CCIP Note # 493

Re: MOEquity Guidance and Exception Update
Date: January 24, 2022
To: Superintendents, Treasurers, Authorized Representatives, Fiscal Representatives and Consolidated Funding Application Contacts of ARP ESSER

MOEquity Guidance and Exception Update

On December 29, 2021, the U.S. Department of Education released updated guidance on MOEquity. The updated guidance can be found HERE. The U.S. Department of Education provided clarity on the MOEquity exceptions and extended the exceptions to FY23.

The Ohio Department of Education has compiled a list of the local educational agencies (LEAs also referred to as school districts) that are automatically excepted based on MOEquity exceptions within the law:

- Has a total enrollment of less than 1,000 students
- Operate a single school
- Serves all students within each grand span with a single school

The list of districts may be found HERE.

Additional Exceptions to MOEquity

In addition to the automatic exceptions noted above, a district may also be excepted from the MOEquity requirements if it is not experiencing an "aggregate reduction of state and local funds" for the 2021-2022 school year. The Ohio Department of Education is requesting that all districts not already identified on the exception list noted above and have not experienced an aggregate reduction of state and local funds complete the certification of local MOEquity exception (see Appendix B). The Ohio Department of Education is extending the deadline to submit the certification of local MOEquity exception to **March 1, 2022**.

Lastly, if a LEA is unable to certify that it will not have an aggregate reduction in funds but believes it should qualify for an exception, send an email to Ohio.oese@ed.gov copying moequity@education.ohio.gov, describing the situation and why an exception should be granted.

Proposed Requirements

The U.S. Department also proposed updated requirements involving reporting:

- Report card data is able to be used to determine per-pupil amount of funding and per-pupil full-time equivalent staff
- The deadline for FY22 reporting is December 31, 2022 and the deadline for FY23 reporting will be December 31, 2023
- State Education Agencies must describe how it will ensure LEAs are meeting MOEquity
- State Education Agencies must publish, by March 31, a list of who is excepted from FY22 local MOEquity and a list of high poverty schools

These proposed requirements allow the Ohio Department of Education to extend the exception deadline and use existing data determine MOEquity for FY22 and FY23.

FY22 Monitoring

As noted above, state education agencies must ensure that LEAs are meeting MOEquity. The Ohio Department of Education has elected to include a question regarding MOEquity in the ESSER monitoring survey for FY22. All entities that received ARP ESSER will receive the MOEquity question and be required to respond. If an LEA received an exception, it will select the corresponding answer to that exception. If an LEA has not received an exception, it will be asked to describe how it is meeting the fiscal and staffing aspects of MOEquity. Supporting documentation such as a copy of Appendix B, communication with the U.S. Department of Education, and budget documents may need to be uploaded depending on the entity's MOEquity exception status.

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

Resources

LEA Certification of Exception from MOEquity UPDATED 12.29.21
USED MOEquity Guidance and FAQ UPDATED 12.29.21