

Nebraska Department of Education

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AMERICAN RECOVERY AND REINVESTMENT ACT Title I

Frequently Asked Questions

1. Q: For what purposes must a local education agency (LEA) use ARRA Title I funds?

A: LEAs must use their Title I, Part A, American Recovery and Reinvestment Act (ARRA) funds consistent with the Title I, Part A statutory and regulatory requirements. Uses should be aligned with the core goals of the ARRA to save and create jobs, and to advance reforms consistent with the requirements of Title I. Because the ARRA funds constitute a large increase in Title I, Part A funding that will likely not be available at the same level beyond September 30, 2011, schools and LEAs have a unique opportunity to improve teaching and learning and should focus these funds on short-term investments with the potential for long-term benefits, rather than make ongoing commitments that they might not be able to sustain once ARRA funds are expended.

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2. Q: Is there an administrative cap on ARRA Title I funds?

A: Currently there is a 5% administration cap on ARRA Title I funds. All administrative costs must pass the reasonable and necessary test. The ARRA Title I funds provide significant additional funding for Title I in many districts. These come with the responsibility to serve the students with innovative and reform strategies that will improve academic achievement ensuring that they build capacity and will not be dismantled when ARRA funds are gone.

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3. Q: Can a district provide district-wide professional development for K-12 staff (including staff in non-Title I schools) if the professional development aligns with the district-level needs identified through the district CNA and the goals in the district-level SIP?

A: Neither regular Title I nor ARRA Title I, Part A money may be used for professional development in non-Title I schools.

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4. Q: Can the "grandfathering" clause be extended to 2 years?

A: No, the legislation only allows grandfathering of Title I status for one year.

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5. Q: Can ARRA Title I funds be used to purchase computer assisted instruction and necessary equipment?

A: Title I may pay for such activities, based in part on the answers to the following questions: Is the need for these purchases identified in the data driven Comprehensive Needs Assessment and of sufficient priority to require action? Are the purchases included in the school or LEA plans and reflected in the ARRA Title I application? Is the purchase coordinated appropriately with all funding sources (i.e., Title II D, technology) and part of cohesive plan (appropriate professional development, hardware, software, internet access, Etc.?). Are the purchases actually supplementary, reasonable and necessary and are other requirements met? It is important to understand that this type of activity is easier to implement in a Title I schoolwide program where all students are Title I eligible. In a targeted assistance Title I program, all non-consumable supplies and materials must be labeled, inventoried and used exclusively by the Title I eligible students. Title I supplies and materials may not be used by students not eligible to participate in supplemental Title I targeted assistance program.

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6. **Q: Will LEAs receive a regular Title I allocation on July 1, 2009 in addition to the ARRA Title I allocation?**
- A: Yes. The ARRA Title I Allocation is in addition to the Regular Title I money that eligible LEAs will receive for 2009-2010 on July 1, 2009.
- Date Added/Updated: 06/25/2009*
7. **Q: Do all of the regular Title I set-aside requirements apply to ARRA Title I funds (i.e., professional development, supplemental educational services, services to students in private nonprofit schools, parent involvement, etc.)?**
- A: Yes. However, NDE may apply for waivers of some of these set-asides, where possible, as soon as guidance is provided by United States Department of Education (USDE). NDE will notify LEAs of our waiver applications as soon as they are available.
- Date Added/Updated: 06/25/2009*
8. **Q: Does the 15% carryover limitation on Title I funds apply to the ARRA Title I Funds?**
- A: Yes. The carryover limitation applies and, in accordance with ARRA, LEAs are expected to plan programs that can be implemented quickly and effectively. However, USDE has indicated that NDE may apply to waive the 15% carryover limitation for the ARRA funds as soon as guidance is provided. NDE plans to submit a request for this waiver. Districts must apply for 100% of both the regular and ARRA funds with the expectation of expending 85% of the allocation in the 2009-10 school year.
- Date Added/Updated: 06/25/2009*
9. **Q: Must LEAs provide equitable services to nonpublic schools with the ARRA Title I funds?**
- A: Yes. The same rules apply to the ARRA Title I funds as the regular Title I funds.
- Date Added/Updated: 06/25/2009*
10. **Q: What are the criteria for approving funds under ARRA Title I? ARRA Title I funds and regular Title I funds are the combined 2009-10 Title I allocation for each eligible Title I district and ESU.**
- A: An activity must meet the established Title I criteria for either a targeted assistance or schoolwide program. It must address an achievement need defined by data, be part of the school improvement plan, incorporate research-based initiatives, and be necessary, reasonable, allowable, and consistent with all other Title I rules and guidance. School improvement plans with well-written Title I schoolwide components address the most challenging needs of the school based on a comprehensive needs assessment. The activities are part of a comprehensive and cohesive reform strategy that fit tightly together. Well written, targeted assistance components address the most challenging academic needs of the students identified by criteria to be the farthest from meeting the state content standards. In both targeted assistance and schoolwide Title I programs, the activities should establish a foundation for change that will be sustained after the ARRA funds are invested and will result in lasting changes. Finally, the activities in both types of Title I programs should include an evaluation component sensitive to short term and long-term process changes and achievement outcomes.
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11. **Q: Can you give examples of potential uses of ARRA Title I funds that are allowable under Title I and consistent with ARRA principles?**
- A: Some examples are:
- Establishing or expanding fiscally sustainable extended-learning opportunities for Title I-eligible students in targeted assistance programs, including activities provided before school, after school, during the summer, or over an extended school year.
 - Providing new opportunities for Title I school-wide programs for secondary school students to use high quality, online courseware as supplemental learning materials for meeting mathematics and science requirements.
 - Establishing a system for identifying and training highly effective teachers to serve as instructional leaders in Title I school-wide programs and modifying the school schedule to allow for collaboration among the instructional staff.

- Establishing intensive, year-long teacher training for all teachers and the principal in a Title I elementary school in corrective action or restructuring status in order to train teachers to use a new reading curriculum that aggressively works on improving students' oral language skills and vocabulary or, in some other way, builds teachers' capacity to address academic achievement problems.
- Strengthening and expanding early childhood education by providing resources to align a district-wide Title I pre-K program with NDE Rule 11 Regulations and Nebraska Early Learning Guidelines and incorporating appropriate skills for grades K–3 and, if there is a plan for sustainability beyond 2010–2011, expanding high-quality Title I pre-K programs to larger numbers of young children.
- Using longitudinal data systems to drive continuous improvement efforts focused on improving achievement in Title I schools, to improve a district reporting system to parents, and to improve teacher access and training on the use of student achievement data.
- Providing professional development to teachers in Title I targeted assistance programs on the use of data to inform and improve instruction for Title I-eligible students.
- Using funds to initiate and or expand middle or high school Title I Programs
- Using reading or mathematics coaches to provide professional development to teachers in Title I-targeted assistance programs.
- Expanding the quality and/or quantity of Title I Services provided.
- Expanding services to include additional subject areas.

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12. Q: Can some ARRA Title I funds be used for early childhood programs?

A: Yes. Congress in its ARRA conference report indicated its intent that grantees should consider expending some of their Title I funds for early childhood programs and activities. The Administration is committed over the long term to expanding early childhood educational opportunities and creating a more seamless web of high-quality services for parents and children. In the coming weeks, the USDE will provide additional guidance on opportunities to use ARRA funds to expand high quality early childhood educational services. Both Title I and Individuals with Disabilities Educational Act (IDEA) have provisions that allow funds to be used for early childhood initiatives. Follow the guidance in these programs for developing and implementing early childhood programs using related ARRA funds. Contact your Title I consultant for guidance on pre-school programs using Title I, Part A funds.

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13. Q: Can ARRA Title I funds be used for eligible private school children, teachers, and families?

A: Yes. All Title I requirements apply to the use of ARRA Title I funds, including those requiring equitable services for eligible private school children and their teachers and families. Under Section 1120(b) of the Elementary and Secondary Education Act (ESEA), an LEA must consult with private school officials during the design and development of the LEAs Title I, Part A programs. That consultation must include meetings of LEA and private school officials, and must occur before the LEA makes any decision that affects the opportunities of eligible private school children to participate in Title I, Part A programs.

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14. Q: What are our shared responsibilities for ensuring that all funds under ARRA are used for authorized purposes and instances of fraud, waste, and abuse are prevented?

A: All ARRA funds must be spent with an unprecedented level of transparency and accountability. Accordingly, everyone must maintain accurate, complete, and reliable documentation of all ARRA, Title I expenditures. The ARRA contains very stringent reporting requirements and requires that detailed information on the uses of funds be available publicly.

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15. Q: Will LEAs have the opportunity to move these new funds to other schools within the district that have not been served in the past?

A: Yes. However, districts do not “move funds to other schools.” Districts eligible for Title I funding with student enrollments greater or equal to 1000 and have overlapping grade spans, must determine Title I eligible schools through the Title I School Selection process. Districts eligible for Title I funding with student enrollments less than 1000 or having no schools with overlapping grade spans, are not required to use the school selection process, but instead select schools based on the analysis of its needs assessment. Information entered in Targeting steps one through four on ARRA ESEA Title I application will be transferred to the NCLB Consolidated Title I application pages including eligible buildings, set asides, allocations among the buildings, non-public information, etc.

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16. Q: Would it be feasible to use some of this money for professional development for our staff?

A: Yes. Title I allows for professional development activities based on the data analysis of a needs assessment. Please confer with your Title I consultant to ensure that the professional development you are planning is consistent with Title I uses in either targeted assistance or schoolwide programs.

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17. Q: Do we have to spend all of the funds this year (2009-10)?

A: Unless it is granted a waiver, an LEA must obligate at least 85 percent of its total FY 2009 Title I, Part A funds, including its Title I, Part A ARRA funds, by September 30, 2010 (Section 1127(a) of the ESEA). An LEA must obligate all of its Title I, Part A FY 2009 funds, including its Title I, Part A ARRA funds, by September 30, 2011.

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18. Q: We currently have a literacy coach that we pay out of the early literacy program. Could that coach's salary be paid for out the ARRA Title I funds that are coming?

A: Generally, academic coaches like literacy coaches are an eligible Title I expense in a schoolwide program. However, supplement not supplant requirements are applicable to all regular and ARRA programs. A literacy coach hired for a targeted assistance Title I program would have to be carefully thought out. Professional development is focused on the Title I funded staff and to those classroom teachers who need specific professional development to meet the needs of the Title I students they work with. Many literacy coaches provide professional development for all teachers to upgrade the basic curriculum for all students. This type of job description for a literacy coach in a targeted assistance Title I program would not be allowable. Check with your Title I consultant if you have questions.

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19. Q: Will LEAs receive additional ARRA funding for the 2010-2011 School Year?

A: Additional ARRA funds will not be allocated beyond those already appropriated by Congress for 2009-2010. One of the primary purposes of ARRA is to stimulate the economy immediately. These short-term funds should be used immediately to produce long-term gains in student achievement. It is possible that some LEAs will not use some of the allocated funds and these may be redistributed at a later date.

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20. Q: Will ARRA Title I funds be subject to supplement, not supplant, comparability and maintenance of effort requirements?

A: Yes.

Supplement, not supplant is a requirement of all federal funds, unless specifically noted in the legislation, and does apply to ARRA Title I funds. In its simplest definition, it means that federal funds cannot be used in place of local, State or other federal funds to support education. The auditor's question is: In the absence of these federal funds, would the district need to provide it? If the answer is yes, then federal funds cannot be used.

Supplement, not supplant for Title I buildings is applied differently for Targeted Assistance Schools than for Schoolwide projects. In a Title I targeted assistance program providing instruction, the Title I students must receive the same amount of instruction provided to all students with the Title I services being additional time and instruction. Title I services cannot replace instruction from the regular classroom teacher. Another example: If the district provides a service such as Reading Recovery in non-Title buildings, it cannot use Title I funds to provide that service in the Title buildings. In a schoolwide project, the Title I funds must be supplemental to the funds the district provides to all buildings. The district cannot provide a lower level of funds to a schoolwide project than it does to non-Title I buildings. Title I services are not considered to be supplanting at the preschool level since preschool is not required by Nebraska law.

Comparability must be done on an annual basis to ensure that comparable state and local resources are utilized in all schools. It is tested annually in the Comparability application submitted in the fall verifying district wide comparability. In addition to doing a comparability analysis, districts must agree to an assurance that they have an agency-wide salary schedule, a policy to ensure equivalence among schools in teachers, administrators, and other staff, and a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

Maintenance of Effort requires LEAs to demonstrate that the level of state and local funding is maintained from year to year. For Title programs, the level of state and local funding for the previous year must be maintained at the level of 90% of the second preceding year.

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21. Q: If a district had an afterschool program, could ARRA Title I funds be used for transportation cost?

A: If a district already has a non-Title I funded afterschool program, then Title I may not be used to pick up transportation costs. However, if a district had a Title I afterschool program, then Title I ARRA funds could be used to provide transportation.

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22. Q: Can ARRA Title I funds be used to purchase furniture for a Targeted Title I room?

A: ARRA Title I funds can be used to purchase furniture if it is necessary in providing Title I services to students. Equipment items costing at least \$1,500 per unit must be inventoried although it is prudent to inventory any equipment as defined on the Capital Outlay page of the AARA Title I Application. Recently, auditors have added small and attractive to the definition of what equipment needs to be inventoried. All inventoried equipment costing less than \$5,000 per unit must be budgeted in Object Code 400.

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23. Q: If we allocate ARRA Title I funding to a new Title I school and part of those funds are used to purchase equipment, can the school keep the equipment in future years when it is no longer a Title I school?

A: It depends. Because the equipment was purchased with Title I money, once the school is no longer a Title I school, the district must determine if any of the remaining Title I schools are in need of that equipment. If they are, then the equipment must be moved to the Title I school. However, if none of the Title I schools need the equipment; it may stay in the non-Title I school.

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24. Q: Can ARRA Title I funds be used for construction, building improvements or permanent fixtures?

A: No.

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25. Q: How may Title I funds be used to support Response to Intervention (Rtl) in a targeted assistance school?

A: Title I funds in a targeted assistance school must be used to provide supplemental education support to a select group of students determined eligible through multiple measures of achievement. These parameters on Title I funding still exist in targeted assistance schools even if the school is implementing Rtl. Title I funds must still be used to provide additional educational support to a select group of eligible students and may not be used to provide the basic, core instruction available to all students.

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26. Q: In a targeted assistance school, can the Title I teacher participate in Rtl?

A: Title I services are one piece of the continuum of services available to students. Title I teachers should still be providing supplemental educational support to a select group of students determined as Title I eligible by a review of multiple measures of academic progress. The school should have explicit criteria for when students enter the Title I program and explicit criteria for when students exit the Title I program. Title I teachers collaborate with regular classroom teachers in identifying Title I students. Title I teachers may consult with regular classroom teachers to design classroom interventions that the teacher would implement before a student is identified as Title I eligible. However, the Title I teacher should not be delivering those interventions as they are designed for non-Title I students. Title I teachers should never be used to deliver the core instruction provided to all students even if that instruction is differentiated. Title I teachers deliver education services over and above the core instruction. Title I services should never reduce a student's access to the core instruction.

27. Q: Is Rtl subject to the comparability and supplement, not supplant provisions of the Title I law?

A: Yes.

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28. Q: Can Title I funds be used to purchase instructional materials for Rtl?

A: If the district is purchasing particular materials for all schools in the district, those materials must be purchased with state or local funds in both Title I and non-Title I schools. In a targeted assistance school, Title I funds may only be used to purchase instructional materials for Title I students in the Title I program. In a schoolwide school, funds may be pooled and instructional materials may be purchased for all students in the school. Title I funds may never be used to purchase instructional materials in non-Title I schools.

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29. Q: How does the three-tiered system, common in many Rtl models, work within the Title I targeted assistance programming? What parameters do we need to be aware of as we implement Rtl?

A: When implementing Rtl in a targeted assistance school, staff must ensure that the students served by Title I teachers and the services those teachers provide are consistent with Title I law. In a targeted assistance school, Title I teachers work only with Title I eligible students and the services they provide are supplemental to the core instructional program. This must be foremost in consideration when determining which "tier" Title I services should best be placed. While some districts choose to use a tiered model it is not required by NDE.

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30. Q: Why is the ARRA Title I GAN only 50% of our District's total Title I ARRA allocation?

A: In April 2009, USDE awarded each state 50% of the Title I funds to be provided through ARRA. When an LEA's Title I ARRA Application is approved in GMS, the Grant Award Notification (GAN) will be for 50% of the ARRA Title I allocation. The remaining 50% will become available October 1, after the State has submitted (to USDE for review and approval) additional information addressing accountability and reporting requirements. GANs printed after October 1 will be for 100% of the ARRA Title I allocation.

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31. Q: How do we request payment of ARRA Title I funds?

A: Payment of ARRA Title I funds will be made through the Grants Management System (GMS). ARRA Reimbursement Requests can be submitted in GMS, once the application has been approved and the funds have been spent. Supporting documentation (printouts from accounting system) will be required. Documentation must agree by object code with the "Expenditures" Section and provide transaction level of detail. Additional information (vendor payee name, original transaction date and description) must be provided for Activity Fund, Petty Cash, Bank/Credit Cards, JE's, etc. There will be no scheduled payments for salaries and benefits funded with ARRA funds. Detailed GMS payment instructions can be found at

<http://www.nde.state.ne.us/gms/PaymentInstructions.pdf>

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32. Q: How soon can ARRA Title I funds be obligated and requested?

A: ARRA Funding for Title I-A was effective immediately upon signing of the legislation. As such, expenditures under ARRA Title I-A may be encumbered as of February 17, 2009. Claims for ARRA Title I-A will be reviewed and processed through the Grant Management System (GMS). Reimbursement Requests may be submitted only after the ARRA ESEA Application has been approved. Keep in mind Supplement not Supplant rules apply to all Title I Funds (including ARRA). As previously announced, ARRA funds can be used to cover the district-funded portion of Title I salaries and benefits without Supplanting if certain criteria are met. Supplement not Supplant may be an issue if non-salary expenditures were obligated prior to the approval date on the GAN. Contact the Title I office or Financial Services for assistance with Supplement not Supplant.

Date Added/Updated: 07/09/2009

33. Q: We budgeted 100% of our ARRA Title I funds now. The GAN is currently only 50% of the allocation amount (will be 100% Oct 1). If we are purchasing computer equipment with these funds, can we purchase all of it now or can we only purchase 50% prior to October 1?

A: You can obligate 100% of the allocation (order the computer equipment) but the district will only be reimbursed up to the GAN amount, which is 50% prior to October 1.

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