

# Every Student Succeeds Act

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## Fiscal Requirements

Title I Administrative Meeting – May 18, 2016

# ESSA - Title I Fiscal Requirements

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## No Child Left Behind

Section 1120A – Fiscal  
Requirements

## Every Student Succeeds

Section 1118 – Fiscal  
Requirements

# ESSA - Title I Fiscal Requirements

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## Three Fiscal Pillars

- Maintenance of Effort
- Comparability
- Supplement not Supplant

# ESSA - Title I Fiscal Requirements

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## What's the same?

- Maintenance of Effort

An LEA may receive Title I funds for any fiscal year only if the SEA finds that the LEA has maintained the agency's fiscal effort in accordance with section 8521



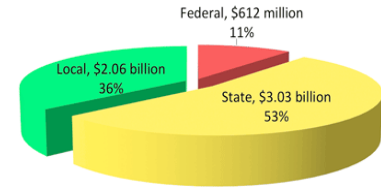
Section 1118(a)

# ESSA - Title I Fiscal Requirements

## What's the same?

### - Comparability

An LEA may receive Title I funds only if State and local funds will be used in Title I schools to provide services that, taken as a whole, are at least comparable to services in non-Title I schools



Section 1118(c)(1)(A)

# ESSA - Title I Fiscal Requirements

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## What's the same?

- Supplement not supplant

Section 1118(b) of the ESEA, as amended by the ESSA, retains the general requirement that Title I funds supplement and not supplant State and local funds.

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**But ...**

a team of negotiators from various groups ran into problems when they tried to create supplement not supplant rules.

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## Why ...

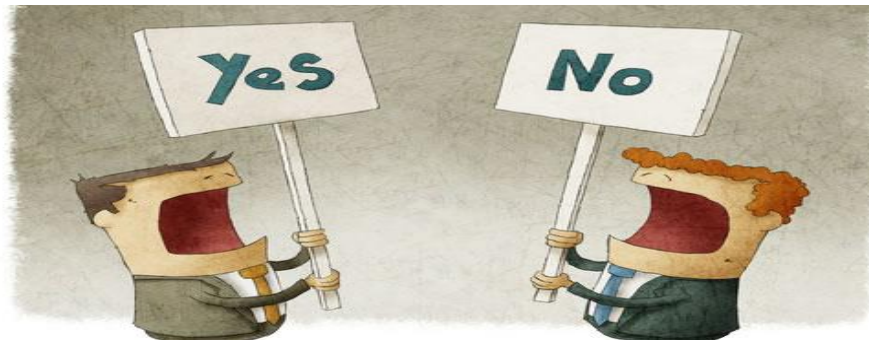
The language the US Department of Education proposed to negotiators included a requirement that LEAs prove that their distribution of State and local funds to Title I schools on a per-pupil basis is at least equal to the average per-pupil expenditure in non-Title I schools.



# ESSA - Title I Fiscal Requirements

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**State and local administrators objected vigorously.**  
They said that it would create massive disruptions in LEA operations by forcing teacher transfers between schools.



And they also argued it was a sneaky and improper maneuver by the Education Department to try to equalize per-pupil spending between schools.

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The US Department of Education is expected to develop revised draft Fiscal regs. However,

- ESSA requires that those draft regs be reviewed by Congress for a 15 day period before being published in the Federal Register for comment.

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It's possible that whatever the Department comes up with will be challenged in court, or halted through new legislation.



U.S. Sen. Lamar Alexander, R-Tenn. recently told U.S. Secretary of Education John B. King, Jr., that his department's proposal, “amounts to an attempt to rewrite the law.”

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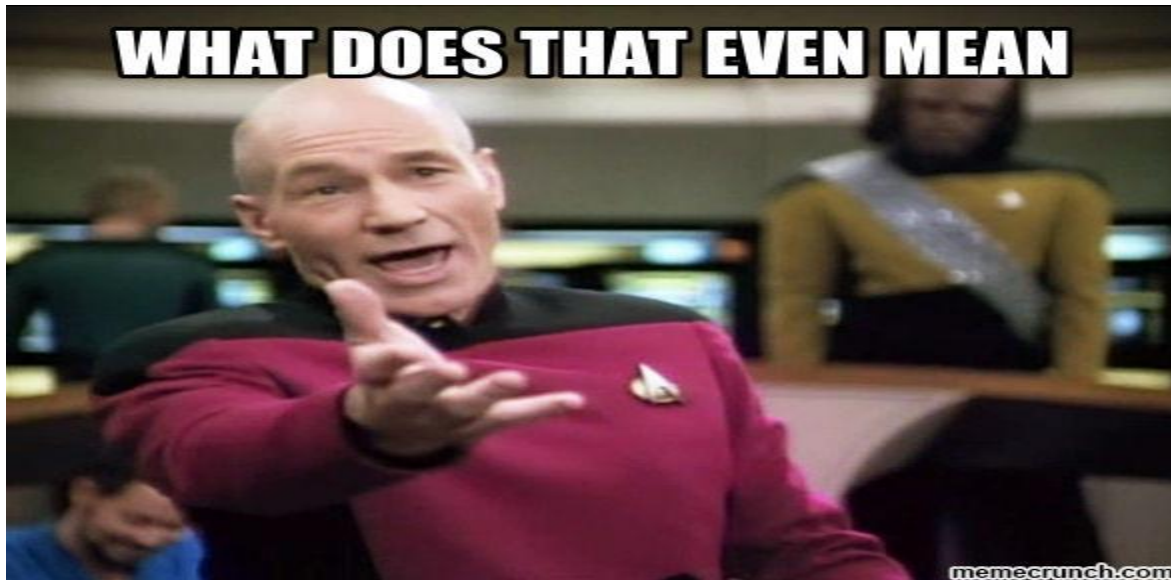
## What's new?

- New fiscal reporting requirement

Section 1111(h)(1)(C)(x) requires SEAs and LEAs to report the per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual non-personnel expenditures, for each school and LEA on State and local report cards.

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