

Attachment A, Frequently Asked Questions:

Which requirements of the regular Title I, Part A funding will continue to apply to American Recovery and Reinvestment Act (ARRA), Title I funding, and which of those requirements may be waived?

Some of the principles of Title I will continue to apply to all Title I funding, including those funds available through ARRA. Those requirements that cannot be waived are as follows:

- Supplement, not supplant requirements. Please see the attached document for a short summary of supplement, not supplant requirements (Attachment B, Budget Account 2712).
- Comparability requirements must still be observed.
- Services to eligible private school children must continue to be provided.
- For districts that receive more than \$500,000 in Title I funding, one percent of the district's total allocation must be set aside for parent involvement activities.

According to the guidance, the Secretary of Education will consider a request for a waiver with regard to the use of ARRA, Title I funds in the following areas:

- One or more of the "set-aside" requirements in Title I, Part A that apply to the use of funds by Local Educational Agencies (LEAs), except for the parent involvement set-aside and the services for private school children set aside;
- To calculate the per-pupil amount (PPA) for supplemental educational services (SES) based on an LEA's FY2009 allocation without regard to some or all of the recovery funds;
- To allow a state to grant its LEAs a waiver of the carryover limitation in Section 1127 of Title I, Part A more than once every three years; or
- On the Title I, Maintenance of Effort (MOE) requirement.

The Nevada Department of Education (NDE) is awaiting further guidance on how these waivers, which must be granted by the U.S. Department of Education (USDE), will be handled. At the current time, the thinking is that all requests from a particular state will be "bundled" for submission to the USDE.

May the funds be used to save positions that otherwise might not be filled due to the economic crisis facing the state?

Yes, that would be one possible use of these Title I funds. For instance, if a teacher were about to be laid off through a reduction in force, that same teacher could be hired as a coach or facilitator in a Title I school. However, it is also important to plan accordingly, because these funds will only be available through September of 2011, so any positions filled will most likely not have a federal funding source after that time. It is also important to realize that Title I, ARRA funds cannot supplant funds that would normally

be provided by the state, i.e., salaries for regular classroom teachers, unless the district can prove that those positions would have gone unfilled because of economic difficulties. Inquiries about possible supplanting situations need to be discussed on a case-by-case basis, and questions should be directed to Title I staff at the NDE.

Can schools that were identified as “eligible but not served” in this year’s Title I application now be served?

Yes, but again a district considering this option should think carefully before bringing too many schools on board. As stated previously, these funds will most likely not be available after September of 2011, so that would create a situation in which these same schools might need to be dropped from the list of Title I served schools. It is also important to consider that any newly served school would enter the Adequate Yearly Progress (AYP) cycle in its current status. For example, if a school identified as Title I eligible but not served in year four of improvement, that school would now be considered in the “planning for restructuring year,” as is required of all Title I schools in year four of improvement.

Districts should also know that any additional schools that are served with ARRA funds would have to be funded at the same or less per-pupil funding level that is currently being given to the schools that are already receiving Title I allocations. It would also be possible to raise the per-pupil funding level at schools that are already receiving services with the ARRA funds.

The NDE would encourage districts to consider the possibility of serving more eligible middle and high schools. However, all the same rules governing Title I schools would then apply to these newly served schools as well.

Please do not hesitate to contact the Title I staff at the NDE should you have further questions about the use of the Title I, ARRA funds.