



MEMO TO: Superintendents/Building Principals/Title I Coordinators

FROM: Laurie Matzke, Division Manager, Student Support & Innovation
 Stefanie Two Crow, Deputy Director, Office of Federal Title Programs

DATE: August 19, 2015

RE: New Schoolwide Flexibility

In July 2015, staff from the Division of Student Support & Innovation attended the U.S. Department of Education’s (USDE) Combined Federal Programs Directors Conference in Washington D.C. During this meeting, the Office of Elementary and Secondary Education (ESEA) released guidance that highlights specific advantages and flexibilities in schoolwide programs that maximizes flexibility and provides clarification on a common misunderstanding about schoolwide programs. Our intent is to notify schoolwide programs of this additional flexibility to allow more options as districts are working on their consolidated applications.

The following information highlights what we learned:

- **Dispelling a Myth of a Common Misunderstanding in a Schoolwide Program**
 - ✓ Supplement, not supplant is not an issue in a schoolwide program.
 - **MYTH:** If an activity is required by state law, it is not allowable to use federal funds to support the activity.
 - **CLARIFICATION:** Schoolwide programs do not have to meet supplement, not supplant and have increased flexibility.

Dispelling the Myth

Myth	Explanation of Law
<p>Title I funds may not be used to support activities that are “required by law,” were previously supported with State or local funds, or are provided to non-Title I students with State or local funds.</p>	<p>A schoolwide program school does not need to demonstrate that Title I funds are used only for activities that supplement, and do not supplant, those the school would otherwise provide with non-Federal funds. Accordingly, the presumptions used to determine if supplanting has occurred (i.e., if the activity is required by law; if the activity was provided in prior years with non-Federal funds; or if the activity is provided to non-Title I students with non-Federal funds) do not apply to uses of Title I funds in a schoolwide program school.</p>

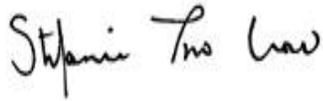
The slide (right) is from the USDE’s PowerPoint presentation, “Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program”

- **Safeguarding the Interests of Historically Underserved Populations**

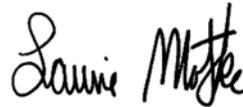
- ✓ Even with flexibility, the underlying intent of a schoolwide program is to safeguard the interests of historically underserved population.
- ✓ A comprehensive plan must include strategies for meeting the educational needs of historically underserved populations.
- ✓ The plan must include strategies to address the needs of all students, but particularly the needs of low-achieving students and those at-risk of not meeting the state's standards who are members of the target population of any program included in the schoolwide plan. Gifted and talented programs are not considered an allowable use of Title I funds unless the needs of the lowest-achieving students are met and those at-risk are meeting the state's standards.
- ✓ A schoolwide program must provide effective, timely additional assistance to students who experience difficulty mastering the state's academic achievement standards.

We hope this information will provide greater flexibility as districts and schools continue to work on the consolidated applications. The ESEA guidance and presentation is available on our website at www.nd.gov/dpi/Administrators/FTP/Programs_Initiatives/TitleI/Schoolwide/Resources/.

If you have questions regarding the information in this memorandum, please contact one of the following:



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