ESEA Maintenance of Effort and Title I Comparability Requirements

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Federal Funding Conference 2018

WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION

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Title I, Part A Fiscal Requirements

Elementary and
Secondary Education Act

Reduce the achievement gaps between students by providing each child with fair and equal opportunities to achieve an exceptional education.

ESEA Maintenance of Effort

ESSA Maintenance of Effort (MOE): Purpose and Definition

Maintenance of Effort is a year-by-year analysis to ensure that LEAs maintain a consistent level of non-federal funding to support public education.

- An LEA may receive its full allocation of ESSA funds if the state determines the LEA has maintained its fiscal effort.

MOE: Calculations

LEAs demonstrate MOE if either:

- the combined fiscal effort per student OR
- the aggregate expenditures (non-federal funds)

for the preceding fiscal year was not less than 90 percent of combined fiscal effort or aggregate expenditure for the second preceding fiscal year.

MOE: Calculations

The Annual Financial Report (PI-1505) is used to determine MOE.

The amount from the preceding year must not be less than 90 percent of the second preceding year.

Example: To receive funds available July 2018, DPI will compare 2016-17 school year expenditures to 2015-16 school year expenditures.

Annual Report

Maintenance of Effor × | valid-html401.gif (88 ×

https://www2.dpi.state.wi.us/safr_ro/moe_district_detail.asp?year=2014&dist=0007

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· SFS Consultants
· Program Contacts

Related Links
· SPED Licensure
· All-District Reports
· Activity Reports
· SFS Data Warehouse

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Fund 10: General Fund			
10E-000000-000	Total Expenditures	7,835,574.68	
10E-255000-000	Total Fac Acquis/remod		1.00
10E-280000-000	Total Debt Services		98,292.00
10E-411000-827	Transfer To Special Education Fund		584,493.22
10E-411000-830	Debt Services		518,692.63
10E-491000-935	State Grants Transited To Others		0.00
10E-491000-937	Federal Grants Transited To Others		0.00
10R-000000-317	Federal Aid Transits From Wisconsin Districts		0.00
10R-000000-517	Federal Aids Transited Through Cesas Or Intermediate Sources		51,774.27
10R-000000-581	Medicaid Reimbursements Through Cesas		0.00
10R-000000-700	Total Federal Revenue		176,567.97
10R-000000-878	Long-term Debt Proceeds - Capital Leases		0.00
Fund 27: Special Education Fund			
27E-000000-000	Total Expenditures	810,027.21	
27E-255000-000	Total Fac Acquis/remod		0.00
27E-280000-000	Total Debt Services		0.00
27E-491000-935	State Grants Transited To Others		0.00
27E-491000-936	State Special Education Aid Transited To Others		0.00
27E-491000-937	Federal Grants Transited To Others		0.00
27R-000000-317	Federal Aid Transits From Wisconsin Districts		0.00
27R-000000-517	Federal Aids Transited Through Cesas Or Intermediate Sources		0.00
27R-000000-581	Medicaid Transit From Cesa		0.00
27R-000000-700	Total Federal Revenue		171,161.96
27R-000000-878	Long-term Debt Proceeds - Capital Leases		0.00
Fund 29: Other Special Projects Fund			
29E-000000-000	Total Expenditures	0.00	
29E-255000-000	Total Fac Acquis/remod		0.00
29E-280000-000	Total Debt Services		0.00
29E-419000-810	Transfer To General Fund		0.00
29E-491000-935	State Grants Transited To Others		0.00
29E-491000-937	Federal Grants Transited To Others		0.00
29R-000000-317	Federal Aid Transits From Wisconsin Districts		0.00
29R-000000-517	Federal Aids Transited Through Cesas Or Intermediate Sources		0.00
29R-000000-700	Total Federal Revenue		0.00
29R-000000-878	Long-term Debt Proceeds - Capital Leases		0.00
	Subtotals	8,645,601.89	1,600,983.05
	Subtractions	-1,600,983.05	
	Net State and Local Expenditures	**$7,044,618.84**	

Per Student

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https://www2.dpi.state.wi.us/safr_ro/moe_district_detail.asp?year=2014&dist=0007

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27E-280000-000	Total Debt Services		0.00
27E-491000-935	State Grants Transited To Others		0.00
27E-491000-936	State Special Education Aid Transited To Others		0.00
27E-491000-937	Federal Grants Transited To Others		0.00
27R-000000-317	Federal Aid Transits From Wisconsin Districts		0.00
27R-000000-517	Federal Aids Transited Through Cesas Or Intermediate Sources		0.00
27R-000000-581	Medicaid Transit From Cesa		0.00
27R-000000-700	Total Federal Revenue		171,161.96
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29R-000000-700	Total Federal Revenue		0.00
29R-000000-878	Long-term Debt Proceeds - Capital Leases		0.00
	Subtotals	8,645,601.89	1,600,983.05
	Subtractions	-1,600,983.05	
	Net State and Local Expenditures	**$7,044,618.84**	
	October 15, 2014 Aid Membership	685	
	State and Local Expenditures per Member	**$10,284.12**	

MOE: Consequences of Failure

The state must reduce amount of allocation in the exact proportion by which LEA fails to maintain effort by falling below 90 percent in the previous year and at least once in the prior five years.

MOE: Consequences of Failure

Reduction applies to all applicable ESSA programs funded by USDE:

- Title I, Part A
- Title I, Part D
- Title II, Part A
- Title III, Part A
- Title IV, Part B
- Title V, Part B, Subpart 2
- Title VI, Part A, Subpart 1

MOE: Example 1

Analysis for Meeting MOE in Previous Year	Aggregate Expenditures	Amount per Student
2015-16 Actual Amount	$1,000,000	$6,100
90% of 2015-16 Amount	$900,000	$5,490
2016-17 Actual Amount	$950,000	$5,495
Difference	$50,000	$5
Percent Reduction in Award for 2018-19	0%	0%

Maintenance of Effort was met.

MOE: Example 2

Analysis for Meeting MOE in Previous Year	Aggregate Expenditures	Amount per Student
2015-16 Actual Amount	$1,000,000	$6,100
90% of 2015-16 Amount	$900,000	$5,490
2016-17 Actual Amount	$850,000	$5,200
Difference (Shortfall)	<$50,000>	<$290>
Percent Shortfall/ Reduction in Award for 2018-19	-5.6%	-5.3%

Funds will be reduced by 5.3% if the LEA also failed MOE in one of the five prior fiscal years.

MOE: Example 3

Analysis for Meeting MOE in Previous Year	Aggregate Expenditures	Amount per Student
2015-16 Actual Amount	$1,000,000	$6,100
90% of 2015-16 Amount	$900,000	$5,490
2016-17 Actual Amount	$890,000	$5,495
Difference (Shortfall)	<$10,000>	$5
Percent Shortfall/ Reduction in Award for 2018-19	-1.11%	0%

Maintenance of Effort was met.

MOE: Waivers

USDE Secretary may waive if:

- there are exceptional or uncontrollable circumstances, such as a natural disaster or change in organizational structure of the LEA

OR

- a precipitous decline in financial resources of the LEA.

MOE: Waivers

In addition to these two examples listed in the statute, there can be other instances of exceptional or uncontrollable circumstances that might warrant when a waiver request will be considered.

USDE Non-regulatory Guidance, November 21, 2016

MOE: Waivers

Waiver Process:

1. DPI will contact LEAs if MOE is not met.
2. LEAs will notify DPI if they want to request a waiver.
3. DPI will request waivers on behalf of all LEAs needing waivers.
4. DPI will notify LEAs if waivers are granted or not.

Maintenance of Effort

Title I Comparability Requirement

Title I Comparability Definition

A Local Educational Agency (LEA) may receive Title I, Part A funds only if it uses state and local funds to provide services in Title I schools that, taken as a whole, are at least comparable to the services provided in non-Title I schools.

If all schools in a grade span within the LEA are Title I schools, all schools must be “substantially comparable.”

Title I Comparability Timing

LEAs must determine comparability annually.

- The Department of Public Instruction (DPI) is only required to collect comparability data at least once every two years.
- Comparability is typically completed in the fall because LEAs need to review current-year resources and make adjustments for the current year as necessary.

Required LEAs

Comparability is determined on a grade span by grade span basis.

- If an LEA has at least one non-Title I school and at least one Title I school within a grade span, the LEA must demonstrate comparability for that grade span.
- If an LEA has more than one Title I school at the same grade span (even without the presence of a non-Title I school), the LEA must demonstrate comparability for that grade span.

Grade Spans

- Elementary School
- Middle School
- High School
- Combined Elementary/Secondary School

Exemptions

LEAs are exempt if there is only one school per grade span, because there is nothing to compare.

Example: Phelps School District has two schools, one for grades 4K–8 and one for grades 9–12. Phelps School District is exempt from completing the comparability report.

Schools that have fewer than 100 students are exempt.

Required LEAs Scenarios

Example #1:

A district consists of the following:

- One elementary school, grades K-5 (Title I schoolwide)
- One middle school, grades 6-8 (Title I targeted assistance)
- One high school, grades 9-12 (non-Title I)

Is this district required to complete the Comparability Report?

Required LEAs Scenarios

No. This district is exempt because there is only one school per grade span.

Required LEAs Scenarios

Example #2:

A district consists of the following:

- One elementary school, grades K-5 (Title I schoolwide)
- One middle school, grades 6-8 (Title I schoolwide)
- One high school, grades 9-12 (Title I schoolwide)

Is this district required to complete the Comparability Report?

Required LEAs Scenarios

No. This district is exempt because there is only one school per grade span.

Required LEAs Scenarios

Example #3:

A district consists of the following:

- Three elementary schools, grades K-5 (all Title I schoolwide)
- One middle school, grades 6-8 (Title I targeted assistance)
- One high school, grades 9-12 (non-Title I)

Is this district required to complete the Comparability Report?

Required LEAs Scenarios

Yes. The district is required to complete the Comparability Report to demonstrate comparability among the ***elementary schools only***.

The district is not required to complete the Comparability Report for the middle school because there is no other school in that grade span to which it can be compared.

Required LEAs Scenarios

Example #4:

A district consists of the following:

- Two elementary schools, grades PK–2 and 3–5
- One middle school, grades 6–8
- One high school, grades 9–12

The two elementary schools receive Title I funds.

Is this district required to complete the Comparability Report?

Required LEAs Scenarios

No. The report is not required because the grade spans do not overlap.

However, if the district had two PK–2 schools and two 3-5 schools that received Title I funds, the district would be required to demonstrate comparability for each grade span.

Required LEAs Scenarios

Example #5:

A district consists of the following:

- One elementary school, grades PK–5 (Title I schoolwide)
- One middle school, grades 6–8 (Title I schoolwide)
- One high school, grades 9–12 (Title I targeted assistance)
- One alternative high school, grades 9–12 (non-Title I)

Is this district required to complete the Comparability Report for the high school?

Required LEAs Scenarios

Yes, but only if the alternative high school has an enrollment greater than 100 students.

This district is exempt from the Comparability Report if the alternative high school has fewer than 100 students.

Determining Comparability

- 2017-18 Comparability Report due March 30, 2018
- Complete the Comparability Workbook and email to DPI

Determining Comparability

LEAs should use current-year data.

LEAs should not include federal resources in the calculations.

LEAs *may* exclude state/local funds expended for the following:

- Language instruction for Limited English Proficiency (LEP) students
- Excess costs of providing services to students with disabilities
- Staff salary differentials for years of employment
- Supplemental programs that meet the intent and purpose of Title I

Determining Comparability

Complete one worksheet for each grade span. Copy this worksheet as necessary.

Complete this worksheet if one or more schools in the grade span receive Title I funds and other schools in the grade span do not.

Local Educational Agency: *<Enter LEA name>* **Grade Span:** *<Enter grade span>* **School Year:** *<Enter School Yr>*

Demonstrate Comparability in Option A, B, **OR** C. The same option must be used to determine comparability in both Title I and Non-Title I Schools.

Non Title I Schools *Do not include schools in the grade span that have fewer than 100 students enrolled.*	Grade Span	Public School Enrollment *(Column C)*	Option A: FTE Staff *(Column D)*	Option A: Student Staff Ratio	Option B: Total Budgeted for Instr.Staff Salaries Minus Longevity *(Column G)*	Option B: Average Per Pupil Amount for Instr. Staff Salaries	Option C: Total Budgeted for Instr. Materials & Supplies *(Column J)*	Option C: Average Per Pupil Amount for Instr. Materials & Supplies
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00

LEAs need to be comparable in ONE option only.

Determining Comparability

Title I Schools *Do not include schools in the grade span that have fewer than 100 students enrolled.*	Grade Span	Public School Enrollment *(Column C)*	Option A FTE Staff *(Column D)*	Student Staff Ratio	Option B Total Budgeted for Instr.Staff Salaries Minus Longevity *(Column G)*	Average Per Pupil Amount for Instr. Staff Salaries	Option C Total Budgeted for Instr. Materials & Supplies *(Column J)*	Average Per Pupil Amount for Instr. Materials & Supplies
East	K-5	100	10.00	10.00	300,000.00	3,000.00	30,000.00	300.00
West	K-5	200	20.00	10.00	600,000.00	3,000.00	60,000.00	300.00
North	K-5	350	35.00	10.00	800,000.00	2,285.71	80,000.00	228.57
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00

Total number of students in Title I schools in grade span	**650** *Sum of column C*		
Totals for comparability options	**65.00** *Sum of column D*	**1,700,000.00** *Sum of column G*	**170,000.00** *Sum of column J*
Averages for comparability options	**10.00** *Number of students in Title I schools in grade span divided by the total for the option.*	**2,615.38** *Total for the option divided by the number of students in Title I schools in the grade span.*	**261.54** *Total for the option divided by the number of students in Title I schools in the grade span.*
Allowable variance for the average *The varience level for each school must fall within the defined percentage for each option's average.*	**11.00** *Shall not exceed 110% of average*	**2,353.85** *Shall not be less than 90% of average*	**235.38** *Shall not be less than 90% of average*

Determining Comparability

Title I Schools *Do not include schools in the grade span that have fewer than 100 students enrolled.*	Grade Span	Public School Enrollment *(Column C)*	Option A FTE Staff *(Column D)*	Student Staff Ratio	Option B Total Budgeted for Instr.Staff Salaries Minus Longevity *(Column G)*	Average Per Pupil Amount for Instr. Staff Salaries	Option C Total Budgeted for Instr. Materials & Supplies *(Column J)*	Average Per Pupil Amount for Instr. Materials & Supplies
East	K-5	100	10.00	10.00	300,000.00	3,000.00	30,000.00	300.00
West	K-5	200	20.00	10.00	600,000.00	3,000.00	60,000.00	300.00
North	K-5	350	35.00	10.00	800,000.00	2,285.71	80,000.00	228.57
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
				0.00		0.00		0.00
Total number of students in Title I schools in grade span		650 *Sum of column C*						
Totals for comparability options			65.00 *Sum of column D*		1,700,000.00 *Sum of column G*		170,000.00 *Sum of column J*	
Averages for comparability options			10.00 *Number of students in I schools in grade span by the total for the option.*		2,615.38 *Total for the option divided by the number of students in Title I schools in the grade span.*		261.54 *Total for the option divided by the number of students in Title I schools in the grade span.*	
Allowable variance for the average *The varience level for each school must fall within the defined percentage for each option's average.*			11.00 *Shall not exceed 110% of average*		2,353.85 *Shall not be less than 90% of average*		235.38 *Shall not be less than 90% of average*	
Schools in grade span need to be comparable in one option. "Not Comparable" will appear if comparability is not met.					Not Comparable		Not Comparable	

If box stays blank then this grade span is comparable

Definition of Instructional Staff

- **Teachers and other personnel assigned to schools who provide direct instructional services**

  Examples: music, art, and physical education teachers; guidance counselors, speech therapists, and librarians

- **Other personnel who provide services that support instruction**

  Examples: school social workers and psychologists

The LEA must be consistent with the categories of staff included for its schools.

Instructional Staff Scenarios

Should LEAs include teachers' aides in the calculations for instructional staff salaries or instructional staff?

Instructional Staff Scenarios

No. Aides are not considered instructional staff.

- Aides provide support services, such as lunch/recess duty, taking attendance, making copies, and decorating bulletin boards. Aides may not be used in the calculations for comparability.

- **Paraprofessionals must be included in the calculation.** Paraprofessionals provide direct instructional support to students.

Instructional Staff Scenarios

How should LEAs count an instructional staff person that is shared between two or more schools, but not across all schools within the LEA?

Instructional Staff Scenarios

LEAs should determine the Full Time Equivalent (FTE)/salary for the staff person and include each school's share in the comparability calculation.

Instructional Staff Scenarios

How should LEAs count an instructional staff person that supports all the schools equally across the entire district (for example, one art teacher who serves the entire district)?

Instructional Staff Scenarios

The LEA may do either of the following:

- Divide the staff person's time/salary and include an equal portion in each school's comparability calculation, or
- Exclude that staff person from the comparability calculations for all of the schools

Either way the LEA must be consistent across all schools.

Definition of Instructional Materials

Instructional materials and supplies include the following:

- General supplies for instruction
- Instructional media
- Textbooks and workbooks
- Computers, software, and other technology
- Library books and media center learning materials

Determining Comparability Scenarios

A district is required to demonstrate comparability among its three elementary schools (all of which receive Title I funding).

The district tried all three comparability options in the application, but it did not meet comparability requirements.

What should the district do?

Determining Comparability Scenarios

A district may recalculate its figures with the exclusion of state/local funds expended for the following:

- Language instruction for LEP students
- Excess costs of providing services to students with disabilities
- Staff salary differentials for years of employment
- Supplemental programs that meet the intent and purpose of Title I

If the district is still not comparable, the district will need to reallocate resources and adjust its general ledger to become comparable.

Title I Comparability Requirements

Questions?

When in doubt, contact your Title I Consultant for assistance.

http://dpi.wi.gov/title-i/consultant-directory

Documentation

LEAs are required to:

- Develop procedures to be in compliance with the comparability requirements, and
- Maintain the supporting documentation used for determining comparability.

ESEA Section 1118(c)(3)

Audits

At the end of the fiscal year, independent auditors make sure that actual expenditures are comparable.

If an LEA's expenditures are not comparable, the LEA *may* be required to return funds to DPI/United States Department of Education (USDE).

Title I Comparability Requirements

Title I, Part A Fiscal Requirements

Three methods in ESSA to ensure Title I funds are used to support students at-risk of failing:

- Maintenance of Effort (MOE)
- Supplement not Supplant
- Comparability

ESEA Maintenance of Effort

MOE demonstrates that the district has maintained its fiscal effort by at least 90% over a two-year time period. MOE is based on actual expenditures for the entire district.

Required for all districts receiving funds under ESEA

Title I, Part A Supplement not Supplant

- Requires a methodology to demonstrate that Title I schools receive all of the state and local funds they would otherwise receive if they were not Title I schools.
- Required for all districts receiving Title I, Part A.

Title I, Part A Comparability

- **Requires districts to demonstrate that the amount of state and local funds Title I schools receive are comparable to non-Title I schools or other Title I schools within the same grade span.**
  - Think of this as the outcome of the methodology required under Supplement not Supplant (SnS).
  - The SnS methodology must be comparable.
- **Required for all districts receiving Title I, Part A and serving more than one school within the same grade span (many districts are exempt from this requirement).**

Contacts

Title I Education Consultant Directory
dpi.wi.gov/title-i/consultant-directory

Title I Network Coordinators
dpi.wi.gov/title-i/network/contacts