

9. Flexibility in Funding and Programming

Statutory Requirements: Sections 9305, 1114, 6123

Overview

The law provides states and LEAs with authority to prepare a single consolidated plan for use of the various funds under the No Child Left Behind Act; flexibility to target federal funds to federal programs most likely to meet the unique needs of each community and to transfer funds from certain other ESEA titles to Title I. The law, also, allows high poverty schools flexibility in program design and use of funds.

Transferability of Funds—6123 (B), (C)

1. The law allows LEAs to transfer some ESEA funds between ESEA programs. In Wisconsin the funds are not actually transferred because of financial accounting and reporting requirements. The transferability provision is implemented by providing LEAs with authority to use funds allocated under one title for the purposes authorized under a different title.
2. Transfers Allowed—LEA may transfer funds out of and into Titles II A, II D, IV A and V A. Funds from these Titles may also be transferred into Title I A. No funds may be transferred out of Title I A.
3. Amount Transferred—In general LEAs may transfer up to 50 percent of the funds out of Title II A, II D, IV A, and V A. LEAs identified for improvement for failure to make Adequate Yearly Progress may transfer no more than 30 percent.
4. Transfer Process—LEAs wishing to use the transfer authority must indicate that intent within the annual ESEA Consolidated Application. Instructions can be found in the “Help” menus that are part of each Title budget within the application. LEAs using transfer authority are required to notify the state no later than 30 days prior to the time they actually make use of the money. If the transfer results in a major change in the services or activities that were originally described by the LEA in the Consolidated Program Plan, the LEA must also change the descriptions in the Plan. Those changes must be made no later than 30 days after the change is made. Good practice would be for the LEA to change the Program Plan, if necessary, at the same time the decision to transfer the money is made.
5. Claiming Aid—Regardless of how the funds are used they must be claimed under the title under which they were authorized. Information about the transfer and claiming process is provided on the “Help” menus within the ESEA on-line application.

Related Information

1. ESEA Application Overview—information about transfer authority is included in the training related to the ESEA consolidated application. A PowerPoint presentation used for training can be found at <http://dpi.wi.gov/esea/powerpoints.html>
2. DPI Bulletin 2.13—the DPI produced a Bulletin on transfer authority that can be found at http://dpi.wi.gov/esea/pdf/bul_0213.pdf

Alternative Use of Funds by Small, Rural Leas—Section 6211(A)

The law provides additional flexibility in the use of ESEA funds to LEAs that qualify for the Small, Rural School Achievement Program. LEAs under this program may use up to 100 percent

of the aid they receive from Title II A, II D, IV A, and V A for the purposes of Title I A, II A, II D, IV A or V A—unless they are identified for improvement for failure to make Adequate Yearly Progress.

- NCLB Rural Education Initiative—information about special allocations for small rural districts under Title VI, Part B can be found at <http://dpi.wi.gov/fscp/rehmpage.html>
- LEAs Eligible—a list of LEAs currently eligible to participate can be found <http://www.ed.gov/programs/reapsrsa/eligible05ayp/wi.xls>

Schoolwide Program—Section 1114

Schools with poverty rates of 40 percent or more may operate as schoolwide programs rather than under the targeted assistance model.

- Schoolwide program status allows the schools to combine their federal funds to support schoolwide reform efforts. Such schools are exempt from the separate requirements of each funding source as long as the intent and purposes of the programs are met.
- Schoolwide Programs—the application form for schools to complete to use the Schoolwide model can be found at <http://dpi.wi.gov/forms/doc/f9551.doc>

Title IX, Part C—Consolidated ESEA Application—Section 9503

The law allows the state and LEAs receiving funds under more than one title to submit a single consolidated plan or application.

ESEA Application—the link to the electronic ESEA consolidated application and information about how to complete it can be found at <http://dpi.wi.gov/esea/application.html>