

Equitable Services Carryover Policy

Updated November 2019

Background

ESEA Section 1117(a)(4)(B) and 8501(a)(4)(B) states that “funds allocated to a LEA for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received”. The USDE issued “Providing Equitable Services to Eligible Private School Children, Teachers and Families Non-regulatory Guidance Updated October 2019” states, that if an LEA is providing equitable services as required and meeting the obligation of funds requirement, it should generally not have any, and certainly not significant, carryover. ESEA does not prohibit carryover of funds for equitable services and, in most cases requires it.

Carryover Policy

The goal is for the total amount of nonpublic equitable service allocations to be obligated in the fiscal year. However, even with the best intentions and with timely and meaningful consultation between the public district and nonpublic school officials, there are occasions when the total equitable service allocation is not obligated in the year.

Nonpublic students and personnel depend on these equitable services, and no one wants to see the equitable service allocations returned to the U.S. Treasury. Thus, for instances when the public districts and nonpublic schools are unable to obligate the total equitable service allocation in the fiscal year in which funds were awarded (as required under ESEA Section 1117(a)(4)(B) and 8501(a)(4)(B)), the public district and nonpublic officials must take the following steps:

1. **Engage in Consultation regarding Carryover:** Before June 30 of each year, the public district and nonpublic officials must discuss any potential differences between their annual equitable service allocations and the total amount that is expected to be obligated before September 30. If any of the equitable service allocation amount is not expected to be obligated by September 30, the public district and nonpublic officials will need to explain the reason for the difference in the Consultation Guide within NPDS.
2. **Agreement between the Public District and Nonpublic School:** Prior to submitting the FER, the district and nonpublic officials will need to discuss whether or not the public district will allow for the remaining equitable service allocation to be carried forward into the next year based on the reasons for the differences in what was allocated and obligated for the current year as noted in the step above.
3. **Action Plan in the Nonpublic Data System (NPDS):** If the public district allows for the remaining equitable service allocation to be carried forward into the next year, the public district will be required to complete an Action Plan in the NPDS for review by the nonpublic school to document the circumstances that led to the difference and the proposed action plan for both the public district and

¹ N-7 of Non-Regulatory Guidance: Fiscal Changes and Equitable Service Requirements under ESEA, as Amended by ESSA (November 2016)

nonpublic school as to how to ensure that the funds are expended in the year in which they are generated.

4. ODE Approval and Validation: The Office of Federal Programs and Office of Grants Management will review and approve the request for carryover after the district has provided the carryover value that amount will be added to the existing nonpublic page in the CCIP to show the current year calculated value and the carryover amount from the previous fiscal year. A system validation will be added to ensure that all carryover funds are budgeted along with the equitable service allocation for the current year.

Special Note

It is ultimately the public district's responsibility to determine if equitable service allocations not obligated in the year in which they were generated will be permitted to be carried forward. If the public district does not permit the funds to be carried forward, the unexpended equitable service allocations will be swept. In other words, the unused equitable service allocation does not remain with the public district. In addition, the public district may need to justify the reason for not allowing carryover if any nonpublic school files a formal complaint to the Office of Federal Programs or the nonpublic ombudsman. In the event an LEA exceeds the 15% carryover limitation, and the district receives a reduction in allocation, the reduction may not come from the portion of funds used to provide equitable services.

Policy Benefits

- This process provides transparency for the circumstances surrounding the reason(s) that the amounts were not obligated.
- This process requires an Action Plan and appropriate responses and agreements between all parties to ensure that funds are spent in the year in which they are generated.
- This process is intended to assist with improving consultation/communication between public districts and nonpublic schools.

Addendum

Final Expenditure Report (FER)

New page on the Final Expenditure Report (FER) to report equitable services expenditures at the nonpublic school level for all grants for which the LEA has a calculated equitable service allocation. The information that will be collected on this page includes:

District is opting to pool Title I nonpublic service amounts?: Yes Program office preapproval is required before checking this box.

Nonpublic School IRN	Nonpublic School Name	Grant Name	Service Amount	Incoming Carryover Amount	Nonpublic Expenditure Amount	Outgoing Carryover Amount
000000	Nonpublic School One	Title I-A Improving Basic Programs	\$27,172.72	\$8,814.54	\$31,503.42	\$4,483.84
111111	Nonpublic School Two	Title I-A Improving Basic Programs	\$66,159.66	\$12,759.90	\$71,610.15	\$7,309.41
222222	Nonpublic School Three	Title I-A Improving Basic Programs	\$139,407.85	\$5,742.94	\$127,563.88	\$17,586.91
333333	Nonpublic School Four	Title I-A Improving Basic Programs	\$79,155.31	\$0.00	\$74,760.12	\$4,395.19

Repeat for all ESEA Grants that have calculated equitable service amounts (i.e. Title II-A, III and Title IV-A)

*The Service Amount and Incoming Carryover Amount columns are prepopulated from the CCIP. The Nonpublic Expenditure Amount and Outgoing Carryover Amount columns are required to be completed by the LEA.

CCIP Title I Nonpublic School Services Page

[\[Download Nonpublic Data\]](#)

In-district Participation Statuses:

IRN	Nonpublic School Name	Workflow Status	Participation Status	Are Services Being Provided?	Consultation Guide Status	Nonpublic Service Amount	Nonpublic Service Incoming Carryover Amount	Nonpublic Service Total
000000	Nonpublic School One	Public Approved	Participate	Yes <input checked="" type="radio"/> No <input type="radio"/>	Completed	\$28,001.39	\$4,483.84	\$32,485.23
111111	Nonpublic School Two	Public Approved	Participate	Yes <input checked="" type="radio"/> No <input type="radio"/>	Completed	\$68,323.38	\$7,309.41	\$75,632.79
222222	Nonpublic School Three	Public Approved	Participate	Yes <input checked="" type="radio"/> No <input type="radio"/>	Completed	\$99,684.93	\$17,586.91	\$117,271.84

*All columns will be prepopulated from the CCIP.