



**Elementary and Secondary Education Act (ESEA)  
Consolidated Application  
Questions and Answers**

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**Webinar Slides, Audio, and Other Resources**

1. **Q: Will you make a copy of the Consolidated Application pre-application webinar presentation and audio available?**

**A:** Yes. We have made the pre-application webinar slide deck, recording, detailed Fiscal Toolkit, and additional written guidance available on OSSE’s Every Student Succeeds Act (ESSA) guidance webpage here: <https://osse.dc.gov/node/1253976>.

**Early Learning Requirements**

2. **Q: ESSA now requires that LEAs sign a written Memorandum of Agreement (MOA) with Head Start agencies and other early childhood programs, if feasible, that feed into their LEA, whether students are entering the LEA in pre-K 3, pre-K 4, or Kindergarten. The MOA must cover LEA-Head Start coordination activities including student records, cross-communication, student needs, transition to the LEA, and providing services (ESEA § 1119). Must LEAs sign the written MOA even if they receive 10 students or fewer from Head Start?**

**A:** Yes. However, LEAs will not be required to sign such an MOA by the October 20 ESEA Phase II application deadline. To help LEAs comply with this requirement, the DC Head Start Association and a working group of LEAs are planning to develop a citywide MOA that LEAs may join later in the 2017-18 school year, instead of individual MOAs with each Head Start agency or other early childhood program. OSSE will also be providing guidance that LEAs may use, on OSSE’s website here: <https://osse.dc.gov/service/dc-head-start-state-collaboration-office>.

In the meantime, LEAs may wish to learn more about their local Head Start and early childhood programs and brainstorm opportunities for collaboration before a formal MOA:

- All DC Head Start centers and programs are here: <https://eclkc.ohs.acf.hhs.gov/center-locator>
- DC pre-K 3 and pre-K 4 programs can be found here: <http://find.myschooldc.org>

**3. Q: If a charter school already has an early childhood learning program, must we still develop a MOA with Head Start programs?**

**A:** Yes. All LEAs that serve pre-K 3, pre-K 4, or Kindergarten must meet the MOA requirement with Head Start agencies. LEAs are also highly encouraged to meet the MOA requirement with other early childhood programs since they may accept incoming students from these other early childhood programs.

**4. Q: Must schools that already have an early childhood learning program now meet Head Start performance standards?**

**A:** ESSA now requires that if any LEA – including a DC charter school LEA – uses ESEA Title I funds for early childhood programs, the Title I-funded early childhood programs must comply with Head Start performance standards. If the LEA does not use ESEA Title I funding for their early childhood program, this does not apply. For more information on the Head Start performance standards, visit the U.S. Department of Health and Human Services website here: <https://eclkc.ohs.acf.hhs.gov/policy>.

**Funding Requirements and Flexibility: Maintenance of Effort, Schoolwide Consolidation and Transfer**

**5. Q: Under the updated ESSA Maintenance of Effort (MOE) requirement, is the only requirement that state and local funds can't be decreased from year to year?**

**A:** The Every Student Succeeds Act (ESSA) updated the MOE requirements in ESEA and also now applies MOE requirements to DC charter school LEAs. Under the new MOE requirements, an LEA may only receive federal funds from covered programs (ESEA Title I, Part A; Title II, Part A; Title III, Part A; and Title IV, Part A) if OSSE finds that either:

- The combined LEA and state expenditures **per student**; or
- The **aggregate** LEA and state expenditures for free public education

for the **previous fiscal year** (whichever method is more favorable to the LEA) was **at least 90%** as high as the **second preceding fiscal year**.

If the LEA fails to maintain effort, **and also failed to meet MOE once before within the last five years**, OSSE will reduce the LEA's federal funding allocation in the exact proportion by which the LEA failed to maintain effort. (ESEA, Sections 1118(a) and 8521). OSSE will provide additional detailed guidance regarding MOE compliance checks this fall.

**6. Q: Does this MOE requirement begin with this fiscal year? (i.e. For new charter school LEAs or those for whom this requirement newly applies, will the 5 year period begin this fiscal year?)**

**A:** The MOE requirement begins with federal fiscal year 2017. OSSE will provide additional guidance this fall on whether and/or how to calculate data for the five-year period in the law.

**7. Q: May LEAs consolidate all funds into a Title I schoolwide program pool?**

**A:** There are strict requirements about the types of funds that may be consolidated into a Title I schoolwide program pool. Title I schoolwide programs may only include schools with at least 40 percent poverty, or receiving a waiver by OSSE. In the online Enterprise Grants Management System (EGMS), an LEA may consolidate funds from Title I-A, Title II-A, Title II-A, and/or Title IV-A into the Title I-A

schoolwide pool. LEAs may also consolidate funding from IDEA Part B or Title IV-B (21<sup>st</sup> Century Community Learning Centers) within EGMS, but must go into those separate EGMS applications and indicate the amount the LEA will consolidate from those programs into the ESEA Title I schoolwide program. A specific formula applies if an LEA wishes to consolidate IDEA funds.

When an LEA consolidates funds in a schoolwide program, the funds lose their individual identity and the school may use the funds to support any schoolwide program activity. The school must maintain records showing that the schoolwide program as a whole addresses the intent and purposes of each federal program.

For more information on consolidating funds in a Title I schoolwide program, visit OSSE's Federal Funds Toolkit [here](#) or guidance from the U.S. Department of Education [here](#).

**8. Q: How may DC LEAs consolidate local funds into a Title I schoolwide program?**

**A:** Currently, EGMS does not have the capability to consolidate local funds into a Title I schoolwide program, although this is a capability OSSE is working to develop for the 2018-19 school year. In the meantime, if you wish to explore this local-federal consolidation option, please contact your grant manager.

**9. Q: May LEAs transfer Title IV-A funds into Title II-A?**

**A:** Yes. Title IV-A funds may be transferred into Titles I-A, II-A or III-A. In addition, Title II-A funds may be transferred into Titles I-A, III-A, or IV-A. No funds may be transferred out of Titles I-A or III-A. When an LEA transfers funds, the funds take on the identity of the receiving program for the purposes of reporting and compliance.

**Teacher Effectiveness and Equity Requirements**

**10. Q: Must DC teachers and paraprofessionals still meet applicable State certification and licensure requirements?**

**A:** Yes. ESSA removes No Child Left Behind's "Highly Qualified Teacher" (HQT) definition that defined HQT based on subject matter expertise and degrees earned. Instead, ESSA requires all teachers meet applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification for teachers teaching in District of Columbia Public Schools (§ 1112(c)(6)). For more details on DC's licensure requirements, including options for Initial Credential and Standard Credential, please visit <https://osse.dc.gov/ed-credentials>.

In addition, ESSA now requires that LEAs explain how they will ensure low-income and minority students are not taught disproportionately by inexperienced, out-of-field, or ineffective teachers (§ 1112(b)(2)). LEAs will report counts of teachers in these categories through the ESEA Consolidated Application.

**11. Q: The ESEA Consolidated Application includes data submission requirements on Equitable Access to Effective, Experienced, and In-Field Teachers. If LEAs participate in the DC Staffing Data Collaborative, do they need to complete this page?**

**A:** No. LEAs who participate in the DC Staffing Data Collaborative already submit the relevant data on teacher qualifications and experience, to meet this requirement, and do not need to complete this page in the ESEA consolidated application. To join the DC Staffing Data Collaborative, please contact Laura Montas at [Laura.Montas@dc.gov](mailto:Laura.Montas@dc.gov).

**12. Q: Under the Equitable Access to Effective Educators page, is “novice teacher” defined as year one, or years one and two?**

**A:** Under OSSE’s definition in our approved ESSA state plan, “Novice Teachers” are defined as “Teachers in their first year of teaching or an ‘ineffective’ teacher in their second year of teaching.”

“Ineffective Teachers” are defined as “Teachers rated on any tier that is below ‘effective’ on an LEA’s teacher evaluation system.”

For more guidance on the ESSA Equitable Access requirements and how to complete the Equity Gap calculations, visit here: <https://osse.dc.gov/node/1267661>.

**13. Q: In the Title II section of the ESEA consolidated application, one question asks that if the LEA plans to use Title II funding for class size reduction, it must explain its planned use of funds for these activities. The question states as follows: “Reduce class size to a level that is evidence based, to improve student achievement through the recruiting and hiring of additional effective teachers. (Section 2103(b)(3)(D)). Describe the planned uses of funds for these activities.” Please clarify the definition of “evidence based” in this case.**

**A:** ESEA Section 8101(21)(A) defines “evidence-based” as an activity, strategy, or intervention that:

(i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on -

(I) strong evidence from at least one well-designed and well-implemented experimental study;

(II) moderate evidence from at least one well-designed and well-implemented quasi-experimental study; or

(III) promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or

(ii)(I) demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and

(II) includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

In the case of class size reduction, the U.S. Department of Education’s [guidance on Title II funding](#) includes the following excerpt:

Historically, SEAs and LEAs have used the majority of Title II, Part A funds to support reductions in class size and to provide professional development. While some of these efforts are evidence-based and have been effective in supporting teachers and students in certain contexts, many class size and professional development activities have resulted in negligible impacts for many students.<sup>1</sup> An SEA may consider the following ways to implement the Title II, Part A evidence requirements, including:

- An SEA, in consultation with LEAs, may determine after reviewing available evidence that activities for class-size reduction and professional development, when designed and implemented in certain ways, have sufficient levels of evidence (i.e., those meeting promising, strong, or moderate evidence levels, as defined in ESEA section 8101(21) and clarified in the Appendix).

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<sup>1</sup> See The Center for Public Education’s research review of 19 studies on the benefits, challenges, and impact of class-size reduction programs: “Class Size and Student Achievement: Research Review.” Retrieved from <http://www.centerforpubliceducation.org/Main-Menu/Organizing-aschool/Class-size-and-student-achievement-At-a-glance/Class-size-and-student-achievement-Research-review.html>

- If higher levels of evidence are not available (i.e., those meeting promising, strong, or moderate evidence levels as defined in ESEA section 8101(21) and clarified in the Appendix), an SEA may require that Title II, Part A activities demonstrate a rationale (as defined in ESEA section 8101(21) and clarified in the Appendix) for how they will achieve their goals.
- If, when applying for an LEA Title II, Part A subgrant, an LEA requests to spend Title II, Part A funds on class size reduction and professional development, an SEA may require LEAs to use Title II, Part A funds for only those activities that the State determines are evidence-based, as defined in ESEA section 8101(21) and clarified in the Appendix.

For additional information, visit OSSE’s webinar on evidence-based practices [here](#) or the U.S. Department of Education’s guidance on evidence in ESSA [here](#).

### **Parent and Family Engagement**

#### **14. Q: What are the requirements for parent and family engagement?**

**A.** LEAs must provide meaningful opportunities for the informed participation of parents and family members, including those who have limited English proficiency, those with disabilities, and those with migratory children. To the extent practicable, communication must be in a language that family members can understand.

All LEAs must create a Parent and Family Engagement Policy that establishes the LEA’s expectations and objectives for parent and family involvement.

All LEAs must involve parents and family members with the parent and family engagement policy, LEA Title I plan as part of the consolidated application, and schoolwide program plan. If the LEA plan is not satisfactory to the parents of participating Title I children, the LEA shall submit any parent comments along with the plan as part of the consolidated application.

The development of a parent compact with regular two-way, meaningful communication between family members and school staff is a requirement for DCPS, but is recommended as a best practice for all LEAs.

#### **15. Q. If an LEA survey parents annually to inform our programming, is that sufficient to meet requirements?**

**A.** No. A single annual survey would not be sufficient to meet the requirements of meaningful consultation.

#### **16. Q. Is the Parent and Family Engagement Policy required for both DCPS and public charter school LEAs?**

**A.** Yes. This requirement applies to all LEAs.

#### **17. Q: Must an LEA conduct outreach to parents for meaningful consultation on the use of Title II funds, such as for teacher professional development?**

**A:** Yes. Meaningful consultation requirements also apply to Title II.

### **Application Processing**

#### **18. Q: If an LEA submits an application that needs more information, will it be sent back for changes or permanently rejected?**

**A:** The EGMS grant system requires the grant manager to use the “reject” button, which sends back a message to the LEA with the application shortcomings or additional items needed for an approvable

application. Because the ESEA consolidated application is a formula program, the LEA will be able to work with the grant manager to update and resubmit an approvable application. Note that this process is unlike a competitive grant application, in which the “rejection” notice indicates the applicant will not be funded.

### **Allocation Methodology and Ranking and Serving Schools with Title I Funds**

**19. Q: What are the poverty measures used to allocate funding to LEAs?**

**A:** OSSE’s allocation policy for ESEA programs can be found here: <https://osse.dc.gov/publication/osse-releases-state-level-allocation-policies-esea>. The data elements utilized for the ESEA Title I, Part A allocations to LEAs include: (1) enrollment data from the most recent annual audit, (2) poverty data reported for the Richard B. Russell National School Lunch Program<sup>7</sup>, (3) projected enrollment increases for public charter schools that have notified the SEA that they will open to serve students for the first time or significantly expand, (4) private school enrollment counts of students provided by the District of Columbia Public Schools, and (5) the ESEA Title I, Part A allocations to all LEAs in the preceding year.

**20. Q: Under the Title I Rank and Serve requirements, may LEAs select any poverty measure they wish to allocate funding to schools?**

**A:** The DC School Reform Act, also a federal law, exempts charter school LEAs from the ESEA Title I Rank and Serve requirements. According to ESEA Sec. 1113, DCPS must use “the same measure of poverty, which measure shall be the number of children aged 5 through 17 in poverty counted in the most recent census data approved by the Secretary, the number of children eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or the number of children eligible to receive medical assistance under the Medicaid Program, or a composite of such indicators, with respect to all school attendance areas in the local educational agency.” For secondary schools, DCPS may use the average poverty percentages of the feeder elementary schools that feed into the secondary school.

According to [U.S. Department of Education fiscal guidance](#), the following ESSA changes apply to DCPS’s Rank and Serve methodology:

[DCPS] must rank its schools above the 75 percent poverty threshold without regard to grade span and serve those schools in rank order of poverty before it serves any schools at or below the 75 percent poverty threshold. Under the new ESEA exception, [DCPS] may, but is not required to, continue to serve (in rank order of poverty) high schools with poverty percentages between 50 percent and 75 percent before it either serves other schools with a poverty percentage of 75 percent or below or begins to rank and serve schools by grade span. In other words, [DCPS] may serve high schools with 50 percent or more poverty before it serves any elementary or middle schools with a poverty percentage at or below 75 percent.

### **School Improvement and Direct Student Services**

**21. Q: ESSA refers to Comprehensive Support and Improvement (CSI) and Targeted Support and Improvement (TSI) classifications for low-performing schools. Will OSSE be providing interventions to these schools in the 2017-18 school year?**

**A:** No. OSSE will be identifying schools for CSI and TSI based on performance in the 2017-18 school year, and interventions for CSI and TSI schools will begin in the 2018-19 school year. In the meantime, during the 2017-18 school year, OSSE will continue interventions in the list of Priority and Focus schools identified under the previous ESEA flexibility waiver.

**22. Q: ESSA Sec. 1003A allows OSSE to set aside 3% of Title I-A funds for Direct Student Services. Will OSSE be exercising this option in the 2017-18 school year?**

**A:** No. To maximize the amount of Title I-A funding available for LEAs by formula, OSSE will not be exercising the 3% set-aside option in 1003A. Depending on funding and an assessment of need, OSSE may decide to use this option in future school years.

**Equitable Services for Eligible Private School Students**

**23. Q: Are DC charter school LEAs required to meet the Equitable Services requirements? Are the Equitable Services requirements applicable to LEAs above a certain population?**

**A:** No. The DC School Reform Act exempts DC charter school LEAs from Equitable Services requirements. This exemption is not based on charter school population; Congress would need to update the law to apply Equitable Services to DC charter schools.

**24. Q: What are the timing requirements for when equitable services must be obligated or spent?**

**A:** Under ESEA Sec. 1117 and 8501, equitable services funding for eligible private school children must be obligated in the fiscal year for which the LEA receives the funds. If the funds are obligated in the correct fiscal year for a certain use, such as in a binding contract, the funds need not all be spent or services actually provided.

**25. Q: May DCPS carry over unobligated equitable services funds despite the new requirement regarding obligation of funds?**

**A:** The [U.S. Department of Education fiscal guidance](#) provides the following:

In general, to ensure that equitable services are provided in a timely manner, [DCPS] must obligate the funds allocated for equitable services under all applicable programs in the year for which they are appropriated. (ESEA sections 1117(a)(4)(B) and 8501(a)(4)(B).) There may be extenuating circumstances, however, in which [DCPS] is unable to obligate all funds within this timeframe in a responsible manner. Under these circumstances, the funds may remain available for the provision of equitable services under the respective program during the subsequent school year. In determining how such carryover funds will be used, [DCPS] must consult with appropriate private school officials. (ESEA sections 1117(b) and 8501(c).)

**26. Q: What are considered “extenuating circumstances”?**

**A:** This will be determined on a case-by-case basis.