

ESEA Consolidated Grant Quick Reference: ***Title I, Part A District Set-Aside***

Purpose

The purpose of Title I, Part A, is to provide all children with a significant opportunity to receive a fair, equitable, and high-quality education and help ensure that all children meet challenging academic standards. Title I-A provides financial assistance to districts and schools that serve a larger population of children from families experiencing poverty. By providing additional resources, the program is intended to help close the opportunity gaps and thus the achievement gap that some students experience.

Additionally, the intent of Title I, Part A funds is to concentrate funds in schools with the highest percentages of poverty and to provide sufficient funds to those schools to support the academic achievement and growth of eligible students. However, Every Student Succeeds Act (ESSA) of 2015, Section 1113(c), requires district-level set-asides as well as set-asides at the discretion of local educational agencies (LEAs). This document is designed to provide guidance on both required and allowable district-level Title I, Part A Set-Asides. As with all ESEA funds, proposed activities with district-level set-asides and district-level allowable activities must be reasonable and necessary to meet the intent of Title I, which is to ensure all students have a fair, equitable, and significant opportunity to obtain a high-quality education and close achievement gaps.

All Title I requirements, such as rank and serve, supplement, not supplant, comparability, and maintenance of effort, continue to apply regardless of the allocation structures and retention of funds at the Local Education Agency (LEA) level. Additionally, as we transition towards the end of ESSER funds, LEAs are encouraged to consider the effectiveness of activities that should be continued with ESEA funds, both at the LEA and school level. As funds become scarcer and/or needs to increase, Local Education Agencies (LEAs) are encouraged to use ESEA funds for the evidence-based strategies and interventions that have been shown to have a significant impact on improving outcomes.

Local Education Agencies (LEAs) are encouraged to consider the needs of all or a subset of Title I schools in determining whether to retain funds for allowable LEA-level activities. Note, LEAs may not use this allowability as a means to avoid serving schools at the school level or as a means to circumvent rank and serve, and it is not likely to be permissible to use funds set aside at the district level to support efforts benefiting only one school. Furthermore, LEAs should ensure that stakeholders have been meaningfully engaged in the development and design of the LEA's Title I plan, including the intent to retain funds at the district level to support allowable Title I activities, why there are being retained at the LEA level and not afforded at the school level for school level leadership discretion, and that LEA has afforded the public a reasonable opportunity to comment on the planned use of funds.

What the Law Says

The Every Student Succeeds Act (ESSA) directs districts that receive Title I, Part A funds to reserve

“such funds as are necessary” to provide services to specific groups of students. The share of funds must be based on the total allocation received by the district and be determined prior to any allowable expenditures or transfers by the district.¹

What the Law Means

Set asides are funds reserved for district-wide activities supporting Title I-A schools. These funds are reserved at the district level before funds are allocated to schools. Some set-asides are required; others are optional. Decisions concerning optional set-asides should be made carefully because the reservation of funds will reduce the funds available for school distribution. Also, remember that funds are intended to be used at the school level for school-level needs based on the individual school's Integrated Action Plan (IAP). The district level set-asides should be limited to support schools with their initiatives, but at the LEA level, to align schools with district needs. Except for students experiencing houselessness or Foster Care, **Title I-A funds cannot benefit students in schools that do not receive Title I-A funds.**

Required Set-Asides

Before allocating Title I, Part A funds to schools, LEAs **must** reserve funds for the following required activities:

- ***Equitable Services for eligible private school students (Set-Aside 3).*** Districts must reserve a proportional amount to serve students who attend private schools (either inside or outside the district's boundaries) who would otherwise attend a Title I-A funded school within the district.
- ***Services for children experiencing homelessness (Set-Aside 7).*** Districts must reserve funds to provide services to students experiencing homelessness **in all schools**. ESSA does not specify an amount,² but the amount should be based on a needs assessment and could include costs for a liaison, transportation for eligible students, and other activities eligible under the McKinney-Vento Homeless Education Act. Should consider a cap at 25%.
- ***Parent and Family engagement (Set-Aside 8).*** Districts with Title I-A allocations greater than \$500,000 must reserve an amount equal to 1% of the total district allocation and distribute 90% of the reserved 1% to schools receiving Title I-A funds for parent and family engagement activities.³ The remaining 10% (or less) may remain at the district level.

Districts that receive allocations greater than \$500,000 and that have private schools, which have participating private schools, must also engage the families of private school students. The district and the school should partner in this engagement. This engagement is not simply the school's responsibility. However, it is designed, the district and school should work together to ensure that the families of eligible students understand the services and supports their students are receiving and their rights under Title I-A.

¹ ESEA Section 1113(c)(3)(A); 1113(c)(3)(B); 1113(c)(3)(C)

² ESEA Section 1113(c)(3)(C)

³ ESEA Section 1116(a)(3)(A)

- ***Services for Neglected or Delinquent (Set-Aside 10).*** Districts that have within their boundaries a local (not state-run) residential facility for students without parental supervision and report this facility in the October caseload count are required to set aside Title I-A funds to provide services to children in those facilities.⁴ This data is collected through the Neglected and Delinquent, Title I-D program and must be used to inform the needs of this set aside. The amount of Title I-A dollars reserved for serving children and youth in this category is a per-child amount. Private schools do not receive an equitable share of this set aside. Districts that receive Title I-D, Subpart II funds can choose to supplement services to students in locally run facilities or community day programs with this set-aside.

NOTE: If an LEA is required to spend a specific amount of its Title I-A allocation in a given year for a specific purpose (e.g., family engagement), the LEA must meet that obligation. If it does not do so in the year for which funds were allocated, unspent funds must be carried over and spent for the specific purpose the following year.

Additional Optional Set-Asides

A district can reserve no specific limit or amount of money for optional set-asides. Title I-A is a school-based program, and the funds are intended to support the schools serving students experiencing poverty. Most funds must go towards school-level activities. Districts may set aside funds for the following optional activities:

- ***Administering the Title I program (Set Aside I).*** Administrative costs may include staffing to administer Title I-A programs and other expenses required to administer Title I-A services throughout the district for public and private school children. Funds reserved for this purpose should meet the necessary and reasonable guidelines.⁵ This should remain within 5% of the total allocation.
- ***Extended Instructional Time (Set Aside 5).*** This set-aside can be used for summer school and/or before and after school programs for students who attend Title I-A schools. This set-aside also includes early learning activities in schools implementing a Title I-A program for children from birth to the age at which the LEA provides a free public elementary education⁶, including full-day kindergarten and preschool. Preschool options should be capped at 30% of the allocation.
- ***Professional Development (Set-Aside 9).*** This set-aside can be used to provide professional learning to teachers in Title I-A schools. In schools implementing a schoolwide program, this includes all instructors/staff in the school. In schools implementing a targeted program, this includes instructors/staff working with targeted students.
- ***Foster Care (Set-Aside 11).*** Assist in the provision of services for students experiencing foster care, which may include additional costs to transport children to their school of origin.⁷

Recommendations for Practice

- ***Involve families and community members.*** Districts are required to develop their Title I-A plans with timely and meaningful consultation with teachers, principals, and other appropriate school personnel, along with parents and families of children and other required stakeholders in schools served under Title I-A.⁸ Districts should solicit input on the plan and proposed use of funds, including optional set-asides.
- ***Maintain focus on the result of the needs assessment.*** Funds reserved for strategies and activities at the district level for optional set-asides should address needs and strategies identified by Title I-A funded schools.
- ***Consider the impacts.*** Focus on strategies that will have the greatest impact on improving student achievement. Focus on maintaining as many funds as possible at the school level to directly address the individual needs of the school and community it serves.

Questions for Reflection and for Allowability and Fiscal Best Practices

1. Is this an allowable activity under Title I, Part A?
2. Does this activity address the support needed for students most at risk of not meeting state standards?
3. Does this activity address a need that can be documented by data the district has collected?
4. Is there an operational need for maintaining the funds at the district level?
5. What percentage of the total allocation is reserved at the district level? Is this percentage reasonable? Does it allow for most of the funds to be allocated at the school site level?
6. Could the funds being reserved at the district level be used for the same purpose if they were allocated to schools?
7. Are the proposed services/materials/staff paid out of the set-aside identified in the needs assessments of our Title I-A funded schools?
8. How have we engaged with parents, staff, and others about using set-aside funds to meet district goals? What was the process, and who gave feedback?
9. Consider and explain how the funds retained at the district level are addressing Title I schools equitably (i.e. whether all schools identified for CS, TS, and ATS are served comparably).
10. Has the LEA considered whether the remaining allocation for schools are sufficient to support student achievement in a meaningful way (i.e. the amount by which per pupil allocations (PPA) may be increased at the school level if the set-aside did not exceed the limitation, how rank order would be affected).
11. What is the justification, added benefit(s) of, or reason(s) for retaining funds at the district level?
12. Does retaining funds at the district level increase the cost effectiveness of an activity (i.e., pooling resources to serve multiple schools)?

⁴ ESEA Section 1113(c)(3)(A)

⁵ 34 CFR Part 200

⁶ ESEA, Section 1113(c)(5)

⁷ ESEA Section 1112(c)(5)

⁸ ESEA Section 1112 (a)(1)(A)

