



# OPI Title Program Guide





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## ESSA Overview

The Every Student Succeeds Act (ESSA) is the [federal law](#) that allows the U.S. Government to support both national and local education goals with grants and other resources. Passed in 2015, it replaced [No Child Left Behind \(NCLB\)](#), and became the latest iteration, or extension, of the 1965 [Elementary and Secondary Education Act \(ESEA\)](#). This act established the supplementary school support programs for special student populations commonly known as the Title programs. Each year, the State of Montana receives an allocation for each program based upon the number of identified eligible students. The allocation is then distributed to all eligible districts using the applicable formula(s). Formulas and the application process vary somewhat across programs. Of the programs listed below, Title I Part C, Title I Part D, and Title IX are administered through separate applications. The other programs are all administered through a common application known as the ESEA Consolidated Application. Here is a brief overview of each of the Title programs and their goals and objectives:

### *Title I, Part A: Improving Basic Programs Operated by Local Education Agencies*

Title I, Part A is a federal program designed to provide additional academic support and learning opportunities to help low-achieving children master challenging curricula and meet state standards in core academic subjects.

### *Title I, Part C: Migrant Education Program*

Title I, Part C provides services to ensure that all migratory children reach challenging academic standards and graduate with a high school diploma (or complete a HiSET) that prepares them for responsible citizenship, further learning, and productive employment.

### *Title I, Part D: Neglected, Delinquent or At-Risk*

The purposes of Title I, Part D are to:

- Improve educational services for children and youth in local, tribal, and state institutions who are neglected, or delinquent, so that they can meet the same challenging state academic standards that all other children are expected to meet.
- Provide these children and youth with services to successfully transition to further schooling or employment.
- Prevent youth who are at risk from dropping out of school. Provide youth who drop out and children and youth returning from correctional facilities with a support system to ensure their continued education and the involvement of their families and communities.

### *Title II, Part A: Supporting Effective Instruction*

Title II, Part A provides grants to State educational agencies, local educational agencies, State agencies for higher education, and eligible partnerships to:

- increase student academic achievement through strategies such as improving teacher and principal quality, increasing the number of highly qualified teachers in the classroom and highly qualified principals and assistant principals in schools; and
- hold local educational agencies and schools accountable for improvements in student academic achievement.



### *Title III, Part A: English Language Learners*

This program is designed to improve the education of English Learner (EL) children and youth by helping them learn English and meet challenging state academic content and student academic achievement standards. The program also provides enhanced instructional opportunities for immigrant children and youth. Funds are distributed to states based on a formula that considers the number of immigrant and EL students in each state.

### *Title IV Part A: Student Support and Academic Enrichment*

The Student Support and Academic Enrichment (SSAE) Program improves student's academic achievement by increasing the capacity of States, local educational agencies, 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 to improve the academic achievement and digital literacy for all students.

### *Title V: Rural and Low-Income School Program (RLIS)*

The Rural and Low-Income School Program (RLIS) supports improved student achievement in rural districts. Under the RLIS Program, grants are made to SEAs with eligible school districts. SEAs subgrant RLIS funds to eligible school districts to pay for activities authorized under Titles I-IV of the ESEA, as well as parental involvement activities. If a State elects to not participate in the RLIS program, eligible LEAs from that State are considered specially qualified agencies (SQAs) and can apply directly to the Department for RLIS awards. To be eligible school districts must have at least 20 percent of the children they serve come from families with incomes below the poverty line and be located in a rural area.

### *Title IX, Part C: McKinney- Vento Education for Homeless Children and Youth (EHCY) Program*

The EHCY program provides formula grants to the 50 states, the District of Columbia, Puerto Rico based on each state's share of Title I, Part A, funds. Among other things, the program supports an office for coordination of the education of homeless children and youths in each state, which gathers comprehensive information about homeless children and youths and the impediments they must overcome to regularly attend school. Every year, Montana awards formula funds to school districts with 50 or more students experiencing homelessness (or consortia). The grants are awarded through a competitive process every three years. These grants help LEAs ensure that homeless children, including preschoolers and youths, have equal access to free and appropriate public education (FAPE).



# General Grant Guidelines

## Assurances

All federal grants require districts to comply with federal regulations and requirements when receiving funding. This process involves ensuring that the proposed project aligns with federal objectives, maintaining accurate financial records, and adhering to standards of accountability and transparency. Districts receiving funds must annually review and know how to comply with the specific assurances of the grant. The OPI evaluates compliance with these assurances through ESEA monitoring every 5 years.

## Supplement not Supplant

When using federal grant dollars, districts must follow the "supplement, not supplant" rule, which means that these funds should be used to enhance existing programs rather than replace state or local funding. Grants funds should be used to add resources or services that are not covered by other budgets. This ensures that federal dollars expand opportunities for students, rather than simply filling gaps left by local funding cuts. [28 CFR 94.108](#)

## Maintenance of Effort (MOE)

Districts receiving Title program funding must annually demonstrate that they are maintaining non-federal expenditure levels to avoid supplanting state and local funds with federal funds. State and local expenditures within identified categories must not drop below 90% of the previous year's expenditures. If this occurs more than once over a 5-year period, the district will have a MOE reduction on the subsequent year's allocation. The reduction will correspond with the percentage non-federal expenditures fell below 90%. e.g. If the district's non-federal expenditures were 85% of the previous year's, a 5% MOE reduction would be applied during the next allocation cycle. OPI's School Finance Division annually runs MOE calculations to ensure compliance and address failures to comply with the MOE provision. Further information about the MOE process and calculations can be found in section 200.5 of the [OPI Federal Grants Handbook](#).

## General Cost Principles

All costs and expenditures charged to federal awards must adhere to the following principles:

- **Allowable:** Allowable costs are those that meet the specific criteria set forth by the grant. They should also meet the general spending guidance set forth in the [code of federal regulations](#), proper documentation and record keeping is necessary to assure compliance.
- **Allocable:** Federal Regulations require that costs are allocable, meaning they should be assigned to specific projects or activities in a manner that is reasonable and necessary. Districts must always be able to demonstrate the clear connection between expenditures and program objectives. For costs to be considered allocable, they must directly benefit the project in question or be necessary for its operation. [2 CFR 200.405](#)
- **Reasonable and Necessary:** "Reasonable" refers to costs that are fair and sensible, considering what a prudent person would spend in a similar situation. For example, if a grant is used to purchase equipment, the price must align with the current market value and not exceed what is typical for that type of equipment. "Necessary" means that the expenses must be essential for achieving the goals outlined in the grant.



## Timely Expenditure

Funds need to be obligated within 14 months of the award date (July 1 to Sept 1 of the following year) and liquidated by October 25<sup>th</sup> of the following year. Obligation refers to funds that have been committed or reserved for a specific purpose or project but have not yet been spent. "Liquidated" describes the funds that have already been spent and accounted for, meaning that the expenses have been finalized and the money has been disbursed to cover eligible costs.

## Monitoring

### *Monitoring Purpose*

The purpose of ESEA Consolidated Monitoring is to provide the support districts need with the implementation federal programs while navigating the requirements that each program has within the Elementary and Secondary Education Act. The intent is to learn how districts are utilizing their federal funds and assure that they are meeting the requirements within each fund, and if necessary, assist the district with implementing changes that will help them strengthen their programs and meet legal requirements. This process is done to help protect districts and the state of Montana from any consequences that may occur from state or federal audits of federal programs and funds in the consolidated application. The objectives of the OPI for monitoring are centered around three key areas:

1. Building Relationships – We're in this together. The main objective for the Montana Office of Public Instruction (OPI) is to raise student achievement for Montana's public-school children. Through cooperative assessment of the federal programs, between the OPI and Montana school districts, the quality of Title services to students will be strengthened and improved.
2. Technical Assistance – We're here to help. The OPI Federal Programs team provides technical assistance during the review and beyond. It is not the OPI's intent to tell the district how to run its title programs, but rather to answer questions, facilitate dialogue, and exchange ideas and information for program improvement while, at the same time, ensuring all federal requirements are met.
3. Compliance – It's the law. Monitoring federal programs helps ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education. Monitoring is intended to be a collaborative partnership between the OPI and districts to ensure compliance with the Every Student Succeeds Act (ESSA). A successful monitoring review will also aid schools in staying out of high-risk status with the OPI.

While accountability to federal requirements is important, the goal of monitoring is overall improvement in implementation of federal programs.

### *Monitoring Protocol*

The responsibility for monitoring resides with the OPI, mandated by ESEA statute. The Federal Programs unit has synthesized ESEA program requirements into a meaningful and manageable collection of requirements in a [Monitoring Organizational Tool](#). The [Monitoring Organizational Tool](#) includes information on the requirements within ESEA for which districts will be monitored. While the indicators listed in this document provide a comprehensive overview of the programs, it does not



encompass every requirement in a grant program. A table is included for each title program that contains:

- a description of each of the monitoring indicators.
- the relevant portion of ESEA law that applies.
- supporting documentation that should be maintained by the district.
- specific OPI contact information for assistance in the program area

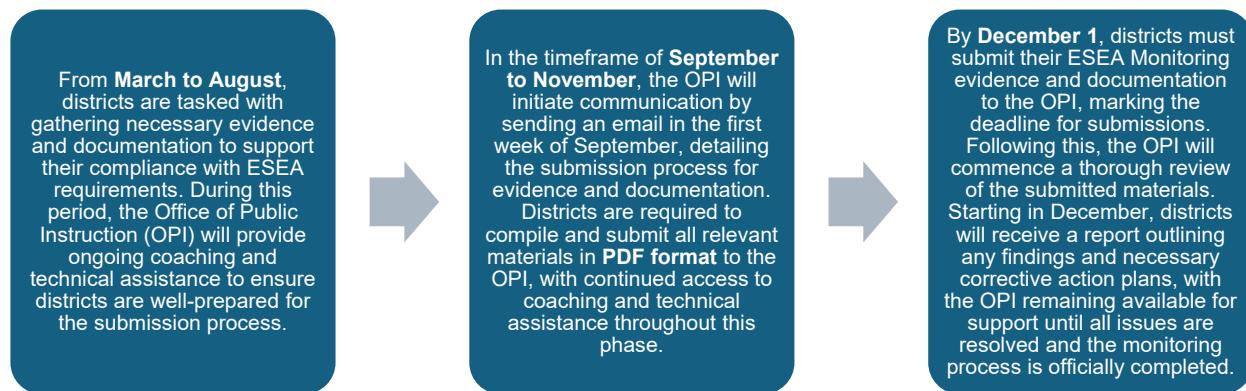
All districts are encouraged to use this tool as a resource for organizing, collecting, and submitting documentation related to ESEA federal programs when a district is selected for monitoring. The Federal Programs unit will use the [Monitoring Organizational Tool](#) and its indicators to evaluate ESEA program compliance.

## Monitoring Process



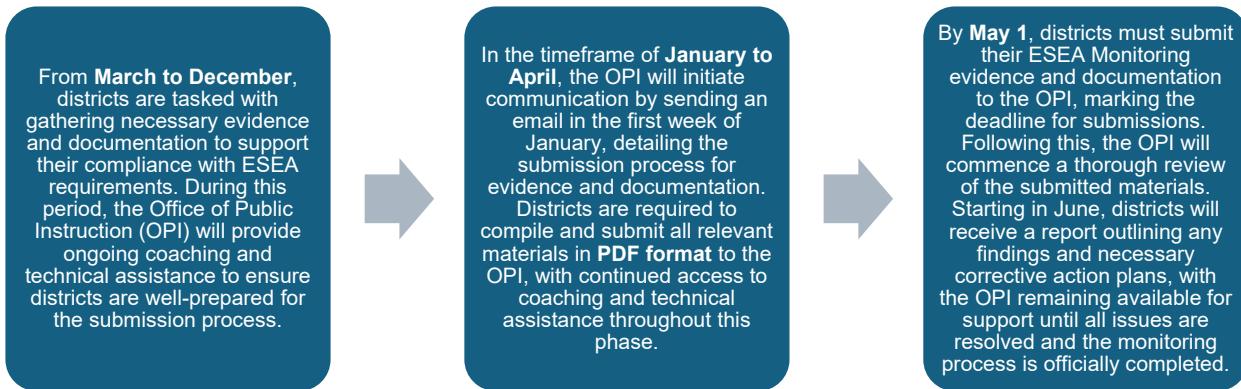
LEAs chosen for ESEA Consolidated Monitoring receive notification in March regarding the monitoring scheduled for the following school year.

## Fall Monitoring





## Spring Monitoring



### *Monitoring Submission of Materials*

The OPI will provide the LEA superintendent with a secure link to a district monitoring folder for uploading evidence, which will be accessible to both the OPI and the LEA. The LEA will use the [Monitoring Organizational Tool](#) as a checklist to compile all required documentation. Each document must be saved individually in PDF format and renamed to include the relevant item number from the [Monitoring Organizational Tool](#), such as IA-A, CC-H, MV-B, etc. Once the documentation is collected and prepared, the LEA will upload it to the district monitoring folder via the secure link. Within this folder, program subfolders will be organized under the Evidence Folders.

**Notice to all districts:** Due to the wide range of district and school parental notification forms, and the fact that many do not meet federal requirements, beginning with School Year (SY) 2021-22, [TransACT](#) documents must be used by ALL LEAs. Those sections where TransACT forms must be used are identified within the Monitoring Organizational Tool. The OPI has partnered with TransACT Communications to provide state approved and legally reviewed parent notices, forms, and letters at no cost for district and school staff. The Montana Office of Public Instruction (OPI) pays for a state subscription to TransACT for all Montana districts.

- TransACT Parent Notices must be completed with LEA contact information, updated annually, and made available/accessible to parents and families.
- LEAs are encouraged to include annually updated TransACT Parent Notices as part of student enrollment packets, parent/student handbooks, and district webpages.
- Required TransACT Parent Notices are listed on each program's monitoring tool.

### *Monitoring Review of Materials (Desk Monitoring)*

Using the [Monitoring Organizational Tool](#), submitted materials are reviewed to determine district compliance. Upon completion of the review, The OPI will prepare a detailed report to share desk monitoring review results with the district.

### *Monitoring Report and Corrective Action Plan*

After reviewing the documentation and evidence submitted by the LEA, the OPI will issue a detailed monitoring report. This report will outline the LEA's compliance status, suggest next steps, and highlight any findings along with necessary corrective actions to address findings.

The monitoring report is based on the primary formula grant program for:



- Title I-A: Improving Basic Programs Operated by Local Educational Agencies
- Title II-A: Supporting Effective Instruction
- Title III: English Language Acquisition, Language Enhancement, and Academic Achievement Act
- Title IV-A: Student Support and Academic Enrichment Grants
- Title IX: Education for Homeless Children and Youths

The reports for each program are in five sections:

- **Compliance area:** Section of the program being monitored.
- **Description:** Provides a brief overview of the text from federal or state law that addresses each section being monitored.
- **Finding Status:** Describes issues of compliance that will require response and correction by the district to continue to be eligible for ESEA/ESSA funding.
- **Corrective Action Plan:** Lists steps the district must take to correct the findings as it reviews and revises its Title programs. It also gives the time frame in which these corrections must take place.
- **Recommendation:** Provides additional comments, suggestions, or recommendations that the LEA may want to consider.
- **Program Contact:** Provides the contact information of the Program Specialist for this section.

## *Resources*

- [ESEA Consolidated Monitoring OPI webpage](#)
- [ESEA Consolidated Monitoring Processes & Protocols \(guide\)](#)
- [ESEA Monitoring Organizational Tool](#)



# Title I, Part A: Improving Basic Operated by Local Educational Agencies

## Title I, Part A Table of Contents

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  - [Title I, Part A Program Models](#)
    - [Title I, Part A Targeted Assistance Program](#)
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  - [Title I, Part A Plan \(Required\)](#)
  - [Title I, Part A Annual Meeting \(Required\)](#)
  - [Title I, Part A District Parent and Family Engagement Written Policy \(Required\)](#)
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  - [Title I, Part A School-Parent Compact \(Required\)](#)
  - [Title I, Part A Building Capacity for Parent and Family Involvement \(Required\)](#)
- [Title I, Part A Allowable and Common Uses of Funds](#)
- [Title I, Part A Additional Resources](#)
  - [Title I, Part A Required Key Components & SY Timeline Quick Reference](#)

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## Title I, Part A Program Goals, Services, and Best Practices

Title I, Part A is a federal program designed to provide additional academic support and learning opportunities to help low-achieving children master challenging curricula and meet state standards in core academic subjects. Title I, Part A, along with the rest of the Elementary and Secondary Education Act was reauthorized on December 10, 2015, by the Every Student Succeeds Act, P.L. 114-95. Title I, Part A is located in sections 1111-1119 of the Elementary and Secondary Education Act (ESEA) of 1965 as amended by the Every Student Succeeds Act (ESSA) in 2015. Both ESEA and ESSA are commonly used when referencing and citing the statute. LEAs are responsible for completing the program application and overseeing program implementation in participating schools.

### *Title I, Part A Program Models*

Title I, Part A programs can be executed through two primary models: Targeted Assistance Programs and Schoolwide Programs. The allocation of Title I funds to an LEA is determined by the total amount received under various funding formulas. LEAs direct these funds to schools with the highest proportions of students from low-income families. In schools utilizing a targeted assistance model, Title I services are specifically aimed at students who are struggling or at significant risk of not meeting academic standards. Conversely, schools where at least 40 percent of the student body comes from low-income families can implement schoolwide programs, benefiting all students and focusing on improving the performance of those who are the lowest achievers.

### *Title I, Part A Targeted Assistance Program*

Targeted Assistance Programs help students meet state standards and guide systematic improvement. A Targeted Assistance Program is designed to provide extra educational assistance beyond the regular classroom to students identified as having the greatest need for additional assistance. The programs must use Title I, Part A funds to provide academic services to children who are identified as failing or at risk of failing to meet state standards. The school makes this determination based on multiple, educationally related, objective criteria, and places students on a rank order list. Any school with a poverty average of at least 35% or the district's poverty average (whichever is lower) is eligible to operate a Targeted Assistance Program.



Section 1115 of the Every Student Succeeds Act states that districts may provide program services to eligible children who have the greatest need for special assistance through a Targeted Assistance Program:

- in schools that are ineligible for a schoolwide program;
- in schools that have not received a waiver to operate a schoolwide program; or
- if the district chooses not to operate a Schoolwide Program.

Any Title I-A 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-A funds to provide additional supports to specifically identified students most at risk of failing to meet state standards.

Targeted Assistance schools must determine which students they will serve by identifying the students with the greatest need. As a result, only the students identified are eligible to receive the services.

### **Title I, Part A Schoolwide Program**

Schoolwide Programs allow a school to consolidate its federal, state, and local funds to upgrade the entire educational program. The focus of the program must be on addressing the needs of low-achieving children and those at risk of not meeting state student academic achievement standards. Any school with a poverty average of at least 40% (or if the building has applied for and received a waiver from the OPI) may operate a Schoolwide Program.

Schoolwide Programs funded under Title I, Part A offer the opportunity to invest in strategies that help all students, because all students in a Schoolwide Program can be served. While many schools target services to the most in-need students, a Schoolwide program allows for the implementation of tiered supports addressing student needs at every level.

Schools where 40% percent or more of families are experiencing poverty are eligible to adopt Schoolwide Programs to support students most at risk of not meeting Montana's standards. The schoolwide model is more flexible (all students participate), coordinated (all students are responsible for meeting the same high standards) and unifying (parents, community members and staff come together to redesign the school). In short, through implementation of a Schoolwide Program, the school can address community needs and systemic issues impacting students' abilities to succeed.

The year-long planning process to adopt a Schoolwide Program includes:

- Send a letter of intent to the OPI - please email Intent to Apply letters and applications [Zach Hawkins](#)
- Complete a Comprehensive Needs Assessment
- Complete and send in [schoolwide plan template](#) for review
- Complete an update in the Integrated Strategic Action Plan (ISAP)

### ***Title I, Part A Plan (Required)***

To ensure that all children receive a high-quality education, and to close the achievement gap between children meeting the challenging State academic standards and those children who are not meeting such standards, each local educational agency shall develop a Title I, Part A Plan that (ESEA 1112):



- is developed with timely and meaningful consultation with teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders (in a local educational agency that has charter schools), administrators (including administrators of programs described in other parts of this title), other appropriate school personnel, and with parents of children in schools served under this part; and
- as appropriate, is coordinated with other programs under ESEA, and other Acts as appropriate.
- is regularly reviewed, monitored, and revised as necessary based on student needs to ensure that all students are provided opportunities to meet the challenging State academic standards with meaningful consultation with parents of children in schools served under Title I, Part A.

## Resources

- [Title I, Part A Targeted Assistance Plan \(template\)](#)
- [Title I, Part A Schoolwide Plan \(template\)](#)

## *Title I, Part A Annual Meeting (Required)*

Each year, recommended at the beginning of the school year, schools served by Title I, Part A programs are required to host a meeting for parents to explain what the Title I, Part A program is and how parents can become involved in the Title I, Part A program. This is different from the annual evaluation districts are required to conduct with parents and family members of children served by Title I, Part A programs. A school district may hold a meeting for parents and family members to review and improve the content and effectiveness of the Title I school district policy.

The following issues must be addressed at the Title I, Part A Annual Meeting:

- Inform parents of their school's participation in Title I, Part A
- Explain Title I, Part A requirements.
- Explain what participation in Title I, Part A means, including:
  - a description and explanation of the school's curriculum.
  - information on the forms of academic assessment used to measure student progress; and
  - information on the achievement levels of state academic standards that students are expected to meet.
- Explain the district Parent and Family Engagement Policy, School Parent and Family Engagement Plan/Policy, and School-Parent Compact.
- Explain how parents and family members can be involved in planning, reviewing, and improving the school and district Title I, Part A policies, and the Title I, Part A Plan and why their participation is critical to program success.
- Explain that parents have the right to request regular meetings with school staff to offer suggestions and to participate, as appropriate, in decisions about the education of their children. The school must respond to any such suggestions as soon as practicably possible.

To keep parents informed, schools must invite all parents of children participating in Title I Part A programs and encourage them to attend. In a Schoolwide program, this means ALL parents should be invited; in a Targeted Assistance program, just those parents with children participating in Title I, Part A should be invited.

Schools should be able to document the annual parent meeting with minutes, agendas, sign-in sheets, etc.



## Resources

- [Title I, Part A Annual Meeting Required Components](#)

### ***Title I, Part A District Parent and Family Engagement Written Policy (Required)***

All school districts receiving Title I funds are required under Section 1116(a)(2) of the Every Student Succeeds Act (ESSA) to develop a written [Parent and Family Engagement Policy](#) for the school district. ESSA states that the District Parent and Family Engagement Policy must be jointly developed with parents, incorporated into both the Title I, Part A LEA Plan and Title I, Part A Parent and Family Engagement Plan, and distributed to parents of participating children in a format and language parents can understand.

LEAs are required to conduct, with meaningful involvement of parents and family members, an annual evaluation distinct from the required Title I, Part A Annual Meeting and recommended at the end of the SY, of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools served under Title I, Part A including identifying:

- barriers to greater participation by parents in Title I, Part A activities.
- the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers.
- strategies to support successful school and family interactions.

## Resources

- [Title I, Part A District Parent and Family Engagement Policy Required Components](#)

### ***Title I, Part A School Parent and Family Engagement Plan/Policy (Required)***

ESEA requires schools to develop their own parent and family engagement plans/policies and disseminate them to parents. These policies should be aligned to the district's written parent and family engagement policy, but they should be distinct and facilitate building-level parental engagement. The plan is made available to the local community and is updated periodically to meet the changing needs of parents and the school. 1116(b).

- Title I-A schools must develop and share written Parent and Family Engagement School Plans/Policies
- Schools must involve parents in creating the plan/policy
- Schools must disseminate the plan/policy
- Annual evaluation recommended at the end of the SY

## Resources

- [Title I, Part A School Parent and Family Engagement School Plan/Policy Required Components](#)
- [Title I, Part A School Parent and Family Engagement Plan/Policy \(Template\)](#)
- [Title I, Part A District Parent and Family Engagement Written Policy AND School Parent and Family Engagement Plan Components Checklist](#)



## *Title I, Part A School-Parent Compact (Required)*

Each Title I-A school shall jointly develop with parents a school-parent compact that outlines how parents, the entire staff, and students will share the responsibility for improved student achievement and how the school and parents will build and develop a partnership to help students achieve the state's high academic standards. Each school distributes compacts to parents and families annually 1116 (d). Elementary schools must distribute compacts at a parent teacher conference and explain how they relate to the child's individual achievement. 1116 (d)(2)(A).

The Compact is used to create a partnership between the school, teachers, and parents to help attain better student achievement. The Compact is signed by teachers, parents, and the student when appropriate. The compact should:

- Describe the school's responsibility
- Describe the parents' responsibility
- Describe the student's responsibility if desired
- Address importance of communication between teachers and parents through:
  - at least an annual parent-teacher conference in elementary schools that includes discussion about how the compact relates to individual achievement
  - frequent reports to parents on their children's progress
  - reasonable access to staff, opportunities to volunteer, and observe classroom activities

## *Title I, Part A Building Capacity for Parent and Family Involvement (Required)*

In addition to the required annual Title I, Part A Meeting, schools must also offer a flexible number of additional activities to encourage parent and family engagement. Each school must carry out activities and strategies that are aligned with the LEA's parent and family engagement policy which help to build the capacity of Title I parents and families for meaningful engagement in their child's education, 1116(e). Building capacity for parent and family involvement is the effort that both the school and district provide to allow time, space, information, training and other supporting functions that allow parental involvement to grow and become more effective throughout the school year.

Schools and districts must offer activities and resources that assist parents in comprehending state academic content standards, assessments, and achievement benchmarks, as well as strategies for monitoring their child's progress and collaborating with educators to enhance learning outcomes. Additionally, providing training and materials will empower parents to support their children's academic success. It is also essential to educate all staff on the importance of family engagement, ensuring that parents are actively involved in the educational process.

### Resources

- [Title I, Part A Building Parent Capacity Log](#)
- [Parent and Family Engagement Non Regulatory Guidance \(2025\)](#)

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## *Title I, Part A Allowable and Common Uses of Funds*

### *Guidance on Allowable and Unallowable Title I, Part A Expenditures*

LEAs should take the following steps to determine if a proposed program or activity and any associated expenditures are allowable under Title I, Part A:



- Ensure the expenditures are consistent with the purpose of Title I, which is to provide all children with a significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps;
- Verify that proposed Title I, Part A expenditures are reasonable, necessary, and allocable considering the amount of money being spent and the needs of the program.
  - Reasonable: consistent with prudent business practice and comparable current market value. (2 CFR 200.404)
  - Necessary: required to carry out the intent and purpose of the Title I, Part A program. (2 CFR 200.403)
  - Allocable: A cost is allocable to a particular Federal award or other cost objective if the goods or services involved are chargeable or assignable to that Federal award or cost objective in accordance with relative benefits received (2 CFR200.405).
- Ensure that the identified needs are listed in the LEA's Title I, Part A Plan and in the Title I, Part A section of the Consolidated Application, and that the proposed expenditure addresses the identified needs.
  - For nonpublic schools, expenditures should meet all LEA expenditure requirements and any content must be secular, neutral, and non-ideological.

## *Required Title I, Part A Reserves*

### **Homeless Reserve**

LEAs are required to reserve funds to provide comparable Title I-A services to students experiencing homelessness in participating and non-participating Title I-A schools. Montana requires that reservation to equal at least \$35 per reported student. A minimum of \$35 must be reserved if the LEA has zero identified homeless students.

### **Neglected Reserve**

LEAs with a reported neglected count are required to reserve funds to provide comparable Title I-A services to reported neglected students in participating and non-participating Title I-A schools.

### **Parent and Family Engagement Reserve**

LEAs with Title I, Part A allocations greater than \$500,000 must reserve an amount equal to 1% of the Title I, Part A allocation and allocate 90% of those funds to Title I schools for Parent and Family Engagement activities. These funds must be clearly identified in the Title I budget.

### **Additional Reserve Requirements**

Additional reserves are required for LEAs with Delinquent facilities and students attending private schools.

## *Targeted Assistance Program Expenditures*

In Targeted Assistance schools, Title I, Part A funds may only be used to meet the specific needs of children, as well as teachers or staff who provide services to those children, who are identified as being in the greatest academic need. Students must be identified as eligible using multiple, educationally related, objective criteria.

## *Schoolwide Program Expenditures*

In Schoolwide programs (SWP), Title I, Part A funds are used to upgrade the entire educational program in a school, and all students in the school may benefit from the use of Title I, Part A funds. Activities must be part of the schoolwide plan and support an identified academic need through the



school's comprehensive needs assessment. In addition to supplemental services, SWPs may provide elective courses to prepare or support low-achieving students to take advanced courses, preschool enrichment programs, and programs to improve outcomes for students with disabilities and English learners. For more information see the [Federal guidance regarding use of funds in a Schoolwide Program](#).

### *Allowable Title I, Part A Expenditures*

#### **Supports for Title I Students:**

- AIS, RTI, and credit recovery services
- Certified teachers and paraprofessionals
- Proportional benefits for Title I salaries
- Counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students' skills outside the academic subject areas; these must be aligned to a Schoolwide Program Plan or meet an identified need for eligible students in a Targeted Assistance program
- Equitable services for private school students
- Pre-K, summer, and extended day programs
- Transportation for Title I programs if not otherwise available

#### **Support Staff for Title I Programs:**

- Teacher aides (non-instructional services)
- Data management staff for Title I only
- Secretary and/or clerks for Title I only
- Title I coordinators and administrators
- Stipends for principals outside of contract hours
- Nurses for summer and Title I programs

#### **Title I Program Supplies and Materials:**

- Instructional materials for Title I programs
- Computer aided instructional software for Title I programs
- Diagnostic and progress monitoring materials for Title I programs
- Title I data management software
- Technology to upgrade the educational program of a SWP

#### **Title I Parent and Family Engagement:**

- Parent liaison or coordinator
- Family engagement consultants
- Stipends for staff to plan for or participate in Title I activities outside contract hours
- Costs for activities including materials, snacks and light refreshments, transportation, and childcare

#### **Professional Development aligned with Title I:**

- Stipends and/or substitutes for staff
- Professional development aligned to a Schoolwide Program plan or directly related to the needs of participating Title I students
- Educational consultants
- Reasonable supplies and materials for Title I professional development



- Travel costs are allowable if they relate to the grant program activities. NOTE: The district should have a travel cost policy that is applied consistently across federal and non-federal programs. The policy should cover mileage, air fare, lodging, meals and/or per diem rates. Hotel rates for conferences or trainings must be reasonable. Travel (i.e. flights, mileage, lodging) is considered obligated on the date it occurs not the date of purchase.

#### Other:

- Field trips aligned with academic content or to provide enhanced learning experiences
- Preparation for and awareness of opportunities for postsecondary education and the workforce. This may include career and technical education programs and broadening secondary school students' access to coursework to earn postsecondary credit while still in high school (such as Advanced Placement, International Baccalaureate, dual or concurrent enrollment, or early college high schools)
- Student awards for effort and achievement (not participation), which are nominal and non-monetary

### *Unallowable Title I, Part A Expenditures*

#### General Expenditures:

- Base pay for principals (contract hours)
- Superintendents and deputies with districtwide responsibilities
- Direct reimbursements to private schools

#### Targeted Assistance Programs:

- Costs/services that are not targeted to at-risk students
- Special Education services (OT, PT, Speech)
- Part 154 services for English Learners

#### Supplies and Materials:

- Furniture and office equipment is generally not allowable unless it is necessary for a Title I room/program. If the district believes such purchase(s) are necessary to the success of the program, it must provide justification and receive OPI approval prior to purchasing.
- Incentives to reward students for participation in a Title I program, such as monetary awards or rewards with monetary value such as passes to amusement parks gift certificates
- Any costs related to entertainment, amusement, or diversion
- Title I supplies or materials to private schools without Title I funded services
- Core instructional materials to private schools

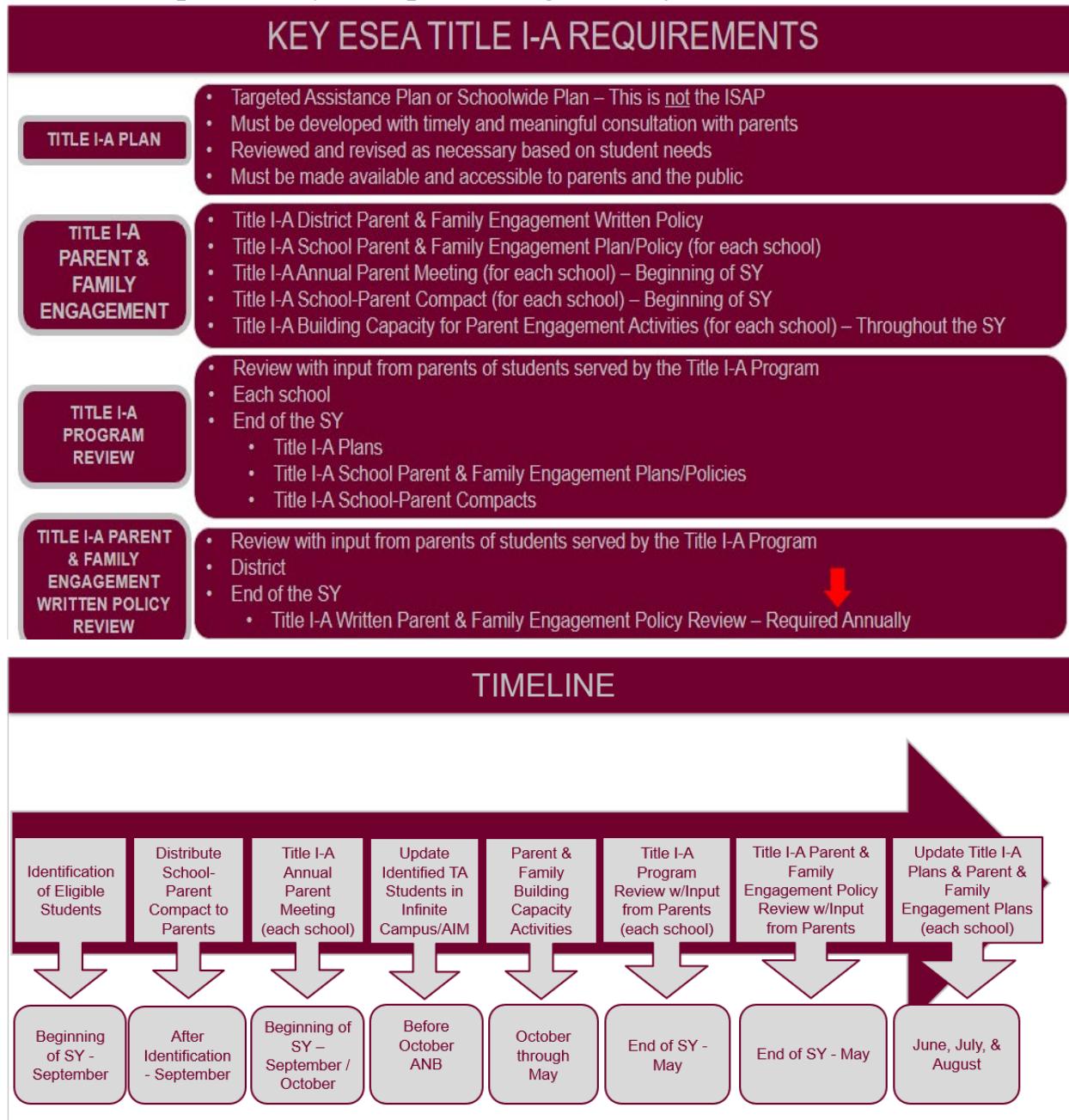
#### Other:

- Field trips for entertainment or recreational purposes only
- Construction, Remodeling, or Renovation projects are not allowable



## Title I, Part A Additional Resources

### *Title I, Part A Required Key Components Quick Reference & SY Timeline*





## Title I, Part C: Migrant Education Program

### Title I, Part C Table of Contents

- [Title I, Part C Program Goals and Services](#)
- [Title I, Part C Allowable and Common Uses of Funds](#)
- [Title I, Part C Best Practices](#)
- [Title I, Part C Additional Resources](#)

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### Title I, Part C Program Goals and Services

The goal of the Migrant Education Program (MEP) is to ensure that all migratory children reach challenging academic standards and graduate with a high school diploma (or complete a HISET) that prepares them for responsible citizenship, further learning, and productive employment. Title I Part C MEP funds support Identification and Recruitment (IDR) of eligible children, eligibility verification and required data collection, reporting, record transfer and instructional/supportive services for migratory children. The purpose of the MEP, among others, is to design programs to help students who are migratory overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit their ability to succeed in school, as well as to prepare them to make a successful transition to post-secondary education or employment.

Federal funds are allocated by formula to State educational agencies (SEAs), based on each state's per pupil expenditure for education and the numbers of eligible migratory children, age 3 through 21, residing within the state who meet the statutory requirement for program eligibility. Each year the OPI Migrant Education Program is required to document the numbers of eligible children on the statutorily required Certificate of Eligibility or COE and provide to the Office of Migrant Education the exact numbers of Category 1 and Category 2 children who have been identified. Category 1 counts the number of children who reside in the state for at least 1 day; Category 2 counts the number children who have received supplemental services during the summer or intersession. This process is referred to as Identification and Recruitment or IDR. IDR is not considered a service, but rather a data collection requirement. Eligible migratory children may receive supplemental educational and supportive services through the Title 1C MEP which are unique to their needs.

The Migrant Education Program -- authorized by Title I, Part C of the Elementary and Secondary Education Act, as amended by Every Student Succeeds Act, Pub. L. No. 114-95 -- provides formula grants to State Educational Agencies to establish and improve education programs for children and youth who are migratory. States may make subgrants to local operating agencies, which include a local educational agency or a public or private agency that carries out an MEP project.

The OPI MEP works with Local Operating Agencies (LOAs) or Local Educational Agencies (LEAs) to develop quality programs. LOAs/LEAs within the state may receive sub-grants from the State Educational Agency (SEA) to set up single districts, regional MEPs, or a Consortium of Districts. No matter if single district or regional programs are established, extensive coordinating with the state is required because the state is responsible for determining child eligibility. Funded MEP programs must note the timing and needs of students who come to a given school seasonally over several years. The SEA MEP assists funded sub-grantees in connecting, sending, receiving student data using its MEP State Specific Data System - MIS 2000. These Minimum Data Elements or MDEs are then sent to the National Data System - MSIX.





determination any state and local funds that fit the intents and purposes of Title I, Part C, did you receive written approval from your state to do so?

## SPENDING TIPS

Go for it	Cover your bases
<ul style="list-style-type: none"><li>Provide instructional services, such as school-based instruction, preschool, family literacy programs, before- and after-school programs, and summer programs.</li><li>Provide support services, such as advocacy for migrant children; health, nutrition, and social services; educational supplies; and transportation.</li><li>Use Part C funds toward student recruitment, professional development, parent involvement and outreach, and administration.</li><li>Reserve some Part C funds at the district level for administrative costs. Such costs might include identifying and recruiting children, interstate, and intrastate coordination of MEPs; transfer of educational and health records; and establishing a state parent advisory council.</li><li>You can serve older students under the age of 22 who haven't graduated from high school. This also includes children who are emancipated, so long as they fall under the definition for migratory children.</li><li>Undocumented children are eligible for MEP services; do not require or request proof of U.S. citizenship status. You can also serve children who are living with non-legal guardians, such as extended family or an older sibling. No legal documentation or establishment of guardianship is necessary for MEP eligibility.</li><li>Cover reasonable and necessary expenses for migrant parents to attend a parent advisory council meeting. If necessary, this could include compensating parents for lost wages.</li></ul>	<ul style="list-style-type: none"><li>Keep careful documentation of the data used to identify students, including details on children's most recent moves and overall history of moves due to parents seeking qualified migratory work.</li><li>Double-check federal definitions for agricultural work and fishing activity to make sure you are properly identifying parents' jobs.</li></ul>



## Proceed with caution

- If a student graduated high school in their native country, they may be eligible for MEP services. However, this depends on whether the child is eligible for free public education in the state where they reside and also meets the definition of a migratory child.
- Provide English language instruction, but only if the service is meeting a need that would otherwise not be addressed.
- Do not consolidate Part C funds within a schoolwide Title I program unless you have documented that you have met the unique educational needs of migratory children. This must be done in consultation with migrant children's parents or organizations that represent migrant parents.
- Provide equitable services to migrant children attending private schools; however, a minimum of 10 students is generally considered an adequate number to offer program services
- Use MEP funds toward the cost of activities associated with Title I, Part A, Section 1116 (parental involvement). However, allowable costs for these activities are subject to the same restrictions as those outlined under Part A.
- Districts must follow supplement, not supplant rules; however, the law says districts can exclude supplemental state and local funds used for activities that meet the intents and purposes of Part C. Districts must have written approval from their states to exclude these supplemental funds from their determinations.

## Just say no: *Whatever you do, never ...*

- Use MEP funds to cover the costs of a free and appropriate public education guaranteed to children with disabilities under the IDEA. Although you should never deny Part C participation based on a child's disability, you must not violate Title I's supplement, not supplant rule. Coordinate MEP and IDEA services. When Part C dollars are used to pay for services for a migrant child with disabilities,

## Did you know?

Title I, Part C includes a detailed definition of what a qualifying move is for purposes of determining a child's eligibility for MEP. The child must have made a qualifying move in the preceding 36 months as a migratory agricultural worker or a migratory fisher or to join a



<p>those funds should be spent exclusively on educational needs specific to their status as migratory children.</p> <ul style="list-style-type: none"><li>• Cut off services to a child mid-way through a school year if they cease to qualify for services. You can continue services throughout the school year; plus, an SEA may extend services to a child for an extra year if comparable services aren't available through other programs. Also, secondary students can continue to receive services until they graduate.</li><li>• Require MEP-funded paraprofessionals to perform non-MEP activities in a schoolwide program.</li><li>• Apply Title I's maintenance of effort requirement to Part C expenditures.</li></ul>	<p>parent or spouse who is a migratory agricultural worker or a migratory fisher.</p> <p>A child could still be qualified for MEP even if the parent moves but does not find qualifying work.</p>
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## *Subgranting Basics*

- SEAs may choose to deliver MEP services directly, or through local operating agencies (LOAs).
- An LOA is defined as:
  - A local educational agency (LEA)
  - A public or private agency, or
  - The SEA, if the SEA operates the MEP directly.

## *Required Factors*

In determining the number of any subgrants to LOAs, the SEA must take into account:

1. **Numbers** of migratory children;
2. **Needs** of migratory children;
3. **Priority for services (PFS)** to migratory children who have made a qualifying move within the previous 1-year period and who are failing, or most at risk of failing, to meet the challenging State academic standards; or have dropped out of school; and
4. **Availability of funds** from other Federal, State, and local programs.

## *Other Considerations*

- In addition to the four required factors, the SEA may also consider additional factors when determining amounts for subgrants.
- SEAs may choose to adopt a formula approach, which is often the case of larger programs over \$3,000,000; a negotiation approach, which is often the case of smaller programs, under \$3,000,000 or a combination
- The SEA has the discretion to select subgrantees.

## Carryover

- Funds not obligated during the initial (15-month) period of availability are considered part of the SEA's carryover.



- SEAs may choose to allow their subgrantees to use their allotted funds during the carryover period or may reallocate those funds to other LOAs and other allowable program activities.

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## Title I, Part C Best Practices

### *Components of Successful MEP*

- States receive grants from ED to assist students who are migratory and their families. In their applications, states must address how programs will help students who are migratory, and how they can work with districts or regional consortiums of districts to implement the programs. Based on successful MEP programs around the country, such programs, both on the district and state level, should provide for:
  - Outreach activities for children who are migratory and their families** to inform them of other education, health, nutrition, and social services.
  - Training and professional development** programs for teachers. These programs can include mentoring and can include other personnel.
  - Transition services.** The program should facilitate the transition of secondary school students to postsecondary education or employment, as well as remediation for older students with missed schooling. An MEP can serve a student up to age 22.
  - Integration of information technology into educational and related programs.** Districts must ensure that their student record system can allow for record transfers with ED's Migrant Student Information Exchange (MSIX) technology. Through state memorandums of understanding (MOUs) states can share educational and health information on migrant children who travel from state to state and have student records in multiple states. MSIX MOU works with states' migrant student information systems to manage their migrant data to ensure the appropriate enrollment, placement, and accrual of credits for migrant children nationwide. [34 CFR 200.81](#).
- Family literacy skills and parental involvement.** MEP programs must provide training and support services for migrant families, such as developing parenting skills, providing techniques on fostering children's learning, literacy skills, utilizing community services, and promoting two-way communication between the home and school. Ask for parent input on how MEP funds should be used. For example, you may learn that parents appreciate school supplies, money for clothes for students twice a year, and help with medical costs. See Education of Migratory Children under Title I, Part C of the Elem. and Secondary Educ. Act of 1965, [120 LRP 144](#) (EDU 03/01/17), Chapter VII.
- Coordination of services.** A district migrant services coordinator can serve as an advocate for students who are migratory and their families by helping students access academic and support services and career counseling. See Education of Migratory Children under Title I, Part C of the Elem. and Secondary Educ. Act of 1965, [120 LRP 144](#) (EDU 03/01/17), Chapter VI.
- Early childhood education.** Districts should make efforts to identify preschool migrant children and enroll them in home-based or school-based programs. Training should be available for parents to work with their children at home to prepare children for school. [Smart Start: Migrant Students: Definition and MEP Basics](#).
- Identification and recruitment.** A district program must establish eligibility criteria for services in conformance with the ED definition. [Smart Start: Migrant Students: Definition and MEP Basics](#).



- **Graduation requirements.** MEP staff members should identify effective strategies to assist students in meeting high school graduation requirements. Strategies may include monitoring students' academic progress, tutorial services, and referrals to college assistance programs or correspondence courses. Also, staff members should consider the needs of English learners. See Education of Migratory Children under Title I, Part C of the Elem. and Secondary Educ. Act of 1965, [120 LRP 144](#) (EDU 03/01/17), Chapter IV, B-5.
- **Exchange and accrual.** The migrant services coordinator should document courses completed by students who are migratory in grades six through 12 and regularly submit reports to the data system. Districts should track partial and complete credits earned by students for work completed during the enrollment period in each school. See Education of Migratory Children under Title I, Part C of the Elem. and Secondary Educ. Act of 1965, [120 LRP 144](#) (EDU 03/01/17), Chapter VI, B-5 and B-6.

## *How Districts May Provide Services*

- Districts and states have used a wide variety of service delivery designs. Some examples include:
- **Extended day programs.** Students who are migratory can benefit from extended learning time, meaning that the school day extends an hour or two longer than normal for students in need of intervention. Education of Migratory Children under Title I, Part C of the Elem. and Secondary Educ. Act of 1965, [120 LRP 144](#) (EDU 03/01/17), Chapter V, A-7.
- **Before- and after-school programs.** These types of programs may be academic or provide other enrichment activities, such as arts and crafts or dance. Education of Migratory Children under Title I, Part C of the Elem. and Secondary Educ. Act of 1965, [120 LRP 144](#) (EDU 03/01/17), Chapter V, A-7.
- **In-class programs.** Students may benefit from extra support in class. Education of Migratory Children under Title I, Part C of the Elem. and Secondary Educ. Act of 1965, [120 LRP 144](#) (EDU 03/01/17), Chapter V, A-7.
- **Saturday or vacation programs.** Extra school time during Saturdays and vacations can also help students who are migratory catch up with needed academic skills. Education of Migratory Children under Title I, Part C of the Elem. and Secondary Educ. Act of 1965, [120 LRP 144](#) (EDU 03/01/17), Chapter V, A-7.
- **In-home instruction.** This means that the MEP can provide services, such as family literacy services, to the student at home. Such services can also benefit the student's family. Education of Migratory Children under Title I, Part C of the Elem. and Secondary Educ. Act of 1965, [120 LRP 144](#) (EDU 03/01/17), Chapter V, A-7.
- **Summer or intersession programs.** During summer recess, students who are migratory, like other students, may regress in academic performance. Summer learning programs can help ensure that students retain skills. Education of Migratory Children under Title I, Part C of the Elem. and Secondary Educ. Act of 1965, [120 LRP 144](#) (EDU 03/01/17), Chapter V, A-7.
- **Distance learning programs.** Districts must recognize that most migrant students will not have access to computers, so they will also need to consider portable courses of instruction.



## Title I, Part C Additional Resources

### *Legislation*

- The Elementary and Secondary Education Act of 1965 ,Title I, Part C, as amended by the Every Student Succeeds Act of 2015—[The Every Student Succeeds Act](#), which was signed into law on December 10, 2015, contains the major statutory provisions that apply to the Migrant Education Program. The new law supersedes the previous law.
- View the most up to date information on the new law on the [Every Student Succeeds Act](#) page at the United States Department of Education, Title I Part C Migrant Education.
- Family Education Rights and Privacy Act (FERPA)—[FERPA](#) is a Federal law that protects the privacy of student education records (20 U.S.C. § 1232g; 34 CFR Part 99). The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
- Department of Education's General Education Provisions Act (GEPA), Section 427 –[Section 427](#) requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its federally assisted program for students, teachers, and other program beneficiaries with special needs.

For more information please visit the [Results](#) website.

### *Regulations/Manuals*

- ESEA Title I Regulations ( 34 CFR Part 200)
- The current regulations that apply to the [Title I, Part C Migrant Education Program](#) begin in Section 200.81.
- A number of the sections of the [Title I, Part A regulations](#) affect migratory children (e.g., standards and assessments, schoolwide programs, and participation of eligible children in private schools).
- [ESEA General Provisions \(34 CFR Part 299\)](#): This part of the Department's regulations establish uniform administrative rules for programs in ESEA Titles I through VII. As indicated in particular sections, certain provisions apply only to a specific group of programs.
- [Education Department General Administrative Regulations \(EDGAR\)](#): 34 CFR Parts 76, 77, 79, 81, 82, 84, 97, 98, and 99 apply to the MEP.
- [The Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards \(2 CFR Part 200\)](#): This part contains cross-program requirements that are applicable to the MEP.



## Title I, Part D: Neglected and Delinquent

### Title I, Part D Table of Contents

- [Title I, Part D Program Goals and Services](#)
- [Title I, Part D Allowable and Common Uses of Funds](#)
- [Title I, Part D Best Practices](#)
- [Title I, Part D Additional Resources](#)

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### Title I, Part D Program Goals and Services

The goals or Title I Part D are as follows:

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

#### *Subpart 1*

Under State Education Agency (SEA) programs (Title I, Part D, Subpart 1), states receive formula funds based on the number of children in State-operated institutions and per-pupil educational expenditures. Each State's allocation is generated by annual child counts in State juvenile institutions that provide at least 20 hours of instruction from nonfederal funds and adult correctional institutions that provide 15 hours of instruction a week. The SEA then makes subgrants to State agencies based on their proportional share of the state's adjusted enrollment count of neglected or delinquent children and youth.

#### *Subpart 2*

Under local educational agencies (LEA) (Title I, Part D, Subpart 2), the SEA awards subgrants to LEAs who have "high numbers or percentages of children and youth residing in locally operated correctional facilities for children and youth (including facilities involved in community day programs)" (Section 1422(a)). The LEA must have within their district boundaries, a facility for delinquent children and youth, which is defined as "a public or private residential facility for the care of children who have been adjudicated to be delinquent or in need of supervision" (Subpart 3: Section 1432(4)(B)).

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### Title I, Part D Allowable and Common Uses of Funds

#### *Subpart 1*

State Agencies (SA) receiving Title I-D Subpart 1 grants must use these funds to



- Support educational services to children and youth identified by the LEA as failing, or most at-risk of failing, to meet the State's challenging academic content and student academic achievement standards
- Supplement and improve the quality of educational services provided to these children and youth by the LEA, or
- Serve all children in, and upgrade the entire educational effort of, that institution or program, as approved in the budget and plan for that institution or program

## *Subpart 2*

An LEA receiving Subpart 2 funds may use the funds to operate programs that involve collaboration with locally operated facilities with which the LEA has established formal agreements regarding the services to be provided:

- Provide and deliver high-quality education programs that prepare children and youth to complete high school, enter training or employment programs, or further their education
- Provide activities that facilitate the transition of such children and youth from the correctional program in an institution to further education or employment
- Operate dropout prevention programs in local schools for children and youth who are at-risk of dropping out or youth returning from correctional facilities

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## Title I, Part D Best Practices

- Transition Programs
- Drop-Out Prevention
- Credit Recovery
- Career and Technical Education
- Peer Mentoring and Mediation

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## Title I, Part D Additional Resources

- <https://www.ed.gov/grants-and-programs/formula-grants/formula-grants-special-populations/neglected-delinquent-or-risk-title-i-part-d>
- <https://opi.mt.gov/LinkClick.aspx?fileticket=b5UHNEWlml%3d&portalid=182>



## Title II, Part A: Supporting Effective Instruction

### Title II, Part A Table of Contents

- [Title II, Part A Program Goals and Services](#)
  - [Professional Learning/Growth](#)
  - [Recruitment, Placement, and Retention of Effective Educators](#)
  - [Recruiting/Retaining Effective Teachers](#)
  - [Reducing Class Size](#)
  - [Other Activities](#)
- [Title II, Part A Allowable and Common Uses of Funds](#)
- [Title II, Part A Best Practices](#)
- [Title II, Part A Additional Resources](#)

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### Title II, Part A Program Goals and Services

Title II, Part A is a U.S. Department of Education (ED) grant program that provides supplemental funding to help support effective instruction. ED awards Title II, Part A funds to state educational agencies (SEAs) such as the Montana Office of Public Instruction, which then sub-grants funds to local education agencies (LEAs). For convenience, this section will refer to the Title II, Part A program as "Title II." For more information about the Title II program in Montana, please visit the [Title II website](#). Title II, Part A programs will include supplemental activities that strengthen the quality and effectiveness of teachers, principals, and other school leaders. The purpose of Title II-A is to:

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

### *Professional Learning/Growth*

Title II offers an LEA the flexibility to design and implement a wide variety of activities that can meet the individual PD needs of educators to improve teaching practices and student learning. Professional learning opportunities support the development of all school personnel including, teachers, paraprofessionals, principals, and other school leaders and may be individualized to effectively support new and early career educators to advance their professional practice and improve their ability to produce positive student outcomes including the following:

#### High Quality Professional Learning

The ESSA promotes the implementation of high-quality, personalized, evidence-based professional learning for teachers, paraprofessionals, instructional leadership teams, principals, or other school leaders. The PD must be focused on improving teaching and student learning. Under ESSA, professional learning should be sustained, personalized, and job-embedded initiatives that address identified needs rather than stand-alone, one-day, or short-term professional learning. ESSA states this professional learning may include training teachers, paraprofessionals, principals, or other school leaders to:



- effectively integrate technology into curricula and instruction,
- use data to improve student achievement (ensuring individual student privacy under FERPA).
- 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, local educational agency, community, or state leaders, and
- participate in opportunities for experiential learning through observation.

## Evaluation/Support Systems

ESSA supports the development of a rigorous, transparent, and fair evaluation support system for teachers, principals, or other school leaders that is based on evidence of student achievement and may include student growth. It should also include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other school leaders.

## Effective Teaching of English Language Learners

ESSA supports the development of programs and activities that increase the ability of teachers to effectively teach English language learners.

## Effective Teaching of Children with Disabilities

ESSA supports the development of programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities. This may include the use of multi-tier systems of support and positive behavioral intervention and supports.

## Increased Knowledge/Ability to Teach Early Childhood

ESSA promotes the development and use of programs and activities that may be geared toward increasing 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. This may include increasing 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.

## Effective Instruction of Science, Technology, Engineering, and Math (STEM)

ESSA supports the development and provision of professional learning 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, mathematics, and computer science.

## Implementation of Formative Assessments

ESSA supports the training, technical assistance, and capacity-building in LEAs 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 academic achievement, which may include providing additional time for teachers to review student data and respond.

## Supporting Students Affected by Trauma and/or Mental Illness

ESSA supports the provision of in-service training for school personnel in techniques and support related to identifying and supporting students affected by trauma or mental illness, including the use of referral mechanisms, partnerships with outside organizations, or addressing school conditions for learning such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism.



## Identification and Support of Gifted Students

ESSA supports the provision of training to identify 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:

- Enrichment, acceleration, and curriculum compacting activities
- Dual or concurrent enrollment programs in secondary school and post-secondary education

## Instructional Services Provided by Libraries

ESSA supports professional learning intended to improve the instructional services provided by effective school library programs.

## Training to Recognize/Prevent Sexual Abuse

ESSA supports the provision of 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.

## Feedback Mechanisms to Improve Working Conditions

ESSA supports the development of feedback mechanisms to improve school working conditions, including periodically and publicly reporting results of educator support and working conditions feedback.

## Career Readiness Education

ESSA supports training teachers, principals, or other school leaders on strategies to integrate rigorous academic content and provide effective career/technical education and work-based learning to help prepare students for post-secondary education and the workforce.

## *Recruitment, Placement, and Retention of Effective Educators*

ESSA supports allowable activities for LEAs to: 1) attract the most effective educators to LEAs and the schools that need them, 2) develop a systematic, coordinated approach to provide new and sustained leadership opportunities with additional compensation, recognition, and job-embedded professional learning for teachers and administrators to advance excellent teaching and learning, and 3) use evaluation data in development, compensation, and employment decisions.

## *Recruiting/Retaining Effective Teachers*

ESSA supports the development and implementation of initiatives to assist in recruiting, hiring, and retaining effective teachers, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards, to improve within-LEA equity in the distribution of teachers, such as:

- Providing expert help in screening candidates and enabling early hiring
- Offering differential and incentive pay for teachers, principals, or other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems
- Teacher, paraprofessional, principal, or other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths, and pay differentiation
- New teacher, principal, or other school leader induction and mentoring programs that are designed to improve classroom instruction and student learning and achievement, and



increase the retention of effective teachers, principals, or other school leaders recruiting Individuals from other fields

ESSA supports recruiting mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with records of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders.

### *Reducing Class Size*

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

### *Other Activities*

#### *Carrying Out Other Evidence-Based Activities*

ESSA supports carrying out other activities that are evidence-based, to the extent the State (in consultation with LEAs) determines that such evidence is reasonably available and identified by the LEA that meet the purpose of Title II.

### *Transferability*

Under ESSA, LEAs can transfer up to 100 percent (100%) of Title II funds into:

- Title I, Part A – Improving Basic Programs
- Title I, Part C – Migrant
- Title I, Part D – Neglected and Delinquent
- Title III, Part A – English Learners
- Title IV, Part A – Student Support and Academic Enrichment

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## Title II, Part A Allowable and Common Uses of Funds

### Instructional/ Professional Staff

- Academic/instructional coach's salary
- Development and support for LEA-based preparation programs for administrators
- Differential pay and/or signing bonuses for teacher in high need school and/or high-need academic / specialty area
- Salary for in-field teacher with five or more years' experience for Class Size Reduction (CSR)
- Paid time to design, develop, align, map or revise curriculum or assessments
- General and Advanced Certificate training for instructional paraeducators may be funded if funding is not provided by the state for the specific school year

### Administrator Salaries

- Proportional salary/benefits for program administrator, grant manager, professional learning coordinator (only the portion of salary that provides direct support of Title IIA allowable activities).

### Support Staff Salaries

- Support staff for Title IIA grant work-only portion of salary that provides direct support of Title II allowable activities.



## Fringe Benefits

- Reasonable benefits proportionately linked with salaries.

## Stipends

- Teacher stipend to lead or participate in workshops or trainings that improve content knowledge or classroom practice.
- Teacher stipend for participation in Title II professional learning activities including induction/mentoring programs/activities.
- Stipends for teacher mentor and/or teacher mentor coordinator.
- Stipends for instructional paraprofessionals attending professional development outside of work hours.
- Signing and/or retention bonuses to hire and retain a diverse workforce and/or high performing teacher National Board for Professional Teaching Standards (NBPTS) facilitator.

## Contacted Services

- Consultants to provide professional learning to improve content knowledge or classroom practice of teachers, principals, and other school leaders.
- Consultants to improve student behavior in the classroom and identify early and appropriate interventions to help students with special needs.
- Consultants to provide training to improve content knowledge or classroom practice of paraprofessionals.
- Consultants to provide professional learning to support or facilitate National Board certification.
- Substitutes for teachers, instructional paraeducators, principals, or other school leaders to attend Title II funded professional learning.

## Supplies and Materials

- Supplies or materials to be used strictly for professional learning such as books or instructional resources.
- Professional learning activity supplies such as chart paper, pens, binders, easels.
- Printing or copying for professional learning activities.

## Travel

- Conference registration for Title II funded professional learning activities.
- Expenses for transportation, per diem, and lodging if the costs are reasonable and necessary while in travel status.

## Other Costs

- Tuition for paraprofessional in a state-approved teacher preparation program, including alternative route or “grow your own” models.
- Tuition and test fees for a teacher in a state-approved principal preparation program.
- Tuition and test fees for teacher in an add-on endorsement program
- Cost of state tests to fulfill teaching certificate endorsement requirements (teachers).
- Cost of ETS ParaPro assessment (paraeducators).
- Cost of National Board candidate or assessment fees.
- Clock hours that are not included in the cost of the professional development class/course.
- Professional learning memberships or subscriptions.
- Advertising to recruit effective educators.



- Space rental for professional learning activities when free facilities are not available.
- AmeriCorps matching funds.
- Portion of software or digital content used as part of Title II funded professional learning activity.

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## Title II, Part A Best Practices

- Effective professional development to support collaboration among educators.
- Effective instructional coaches that assist teachers in implementing effective instructional strategies and provide feedback.
- Effectively integrating technology into the classroom.
- Effectively engage families and communities into the learning community.
- Develop policies and procedures that support student learning.

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## Title II, Part A Additional Resources

- [Non-Regulatory Guidance for Title II, Part A: Building Systems of Support for Excellent Teaching and Learning](#)
- [Allowable and Unallowable Expenses](#)



## Title III: English Language Learners

### Program Goals and Services

- To help ensure that English learners, including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English.
- To assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that all English learners can meet the same challenging State academic standards that all children are expected to meet.
- To assist teachers (including preschool teachers), principals and other school leaders, State educational Agencies (SEAs), Local Educational Agencies (LEAs), and schools in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching English learners, including immigrant children and youth.
- To assist teachers (including preschool teachers), principals and other school leaders, State Educational Agencies (SEA), and Local Educational Agencies (LEAs) to develop and enhance their capacity to provide effective instructional programs designed to prepare English learners, including immigrant children and youth, to enter all-English instructional settings.
- To promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners.

The Title III State Formula Grant Program, administered by the Office of Elementary and Secondary Education (OESE), is designed to improve the education of English learners (ELs). Title III funds may be used to provide supplemental services that improve the English language proficiency and academic achievement of ELs. All services provided to ELs using Title III funds must supplement, and not supplant, the services that must be provided to ELs under Title VI of the Civil Rights Act of 1964 (Title VI), the Equal Educational Opportunities Act of 1974 (EEOA), and other requirements, including those under state or local laws. ([National Clearinghouse for English Language Acquisition](#))

- The state educational agency (SEA) receives funds for both Title III state formula grants and grants for immigrant children and youth based on the number of ELs and immigrant children and youth in the state. The SEA reserves a small percentage of its grant to carry out state-level activities and uses the rest to make sub-grants to individual local educational agencies (LEAs) or to consortia. Those subgrantees use the funds to implement programs designed to help EL students achieve both English language proficiency and academic standards in reading/language arts, mathematics, and science. Approaches and methodologies used must be effective. Subgrantees may develop and implement new language instruction educational programs (LIEPs) and expand or enhance existing programs. Subgrantees also may implement school-wide programs within individual schools or implement system-wide programs to restructure, reform, or upgrade all programs, activities, or operations related to the education of their EL students. ([National Clearinghouse for English Language Acquisition](#))

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### Allowable and Common Uses of Funds

All LEAs serving English learners (ELs) are required to provide a number of services to these students and their families regardless of whether they receive a Title III, Part A allocation or not. Title III funds are meant to aid in achieving these goals, supplementing the State funds that all LEAs receive.



These requirements are as follows:

- To identify and assess potential English learners in a timely manner.
- To increase English language proficiency and access to academic content through research-based language instruction educational programs.
- To provide staff who are sufficiently trained to meet student needs and to provide quality professional development of sufficient intensity and duration to have a lasting impact on classroom instruction.
- To provide parent, family, and community engagement activities and other effective activities and strategies that enhance or supplement language instruction for English learners.
- To provide equal opportunity for students to meaningfully participate in all school activities without unnecessary segregation.
- To address the language needs of English learners who have been classified under project 504/IDEA and served with an Individualized Education Program (IEP).
- To address the needs of English learners who opt out of supplemental language services.
- To monitor the progress of English learners both within the English Language Academic Program and after having reached proficiency and exited supplemental language services.
- To evaluate the effectiveness of the English Language Academic Program; and
- To provide meaningful communication with parents of English learners in a language they can understand.

**Title III, Part A grant awards, then, come with three specific requirements:**

1. Provide effective supplemental language programs that meet the needs of ELs and demonstrate successes in increasing English proficiency and student academic achievement.
2. Provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals and other school leaders, administrators, and other school or community-based organizational personnel that is:
  - a. designed to improve the instruction and assessment of ELs;
  - b. designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for English learners;
  - c. effective in increasing children's English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge and teaching skills of such teachers; and
  - d. 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.
3. Provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for ELs, which shall include parent, family, and community engagement activities.

### *Allowable/Non-Allowable Expenses*

Due to the limited size of the Title III, Part A allocations, most LEAs will expend the entirety of their funds on fulfilling the three above-mentioned required activities. Remaining funds may be used in



accordance with the LEA needs-based Language Instruction Education Plan (LIEP) on other activities including:

- Upgrading the language program objectives
- Providing ELs with tutoring and/or intensified instruction
- Developing and implementing effective language programs
- Providing outreach programs and family literacy services
- Improving EL instruction – including instruction of ELs with special needs – by providing supplemental technology or access and offering programs or courses designed to help ELs achieve success in post-secondary education.

There are, naturally, several restrictions on the use of Title III, Part A funds as well. In general, just as Title I, Part A funds are supplemental to state and local funds, Title III, Part A funds are supplemental to Title I, Part A funds.

### *Administrative Costs*

LEAs and Consortia can use up to 2% of their allocation on administrative costs.

### *Technology*

Technology can be purchased using Title III, Part A funds (as long as that same technology is not being provided to non-LIEP students with other state and/or federal funds) as technology can upgrade the program and instructional capacity of the LEA.

### *English Language Proficiency Assessments*

Title III, Part A funds may not be used by the LEAs to administer State English Language Proficiency (ELP) assessments (i.e. WIDA assessments), as the assessment for English Language Proficiency is a required state-level activity under Title I, Part A.

Neither Title I, Part A nor Title III, Part A funds may be used to develop or administer ELP assessments for identification and placement purposes.

### *Personnel*

Given the number of Civil Rights and Title I requirements that LEAs address the language needs of English learners, many personnel positions cannot be funded through Title III, Part A due to conflicts with the supplement-not-supplant rule.

LEAs are required to provide language instruction to ELs regardless of whether they receive a Title III, Part A allocation, salaries of ESL Teachers are not allowed. Since the LEA is required to provide language instruction and adequately trained personnel, the use of Title III funds would be considered supplanting.

There are, however, a number of positions that can be funded through Title III, Part A.

Some examples of allowable Title III, Part A personnel are:

- Tutors working directly with EL students
- Bilingual/ESL Paraprofessionals working directly with ELs under the direction of a certified teacher
- ESL Instructional Coaches whose role is to acquire scientific-based research practices, provide professional development, and mentor and coach teachers who are working directly with English learners.



## *Translating and Interpreting*

LEAs and schools are required by federal statute to provide meaningful access to information and services provided to the parents or guardians of EL students. Therefore, Title III, Part A funds may only be used for supplemental translation and interpretation activities that are not provided by the LEA for all students, and for translation activities that are specific to Title III, Part A.

## *Food*

Food is not an allowable expenditure under Title III, Part A, with the exception of Parent Involvement activities.

Reasonable expenditures for refreshments or food, particularly when such sessions extend through mealtime, are allowable for Title III, Part A Parent Involvement activities. Light refreshments are limited to snacks (i.e. cookies, vegetable/fruit tray, soft drinks, coffee and water, etc.)

## *Stipends*

Under some circumstances Title III, Part A funds can be used to pay stipends. Allowable:

- Stipends may be paid to personnel to attend professional development (PD) activities outside of contract hours;
- Stipends may be paid to teachers to modify or enhance the district language instruction education program and develop curricula and/or instructional materials outside of contract hours.

### **Non-allowable:**

- Stipends are not allowed for the administration of the Home Language Survey and screener assessments, or the administration of the annual English language proficiency assessments.

## *Summer school*

Summer school programs, such as those that offer high intensity language instruction educational programs during the summer are allowed under Title III, Part A as long as the school can demonstrate that the program is above and beyond what is provided by the school and the LEA. Title III, part A funded summer school programs must be designed to assist EL students in making progress towards English language proficiency and achieving academic content standards. Furthermore, since many Title III students are also Title I students, lessons in a Title III funded summer school program must not conflict with the scheduled lessons of a Title I summer school program.

## *Travel*

The costs for staff travel to trainings and conferences are allowable on condition that the travel is deemed reasonable and necessary, and the training or conference is specifically related to the Title III, Part A program.

Registration invoice(s) must be submitted in the claim together with the professional development agenda.

## *Certification Exam Fees for Teachers*

Teacher certification testing fees paid with Title III, Part A funds are allowed only for currently state certified teachers to add an endorsement in English as a Second Language (ESL). The cost associated with taking the ESL certification exam may be paid with Title III, Part A funds only if the tester successfully passes the exam.



## Best Practices

### *Home Language Survey (HLS)*

- LEAs are responsible for identifying potential EL students who may need language instruction educational services, regardless of whether the LEA receives federal funds. LEAs must also ensure that every enrolled student has a completed HLS on file, regardless of student EL status.
- The HLS should be administered as part of the enrollment process for every student. If the HLS indicates a language other than English on any of the first three questions, the student must be screened for EL status using one of the approved state screening assessments (WIDA Screener, WIDA Kindergarten Screener, WIDA Model).
- If a potential EL student is enrolled within the first 30 calendar days from the start date of school, districts have 30 days from that enrollment date to placement test and identify the student as eligible for EL services and accommodations. If a potential EL student enrolls after the first 30 calendar days from start date of school, schools have 14 calendar days to placement test and identify the student as eligible for EL services and accommodations. [ESSA, Section 1112 (e)(3)(A&B)]

### *Language Instruction Education Plan*

Language Instruction Education Program is the overarching language teaching program designed to meet federal language instruction requirements. The LIEP may be articulated in a template in which the LEA describes the nature and scope of services offered to EL students and how the LEA meets the various Civil Rights and ESSA requirements regarding English learners.

Some common, broad LIEP intervention strategies are:

- Transitional Bilingual programs – programs where content material is delivered in the students' native language with a portion of the day dedicated solely to English language proficiency. Such programs are usually designed to bring students to proficiency in two to five years.
- Dual Language or Two-way Immersion programs – programs where instruction is delivered in both the students' native language and in English. The goal of such programs is that students will be fully proficient in both languages. These programs usually last for the duration of a student's enrollment in the school/LEA.
- English as a Second Language (ESL) or English Language Development (ELD) – in these programs students are provided supplemental individual or small group instruction outside the general education classroom (e.g. "pull-out" or ESL classes) with no native language support in either setting. Students are provided supplemental individual or small group instruction outside the general education classroom (e.g., instruction can target both language fluency and core content). The goal is to increase student success in mainstream, non-ESL supported general education classes which ELs should transition to in a reasonable amount of time.
- Content Classes with Integrated ESL Support – in such programs Students are provided core content instruction with no native language support in mainstream classes utilizing integrated ESL strategies (e.g. teachers trained in ESL methods, use of EL paraprofessionals, etc.) The goal is to provide appropriate EL supports in the general education classroom to the level appropriate for student success.
- Newcomer Programs – in these programs students new to the U.S. are placed in classes that primarily emphasize English language acquisition. Instruction can be in English or can utilize a



student's native language. The goal is to move the student toward English language proficiency as quickly as possible.

## *Professional Development REQUIRED ACTIVITY-*

All subgrantees are required to use Title III, Part A funds to support professional development activities for teachers of ELs, although no minimum or maximum percentage of the allocation amount is required. Title III, Part A funds may support costs incurred in providing professional development for classroom teachers (any and all teachers who may have ELs in the classroom), principals, administrators, and other school or community-based organizational personnel.

Such professional development activities must be designed to:

- improve the instruction and assessment of limited English proficient children;
- enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for English learners;
- be effective in increasing children's English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers;
- be 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. [ESSA, Section 3115 (c)(2)(A-D)]

NOTE: Training to administer WIDA assessments is not an allowable form of professional development.

## *English Language Academic Plan (ELAP)*

The ELAP is a document that outlines the demographics, testing history, educational goals, allowable instructional interventions, and testing accommodations that will apply to an EL student for a given year. LEAs must have an ELAP for each individual identified EL student. These can be maintained either in paper or electronic format.

ELAPs must be completed within the first thirty days of enrollment if the student enrolls at the beginning of the school year, and within two weeks of enrollment (14 calendar days) if enrolling after that initial thirty-day window. The ELAP must be provided annually to the parents or guardians of EL students. The information contained in the document is aligned with the Title I parental notification requirements outlined in Section 1112(e)(3)(A) of ESSA.

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## *Allocations*

Any LEA enrolling one or more identified English learners during the previous school year is eligible for a Title III, Part A subgrant for the current fiscal year. However, A State educational agency shall not award a subgrant from an allocation made under subsection (a) if the amount of such subgrant would be less than \$10,000." [ESSA, Section 3114 (b)] LEAs that serve too few English learners to generate an allocation of \$10,000 can join together to form a Title III Consortium, using the combined numbers to reach the \$10,000 threshold.



## *Consortium*

If an LEA does not have sufficient EL student numbers to generate enough funds to meet the Title III, Part A minimum \$10,000 grant award, individual LEAs may join together to form a consortium in order to meet this requirement.

The minimum number of students needed to meet the \$10,000 minimum award fluctuates year to year, but districts and consortia that can maintain a population of approximately 115 identified ELs can generally expect to receive an annual Title III allocation. The members of a consortium should choose their lead fiscal agent by consensus. The lead fiscal agent is responsible for all fiscal transactions of the consortium (filing of the application, requisitions, purchases, and payments) and for maintaining records of all financial transactions carried out on behalf of the consortium.

## *Carryover*

There is no limitation of the unexpended balance of Title III, Part A funds to be carried over to the next fiscal year. Under section 421(b) of the General Education Provisions Act (GEPA), LEAs and SEAs must obligate funds during the 27 months extending from July 1 of the fiscal year for which the funds were appropriated through September 30 of the second succeeding fiscal year. Funds carried over to the second succeeding year are known as “second year carryover”. They must be paid to the LEAs/liquidated by SEAs by December 31st of that respective year.

## Title III, Additional Resources

[OPI English Language Acquisition website](#)

[OPI Title III Grant information](#)

[US Department of Education English Language Acquisition State Grants](#)





relevant data to understand students' and schools' most pressing needs, including the root causes of such needs.

## *Use of Technology Special Rule*

- At least 85% of the funds for activities to support effective use of technology must be used to support professional learning. LEAs may not spend more than 15% of funding in this section on devices, equipment, software applications, platforms, digital instruction resources and/or other one-time IT purchases.
- LEAs with a Title IV-A allocation of less than \$30,000 may spend funds in all three allowable areas or may choose only one area. However, the 15% cap on technology infrastructure still applies and is calculated using the total amount of funds spent with the technology budget, not the total allocation, unless the LEA is REAP Flex or SRSA eligible.
- Generally, districts may use funds for a wide variety of activities within each content area, including, but not limited to, direct services for students, professional development for teachers and administrators, and salaries of personnel to carry out Title IV-A identified programs and services. Time and Effort documentation must be kept for all staff paid for federal dollars.

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## Allowable and Common Uses of Funds

### *Activities to support well-rounded educational opportunities, but not limited to:*

- STEM programs, music, and art programs
- Foreign language offerings
- Opportunities to earn credits from institutions of higher learning
- College and career readiness (career guidance counseling, ACT/SAT prep courses, career and technical education)
- Reimbursing low-income students to cover the costs of accelerated learning exam fees
- Environmental education
- Social studies (economics, government, geography)
- Summer out-of-school programs and staff.
- Professional development registration, room, meals, and travel costs engaged in Title IV-A activities.
- Programs and activities that promote volunteerism and community involvement.

### *Activities to support safe and healthy students, but not limited to:*

- School-based mental health services including school counselor, school nurse, school resource officer, and behavioral support salaries and benefits.
- Drug and violence prevention activities that are evidence-based.
- Integrating health and safety practices into school or athletic programs.
- Nutritional education and physical education activities.
- PBIS, whole child skill development curriculum.
- Bullying and harassment prevention.
- Prevention of teen and dating violence, stalking, domestic abuse, and sexual violence and harassment.
- Reducing the use of exclusionary discipline practices.



## *Activities to improve the use of educational technology to improve the academic achievement and digital literacy of all students, but are not limited to:*

- Building technology capacity and instructional.
- Developing or using effective or innovative strategies for the delivery of specialized or rigorous academic courses using technology.
- Carrying out blended learning activities (must include ongoing PD for teachers).
- Providing PD on the use of technology to enable teachers to increase student achievement in STEM.
- Providing students in rural, remote, and underservices areas with resources to take advantage of high-quality learning experiences.
- Infrastructure.
- Technology coach salary and benefits.
- Assistive technology to support students with disabilities and technology to support English Learners.
- Providing educators, school leaders, and administrators with the professional learning tools, devices, content and resources to:
  - personalize learning.
  - discover, adapt, and share relevant high-quality educational resources.
  - use technology effectively in the classroom.
  - implement and support school and districtwide approaches for suing technology to inform instruction, support teacher collaboration, and personalized learning.

## *Federal Funds CANNOT be spent on the following:*

- Construction, renovation, or repair of any school facility
- Medical services for drug treatment or rehabilitation, except for integrated student supports, specialized instructional support services, or referral to treatment for impacted students, which may include students who are victims of, or witnesses to crime, or who illegally use drugs
- Field trips for entertainment purposes
- Anything that would NOT be directly related to education or transition (ex. birthdays, gift cards, entertainment)
- Direct reimbursement to private and non-public schools
- Food or meals. Light refreshments and snacks CAN be allowable in certain circumstances

\*\*This is not an exhaustive list so if you have an expense that you are unsure would be allowable, please send the program manager and email to discuss.

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## Additional Resources

### *Indirect Costs*

The Allowable Uses tab includes a field to set aside indirect costs before distributing funds to the three allowable uses for Title IV-A: Well Rounded Education, Safe and Healthy Students, and Effective Use of Technology. The actual allowable indirect cost may vary if your district has any 700-Property and Equipment purchases planned as indirect costs cannot be taken on these expenditures. If your district is planning for a property and equipment purchase, you may only budget the max allowable indirect amount from your budget detail line (E) which will calculate when your budget is



fully allocated. To ensure your calculations by use of funds category match your budget page, make sure line (G) matches the indirect amount entered on the Allowable Uses tab.

### *Small Rural School Achievement (SRSA) Eligible LEAs*

- ESEA section 5211(a) allows SRSA-eligible LEAs greater flexibility in spending their Title IV, Part A funds. Title IV-A funds may be used for activities under certain ESEA programs but are not subject to all the rules and requirements of these programs. For example: SRSA eligible LEAs may use REAP-Flex or “alternative uses of funds” authority within Title IV-A to spend up to 100% of funds in the EUT category on technology infrastructure. LEAs may use Title IV-A funds to pay for activities under any of the allowable uses for SRSA grant funds.
- LEAs do not need to apply for (or receive) SRSA funds to exercise the alternative use of funds authority.

### *Meaningful and Ongoing Consultation with Stakeholders*

- LEAs must consult with stakeholders in the three priority areas throughout the program development and implementation process (SESA section 4106 (c)(1)).
- Stakeholders must include, but are not limited to (as applicable):
  - Parents/families
  - Teachers/principals/school leaders
  - Students
  - Specialized instructional support personnel
  - Indian tribes or tribal organizations
  - Local government representatives
  - Community-based organizations
  - Others with relevant and demonstrated expertise

### *Equitable Services*

Federal law requires districts receiving Title IV, Part A funds to provide for the equitable participation of private school students, teachers, and other educational personnel in private schools located in the physical bounds within the district, including by engaging in timely, meaningful and ongoing consultation with private school officials during the design and development of their Title IV, Part A programs.

### *Supplement not Supplant*

Section 4110 requires that Title IV, Part A program funds be used to supplement, and not supplant, non-federal funds that would otherwise be available for activities authorized under the program. This means that, in general, LEAs may not use Title IV, Part A funds for the cost of activities if the cost of those activities would have otherwise been paid with state or local funds in the absence of the Title IV, Part A program funds. In determining whether a particular use of funds would violate the non-supplanting requirement, LEAs should consider matters such as whether the cost involved is currently paid for using state or local funds or whether the cost involved is for an activity that is required by state or local law. In no event may LEAs decrease the amount of state or local funds used to pay the cost of an activity simply because of the availability of the Title IV, Part A program funds.

### *Carryover of Funds*

As per ESSA, Title IV, Part A funds remaining at the end of a grant period are made available to grant recipients through a carryover process. This allows grant recipients to use unobligated balances from



the prior fiscal year in the current grant year. OSPI grant staff calculate carryover amounts after the grant has closed and make the funds available to eligible grant recipients through their current approved applications. There is no percent threshold for carryover for the Title IV, Part A funds. In total, an LEA has 26 months (e.g., July 1, 2022 – Aug 31, 2024) to expend the funds for any given year's allocation.



## Title V: Rural Education Achievement Program

SRSA (Small, Rural School Achievement) and RLIS (Rural Low Income Schools) are funding sources offered through the Rural Education Achievement Program (REAP).

The application and funding process for SRSA comes directly from The United States Department of Education. RLIS application and funding process is through OPI and the ESEA consolidated application. Some LEA's may be dual eligible but can only pick one that best fits their funding needs.

Both programs are based on district's poverty percentage and rural location. SRSA funds can be used for a variety of activities, while RLIS funds are specifically for low-income schools.

### Program Goals and Services

- Provide rural schools with more flexibility in using federal funds and support their participation in various ESEA programs.
- Assist rural schools with small allocations to effectively address the unique needs of rural schools.
- Assist rural schools that lack the personnel and resources needed to effectively compete for Federal competitive grants.

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### Allowable and Common Uses of Funds

- Teacher Recruitment and Retention
- Professional Development
- Parental Involvement
- Activities to Support Student Achievement

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### Best Practices

- Fostering strong sense of community engagement.
- Work with programs to strategically allocate funds to support students in rural areas.
- Assist rural schools in the alignment of spending with goals of the rural school

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### Additional Resources

[US Department of Education Rural Achievement Program](#)



## Title IX: McKinney Vento Homeless Education

### Program Goals and Services

The purpose of the McKinney-Vento program is to ensure that every child and youth experiencing homelessness has equal access to the same free, appropriate public education as provided to their peers living in stable housing. The McKinney-Vento Act assures that school districts remove barriers to school and extracurricular attendance, engagement and achievement. There are two main federal funding streams expressly intended for students experiencing homelessness: the McKinney-Vento Subgrant and the Title IA Homeless Set aside.

### *Program Requirements*

Under ESSA **all** school districts are required to

- remove barriers to school access, attendance and achievement for students experiencing homelessness.
  - provide free meals for students experiencing homelessness.
  - provided necessary transportation for students to attend their school of origin.
  - coordinate local services and supports for students experiencing homelessness.
- name a school district homeless liaison.
- engage in professional development every year.
  - Liaisons in Montana will have 3 hours yearly (grant recipients need 7 hours).
  - All staff and school volunteers should be trained on identifying and supporting unhoused students every year.
- record and report the number of students experiencing homelessness in their district and their nighttime residence.
- set aside funds in their ESSA Consolidated grant.

### *Title IA Homeless Set Aside*

The Elementary and Secondary Education Act requires that schools set aside funds from their Title IA grants to support students experiencing homelessness. OPI has set a minimum of \$35 per student who is homeless. Districts can choose to set aside more than this amount. The set-aside is intended to support homeless student needs that are “above and beyond” that of other students who qualify for Title I. Guiding language for set-aside funds is expenditures that are “reasonable and necessary to assist students experiencing homelessness to take advantage of educational opportunities”. ESEA section 1113(c)(3)(C)(ii)). These funds should be spent last when there is not other funding available.

### *McKinney-Vento Subgrant:*

Every three years schools may apply with the OPI for McKinney-Vento formula funds through a competitive award process. Once chosen, schools are eligible to receive grant funds for three years. The funds are allocated to remove barriers to educational access for students experiencing homelessness. They are only eligible to be used for these students and funds are often limited.

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### Allowable and Common Uses of Funds

All spending should be considered on a case-by-case basis. The National Center for Homeless Education has created a valuable resource to guide districts through eligibility decision making.



[NCHE-Use-of-Funds-Tip-Sheet 2025.pdf](#) In addition to the guidance outlined in this tip sheet general grant guidelines as listed on pages (6-7) must also be followed.

There are 16 allowable expenditures delineated by the McKinney-Vento Act, which are outlined below. The following comes from The National Center for Homeless Education

<https://nche.ed.gov/mv-auth-activities/?highlight=authorized%20activities>

*Subtitle VII-B of the McKinney-Vento Homeless Assistance Act (per Title IX, Part A of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act) authorizes the following allowable usages of McKinney-Vento local educational agency subgrant funds:*

#### *Authorized activities*

*A local educational agency may use funds awarded under this section for activities that carry out the purpose of this part, including the following:*

- (1) The provision of tutoring, supplemental instruction, and enriched educational services that are linked to the achievement of the same challenging State academic standards as the State establishes for other children and youths.*
- (2) The provision of expedited evaluations of the strengths and needs of homeless children and youths, including needs and eligibility for programs and services (such as educational programs for gifted and talented students, children with disabilities, and English learners, services provided under title I of the Elementary and Secondary Education Act of 1965 [20 U.S.C. 6301 et seq.] or similar State or local programs, programs in career and technical education, and school nutrition programs).*
- (3) Professional development and other activities for educators and specialized instructional support personnel that are designed to heighten the understanding and sensitivity of such personnel to the needs of homeless children and youths, the rights of such children and youths under this part, and the specific educational needs of runaway and homeless youths.*
- (4) The provision of referral services to homeless children and youths for medical, dental, mental, and other health services.*
- (5) The provision of assistance to defray the excess cost of transportation for students under section 11432(g)(4)(A) of this title, not otherwise provided through Federal, State, or local funding, where necessary to enable students to attend the school selected under section 11432(g)(3) of this title.*
- (6) The provision of developmentally appropriate early childhood education programs, not otherwise provided through Federal, State, or local funding, for preschool-aged homeless children.*
- (7) The provision of services and assistance to attract, engage, and retain homeless children and youths, particularly homeless children and youths who are not enrolled in school, in public school programs and services provided to non homeless children and youths.*
- (8) The provision for homeless children and youths of before- and after-school, mentoring, and summer programs in which a teacher or other qualified individual provides tutoring, homework assistance, and supervision of educational activities.*
- (9) If necessary, the payment of fees and other costs associated with tracking, obtaining, and*



*transferring records necessary to enroll homeless children and youths in school, including birth certificates, immunization or other required health records, academic records, guardianship records, and evaluations for special programs or services.*

(10) The provision of education and training to the parents and guardians of homeless children and youths about the rights of, and resources available to, such children and youths, and other activities designed to increase the meaningful involvement of parents and guardians of homeless children or youths in the education of such children or youths.

(11) The development of coordination between schools and agencies providing services to homeless children and youths, as described in section 11432(g)(5) of this title.

(12) The provision of specialized instructional support services (including violence prevention counseling) and referrals for such services.

(13) Activities to address the particular needs of homeless children and youths that may arise from domestic violence and parental mental health or substance abuse problems.

(14) The adaptation of space and purchase of supplies for any nonschool facilities made available under subsection (a)(2) to provide services under this subsection.

(15) The provision of school supplies, including those supplies to be distributed at shelters or temporary housing facilities, or other appropriate locations.

(16) The provision of other extraordinary or emergency assistance needed to enable homeless children and youths to attend school and participate fully in school activities.

In 2021 special COVID relief funding was allocated for Homeless Children and Youth (ARP-HCY). This grant effectively broadened the use of funds to support Homeless Children and Youth. Although this grant has sunsetted the Department of Education has allowed for the continued expanded use of funds in most situations. **Payment for hotel/ motel stays or temporary housing is expressly prohibited with grant funds.** ARP-HCY outlined more specific uses of funds that removed barriers to school enrollment and achievement. A full list can be found from [SchoolHouse Connections here](#). Keep in mind that funds should be directed towards students directly.

## Title IX McKinney- Vento Additional Resources

## ARP-HCY Allowable Uses

NCHE Use-of-Funds Tip Sheet 2025

## Title IA Set Aside: Understanding Federal Requirements

NCHE Brief Serving Students Experiencing Homelessness under Title I Part A.

16 Allowable Activities McKinney-Vento Subgrant Authorized Activities

NCHE Pre-Recorded Webinar- [Making Use of Funds: Key Decision Points – National Center for Homeless Education](#)

## OPI Liaison Library



[OPI Liaison Guide](#)

[NCHE Homeless Liaison Toolkit](#)



## Serving Non-Public Schools

### Overview of Program and Services

Under section 1117 of the ESEA, students who reside in a Title eligible school district, attend a non-public or homeschool, and have an academic deficiency which could be addressed through supplemental instructional supports are eligible for Title program services through the school whose district they reside in. This applies to any Title programs for which the school receives funding. This is done under the following process and parameters:

- The school district in which the student resides must receive program funds that would address their learning needs.
- The non-public or homeschool must have assessment data that demonstrates student deficiencies.
- The non-public or homeschool must annually register with their County Superintendent of Schools and indicate that they are interested in receiving information about available federal programs. This must be done by the end of October. The County Sup. will then load their information into the OPI Non-Public Database.
- The LEA must annually reach out to schools who have indicated interest and notify them of the opportunity for qualifying students to receive services. This is done each March upon notification from the OPI and review of the district's interested schools listed in the OPI Non-Public Database. Sending the notification via certified mail is recommended but not required. Having documentation that notification was sent is critical should a non-public entity file a complaint.
- Interested non-public schools must respond that they are interested in receiving services for the upcoming school year within a reasonable (2-3 week) deadline established by the district.
- The LEA must hold a consultation with applicable non-public entities to determine a plan of service. The elements of this consultation would include.
  - Identification of eligible students and the assessment or other metrics used to determine eligibility
  - Calculation of an equitable share set aside. This can be done on the E-grants system when the number of eligible students is identified.
  - Development of a plan of services which would include: type, location, frequency, and modality of instruction.
  - A plan of program evaluation and improvement like that which occurs within the LEA Title program

Upon completion of consultation, the LEA must submit the completed Affirmation of Consultation and Equitable Share Agreement to Zach Hawkins, OPI Private School Ombudsman.

[zachariah.hawkins@mt.gov](mailto:zachariah.hawkins@mt.gov). The forms can be found on the [non-public schools page](#) of the OPI federal programs website.

School districts often transfer funding from Titles II A and IV A into Title I A Basic to help cover staffing or other costs associated with the Title I A program. Sometimes this may not be the desire of the non-public entity as they may want to use Title II A funding for PD needs or Title IV A funding for well-rounded education initiatives. The district has the authority to transfer funds into Title I A against the wishes of the non-public entity but must give due consideration to the request of the non-public entity before doing so. The non-public should receive an equitable share of the funds based upon the increased Title I A balance. In the event there is a disagreement, the district must provide the non-public entity with a written explanation and rationale regarding its decision. Also, the district may not



transfer funds prior to conducting consultation with the non-public entity and discussing transferability. Districts may NOT transfer all but their Title II A and IV A equitable share amounts into Title I A to satisfy the wishes of the non-public entity. Schools and districts who are approved to run a Title I A Schoolwide program automatically generate a Title I A equitable share for eligible non-public entities based upon their Schoolwide funding balance.

Non-public entities who feel an LEA did not notify them of the opportunity to participate, provide timely and meaningful consultation provide equitable services to their eligible students, give due consideration to their requests, or otherwise follow the rules of non-public participation in the ESEA may file a complaint with Zach Hawkins, the OPI Private School Ombudsman. Such a complaint must specifically cite the applicable section(s) of the ESEA which they feel the district is out of compliance. The Ombudsman has 45 days of receipt of the complaint to rule on the complaint and issue any corrective actions that might be appropriate. Should the non-public entity disagree with the determination of the Ombudsman, they have 30 days to appeal directly to the U.S. department of education.

## Allowable and Common Uses of Funds

Non-public equitable share funds can be expended in a manner consistent with [2 CFR 200 Sub-Part E Cost Principles](#) and the allowable activities outlined for their specific Title program. All expenditures and associated services provided must be secular, neutral, and non-ideological. Also, the LEA must **not** provide funds directly to the non-public entity. The equitable share should be treated as a separate pot of money used by the LEA to serve eligible non-public students. Common uses of equitable share funds would include but not be limited to:

- Personnel services for non-public student Title program supports and interventions.
- Salary and benefits prorated to the FTE dedicated to serving non-public students.
- Contracted services to provide Title program supports and interventions.
- Supplemental materials and supplies.
- Tutorial or other educational software or programs.
- Professional development for non-public school staff. If using Title I A equitable share, the educators receiving PD must be teaching eligible students. If using Title II A equitable share, any non-public educators or administrators could receive PD. In some cases, attendance at a religious or faith-based event would be allowable but only those portions of the event that are secular, neutral, and non-ideological could be supported. In this case, proration of costs to align with the allowable segments of the event should be calculated. PD costs would generally include:
  - Conference or event registration.
  - Travel costs including airfare, ground transportation, mileage, lodging, and per diem.
  - Parking or other associated fees.
- Technology or other supplemental equipment necessary and appropriate for the success of the program(s).

## Best Practices

- Regular communication and collaboration between public and non-public staff. Consultation should not be the only time entities meet each year.
- Annual evaluation and continuous improvement of the non-public program.
- Common and/or collaborative PD between public and non-public entities.



- In some cases, adjacent or local area LEAs may pool equitable share amounts to serve students in commonly attended non-public schools in which they have eligible students. This provides certain efficiencies and economy of scale benefits.
- Individual districts may also pool equitable share amounts to serve multiple non-public schools in which they have eligible students.

## Additional Resources

[Private School Non-Regulatory Guidance May 2023](#)

[Consultation Forms](#)

[OPI Training Videos](#)

[Office of Non-Public Education \(ONPE\) Website](#)



## Useful Links:

[Guidance Materials for Schools and Districts | New York State Education Department](#)

[ESSA State Plan | Arizona Department of Education](#)

[School Improvement Guidance](#)

[Elementary and Secondary Education Act \(ESEA\)/Federal Title Programs](#)

[Elementary and Secondary Education Act \(ESEA\)](#)

[Title I, Part A – Improving Academic Achievement of the Disadvantaged - Kentucky Department of Education](#)

[Kentucky Department of Education Title I, Part D Handbook](#)

[Title II Part A Handbook](#)

[District Guide for the English Learners Program](#)

[Title IV, Part A - Student Support and Academic Enrichment - Kentucky Department of Education](#)

[Title V, Part B - Rural Education Achievement Program \(REAP\) - Kentucky Department of Education](#)

[Title IX, Part A - Education for Homeless Children and Youth - Kentucky Department of Education](#)

[Methods of Administration for Civil Rights Monitoring - Kentucky Department of Education](#)