CCIP Note # 491

Re: ARP ESSER MOEquity Update
Date: December 10, 2021
To: Superintendents, Treasurers, Authorized Representatives, Fiscal Representatives and ARP ESSER Funding Application Contacts

ARP ESSER MOEquity Update

Extending the Deadline to Submit An LEA MOEquity Exemption Form

CCIP Note #489 established a timeline for the Ohio Department of Education (ODE) to collect from the Local Educational Agency (LEA) any exception requests for the Maintenance of Equity (MOEquity) requirements as well as the process for collecting data for reporting purposes. Given the lack of clarity on the MOEquity reporting requirements from the U.S. Department of Education (USED), the Ohio Department of Education has decided to extend the deadline for an LEA to submit a MOEquity exemption form until **December 31, 2021**.

Request for Data

The Ohio Department of Education has decided to delay collecting the data from our LEAs as currently proposed and requested by the USED. The data being proposed and requested from the USED is not clear, understandable or attainable in its current form. The Ohio Department of Education will be notifying the LEAs of the necessary steps to submit data once the instructions and purpose for such data is fully explained by the USED and can be easily communicated to and provided by LEAs.

MOEquity Requirements for Fiscal Year (FY) 2022

LEAs must still comply with the MOEquity requirements for FY22 (school year 2021-2022) unless an LEA certifies they are exempt from the MOEquity requirements and submits an exemption form referenced above or are on the MOEquity LEA exception list. Under section 2004(c) of the American Rescue Plan (ARP) Act, for each identified high poverty school, the LEA may not, in FY22 or FY23 reduce per-pupil funding (from the combined State and local funding) by an amount that exceeds the total reduction for all schools served by the LEA in such fiscal year; or reduce the number of FTE staff per-pupil by an amount that exceeds the total reduction in all schools served by the LEA in such fiscal year.

Examples:

- In FY21 the per-pupil amount was $1,000 and FY22 per-pupil amount is $990 at the LEA level, the per-pupil reduction was $10. That means that the per-pupil amount reduction from FY21 to FY22 for each high-poverty school should not be above $10. If a high-poverty building within the LEA has a per-pupil reduction of $20, the district would not meet the MOEquity in terms of per-pupil funding.
- For FTE staff per-pupil, the same logic applies. If in FY21 the FTE per-pupil for the district was 0.5 and in FY22 the FTE per-pupil for the LEA was 0.25, the FTE per-pupil reduction would be 0.25. That means that for each high-poverty school within the LEA, the FTE per-pupil reduction

should not be more than 0.25, as soon as it is above 0.25 MOEquity has not been met. An LEA must must maintain both fiscal and staffing equity to meet the MOEquity for FY22.

To assist LEAs that need to meet MOEquity for FY22, a list of high-poverty schools per LEA has been established using the districtwide determination method. Please find this list **HERE**. If the LEA wishes to maintain equity by using the grade-span determination approach, the LEA would need to show their methodology of how it is meeting MOEquity and documentation could be requested for monitoring purposes.

If you have any questions, please send them to moequity@education.ohio.gov.

Resources

USED MOEquity Requirements and FAQ

MOEquity LEA Exception List UPDATED 12.6.21

MOEquity High Poverty Building List by District 12.10.21