The Communicator

Title Programs & Services E-Newsletter

Issue 10 May, 2009

Purpose of "The Communicator"

The Communicator is a monthly e-newsletter produced by the Title Programs and Services Team at the Kansas State Department of Education. The purpose of the e-newsletter is to provide information regarding: the implementation of No Child Left Behind in Kansas, Local Consolidated Programs, Service Learning, AmeriCorps and upcoming deadlines and events. Schools and districts will be notified of the e-newsletter around the first of the month and it will be posted on the Title Programs and Services website.

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2009 AYP/QPA Accountability System Opens!

This year's AYP/QPA (Adequate Yearly Progress/Quality Performance Accreditation) Accountability System opens on May 4, 2009 with the AYP Report being populated with whatever mathematics and reading assessment results are in and the graduation data that was reviewed last fall. The reports will be updated nightly as new information is received. The data are considered incomplete and potentially inaccurate until all schools and districts submit their End-of-Year Accountability (EOYA) records, EXIT records and updated TEST records to the KIDS system. In addition, all Problem Report issues posted at the Center for Testing and Evaluation (CETE) must be resolved.

Access to the system for authorized users is via the KSDE authentication sign-on at https://online.ksde.org/authentication/login.aspx.
Following are the 2009 AYP/QPA deadlines and timelines:
May 4 - AYP Reports open and the Data Checklist/Signoff tool opens. Revised guidelines for checking data will be posted by then. All principals and superintendents must review and signoff on their data no later than June 30.
May 4 - Parent assessment letters for reading and mathematics are available; letters should be sent to parents by May 15.
May 8 - Student Editor at CETE closes for reading and mathematics. Special Circumstances (SC) codes should be entered by the dates.
May 25 - Student editor closes for science and history/government. An updated timeline is posted at http://www.ksde.org/Default.aspx?tabid=420.

AYP/QPA Help Desk

The AYP/QPA Help Desk has a new telephone number: 785-296-2261. Please call this number for questions relating to assessments, AYP and QPA. The email address is qpa@ksde.org.

2009-2010 Title I Allocations

The 2009-2010 Title I allocations are posted on the KSDE Title I Recovery Act (ARRA) site at http://www.ksde.org/Default.aspx?tabid=3497. Please refer to both allocation documents: one is an information sheet on the ARRA allocations and the other is a table with the actual 2009-2010 Title I allocations by USD number. The table includes both the preliminary regular Title I allocation and the ARRA Title I allocation. The final Title I allocations will be available later this summer. The ARRA allocation is a onetime only allocation; however, districts have until September 30, 2011 to obligate the funds.

Allocation letters were mailed last week to each district. These letters include preliminary allocations for Title I, Title II-A Teacher Quality, Title II-D Education Technology, Title IV Safe and Drug Free Schools, and Title I–D Neglected and Delinquent.

The Local Consolidated Application (LCP) Application for the ARRA Title I funds will open mid-late May. The regular LCP Application will be available later this summer. Please contact the LCP Consultants if there are questions.

KODAK Teacher Leadership

The Kansas Commissioner of Education and the State Board of Education have made teacher quality a priority. As a result of the Kansas Teaching Commission and the Kansas Educational Leadership Commission (KELC) reports, Teacher Leadership Standards and Licensure Regulations have been developed and are moving through the adoption process. It is anticipated the procedure will be completed in the fall of 2009. The Standards and Regulations will provide a platform for Teacher Leadership programs to be developed by institutions of higher education (IHE). The national Teacher Leadership curriculum, developed by Kansas, Ohio, Delaware, Alabama and Kentucky (KODAK) will be made available to the university faculties in order to assist in the design of a program at institutions that express an interest. The regulation requires the completion of a graduate degree with the level determined at the discretion of the IHE. KODAK provides a potential framework to address the expectations of the Standards. Creating the Teacher Leader licensure will provide a career choice that does not currently exist in the Kansas cohesive leadership development continuum.

In addition to the formal licensure process, Kansas has placed the KODAK curriculum on the KSDE website. All school leaders will be encouraged to review the materials and download activities of interest. Situational capacity building will be emphasized in an awareness campaign that is being developed by a KELC design team. Any district will be able to use the modules to enhance the professional development of all teachers. It will encourage the leadership to look at district needs and to use the modules that apply. In addition, the team will craft presentations for local, state and national audiences. Planning may include short workshops where hands-on use of pieces from the curriculum will be demonstrated with school leaders.

Title V

As you begin to prepare for next year, we wanted to share the latest information concerning Title V. As many of you know, funds to support Title V, Part A of the Elementary and Secondary Education Act were not appropriated last year and will not be again for the 2009-10 school year. The United States Department of Education recently notified the Kansas State Department of Education that local education agencies cannot transfer funds to Title V as of September 30, 2009. Many of you have used this flexibility in the past and we wanted you to have the latest information as you plan for next year.

REAP eligible districts still retain the ability to reap funds to support Title V type activities; however, funds must remain in the original program. If you have any questions please feel free to contact your LCP consultant.

The 2009-2010 preliminary allocation letters were mailed to districts last Friday. These letters contained allocations for Title I (including N&D), Title II A, Title II D, and Title IV. Letters containing Title I ARRA allocations (including N&D) were also mailed.

Application Dates

As we prepare for the 2009-10 school year, several applications will be available for your use.

The Local Consolidated Plan System (LCP) continues to be refined and we have added a new web based application thus eliminating paper copies for some forms. The following are tentative dates that the applications will go live for your use. We will notify you through the list serve when the applications are open and ready for your input. If you have any questions, please feel free to contact your LCP consultant.

5/11/09	2008-09 Annual Report
5/18/09	2009-10 ARRA LCP Application
6/1/09	2008-09 LCP Revision/Carryover
6/29/09	2009-10 LCP Application

Title IIA

Recently, KSDE underwent a Title IIA Monitoring by the U.S. Department of Education. They provided us with valuable information we plan to utilize to strengthen and build the Title IIA program in Kansas. USDE also pinpointed areas we are doing well. In the next few months, we will be making a concerted effort to work on equitable distribution of teachers, teacher quality, and non-public participation through Title IIA and continue our HQ Improvement process to help districts reach highly qualified goals.

A big thank you to the following districts who participated in the federal monitoring and shared their information and expertise*: USD 450 Shawnee Heights, USD 230 Spring Hill, and USD 259 Wichita!*

Please remember:
May 15th – Corrective Action plans and Needs Assessment results are due to KSDE along with signed agreement of funds
Late May – Letter will be mailed to districts with notification of 08/09 Title IIA status (Tier 1, Tier 2, or Tier 3)
Summer – LCP goes live and districts on Title II-A Tier 2 will fill out the Improvement Plan located on Title IIA page. Tier 2 and Tier 3 districts will need to set aside 10% for professional development to help teachers become highly qualified.

Please do not hesitate to ask if you have any questions or concerns.

Title I America Recovery and Reinvestment Act (ARRA) Funds
Supplement, Not Supplant

Many are asking if the Title I ARRA funds may be used to pay for items that were previously paid with other funds. In most cases, the answer is "no" as this raises the question of supplanting. Title I funds are supposed to supplement, not supplant. There are situations, however, in which the answer is "yes." **It is important that districts have current and appropriate documentation to support the decision.**

Following are questions and answers from the recently released federal guidance on the Title I ARRA funds and supplanting:

C-8. Do the supplement, not supplant requirements in sections 1120A(b) and (d) and 1114(a)(2)(B) of the ESEA apply to Title I, Part A ARRA funds?

Yes.

C-9. May Title I, Part A ARRA funds be used to support activities that were previously supported with non-Federal funds without violating the supplement, not supplant requirement?

It depends. A determination of supplanting necessitates determining what activities an LEA would conduct with non-Federal funds if it had no Title I, Part A funds. Generally, an LEA may not use Title I, Part A funds for activities that it would have conducted in the absence of Title I, Part A funds. Several situations give rise to a presumption of supplanting (*i.e.*, a presumption that the LEA would conduct the activity with non-Federal funds if it had no Title I, Part A funds available): (1) the activity is required by local, State, or other Federal law; (2) the LEA conducted the activity in the prior year with non-Federal funds; or (3) the LEA uses non-Federal funds to provide the same activity for non-Title I students or in non-Title I schools that it provides with Title I, Part A funds for Title I students in Title I schools.

Thus, the use of Title I, Part A ARRA funds for an activity that an LEA provided in the prior year with non-Federal funds generally gives rise to a presumption that the LEA would have continued to use non-Federal funds to conduct the activity this year in the absence of Title I, Part A ARRA funds and, therefore, the use of Title I Part A funds for that activity would constitute supplanting. The LEA may overcome this presumption, however, under the following conditions:

- The LEA can demonstrate that there was a reduction in the amount of non-Federal funds available to the LEA to pay for the activity previously supported by non-Federal funds or the LEA can demonstrate that its educational priorities with respect to its use of non-Federal funds have changed.
- The LEA makes the decision to eliminate the activity without taking into consideration the availability of Title I, Part A funds, as documented by fiscal and programmatic records confirming that, in the absence of Title I, Part A funds, the LEA would have eliminated the activity. These records, for example, might document the reduction in non-Federal funds or explain what priorities changed to warrant a shift of non-Federal funds away from those priorities and the LEA's reasons for choosing to eliminate non-Federal support for the priorities. Please note that such documentation must be *contemporaneous* with the LEA's decision-making process; it is very difficult to rebut a presumption of supplanting after the fact.
- The activity now paid with Title I, Part A funds is allowable under Title I, Part A and consistent with all Title I fiscal and programmatic requirements. This means, for instance, that a teacher formerly paid from non-Federal funds must be (1) engaged in activities that are allowable under Title I, Part A; (2) meeting the academic needs of Title I students identified through a schoolwide program school's comprehensive needs assessment or providing supplemental services in a targeted assistance school; and (3) conducting activities consistent with the LEA's application approved by the SEA.
- Using Title I, Part A funds for the activity also meets the general standards established in Office of Management and Budget (OMB) Circular A-87 *Cost Principles for State, Local, and Indian Tribal Governments* (OMB Circular A-87). OMB Circular A-87 requires that the use of funds for a specific purpose be necessary and reasonable for the proper and efficient performance and administration of the program and be authorized and not prohibited under State and local laws or regulations.

If an LEA can successfully rebut the presumption of supplanting, the LEA may use Title I, Part A ARRA funds to support an activity that it previously supported with non-Federal funds. On the other hand, if the LEA is unable to rebut this presumption, it may not use Title I, Part A ARRA funds for an activity that it conducted the previous year with non-Federal funds because such use would be inconsistent with the Title I, Part A supplement, not supplant requirements. For additional information on the Title I, Part A supplement, not supplant requirement, see the relevant section in the Title I Fiscal Guidance [available at http://www.ed.gov/programs/titleiparta/fiscalguid.doc].

C-10. Does an SEA take into consideration an LEA's use of State Fiscal Stabilization Funds in determining whether the LEA has violated the Title I, Part A supplement, not supplant requirements?

No. The Title I, Part A supplement, not supplant requirements concern only an LEA's use of non-Federal funds. State Fiscal Stabilization Funds are Federal funds. As a result, those funds are not taken into consideration in determining whether supplanting has occurred.

2009-2010 Title I Allocations

The 2009-2010 total Title I allocation includes both the regular funding and the American Recovery and Reinvestment Act (ARRA) funding. The allocations are preliminary for the regular Title I and final for the ARRA Title I. The final regular Title I allocations are usually available in July. Any Title I funds not spent in 2009-2010 may be carried over and spent in 2010-2011. All funds must be obligated by September 30, 2011.

Each district receiving ARRA Title I funds shall

1. Account for the ARRA and the regular Title I funds separately
2. Provide the necessary quarterly reports and other required ARRA reports upon request
3. Reserve the appropriate funds for any required set asides:
   a. Serving homeless students
   b. 1% for parental involvement if the total Title I allocation is at least $500,000
   c. 10% for professional development if the district is on improvement
   d. An amount equal to 20% for choice-related transportation and/or supplemental educational services if schools are on improvement
4. Consult with private schools, if applicable, regarding next year's Title I services funded with both regular and ARRA funds
5. Use the funds to supplement and not supplant

The special Local Consolidated Plan (LCP) Application for the Title I ARRA funds will open mid-late May. The regular LCP will open later in the summer.

Framing Questions for Decision Making (Based on latest guidance from US Department of Education)

In considering how to best spend *ARRA* funds, decision makers should consider whether they can answer "yes" to these five questions:

1. **Drive results for students?** Will the proposed use of funds drive improved results for students, including students in poverty, students with disabilities, and English language learners?
2. **Increase capacity?** Will the proposed use of funds increase educators' long-term capacity to improve results for students?
3. **Accelerate reform?** Will the proposed use of funds advance state, district, or school improvement plans and the reform goals encompassed in *ARRA*?
4. **Avoid the cliff and improve productivity?** Will the proposed use of funds avoid recurring costs that states, school systems, and schools are unprepared to assume when this funding ends? Given these economic times, will the proposed use serve as "bridge funding" to help transition to more effective and efficient approaches?
5. **Foster continuous improvement?** Will the proposed use of funds include approaches to measure and track implementation and results and create feedback loops to modify or discontinue strategies based on evidence?

April 27, 2009

ID&R

The Identification and Recruitment (ID&R) of Migrant children in the State of Kansas has been and still remains one of our biggest challenges. In our efforts to continue to improve ID&R we will initiate the use of an electronic Certificate of Eligibility (COE) in Kansas. The electronic COE will improve State ID&R by expediting the process, improving COE accuracy, and decreasing paperwork.

The Office of Migrant Education has developed a National Certificate of Eligibility to go into effect in the States with the beginning of the new school year. This initiative will assist our State with its ID&R efforts.

DUE DATES

- ☐ Title IIA corrective action plan, needs assessment and letter of agreement due May 15th
- ☐ SES Provider Applications due May 1st
- ☐ Title III Improvement Plans due April 1st
- ☐ 21st Century Community Learning Centers (21st CCLC) Grant Applications are due April 30th

CALENDAR OF EVENTS

April 29-May 1
KSDE Annual Conference "21st Century Express: All Aboard!", Hyatt Regency and Century II Convention Center, Wichita

June 9-11
Summer Instructional Leadership Professional Development with the International Center for Leadership in Education, Ramada Inn, Topeka

June 11-12
Migrant/ELL Academies, Wheat Lands Hotel & Conference Center, Garden City

June 11-12
Adapting Instruction For At-Risk Diverse Learners, Greenbush Forbes Field, Topeka

June 15-19
Reading Academies, Junction City

June 18th
Kansas Learning Network 3rd Meeting, Holiday Inn Hotel & Suites Wichita Downtown—Convention Center, Wichita

June 22-26
Reading Academies, Wichita

July 8-9
Migrant/ELL Academies, Capital Plaza Hotel, Topeka

July 13-17
Reading Academies, Topeka

July 20-24
Reading Academies, Wichita

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http://www.ksde.org/Default.aspx?tabid=121

An Equal Employment/Educational Opportunity Agency

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies:

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