CCIP Note # 510

Re: FY23 Maintenance of Equity (MOEquity) Guidance and Exceptions
Date: October 6, 2022
To: Superintendents, Treasurers, Authorized Representatives, Fiscal Representatives and ARP ESSER Funding Application Contacts

Fiscal Year 2023 Maintenance of Equity Guidance and Exceptions

On June 8, 2022, the U.S. Department of Education finalized the MOEquity requirements and guidance. The final requirements can be found HERE. Within the final requirements, the U.S. Department of Education lists various ways in which an entity may be excepted from the MOEquity requirement.

The Ohio Department of Education has compiled a list for fiscal year (FY) 2023 of the local educational agencies (LEAs) that are automatically exempted based on MOEquity exceptions within the law:

- Has a total enrollment of less than 1,000 students
- Operates a single schools
- Serves all students within a grad span within a single school

A list of these LEAs can be found HERE.

Additional Exceptions to MOEquity

In addition to the automatic exceptions noted above, a district may also be exempted form the MOEquity requirements if it is not experiencing an "aggregate reduction of state and local funds" for the 2022-2023 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 to complete the certification of local MOEquity exception (see Appendix B). The deadline to submit the certification of local MOEquity exception is **October 28, 2022.** The Ohio Department of Education will be sending out an email to those entities that already certified an exception for FY23 to confirm the certification still applies and is already on file.

Lastly, if an LEA is unable to certify that it will not have an aggregate reduction in funds, but believe it should qualify for an exception based on an "uncontrollable circumstance", send an email to Ohio.oese@ed.gov and copy moequity@education.ohio.gov. Within the email or attachment, please describe the situation, how the high-poverty schools are impacted and why an exception should be granted.

FY23 Monitoring

Similar to FY22 monitoring, the Ohio Department of Education must ensure the LEAs are meeting MOEquity. All entities that received ARP ESSER funding will receive the required MOEquity questions within the monitoring system. If an LEA received an exception, it will select the

corresponding answer for their exception. If an LEA does not qualify for an exception, it will be asked to describe how it is meeting both LEA components of MOEquity. Lastly, if an LEA does not pass the FY22 MOEquity calculation, a corrective action plan will need to be uploaded to the monitoring system in FY23. Additional support will be provided if needed to those LEAs.

FY22 MOEquity Calculation

To comply with the final MOEquity requirements, the Ohio Department of Education is required to publish applicable high-poverty school data for FY22 by December 31, 2022. No additional information is needed from non-exempt LEAs as the Ohio Department of Education will be using reported EMIS data in order to complete the MOEquity calculation and publish the results. For those districts impacted, the Department will send an email with the results and any action needed prior to the publication of the list.

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

Resources

Maintenance of Equity FAQ Updated 7.26.22

LEA Certification of Exception from MOEquity UPDATED 10.5.22

FY23 MOEquity LEA Exception List