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**Federal Programs and  
Grants Management Monthly Call**  
October 15, 2020

# Agenda

## **I. Recently Released Applications**

## **II. Federal Program Updates**

### **A. CARE Act Equitable Services**

### **B. Title I Waiver Protocol**

## **III. Reminders**

Suggested participants for this call:

- Federal Program Supervisors
- IDEA Supervisors
- Business Managers



# Recently Released Applications

- Education Excellence Fund (EEF) 2020-2021
  - Application Released - Week of September 28
  - Application Due Date - October 16
  
- High Cost Services (HCS) 2020-2021
  - Application Released - Week of October 5
  - Application Due Date - November 10

# Federal Program Updates

# CARES Act Equitable Services

# Interim Final Rule (IFR) Status

On July 1, the U.S. Department of Education (ED) published an [Interim Final Rule \(IFR\)](#) regarding equitable services under the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

On September 4, in NAACP v. DeVos, the U.S. District Court for the District of Columbia issued an [opinion](#) and an [order](#) vacating the IFR. Accordingly, the IFR is no longer in effect.

On October 9, ED published updated [CARES Act Equitable Services Guidance](#).

# ED's Response to the IFR Invalidation

The LDOE has received the United States Secretary of Education's (ED) response to the IFR guidance invalidation, and it is important to note ED will:

- not appeal the court's decision to invalidate the IFR.
- not take any action against states or local school systems that followed the initial guidance and /or the IFR prior to notice of the court's decision.
- ED will use its enforcement authority to ensure districts comply with the Equitable Services requirements provided in Section 1117(a)(4)(A) of the ESEA of 1965.  
(calculating equitable services based on student low income data)

# Interim Final Rule (IFR) Invalidation

The agency is recommending school systems consider the following next steps as they prepare to move forward in providing equitable services to eligible private schools.

School systems should:

- Conduct meaningful consultations with private schools acknowledging the judge's ruling regarding invalidating ED's IFR guidance.
- Calculate CARES Act equitable services funding levels using student low income data only.
- Allow services and devices **already** delivered to participating private schools above the student low income equitable services level to remain ensuring there is no interruption of services for students.

# Interim Final Rule (IFR) Invalidation

Additionally, school systems should:

- Determine which backorder devices, materials, and supplies should be provided up to the low income equitable services level.
- Retain the remaining devices, materials, and supplies with the school system.

**Note:** Private schools with no low income student counts should not be afforded CARES Act equitable services unless they are a part of a pool of schools and there is agreement.

# Design and Delivery of CARES Act Equitable Services

- **School-by-school design allocation** is based on the allocation from the number of low-income non-public students from the participating non-public schools. Student residency is a factor only if the district is using the Title I low income student percentage from their 19-20 Super Application, otherwise all low income students within the private schools must be considered in determining the allocation amount.
- **Pooling** is allowable and non-public schools may agree to pool allocations for services rather than provide services on a school-by-school basis. All participating schools must agree to the pooling. Schools within the pool can receive services even if they generate little to no funding as long as the pool participants agree. This is a strategy mainly considered with participating schools that belong to the diocese.

# Non-public Schools with No Low Income counts

- The CARES Act is for all students and teachers.
- Non-public schools that do not have a low income count may be serviced through pooling, only if all pool participants agree.
- LEA may use the Family Income Survey, Private School's scholarship recipients family income data, or official free and reduced lunch list to determine low income count.
- LEA's will send a certified letter to the non-public's superintendent/administrator to confirm/document the non-public's decision not to provide low income counts.

# Non-public Schools Declining CARES Act Services

In the event a non-public school decides to decline CARES Act services, the district will:

- Update the Affirmation of Consultation and Agreement and Letter of Intent to confirm the non-public school is declining their equitable services.
- Redistribute the equitable share amount to provide services for participating non-public schools in the district.

# Existing Obligations for CARES Act Adjustments

- No adjustment is needed if the purchase of goods/services are within the low income allocation amount.
- If the existing purchases of goods/services exceeds the low income allocation amount, the LEA must consult with the non-public school to reduce the cost by cancelling, adjusting, returning, renegotiating contracts/purchase orders, etc. LEA contracts should have termination clauses. Document all adjustments, changes, negotiations, and consult the LEA school board attorney for counsel.
- The LEA may work with a non-public school and vendor to maintain the current delivery date of goods/services to avoid the items being detained by the submission of a new order, if the non-public superintendent/administrator wants to purchase the items.

# LEAs Exceeding Equitable Share Solutions

The following recommendations only refer to goods and services already purchased and in use. District should:

- Budget expenditures using nonpublic object codes.
- Use the following statement to justify costs above the equitable share, now calculated using low income counts:

*“ Nonpublic expenditure exceeds the amount the district reserved for equitable services due to the implementation of the CARES Act IFR, however effective 9/4/20 the IFR is no longer valid.”*

**Note:** The Strong Start Application’s consolidated budget allows more equitable services to be budgeted than what is calculated on the proportionate share page.

# Non-public Use of Goods/Services

- Nonpublic schools may use the CARES Act goods/services through September 30, 2022 to support nonpublic students and teachers.
- Districts may conduct annual inventory at the end of the 2020-2021 school year to ensure all devices, equipment, etc. are in working order and accounted for.
- After the supplies and/or equipment are no longer needed for CARES Act purposes, the district may continue to use the items in the nonpublic school to the extent allowable for other federal education programs e.g. nonpublic Title I, IDEA, and JumpStart programs.

# State Ombudsman Responsibilities

An ombudsman serves as the Department's primary point of contact for addressing questions and concerns from districts and nonpublic school officials regarding the provision of equitable services. The state ombudsman has the following responsibilities:

- Serves as a general resource regarding equitable services requirements for both district and nonpublic school officials.
- Monitors and enforces equitable services requirements, in partnership with other relevant agency staff, to help ensure that districts provide equitable services to students and teachers in nonpublic schools.
- Provides technical assistance and support regarding equitable services requirements for both district and nonpublic school officials.

Contact Daphne Flentroy, LDOE State Ombudsman, at [daphne.flentroy@la.gov](mailto:daphne.flentroy@la.gov) for assistance.

# Title I Waiver Protocol

# Title I Carryover

Title I statute requires school systems to obligate at least 85 percent of their Title I allocation within the fiscal year. School systems are authorized to carryover up to 15 percent of Title I funds to the succeeding year without applying for a waiver.

- Funds remain available for obligation and expenditure for one additional year.
- Funds not expended or obligated by September 30 of the succeeding year are returned to the ED.
- LDOE may waive the 15 percent carryover limitation, only once every three years.

**Note:** Due to the COVID-19 Waiver, schools systems that need to request a waiver for 2019-2020 Title I funds will be allowed to do so without it counting against the once every three year requirement.

# Sample Carryover Waiver Eligibility Timeline

<b>Waiver Status</b>	<b>Fiscal Year</b>
Waiver approved	FY 2018-2019
Not eligible for a waiver	FY 2019-2020
Not eligible for a waiver	FY 2020-2021
Eligible to apply for a waiver	FY 2021-2022

# 9/30 Periodic Expense Report (PER)

Title I excess funding is determined once the agency receives and approves a school system's Title I 9/30 PER.

- 9/30 PERs should capture all of the Title I expenditures as well as obligations as of September 30.
- The 9/30 PER is due November 15.
- School systems are allowed to carryover more than 15 percent of their 2019-2020 funding only if the agency receives and approves a waiver.
- All school systems that require waivers will be notified no later than December 4.

# Tips for Preparing a PER

## TRAINING

Tips & Reminders: Preparing the Periodic Expense Report (PER) 

- 1) From the GMS Select page, go to the chosen Application and select Payments.
- 2) View Reimbursement Requests/Expenditure Reports.
- 3) Select Create Expense Report.
- 4) View the Expenditure/Obligation Summary (1st tab).
- 5) On the Expenditure/Obligation by EIC page (2nd tab), enter the amount of the expense(s). Press the Save Page button to retain the entered information.
- 6) On the Certification page (3rd tab), certify the report by checking on the Certification of Report button. Save the page.
- 7) On the Expenditure/Obligation Summary page (tab 1, beneath the table), select the appropriate Expenditure Period

## ACCOUNT INFORMATION

eGMS Technical Assistance

For help with accessing your account, contact your designated [Security Coordinator](#). Further assistance is available from the [Logon Page Instructions](#) and the [User's Guide](#). Note: Passwords expire after 30 days. To re-set your password, use the [Password Reset System \(PRS\)](#). For other system-related issues or to provide feedback, email [LDOE.GrantsHelpdesk@la.gov](mailto:LDOE.GrantsHelpdesk@la.gov).

# Reminders



# Deadlines

- Applications recently closed:
  - SIG Rnd 6: 9/27/20
  - HCS Transition: 9/30/20
  - LA Mental Health: 9/29/20 (prior year funds only)
  - Teacher Incentive Funds (2019-20 prior year funds only): 9/30/20
  - PBCS TIF (2019-20 prior year funds only): 9/30/20
  
- 9/30 PERs must be submitted no later than November 15.



# Allocations

## Release of Preliminary Formula allocations

- The 2020-2021 preliminary formula allocations (ESSA, IDEA, Carl Perkins) are now visible in eGMS.
- The preliminary allocations reflect 95 percent of the total award amount.
- Final allocations are planned for release in eGSM in December.
- At this time, school systems will need to budget the amounts reflected in the Super App application.



# Allocations

## Recommended Sequence for amending the application:

- ESSA Equitable Share Page: Complete the required fields (The amount entered for Reserved Indirect Cost for Titles II and IV will be needed to complete the Indirect Cost Budget page)
- Allocations Page: Invest across the domains. *Note that the amount available for Title II and Title IVA SSAE will already have the equitable share and Indirect Cost deducted.*
- Budget Detail Pages: create expenditure lines for direct charges that will be budgeted and complete IDC for all titles *except Title II and Title IV*
- IDC Budget Page: budget IDC for Title II and Title IV only (need to budget the amount entered for Reserved Indirect Cost on ESSA Equitable Share page)



# 2020-2021 Strong Start

- **2020-21 Strong Application Deadline:** October 16
- **Availability Periods for Strong Start Funding**
  - ESSER Formula: 5/1/2020-9/30/2022
    - Note: Pre-award costs are allowable for expenses incurred from March 13 to April 30.
  - ESSER Incentive: 6/17/2020-6/30/2021
  - GEER: 4/24/2020-6/23/2021

# Important Reminders/Call Summary

# Super App Launch

This year's **Super App Launch is scheduled for November 6 and will be all virtual**. Sessions will be pre-recorded, shared in the weekly newsletter and posted to the Department's School Improvement Library on **November 6**.

During November, December and January, team monthly calls and office hours will provide opportunities for school system leaders to learn more about specific sections, ask questions and receive guidance.

Additionally, the Department will offer *School System Planning Super App Office Hours* beginning in November where teams can request specific guidance and support with planning, completing the workbook and aligning funding to priorities.

More information will be provided in coming weeks.

Questions should be emailed to [LDOE.grantshelpdesk@la.gov](mailto:LDOE.grantshelpdesk@la.gov). Please include "Super App" in the email subject line.

# Call Summary

Month	Key Deadlines	Support and Resources
<b>October</b>	<ul style="list-style-type: none"><li>● 2020-21 Strong Start Application: October 16</li><li>● 2020-21 EEF Application: October 16</li></ul>	<ul style="list-style-type: none"><li>● <a href="#">2020-2021 School System Support Calendar</a></li><li>● <a href="#">Educator Resource Guide</a></li><li>● <a href="#">School System Planning Resources</a></li><li>● <a href="#">Family Support Toolbox Library</a></li></ul>
<b>November</b>	<ul style="list-style-type: none"><li>● 2020-21 HCS Round 1: November 10</li><li>● Reimbursement Claims/PERs for funds ending 9/30/2020: November 15</li><li>● 9/30 Title I PER Due: November 15</li></ul>	<ul style="list-style-type: none"><li>● Federal Programs and Grants Management Monthly Call: November 19</li><li>● <a href="#">PER Instructions</a></li></ul>

# Contact Information

For more information or questions contact:

LDOE Grants Management Helpdesk  
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