Ohio | Department of Education

Title I, Part A: Spending Guide

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Introduction

This spending guide is specific to Title I, Part A under the federal *Elementary and Secondary Education Act* (ESEA) of 1965. Periodically, Congress makes amendments to ESEA. ESEA was most recently amended by the *Every Student Succeeds Act* (ESSA) in December 2015. Before ESSA, the *No Child Left Behind* (NCLB) Act was the amended version of ESEA. For simplicity, this document will refer to ESSA when citing the most recent version of ESEA and NCLB when citing the previous version of ESEA.
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Annually, local educational agencies (LEAs), also known as traditional public school districts or charter schools, are eligible to receive certain ESEA formula grants. The main ESEA formula grant programs are:

- Title I, Part A (Improving Basic Programs);
- Title II, Part A (Supporting Effective Instruction);
- Title III, Part A (English Language Acquisition and Language Enhancement); and
- Title IV, Part A (Student Support and Academic Enrichment).

To receive these funds, the LEA must apply each year through the Ohio Department of Education's e-grant system known as the Comprehensive Continuous Improvement Plan (CCIP). Access the CCIP and CCIP Technical Assistance Videos for more information.

General Spending Requirements

There are three general issues that affect district spending under key ESEA formula programs.

1. **Necessary and Reasonable**: All costs charged to federal education grants must be necessary and reasonable considering the amount of money being spent and the needs of the program.[1] This requirement comes from a set of federal regulations known as the Uniform Grant Guidance (UGG), which applies to all federal grants, including U.S. Department of Education grants.[2]

What is in the UGG (Uniform Grant Guidance)?

- Lists of costs that may never be paid for with federal funds.[1] For example, federal funds can never pay for alcohol[1] and typically cannot pay for lobbying.[1]
- Lists of general criteria all costs supported with federal funds must satisfy.[1] For example, federal funds can only pay for costs that are allocable to the relevant grant.[1]
- Sets additional requirements for certain costs supported with federal funds.[1] For example, LEAs that use federal funds for employee salaries and benefits must keep records documenting how much time the employees spent on grant activities.[1]
- Sets rules for how LEAs procure goods and services with federal funds,[1] how they track items paid for with federal funds[1] and the kinds of records they must keep about their grant spending.[1]

[1] 2 CFR 200.403(a).
[2] The Uniform Grant Guidance (UGG) is contained in Part 200 of Title 2 of the Code of Federal Regulations available at http://www.ecfr.gov/cgi-bin/text-idx?SID=f3948247e9ceb83b01019746db896096&tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl. Federal guidance and other resources about the UGG are available at http://www2.ed.gov/policy/fund/guid/uniform-guidance/index.html.

2. **Included in LEA Application**: Activities supported by Title IA funds must be consistent with the LEA's application for funds approved by the Ohio Department of Education, as required by federal law.[3]
   - District applications are developed and submitted through the CCIP. The CCIP is a consolidated grants application and verification system that consists of two parts: the Planning Tool and the Funding Application. The Planning Tool contains the comprehensive needs assessment, goals, strategies, action steps and district funding levels for all grants in the CCIP. The Funding Application contains the budget, budget details, nonpublic services and other related pages. *The CCIP and information about the application process is available* here.

3. **Evidence-Based**: Some ESSA programs require LEAs to spend on activities that are supported by evidence, are demonstrated to be effective or that are consistent with a formal needs assessment. Even where this is not required, U.S. Department of Education grant spending has the most impact when LEAs spend federal funds on effective activities designed to meet program goals. To do this, LEAs are encouraged to:
   - Carefully consider the needs of students, educators and other relevant stakeholders;
   - Determine which activities are most likely to effectively address those needs; and
   - Prioritize those activities when deciding what costs to support with ESSA funds (unless those activities are being paid for by other funding sources).

Definition of "Evidence-Based" in ESSA[1]

Evidence-based means an activity, strategy or intervention that:

i. Demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—
   - (I) Strong evidence from at least one well-designed and well-implemented experimental study;
   - (II) Moderate evidence from at least one well-designed and well-implemented quasi-experimental study; or
   - (III) Promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or

ii. (I) Demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy or intervention is likely to improve student outcomes or other relevant outcomes; and
   (II) Includes ongoing efforts to examine the effects of such activity, strategy or intervention.

Special Note:
Ohio is in the process of developing several new resources for districts to leverage as they are making spending decisions, including Ohio's Evidence-Based Clearinghouse, an online resource that will be designed to enable districts to easily identify evidence-based interventions, programs and practices relevant to their particular needs. In conjunction with developing the clearinghouse itself, the state will develop a process to review, evaluate and categorize interventions in terms of their supporting evidence of success, leveraging existing, appropriate resources where possible.

[3] 34 CFR § 76.700.

ESEA Formula Grant: Title I, Part A

OVERVIEW

This section provides information about how LEAs and schools can spend Title I, Part A funds.

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

Title I, Part A is the U.S. Department of Education's largest K-12 grant program. It provides supplemental funding to help low-income schools improve the academic achievement of educationally disadvantaged students. The U.S. Department of Education awards Title I funds to state educational agencies (SEAs), which then subgrant funds to LEAs through a poverty-based formula. LEAs retain some money to carry out certain activities and then must allocate the rest to eligible schools. For more information about Title I, please contact the Office of Federal Programs at (614) 466-4161.

PURPOSE

The purpose of Title I is to provide all children "significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps."[4] To achieve that, states must develop accountability systems to identify and support schools with academically struggling students, and LEAs and schools must use their Title I funds to improve student outcomes, including academic achievement.

REQUIREMENTS ON LEAS TO RECEIVE FUNDS

As a condition of receiving Title I, Part A funds, LEAs and schools have specific responsibilities. Examples of these responsibilities include:

- Developing and implementing plans to support and improve low-performing schools identified by the state through its accountability system;[5]
- Reporting student achievement and other data to the SEA and the public;[6]
- Notifying parents about issues such as teacher qualifications, assessments and identification of students as English learners;[7]
- Collaborating with child welfare agencies to ensure the educational stability of children in foster care;[8]
- Providing services to homeless students that do not attend Title I schools;[9]
- Providing services to children in local institutions for neglected children and, if appropriate, to children in local institutions for delinquent children and neglected or delinquent children in community day programs;[10]
- Allocating Title I funds to eligible schools through a poverty-based procedure known as "ranking and serving";[11]
- Developing policies and providing services to engage parents and families;[12]
- Providing services to eligible private school students;[13] and
- Overseeing Title I activities in Title I schools.[14]

[4] ESSA, Section 1001.
[5] ESSA, Section 1111(d)(1)&(2).
[6] ESSA, Section 1111(h).
[7] ESSA, Section 1112(e).
[8] ESSA, Section 1112(c)(5)(B).
[9] ESSA, Section 1113(c)(3)(A)(i).
[10] ESSA, Section 1113(c)(3)(A)(ii)&(iii).
[11] ESSA, Section 1113.
[12] ESSA, Section 1116.
[13] ESSA, Section 1117.
[14] 2 CFR § 200.328(a).

Two Types of Title I, Part A models

Schools that receive Title I funds must design and implement programs to support eligible Title I students using one of two models			
Model Type	Description	Students Served	Requirements
Schoolwide Model	Available to any school with at least 40 percent poverty (or to schools below 40 percent poverty with a waiver issued by the SEA).[15]	• Schools operating a schoolwide model can use Title I funds to upgrade their entire educational programs;[16] • All students are considered "Title I students."[17]	A schoolwide school must develop a **plan** describing the services it will provide based on a comprehensive assessment of the school's needs.[18] This needs assessment must take into account the academic achievement of all students, particularly the needs of those of students struggling to meet state academic standards and any other factors as determined by the LEA.[19]
Targeted-Assistance Model	Available to any Title I school that does not operate a schoolwide program.[20]	Students are eligible for Title I if they: (1) are failing, or at risk of failing, to meet state standards; (2) participated in certain federally-funded preschool programs; (3) received services under the Migrant Education Program; (4) are in a local institution for neglected or delinquent children or are attending a community day program; or (5) are homeless.[21]	A school operating a targeted assistance model must use Title I funds to help educationally-disadvantaged students meet state standards[22]

Using Title I, Part A Funds

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

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

Historically, many LEAs and schools have used Title I

What is "Well-Rounded" Education?

Courses, activities, and programming in subjects such as English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, physical education, and any other subject, as determined by the SEA or LEA, with the purpose of providing all students access to an enriched curriculum and educational experience.
-ESEA Section 8201 (52)

[15] ESSA, Section 1114(a)(1).
[16] ESSA, Section 1114(a)(1)(A).
[17] ESSA, Section 1114(a)(2).
[18] ESSA, Section 1114(b).
[19] ESSA, Section 1114(b)(6).
[20] ESSA, Section 1115.
[21] ESSA, Section 1115(c).
[22] ESSA, Section 1115(b)(2)(A).

funds narrowly for instructional supports primarily focused on reading and math. The complexity of the prior law often led to misunderstandings about how Title I funds can be used.

Common Misconceptions on Uses of Title I	
Myth	**Fact**
Title I funds may only be used to support reading/language arts and math.	*Title I may be used broadly to improve education for the disadvantaged, including subjects like science, social studies, art and others.*[23]
Title I funds may only be used to support instruction and/or purchase instructional materials.	*Title I may be used for non-instructional supports such as school counselors, positive behavioral supports, social-emotional learning, that improve school climate, increasing attendance and improving physical and mental health.*[24] *ESSA continues to permit Title I to support these, and other, non-instructional supports.*[25]
Title I funds may only be used to support remedial programs.	*Title I may support advanced learning opportunities for struggling students.*[26] *ESSA is now more explicit that Title I can be used for such activities.*[27]
Title I funds may only be used to support specific students, even in a schoolwide program.	*Title I and other formula funds may be used to upgrade the entire educational program of a schoolwide school.*[28] *ESSA continues to permit Title I spending on broad improvement strategies based on the school's needs.*[29]

[23] See NCLB, Sections 1111 and following, imposing no academic subject matter restrictions on Title I funding. See also the U.S. Department of Education's guidance, *Using Title I, Part A ARRA Funds for Grants to Local Educational Agencies to Strengthen Education, Drive Reform, and Improve Results for Students* (September 2009) available at https://www2.ed.gov/policy/gen/leg/recovery/guidance/titlei-reform.pdf, particularly Sections C and G. This guidance is referred to as "*ED 2009 Title I Reform Guidance*" for the rest of this document. Two notes about this guidance: (1) while the guidance was developed to provide information about the additional Title I money appropriated under the American Recovery and Reinvestment Act (ARRA), the guidance is applicable Title I funds generally (see page 15); and (2) the guidance was released under NCLB. The U.S. Department of Education may issue updated Title I spending guidance under ESSA.

[24] See the U.S. Department of Education *2009 Title I Reform Guidance*, particularly Sections C, E, and G.

[25] See, for example, ESSA, Section 1114(b)(7)(A)(iii)(I)&(III), ESSA, Section 1115(b)(2)(B)(ii), and ESSA, Section 1115(e)(2).

[26] See the U.S. Department of Education *2009 Title I Reform Guidance*, Section C.

[27] See, for example, ESSA, Section 1114(b)(7)(A)(II), ESSA, Section 1114(e), and ESSA, Section 1115(f).

[28] See NCLB, Section 1114. Also see ED guidance issued under NCLB, *Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program* (2015) available at http://www.ed.gov/policy/elsec/guid/eseatitleiswguidance.pdf and *Designing Schoolwide Programs* (2006) available at http://www.ed.gov/policy/elsec/guid/designingswpguid.doc.

[29] ESSA, Section 1114(a)(1)(A). Also see the U.S. Department of Education guidance issued under ESSA, *Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program* (2016) available at https://www2.ed.gov/policy/elsec/leg/essa/essaswpguidance9192016.pdf.

TITLE I, PART A FUNDS: LEA REQUIRED AND ALLOWABLE RESERVATIONS

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

- **Supporting Homeless Students**: Services for homeless children that do not attend Title I schools, which can include funding for the homeless liaison and transportation required under the McKinney Vento Homeless Education Act.
  - *The amount reserved should be based on an assessment of homeless children's needs.*[30]
- **Supporting Neglected and Delinquent Children**: Services for children in local institutions for neglected children and, if appropriate, services for children in local institutions for delinquent children and neglected or delinquent children in community day programs.
  - *The amount reserved should be based on the services needed.*[31]
- **Parent and Family engagement**:
  - This is required if the LEA receives $500,000 or more of Title I funds. The amount reserved is at least *1 percent,*[32] *90 percent of which must be distributed to schools.*[33]
- **Equitable services for eligible private school students**:
  - The amount reserved depends on *the proportional number of eligible private school students in the LEA.*[34]

Special Note: The amount of equitable services is based on the LEA's Title I, Part A allocation and must be calculated before any required or allowable set asides or reservations at the district/LEA level.

LEAs also **may** reserve funds for the following activities:

- **School Choice Transportation** for students in comprehensive support and improvement schools (priority schools), if the LEA offers these students the option to transfer to another school.
  - The amount reserved may be up to *5 percent.*[35]
- **Financial incentives and rewards** to teachers in priority schools or targeted support and improvement schools (focus schools) for the purpose of attracting and retaining qualified and effective teachers.
  - *The amount reserved may be up to 5 percent.*[36]
- **Early childhood education** programs for eligible children.
  - *The amount reserved, if any, should be based on the LEA's needs*[37]
- **Foster care Transportation**: The additional costs needed to transport children in foster care to their schools of origin consistent with Section 1112(c)(5).
  - *The amount reserved, if any, should be based on the LEA's needs.*[38]
- **Administering the Title I program**.
  - *The amount reserved must be reasonable and necessary. The amount reserved may not exceed 5 percent unless approval is granted by the Office of Federal Programs.*
- **District-managed initiatives in Title I schools**. *See next page for examples of district-managed initiatives.*

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[30] ESSA, Section 1113(c)(3)(C).
[31] ESSA, Section 1113(c)(3).
[32] ESSA, Section 1116(a)(3)(A). ESSA clarifies LEAs can reserve more than 1 percent at their discretion.
[33] Please note, 90 percent is a change from NCLB, which required LEAs to distribute 95 percent of the reserved funds to schools.
[34] ESSA, Section 1117(a)(4). Please note, ESSA now requires the equitable services be calculated based on an LEA's total Title I, Part A allocation. Under NCLB, certain parts of an LEA's Title I, Part A allocation were excluded from the calculation, such as funds reserved for school improvement. For more information about the equitable services calculation, please see U.S. Department of Education, *Fiscal Changes and Equitable Services Requirements Under the Elementary and Secondary Education Act of 1965 (ESEA), as Amended by the Every Student Succeeds Act (ESSA)* (2016) available at https://www2.ed.gov/policy/elsec/leg/essa/essaguidance160477.pdf.
[35] ESSA, Section 1111(d)(1)(D)(v).
[36] ESSA, Section 1113(c)(4).
[37] ESSA, Section 1113(c)(5).
[38] U.S. Department of Education and U.S. Department of Health and Human Services, *Ensuring Educational Stability for Children in Foster Care* (2016), Q&A 30, available at http://www2.ed.gov/policy/elsec/leg/essa/edhhsfostercarenonregulatorguide.pdf.

District-Managed Title I Initiatives
A Deeper Look

LEAs have the option to reserve Title I funds to implement district-managed Title I initiatives. These initiatives are managed at the central level (rather than the school level) and are designed to improve the achievement of Title I students. District-managed initiatives are sometimes called "districtwide" initiatives because they benefit all, or a group of, Title I schools. But these initiatives are not truly districtwide in an LEA with both Title I and non-Title I schools.

Special Note: An LEA cannot use Title I funds to benefit non-Title I students.

Guidance from the U.S. Department of Education permits LEAs to use Title I funds for the following types of district-managed initiatives for all, or a subset of, an LEA's Title I schools:[39]

- Contracting with an outside provider with expertise in school improvement to support low-achieving Title I schools;[40]
- Summer school courses, or after-school tutoring, to prepare low-achieving students to participate successfully in advanced coursework;[41]
- Supplemental instructional materials to improve the academic achievement of low-achieving students, including students with disabilities and English language learners;[42]
- Hiring an outside expert to work with the staff of low-achieving Title I schools to build their capacity to analyze student data and identify promising interventions;[43]
- Piloting a data dashboard to help teachers in Title I schools identify, track and analyze data to help them better target interventions to low-achieving students;[44]
- Paying for extended time for teachers in Title I schools to review data for at-risk students and identify interventions to better meet the needs of those students;[45] and
- Extending learning time in Title I schools (before- and after-school programs, Saturday school and summer school, extending half-day kindergarten to a full day, extending the school year, extended learning opportunities during the school day, adding time during the day for teachers to plan collaboratively).[46]

The examples above illustrate *possible* uses of Title I funds for a district-managed Title I initiative and are not meant to limit the use of funds. Other uses of funds that are consistent with Title I rules also are permissible.

IMPORTANT NOTE: While there is no specific cap on the amount of money an LEA can reserve for district-managed initiatives, the bulk of Title I funds generally should be allocated to schools because Title I is designed to be a school-based program.

**In Ohio, LEAs wishing to set aside more than 30% of Title I funds for district-managed initiatives must first receive approval by the Office of Federal Programs.

[39] *ED 2009 Title I Reform Guidance,* Q&A B-8.
[40] *ED 2009 Title I Reform Guidance,* Q&A B-8.
[41] *ED 2009 Title I Reform Guidance,* Q&A C-1.
[42] *ED 2009 Title I Reform Guidance,* Q&A C-8.
[43] *ED 2009 Title I Reform Guidance,* Q&A D-1.
[44] *ED 2009 Title I Reform Guidance,* Q&A D-3.
[45] *ED 2009 Title I Reform Guidance,* Q&A D-4.
[46] *ED 2009 Title I Reform Guidance*, Q&A G-5.

Operating a Schoolwide Program

The premise of the schoolwide model is that high-poverty schools should have the flexibility to implement comprehensive school improvement strategies and not be limited only to narrow add-on services for certain students. In a schoolwide program, all students and staff may participate in Title I-funded activities, and the school may use Title I to support any reasonable activity designed to improve the school's educational program, so long as it is consistent with the school's needs and plan.

Spending Options in a Schoolwide Program

Depending on its needs, a schoolwide program school could use Title I to support:

- High-quality preschool or full-day kindergarten and services to facilitate the transition from early learning to elementary education programs;
- Recruitment and retention of effective teachers, particularly in high-need subjects;
- Instructional coaches to provide high-quality, school-based professional development;
- Increased learning time;
- Evidence-based strategies to accelerate the acquisition of content knowledge for English learners;
- Activities designed to increase access and prepare students for success in high-quality advanced coursework to earn postsecondary credit while in high school (e.g., Advanced Placement, International Baccalaureate, early college high schools and dual or concurrent enrollment programs);
- Career and technical education programs to prepare students for postsecondary education and the workforce;
- Counseling, school-based mental health programs, mentoring services and other strategies to improve students' nonacademic skills;
- School climate interventions (e.g., anti-bullying strategies, positive behavior interventions and supports);
- Equipment, materials and training needed to compile and analyze student achievement data to monitor progress, alert the school to struggling students and drive decision-making;
- Response-to-intervention strategies intended to allow for early identification of students with learning or behavioral needs and to provide a tiered response based on those needs;
- Activities that have been shown to be effective at increasing family and community engagement in the school, including family literacy programs;
- Devices and software for students to access digital learning materials and collaborate with peers and related training for educators (including accessible devices and software needed by students with disabilities); and
- Two-generation approaches that consider the needs of both vulnerable children and parents, together, in the design and delivery of services and programs to support improved economic, educational, health, safety and other outcomes that address the issues of intergenerational poverty.[47]

For more information about using Title I funds in a schoolwide setting under ESSA, please see the U.S. Department of Education's guidance *Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program* at https://www2.ed.gov/policy/elsec/leg/essa/essaswpguidance9192016.pdf.

[47] U.S. Department of Education, *Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program*, pp. 4-5 (2016), available at http://www2.ed.gov/policy/elsec/leg/essa/essaswpguidance9192016.pdf. This guidance will be referred to as "*ED 2016 Schoolwide Guidance*" for the rest of this document.

Ohio's Schoolwide Program Steps

To operate a schoolwide program in Ohio, a school must take the following steps and meet the following conditions:

1. **Step One**: Determine if your school would benefit from operating a schoolwide program by reviewing schoolwide materials.
2. **Step Two**: Determine if the school meets eligibility criteria:
   a. At least 40 percent of the student population are from low-income families (live below the poverty level), or
3. **Step Three**: Determine if the school needs to apply for a waiver:
   a. If the school does not meet the 40 percent poverty threshold, the school may apply for a waiver only if it received a C or better in the Economically Disadvantaged subgroup category on the most recent report card.
4. **Step Four**: With stakeholder input, conduct a comprehensive needs assessment.
5. **Step Five**: With stakeholder input, develop and submit a schoolwide plan for approval.

Elements of a Schoolwide Plan

The schoolwide plan is a strategic tool that identifies the school's needs and explains which improvement strategies it will use to address those needs. In general, the school may then spend Title I funds to support the strategies identified in its plan. A schoolwide plan will remain in effect for the duration of a school's participation in Title I under the following conditions:

- **Needs Assessment:** A schoolwide plan is based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children, particularly the needs of those children who are failing, or are at-risk of failing, to meet state standards and any other factors as determined by the LEA;[48]
- **Stakeholder Input:** Developed with the involvement of key stakeholders;[49]
- **Program Coordination:** Developed in coordination and integration with other federal, state and local services, resources and programs, if appropriate, such as programs supported under ESSA, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs and schools implementing comprehensive support and improvement activities or targeted support and improvement activities;[50]
- **Consolidation of Funding:** If a schoolwide school consolidates Title I with other funds, the plan also must list the specific state, local and federal programs that will be consolidated in the schoolwide program.[51] Title I funds can be used to support comprehensive initiatives in a schoolwide school *even if Title I funds are not consolidated with other program funds*.[52]

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[48] ESSA, Section 1114(b)(6).

[49] ESSA, Section 1114(b)(2). ESSA specifies parents and other members of the community and individuals who will carry out such plan, including teachers, principals, other school leaders, paraprofessionals, administrators, the LEA, tribes and tribal organizations (to the extent feasible) and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, if the plan relates to a secondary school, students and other individuals determined by the school.

[50] ESSA, Section 1114(b)(5).

[51] ESSA, Section 1114(b)(7)(B). See also *U.S. Department of Education 2016 Schoolwide Guidance*, pp. 9-10, for more information about consolidation.

[52] See *ED 2016 Schoolwide Guidance,* p.9, stating:

> NOTE: A schoolwide program school has flexibility in its use of Title I funds even absent consolidation. The uses of Title I funds described throughout this document are available to a schoolwide program school that does not consolidate its Title I or other Federal funds. Consolidation, however, affords even greater flexibility.

- **One-Year Planning:** Developed during a one-year period, for schools not already operating schoolwide programs, unless the LEA determines, in consultation with the school, that less time is needed to develop and implement the schoolwide program,[53]
    - *Ohio Exception to the one-year planning period:* LEAs involved in the OIP process (i.e., those that have building leadership teams that have identified and prioritized their building needs using reliable, valid and timely quantitative and qualitative data generated from completion of the building Decision Framework) are eligible to move to schoolwide with less than one-year period of planning as long as they complete the schoolwide components in the CCIP.

Special Note: Ohio schools operating schoolwide programs prior to the 2017-2018 school year must amend and monitor their existing plans to reflect the schoolwide planning requirements

- **Regular Monitoring and Revisions**: The schools regularly monitor and revise their plans and implementation as necessary based on student needs to ensure that all students are provided opportunities to meet state standards;[54]
- **Publicly Available**: Must be available to the LEA, parents and the public, and the information contained in the plan should be understandable to the extent practical.[55]

RESOURCES FOR SCHOOLWIDE PROGRAMMING AND CONSOLIDATION

USED information on schoolwide programming is available here
Ohio information on schoolwide programming is available here
Ohio information on schoolwide funding consolidation (pooling) is available here

Necessary Strategies

Using the information from the comprehensive needs assessment, the schoolwide plan must describe the strategies the school will implement to address its needs, including a description of how the strategies will:

- Provide opportunities for all children, including each subgroup of students, to meet state standards;
- Use methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time and help provide an enriched and accelerated curriculum, which may include programs, activities and courses necessary to provide a well-rounded education; and
- Address the needs of all children in the school, but particularly the needs of those at risk of not meeting state standards, through activities which may include:
    - Counseling, school-based mental health programs, specialized instructional support services, mentoring services and other strategies to improve students' skills outside the academic subject areas;
    - Preparation for and awareness of opportunities for postsecondary education and the workforce, which 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);
    - Implementation of a schoolwide tiered model to prevent and address problem behavior and early intervening services, coordinated with similar activities and services carried out under the Individuals with Disabilities Education Act;
    - Professional development and other activities for teachers, paraprofessionals and other school personnel to improve instruction and use of data from academic assessments and to recruit and retain effective teachers, particularly in high-need subjects; and

[53] ESSA, Section 1114(b)(1).
[54] ESSA, Section 1114(b)(3).
[55] ESSA, Section 1114(b)(4).

- Strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs.[56]

Operating a Targeted Assistance Program

Any Title I school that does not operate a schoolwide program *must* operate a targeted assistance program. In a targeted assistance school, the school uses Title I funds to provide additional supports to specifically identified students struggling to meet state standards.

Identifying Title I Students

Targeted assistance schools must determine which students they will serve by identifying the students with the greatest need for assistance from among the following eligible groups:

- Students identified as failing, or most at risk of failing, to meet state standards on the basis of multiple, educationally related, objective criteria established by the LEA and supplemented by the school;
- Students who participated in Head Start, or certain ESSA-funded preschool programs or literacy programs for young children, within the past two years (including Title I supported preschool);
- Migrant students;
- Neglected and delinquent students; and
- Homeless children.[57]

Spending Options in a Targeted Assistance Program

Targeted assistance schools must use Title I funds to help identified students meet state standards, which can include programs, activities and academic courses necessary to provide a well-rounded education.[58]

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

- Expanding learning time for eligible students, including before- and after-school programs and summer programs and opportunities;
- Providing early intervening services to eligible students, including services coordinated with similar activities and services carried out under IDEA;
- Providing eligible students with extra supports aligned to the school's regular education program, which may include services to assist preschool children in the transition from early childhood education programs to elementary school programs;
- Providing professional development to teachers, principals other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel and other school personnel who work with eligible students; and
- Implementing strategies to increase the involvement of parents of eligible students.[59]

Targeted assistance schools also can use Title I funds to provide eligible students with health, nutrition and other social services[60] that are not otherwise available to them if:

- The school has engaged in a comprehensive needs assessment and established a collaborative partnership with local service providers, if appropriate; and

[56] ESSA, Section 1114(b)(7)(A).
[57] ESSA, Section 1115(c).
[58] ESSA, Section 1115(b)(2)(A).
[59] ESSA, Section 1115(b)(2).
[60] Examples of such services include basic medical equipment such as eyeglasses and hearing aids, compensation of a coordinator, family support and engagement services, integrated student supports, and professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children. ESSA, Section 1115(e)(2)(B).

- Funds are not reasonably available from other public or private sources.[61]

A secondary school operating a targeted assistance program may use Title I funds to provide dual or concurrent enrollment program services to eligible children.[62]

Targeted assistance schools *must*:

- Help provide an accelerated, high-quality curriculum;
- Minimize the removal of children from the regular classroom during regular school hours for instruction provided by Title I; and
- Review the progress of eligible students on an ongoing basis and revise the targeted assistance program, if necessary, to provide students additional assistance to meet state standards.[63]

Coordinating Targeted Services with Other Programs and Supports

Because targeted assistance programs can only serve specifically identified students, schools sometimes "wall-off" their Title I programs to prove that only eligible students participated. This is not required by the Title I law or federal rules. In fact, Title I encourages schools to coordinate Title I services with other programs, including the regular education program.

For example, the targeted assistance section of the law says:

> *Nothing in this section shall be construed to prohibit a school from serving students under this section simultaneously with students with similar educational needs, in the same educational settings where appropriate.*[64]

The law also encourages targeted assistance schools to coordinate and integrate federal, state and local services and programs, such as programs supported under ESSA, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs and comprehensive support and improvement activities or targeted support and improvement activities.[65]

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

- Participate in general professional development and school planning activities; and
- Assume limited duties that are assigned to similar personnel, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.[66]

Title I, Part A Fiscal Tests and Requirements

As a condition of receiving Title I, Part A funds, LEAs must comply with three fiscal tests designed to ensure that Title I funds support state and local education funding. These tests include:

[61] ESSA, Section 1115(e)(2).
[62] ESSA, Section 1115(f).
[63] ESSA, Section 1115(b)(2)(G).
[64] ESSA, Section 1115(e)(1).
[65] ESSA, Section 1115(b)(2)(F).
[66] ESSA, Section 1115(d).

1. Maintenance of Effort

LEAs that receive Title I funds must comply with a maintenance of effort requirement.[67] In short, maintenance of effort requires districts to maintain a consistent floor of state and local funding for free public education from year to year. LEAs must ensure that local and state per-pupil spending remains at 90 percent or above what was spent in the preceding year.

2. Supplement not supplant

Title I funds are required to supplement, and not supplant (SNS) existing state and local funding. In plain language, this means that federal funds should add to, and not replace, the state and local funds. Before ESSA, the compliance test for LEAs in meeting the SNS requirements was based on "three presumptions of supplanting."[68] This "test" looked at each activity supported with Title I funds to determine if the cost was something an LEA or school would have paid for with state and/or local funds if Title I funds were not available.

NEW to ESSA: *Special Note about Title I, Part A Supplement, Not Supplant*

The "three presumptions" of supplanting compliance test does not apply to Title I, Part A. However, the three presumptions compliance test remains for all other programs with a SNS requirement

Effective in the 2017-2018 school year, these three presumptions of supplanting will no longer apply to Title I, Part A but will apply for all other federal funds that have a SNS requirement. Instead, LEAs must demonstrate that the methodology they use to allocate state and local funds to schools provides each Title I school with all the state and local money it would receive if it did not participate in the Title I program.[69] In short, LEAs and schools will be required to demonstrate that Title I, Part A funding is supplemental and not that the individual activities or services supported with Title I funds are supplemental.

This SNS clarity for Title I should expand LEA spending options. However, it is important to note that all costs must still be consistent with the purpose of Title I and used to support eligible students. Remember, the three presumptions regarding the individual activities and services still apply to all other federal funds that have a SNS requirement. For more information about the SNS requirements for Title I, click here.

3. Comparability

As a condition of receiving Title I, LEAs must ensure that state and local funds are used to provide services that taken as a whole are comparable between Title I and non-Title I schools.[70]

Nonpublic Equitable Services

Title I funds are subject to an equitable services requirement.[71] In short, this means LEAs must reserve funds to provide Title I services to eligible private school students, teachers and other educational personnel and families. ESSA makes important changes and clarifications to the way LEAs must reserve Title I funds for equitable services. Services may include special education services, instructional services (including evaluations to determine the progress being made in meeting students' academic needs), counseling, mentoring, one-on-one tutoring or other benefits under this part[72]

[67] ESSA, Sections 1118(a) and 8521.
[68] Under NCLB and previous versions of ESEA, a Title I supplanting violation was presumed if Title I, Part A paid for:
1) An activity required by federal, state or local law;
2) An activity that was paid for with state or local funds in the prior year; or
3) The same services for Title I students that state and local funds support for non-Title I students.
[69] ESSA, Section 1118(b)(2).
[70] ESSA, Section 1118(c).
[71] ESSA, Section 1117.
[72] ESSA, Section 1117(a)(1)(A)

Special Note: ESSA requires an LEA to determine the amount of funds available for providing equitable services under Title I *prior* to any expenditures or transfers of funds.[73] This includes all reservations previously taken "off the top" of an LEA's Title I allocation, including reservations for administration, parental involvement and district-wide initiatives.[74]

Ohio School Improvement Schools
Types of Schools

1. **CSI: Priority Schools** (required by ESSA)
2. **TSI: Focus Schools** (required by ESSA)
3. **Watch Schools** (Ohio specific)

Under ESSA, states must identify and provide supports to two types of low-performing schools: *Comprehensive support and improvement* (CSI) schools and *Targeted support and improvement* (TSI) schools. In Ohio, CSI schools are called "priority" schools and TSI schools are called "focus" schools. In addition, Ohio identifies a third type of school called a "watch" school.

CSI (priority) schools include:

- The lowest-performing 5 percent of Title I schools in the state;
- Any public high school failing to graduate one-third or more of its students; and
- Title I schools with a consistently underperforming subgroup that, on its own, is performing as poorly as students in the lowest-performing 5 percent of Title I schools and that has failed to improve after the school has implemented a targeted support and improvement plan.[75]

TSI (focus) schools are schools with one or more consistently underperforming subgroups.[76]

Under ESSA, priority and focus schools[77] must develop plans for improving student outcomes that (among other things):

- Are informed by all the indicators for differentiating schools listed above;
- Include evidence-based interventions (see box below); and
- Are based on an assessment of the school's needs.[78]

Ohio's Watch schools are those schools that struggle to meet the needs of one or more student subgroups identified in state law. Watch schools are Title I or non-Title I schools that receive state funding for one of four specific subgroups (students with disabilities, English learners, gifted and economically disadvantaged) and one or more of those state-funded subgroups did not show satisfactory progress and achievement.

Title I School Improvement Funds (1003)

Under ESSA, states must reserve 7 percent of Title I, Part A funds to support their lowest-performing schools (priority and focus schools specifically). The 7 percent of Title I, Part A funds are called School Improvement 1003 Funds.

Under ESSA, 1003 funds can only be used to support activities that meet ESSA's top three tiers of evidence. In other words, Section 1003 funds can only be used to fund activities, strategies or interventions based on a

[73] ESSA, Section 1117(a)(4).
[74] See U.S. Department of Education, *Non-Regulatory Guidance: Fiscal Changes and Equitable Services Requirements under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA)* (November 2016), Q&A O-1, available at https://www2.ed.gov/policy/elsec/leg/essa/essaguidance160477.pdf. This guidance will be referred to as "*ED 2016 Fiscal Changes Guidance*" for the rest of this document.
[75] ESSA, Section 1111(c)(4)(D).
[76] ESSA, Section 1111(c)(4)(C)(iii) and Section 1111(d)(2). ESSA does not define what it means to be consistently underperforming but rather leaves it for states to define.
[77] For CSI schools, the LEA develops the plan, which must be approved by the school. ESSA, Section 1111(d)(1)(B).
[78] ESSA, Section 1111(d)(1)(B) and Section 1111(d)(2)(B).

study that demonstrates the activity, strategy or intervention has a *statistically significant effect* on improving student outcomes.[79] See page 2 for the definition of "evidence-based."

Ohio's School Improvement 1003 Funds program limits the use of these funds to one of four strategic target areas:

1. Family and/or Community Engagement (including community learning centers);
2. Data Use Capacity Improvement;
3. Inclusive Instructional Leadership;
4. Research-based Collaboration.

Below are links to more information about Ohio's School Improvement Grants 1003 Funds:

- School Improvement Funds Webinar
- School Improvement 1003 LEA Fund Application

[79] ESSA, Section 8101(21)(B) stating:

(B) DEFINITION FOR SPECIFIC ACTIVITIES FUNDED UNDER THIS ACT. When used with respect to interventions or improvement activities or strategies funded under section 1003, the term ''evidence-based'' means a state, local educational agency, or school activity, strategy, or intervention that meets the requirements of subclause (I), (II), or (III) of subparagraph (A)(i).