



OPI Education Advocate
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Below is a copy from the American Rescue Plan Act of 2021, specifically portions of section 2004(b) & (c).

Comments are added in this color throughout about the current PRELIMINARY review of the requirements under this section.

Sec. 2004. maintenance of effort and maintenance of equity.

(b) STATE MAINTENANCE OF EQUITY.—

(1) HIGH-NEED LOCAL EDUCATIONAL AGENCIES.—As a condition of receiving funds under section 2001, a State educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) for any high-need local educational agency in the State by an amount that exceeds the overall per-pupil reduction in State funds, if any, across all local educational agencies in such State in such fiscal year.

Currently this is estimated at approximately 78 of the 400 LEA's (Districts) may not achieve MOEquity per strict implementation of this section.

(2) HIGHEST POVERTY LOCAL EDUCATIONAL AGENCIES.—Notwithstanding paragraph (1), as a condition of receiving funds under section 2001, a State educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) for any highest poverty local educational agency below the level of funding (as calculated on a per-pupil basis) provided to each such local educational agency in fiscal year 2019.

Currently this is estimated at approximately 38 of the 400 LEA's (Districts) may not achieve MOEquity per strict implementation of this section.

STATE MAINTENANCE OF EQUITY - Accounting for overlap, this totals about 25% of LEA's (Districts) that may not maintain MOEquity at the state level. However, once again, this is NOT final data as the OPI does not have fall enrollment until this upcoming October and also, the OPI will not know GTB entitlements until around that time as well.

(c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—

(1) IN GENERAL.—As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023—

(A) reduce per-pupil funding (from combined State and local funding) for any high-poverty school served by such local educational agency by an amount that exceeds—

(i) the total reduction in local educational agency funding (from combined State and local funding) for all schools served by the local educational agency in such fiscal year (if any); divided by

(ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year; or

(B) reduce per-pupil, full-time equivalent staff in any high-poverty school by an amount that exceeds—

(i) the total reduction in full-time equivalent staff in all schools served by such local educational agency in such fiscal year (if any); divided by

(ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year.

(2) EXCEPTION.—Paragraph (1) shall not apply to a local educational agency in fiscal year 2022 or 2023 that meets at least 1 of the following criteria in such fiscal year:

(A) Such local educational agency has a total enrollment of less than 1,000 students.

(B) Such local educational agency operates a single school.

(C) Such local educational agency serves all students within each grade span with a single school.

(D) Such local educational agency demonstrates an exceptional or uncontrollable circumstance, such as unpredictable changes in student enrollment or a precipitous decline in the financial resources of such agency, as determined by the Secretary of Education.

LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY - This section is the MOEquity for districts and requirements for schools within the district. Noting the exceptions above there are 19 LEA's (Districts) that need to fulfil these requirements and should mainly be handled at the district level.