FISCAL REQUIREMENTS OF FEDERAL FUND\$

NEW JERSEY DEPARTMENT OF EDUCATION JANUARY 7, 2016



Entitlement Grants

NEW JERSEY DEPARTMENT OF EDUCATION

OFFICE OF GRANTS MANAGEMENT

Presented by Vanessa Davenport Manager, Entitlement Grants

ENTITLEMENT GRANTS APPLICATION SUBMISSION

- Notification of allocation amounts distributed in the Spring
- Office of Grants Management Work Sessions in each county are scheduled for after application release
- Submission of application is through EWEG (Electronic Web-Enabled Grant system)
- Federal registration (<u>www.sam.gov</u>) and DUNS number are federally required in order to submit application; must renew registration annually
- Entitlement Grant/Program (Obligation) Period: July 1st through June 30th
- Funds may be obligated beginning July 1st (only if application was submitted by the due date; otherwise funds may be obligated only after date of actual application submission)
- Funds <u>must</u> be liquidated by **September 30th**.

ASSURANCES

- Assurances certifying compliance with requirements such as, but not limited to:
- Legal authority to apply; managerial/fiscal capacity, etc.
- Board approval has been, or will be, obtained for applications and amendments
- Compliance with 'Supplement not Supplant' requirements
- Compliance with Maintenance of Effort requirements
- Safeguards to avoid/address Conflict of Interest
- Compliance with Federal and state non-discrimination statutes
- Compliance with EDGAR/UGG
- Compliance with Public School Contracts Law

APPLICATION REVIEW

• Two-tier process:

- ➤ Tier 1 = County/Program Office review/approval
- ➤ Tier 2 = Office of Grants Management review/approval

APPLICATION REVIEW

Amendments to original application

- Submit no later than
 - **■** 30 days prior to end of grant period for NCLB and IDEA
 - **▼** 90 days prior to end of grant period for Perkins
- > Key criteria that require an amendment request
 - Any budget changes cumulatively more than 10% of grant award
 - Moving funds to unopened budget line
 - Change in scope of activities
 - **▼** Changes in type, use or purpose of equipment
 - Requests to purchase equipment not previously approved
 - **▼** Title I Request for Schoolwide Program designation

Reimbursement Requests (RRs)

- RRs <u>must</u> be submitted monthly
- RRs must be in compliance with CMIA, other statutes and regulations
- RRs may be submitted upon approval of the original application
- One RR per program, per month
- RRs may include any allowable grant-related expenditures through the end of that month
- RRs received by the 15th of the month should generally be paid within first week of following month
- RR submission includes certification of accuracy, etc......

Final Expenditure Reports

- Target date for availability to districts: on or about August 15th
- Target due date for submission: September 30th but may be adjusted based on actual date of availability to districts
- Review/Approval
 - Perkins and IDEA = two-tier review (County/Program Office; OGM), similar to application
 - NCLB = OGM review only, except when Title I Waiver is requested

Final Expenditure Reports

- Final calculations may result in:
 - Carryover of funds (Title I limited to 15% of allocation)
 - Release of funds (excess carryover; funds expire)
 - Return of funds to NJDOE (under certain circumstances)
- Carryover of funds allowed for NCLB and IDEA only (not for Perkins)
- Approval of Final Expenditure Report does at least one of the following:
 - Generates payment of any expenditures not previously paid from reimbursement requests
 - Moves carryover to subsequent year's application for budgeting of those funds (and includes any overpayments)
 - Requires district to generate a refund check if 'return of funds to NJDOE' is indicated
 - Indicates that a district is releasing grant funds

RESOURCES - GRANTS

NJDOE Entitlement Grants Info:

http://www.state.nj.us/education/grants/entitlement/

NJDOE General Federal Entitlement Grant Guidance:

<u>http://www.state.nj.us/education/grants/entitlement/EntitlementGrantApplicationGeneralGuidance.pdf</u>

NJDOE Reimbursement of Federal and other Grant Expenditures:

http://www.state.nj.us/education/grants/entitlement/reimbursement.pdf

Federal website to register and obtain DUNS number:

www.sam.gov

Vanessa Davenport, Manager of Entitlement Grants:

Vanessa.davenport@doe.state.nj.us



Uniform Grant Guidance

NEW JERSEY DEPARTMENT OF EDUCATION

OFFICE OF GRANTS MANAGEMENT

Presented by Chris Bleiholder

Intent of New Guidance

- Streamline the federal government's guidance on Administrative Requirements, Cost Principles, and Audit Requirements for federal awards.
- Reduce administrative burden
- Promote flexibility

Uniform Grant Guidance (UGG) codified at 2 CFR 200 et. seq.

- Applies to NJDOE grants awarded on or after July 1, 2015 (State Fiscal Year 2016)
- Purpose: Streamline and consolidate grant requirements between different classes of grantees higher education, non profits, state and local governments (including LEAs)
- Replaces three (3) grants circulars applicable to Local Education Agencies (LEAs)
- OMB Circular A-87 (Cost Principles for State, Local, and Indian Tribal Governments);
- OMB Circular A-102 (Grants and Cooperative Agreements With State and Local Governments) codified as EDGAR Part 80; and
- OMB Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations).
- UGG applies to both entitlement and discretionary grants.

Effects on other guidance documents and statutes

- EDGAR is still in effect. Part 80 (applicable to state and local governments) has been superseded by the UGG. EDGAR Parts 75, 76, 77 and 81 remain in effect.
- Section 200.302 UGG states "each state must expend and account for the federal award in accordance with state laws and procedures for expending and accounting for the state's own funds"
- State laws and regulations may limit the implementation of the UGG by establishing lower thresholds.
- Areas in which state laws and regulations may be more restrictive than the UGG are:
 - ► Equipment threshold (currently in excess of \$2,000) N.J.A.C. 6A:23A-8.1(f)(3)(i)
 - ➤ Procurement thresholds (bid, quote) N.J.S.A. 40A:11-3(a) and (c); 18A:18A-3(a) and (c)
 - ➤ Single Audit Policy N.J. Treasury Circular 15-08-OMB
 - ➤ Mileage reimbursement N.J. Treasury Circular 01-02-OMB
 - > Travel reimbursements N.J.A.C. 6A:23A-7 et. seq

Areas of emphasis:

- 1. Internal Controls and written policies and procedures including, but not limited to:
 - Financial management (UGG 200.302)
 - Procurement (including Conflict of Interest) (UGG 200.318)
 - Procurement Transactions (200.319(c))

Applicants must examine the current state of their organization and their written policies and procedures and bring them in line with the UGG standards.

Procurement policies and procedures must be brought in compliance with the UGG no later than July 1, 2017.

2. Risk Assessment

The NJDOE, as the pass-through agency, is responsible for assessing risks of their grantees.

- Risk assessment will inform monitoring priorities who gets monitored and when.
- Risk assessment will determine if/what additional terms and conditions are to be imposed.

Areas to be considered include:

- Previous experience with same or similar awards
- Results of previous audits
- New personnel or new/substantially changed system
- Results of federal agency monitoring

3. Required Certifications

Section 200.415 now includes language that grantees must attest to:

"By signing this report, I certify to the best of my knowledge and belief that the report is true, complete and accurate, and the expenditures, disbursements, and cash receipts are for the purposes and objectives set forth in the terms and conditions of the federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812)."

3. Required Certifications (cont...)

- This language is included as part of every **reimbursement request** and **interim/final report** in EWEG, beginning with grant programs starting July 1, 2015.
- Grantees will not be able to submit a reimbursement request or interim or final report in EWEG absent this certification.
- Grantees should examine their internal control systems to ensure that proper safeguards have been put in place so that this certification can be made.

4. Indirect Costs

For FY16, LEAs (including charter and Renaissance schools) received a restricted and an unrestricted indirect cost rate through data submitted to the NJDOE Office of Finance through AudSum.

- **Restricted rate**: applicable to federal programs with a supplement, not supplant requirement.
- **Unrestricted rate**: applicable to federal programs without a supplement, not supplant requirement.

Indirect Costs may be charged to federal awards subject to any limitations in the indirect cost rate, or the funding source.

- A grantee with an indirect cost rate is not required to use the indirect cost rate in a grant budget.
- If indirect costs are charged, the same costs cannot be included as a direct charge in the grant budget.
- The State may restrict the use of indirect costs in state-funded programs.

RESOURCES

- NJDOE web page with links to UGG information and resources
- http://www.state.nj.us/education/grants/ugg/
- U.S. Office of Management and Budget UGG Policy documents
- https://www.whitehouse.gov/omb/grants_docs
- Chris Bleiholder: <u>Chris.Bleiholder@doe.state.nj.us</u>



Federal Grants and Procurement under the Uniform Grant Guidance

NEW JERSEY DEPARTMENT OF EDUCATION

OFFICE OF SUPPLEMENTAL EDUCATIONAL PROGRAMS

Presented by Anthony Hearn, CPA

UNIFORM GRANT GUIDANCE (UGG)

2 CFR 200

- Easy Link to guidance in readable format
 - http://grants.complianceexpert.com/agency-guidance-andregulations?qr=1
- Sweeping changes to put all grant recipients on the same guidance
 - Purchasing
 - Responsible Person
 - **▼** Limited Use of Sole Source
 - Internal Controls
 - Allowable Costs
- Effective Date for New Jersey Any grant starting July 1, 2015

Grant Information Uniform Grant Guidance Solutions

New under the Uniform Grant Guidance, we may see:

- Timelines and deliverables
- Sub-budgets for each objective
- Need to tie financial spending to objectives
- Level of risk (determined by NJDOE)
- Specified performance expectations

NJDOE is Here to Help!

"The most terrifying words in the English language are:

"I'm from the government and I'm here to help."

President Ronald Reagan

INTERNAL CONTROL PROCEDURES

- Strong internal controls provide reasonable assurance that a grantee is managing its awards in compliance with federal statutes, regulations, and the terms and conditions of the federal grant.
- UGG § 200.303 and 200.61 emphasize the importance of having documented internal controls.

INTERNAL CONTROL PROCEDURES

- Written policies and procedures are required which address:
 - Cash Management Procedure §200.302(b)(6) & 200.305
 - Allowability Procedures §200.302(b)(7)
 - Conflicts of Interest Policy §200.318(c)
 - Procurement Procedures §200.19(c)
 - Method for Conducting Technical Evaluations of Proposals and Selecting Recipients - §200.320(d)(3)
 - Travel Policy §200.474(b)

STANDARD OPERATING PROCEDURES

- Disbarred Vendors
- Procurement
- Sole Source
- Competitive Contracting under UGG
- EWEG Draw Down

Just Remember:

"No law or ordinance is mightier than understanding."

Plato

Uniform Guidance 2 CFR 200.415, Required Certifications

- The certification required by the Uniform Grant Guidance is required for requests for payments by subgrantees and grantees, not by contractors that are requesting payment from a subgrantee or grantee.
- However, as part of a non-Federal entity's internal controls, that entity might want to require similar certifications from its contractors. If a non-Federal entity chose to impose this requirement on its contractors, the non-Federal entity would be assured that any certification it provides that is based on a payment to a contractor is also supported equal protections for the Federal dollars. We reiterate that the Uniform Grant Guidance does not impose this certification requirement on contractors.

Who will be the Accountability Officer?

Purchase Order Procedures

- UGG §200.317-.326 list procurement requirements.
- Written procurement policies must require purchases to be <u>necessary and reasonable</u>, and <u>adequately documented</u>.
- Procurement procedures must also reflect applicable
 State, and local laws and regulations.

Uniform Grant Guidance 2 CFR §200.320

Procurement by micro-purchases.

- Acquisition of supplies or services, the **aggregate dollar** amount of which does not exceed \$3,000 (October 1, 2015 went to \$3,500) To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers.
- May be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

Uniform Grant Guidance 2 CFR §200.320

Procurement by small purchase procedures.

- Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold (\$100,000).
- Price or rate quotations must be obtained from an adequate number of qualified sources.

Uniform Grant Guidance 2 CFR §200.320

New Jersey Thresholds only important if more restrictive

- 18A:18A-3(a) and (c) Limits for bid and quote not important if Greater than Federal (always the more restrictive applies)
 - ➤ Bid Threshold with QPA \$40,000
 - Quote Threshold with QPA \$6,000
 - > Bid Threshold without a QPA \$29,000
 - Quote Threshold without a QPA \$4,350

FEDERAL UNDER \$3,000 Aggregate

State Limit for Bid is less than Federal of \$150,000

Uniform Grant Guidance 2 CFR §200.320(f), Methods of Procurement

- (f) Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only **when one or more of the following circumstances apply:**
 - (1) The item is available only from a single source;
 - (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - (3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
 - (4) After solicitation of a number of sources, competition is determined inadequate.

*** Watch Vendor Names in Grant Application***

ALLOWABLE COSTS

Covered in Subpart E: Cost Principles 200.400 of the Uniform Guidance Protect allowable costs

Internal policies may need revision to better align with the UGG and to protect allowable costs.

ALLOWABLE COSTS

Uniform Grant Guidance 2 CFR 200.430

WAGES

§ 200.430 Compensation—Personal services

- Must account for Non-Charged Time (Issue was with charging over 100% to multiple grants)
- If you use the prescribed model, you should be covered

Uniform Grant Guidance 2 CFR 200.439 EQUIPMENT

Property records must be maintained that include:

- 1. a description of the property,
- 2. a serial number or other identification number,
- 3. the source of funding for the property (including the FAIN),
- 4. who holds title,
- 5. the acquisition date, and cost of the property,
- 6. percentage of Federal participation in the project costs for the Federal award under which the property was acquired,
- 7. the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.

EQUIPMENT – CONTINUED

- A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.
- A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property.
 Any loss, damage, or theft must be investigated.
- Adequate maintenance procedures must be developed to keep the property in good condition.

Considerations Before Buying Equipment

- Is the equipment reasonable and necessary for the efficient performance of the federal award?
- Is the Title I eligible school operating a targeted assistance or a schoolwide program?
 - Equipment must be acquired exclusively for the use of Title I students in a targeted assistance environment and must be mentioned in school improvement plans, if applicable.
 - Equipment purchased for use in schoolwide programs must be mentioned in schoolwide plans.

Considerations Before Buying Equipment

- Capitalization Thresholds
 - UGG §200.439 establishes an equipment capitalization threshold of \$5,000 per unit.
- N.J.A.C. 6A:23A-8.1 (f)(3)(i) provides an equipment capitalization threshold of \$2,000 or more per unit.
- The "more restrictive" threshold of \$2,000 applies to federal grants awarded to districts by NJDOE.

Computing Devices

- Most computing devices cost less than \$2,000 per unit.
- Grantees must maintain "effective control over, and accountability for, all funds, property and other assets."
 - ➤ Pursuant to UGG §200.302(b)(4), grantees must maintain effective control and "**safeguard all assets** and assure that they are used solely for authorized purposes" regardless of cost.
- NJDOE requires districts to maintain an inventory log of items acquired with federal funds that are more expensive to replace than to track.

Uniform Grant Guidance 2 CFR 200.421

Advertising and public relations (§200.421)

Advertising is <u>not</u> allowable, <u>except</u> for:

- Hiring of personnel for the grant
- Procurement of goods and services for the grant
- Disposal of scrap (per the grant program)
- Program outreach (new)
- Social media advertising for personnel (new)

Uniform Grant Guidance 2 CFR 200.456

MEALS

§ 200.456 Participant support costs

- Participant support costs as defined in §200.75
- Participant support costs are allowable with the prior approval of the Federal awarding agency.

Uniform Grant Guidance 2 CFR 200.438

ENTERTAINMENT

§ 200.438 Entertainment costs

• Costs of entertainment, including amusement, diversion, and social activities and any associated costs are unallowable, **except where specific costs that might otherwise be considered entertainment have a programmatic purpose** and are authorized either in the approved budget for the Federal award or with prior written approval of the Federal awarding agency.

Uniform Grant Guidance 2 CFR 200.474 TRAVEL

§ 200.474 Travel costs

- (2) The costs are reasonable and consistent with non-Federal entity's established travel policy.
- (c)(1) Temporary dependent care costs (as dependent is defined in <u>26</u> <u>USC 152</u>) above and beyond regular dependent care that directly results from travel to conferences is allowable provided that:
- (i) The costs are a direct result of the individual's travel for the Federal award;
- (ii) The costs are consistent with the non-Federal entity's documented travel policy for all entity travel; and
- (iii) Are only temporary during the travel period.

ACCOUNTING CODES

- The Uniform Minimum Chart of Accounts "Chart of Accounts" for New Jersey School Districts as required by N.J.A.C. 6A:23A-16.2, designates the use of specific codes for the provision of NCLB instruction and support services.
- The Chart of Accounts can be found at http://www.nj.gov/education/finance/fp/af/coa/coa.pdf

• Title I: 231-239

• IDEA: 250-259

• Title II: 270:279

Title III: 241-245

COMPARABILITY



- ESEA Section 1120A(c) / ESSA Section 1118
 - **➤** Any district, charter school or renaissance school must complete the report
 - Report in EWEG at bottom of screen where NCLB/ESEA/ESSA Application is located
 - **➤** Due the first Friday in December for the current year (Dec 2015 is 2015-2016 Report)
 - Must pass because it verifies a part of supplanting

SUPPLEMENT NOT SUPPLANT

- ESEA Section 1120A(B)
 - > Shall use funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources And not to supplant such funds
- ESSA Section 1118
 - > To demonstrate compliance with paragraph (1), a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part.
 - ➤ Does this mean school level budgets across the board? More to come

BOARD RESOLUTIONS – GRANT APPLICATIONS

- Board approvals are required for the submission of grant applications.
- Board approvals for the submission of amendment applications.
 - Districts must certify in the assurances of these applications that board resolution will promptly be obtained, and that the certified board resolutions and board minutes will remain on file and be available upon request.
- Districts are asked to produce these board resolutions during fiscal audits of titled programs.

BOARD RESOLUTIONS – STAFF



<u>UGG §200.430 Compensation—personal services</u>

Compensation for personal services includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries. Compensation for personal services may also include fringe benefits which are addressed in §200.431 Compensation—fringe benefits. Costs of compensation are allowable to the extent that they satisfy the specific requirements of this part, and that the total compensation for individual employees... follows an appointment made in accordance with a non-Federal entity's laws and/or rules or policies and meets the requirements of Federal statute, where applicable...

• NJDOE Requirements

Appointment of Personnel Paid 100% or Partially with Federal Funds:

- × Name
- **×** Salary
- **▼** Work Location
- **▼** Funding Percentage for Each Program
- ➤ Note: Anytime a change of funding source occurs, the event must be recorded in the board of education meeting minutes. A revised certification must be prepared and signed by the appropriate parties.

RESOURCES

Available Research & Where to Find It

- OMB Uniform Guidance
 http://grants.complianceexpert.com/agency-guidance-and-regulations?qr=1
- EDGAR
 http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html
- ESEA / No Child Left Behind www.ed.gov/legislation/ESEA02/index.html
- CONTACT US: <u>anthony.hearn@doe.state.nj.us</u> <u>titleone@doe.state.nj.us</u>



Effective Coordinated Use of Entitlement Funds

NEW JERSEY DEPARTMENT OF EDUCATION

DIVISION OF LEARNING SUPPORTS AND SPECIALIZED SERVICES

HOW FEDERAL LAW PROMOTES ALIGNMENT

- Use needs assessment
- Focus on performance and outcomes (accountability)
- Reduce achievement gaps
- Limit costs to necessary and reasonable
- Supplement non-federal funds

ALIGN SPENDING TO NEEDS NOT TITLE

- Review needs assessment(s) and existing plans
- Identify priorities/goals
- Create a program plan to achieve the goals
- Provide services based on student needs
- Identify funding sources that may be used to support the plan
- Budget multiple funding sources to support the activities and services

Recent Guidance for ED Supporting Coordinated Spending

- Examples of using ESEA and IDEA funds for Digital Teaching and Learning: http://tech.ed.gov/wp-content/uploads/2014/11/Tech-Federal-Funds-Final-V2.pdf
- Federal Programs and Support for School Counselors: <u>http://www2.ed.gov/policy/elsec/guid/secletter/1406</u>
 30.html
- Maximizing Flexibility in Administration of Federal Grants:

http://www2.ed.gov/programs/titleiparta/flexswp091 313.pdf



Individuals with Disabilities Education Act - Part B (IDEA-B) Entitlement Grant

NEW JERSEY DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION PROGRAMS

Presented by Patricia Holcomb-Gray IDEA-B Coordinator

OVERVIEW – IDEA-Part B

- ➤ The Individuals with Disabilities Education Act (IDEA) was reauthorized and signed into law in December 2004
- ➤ The application is composed of three sections. The general/common (consolidated) section contains federal and state requirements applicable to both the Part B (Basic) and the Preschool IDEA sections. Embedded in the IDEA are principles of stronger accountability for results, increased flexibility and local control, expanded options for parents and an emphasis on teaching methods that have been proven to work. The combined application allows local education agencies the opportunity to address the needs of all students, plan activities for parents and teachers, combine resources, and track results in a single application process.

PURPOSE – IDEA-Part B

- ▶ <u>Basic and Preschool</u> funds provided under IDEA-B may only be used for the <u>excess</u> cost of providing special education and related services to students with disabilities. Funds **shall** be used for the following:
 - to provide FAPE (Free and Appropriate Public Education) for students with disabilities ages 3-21 (Basic) and ages 3, 4 and 5 (Preschool); and
 - > to <u>initiate</u>, <u>expand</u> or <u>supplement</u> special education and related services including vocational education services for **students with disabilities** currently receiving educational services.

ELIGIBILITY – IDEA-Part B

All LEAs [Districts, Charter Schools and Renaissance Projects] are eligible for IDEA - B funds providing they meet 3 requirements:

Assurances

➤ In accordance with 34 CFR §300.200 an LEA is eligible for assistance under Part B of the Act for a fiscal year if the agency submits a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201 through 300.213.

Maintenance of Effort (MOE)

- Funds provided to the LEA under Part B of IDEA may not be used to reduce the level of expenditures for the education of students with disabilities made by the LEA from local funds or a combination of state and local funds below the level of the most recent year for which the LEA has expenditures
- > MOE has an eligibility and a compliance standard

Excess Cost

- A computation that documents that the LEA is providing the same amount of local or a combination of state and local funds (Average Per Pupil Expenditure, APPE) for the education of students with disabilities as it is for students in general education
- ➤ LEAs that are K-12 must do separate calculations for elementary and secondary

ALLOWABLE USES AND ACTIVITIES



IDEA-Part B

- Provide instructional aides in Title 1 programs (and other programs) where students with disabilities are participating, to support those students in the general education program
- Provide a co-teacher in a general education class to support the students with disabilities
- Provide alternative learning programs to assist students with disabilities in general education programs
- Providing assistive technology for students with disabilities
- Provide professional development to teachers/paraprofessionals to assist them in working with students with disabilities in general education
- ➤ May be consolidated with other funds in a Schoolwide Program

ALLOWABLE USES AND ACTIVITIES



IDEA-Part B

Permissive Uses of IDEA-B

- Coordinated Early Intervening Services a federal Q&A on this topic may be located at http://www2.ed.gov/policy/speced/guid/idea/ceis.html
- Nonpublic Proportionate Share information on regulations and requirements may be located at http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorne-r%2C1%2C
- Schoolwide Programs federal guidance on the consolidation of federal funds in a Schoolwide program may be found at https://www2.ed.gov/policy/elsec/guid/eseatitleiswguidance.pdf

NONPUBLIC - Equitable Service Provision IDEA-Part B

- LEA is the responsible agency to report the eligible students in NJ Smart
- ➤ For Profit nonpublics (private) special rules
- Consultation
- Allowable uses
- Non-allowable Uses
- Vendor Concerns
- Equipment
- ➤ Funding of religious workshops or instruction. Federal regulations specify that funds and property may be used to benefit students with disabilities in private schools, but only for educational services

FINDINGS FROM THE FIELD...



IDEA-Part B

Unallowable Uses

- Supplanting the general program
- Costs budgeted for screening of the general student population including kindergarten and
- Preschool screening other than Child Find activities
- Salaries for custodial and/or security personnel
- Purchase and/or service of vehicles for noninstructional use
- Motivational incentives for staff such as cash or cash-value awards
- Cash stipends for pupils.
- Board attorney fees or reimbursement of other attorney fees.
- Renovation of noninstructional areas.

RESOURCES – IDEA-Part B

- Guidance on the purposes, use of funding, regulations, and sample forms can be found within the <u>IDEA Guidelines</u> document at http://www.state.nj.us/education/specialed/fund/IDEA Guidelines.pdf
- ➤ Information on IDEA requirements can be found at the federal website at http://idea.ed.gov/explore/home
- ➤ Information on Maintenance of Effort , Excess Cost, CEIS and other requirements can be located at http://cifr.wested.org/
- ➤ NJ's State Performance Plan, highlighting federal and state priorities for special education, an events calendar with important dates to remember and other publications and tools may be found at https://osep.grads360.org/#program
- The County Supervisor of Child Study, or
- Patricia Holcomb-Gray, IDEA-B Coordinator, at 609-984-4953 or patricia.gray@doe.state.nj.us



TITLE I, PART A

NEW JERSEY DEPARTMENT OF EDUCATION

OFFICE OF SUPPLEMENTAL EDUCATIONAL PROGRAMS

Presented by Dr. Anthony Wright

OVERVIEW – Title I

20 U.S.C 6301 SEC. 1001

- Established in 1965 as part of the War on Poverty
- Largest federal elementary and secondary education program
- Provides supplemental funds for students in schools with concentrations of low-income students to have an equal opportunity to achieve levels of proficiency.

OVERVIEW – Title I

ESEA §1115 & ESEA §1114

Two Types of Title I Programs

- <u>Targeted Assistance Program</u>-Services to the students identified as having the greatest academic need
- Schoolwide Program-Comprehensive program to upgrade the entire educational program as a means to bolster the achievement of the lowest achieving students

OVERVIEW – Title I, Part A

TARGETED ASSISTANCE (TA) ESEA §1115

SCHOOLWIDE (SW) ESEA §1114

- Title I funds "target" lowestperforming students.
- Entrance and exit criteria based on multiple, objective, and uniform criteria
- Children who have the greatest academic need receive Title I services
- Districts may need to prioritize the student selection to provide a meaningful program

- Title I funds upgrade school's educational program to meet the state's academic standards.
- 40 percent of students must be from low-income families.
- A comprehensive needs assessment must be conducted.
- The school must engage its stakeholder group when developing the schoolwide plan

PURPOSE – Title I, Part A

The Need for Title I-The Gaps

Gaps in equity-Low-income students do not have access to equitable levels of:

- Funding
- Highly effective teachers and leaders
- Early learning opportunities
- Instructional resources, including technology
- Safe and secure schools

PURPOSE – Title I, Part A

The Need for Title I-The Gaps

Gaps in opportunity: Low-income students have fewer opportunities for:

- Academic Achievement
- College admission
- College completion
- Wages

PURPOSE – Title I, Part A

TARGETED ASSISTANCE PROGRAMS

Eight Essential Components (§1115)

- 1. Assist students in reaching state standards.
- 2. Based on effective means for improving student achievement.
- 3. Ensure appropriate planning.
- 4. Use instructional strategies effectively by minimizing pull-out and offering in-class support or extended day and summer programs.
- 5. Coordinate with and support regular education programs such as pupil services (counseling, mentoring) and transition programs.
- 6. Offer instruction by highly qualified staff.
- 7. Provide professional development.
- 8. Use strategies to increase parental involvement.

ELIGIBILITY – Title I, Part A

Eligible School Attendance Area (§ 1113)

- The proportion of economically disadvantaged students in a school determines the amount of *funds* that may go to a school.
- Any student enrolled in an eligible school may receive Title I services if they are low achieving.
- Districts must distribute and account for all Title I funds.
- Low-income nonpublic school students in served school attendance areas must receive an equitable share.

SCHOOL ELIGIBILITY – Title I, Part A

- 1. Select poverty criteria: Community Eligibility Provision (CEP), Free/Reduced Lunch, TANF, Medicaid, Composite, Feeder Method
- 2. Rank Schools: Based on the percentage (not number) of children from low-income families
- 3. Serve Schools
 - 75% rule
 - Poverty rate at/above district poverty rate
 - Grade-span grouping
 - Poverty rate below 35%

 Per pupil expenditure calculated at 125% or 1.25 times the district per pupil amount
 - Poverty rate ≥ 35%

TITLE I, Part A

Targeted Assistance Programs (TAS)

ESEA §1115

Instructional and Programmatic Strategies

- In-class support
- Extended year programs
- Summer programs
- Transition programs
- Coaches
- Test prep classes
- Specified professional development



TITLE I, Part A

Schoolwide Programs - ESEA §1114

Not subject to traditional <u>supplement not supplant</u> rules:

- Funds are supplemental, not programs and services
- Funds must be used for activities that are "necessary and reasonable" to implement the schoolwide plan and meet legislative intents and purposes
 - Comprehensive needs assessment identifies the activities that are necessary and reasonable
 - Schoolwide plan documents the activities that are necessary and reasonable

TITLE I, Part A

Schoolwide Programs - ESEA § 1114

Budgeted Items MUST:

- Align with the approved schoolwide plan
- Be reasonable and necessary
- Meet program intents and purposes
- Be obligated and liquidated in accordance with the approved schoolwide plan within the approved grant period
- Supplement NOT supplant state and local funds

Non-Allowable Uses of Title I Funds

- Incentives of "non-educational" value(non-educational gift cards, cash, etc.)
- Recreational field trips
- Food purchases(Supermarket gift cards)
- Technology for student and teacher personal use
- Any expenditure that occurred prior to the approval and funding of the project
- Any expenditure NOT clearly identifiable as directly related to grant activities/functions or included in schoolwide plan

TITLE I, Part A

Child Benefit Theory 34 CFR § 200.66

- Title I services benefits the "individual" child, NOT the entire school.
- Services are provided by the district, not the nonpublic school
- Child Benefit Theory complies with the Constitutional Prohibition against Federal funding- No funds are to EVER go to the nonpublic school!

TITLE I INCENTIVES: ALLOWABLE USES 2 CFR PART 225.438

Examples of Allowable Incentives

- Providing copies of randomly distributed "nominal" door prizes as an incentive for parents to attend a Title I meeting
- Distributing ice cream or pizza as an incentive for increased attendance
- Distributing gift certificates to a bookstore as an incentive for students to read. If a book certificate is provided, it must be reasonable and nominal. A \$15 or \$25 gift card is reasonable, a \$50 or \$75 gift card would **NOT** be reasonable

Examples of Non-Allowable Incentives

- Giving away bikes, iPods, computers, or other high priced items as an incentive for increased attendance
- Giving cash to students who read a specific number of books or complete a project. It is **NEVER** allowable to distribute cash to students or parents using Title I funds.
- Using multiple incentives for many different activities.

NONPUBLIC – Equitable Service Provision

TITLE I, Part A

ESEA § 1120

Requires districts receiving Title I, Part A funds to provide services to:

- Eligible nonpublic students
- Teachers of eligible nonpublic school students
- Families of eligible nonpublic school students

NONPUBLIC – Equitable Service Provision



TITLE I, Part A

ESEA § 1120

Delivery of Services *Examples*

- Instructional services outside the regular classroom.
- Extended learning time (before/after school and in the summer).
- Family literacy programs.
- Counseling programs.
- Early childhood.
- Home tutoring.
- Computer-assisted instruction.

Supplement versus Supplant



If it is "*REQUIRED*", then you can <u>NOT</u> fund it!

TITLE I, Part A

- In a TARGETED ASSISTANCE program, the following was purchased:
 - Reading A-Z license
 - Follett Library Resources
 - Foundation for Educational Administrators- Connected Action Roadmap Workshop(Common Core)
 - School Specialty Supply(Document Cameras, laptop carts)
 - > IPEVO, Inc. (Document Cameras)
 - > Interactive Projection Systems
 - > IPads
 - Netbooks
 - BSI Computer Lab(purposes of PARCC assessment)

TITLE I, Part A

- In a SCHOOLWIDE PROGRAM, the following expenditures were made:
 - Curriculum writing;
 - State assessment PD;
 - Medieval Times; and
 - Rainforest Café.

TITLE I, Part A

- In a "<u>categorized</u>" TARGETED ASSISTANCE program, the following were found in the School Improvement Plan (SIP):
 - Curriculum writing;
 - Math, Literacy, and Data Coaches; and
 - > Full Implementation of RTI.

TITLE I, Part A

- In a "<u>categorized</u>" SCHOOLWIDE program, the following were found in the School Improvement Plan (SIP):
 - Membership dues for ASCD, AMLE, NJASCD, NJPSA;
 - Coaching and Mentoring of novice teachers;
 - School monikers;
 - Gift cards to grocery stores, ITunes, etc.; and
 - Student stipends.

RESOURCES Title I, Part A

Title I Website –
 http://www.state.nj.us/education/title1/



- Titleone@doe.state.nj.us: 609-943-4283
- Anthony.Wright@doe.state.nj.us: 609-943-5396



Title II, Part A

NEW JERSEY DEPARTMENT OF EDUCATION

DIVISION OF TEACHING AND LEARNING

Presented by Sandy O'Neil Title II, Part A Coordinator

OVERVIEW – Title II, Part A

20 U.S.C 6601-6641 SEC. 2021-2123

- Based on the former Eisenhower Professional Development and Class-Size Reduction Programs.
- Titled: Teacher and Principal Training and Recruiting Fund.

PURPOSE – Title II, Part A

- To provide grants to State educational agencies, local educational agencies, State agencies for higher education, and eligible partnerships in order to —
 - (1) increase student academic achievement through strategies such as improving teacher and principal quality and increasing the number of highly qualified teachers in the classroom and highly qualified principals and assistant principals in schools; and
 - > (2) hold local educational agencies and schools accountable for improvements in student academic achievement.

ELIGIBILITY – Title II, Part A

Requirements:

- LEAs with an approvable ESEA application
 - Needs Assessment
 - Scientifically based research
 - Maintenance of Effort
 - Supplement, not Supplant

Hold Harmless – Title II, Part A

 Based on the amount of funds the LEA received in FY 2001 under the former Eisenhower Professional Development and Class-Size Reduction Programs, and the LEAs share of any funds remaining.

Nonpublic Participation—IIA

- Amount based on Hold Harmless amount and amount the LEA spends on Professional Development (PD).
- Based on number of students in the NP school in the public school's geographical area.
- Required consultation.
- Participate to the extent that the LEA uses funds for professional development.
- All purchases are made by the public school.

Title II, Part A

- 1. Mechanisms to recruit and retain Highly Qualified (HQ) teachers
- 2. Strategies and activities to recruit, hire and retain HQ teachers (scholarships, bonuses, differential pay for teachers in shortage areas, reducing class size, etc.)
- 3. PD activities to improve content knowledge and classroom strategies.
- 4. PD to improve knowledge and instructional practices.
- 5. Initiatives to promote retention of HQ teachers and principals (mentoring, financial incentives to retain principals and teachers with a record of increasing academic success)



Title II, Part A

- 6. Innovative PD programs that focus on technology literacy, tenure reform, testing teachers in the academic subject in which teachers teach, and merit pay programs.
- 7. Develop and support principal and superintendent academies.
- 8. Hiring HQT to reduce class size
- 9. Teacher advancement initiatives that promote professional growth and emphasize multiple career paths and pay differentiation.

All costs must be necessary, reasonable and allocable to the program.



Title II, Part A

It depends....

- Many Title IIA purchases are permitted in one case but not in another..
 - > Reasonable, necessary and allocable
 - Supplement vs Supplant
 - **▼** What funds were used to pay for it in prior years?
 - **▼** Is it required in Statute or Administrative Code?
 - **▼**Do the NJ Travel Regulations prohibit it?



Title II, Part A

- Expenditures not in PD plan or Needs Assessment
- Purchases benefit students not teachers
- Class Size Reduction
- Food ~ (Never breakfast)
- Writing Curriculum
- Highly Qualified Teachers





Title II, Part A

- Core Academic Subjects as defined by US ED
 - English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography [Section 9101(11)]
- Memberships (only institutional)
- Nonpublic Consultation
- RISK Must draw DOWN FUNDS regularly

RESOURCES – Title II, Part A

Title II, Part A

- Title IIA Guidance—
- http://www.state.nj.us/education/grants/entitlement/nclb
- http://www.state.nj.us/education/grants/entitlement
- http://www2.ed.gov/policy/elsec/leg/esea02/pg20.html



Sandy O'Neil, Title IIA Coordinator
 sandy.oneil@doe.state.nj.us: 609-777-4662



TITLE III and Title III Immigrant

NEW JERSEY DEPARTMENT OF EDUCATION

OFFICE OF SUPPLEMENTAL EDUCATIONAL PROGRAMS

Presented by Karen Campbell, Director Office of Supplemental Educational Programs

OVERVIEW – Title III and Title III Immigrant

TITLE III

 Provides supplemental funds for students who are English Language Learners (ELLs)

TITLE III IMMIGRANT

- Provides additional funds for school districts that experience significant increases in their enrollment of immigrant children and youth
- Funds may be used to pay for activities distinct from Title III LEP that provide enhanced instructional opportunities for immigrant students

PURPOSE – TITLE III

- (1) English Language Proficiency: to help ensure that ELLs, including immigrant children and youth:
 - > attain English proficiency
 - > develop high levels of academic attainment in English, and
 - > meet the same challenging State academic content and student academic achievement standards as all children are expected to meet.
- (2) Student Achievement: To assist all ELLs, including immigrant children and youth, to achieve at high levels in the core academic subjects so that those children can meet the same challenging State academic content and student academic achievement standards as all children are expected to meet, consistent with section 1111(b)(1);
- (3) Quality Programs: to develop high-quality language instruction educational programs designed to assist SEAs, LEAs, and schools in teaching ELLs and serving immigrant children and youth;

PURPOSE – TITLE III

- **(4) Program Development and Enhancement:** to assist SEAs and LEAs to develop and enhance their capacity to provide high-quality instructional programs designed to prepare ELLs, including immigrant children and youth, to enter all-English instruction settings;
- (5) Capacity Building: to assist SEAs and LEAs to build their capacity to establish, implement, and sustain language instruction educational programs and programs of English language development for ELLs;
- **(6) Family & Community Engagement**: to promote parental and community participation in language instruction educational programs for the parents and communities of ELLs;

PURPOSE – TITLE III

- (7) **Program Coordination:** to streamline language instruction educational programs into a program carried out through formula grants to SEAs and LEAs to help ELLs, including immigrant children and youth, develop proficiency in English, while meeting challenging State academic content and student academic achievement standards;
- (8) Accountability: to hold SEAs, LEAs, and schools accountable for increases in English proficiency and core academic content knowledge of ELLs by requiring—

(A) demonstrated improvements in the English proficiency of ELLs each fiscal year; and

(B) adequate yearly progress for ELLs, including immigrant children and youth, as described in section 1111(b)(2)(B); and

(9) Program Flexibility: to provide SEAs and LEAs with the flexibility to implement language instruction educational programs, based on scientifically based research on teaching ELLs, that the agencies believe to be the most effective for teaching English.

ELIGIBILITY – Title III/III Immigrant

- School districts are eligible for Title III:
 - Number of LEP students reported in NJSMART (including preschool)
 - > Title III Immigrant:
 - **▼** Number of immigrant students reported in NJSMART
 - ▼ Must demonstrate "significant increase"



TITLE III

Title III

- Curricular Materials
- Technology
- Support personnel
- Tutorials, mentoring, academic or career counseling
- Community Programs/Services
- Parental Involvement/Outreach
- Supplemental Instructional Services
- Family Literacy Services
- Professional development of all teachers

TITLE III Immigrant

Title III Immigrant

- Family literacy, parent outreach and training
- Support for personnel that work with immigrant students
- Tutorials, mentoring, career or academic counseling
- Instructional materials and software
- Basic instructional services, including civics
- Activities coordinated with other agencies

Title III

Examples – Title III

- *Title III* funds used for:
 - After school program
 - Summer program
 - Supplemental ESL class
 - Provide professional development in sheltered instruction

Title III

Examples – Title III Immigrant

- Title III Immigrant funds used for:
 - A newcomer program or class
 - Family literacy activities
 - Salary of a guidance counselor specifically dedicated to immigrant students

Findings from the Field

Title III

- Parent notification letter missing elements
- Supplement not supplant:
 - Translation of district-wide communication
 - Purchase of state required language proficiency tests
 - Purchase of common core materials

RESOURCES – Title III

Office of Supplemental Educational Programs,
 Bureau of Bilingual/ESL Education

Karen Campbell, Director

Lori Ramella and Kenneth Bond, Co-Coordinators

Jacquelyn Leon, Education Specialist

Phone: (609) 292-8777

www.nj.gov/education/bilingual

Email: lori.ramella@doe.state.nj.us

lep@doe.state.nj.us



Carl D. Perkins Career and Technical Education Act Improvement Act of 2006

NEW JERSEY DEPARTMENT OF EDUCATION

OFFICE OF CAREER READINESS

Presented by Robyn Kay Manager, Career Readiness

OVERVIEW – Perkins

The Perkins Act seeks to provide an increased focus on the academic achievement of career and technical education students, strengthen the connections between secondary and postsecondary education, and improve state and local accountability......

1 Introduction the Carl D. Perkins Act of 2016: http://www2.ed.gov/policy/sectech/leg/perkins/index.html

PURPOSE – Perkins

To develop more fully the academic and career and technical skills of **secondary students** and **postsecondary students** who elect to enroll in CTE by developing and assisting students in meeting high standards, integrating academic and career and technical instruction, linking secondary and postsecondary education, increasing state and local flexibility '.....

¹ Perkins Act of 2006: The Official Guide

ELIGIBILITY – Perkins

Who is eligible for Perkins funds?

- Secondary school districts (grades 9-12 only) with NJDOE approved career and technical education programs.
- 21 county vocational schools
- 19 community colleges

ELIGIBILITY – Perkins

Any other eligibility requirements?

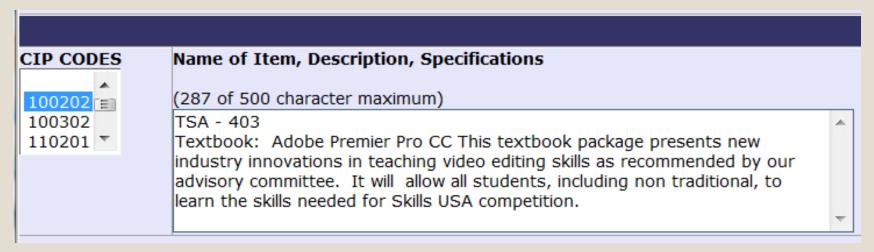
Secondary LEA must have:

- An gross allocation* above \$15,000
- At least one NJDOE approved CTE program of study (w/a signed agreement between the school district a college for the CTE program)
- An approved Five Year Plan and annual extension requests signed by the superintendent.

*the formula based allocation before reductions due to transfers of students to other districts or agencies.

Perkins

Beware: Use of Perkins funds is restricted!



A CIP Code MUST be selected for each budget item.

Perkins

Beware: Use of Perkins funds is restricted!

According to the Perkins Act,

Funds must be used by local LEAs for *approved* career and technical education programs only.

Approved CTE programs are designated by a CIP code (Classification of Instructional Program) as well as program name. Example: CIP: 120503, Culinary Arts. CIP Codes should be listed on the purchase order.

Perkins

Beware:

 Funds must be used to improve performance of CTE programs that do not meet performance targets as the <u>first priority</u>

Perkins

Beware:

 Funds can only be used for purchases within the application fiscal year.

Note: PERKINS DOES NOT HAVE CARRY OVER. Funds <u>not obligated</u> by June 30th of the application fiscal year are no longer available for reimbursement to the district.

Perkins

Beware:

• Equipment purchased with Perkins funds must be received, installed and available for student use with in the application year as indicated in the annual Perkins Guidelines.

FINDINGS FROM THE FIELD...



Perkins

• Using Perkins funds to purchase items or services for an unapproved programs.

Note: A listing of approved programs is available on our website http://nj.gov/education/cte/pubvoc.htm.

- Use of funds to purchase items or services outside of the application fiscal year.
- Use of funds to pay for student travel for CTSOs.

Note: Beginning FY2016 Perkins funds can no longer be used for <u>any</u> student travel for CTSOs (Career and Technical Student Organizations) such as FBLA, DECA, Skills USA etc.

RESOURCES - Perkins

Perkins Grant Information
 http://nj.gov/education/cte/perkins/



- NJ DOE Perkins Grant Program Officers <u>http://nj.gov/education/cte/contact.htm#perkins</u>
- Phone: 609-633-0665

CONTACTS

- Office of Grants Management
 - Vanessa Davenport: <u>Vanessa.davenport@doe.state.nj.us</u>
 - Chris Bleiholder: <u>Chris.Bleiholder@doe.state.nj.us</u>
- Office of Supplemental Educational Programs
 - Anthony Hearn: <u>Anthony.hearn@doe.state.nj.us</u>
 - Dr. Anthony Wright (Title I): <u>Anthony.wright@doe.state.nj.us</u>
 - Lori Ramella (Title III): <u>Lori.Ramella@doe.state.nj.usa</u>
- Office of Standards
 - Sandy O'Neil (Title II): <u>Sandy.oneil@doe.state.nj.us</u>
- Office of Special Education
 - O Pat Gray (IDEA-B): Patricia.gray@doe.state.nj.us
- Career and Technical Education
 - Robyn Kay (Perkins): <u>Robyn.kay@doe.state.nj.us</u>;
 <u>Sharon.fleming@doe.state.nj.us</u>