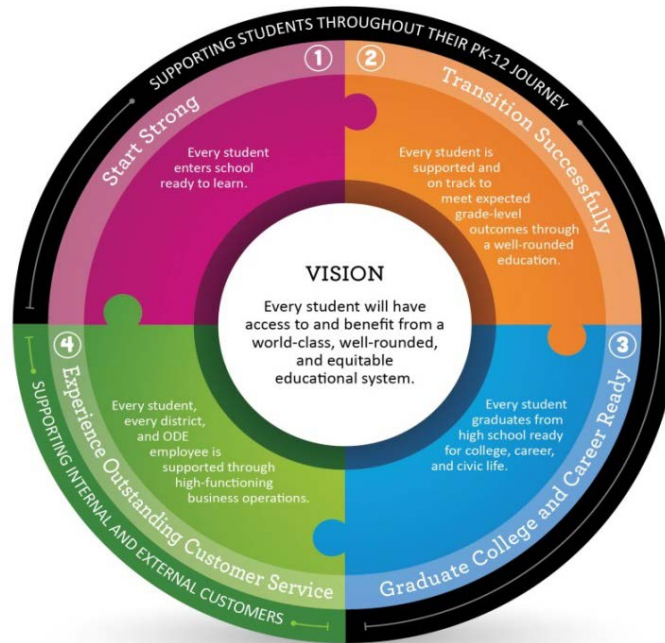
While this document is broken up by Title, the Oregon Department of Education (ODE) encourages school districts to consider how federal funds can work in a coordinated way to meet identified student needs.

## BACKGROUND OF ESEA

When the Elementary and Secondary Education Act (ESEA) was passed in 1965, it committed new funding to education to ensure equitable access to educational resources and opportunities for all students. Periodically, Congress reauthorizes ESEA (i.e., it makes changes to the law). The No Child Left Behind Act of 2001, or NCLB, and the 2015 [Every Student Succeeds Act](#), or ESSA, are the most recent reauthorizations of ESEA. Through reauthorization, the way funding is distributed to states and school districts and the activities that may be paid for with those funds are subject to change. This document provides an overview of formula grants under ESEA as amended by ESSA. While this document provides a helpful summary, readers should reference the actual law for more detailed information.

Every Student Succeeds Act (ESSA) requires every state to develop a State Plan. Deeply rooted in advancing educational equity and truly building systems that eliminate systemic and historical barriers to student success, ESSA serves as a renewed commitment for Oregonians to work together to ensure each and every student in our state has the opportunity to learn, thrive, and reach his or her full potential.

## OREGON'S STATE VISION AND LONG-TERM GOALS



Oregon's State Plan under ESSA was developed to align with the ODE's comprehensive vision for education. From its inception, the law offers Oregon key levers to advance its work and meet progress towards ambitious statewide goals.

ESSA is focused on ensuring that each and every Oregon student graduates from high school college- and career-ready with the support and opportunities they need to learn and thrive. Oregon's state plan offers an opportunity to enhance our larger state vision, while building on existing systems that are working well. Each of the goals listed – (1) start strong, (2) transition successfully, (3) graduate college- and career-ready, and (4) experience outstanding customer service – support students through their PreK-12 journey. The goals serve as critical cornerstones to continue our work to build school and district capacity.

## PLANNING PROCESS

All schools and districts in Oregon are called upon to engage in continuous improvement to improve outcomes for their students. ODE has developed a planning model that begins with an analysis of data through a comprehensive needs assessment and then moves from goals to action plans through implementation. Currently, all districts and schools in Oregon have access to Indistar®, a web-based planning tool, through which district-level Continuous Improvement Plans (CIP) and school-level Comprehensive Achievement Plans (CAP) are developed and monitored in a continuous improvement cycle.

## DISTRICT PLANS FOR CONTINUOUS IMPROVEMENT

In developing their continuous improvement plans, districts will:

- Engage in processes to review and analyze data, including, but not limited to statewide summative data, accountability data, formative assessment data, access to high-quality early learning, attendance/chronic absenteeism, locally collected data and information and qualitative (e.g. survey) data.

- Engage stakeholders and tribal nations (and eligible Title VI (Indian/Alaska Native) programs) in a comprehensive needs assessment driven by data analysis.
- Apply an equity lens and culturally responsive practices throughout the continuous improvement process to ensure that the needs of historically and traditionally marginalized students and historically underrepresented populations are addressed in a respectful and inclusive learning environment and that outcomes for these students improve.
- Where necessary, conduct a deeper diagnostic review to assist in priority development and action planning.
- Develop broad, systems- and need- aligned priorities to frame the improvement plan.
- Develop discrete, differentiated action steps for district departments and schools that align to the overall improvement priorities.
- Develop and communicate periodic routines to review the implementation of improvement priorities and action steps that are driven by leading indicators of success and that allow for differentiated adjustments as needed.
- Develop and communicate processes to update stakeholders and tribal nations on the implementation and progress made.

ODE is developing a more integrated and comprehensive planning process across state and federal grants received to increase coherence across all program areas and improve outcomes for students. This comprehensive process will allow and encourage districts to use and leverage multiple funds based on a Comprehensive Needs Assessment.

## COMPREHENSIVE NEEDS ASSESSMENT

Districts will use a Comprehensive Needs Assessment to inform the development of their district and school plans. The Comprehensive Needs Assessment process engages districts in a review of major systems that impact outcomes for students, including:

- Instruction – including standards / curriculum, instruction and assessment, equitable access to well-rounded education, Multi-Tiered Systems of Support
- Professional Learning – including the systems and structures to identify what teachers, administrators and other staff need to better support all learners
- Engagement – including systems and processes to analyze and improve engagement with stakeholders and tribal nations
- Leadership – as a practice for district office staff, building leaders and educators
- Academic, Social and Emotional Supports – including opportunities to enhance culturally relevant pedagogy and practices, improve mental health supports, improve nursing and counseling supports and to connect with other partners and community-based organizations to improve supports for students
- Resource Review – questions and submission of evidence to ensure districts are differentiating resources to schools based on need
- Current Policies/Initiatives – a review of current policies and strategic improvement initiatives to better understand existing structures and efforts and to identify barriers and opportunities.

## LOCAL PLANNING

The Comprehensive Needs Assessment process will guide districts and schools through a structured process of locally reviewing both quantitative and qualitative data and information that will help identify local areas of strengths, challenges, and areas for improvement. The Comprehensive Needs Assessment process aims to elevate areas of opportunity for continuous improvement that are then supported by more discrete action steps and evidence-based interventions and programs to move improvement efforts forward. District plans will be designed for multi-year implementation that will require an annual review and potential updates to the action steps and improvement activities.

Local planning must include meaningful stakeholders and tribal nation engagement, including: educators, principals, other school leaders, paraprofessionals, specialized instructional support personnel (school counselors, school psychologists, school social workers, school librarians, school nurses, speech language pathologists), district administrators (including administrators of federal programs), other appropriate school personnel, early learning providers and educators (when appropriate) students, parents/families and community partners (including culturally specific community based organizations, when appropriate).

Local plans must describe how the district will monitor students’ progress in meeting the state standards by:

- Utilizing formative and interim assessments to track student progress in meeting the standards
- Developing and implementing a well-rounded program of instruction
- Identifying students who may need supports and providing additional assistance
- Identifying and implementing instructional and other strategies intended to strengthen academic programs and improve school conditions for learning

## COLLABORATIVE MONITORING PROCESS

ODE staff will review fiscal and programmatic data to inform a risk assessment tool to ensure districts are receiving the appropriate support or autonomy based both on outcomes as well as compliance with federal and state regulations. The risk assessment process allows ODE to identify and flag districts and schools most in need of support from ODE and partners, including monitoring. Using a tiered model driven by risk analysis, those districts determined to be low-risk will be monitored once every three years whereas high-risk districts will receive ongoing collaborative support from multiple offices within ODE, in particular the Equity Team (including the Early Learning Division, when appropriate) aimed at reducing risk factors and improving outcomes.

Districts will be identified to participate in ODE’s monitoring process, based on their relative programmatic and/or fiscal risk(s). ODE’s monitoring process will leverage a collaborative, cross-program model to reduce the need for multiple monitoring sessions and to provide coherent supports to districts. Onsite supports will be designed to integrate programmatic and fiscal data to address areas in need of improvement, where needed and necessary.

## STAKEHOLDER ENGAGEMENT REQUIREMENTS AND RECOMMENDATIONS

ESSA requires LEAs to consult with stakeholders regarding how funds received under ESEA should be spent. The groups that must be consulted slightly differ by funding source. At a minimum, each LEA must consult with the following groups regarding all major funding sources under ESEA: teachers, administrators, parents and family members; and local community partners, as applicable.

The law and U.S. Department of Education (USDOE) guidance require consultation with stakeholders to be meaningful and occur in an ongoing fashion:

- Meaningful consultation: For consultation to be meaningful, it must include a diverse, representative group of stakeholders, be transparent and take place at multiple points during the design, development and implementation of the plan.
- Ongoing consultation: Meaningful engagement starts at the beginning of the process, when initial planning is getting started – not at the end, when a plan is nearing completion. Consultation should not end after an LEA’s plan has been submitted; it should be occurring throughout program implementation to discuss successes and barriers as well as program outcomes.

The following chart lists the minimum stakeholder engagement requirements for developing and implementing a district’s ESEA application:

<i>Stakeholders</i>	<b>Title I-A</b>	<b>Title II-A</b>	<b>Title III-A</b>	<b>Title IV-A</b>
<i>Teachers</i>	X	X	X	X
<i>Principals</i>	X	X	X	X

<b>Stakeholders</b>	<b>Title I-A</b>	<b>Title II-A</b>	<b>Title III-A</b>	<b>Title IV-A</b>
<i>Other school leaders</i>	X	X	X	X
<i>Parents/family members</i>	X	X	X	X
<i>Paraprofessionals</i>	X	X		
<i>Specialized instructional support personnel</i>	X	X		X
<i>Administrators</i>	X		X	
<i>Other appropriate school personnel</i>	X	X		
<i>Nonpublic schools</i>	X	X	X	X
<i>Community partners/community-based organizations/community members</i>	X	X	X	X
<i>Researchers</i>			X	
<i>Early childhood education programs (where applicable)</i>	X			
<i>Institutions of higher education (where applicable)</i>	X		X	
<i>Employers (where applicable)</i>	X			
<i>Local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency)</i>				X
<i>Indian tribes or tribal organizations (where applicable)</i>				X
<i>Other stakeholders/other organizations with relevant experience</i>		X	X	
<i>Public or private entities</i>			X	

## PROGRAM OVERVIEWS

In this section, it is the goal of the Oregon Department of Education to provide an overview of each title program, the intent, changes that were implemented during the ESSA reauthorization, address the fiscal flexibility and requirements of each program, and lastly provide available resources to gain additional information about this program. Each program overview addresses the following:

- What it is (Intent & Purpose of each Title)
- Changes with ESSA
- What it can fund (How to maximize your funding)
- Resources available



## TITLE I-A: IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES (LEAS)

### WHAT IT IS

Title I-A is intended to help ensure that all children have the opportunity to obtain a high-quality education and reach proficiency on challenging state academic standards and assessments. Title I-A provides flexible funding that may be used to provide additional instructional staff, professional development, extended-time programs, and other strategies for raising student achievement in high-poverty schools. The program focuses on promoting schoolwide reform in high-poverty schools and ensuring students' access to evidence-based instructional strategies and challenging academic content.

Title I-A provides federal dollars to supplement educational opportunities for students who live in high poverty areas and are most at risk of failing to meet the state's challenging academic achievement standards. The US Department of Education awards Title I-A grant funds to ODE, which then funds sub grants to LEAs. LEAs reserve funds for mandatory set-asides and other district-level instructional initiatives. The remaining Title I funds must flow to eligible schools through a formula known as "ranking and serving".

Schools may use Title I funds for one of two approaches:

- **Schoolwide program model:** High-poverty schools (those with 40 percent or more students from low-income families) are eligible to adopt schoolwide programs to raise the achievement of low-achieving students by improving instruction throughout the entire school, thus using Title I funds to serve all children. Schools may operate a schoolwide program as long as the school conducts a comprehensive needs assessment and develops a schoolwide plan for meeting those needs. The premise behind the schoolwide model is that comprehensive improvement strategies – rather than separate, add-on services – are most effective in raising academic achievement for the lowest achieving students in a school. This is best accomplished by a school addressing the root causes of low performance. Highlights of the schoolwide program model include:
  - All students and staff may participate in Title I-funded activities.
  - The school may use Title I funds to support any reasonable activity designed to improve the school's educational program as long as it is consistent with the school's comprehensive needs assessment and plan.
  - Depending on its needs, a few examples of how a schoolwide program could use Title I funds are:
    - Upgrade the curriculum for the entire school
    - Extend the school day or school year
    - Establish a preschool program
    - Improve the school's discipline process
    - Hire additional teachers
    - Reorganize classes to promote personalized learning
    - Implement career academies
    - Address climate or school culture issues
- **Targeted assistance program model:** Schools that are not eligible for (or do not choose to operate) schoolwide programs must use Title I funds to provide targeted services to low-achieving students. In a targeted assistance program, the school uses Title I funds to provide additional supports to specifically identified students struggling to meet state standards.
  - Only certain students may participate in Title I funded activities including:
    - Students identified as failing, or most at risk of failing, to meet state standards, (based on academic need – not poverty)
    - Students who participated in Head Start or a Title I-funded preschool program within the past two years
    - Migrant students
    - Neglected and delinquent students

- Homeless children
- The school must spend Title I funds on supplemental activities to improve the academic achievement of eligible students. Examples of Title I-A funded activities in a targeted assistance program includes:
  - Support for core academic subjects including English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history and geography
  - Positive behavioral supports, attendance incentive programs, parent/community engagement, and school climate interventions if needed to improve student achievement
  - Health, nutrition, and other social services if funds are not reasonably available from other sources, and, provided the school has engaged in a comprehensive needs assessment and established a collaborative partnership with local service providers

## CHANGES WITH ESSA

Within the reauthorization of ESEA, the Every Student Succeeds Act (ESSA) introduces the following into Title I-A:

- Maintains general schoolwide eligibility of 40% poverty or higher, but allows States to approve schools to operate a schoolwide program with a lower poverty percentage.
- Increases the state Title I-A set-aside for school improvement from 4% to 7%. Funds are for states to carry out a statewide system of technical assistance and support for LEAs.
- Eliminates any requirements related to highly qualified teachers and replaces them with a requirement for teachers working in Title I programs to meet applicable state certification and licensure standards.
- Eliminates the three presumptions of supplanting. LEAs must now demonstrate that the methodology they use to allocate state and local funds to schools provides each Title I school with all of the state and local money it would receive if it did not participate in the Title I program.

## WHAT IT CAN FUND

Title I, Part A funds can support a wide range of activities to help Title I students meet state academic standards. This includes:

- Providing eligible students with a well-rounded education
- Instructional supports
- Non-instructional supports like behavior and mentoring supports, and social and emotional learning
- Improving school quality

Historically, many LEAs and schools have used Title I-A funds narrowly for discrete instructional supports primarily focused on reading and math. This was a result of misunderstandings about how Title I-A funds can be used. The following table highlights common misconceptions.

Misunderstanding	Explanation of Law
Title I funds may only be used to support reading/language arts and math instruction.	Title I funds may be used in a schoolwide program to support academic areas that the school's needs assessment identifies as needing improvement.
Title I funds may be used only to provide remedial instruction.	The purpose of a schoolwide program is to upgrade the entire educational program in the school in order to raise the achievement of the lowest-achieving students. This does not need to be achieved through remedial instruction, however. At times, this may be best achieved by preparing low-achieving students to take advanced courses — for example, providing an intensive summer school course designed to accelerate their knowledge and skills, offering an elective course to prepare them to take advanced courses,

Misunderstanding	Explanation of Law
	or providing after-school tutoring while they are taking advanced courses.
Title I funds may be used only to serve low-achieving students.	Title I funds may be used to upgrade the entire educational program in a schoolwide program school and, in doing so, all students may benefit from the use of Title I funds. However, consistent with the purpose of Title I, the reason to upgrade the entire educational program in a school is to improve the achievement of the lowest-achieving students.
Title I funds may be used only for instruction.	Title I funds may be used for activities and strategies designed to raise the achievement of low-achieving students identified by a schoolwide program school's comprehensive needs assessment and articulated in the school's comprehensive schoolwide plan. For example, Title I funds may be used to improve the quality of instructional materials, improve attendance, improve school climate, counteract and prevent bullying, provide counseling, mentoring, and school-based mental health programs, or provide positive behavioral interventions and supports.
Title I funds may not be used to support preschool-aged children.	A schoolwide program school may use Title I funds to operate, in whole or in part, a preschool program to improve cognitive, health, and social-emotional outcomes for children from birth to the age at which the LEA provides a free public elementary education. Such programs are designed to prepare children for success in kindergarten. All preschool-aged children who reside in the school's attendance area are eligible to participate.

When LEAs are determining how to utilize their Title I funds, they need to consider that all expenditures reflect allowable costs, are supplementing and not supplanting existing state and local funding, are used on activities that have been approved in their district's budget application to the state, and that expenditures are maintained for each title area. In addition, all expenditures/activities would need to be addressed within the school's comprehensive needs assessment.

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### Spending Options in a Schoolwide Program

Depending on its needs, a schoolwide program school could use Title I 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
- 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
- Activities designed to increase access and prepare students for success in high-quality advanced coursework to earn postsecondary credit while in high school (e.g., Advanced Placement, 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
- 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

- Response-to-intervention strategies intended to allow for early identification of students with learning or behavioral needs and to provide a tiered response based on those needs
- Activities that have been shown to be effective at increasing family and community engagement in the school, including family literacy programs
- 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)
- Two-generation approaches that consider the needs of both vulnerable children and parents, together, in the design and delivery of services and programs to support improved economic, educational, health, safety, and other outcomes that address the issues of intergenerational poverty

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

- Expanding learning time for eligible students, including before- and afterschool programs, and summer programs and opportunities
- Providing early intervening services to eligible students, including services coordinated with similar activities and services carried out under IDEA
- Providing eligible students with extra supports aligned to the school's regular education program, which may include services to assist preschool children in the transition from early childhood education programs to elementary school programs
- Providing professional development to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with eligible students
- Implementing strategies to increase the involvement of parents of eligible students

Targeted assistance schools can also use Title I funds to provide eligible students with health, nutrition, and other social services that are not otherwise available to them if:

- The school has engaged in a comprehensive needs assessment and established a collaborative partnership with local service providers, if appropriate; and
- Funds are not reasonably available from other public or private sources.

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

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### Set-Asides

Before allocating Title I funds to schools, LEAs *must* reserve some Title I funds for the following required activities:

- Services for students experiencing homelessness who do not attend Title I schools, which can include funding for the homeless liaison and transportation required under the McKinney Vento Homeless Education Act. The amount reserved should be based on an assessment of homeless children's needs.
- Services for children in local institutions for neglected children, and, if appropriate, services for children in local institutions for delinquent children and neglected or delinquent children in community day programs. The amount reserved depends on the services needed.
- Parent and family engagement (required if the LEA receives \$500,000 or more). The amount reserved is at least one percent, 95% of which must be distributed to schools.
- Equitable services for eligible private school students. The amount reserved depends on the proportion of eligible private school students in the LEA. New in ESSA, an LEA must determine the proportionate share of Title I funds available for equitable services based on the total amount of Title I funds received by the LEA **prior** to any allowable district expenditures or transfer of funds. For information on how to identify your eligible nonpublic school students see [U.S. Department of Education's guidance](#).

LEAs may also reserve funds for the following activities:

- Transportation for students in comprehensive support and improvement schools if the LEA offers these students the option to transfer to another school
- Early childhood education programs for eligible children
- The additional costs needed to transport children in foster care to their school of origin consistent with section 1112(c)(5)
- Administering the Title I program
- District-managed initiatives in Title I schools, i.e. professional development activities to improve instruction across Title I funded schools

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## Implementing a Schoolwide Program

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

- Conduct a **comprehensive needs assessment**. To ensure that a school’s comprehensive plan best serves the needs of those children who are failing, or are at-risk of failing, to meet the challenging State academic standards, the school must conduct a comprehensive needs assessment. Through the needs assessment, a school must consult with a broad range of stakeholders, including parents, school staff, and others in the community, and examine relevant academic achievement data to understand students’ most pressing needs and their root causes. Where necessary, a school should attempt to engage in interviews, focus groups, or surveys, as well as review data on students, educators, and schools to gain a better understanding of the root causes of the identified needs.
- Prepare a **comprehensive schoolwide plan** that describes:
  - How the school will improve academic achievement throughout the school, but particularly for the lowest-achieving students, by addressing the needs identified in the comprehensive needs assessment. (ESEA section 1114(b)(7));
  - How the strategies the school will be implementing will provide opportunities and address the learning needs of all students in the school, particularly the needs of the lowest-achieving students. (ESEA section 1114(b)(7)(A)(i), (iii)); and
  - How the methods and instructional strategies that the school intends to use will strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum, including programs and activities necessary to provide a well-rounded education. (ESEA section 1114(b)(7)(A)(ii)).

To ensure that the plan results in progress toward addressing the needs of the school, the plan should include benchmarks for the evaluation of program results. **This plan should be integrated into an existing improvement plan.** Additionally, the plan must be:

- Developed with the involvement of key stakeholders;
- Developed in coordination and integration with other federal, state, and local services, resources, and programs, if appropriate, such as the following programs supported under ESEA: violence prevention, nutrition, housing, Head Start, adult education, career and technical education, as well as schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d); and
- Developed during a one-year planning period for schools not already operating schoolwide programs, unless the LEA determines, in consultation with the school, that less time is needed to develop and implement the schoolwide program.
- **Annually evaluate the schoolwide plan** using data from the State’s assessments, other student performance data, and perception data to determine if the schoolwide program has been effective in addressing the major problem areas and, in turn, increasing student achievement, particularly for the lowest-achieving students. Schools must **annually revise the plan**, as necessary, based on student needs

and the results of the evaluation to ensure continuous improvement. (ESEA section 1114(b)(3); 34 C.F.R. § 200.26(c)).

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## Implementing a Targeted Assistance Program

Any Title I school that does not operate a schoolwide program must operate a targeted assistance program. When implementing a targeted assistance program, the school uses Title I funds to provide additional supports to specifically identified students struggling to meet state standards. Targeted assistance schools must determine which students they will serve by identifying the students with the greatest need for special assistance. Title I funds are used to help identified students meet state standards, which can include programs, activities, and courses necessary to provide a well-rounded education. In designing a school’s targeted assistance plan, the school must:

- Conduct a **comprehensive needs assessment**. To ensure that a school’s comprehensive plan best serves the needs of those children who are failing, or are at-risk of failing, to meet the challenging State academic standards, the school must conduct a comprehensive needs assessment. Through the needs assessment, a school must consult with a broad range of stakeholders, including parents, school staff, and others in the community, and examine relevant academic achievement data to understand students’ most pressing needs and their root causes. Where necessary, a school should attempt to engage in interviews, focus groups, or surveys, as well as review data on students, educators, and schools to gain a better understanding of the root causes of the identified needs;
- Develop a **targeted-assistance plan** which includes the identification of eligible students, services provided, instructional strategies, progress monitoring, professional development, strategies to increase parental involvement, and coordination of federal, state, and local services; and
- **Annually evaluate the targeted-assistance plan**, using data from the State’s assessments, other student performance data, and perception data to determine if the targeted-assistance program has been effective in increasing the achievement of eligible students who are furthest from achieving the standards. Schools must **annually revise the plan**, as necessary, based on student needs and the results of the evaluation to ensure continuous improvement.

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## Title I-A Fiscal Tests

As a condition of receiving Title I-A funds, LEAs must comply with three fiscal tests designed to ensure that Title I funds add to state and local education funding:

Fiscal Test	Purpose	What Does This Require LEAs to Do?
<b>Maintenance of effort</b>	Ensures districts maintain a consistent level of state/local funding for education from year to year.	Must ensure that local and state spending in the district remains at 90% or above what was spent in the preceding year. Must fail to comply two times within a five-year span before any consequences on funding.
<b>Supplement, not supplant</b>	Ensures districts do not give less state and local funding to Title I schools because the school participates in the Title I program.	Must prove that funding methodology provides Title I schools all the state and local funds they would have received if they did not participate in Title I.

Fiscal Test	Purpose	What Does This Require LEAs to Do?
<b>Comparability of services</b>	Ensures districts use state/local funding to provide services that, taken as a whole, are comparable between Title I and non-Title I schools.	Must ensure that state and local funds are used to provide comparable services for Title I and non-Title I schools.

## A Word about Supplement, not Supplant

Title I funds are required to supplement, and not supplant existing state and local funding. In plain language, this means that federal funds should add to, and not replace, state and local funds. Before ESSA, Title I-A's 'supplement, not supplant' requirement was tested through three presumptions that looked at each activity supported with Title I funds to determine if it was something an LEA or school would have paid for with state and/or local funds if Title I funds were not available.

Effective in the 2017-18 school year, these presumptions will no longer apply to Title I-A. Instead, LEAs must demonstrate that the methodology they use to allocate state and local funds to schools provides each Title I school with all of the state and local money it would receive if it did not participate in the Title I program. In short, LEAs and schools will be required to demonstrate that Title I-A funding is supplemental and not that the individual activities or services supported with Title I are supplemental.

This should expand LEAs' spending options for Title I funds. Costs must still be consistent with the purpose of Title I – improving student achievement – and must still support eligible students among other requirements.

### IN SUMMARY

LEAs and schools have specific responsibilities as a condition of receiving Title I-A funds.

LEAs must . . .

- Develop policies and provide services to engage parents and families
- Provide services to homeless students that do not attend Title I schools
- Provide services to children in local institutions for neglected children, and, if appropriate, to children in local institutions for delinquent children and neglected or delinquent children in community day programs
- Provide services to eligible private school students
- Allocate Title I funds to eligible schools through a poverty-based formula known as "ranking and serving"
- Oversee Title I activities in Title I schools
- Report student achievement and other data to ODE and the public
- Develop and implement plans to support and improve low-performing schools identified by the state through its accountability system
- Additionally, according to OAR 581-037-0006, paraprofessionals in Oregon must be highly qualified, which means they have completed two years of college, obtained an associate's (or higher) degree or pass a formal local assessment

Schools must . . .

- Design and implement programs to support eligible Title I students as either a schoolwide or targeted-assistance program
- Annually evaluate and review their school-level plan
- Conduct an annual meeting with stakeholders to review needs assessment, design of school's program, parent engagement policy/plan, and upcoming activities

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## RESOURCES AVAILABLE FOR THIS TITLE

- [Oregon Department of Education Title I-A Webpage](#)
- [USED Title I-A Webpage](#)

- [National Title I Association](#)
- [TransACT](#)
- Title I-A Calendar (2017-2018) - Coming Soon

## TITLE I, 1003(A) SCHOOL IMPROVEMENT

### WHAT IT IS

Oregon's accountability system identifies schools that could benefit from additional supports and interventions. Under ESSA, Oregon's system of annual meaningful differentiation is based on a combination of academic and non-academic indicators, including: academic achievement and growth, progress on English language proficiency, graduation rate, chronic absenteeism, freshman on-track, and five-year completion rate.

ODE must identify schools for Comprehensive Support and Improvement (CSI) and Targeted Support and Improvement (TSI). CSI schools are: (1) in the lowest-performing 5 percent (5%) of all Title I schools in a state; (2) high schools having a graduation rate of 67 percent or lower; and (3) Title I schools with at least one consistently underperforming subgroup. TSI schools are identified have one or more consistently underperforming student groups.

One essential part of Oregon's commitment to equity is ensuring that students historically underserved and underrepresented receive and benefit from equitable, well-rounded education that prepares them for success, whether that be going directly into the workforce, community college, or a university. ODE will take action towards closing opportunity and systems gaps by establishing district-level partnerships and differentiated supports for students demonstrating the greatest need. Two major shifts are: (1) situating schools as part of a larger system; and (2) incorporating local data and local context when determining how to best select and implement additional supports based on need, stakeholder input, and local factors. These two changes to Oregon's approach provide greater transparency and enhance opportunities to differentiate supports and resources in CSI and TSI schools.

Comprehensive District Improvement Partnerships will be extended to districts with several CSI and TSI schools. Partnering districts will benefit from a facilitated needs assessment and strategic planning process in order to elevate priorities and action steps. Budgetary and differentiated implementation supports will be available to support districts as they support identified schools.

ODE must reserve seven percent of its Title I-A allocation to support school improvement activities. In allocating funds for this discretionary grant, ODE must give priority to LEAs that serve high numbers or percentages of elementary and secondary schools identified for comprehensive or targeted supports, demonstrate the greatest need as determined by ODE, and demonstrate the strongest commitment to using the funds to improve student achievement and outcomes.

### CHANGES WITH ESSA

- Changes from funding four percent (4%) to seven percent (7%) at state level.
- Name changes from priority/focus schools to comprehensive and targeted support and improvement schools.
- Evidence-based interventions instead of transformation and turn-around models.

### WHAT IT CAN FUND

Under ESSA, TSI and CSI schools have the same Title I-A spending options as any other Title I school. However, Section 1003 school improvement funds can only be used to support evidence-based activities, strategies, or interventions that meet ESSA's levels of evidence, as follows:

- Demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on:



- Strong evidence from at least one well-designed and well-implemented experimental study (i.e., a randomized controlled trial).
- Moderate evidence from at least one well-designed and well-implemented quasi-experimental study.
- Promising evidence from at least one well-designed and well-implemented correlation study with statistical controls for selection bias.; or
- Demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and
- Includes ongoing efforts to examine the effects of such activity, strategy, or intervention

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## RESOURCES AVAILABLE FOR THIS TITLE

- [Oregon Department of Education's School Improvement Webpage](#)
- District and School Improvement Guidance as of Fall 2018

## TITLE I-C: EDUCATION OF MIGRATORY CHILDREN

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### WHAT IT IS

The general purpose of the Migrant Education Program (MEP) is to ensure that migrant children fully benefit from the same free public education provided to other children. The goal of the MEP is to ensure that all migrant students reach challenging academic standards and graduate with a high school diploma (or complete a GED) that prepares them for responsible citizenship, further learning, and productive employment.

The Oregon Title I-C, Migrant Program operates on a three-year cycle that includes a Comprehensive Needs Assessment (CNA) in year one, a Service Delivery Plan (SDP) that addresses the needs found in the CNA in year two, and an evaluation in year three that measures the level of services given to migrant students and the fidelity of implementation in districts and ESDs that receive migrant allocations. The four goals for the Oregon migrant program are: 1) Readiness for Kindergarten, 2) Meeting State Benchmarks in Reading, 3) Meeting State Benchmarks in Mathematics and 4) Graduation and post-secondary education.

Most federal program funds flow through the state and to districts. The Title I-C, Migrant program is different. Funds are given to the state agency (ODE). In Oregon, ODE provides direct services and then by formula to the districts or Educational Services Districts (ESDs) that have a large enough numbers to do the federally required documentation and data collection. ODE provides three allocations to the 19 programs in the state. These allocations are: 1) Regular Year, 2) Summer School and 3) Preschool.

Oregon funds the following districts: Beaverton, Forest Grove, Hillsboro, Hood River County, Newberg, Nyssa/Adrian/Vale, Ontario/Annex, Portland, Salem-Keizer and Woodburn. They also provide funds to the following ESDs: Clackamas, Columbia Gorge, High Desert, Intermountain, Lane, Multnomah, Northwest Regional, Southern Oregon and Willamette. These programs have roughly 500 or more migrant students.

The Migrant Program has a unique requirement to complete a Certificate Of Eligibility (COE) for students to qualify for the program. All the information in the COE must be gathered in the Oregon Migrant Student Information System (OMSIS). All the information for OMSIS is collected in a national database for Migrant students called Migrant Student Information eXchange (MSIX).

Children are eligible to receive MEP services if they meet the definition of migratory child and if the basis for their eligibility is properly recorded on a Certificate Of Eligibility (COE). Any child, age 3 through 21, who meets the statutory definition of migratory child, may be served by the MEP. To be eligible for the migrant program all of the following requirements must be met:

- The child must be younger than 22 and not graduated from high school or received a GED;

- must be a migrant agricultural worker, including dairy worker, or a migratory fisher or have a parent, spouse, or guardian who is a migrant agricultural worker, including dairy worker, or a migratory fisher;
- must have moved within the preceding 36 months with a qualified worker due to economic necessity; and
- must have moved from one school district to another.

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## CHANGES WITH ESSA

Three main changes with ESSA are:

- Change in Formula. The federally funding formula has changed and is now the sum of: 3 Year Average of Category 1 (Regular Year count) + Previous year Category 2 (students served during the summer schools or Stride Academy academically count) multiplied by 40% of the average Per-Pupil Expenditure (PPE) in the state.
- Change in Eligibility: Identifies a qualified worker who qualifies for three years. If during that time, the qualified worker moves independently or with their family and crosses district lines due to economic necessity, they may qualify for the migrant program. A trained migrant recruiter will do an interview to qualify for the program.
- Elimination of “intent” as an Eligibility criterion.

Federal guidance of the funds requires that the funds be supplementary and not supplant. They must meet the four goals of the identified Service Delivery Plan (SDP) and must be “Necessary and Reasonable”. Migrant students should avail themselves of all the services and programs that the district offers them and then the migrant funds are the truly extra support for them.

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## RESOURCES AVAILABLE FOR THIS TITLE

- [Oregon Department of Education Title I-C Migrant Education](#)
- [Oregon Migrant Education Service Center \(OMESC\)](#)
- [Migrant Education Listserv](#) Designed to keep members of the migrant education community up-to-date on information that is relevant to the Title I-C Migrant Education Program
- [U.S. Office of Migrant Education \(OME\)](#)
- [High School Equivalency Program \(HEP\)](#)
- [College Assistance Migrant Program \(CAMP\)](#)

## TITLE I-D: PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

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### WHAT IT IS

The purpose of Title I-D is to improve educational services for children and youth in local, tribal, and state facilities and in institutions for neglected and delinquent (N or D) children so that have the opportunity to meet the same challenging state academic standards expected of all other children in the state. In addition, Title I-D is designed to provide neglected and delinquent children and youth the services needed to make successful transitions from institutionalization to a regular program of education, higher education, technical training, or employment.

Subpart 1 funds serve children and youth participating in educational programs in facilities for youth who are N or D, who attend community day programs for children who are N or D, or who are in adult correctional facilities. The facilities must have an average length of stay of at least 30 days and must provide a State-supported regular program instruction of either 20 hours per week (in a juvenile facility or community day program) or 15 hours per week (in an adult correctional facility).

An LEA is eligible to receive Subpart 2 funds if within its geographical boundaries there are locally operated correctional facilities not operated by the State, including public or private facilities and community day programs responsible for providing a free, public education for children and youth who are N or D. The Subpart 2 program provides formula grants to ODE to award subgrants to LEAs to provide programs that serve children 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.

Differences between neglected vs delinquent:

- **Neglected children** are those who have been either voluntarily, or by state law, placed in a facility or group home due to abandonment, neglect, or death of their parents or guardians. All programs transition children back to the community. Some of these children attend public school.
- **Delinquent children** are those who have been adjudicated to be delinquent or in need of supervision. All institutions transition children back to the community. For safety reasons, delinquent children have limited access to the community.

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## CHANGES WITH ESSA

There is added emphasis on ensuring successful transitions from the institution or facility to the student's next steps and improving the career and technical skills of students in the program. Oregon's plan is also to increase student access to high quality instruction leading to a diploma and connection to post-high school goals.

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## WHAT IT CAN FUND

Neglected and delinquent programs support supplemental instruction to meet the state academic standards, including tutoring, counseling, and transition services. Use of Title ID funds may include: drop-out prevention programs which serve at-risk children and youth; the coordination of health and social services, including day care, drug and alcohol counseling, and mental health services; special programs to meet the unique academic needs of participating children and youth, including career and technical education, special education, career counseling, curriculum-based youth entrepreneurship education, and assistance in securing student loans or grants for postsecondary education; mentoring and peer mediation; programs for at-risk Indian children and youth.

Services for Title I-A set-aside funds are provided as extended-day services to children and youth who are wards of the court and reside in group homes or county shelters. Title I-A funding is used to provide supplemental support so that schools will make gains in academic achievement, graduation rates for high schools, and attendance for grades K-8. Funds may be used for: professional development, recovery and relapse prevention, health and wellness with attention to mental health needs, violence prevention, communication skills, anger management skills, problem solving, and therapeutic art.

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## RESOURCES AVAILABLE FOR THIS TITLE

- [Oregon Department of Education Title I-D Neglected, Delinquent or At-Risk Education](#)
- [Oregon Department of Education Youth Corrections Juvenile Detention Education Programs](#)
- [Oregon Department of Education Long Term Care and Treatment Education Programs](#)
- [U.S. Department of Education: Title I-D: Neglected , Delinquent, and At-Risk Youth Non-regulatory Guidance](#)
- [The National Technical Assistance Center for the Education of Neglected or Delinquent Children and Youth \(NDTAC\)](#)
- [The National Center for Juvenile Justice](#)
- [Title I-D Monitoring Protocol](#)

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## TITLE II-A: SUPPORTING EFFECTIVE INSTRUCTION

### WHAT IT IS

The purpose of Title II-A is to improve teacher and leader quality and focuses on preparing, training, and recruiting high-quality teachers and principals. The Title II-A program is designed, among other things, to provide students from low-income families and minority students with greater access to effective educators. It is critical that State

Educational Agencies (SEAs) and Local Education Agencies (LEAs) consider how to best use these funds, among other sources, to ensure equity of educational opportunity. In general, Title II funds can be used to provide supplemental strategies and activities that strengthen the quality and effectiveness of teachers, principals, and other school leaders.

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## CHANGES WITH ESSA

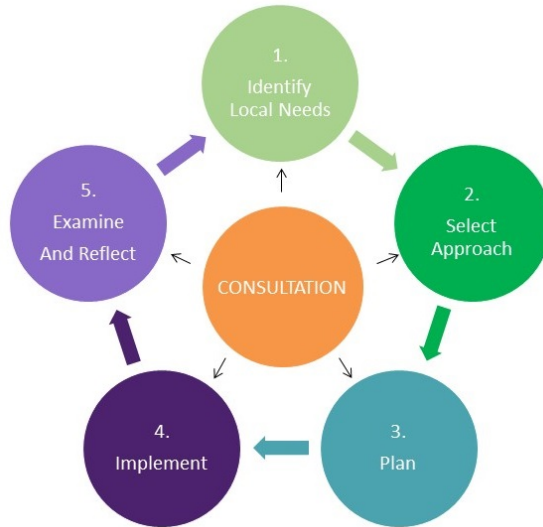
- Opportunities both in content and participation are expanding. The recommended strategies under Title II-A funds have widened to include early childhood education, STEM and CTE among others, signaling a shift away from an exclusive focus on core academic areas and toward a well-rounded education. Additionally, the definition of who can be supported has broadened to include all teachers (not just those in core content areas), principals and “other school leaders” which guidance defines as employees who are “...responsible for the daily instructional leadership and managerial operations in the elementary or secondary school building.” (*Non-regulatory Guidance, p.16*)
  - Allocations are changing. Starting in 2017-18, LEAs will no longer receive a hold harmless (or minimum) Title II allocation. Instead, each LEA’s Title II allocation will be based on its number of 5-17 year olds (which will count for 20% of the formula), and its number of low income 5-17 year olds (which will count for 80% of the formula).
  - Federal requirements that defined “Highly Qualified” teachers have been eliminated. Beginning in 2017-18 districts are required to ensure that teachers meet state licensing requirements as defined by the Teacher Standards and Practices Commission (TSPC). This means Oregon now has one system of licensure that meets both state and federal requirements. Districts are encouraged to access the “*Course to Endorsements Catalogue*”, a resource developed jointly by ODE and TSPC, for guidance in determining the licensure requirements for specific courses.
  - ESSA and Equitable Share for Private Schools. ESSA changed the way LEAs must reserve funds for nonpublic school services. Under NCLB, LEAs only had to reserve a share of the Title II-A funds they spent on professional development. Under ESSA, the reservation is based on an LEA’s entire Title II allocation.
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## WHAT IT CAN FUND

LEAs can use Title II-A funds for a wide range of strategies and activities to support the quality and effectiveness of teachers, principals and other school staff. Activities supported with these funds must:

- Be consistent with the purpose of Title II-A (see above); and
- Address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students.

The federal non-regulatory guidance for Title II ([Building Systems of Support for Excellent Teaching and Learning](#)) offers many new opportunities for districts. Divided into three sections – Support for Educators, Access to Equitable Educators and Strengthening Title II-A Investments – the guidance is designed to help districts think about **how to use Title II-A funds more strategically and for greater impact.**



LEAs are encouraged to prioritize strategies and activities that will have the highest impact on teaching and learning to result in the highest level of academic achievement. When determining which of the many allowable Title II strategies and activities will have the highest impact, U.S. Department of Education (ED) guidance suggests LEAs use a five-step framework:

1. Choose interventions aligned with identified local needs;
2. Consider the evidence base and the local capacity when selecting a strategy;
3. Develop a robust implementation plan;
4. Provide adequate resources so the implementation is well-supported; and
5. Gather information regularly to examine the strategy and to reflect on and inform next steps.

LEAs must use data and ongoing stakeholder consultation to continually update and improve Title II supported activities.

Title II-A funds can be used for any of the following activities (a complete list and description of these activities are located in [Appendix C](#)):

- Evaluation and Support Systems
- Recruiting, Hiring, and Retaining Effective Teachers
- Supporting Educator Diversity
- Recruiting from Other Fields
- Class Size Reduction
- Personalized Professional Development
- Increasing Teacher Effectiveness for Students with Disabilities and English Learners
- Supporting Early Education
- Supporting Effective Use of Assessments
- Supporting Awareness and Treatment of Trauma and Mental Illness, and School Conditions for Student Learning
- Supporting Gifted and Talented Students
- Preventing and Recognizing Child Sexual Abuse
- Supporting Science, Technology, Engineering, and Mathematics (STEM)
- Improving School Working Conditions
- Supporting Postsecondary and Workforce Readiness

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## RESOURCES AVAILABLE FOR THIS TITLE

- [Oregon Department of Education Title II-A Teacher Quality](#)

- [Oregon Department of Education Title II-A Listserv](#)
- [Oregon Framework for Educator Evaluation and Support](#)
- [Building Systems of Support for Excellent Teaching and Leading](#) (USED Non-regulatory Guidance)
- [Learning Forward](#) (Standards for Professional Learning)
- [Course to Endorsements Catalogue](#)

## TITLE III: ENGLISH LANGUAGE ACQUISITION AND LANGUAGE ENHANCEMENT

### WHAT IT IS

A complex web of state and federal laws govern the services that public school districts must provide to students who are not proficient in English. Some of those laws are mandatory for all districts while others apply only to districts that receive certain funding. State and federal laws around services for English Learners (ELs) share the same goal - ensuring that English learners benefit from their education. All districts have a dual responsibility toward their ELs: (1) to teach the English language and (2) to have on-grade level core content accessible to ELs while they are learning English.

School districts implement state and federal statutes in a variety of ways. Whether a particular program is appropriate under state and federal law depends on whether it: (1) is based on a sound educational theory or legitimate experimental strategy, (2) is implemented effectively, and (3) produces results that demonstrate that language barriers are being overcome.

Oregon Administrative Rule [OAR 581-023-100](#) (3)(C)(b)(4) charges districts to develop programs for English language learners that meet basic U.S. Department of Education, Office for Civil Rights guidelines. These guidelines include:

- Systematic identification procedures;
- A planned program for English as a Second Language (ESL) and academic development;
- Instruction by credentialed staff;
- Adequate equipment and instructional materials;
- Annual evaluation of program effectiveness; and
- A process for transitioning from English Language Development (ELD) services that include procedures and criteria for determining when students no longer need those services because they are able to profit from instruction in the regular education program.

Students are deemed eligible for services in a district's ELD program when they:

- Are not born in the U.S. or whose native language is a language other than English;
- Are Native American or Alaska Native, or a native resident of the outlying areas; **and**
- Come from an environment where a language other than English has had a **significant impact** on the individual's level of English language proficiency; or are 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; demonstrate difficulties in speaking, reading, writing, or understanding the English language that may be sufficient to deny the individual the ability to successfully achieve in classrooms where the language of instruction is English; or the opportunity to participate fully in society.

LEAs must use Title III funds for effective approaches and methodologies for serving English Learners (ELs) and immigrant children and youth (definitions of these terms appear below) for the following purposes:

- Developing and implementing new language instruction educational programs and academic content instructional programs for ELs and immigrant children and youth, including early childhood education programs, elementary school programs, and secondary school programs.

- Carrying out highly focused, innovative, locally designed activities to expand or enhance existing language instruction educational programs and academic content instructional programs for ELs and immigrant children and youth.
- Implementing schoolwide initiatives for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for ELs and immigrant children and youth.
- Implementing LEA-wide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for ELs and immigrant children and youth.

In Oregon, LEAs must use Title III funds to supplement their core EL programs. Oregon statute [ORS 336.079](#) “Specific courses to teach speaking, reading and writing of the English language shall be provided at kindergarten and each grade level to students who are unable to benefit from classes taught in English . The courses shall be taught at school until the students are able to benefit from classes conducted in English.” This law specifies that LEAs must provide English language services for English Learners. Oregon statute [ORS 336.074](#) requires Instruction in all subjects in public, private and parochial schools shall be conducted primarily in English except:

- Instruction in foreign languages
- Instruction may be conducted in more than one language in order that pupils whose native language is other than English can develop bilingual skills to make an early and effective transition to English and benefit from increased educational opportunities
- [OAR 581-023-0100](#) Eligibility Criteria of Student Weighting for Purposes of State School Fund Distribution

A district may opt to have a program that includes bilingual instruction to support ELs but the use of Title III funds in Oregon must be used to enhance any of these services provided to the district’s ELs.

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### TITLE III: TWO TYPES OF SUBGRANTS

Title III includes two types of subgrants to LEAs: (1) Formula subgrants available to LEAs (or a consortium of LEAs) that generate at least \$10,000 under a formula established in the Title III law. These subgrants must be used to support language acquisition, language enhancement and academic achievement of English learners that must include parent, family and community engagement; and (2) Targeted” subgrants the ODE awards to LEAs that experience a significant increase in immigrant children and youth. These subgrants will be referred to as “Title III-Immigrant” and must be used to support immigrant students and their families acclimate to U.S. schools and to help immigrant students achieve academically.

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### TITLE III AND THE SUPPLEMENT NOT SUPPLANT REQUIREMENT

Title III is subject to a strict “supplement not supplant” (SNS) requirement that affects how Title III funds are spent. Because SNS works differently in Title III than other federal programs this guidance addresses SNS first.

At its most basic, SNS requires Title III funds to add to (supplement) and not replace (supplant) other federal, state, and local funds. Whether a cost complies with SNS is situation specific, but in general there are three issues to consider:

- Compliance with SNS is tested using two “presumptions;”
- An LEA cannot use Title III funds to meet its civil rights obligations to EL students; and
- In some circumstances, an LEA can use Title III funds to pay for EL-related activities under Title I-A of ESEA.

#### Issue 1: Compliance with SNS is tested using two “presumptions”

The federal government presumes an LEA is out of compliance with SNS rules for Title III in the following two situations:

- An LEA uses Title III funds to provide services the LEA is required to make available under other federal, state, or local laws; or
- An LEA uses Title III funds to provide services the LEA paid for with state or local funds the prior year.

These presumptions can be “rebutted” (disputed with evidence) and possibly overcome if the LEA can show it would not have provided the services in question with non-federal funds had the federal funds not been available.

➤ Example of Supplanting

An LEA uses Title III funds for the costs of providing an ELD teacher for its middle-school ELD program. The LEA’s use of Title III funds supplants state/local funds because the LEA is required to provide instruction learning English at all grade levels pursuant to state regulation (ORS 327.079).

**Issue 2: An LEA cannot use Title III funds to meet its civil rights obligations to EL students**

Under the first presumption of supplanting an LEA cannot use Title III funds to meet the requirements of federal, state, or local law. Under federal law, specifically Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act (EEOA), LEAs have legal obligations to ensure that ELs can meaningfully and equally participate in educational programs and services. ED guidance explains that to meet these civil rights obligations to EL students LEAs must:

- 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 support the language assistance programs for EL students;
- Ensure that EL students have equal opportunities to meaningfully participate 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 the language needs of students who need special education and disability related services because of their disability are considered 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 they were not prematurely exited and that any academic deficits incurred in the language assistance program have been remedied;
- 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 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.

Because Title III funds cannot be used to meet legal obligations, including civil rights obligations, Title III cannot be used to meet the obligations in the above list.

➤ Example of Supplanting

An LEA uses its Title III funds for the cost of an interpreter to assist in the evaluation of ELs suspected of having a disability. The LEA’s use of Title III funds supplants state/local funds because the LEA is required to evaluate ELs for a disability pursuant to IDEA or Section 504 of the Rehabilitation Act of 1973. Therefore, in the absence of Title III funds, the LEA would be required to provide interpretation services during the evaluation process.

**Issue 3: In some circumstances, an LEA can use Title III funds to pay for EL-related activities under Title I**

Under the first presumption of supplanting an LEA cannot use Title III funds to meet the requirements of federal, state, or local law. This has meant LEAs could not use Title III funds to pay for Title I-A’s EL-related requirements.



Under ESEA as amended by ESSA, however, certain requirements that were previously part of the Title III program have moved to Title I-A. Because of this, ED guidance permits LEAs to use Title III funds to pay for activities that are now part of Title I-A such as:

- EL parental notification regarding language instruction educational programs (LIEPs) and related information (ESEA Section 1112(e)(3))
- Parental participation (e.g., regular EL parent meetings) (ESEA Section 1116(f))
- Reporting to the State on the number and percentage of ELs achieving English language proficiency (ESEA Section 1111(h)(2))

LEAs can use Title III funds for activities that moved to Title I if they ensure that:

- The activity being supported is consistent with the purposes of Title III and meets federal guidelines for “reasonable and necessary costs;”
- The activity being supported is supplemental to the LEA’s civil rights obligations to ELs under Title VI and the EEOA; and
- The LEA can demonstrate it is also using Title III funds to conduct activities required under Title III. (See page 32 of this guidance for more information about required activities).

Please note, LEAs cannot use Title III funds for Title I-A activities that are also used to meet civil rights obligations. For example, under Title VI of the Civil Rights Act of 1964 and the EEOA, LEAs must monitor the effectiveness of their language instruction program for ELs. Therefore, since it is a civil rights requirement, an LEA may not use Title III funds to contract with a third-party to conduct an evaluation of its language instruction program for ELs, if such an evaluation were being used to meet the civil rights obligation.

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## WHAT IT CAN FUND

LEAs must use Title III funds for three activities:

- Supplementing the existing effective language instruction educational programs (LIEPs) established pursuant to ORS 327.079 to meet the needs of ELs and demonstrate success in increasing English language proficiency and student academic achievement;
- Providing 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, that supplements the professional development requirements of OAR 581-023-0100(4), and is:
  - Designed to improve the instruction and assessment of ELs;
  - Designed to enhance the ability to understand and implement curricula, assessment practices and measures, and instructional strategies for ELs;
  - Effective in increasing children’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
  - Of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers’ performance in the classroom; and
- Providing and implementing other effective activities and strategies that are supplemental and that enhance or supplement language instruction educational programs for ELs, which must include parent, family, and community engagement activities, and may include strategies that serve to coordinate and align related programs.

In addition to the three required activities above, LEAs may spend their Title III EL subgrant funds on other supplemental activities, including:

- Upgrading program objectives and effective instructional strategies
- Improving the instructional program for ELs by identifying, acquiring, and upgrading supplemental instructional materials, educational software, and assessment procedures

- Providing to ELs tutorials and academic or career and technical education, and intensified instruction, which may include supplemental materials in a language that the student can understand, interpreters, and translators
- Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services;
- Improving the English language proficiency and academic achievement of ELs
- Providing community participation programs, family literacy services, and parent and family outreach and training activities to ELs and their families to improve the English language skills of ELs, and to assist parents and families in helping their children to improve their academic achievement and becoming active participants in the education of their children
- Improving the instruction of ELs, which may include ELs with a disability, by providing for: the acquisition or development of educational technology or instructional materials; access to, and participation in, electronic networks for materials, training, and communication; and incorporation of these resources into curricula and programs
- Offering early college high school or dual or concurrent enrollment programs or courses designed to help ELs achieve success in postsecondary education
- Carrying out other activities that are consistent with the purposes of Title III subgrants

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## **AUTHORIZED USES OF TITLE III FUNDS TO SUPPORT IMMIGRANT CHILDREN AND YOUTH**

The Title III-Immigrant subgrant is targeted to LEAs that have experienced a significant increase in immigrant children and youth. These funds must be used to pay for activities that address the unique needs of immigrant children and youth, and may include:

- 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
- Recruitment of and support for personnel, including teachers and paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth
- Provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth
- Identification, development, and acquisition of supplemental curricular materials, educational software, and technologies to be used in the program
- Basic instruction services that are directly attributable to the presence of immigrant children and youth in the LEA, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instruction services
- Other instruction services that are designed to assist immigrant children and youth to achieve in elementary and secondary schools in the U.S., such as programs of introduction to the educational system and civics education
- Activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services

As with all Title III costs, activities must be supplemental to state and locally funded programming the LEA is delivering to meet its civil rights obligations to EL students and to comply with the requirements at ORS 327.079 and obligations under Title VI and the EEOA or to comply with the requirements at OAR 581-023-0100(4).

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## **RESOURCES AVAILABLE FOR THIS TITLE**

- [ODE English Learner and Immigrant web page](#)
- [Title III English Learners Guidance and Research](#)
- [Presentation from US Dept. of Education – Office of State Support](#)

## TITLE IV-A: STUDENT SUPPORT AND ACADEMIC ENRICHMENT (SSAE)

### WHAT IT IS

This section provides information about how local educational agencies (LEAs) can spend funds under the Student Support and Academic Enrichment (SSAE) grant program under Title IV, Part A, Subpart 1. The purpose of the SSAE grant program is to improve students' academic achievement by increasing the capacity of states, LEAs, schools, and local communities to:

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

Note: On May 5, 2017, the Consolidated Appropriations Act, 2017 was signed into law which allows states the option to award SSAE grants on a competitive basis rather than formula for the 2017-2018 grant year. Oregon will be awarding SSAE grants by formula in 2017-18 so that all eligible LEAs receive funds. LEAs may apply for funds in a consortium.

The amount of Title IV-A funding that the state and LEAs receive is based on the Title I-A funding formula. The minimum that an LEA can receive is \$10,000.

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### Local Needs Assessment

LEAs that receive \$30,000 or more in SSAE funds must, at least once every three years, conduct a comprehensive needs assessment of the following:

- Access to and opportunities for, a well-rounded education for all students
- School conditions for student learning to create a healthy and safe school environment
- Access to personalized learning experiences supported by technology and professional development for the effective use of data and technology

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### Prioritizing High-Need Schools

LEAs must prioritize SSAE funds to schools that:

- Have the greatest needs as 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
- Are identified as a persistently dangerous school under Section 8532

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### Objectives and Outcomes

LEAs must develop objectives for their SSAE programs and intended outcomes for SSAE-funded activities. LEAs must use these objectives and outcomes to periodically evaluate the effectiveness of SSAE-funded activities. LEAs must also provide SEAs with information about their progress towards their objectives and outcomes so SEAs can satisfy their reporting requirements.

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### Stakeholder Engagement

LEAs must meaningfully consult with a wide array of stakeholders when designing their SSAE programs. They must also engage in continuing consultation with stakeholders to improve SSAE activities and to coordinate SSAE activities with other activities conducted in the community.

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## Funding Parameters

### REQUIRED ACTIVITIES

Under ESSA, LEAs that receive \$30,000 or more in SSAE funds must spend:

- At least twenty percent on activities to support a well-rounded education;
- At least twenty percent to activities to support safe and healthy students; and
- At least some funds for activities to support the effective use of technology. (Please note the cap on technology infrastructure below.)

A single activity can satisfy more than one category of required costs.

LEAs that receive *less* than \$30,000 in SSAE funds must meet at least one of the above requirements (that is, spend at least twenty on activities to support a well-rounded education or at least twenty percent on activities to support safe and healthy students or at least some funds for activities to support the effective use of technology).

### CAP ON TECHNOLOGY INFRASTRUCTURE

Of the SSAE funds spent on technology, LEAs may not spend more than fifteen percent (15%) of those technology funds to purchase technology infrastructure. Specifically, this means that LEAs may not spend more than fifteen percent of its SSAE technology funds on devices, equipment, software applications, platforms, digital instructional resources and/or other one-time IT purchases.

### CAP ON ADMINISTRATIVE COSTS

LEAs may not spend more than two percent (2%) of their SSAE funds on direct administrative costs.

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## WHAT IT CAN FUND

What follows is an overview of all LEA SSAE spending options under the law, but spending in a specific LEA should be aligned to the spending floors and ceilings, the LEA's needs assessment (where required), and stakeholder input as described above. The spending options are organized by the three spending categories described in the law.

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### Activities to Support a Well-Rounded Education

LEAs may (and in some cases must) spend SSAE funds to develop and implement programs and activities that support access to a well-rounded education. Activities should be coordinated with other schools and community-based services and programs. They can also be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success.

Allowable activities are listed below.

#### **College and Career Guidance**

LEAs may use SSAE funds for college and career guidance and counseling programs like postsecondary education and career awareness and exploration activities, training counselors to effectively use labor market information in assisting students with postsecondary education and career planning, and financial literacy and Federal financial aid awareness activities.

#### **Music and Arts to Support Student Success**

LEAs may use SSAE funds for programs and activities that use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution.

#### **Science, Technology, Engineering, and Mathematics (STEM)**

LEAs may use SSAE funds for programs and activities to improve instruction and student engagement in STEM, including computer science. Examples include:

- Increasing access to high-quality courses for underrepresented student groups such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students,
- Supporting low-income students to participate in nonprofit competitions related to STEM subjects,
- Providing hands-on learning and exposure to STEM and supporting the use of field-based or service learning to enhance student understanding,
- Supporting the creation and enhancement of STEM-focused specialty school,
- Facilitating collaboration among school, afterschool program, and informal program personnel to improve the integration of programming and instruction, and
- Integrating other academic subjects, including the arts, into STEM subject programs to increase participation in STEM subjects, improve attainment of skills related to STEM subjects, and promote well-rounded education.

### **Accelerated Learning**

LEAs may use SSAE funds to raise student academic achievement through accelerated learning programs that provide courses or instruction accepted for credit at institutions of higher education (like dual or concurrent enrollment courses, early college high school courses, AP and IB).

This can include reimbursing low-income students for part or all of the costs of accelerated learning examination fees, if the low-income students are enrolled in accelerated learning courses and plan to take accelerated learning exams. (Please note LEAs may use SSAE funds to cover fees for exams taken in the 2016-2017 school year.)

It can also include increasing the availability of, and enrollment in, accelerated learning courses, accelerated learning examinations, dual or concurrent enrollment programs, and early college high school courses.

### **Other Instructional Opportunities**

LEAs may use SSAE funds for:

- Activities to promote the development, implementation, and strengthening of programs to teach traditional American history, civics, economics, geography, or government education,
- Foreign language instruction, and
- Environmental education.

### **Volunteerism and Community Involvement**

LEAs may use SSAE funds for programs and activities that promote volunteerism and community involvement.

### **Integrating Multiple Disciplines**

LEAs may use SSAE funds to support educational programs that integrate multiple disciplines, such as programs that combine arts and mathematics.

### **Other Activities**

LEAs may use SSAE for other activities and programs to support student access to, and success in, a variety of well-rounded education experiences.

## **Activities to Support Safe and Healthy Students**

LEAs may (and in some cases must) use SSAE funds to develop, implement and evaluate comprehensive programs and activities that:

- Are coordinated with other schools and community based services and programs;
- Foster safe, healthy, supportive, and drug-free environments that support academic achievement; and
- Promote parent involvement in activities or programs.

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

Allowable activities are listed below.

### **Evidence-Based Drug and Violence Prevention**

LEAs may spend SSAE funds on drug and violence prevention activities and programs that are evidence-based, to the extent the state, in consultation with LEAs, determines that such evidence is reasonably available.

This can include:

- Programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes
- Professional development and training for school and specialized instructional support personnel and interested community members in prevention, education, early identification, intervention mentoring, recovery support services and, where appropriate, rehabilitation referral, as related to drug and violence prevention

### **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.

LEAs may also use SSAE funds for school-based mental health services partnership programs that are conducted in partnership with a public or private 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.

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. 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.

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

### **Health and Safety Activities or Programs**

LEAs may use SSAE funds for programs or activities that:

- Integrate health and safety practices into school or athletic programs
- Support a healthy, active lifestyle, including nutritional education and regular, structured physical education activities and programs, that may address chronic disease management with instruction led by school nurses, nurse practitioners, or other appropriate specialists or professionals to help maintain the well-being of students
- Help prevent bullying and harassment

- Improve instructional practices for developing relationship-building skills, such as effective communication, and improve safety through the recognition and prevention of coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment
- Provide mentoring and school counseling to all students, including children who are at risk of academic failure, dropping out of school, involvement in criminal or delinquent activities, or drug use and abuse,
- Establish or improve school dropout and reentry programs
- Establish learning environments and enhance students' effective learning skills that are essential for school readiness and academic success, such as by providing integrated systems of student and family supports

### **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
- School-based violence prevention strategies
- Drug abuse prevention, including educating children facing substance abuse at home
- Bullying and harassment prevention

### **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

### **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.

### **Positive Behavioral Interventions and Supports**

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

### **Resource Coordinator**

LEAs can use SSAE funds to designate a site resource coordinator to provide a variety of services like:

- Establishing partnerships within the community to provide resources and support for schools

- Ensuring that all service and community partners are aligned with the academic expectations of a community school in order to improve student success
- Strengthening relationships between schools and communities

### **Pay for Success**

LEAs may use pay for success initiatives aligned with the goal of supporting safe and healthy students.

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.

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### **Activities to Support the Effective Use of Technology**

LEAs may (and in some cases must) use SSAE funds to improve the use of technology to improve the academic achievement, academic growth and digital literacy of all students. Of the amount an LEA chooses to spend on technology, only fifteen percent may be used for technology infrastructure. Please see section above “Funding Floors and Ceilings” for more information about this fifteen percent cap.

Allowable activities are listed below.

#### **Professional Learning**

LEAs may use SSAE funds to provide educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to:

- Personalize learning to improve student academic achievement
- Discover, adapt, and share relevant high-quality educational resources
- Use technology effectively in the classroom, including by administering computer-based assessments and blended learning strategies
- Implement and support school- and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning

#### **Technological Capacity and Infrastructure**

LEAs may use SSAE funds to build technological capacity and infrastructure, which may include:

- Procuring content and ensuring content quality
- Purchasing devices, equipment, and software applications in order to address readiness shortfalls

LEAs may not spend more than fifteen percent (15%) of the SSAE funds used for technology on technology infrastructure.

#### **Delivering Courses through Technology**

LEAs may use SSAE funds to develop or use effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology.

#### **Blended Learning**

LEAs may use SSAE funds to carry out blended learning projects, which must include:

- Planning activities like developing new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases (that do not include significant construction or renovation of facilities) (please note all technology infrastructure costs count towards the fifteen percent cap noted above); and



- Ongoing professional development for teachers, principals, other school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project.

### **Professional Development on Use of Technology in STEM Areas**

LEAs may use SSAE funds to provide professional development in the use of technology (which may be provided through partnerships with outside organizations) to enable teachers and instructional leaders to increase student achievement in STEM areas.

### **Access to Digital Learning Experiences**

LEAs may use SSAE funds to provide students in rural, remote, and underserved areas with the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators.

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## **Other Spending Rules**

### **MAINTENANCE OF EFFORT**

LEAs that receive SSAE funds must comply with a maintenance of effort requirement. In short, maintenance of effort requires districts to maintain a consistent floor of state and local funding for free public education from year-to-year.

### **SUPPLEMENT NOT SUPPLANT**

LEAs that receive SSAE funds must comply with a supplement not supplant requirement. In general terms, this means that SSAE funds should add to (supplement) and not replace (supplant) state and local funds.

For the SSAE program, supplanting is presumed when:

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

An LEA may overcome a presumption of supplanting if it has written documentation (e.g., State or local legislative action, budget information, or other materials) that it does not have the funds necessary to implement the activity and that the activity would not be carried out in the absence of the SSAE program funds.

### **EQUITABLE SERVICES**

SSAE funds are subject to an equitable services requirement. LEAs must reserve funds to provide SSAE services to eligible private school children, teachers, and other educational personnel in private schools.

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## **RESOURCES AVAILABLE FOR THIS TITLE**

- Non-Regulatory Guidance: [ESSA Title IV, Part A Guidance – Student Support And Academic Enrichment Program](#)
- [Humanities Education](#)
- [STEM and CTE](#)
- [Title I-A Schoolwide Guidance](#)

## **TITLE IV-B: 21ST CENTURY COMMUNITY LEARNING CENTERS**

### **WHAT IT IS**

The 21st Century Community Learning Centers (21<sup>st</sup> CCLC) grants to provide opportunities for communities to establish or expand activities in community learning centers that:

- Provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet the challenging State academic standards;
- Offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, arts, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and
- Offer families of students served by community learning centers opportunities for active and meaningful engagement in their children’s education, including opportunities for literacy and related educational development.

Community learning centers provide services during non-school hours or periods when school is not in session (such as before and after school or during the summer) that reinforce and complement regular academic programs of the schools attended by student served.

21<sup>st</sup> CCLC grants are awarded on competitive basis to eligible entities, including, LEAs, community-based organization, Indian tribe or tribal organization, another public or private entity, or a consortium of 2 or more such entities. 21<sup>st</sup> CCLC grants primarily serve students who attend schools with a high concentration of low-income students and specifically schools implementing comprehensive support and improvement activities or targeted support and improvement activities under section 1111(d) and other schools determined by the local education agency to be in need of intervention and support.

The expectation from ODE is that all grantees would be partnered with a community resource provider to implement the program. Depending on their needs assessment grantees will identify areas of focus and student populations served. To be eligible for this designation, Oregon has historically utilized at least 50 percent of the students must qualify or receive free or reduced-cost meals through the National School Lunch Program.

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## CHANGES WITH ESSA

- The state must prescreen external organizations that could provide assistance in carrying out the activities under this part and make available to eligible entities a list of external organizations that successfully completed the prescreening process.
- The state must include performance measures to evaluation programs with emphasis on alignment with the regular academic program of the school and the academic needs of participating students, including performance measures that: are able to track student success and improvement over time; include state assessment results and other indicators such as improved attendance during the school day, better grades, regular (or consistent) program attendance, and on-time advancement to the next grade level; and for high school students, may include indicators such as career competencies, successful completion of internships or apprenticeships, or work-based learning opportunities; and a description of how data collected.
- Includes programs that build skills in science, technology, engineering, and mathematics (STEM), including computer science, and that foster innovation in learning by supporting nontraditional STEM education teaching methods.
- Includes programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 ([20 U.S.C. 2301 et seq.](#)) and the Workforce Innovation and Opportunity Act ([29 U.S.C. 3101 et seq.](#)).

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## WHAT IT CAN FUND

The 21st Century Community Learning Centers provide a broad array of supplemental services, programs, and activities that are designed to reinforce and complement the regular academic program of participating students. Such activities/programs may include:

- Academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with:
  - The challenging state academic standards and any local academic standards; and
  - local curricula that are designed to improve student academic achievement.
- Well-rounded education activities, including such activities that enable students to be eligible for credit recovery or attainment
- Literacy education programs, including financial literacy programs and environmental literacy programs
- Programs that support a healthy and active lifestyle, including nutritional education and regular, structured physical activity programs
- Services for individuals with disabilities
- Programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement
- Cultural programs
- Telecommunications and technology education programs
- Expanded library service hours
- Parenting skills programs that promote parental involvement and family literacy
- Programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement
- Drug and violence prevention programs and counseling programs
- Programs that build skills in science, technology, engineering, and mathematics (STEM), including computer science, and that foster innovation in learning by supporting nontraditional stem education teaching methods
- Programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education act of 2006 (20 u.s.c. 2301 et seq.) and the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.)

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## RESOURCES AVAILABLE FOR THIS TITLE

- [Oregon Department of Education's 21<sup>st</sup> Century Community Learning Centers Webpage](#)
- [USED 21<sup>st</sup> Century Community Learning Centers Webpage](#)
- [Oregon ASK](#)
- [After School Alliance](#)
- [Youth Program Quality Assessment](#)
- [21<sup>st</sup> Century Monitoring Checklist](#)

## TITLE V-B: SMALL, RURAL SCHOOLS ACHIEVEMENT (SRSA), RURAL EDUCATION ACHIEVEMENT PROGRAM (REAP) & RURAL AND LOW-INCOME SCHOOL (RLIS) PROGRAMS

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### WHAT IT IS

Rural schools in each state have access to the following programs, the Rural Education Achievement Program (REAP), the Rural and Low-Income Schools (RLIS) program, and the Small, Rural School Achievement (SRSA) program. These programs are designed to assist rural school districts in using federal resources more effectively to improve the quality of instruction and student academic achievement. These programs provide eligible districts

with greater flexibility in using formula grant funds that they receive under certain state-administered federal programs.

REAP and SRSA grants are available to small and rural school districts. In order to be eligible, a school district must have fewer than 600 students and be defined as rural by the Secretary of Education. REAP districts will receive both a REAP allocation from ODE and an SRSA allocation from USDE.

RLIS is available for rural school districts that serve concentrations of poor students. In order to be eligible a school district needs to have 20% or greater census poverty and be defined as rural by the Secretary of Education. Districts that qualify receive both a Title IIA allocation and a RLIS allocation from ODE.

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## CHANGES WITH ESSA

With the reauthorization of ESSA, the following changes have occurred with the REAP, RLIS, and SRSA programs:

- **SRSA Annual Application Process:** Eligible LEAs will need to submit an application for the SRSA grants through grants.gov to USDE for **each fiscal year** to receive grant funds. If an LEA does not submit an SRSA application by the established deadline, the LEA will not receive an SRSA grant for that year.
- **REAP & SRSA Eligibility:** LEAs with a total number of students in average daily attendance (ADA) at all of the schools served by the LEA is fewer than 600 **and** all of the schools served by the LEA are designated with a school locale code of 41, 42, or 43, as determined by the Secretary of Education.
- **RLIS Eligibility:** LEAs where 20% or more of the children aged 5 to 17 are from families with incomes below the poverty line and all schools served by the LEA must have a locale code of 32, 33, 41, 42, or 43, as determined by the Secretary of Education.
- **Dual Eligibility and Hold Harmless:** LEAs can be eligible for both SRSA and RLIS and must choose one grant under which to receive funds in a given fiscal year. Dual-eligible LEAs that choose to participate in RLIS may exercise the Alternative Fund Use Authority (ESSA, Title V, Part B, Subpart 1, Section 5221(a) & (c)). In addition, LEAs that are not eligible for the SRSA grant, as a result of changes in the districts local code designation, and who are also not dually eligible for RLIS, will receive a reduced award in years 2017, 2018, and 2019 as part of the hold harmless agreement.
- **Uses of REAP and RLIS Grant Funds:** Title II, Part D (Educational Technology) and Title V, Part A (Innovative Programs) have been eliminated and replaced with Title IV, Part A - Student Support and Academic Enrichment.

The purpose of these programs is to provide financial assistance to rural LEAs to assist them in meeting their achievement goals. Applicants do not compete but rather are entitled to funds if they meet basic eligibility requirements. Eligibility is restricted by statute. Awards are issued annually directly to eligible LEAs on a formula basis.

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## WHAT IT CAN FUND

**SRSA (REAP-Flex)** is available to small and rural school districts. In order to be eligible a school district must have fewer than 600 students and be defined as rural by the National Center for Education Statistics.

Grantees may use SRSA/REAP funds to carry out activities authorized under any of the following federal programs:

- **[Title I-A](#)** (Improving Basic Programs Operated by Local Education Agencies)  
Example: A school district develops an entrepreneurial education program to supplement its civics curriculum.
- **[Title II-A](#)** (Supporting Effective Instruction)  
Example: A school district pays the stipend for a prospective teacher to work alongside an effective teacher, who is the teacher of record, for a full academic year.

- [Title III](#) (Language Instruction for English Learners and Immigrant Students)  
Example: A school district offers an afterschool enrichment program for English learners.
- [Title IV-A](#) (Student Support and Academic Enrichment)  
Example: A school district purchases a bully prevention program for all schools.
- [Title IV-B](#) (21st Century Community Learning Centers)  
Example: A school district purchases instruments to supplement schools' band and orchestra programs.

In order to be eligible for **RLIS**, a school district needs to have 20% or greater census poverty and be defined as rural by the National Center for Education Statistics. LEAs that receive RLIS grants may use the funds to carry out the following types of activities:

- Teacher recruitment and retention, including the use of signing bonuses and other financial incentives
- Teacher professional development, including programs that train teachers to use technology to improve teaching and that train teachers of students with special needs
- Parental involvement activities
- Activities authorized under: Title I-A, Title II-A, Title III, & Title IV-A

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## RESOURCES AVAILABLE FOR THIS TITLE

- [ODE Title VI-B webpage](#)
- [U.S. Department of Education Website for Small and Rural School Achievement Program](#)
- [U.S. Department of Education Website for Rural Low Income Schools Program](#)

## EDUCATION FOR HOMELESS CHILDREN AND YOUTH PROGRAM, MCKINNEY-VENTO HOMELESS ASSISTANCE ACT, TITLE VII, SUBTITLE B

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### WHAT IT IS

The omnibus 1987 McKinney-Vento Homeless Assistance Act authorizes programs in several federal agencies, including education. Subtitle VII-B of the MV Act under subtitle VII-B, the Education of Homeless Children and Youth Program, was reauthorized in 2002 as Title X of the NCLB. In 2015 it became ESSA Title IX-A. To avoid confusion with other title programs, Oregon prefers to call it McKinney-Vento or MV.

The program requires each state to provide coordination, training and technical assistance to districts to remove barriers and improve access to education by homeless children and youth in local districts. States are required to collect and report data, monitor districts for compliance, and partner with other government and nonprofit agencies serving homeless families and youths.

MV addresses the challenges homeless children and youths face enrolling, attending and succeeding in school, from early childhood through high school graduation, emphasizing school stability in spite of housing mobility and inadequacy. It requires districts to remove barriers and support the success of homeless students.

Each state is required to designate a State Coordinator of Homeless Education to implement the program. At ODE, the coordinator is housed in the Office of Teaching, Learning and Assessment, within the Federal Systems Team. All districts are required to designate a Liaison to implement the program locally. With the Liaison's assistance, districts must identify and assist homeless students, provide immediate school enrollment, expedite student records transfers and school placement, arrange for school of origin transportation when feasible and needed, and report data on the number of homeless students served each year. Homeless students and families have rights to appeal school placement determinations, with dispute resolution services provided as needed by ODE.

Districts may compete for a limited amount of federal McKinney-Vento Act grant-in-aid funds, in the form of district subgrants provided at regular two- year intervals. States are allocated MV funds based on the Title I-A formula. ODE must provide at least 75% of the allocation in competitive subgrants to LEAs. All districts, regardless

of MV subgrant status, must comply with essential MV requirements, including outreach and identification, immediate enrollment, school of origin transportation, access to free school meals and extracurricular activities, assistance with clothing and school supplies, referrals for other services and more. Program services extend to early childhood, with local coordination with Head Start, Early Intervention and child care programs, as well as to unaccompanied homeless youths who are not under the supervision of a parent or legal guardian. Each district is required to designate a Liaison to fulfill MV duties, track student progress and report data.

Under ESSA, districts that receive a Title I-A allocation are required to reserve a portion to support the education of homeless students in non-Title I funded schools. Title I-A set-asides can also be used to increase Liaison capacity and for services and assistance not ordinarily provided to other Title I students.

The 2017 Oregon State Plan for Education of Homeless Children and Youth connects the MV program with state initiatives on reducing chronic absenteeism, increasing graduation and support for college and career goals, dropout prevention, early childhood education and providing opportunities for school and district staff development in trauma-informed practices.

Essential partners for the work of MV in Oregon are: State Head Start/Oregon Pre-Kindergarten Collaboration, Office of Child Care, State Interagency Coordinating Council on Early Childhood Education/Early Intervention, State Runaway and Homeless Youth Advisory Committee, Oregon School Boards Association, county Continuums of Care and regional Community Action Agencies.

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## CHANGES WITH ESSA

Notable changes include the codification of items previously in non-regulatory guidance, including such requirements as:

- The presumption that school of origin enrollment is in a homeless student's best educational interest.
- School of origin placement and transportation includes preschools and the receiving or feeder school in the next grade span.
- Districts must provide written confirmation and dispute resolution when MV eligibility is contested, as well as when school placement goes against the wishes of the parent or unaccompanied youth.
- All unaccompanied homeless students in high school be provided information on FAFSA eligibility, with assistance to apply for higher education.
- State Coordinators and District Liaisons must have the capacity to sufficiently carry out their duties.
- Liaison contacts must be posted on state websites.
- States must provide professional development for Liaisons, who must participate.
- Title I-A LEA Plans and budget narratives must be informed by data and include Liaison input, with an approved method to calculate set-asides.

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## WHAT IT CAN FUND

Authorized uses of MV subgrant and Title I-A set-aside funds include:

- Tutoring, supplemental instruction, and enriched educational services that are linked to the achievement of academic standards
- Expedited evaluations of student needs and eligibility for other federal programs
- Professional development for educators and student services personnel to heighten program awareness
- Academic services offered outside the normal school day, during the summer, and/or holiday breaks
- School clothes, shoes, school uniforms and PE requirements
- Personal hygiene items
- Food, water
- Transportation to and from the school of origin
- Transportation to and from academic activities outside of the scheduled school day
- School supplies such as backpacks, calculators, etc.
- Course fees and fees for IB, AP, GED, and SAT/ACT exams

- Development of coordination between LEA and service providers assisting homeless families and youth
- Counseling and mentoring services or referrals
- Referrals and support for dental, mental health, medical and other services (including eyeglasses, hearing aids, physical examinations, etc.)
- Salaries and benefits of personnel serving students and families in transition (such as the LEA Liaison)
- Fees and costs associated with tracking, obtaining, and transferring records necessary for school enrollment (birth certificates, immunization records, academic records, evaluations for special programs or services, guardianship or legal records, etc.)
- 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

Use of McKinney-Vento and Title I-A set-aside funds is further discussed in the [2016 Non-Regulatory Guidance](#) for this program.

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## RESOURCES AVAILABLE FOR THIS TITLE

- Current information on the Oregon program is posted on the [ODE McKinney-Vento Webpage](#), including contacts for Liaisons in all districts, laws and guidance, sample district policies and compliance protocols, resource links and materials such as awareness posters, and multiple years of state and district data.
- [National Center for Homeless Education](#): USDE contractors providing technical assistance to states and districts with webinars, briefs, materials
- [Schoolhouse Connections](#): Expert assistance, case analysis and consultation for state coordinators and district Liaisons
- [2016 Non-Regulatory Guidance](#)

## EQUITABLE SERVICES FOR NONPUBLIC SCHOOLS

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### WHAT IT IS

LEAs that receive federal funds under ESEA and in which nonpublic schools are located must, after meaningful and timely consultation with nonpublic school officials, provide equitable services directly or through contracts with public and/or private agencies, organizations, and/or institutions to eligible nonpublic school children, teachers and other educational personnel. These services, including materials and equipment, must be secular, neutral and non-ideological. This provision applies to the following funding sources:

- Title I-A – Improving Basic Programs Operated by Local Educational Agencies
- Title I-C – Education of Migratory Children
- Title II-A – Supporting Effective Instruction
- Title III-A – Language Acquisition
- Title IV-A – Student Support and Academic Enrichment Grants
- Title IV-B – 21st Century Community Learning Centers

Consultation with nonpublic school officials is required to be **timely and meaningful**. Consultation must provide a genuine opportunity for parties to express their views and must take place:

- Before the LEA makes any decisions that affect opportunities for eligible nonpublic school children, teachers and other educational personnel; and
- Throughout implementation and assessment of services provided.

The goal of meaningful consultation is for school district and nonpublic school officials to reach an agreement on how to provide equitable and effective programs for eligible private nonpublic school children on issues such as:

- How 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 assessed and how the results of that assessment will be used to improve services
- The size and scope of services provided, the amount of funds available for those services, and how that amount is determined
- When, including approximate time of day, services will be provided
- Whether to provide services through a third-party provider
- How and when decisions will be made about the delivery of services through third-party providers (must include considerations and analyses of nonpublic school officials)
- How the proportion of funds allocated for equitable services is determined
- Whether the LEA will provide services directly or through a separate government agency, consortium, entity or third-party contractor
- Whether to provide equitable services to eligible private school children by pooling funds or on a school-by-school basis
- Whether to consolidate and use funds available for Title I equitable services in coordination with eligible funds available for equitable services under programs covered under section 8501(b) to provide services to eligible private school children in participating programs
- The written affirmation that consultation has occurred must provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children

In addition to consultation requirements listed above, LEAs are required to consult nonpublic school officials as follows:

- During the design and development of Title I-A programs;
- Regarding the method and sources of data that will be used to calculate the number of low-income children in nonpublic schools eligible for Title I-A programs and services; and
- LEAs must submit the results of the consultation regarding Title I-A programs to the state designated Ombudsman. LEAs must keep a record of and provide to the state documentation signed by officials from each participating nonpublic school that timely and meaningful consultation did or did not take place. Forms are available on the [TransACT website](#)

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## CHANGES WITH ESSA

- **Creation of an Ombudsman:** To help ensure equitable services and other benefits for eligible private school children, teachers and other educational personnel, and families, ODE will designate an Ombudsman to monitor and enforce nonpublic consultation and equitable service requirements to help ensure equitable services are provided to nonpublic children, teachers, and other educational personnel. The state designated ombudsman serves as the primary point of contact for addressing questions and concerns from private school officials and school districts.
  - The various tasks of an Ombudsman could include but not limited to the following:
    - Attends consultations
    - Mediates, if necessary
    - Ensure compliance with ESSA Private School regulations
    - Collaborates with ODE program staff
    - Communicates policies and practices to the field
  - If private school officials believe the district did not meet consultation or other requirements, they may file a complaint with the state designated Ombudsman:
    - If consultation was not meaningful or timely;
    - If the district did not give due consideration to the views of the private school official; or
    - If the district failed to make decisions that treat the private school or its students equitably.



- **Allocating Funds for Equitable Services for Title I:** An LEA must determine the proportionate share of Title I funds available for equitable services based on the total amount of Title I funds received by the LEA prior to any allowable expenditures or transfers of funds.

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## WHAT IT CAN FUND

Expenditures for services and other benefits provided to eligible nonpublic school children, teachers, and other educational personnel must:

- Be equal to the expenditures for participating public school children, taking into account the number and educational needs of the nonpublic school children to be served; and
- Be obligated in the funds the LEA receives for the fiscal year the funds are received (i.e. if the LEA receives funds for the 2016-17 school year, it must obligate those funds to provide services and benefits to nonpublic school children, teachers, and other educational personnel for that school year).

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## RESOURCES AVAILABLE FOR PROPORTIONAL SERVICES FOR PRIVATE SCHOOLS

- [Private School Participation under ESEA](#)
- [US Department of Education Office of Non-Public Education](#)
- [TransACT](#)

## COORDINATED SPENDING TO MAXIMIZE FUNDS

LEAs and schools have the flexibility to braid and blend funds in certain instances. The decision on whether it is appropriate to braid or blend funds is program and situation specific.

## BRAIDING FUNDS

Using multiple funding sources in a collaborative manner to support educational initiatives ensures consistency and eliminates duplication of services. Braiding funds is a way for LEAs and schools to use multiple federal grants to support various parts of an initiative while maintaining the award specific identity.

For example, assume School A receives Title I funds and is operating a schoolwide program. The school wishes to implement an early warning system to identify struggling students. The school could use Title I funds to pay for the system. If the school did not have enough Title I money to pay for the entire cost, the LEA could contribute CEIS (funds set aside under IDEA to provide early intervening services to non-disabled, struggling students) and/or IDEA, Part B funds to support part of the system. The LEA could also contribute Title II to help the school provide professional development to school staff on how to use the data produced by the system to improve student achievement.

In this scenario, various grants are coordinated to support the early warning system. The activities are allowable under each applicable grant, yet these grants continue to maintain their identity and expenditures for each are documented by the LEA or school.

Federal law authorizes LEAs to coordinate spending from different grant programs provided the activities are permitted under the grant program and the LEA or school maintains documentation on how federal funds are spent.

## BLENDING FUNDS

Combining multiple funding sources to support educational initiatives can ensure consistency, eliminate duplication of services, and reduce burden. Blending funds allows for more flexibility than braiding funds. In schoolwide programs, eligible grants and other resources are combined under a single set of reporting requirements, and the dollars from each individual funding stream lose the original award-specific identity.

For example, School B receives Title I, Title II, CEIS, and IDEA funds and is operating a schoolwide program. The school wishes to implement an early warning system to identify struggling students. School B elects to consolidate its federal grant funds to support its schoolwide program. School B could use any combination of available funds in the consolidated pool to support the early warning system as long as an early warning system is part of its approved schoolwide plan, based on a comprehensive needs assessment.

In this scenario, School B consolidates its federal grant funds, and those funds lose their original award-specific identity. Since the schoolwide plan identifies a need for the initiative, the school can still fund the early warning system, professional development, and other intervening services but does not have to track individual grant expenditures.

Federal law authorizes recipients operating schoolwide programs to consolidate spending from federal, state, and local funds to support the implementation of the schoolwide program as long as the school demonstrates that the intent and purpose of the program are met.

## CONSIDERATIONS WHEN BRAIDING OR BLENDING FUNDS

### BARRIERS TO COORDINATED GRANT SPENDING

Two challenges often serve as barriers to coordinating funds; permissive use of funds and supplement not supplant requirements.

- Identifying permissive uses of funds: Each federal grant has its own rules on what kind of activities the grant can support and who can participate in those activities. LEAs must follow these rules when coordinating spending, but often flexibility exists within grants that allows funds to be spent on a broader array of goods, services, and activities. For example:
  - LEAs can use Title I for more than reading and math remediation. Title I can support a variety of activities to improve student achievement including, but not limited to, preparing students for advanced coursework, school climate interventions, adding common planning time for teachers, as well as supporting other academic subjects such as arts, science, engineering or social studies.
  - LEAs can reserve some IDEA, Part B funds to deliver coordinated early intervening services (CEIS) to K-12 struggling students who have not been identified with a disability.
- Complying with federal supplement not supplant requirements: Supplement not supplant is a rule that applies to most federal grants and is designed to ensure federal funds provide extra support beyond what an LEA would otherwise spend on education. Program specific requirements can be found in [Appendix B](#).

Traditionally, compliance with this requirement is tested on a cost-by-cost basis, and supplanting is generally presumed if an LEA spends federal funds on:

- Activities the LEA is required to carry out per state law or policy;
- Activities the LEA funded with state or local funds last year; and
- Activities provided for other students with state or local funds.

## AT THE DISTRICT - LEVEL: OTHER ADMINISTRATIVE CONSIDERATIONS

### BRAIDING FUNDS

When an LEA elects to braid multiple federal/state funding sources to support a single project, there are important administrative considerations that must be taken into account. Specifically, the LEA must be able to demonstrate allocability: costs charged to each federal program were allocable to that program. In other words, if a federal program funds a portion (or all) of a project, that program must receive the benefit relative to the contribution it makes. LEAs must maintain appropriate time and effort documentation, inventory records, and procedures and financial management records.

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## BLENDING FUNDS

LEAs may only blend specified ESEA funds for consolidated administration. An LEA may use consolidated funds for the administration of the consolidated programs at the LEA and school levels comparable to those authorized for ODE. An LEA that consolidates administrative funds may not use any other funds under the programs included in the consolidation for administration.

An LEA that consolidates administrative funds is not required to keep separate records of administrative costs for each individual program. Expenditures of consolidated administrative funds are allowable if they are for administrative costs that are allowable under any of the contributing programs.

Covered programs as defined in section 9101(13) may be included in an LEA consolidated application or plan:

- Title I-A (Improving Basic Programs Operated by LEAs)
- Title I-C (Education of Migratory Children)
- Title I-D (Prevention and Intervention Programs for Youths Who are Neglected, Delinquent, or At Risk)
- Title I, Part 1003(g) (School Improvement Grants)
- Title II-A (Supporting Effective Instruction)
- Title III (Language Instruction for Limited English Proficient and Immigrant Students)
- Title IV-B (21st Century Community Learning Centers)
- Title V-B (Rural Education Achievement Program)

## AT THE SCHOOL - LEVEL: OTHER ADMINISTRATIVE CONSIDERATIONS

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### BRAIDING FUNDS

At the school level, Title I schoolwide programs have more options than LEAs have to leverage flexibility of federal and non-federal funds to improve outcomes for students. If a school is operating a schoolwide program and elects not to consolidate funds, opportunities still exist to utilize multiple funding sources to support initiatives. There are more administrative requirements in this scenario since separate fiscal accounting records would be required, and there may be instances where it would be difficult to allocate certain activities. These activities must still be based on a needs assessment and part of the schoolwide plan and be necessary and reasonable to accomplish the program's purpose.

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### BLENDING FUNDS

Title I schools operating a schoolwide program may blend funds under Title I-A with other federal, state, and local funds to upgrade the school's entire educational program. When a school elects to blend funds to operate a schoolwide program to support all students, there are administrative considerations that must be taken into account. Specifically, a school that blends funds from different programs to support a schoolwide program is not required to maintain separate fiscal accounting records, by program, as long as the school can demonstrate that the schoolwide program as a whole addresses the intent and purposes of each program whose funds were consolidated.

Note that the schoolwide plan must be based on a comprehensive needs assessment and interventions should be aligned with the school's needs assessment.

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## GENERAL FISCAL PROVISIONS

### TIME AND EFFORT CONSIDERATIONS

Individuals paid in part or in full by a federal grant must maintain appropriate documentation to comply with standards for documentation of personnel expenses.

A cost objective is defined as a program, function, activity, award, organizational subdivision, contract, or work unit for which cost data are desired and for which provision is made to accumulate and measure the cost of

processes, products, jobs, capital projects, etc. The key to determining whether an employee is working on a single cost objective is whether the employee's salary and wages could be supported in full from each of the federal awards on which the employee is working, or from the federal award alone if the employee's salary is also paid with non-Federal funds. Individuals working in schools operating a schoolwide program are working on a single cost objective, the schoolwide plan; therefore, some administrative burdens are alleviated.

Additional flexibility was granted in 2013 when USED issued a letter and supporting documents to alleviate some of the administrative burden by submitting a request to use a substitute system at the school level for personnel working a set schedule. ODE could allow an LEA to use alternative documentation—such as a teacher's course schedule—instead of PARs to document the time and effort of an individual who works on multiple activities or cost objectives but does so on a predetermined schedule. This documentation would be submitted semi-annually, rather than monthly.

## INVENTORY AND SUPPLY CONSIDERATIONS

All items purchased with federal funds must benefit the program supporting the cost. This requires LEAs to have systems in place to track the items they purchase with the federal funds in order to demonstrate the items are being used in a manner that benefits the relevant program. LEAs operating state-administered programs must follow state and local inventory management laws, policies and procedures, as well as federal requirements.

Procedures for managing equipment must meet the following requirements:

- 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 two years
- Control system to prevent loss, damage, theft (all incidents must be investigated)
- Adequate maintenance procedures
- If authorized or required to sell property, proper sales procedures to ensure highest possible return

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## TRACKING AND RECORDS

How an LEA tracks specific items will depend on:

- Federal requirements, if applicable;
- State and local law, policies, and procedures; and
- The nature of the item.

Some non-equipment items are more vulnerable to loss or theft, such as laptops, and other small or sensitive items. LEAs should use tracking methods to provide a reasonable assurance these items can be located. Examples of tracking controls may include, but are not limited to:

- Individual property records such as those described above
- Labeling items so they are clearly identified as property of the LEA and/or a particular funding source
- Requiring employees using an item to sign it out so the LEA can identify which employee has custody of the item

In addition to equipment, LEAs should be able to demonstrate that supplies purchased with federal funds were received by the program, used by the program, and safeguarded from unauthorized use.

## MAINTENANCE OF EFFORT (MOE)

Each year, LEAs receiving funds under ESEA must ensure that district or per-pupil spending of state and local funds remains at 90% or above what was spent in the preceding year. For those LEAs that fail MOE in both calculations (i.e., districtwide and per-pupil spending), the smaller percentage is used as the amount of the reduction. An LEA must fail to comply twice within a five-year span before any reduction in federal funding.

Example:

- School district A spent \$10,000 per pupil in state and local dollars in the 2014-15 school year with total district expenditures of \$1,000,000.
- School district A must spend at least \$9,000 per pupil (90% of \$10,000) or have total district expenditures of \$900,000 in 2015-16 to comply with the MOE requirement.

## ASSURANCES

Each year, LEAs will sign and send the following assurances to ODE as part of their prerequisites in their fiscal applications:

- **School Prayer Assurance** - By October 1 of each year, LEAs must certify in writing to ODE that no LEA policy prevents or otherwise denies participation in constitutionally protected prayer in public elementary and secondary schools, as detailed in guidance provided by the Secretary of Education.
- **ESSA Assurances** (which includes the following, but not a complete list)
  - Privacy of Assessment Results: Any results from an individual assessment referred to in ESEA of a student that become part of the education records of the student must have the protections provided in Section 444 of the General Education Provisions Act.
  - Armed Forces Recruiter Access to Students and Student Recruiting Information: Public high schools must give the names, addresses and telephone numbers of students to military recruiters, college/university recruiters, and prospective employers if the recruiters request the information. However, students or their parents have the right to instruct the school in writing not to release this information to any or all of these groups. Refer to OSBA policy and district requirements to opt out.

## APPENDIX

### APPENDIX A: COMPREHENSIVE INITIATIVES – FUNDING QUICK GUIDES

Lack of clarity over how federal formula funding sources can be used inhibits the implementation of comprehensive strategies with federal funds. The charts below illustrate how state, local, and federal funds can be used to support the sample comprehensive initiatives detailed in this section. Note that in many cases it is possible to support a component cost with more than one federal funding source. It is important to note that it is presumed that both the LEA and school-level activities will be implemented in Title I schools operating schoolwide programs.

#### EXAMPLE: IMPROVE EFFECTIVE INSTRUCTION FOR LITERACY & NUMERACY

Note: Where Title I funds are marked, the use of funds is only allowable in Title I schools operating schoolwide programs.

\* the specific program requirements must be met for eligible school, teacher and/or student activities.

<i>LEA Level Activities</i>	I-A	*SI	II-A	*TIII	*21 <sup>st</sup> CCLC	*REAP/ RLIS
<i>Purchasing supplemental instructional materials</i>	X	X		X	X	X
<i>Supporting data analysis</i>	X	X	X	X		X
<i>Teacher mentoring and coaching</i>	X	X	X	X		X

<b>LEA Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>Professional development activities</i>	X	X	X	X		X
<i>Induction programs for new teachers</i>	X	X	X	X		X
<i>Financial incentives and awards to attract and retain effective teachers for priority and focus schools, or hard to staff areas</i>	X	X	X			X
<i>Principal academies to improve the instructional leadership skills of principals</i>	X	X	X	X		X

<b>School Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>Purchasing effective instructional materials, including intervention materials for struggling students</i>	X	X		X	X	X
<i>Induction programs for new teachers</i>	X	X		X		
<i>Teacher mentoring and coaching</i>	X	X	X	X		X
<i>Professional development on effective instructional practices for teachers and principals (including stipends to teachers for participating in professional development and release time)</i>	X	X	X	X		X
<i>Professional development on effective instructional practices</i>	X	X	X	X		X
<i>Professional development on effective classroom management</i>	X	X	X	X		X
<i>Stipends and release time for mentor teachers</i>	X	X	X			X
<i>Teacher leader programs</i>	X	X	X			X
<i>Extra pay, or other programs, for exemplary teachers</i>	X	X	X			X
<i>Purchasing effective instructional materials to meet the needs of students with disabilities</i>	X	X		X		
<i>Purchasing assistive technology to help students with disabilities access effective instruction</i>						
<i>Planning and implementing new learning environments supportive of all learners, including students with disabilities, within an inclusive setting (depending on how this is implemented, IDEA might only be able to pay</i>	X	X		X		X

<b>School Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>Teacher mentoring and coaching relevant to meeting the needs of students with disabilities</i>	X	X	X	X		X
<i>Professional development relevant to meeting the needs of students with disabilities</i>	X	X	X	X		X

## **EXAMPLE: PROVIDE INSTRUCTIONAL COACHES, SPECIALISTS AND OTHER SUPPORTS FOR TEACHERS**

Note: Where Title I funds are marked, the use of funds is only allowable in Title I schools operating schoolwide programs.

\* the specific program requirements must be met for eligible school, teacher and/or student activities.

<b>LEA Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>Hiring or contracting with instructional coaches to assist teachers in improving instruction</i>	X	X	X	X		X
<i>Teacher mentoring programs in schools</i>	X	X	X	X		X
<i>Induction programs for new teachers in schools</i>	X	X	X	X		X

<b>School Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>Stipends and/or release time to permit effective teachers to support other teachers to improve instruction</i>	X	X	X	X		X
<i>Hiring school-based instructional coaches</i>	X	X	X	X		X
<i>Hiring school-based content experts to mentor and support other teachers</i>	X	X	X	X		X
<i>Adding time to the day or redesigning the school schedule to provide teachers with collaborative planning opportunities</i>	X	X	X	X		X
<i>Induction programs for new teachers</i>	X	X	X	X		X
<i>Professional development for teachers in content knowledge and classroom strategies</i>	X	X	X	X		X
<i>Professional development activities involving collaborative groups of teachers and administrators</i>	X	X	X	X		X
<i>Professional development activities that provide training in improving student behavior in the classroom and identifying early and appropriate interventions to help struggling students</i>	X	X	X	X		X

<b>School Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>Training on how to use data and assessments to improve classroom practice and student learning</i>	X	X	X	X		X
<i>Teacher advancement initiatives that promote professional growth and leadership of teachers</i>	X	X	X	X		X
<i>Instructional coaches to assist teachers in delivering improved instruction for students with disabilities</i>	X		X	X		X
<i>Induction programs for new teachers teaching students with disabilities</i>	X		X	X		X

### EXAMPLE: UPGRADING THE EXISTING CURRICULUM

Note: Where Title I funds are marked, the use of funds is only allowable in Title I schools operating schoolwide programs.

\* the specific program requirements must be met for eligible school, teacher and/or student activities.

<b>LEA Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>Convening committee of stakeholders to identify key issues to be addressed with existing curriculum in order assess curriculum updates necessary to improve student outcomes</i>	X	X		X		X
<i>Developing student materials to implement the upgraded curriculum</i>	X	X		X		X
<i>Developing teacher pacing and sequencing guides for grade- and subject-level objectives to support the upgraded curriculum</i>	X	X		X		X
<i>Developing grade- and subject-level assessments to measure student progress with the upgraded curriculum</i>	X	X		X		X
<i>Developing teacher training materials aligned with the upgraded curriculum</i>	X	X	X	X		X
<i>Developing sample lesson plans and assessment materials for the upgraded curriculum</i>	X	X		X		X
<i>Professional development on effective instructional practices for teachers and principals (including stipends to teachers for participating in professional development and release time)</i>	X	X	X	X		X
<i>Purchasing textbooks to support the upgraded curriculum</i>						
<i>Purchasing supplemental materials to support the upgraded curriculum</i>	X	X		X		X
<i>Parent and community meetings to inform and collaborate with stakeholders</i>	X	X		X		X



## EXAMPLE: REDESIGN, MAXIMIZE OR EXTEND SCHOOL DAY, WEEK OR YEAR

Note: Where Title I funds are marked, the use of funds is only allowable in Title I schools operating schoolwide programs.

\* the specific program requirements must be met for eligible school, teacher and/or student activities.

<i>LEA Level Activities</i>	I-A	*SI	II-A	*TIII	*21 <sup>st</sup> CCLC	*REAP/ RLIS
<i>Stipends for teachers participating in after school or summer programs to improve instruction</i>	X	X		X		X
<i>Stipends for after school and summer program site administrators</i>	X	X		X		X
<i>Guidance counselors for students, family outreach, etc. to assist students with summer credit recovery for graduation</i>	X	X		X		X
<i>Transportation for students attending after school or summer programs to improve instruction</i>	X	X		X	X	X
<i>Instructional supplies, materials, software and equipment to implement after school or summer programs</i>	X	X		X	X	X

<i>School Level Activities</i>	I-A	*SI	II-A	*TIII	*21 <sup>st</sup> CCLC	*REAP/ RLIS
<i>Reconfiguring the schedule and school day to maximize instructional time</i>	X	X				X
<i>Stipends for teachers participating in after school programs to improve instruction</i>	X	X		X		X
<i>Stipends for after school program site administrator</i>	X	X		X		X
<i>Transportation for students attending after school to improve instruction</i>	X	X		X	X	X
<i>Instructional supplies, materials, and equipment to implement after school programs</i>	X	X		X	X	X
<i>Professional development in-services and webinars to provide implementation strategies to redesign classes to support personalized learning</i>	X	X	X	X		X
<i>Costs for providing enrichment activities to</i>	X	X		X		X

## EXAMPLE: ADVANCED COURSEWORK OPTIONS FOR STUDENTS

Note: Where Title I funds are marked, the use of funds is only allowable in Title I schools operating schoolwide programs.

\* the specific program requirements must be met for eligible school, teacher and/or student activities.

<b>LEA Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>Develop or provide professional development for school-level staff on how to prepare low achieving students to participate in advanced coursework</i>	X	X	X	X		X
<i>Parental involvement activities for parents regarding the importance of advanced coursework</i>	X	X		X		X
<i>Supplemental curricular materials to assist low-performing students to participate and succeed in advanced coursework</i>	X	X		X	X	X

<b>School Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>Coursework to prepare struggling students so they can effectively participate in advanced courses (including courses/coursework during the school day, instructional materials, additional school time through tutoring to improve literacy and study skills, intensive summer school, etc.)</i>	X	X		X		X
<i>Instructional specialists that can assist a school in establishing and implementing advanced coursework portfolios as a method to improve student achievement for all students</i>	X	X		X		X
<i>Professional development activities for teachers</i>	X	X	X	X		X
<i>Parental involvement activities to better inform families about how and why rigorous coursework is important to college and career readiness</i>	X	X		X		X
<i>Mentoring and support activities to encourage students to participate in advanced coursework</i>	X	X		X		X
<i>Data analysis to determine which students might need additional help in order to access and succeed in advanced coursework</i>	X	X	X	X	X	X
<i>AP/IB/advanced STEM curricular materials, including strengthening materials so that a more diverse student population will engage in advanced coursework</i>	X	X		X		X
<i>AP/IB test fees in limited cases for low-income students where the cost of the test is the responsibility of the student's parents and not the school or LEA</i>	X	X		X		X
<i>Professional development activities for teachers, and in some cases other building staff, on:</i> <ul style="list-style-type: none"> <li>• <i>Preparing students for advanced coursework</i> <ul style="list-style-type: none"> <li>• <i>Teaching advanced coursework</i></li> </ul> </li> <li>• <i>Supporting struggling students enrolled in advanced coursework</i></li> </ul>	X	X	X	X		X
<i>Professional development activities for general education teachers to ensure special education students have access to and can succeed in advanced coursework opportunities</i>	X	X	X	X		X

<b>School Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>Curricular modifications to ensure advanced coursework is accessible for special education students</i>						

## EXAMPLE: RESPONSE TO INSTRUCTION AND INTERVENTION (RTI<sup>2</sup>)

Note: Where Title I funds are marked, the use of funds is only allowable in Title I schools operating schoolwide programs.

\* the specific program requirements must be met for eligible school, teacher and/or student activities.

<b>LEA Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>LEA RTI Coordinator to coordinate the LEA program, review overall progress of schools, and lead the development of the LEA RTI implementation plan</i>						
<i>LEA-level early warning data system software and materials to improve the academic achievement of students achieving below grade level</i>						
<i>Academic coaches to provide embedded professional development to teachers about RTI implementation and to assist with student intervention plans and data analysis</i>	X	X	X			X
<i>Academic interventionists to work with students to improve the academic achievement of struggling learners</i>	X	X		X		X
<i>Academic interventionists to work with teachers to improve the academic achievement of struggling learners</i>	X	X	X	X		X
<i>Professional development, including job embedded supports, for interventionists or existing teachers for effective RTI implementation (Tiers 2 &amp; 3)</i>	X	X	X	X		X
<i>Universal screener purchased for all schools in the LEA</i>						

<b>School Level Activities</b>	<b>I-A</b>	<b>*SI</b>	<b>II-A</b>	<b>*TIII</b>	<b>*21<sup>st</sup> CCLC</b>	<b>*REAP/ RLIS</b>
<i>School-level early warning data system software and materials to improve the academic achievement of students achieving below grade level</i>	X	X				X
<i>Teacher materials and supplies</i>	X	X	X	X	X	X
<i>Student materials and supplies</i>	X	X		X	X	X
<i>Progress monitoring tools for use with individual students or entire class</i>	X	X		X		X

<i>School Level Activities</i>	I-A	*SI	II-A	*TIII	*21 <sup>st</sup> CCLC	*REAP/ RLIS
<i>Academic interventionists to work with students to improve the academic achievement of struggling learners</i>	X	X		X		X
<i>Professional development, including job embedded supports, for interventionists or existing teachers for effective RTI implementation (Tiers 2 &amp; 3)</i>	X	X	X	X		X
<i>Support the use of progress monitoring data to improve services for students</i>	X	X		X		X

### EXAMPLE: PRE-KINDERGARTEN PROGRAMS

Note: Where Title I funds are marked, the use of funds is only allowable in Title I schools operating schoolwide programs.

\* the specific program requirements must be met for eligible school, teacher and/or student activities.

<i>LEA Level Activities</i>	I-A	*SI	II-A	*TIII	*21 <sup>st</sup> CCLC	*REAP/ RLIS
<i>LEA Pre-K Coordinator to lead the LEA program</i>						
<i>Teachers and educational assistants</i>				X		X
<i>Professional development, including job embedded supports for teachers</i>	X		X	X		X
<i>Instructional supplies, materials, software, and equipment for the Pre-K program</i>				X		X
<i>Costs for providing enrichment activities to students participating in Pre-K programs</i>				X		X

<i>School Level Activities</i>	I-A	*SI	II-A	*TIII	*21 <sup>st</sup> CCLC	*REAP/ RLIS
<i>Professional development, including job embedded supports for teachers</i>	X	X		X		X
<i>Instructional supplies, materials, software, and equipment for the Pre-K program</i>	X	X		X		X

### APPENDIX B: SUPPLEMENT NOT SUPPLANT

Confusion over the supplement not supplant requirement can be a barrier to coordinating federal grant funds. The supplement not supplant requirement is applied differently depending on the federal program. The chart below will help LEAs understand the requirements in order to coordinate spending of federal grant funds effectively.

#### **Federal Program** Supplement Not Supplant Requirements

**Federal  
Program**

**Supplement Not Supplant Requirements**

<p><i>Title I-A</i></p>	<p>Title I funds are required to supplement, and not supplant existing state and local funding. In plain language, this means that federal funds should add to, and not replace, state and local funds. Before ESSA, Title I-A's 'supplement, not supplant' requirement was tested through three presumptions that looked at each activity supported with Title I funds to determine if it was something an LEA or school would have paid for with state and/or local funds if Title I funds were not available.</p> <p>Effective in the 2017-18 school year, these presumptions will no longer apply to Title I-A. Instead, LEAs must demonstrate that the methodology they use to allocate state and local funds to schools provides each Title I school with all of the state and local money it would receive if it did not participate in the Title I program. In short, LEAs and schools will be required to demonstrate that Title I-A funding is supplemental and not that the individual activities or services supported with Title I are supplemental.</p> <p>This should expand LEAs' spending options for Title I funds. Costs must still be consistent with the purpose of Title I – improving student achievement – and must still support eligible students among other requirements.</p>
<p><i>Title I-C</i></p>	<p>Supplanting is presumed if Title I, Part C is used:</p> <ol style="list-style-type: none"><li>1. To provide services required to be made available under state or local laws; or</li><li>2. To provide services provided with state or local funds in the prior year.</li></ol>
<p><i>Title I-D</i></p>	<p>Title I, Part D programs must supplement the number of hours of instruction students receive from state and local sources without regard to the subject areas in which instruction is given during those hours.</p>
<p><i>Title II-A</i></p>	<p>Supplanting is presumed if an LEA uses Title II:</p> <ol style="list-style-type: none"><li>1. To provide services the LEA is required to make available under other federal, state, or local laws; or</li><li>2. To provide services the LEA provided with state or local funds in the prior year.</li></ol> <p>Exception:</p> <ul style="list-style-type: none"><li>• An LEA may overcome the second presumption of supplanting if it can demonstrate it cannot continue to support an activity with state or local funds because of state or local funding reductions.</li></ul> <p>Title II funds could supplement state and local mandates. For example, if state law mandated a certain number of hours of professional development on a particular topic, Title II could support additional training on that topic.</p>
<p><i>Title III</i></p>	<p>Title III, Part A funds must be used to supplement the level of <u>other</u> federal, state, and local public funds that, in the absence of Title III funds, would have been expended for programs for limited English proficient children and immigrant children and youth and in no case to supplant such <u>other</u> federal, state, and local public funds.</p> <p>The LEA must ensure that any services provided with Title III, Part A funds are supplemental and could not be used to meet a requirement of any other federal programs, including Title I, Part A.</p>

**Federal  
Program**

**Supplement Not Supplant Requirements**

<i>Title IV-B</i>	Title IV, Part B funds must be used to increase the level of state, local, and <u>other</u> federal funds that would, in the absence of these funds, be made available for programs and activities authorized by Title IV, Part B, and in no case supplant such state, local, and <u>other</u> federal funds.
<i>Title VI-B</i>	Title VI, Part B funds must be used to supplement, and not supplant, any <u>other</u> federal, state, or local education funds.
<i>Homeless Education</i>	Services provided with McKinney-Vento funds shall not replace, but must supplement, the regular academic program and shall be designed to expand upon or improve services provided as part of the school's regular academic program.

**APPENDIX C: EXPANDING ON MAXIMIZING THE USE OF TITLE II-A FUNDS**

**EVALUATION AND SUPPORT SYSTEMS**

LEAs may use Title II funds to develop or improve evaluation and support systems in compliance with the [Oregon Framework for Educator Support Systems](#) for teachers, principals, or other school leaders that are (1) based in part on student achievement, (2) include multiple measures of performance, and (3) provide clear, timely and useful feedback. This could include:

- Content or instructionally **focused professional learning** for teachers and administrators to assist them in **improving areas of weakness identified by the LEA's educator evaluation system**
- Monetary incentives associated with earning high educator effectiveness ratings
- **Professional learning for evaluators** to improve the delivery of feedback and additional training to improve reliability between evaluators.
- **Professional learning** for teachers, paraprofessionals, principals and superintendents **on the aligned LEA evaluation system** including the tools and processes utilized within the system
- Purchase and/or development of **data systems for collecting data on educator performance**
- **Technology purchased solely for the purposes of recording data from teacher observations**

**RECRUITING, HIRING, AND RETAINING EFFECTIVE TEACHERS**

High-quality teaching and learning requires a diverse cohort of educators to be prepared and supported to meet the many challenging demands that they and their students face, particularly underserved students and students of color. LEAs may use Title II funds to develop and implement initiatives to recruit, hire and retain effective teachers to improve the equitable distribution of teachers, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet state standards. This can include the following:

- **Expert help in screening candidates** and enabling early hiring;
- **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;
- **Supporting teacher leadership** through career opportunities and advancement initiatives for effective teachers that promote professional growth and emphasize multiple career paths. This includes 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;
- **Establishing and supporting mentoring and induction programs** for new teachers, principals or other school leaders;

- **Training for school leaders, coaches, mentors and evaluators** on how to accurately differentiate performance, provide useful feedback and use evaluation results to inform decision-making about professional development, improvement strategies and personnel; and
- A system for **auditing the quality of evaluation and support systems**.

EXAMPLE: Teacher Residency Program

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

- Receive concurrent instruction from either the LEA or the 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 residency program, or other measure determined by the state.

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## SUPPORTING EDUCATOR DIVERSITY

According to ED guidance, LEAs may use Title II funds for:

- **Providing financial support** to educator recruitment programs within the community to improve hiring and retention of a diverse workforce;
- **Offering 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;
- **Partnering with preparation providers** including local community colleges, Institutions of Higher Education (IHEs), Minority Serving Institutions, and alternative route providers **to build a pipeline of diverse candidates**;
- Providing **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 orientation;
- Providing time and space for **differentiated support for all teachers**, including affinity group support;
- **Supporting leadership and advancement programs** aimed to improve career and retention outcomes for all educators, including educators from underrepresented minority groups; and
- Developing and implementing other **innovative strategies and systemic interventions designed to better 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.

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## RECRUITING FROM OTHER FIELDS

LEAs may use Title II funds to recruit qualified individuals from other fields to become teachers, principals, or other school leaders. Qualified individuals from other fields include mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with records of academic distinction who demonstrate the potential to become effective teachers, principals or other school leaders.

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## CLASS SIZE REDUCTION

Keeping in mind that the intent and purpose of Title II-A is to strengthen the quality and effectiveness of teachers, principals, and other school leaders the strategy of class-size reduction, while allowable, has limited impact reaching only a very small percentage of teachers and an even smaller percentage of students. Oregon has determined that class-size reduction strategies are allowable only when:

- implemented in Grades K-3;
- class size is reduced to 20 or fewer students **in each class at that grade level in the school**; and

- the teacher hired to reduce class size holds appropriate state licensure.

Those LEAs requesting to use Title II-A funds for class size reduction must provide a rationale for the request, along with the measures to be used to determine the impact of this strategy on teacher effectiveness and student performance.

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## PERSONALIZED PROFESSIONAL DEVELOPMENT

LEAs may use Title II funds to provide high-quality, personalized professional development for teachers, instructional leadership teams, principals or other school leaders. The professional development must be evidence-based, to the extent ODE (in consultation with LEAs) determines such evidence is reasonably available. The professional development must also focus on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals or other school leaders to:

- **Effectively integrate technology** into curricula and instruction (including education about the harms of copyright piracy);
- **Use data to improve student achievement** and understand how to ensure individual student privacy is protected;
- **Effectively engage parents, families and community partners**, and coordinate services between school and community;
- Help all students **develop the skills essential for learning readiness** and academic success;
- Develop policy with school, LEA, community or state leaders; and
- **Participate in opportunities for experiential learning** through observation.

Defining “Professional Development”: ESEA section 8101(42) defines professional development, specifically noting that activities are sustained (not stand alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data driven and classroom-focused.

### Personalized Professional Development Examples

- Peer-led, evidence-based professional development in LEAs and schools;
- Community of learning opportunities and other professional development opportunities with diverse stakeholder groups such as parents, civil rights groups, and administrators, to positively impact student outcomes; for example, through a forum to discuss the implications of a policy or practice on a school community, or organizing a community-wide service learning project, where teachers work together afterward to incorporate lessons learned into their teaching;
- Community of learning opportunities where principals and other school leaders engage with their school teams to fully develop broad curriculum models;
- Providing initial and on-going professional learning opportunities to administrators, teachers, and other personnel to effectively implement a multi-tiered system of support;
- Opportunities for principals and other school leaders to collaborate, problem-solve and share best practices;
- “Teacher time banks” to allow effective teachers and school leaders in high-need schools to work together to identify and implement meaningful activities to support teaching and learning. For example, when implementing teacher time banks, Title II funds may be used to pay the costs of additional responsibilities for teacher leaders, use of common planning time, use of teacher-led developmental experiences for other educators based on educators’ assessment of the highest leverage activities, and other professional learning opportunities; and
- Ongoing cultural proficiency training to support stronger school climate for educators and students.



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## INCREASING TEACHER EFFECTIVENESS FOR STUDENTS WITH DISABILITIES AND ENGLISH LEARNERS

LEAs may use Title II to develop programs and activities that increase teachers' ability to effectively teach children with disabilities and English learners, which may include the use of multi-tiered systems of support and positive behavioral intervention and supports. LEAs should coordinate any professional development planned and paid for with Title II funds with their professional development efforts funded under the Individuals with Disabilities Act (IDEA) and Title I and Title III of ESEA.

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## SUPPORTING EARLY EDUCATION

LEAs may use Title II funds to support strategies and activities to increase the knowledge base of teachers, principals, or other school leaders on instruction in the early grades and on strategies to measure whether young children are progressing.

LEAs may also use Title II funds to support strategies and activities to increase the ability of principals or other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age eight, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school.

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## SUPPORTING EFFECTIVE USE OF ASSESSMENTS

LEAs may use Title II funds to provide training, technical assistance, and capacity-building to assist teachers, principals, or other school leaders with selecting and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate.

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## SUPPORTING AWARENESS AND TREATMENT OF TRAUMA AND MENTAL ILLNESS, AND SCHOOL CONDITIONS FOR STUDENT LEARNING

LEAs may use Title II funds to carry out in-service training for school personnel in the following:

- The techniques and supports needed to help educators understand when and **how to refer students affected by trauma**, and children with, or at risk of, mental illness;
- The use of referral mechanisms that effectively **link such children to appropriate treatment and intervention services** in the school and in the community, where appropriate;
- **Forming partnerships** between school-based mental health programs and public or private mental health organizations;
- Supporting collaborative problem-solving teams and **school climate/safety teams**; and
- **Addressing issues related to school conditions for student learning**, such as safety, peer interaction, drug and alcohol abuse and chronic absenteeism.

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## SUPPORTING GIFTED AND TALENTED STUDENTS

LEAs may use Title II funds to provide training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as:

- Early entrance to kindergarten,
- Enrichment, acceleration, and curriculum compacting activities, and
- Dual or concurrent enrollment programs in secondary school and postsecondary education.

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## PREVENTING AND RECOGNIZING CHILD SEXUAL ABUSE

LEAs may use Title II funds to provide training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse.

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## SUPPORTING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM)

LEAs may use Title II funds to develop and provide professional development and other comprehensive systems of support for teachers, principals, or other school leaders to promote high-quality instruction and instructional leadership in science, technology, engineering and mathematics subjects, including computer science.

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## IMPROVING SCHOOL WORKING CONDITIONS

LEAs may use Title II funds to develop feedback mechanisms to improve school working conditions. This can include periodically and publicly reporting feedback on educator support and working conditions. For instance, consider utilizing the [TELL Oregon](#) survey results.

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## SUPPORTING POSTSECONDARY AND WORKFORCE READINESS

LEAs may spend Title II funds to provide high-quality professional development for teachers, principals or other school leaders on effective strategies to integrate rigorous academic content, career and technical education, and work-based learning. If appropriate, it may include providing common planning time to help prepare students for postsecondary education and the workforce.

## APPENDIX D: HELPFUL LINKS

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### GENERAL ODE RESOURCES

- [EGMS Instructions for Subgrantees](#)
- [Schoolwide and Targeted Assistance Planning](#)
- [Oregon Department of Education's Private Schools webpage](#)
- [Continuous Improvement Planning \(CIP\) Budget Narrative Guide](#)
- [Oregon Department Education - Federal Programs](#)
- [Oregon Department of Education's Every Student Succeeds Act \(ESSA\) webpage](#)

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### EXTERNAL RESOURCES

- [United States Department of Education](#)
- [United States Census Bureau – Small Area Income and Poverty Estimates \(SAIPE\)](#)
- [National Title I Association](#)
- [National Association of Federal Education Program Administrators \(NAFEPA\)](#)
- [United States Department of Education - Office of Non-Public Education](#)

## APPENDIX E: TOOLS

- [Continuous Improvement Planning \(CIP\) Budget Narrative Guide](#)
- [Continuous Improvement Planning \(CIP\)](#)
- [District Oregon Department of Education Website](#)

## APPENDIX F: GLOSSARY

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*Term*

*Definition*

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<b>Term</b>	<b>Definition</b>
<i>Comprehensive Needs Assessment (CNA)</i>	The Comprehensive Needs Assessment process guides districts and schools through a structured process of locally reviewing both quantitative and qualitative data and information that will help identify local areas of strengths, challenges, and areas for improvement. The Comprehensive Needs Assessment process aims to elevate areas of opportunity for continuous improvement that are then supported by more discrete action steps and evidence-based interventions and programs to move improvement efforts forward.
<i>Comprehensive Support and Improvement (CSI) Schools</i>	<ul style="list-style-type: none"> <li>• schools in the lowest-performing 5 percent (or more, at the state’s discretion) of all Title I schools in a state;</li> <li>• high schools failing to graduate at least two thirds of their students (i.e., having a graduation rate of 67 percent or lower); and</li> <li>• Title I schools with at least one consistently underperforming subgroup that, on its own, has been performing as poorly as students in the lowest-performing 5 percent of all Title I schools in the state for a number of years (to be determined by each state) and that has failed to improve after the school has implemented an improvement plan, whether that plan is a standard Title I improvement plan in the initial ESSA years or a TSI plan once ESSA has been fully implemented.</li> <li>• Level 1 in at last half of the rated indicators (including weights, as described below), or</li> <li>• Level 1 or Level 2 on all academic indicators, or</li> <li>• High schools with graduation rates at or below 67%.</li> <li>• Title I schools with student groups that show opportunity for growth along multiple measures. <ul style="list-style-type: none"> <li>○ Schools with a student group performing at the “targeted” level for three or more years and that has not shown improvement.</li> </ul> </li> </ul>
<i>Delinquent Children</i>	Those who have been adjudicated to be delinquent or in need of supervision. All institutions transition children back to the community. For safety reasons, delinquent children have limited access to the community.
<i>Educational Services Districts (ESDs)</i>	An Educational Service District (ESD) is a regional education unit in the state of Oregon. Each ESD provides regional services to its component school districts, primarily in areas that the school districts alone would not be able to adequately and equitably provide. These services are basically offered within four large categories: Special Needs Children, School Improvement, Technology, and Administrative services.

<b>Term</b>	<b>Definition</b>
<p><i>English Learner (EL) and English Language Learner (ELL)</i></p>	<p>Under ESSA, means an individual:</p> <ol style="list-style-type: none"> <li>1. Who is aged 3 through 21;</li> <li>2. Who is enrolled or preparing to enroll in an elementary school or secondary school;</li> <li>3. Who meets one of the following:               <ol style="list-style-type: none"> <li>a. Was not born in the United States or whose native language is a language other than English;</li> <li>b. 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</li> <li>c. 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</li> </ol> </li> <li>4. Whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:               <ol style="list-style-type: none"> <li>a. The ability to meet the challenging state academic standards;</li> <li>b. The ability to successfully achieve in classrooms where the language of instruction is English; or</li> <li>c. The opportunity to participate fully in society.</li> </ol> </li> </ol> <p>The Oregon definition of English Language Learner is (<a href="#">ORS 336.079</a>) "As used in this section, "English language learners" means a student who:</p> <ol style="list-style-type: none"> <li>(a) Has limited English language proficiency because English is not the native language of the student or the student comes from an environment where a language other than English has had a significant impact on the student's level of English proficiency; <b>and</b></li> <li>(b) Meets any other criteria established by the State Board of Education by rule.</li> </ol>
<p><i>Immigrant Children and Youth</i></p>	<p>Individuals who:</p> <ol style="list-style-type: none"> <li>a. Are aged 3 through 21;</li> <li>b. Were not born in any State (including Washington D.C. and Puerto Rico); and</li> <li>c. Have not been attending one or more schools in any one or more states for more than three full academic years.</li> </ol> <p>Note: An immigrant student need not be an EL. For instance, a student who moved from Australia who is fluent in English meets the criteria to be identified as an immigrant student but may not be an EL.</p>
<p><i>Local Educational Agency (LEA)</i></p>	<p>Typically refers to a school district, but can also refer to a charter school. For accuracy, in this document the term "LEA" refers to both school districts and charter schools.</p>
<p><i>Neglected Children</i></p>	<p>Those who have been either voluntarily, or by state law, placed in a facility or group home due to abandonment, neglect, or death of their parents or guardians. All programs transition children back to the community. Some of these children attend public school.</p>

<b>Term</b>	<b>Definition</b>
<i>Professional Development</i>	ESEA section 8101(42) defines professional development, specifically noting that activities are sustained (not stand alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data driven and classroom-focused.
<i>Schoolwide</i>	Schoolwide program model: High-poverty schools (those with 40 percent or more students from low-income families) are eligible to adopt schoolwide programs to raise the achievement of low-achieving students by improving instruction throughout the entire school, thus using Title I funds to serve all children. Schools may operate a schoolwide program as long as the school conducts a comprehensive needs assessment and develops a schoolwide plan for meeting those needs. The premise behind the schoolwide model is that comprehensive improvement strategies – rather than separate, add-on services – are most effective in raising academic achievement for the lowest achieving students in a school. This is best accomplished by a school addressing the root causes of low performance.
<i>Service Delivery Plan (SDP)</i>	A multi-step process to convene stakeholders to select research-based strategies (based on the Comprehensive Needs Assessment findings) to meet the needs of migrant children and youth, develop a plan to implement the strategies, and establish measurable goals and targets for accountability.
<i>Targeted Assistance</i>	Targeted assistance program model: Schools that are not eligible for (or do not choose to operate) schoolwide programs must use Title I funds to provide targeted services to low-achieving students. In a targeted assistance program, the school uses Title I funds to provide additional supports to specifically identified students struggling to meet state standards.
<i>Targeted Support and Improvement (TSI) Schools</i>	<ul style="list-style-type: none"> <li>• Schools have consistently underperforming student groups that require additional support.</li> <li>• Any school where at least one student group meets the criteria listed above for comprehensive support and improvement school identification, or</li> <li>• Meets the criteria for the school as a whole or for an individual student group.</li> </ul>
<i>Well-Rounded Education</i>	Defined in <i>ESSA</i> as courses, activities and programming in subjects such as English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, physical education, and any other subject, as determined by ODE or LEA. ODE’s extended definition includes: A well-rounded education provides the knowledge and skills to live, learn, work, create, and contribute and ensures that each and every student is known, heard, and supported.