

ESSER III Maintenance of Equity

FY 2023 LEA Requirements: Exemptions, ISBE Exception Survey, and FY23 Determination Worksheet

July 26, 2022



MOEquity Webinar

Webinar Pt. I: Exception Survey

- Survey is required for all districts <u>not</u> <u>pre-identified as Exempt</u>.
- Provides overview of MOEquity requirements
- Guidance on eligibility for MOEquity exemption or waiver in FY23
- Instructions to complete ISBE's FY23 Exception Survey
 - Required by September 12

Webinar Pt. 2: Demonstration Tool

- Only for districts not eligible for exemption or waiver in FY23
- Instructions for completing ISBE's FY23 MOEquity Demonstration Tool and submitting final data to ISBE
 - Required by December 2

ISBE's MOEquity Resources: https://www.isbe.net/Pages/covid19.aspx



Agenda Part I

- I. What is MOEquity?
 - II. LEAs Pre-Identified for Exemption
 - III. FY23 LEA MOEquity Exception Survey
 - Required for all LEAs not pre-identified for exemption or those that need to correct ISBE's identification

To maintain consistency with MOEquity guidance, we refer to districts as LEAs.



What is Maintenance of Equity?

Maintenance of Equity (MOEquity) requirements were first enacted in the American Rescue Plan Act of 2021 (ARP).

- State and Local Education Agencies (SEAs and LEAs) receiving funds under the Elementary and Secondary School Emergency Relief (ARP ESSER) Fund must comply with these new requirements.
- The intent of MOEquity is to help "ensure that State and local funding supports the students who have been subject to longstanding opportunity gaps in our education system and have also experienced the greatest impact from the COVID-19 pandemic."
 - Secretary of Education Miguel Cardona
 Aug. 6 Letter to Chief State School Officers and District Superintendents



ISBE Required to Publish LEA Data

ISBE is required by the Department of Education to publish LEA-level MOEquity data according to the timeline below. Deadlines for collecting information from LEAs were set to align with this timeline.

- By November 1, 2022: List of Exempt or Excepted LEAs; identification of high-poverty schools for all remaining LEAs.
- By December 1, 2022: Results of FY22 Fiscal/Staffing Equity tests for non-exempt/excepted LEAs
- By December 1, 2023: Results of FY23 Fiscal/Staffing Equity tests for non-exempt/excepted LEAs.

This webinar was scheduled during the Site-Based Expenditure Reporting window so that LEAs may use the expenditure data (as needed) for baseline comparisons in FY23 MOEquity.



Statutory Language: Section 2004(c) ARP Act

LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—

- (1) IN GENERAL.—As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023—
 - (A) reduce per-pupil funding (from combined State and local funding) for any high-poverty school served by such local educational agency by an amount that exceeds— (i) the total reduction in local educational agency funding (from combined State and local funding) for all schools served by the local educational agency in such fiscal year (if any); divided by (ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year; or

(B) reduce per-pupil, full-time equivalent staff in any high-poverty school by an amount that exceeds — (i) the total reduction in full-time equivalent staff in all schools served by such local educational agency in such fiscal year (if any); divided by (ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year

Fiscal Test

Staffing Test



Identification: High-Poverty Schools

"A 'high-poverty school' is, with respect to a school served by an LEA, a school that is in the highest quartile of schools served by the LEA based on the percentage of economically disadvantaged students in the school."
-(FAQ Q23)

A LEA may elect to identify high-poverty schools on a district-wide or a grade-span basis, depending on how it allocates its resources.

District-Wide	Grade-Span		
 Rank each school by its percentage of poverty* Divide the total number of schools in the 	1. Rank each school within each grade span (e.g. K-5, 6-8, 9-12) based on its percentage of poverty*		
LEA by 4 and round up to the nearest whole number. This is the number of high-poverty schools the LEA must identify.	2. Divide the total number of schools in the LEA by 4 and round up to the nearest whole number. This is the number of high-poverty schools the LEA must identify.		

^{*}Consistent with the measure(s) of poverty used to rank schools under section 1113(a) of the ESEA



District-Wide Example

Table 4. Identifying high-poverty schools in an LEA as a whole (in a sample LEA with nine schools)*

School	Percentage of Economically Disadvantaged Students	Grade Span	High-Poverty School?
School A	80%	Elementary	Yes
School B	75%	Elementary	Yes
School C	65%	Elementary	Yes
School G	60%	Middle	No
School I	40%	High	No
School D	35%	Elementary	No
School E	25%	Elementary	No
School H	25%	Middle	No
School F	15%	Elementary	No

The LEA in this example must identify three high-poverty schools.



Grade-Span Example

Table 5. Identifying high-poverty schools by grade span in an LEA (in a sample LEA with nine schools)*

School	Percentage of Economically Disadvantaged Students	Elementary Grade Span	Middle Grade Span	High School Grade Span	High- Poverty School
School A	80%	X			Yes
School B	75%	X			No
School C	65%	X			No
School D	35%	X			No
School E	25%	X			No
School F	15%	X			No
School G	60%		X		Yes
School H	25%		X		No
School I	40%			X	Yes

The LEA must identify three high-poverty schools.

Table 5 illustrates the process described above except on a grade span basis. The LEA identifies the highest poverty elementary school (School A), middle school (School G), and high school (School I) because the LEA must identify three schools. If the LEA were required to identify, for example, two additional schools, it could continue to identify one school in each grade span — i.e., the next highest poverty school in the elementary and middle school grade spans (Schools B and H) — or it could identify the next two highest poverty schools overall — i.e., Schools B and C.



LEA High-Poverty (HP) School Tests

Fiscal	HP School FY23 allocation HP School FY23 enrollment HP School FY22 allocation HP School FY22 enrollment Allocation = state and local expenditures for school; FY22 may use actuals from site-based expenditure reporting.
Staffing	HP School FY23 FTE Staff HP School FY23 enrollment HP School FY22 FTE Staff HP School FY22 enrollment All staff included—federally funded, instructional, non-instructional.

The formula above for high-poverty schools assumes flat or increasing funding allocations from the LEA. If a district *reduces* overall per-pupil allocations to schools, any reduction to high-poverty schools may not exceed the district-wide average reduction in per-pupil allocations. The same rule applies to the staffing test.



Agenda Part I

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- III. FY23 LEA MOEquity Exception Survey
 - I. Required for all LEAs not pre-identified for exemption or those that need to correct ISBE's identification



Statue-Defined Exemptions

An LEA is exempt if it meets any one of the following criteria:

- 1. Has home enrollment <1000 students
- 2. Operates a single school
- 3. Serves all students within each grade span in a single school (e.g. one school for K-5, one for 6-8, and one for 9-12).

Based on EPS data as of July 2022, ISBE will pre-identify exemptions. As a result, the majority of districts in Illinois will not have to do anything other than verify exemption for FY23.



Exempt LEA Responsibilities

The list of LEAs pre-identified for exemption can be found at https://www.isbe.net/Pages/covid19.aspx. LEAs are responsible for reviewing to determine accuracy. If the data is accurate, no further action is required from Exempt LEAs. If an inaccuracy is found, the LEA must submit the FY23 MOEquity Exception Survey:

- Scenario 1: ISBE pre-identified my LEA's exemption, but we no longer meet the exemption criteria.
- Scenario 2: ISBE did not pre-identify my LEA's exemption, but we do meet the criteria for exemption.



Exempt, Non Exempt File

A	В	С	D	E
Illinois State Board of Educ	cation			
Maintenance of Equity for ARP ES	SER -			
Exempt LEAs				
Prepared by: Data Strategies and Analytics				
Pulled On: July 19, 2022				
Data From: Fall Enrollment October, 2021				
Data SnapshotID: 132				
Grades Served from EPS on July 19, 2022				
Closed Schools in EPS on July 18, 2022 are exclud	led			
RCDTS	District Name	NCESId	Exempt Status	
32-038-2490-26-0000	Crescent Iroquois CUSD 249	1700323	Exempt less than 1000	
53-090-7020-26-0000	Tremont CUSD 702	1739390	Exempt less than 1000	
56-099-157C-04-0000	Frankfort CCSD 157C	1715700	Exempt No Grade Level at Multiple Schools	
11-015-0050-26-0000	Oakland CUSD 5	1729340	Exempt less than 1000	
50-082-1960-26-0000	Dupo CUSD 196	1712720	Exempt less than 1000	
30-073-3000-26-0000	Du Quoin CUSD 300	1712760	Exempt No Grade Level at Multiple Schools	
21-028-0910-04-0000	Akin CCSD 91	1703210	Exempt less than 1000	
21-028-1960-26-0000 Exempt NonExempt (+)	Sesser-Valier CUSD 196	1735940	Exempt less than 1000	



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FY23 LEA MOEquity Exception Survey

All LEAs that are not pre-identified for exemption, including any that must correct an error in ISBE's list of pre-identified exemptions, must submit this survey no later than September 12, 2022. The survey is organized as follows:

- Section 1: LEA information
- Section 2: LEA Exemption Corrections
- Section 3: FY23 Certification of Exception
- Section 4: USDE Waiver Requests
- Section 5: MOEquity Determination Worksheet
- Section 6: Attestation

The survey responds dynamically to LEA responses. Therefore, not all sections are required for all LEAs. The survey should take most LEAs ~10 minutes to complete.



Section 1: LEA Information

Section 1 collects the following information from each LEA:

- 1. LEA Name
- 2. RCDT
- 3. First and Last Name (of submitter)
- 4. Role/Title (of submitter)



Section 2: LEA Exemption Corrections

Section 2 is for any LEA that must request a revision to the list of LEAs pre-identified for exemption. This would include LEAs that were not identified for exemption or that were wrongly identified for exemption.

- If an LEA indicates it should not be pre-identified for exemption, it will them move forward in the survey.
- If an LEA indicates that it should be pre-identified for exemption, it will select the criteria for exemption and then submit the form. No other information is required from these LEAs. ISBE will contact the LEA to approve or deny the exemption.





Section 3: Certification of Exception

American Rescue Plan LEA Certification of Exception from Local Maintenance of Equity Requirements			
excepted from the local n	ion to your SEA, which will notify the Department which LEAs in the State are intenance of equity requirements under section 2004(c)(2) of the American to such certifications for FY 2022, FY 2023, or both FYs 2022 and 2023.		
LEA name:			
	ational agency (LEA), I (name),		
(titl			
this LEA demonstrates ar	certify that for the: 2021-2022 school year (FY 2022) 2022-2023 school year (FY 2023) exceptional or uncontrollable circumstance under section 2004(c)(2) of the ARP		
this LEA demonstrates ar Act. Specifically, this LE 2021 and the impact of th will not implement an agg fiscal year(s). By signing this certificati legal authority, to certify	certify that for the: 2021-2022 school year (FY 2022) 2022-2023 school year (FY 2023) exceptional or uncontrollable circumstance under section 2004(c)(2) of the ARP faces implementation challenges due to the enactment of the ARP Act in March pandemic with respect to budget and enrollment uncertainty. The LEA certifies i egate reduction in combined State and local per-pupil funding for the relevant in, I hereby confirm that I am the authorized representative, with the fiscal and a behalf of this school district. In addition, to the best of my knowledge and		
this LEA demonstrates ar Act. Specifically, this LE 2021 and the impact of th will not implement an ag- fiscal year(s). By signing this certificati- legal authority, to certify	certify that for the: 2021-2022 school year (FY 2022) 2022-2023 school year (FY 2023) exceptional or uncontrollable circumstance under section 2004(c)(2) of the ARP faces implementation challenges due to the enactment of the ARP Act in March pandemic with respect to budget and enrollment uncertainty. The LEA certifies i egate reduction in combined State and local per-pupil funding for the relevant in, I hereby confirm that I am the authorized representative, with the fiscal and		
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Eligibility: No aggregate reduction in combined state and local per-pupil funding in FY23 (i.e., is not facing overall budget reductions)

By or before Sept. 12, eligible LEAs must email a signed copy of the waiver to ARPMOEQUITY@ISBE.net in addition to submitting the FY23 MOEquity Exemption Survey.

MOEquity Funding Exclusions

Exclusions (Consistent with Site-Based Reporting)

Buc	ageted or Actual Expenditures for:
	Fund 30: Debt Service
	Fund 60: Capital Projects
	Fund 70: Working Cash
	Fund 90: Fire Prevention and Safety
	Function 1115: Tuition Payments to Charter Schools
	Function 1300: Adult/Continuing Education Programs
	Function 3000: Community Services
	Functions 4130, 4230, 4330: Payment to
	other governmental agencies for adult/continuing education
	programs
	Function 5000: Debt Services
	Object 500: Capital Outlay and/or Depreciation (may include or
	exclude expenditures in fund 10)
	County Juvenile Detention Center Expenditures
	Legacy Pension Obligations
	Reimbursable expenditures that come from an LEA that would be
	reporting the expenditure
	Function 1999: Student Activity
	TRS on-behalf payments

Additional Exclusions

- Federal funds
- Support from private donors
- Funds from state and local grants where the LEA is reimbursed for expenses based on the actual cost of services (e.g. the state After School Programs Grant)
- One-time disbursements for a specific purpose, if any



Eligibility Guidance

ISBE will monitor eligibility by comparing FY22 actual expenditures (in the AFR) to FY23 budgeted expenditures (in the budget). Federal revenues will be netted out.

LEAs are encouraged to have a documented process for determining eligibility for exception. If an LEA used the waiver in FY22, it must use a consistent process for determining eligibility in FY23.



Section 4: USDE Waiver Requests

LEAs may request a waiver from MOEQuity requirements based on certain "exceptional or uncontrollable circumstances." The US Department of Education provides the following examples in its MOEquity Guidance:

- Increased, one-time expenditures in the baseline year (2022-2023) due to the pandemic
- A very small school where the MOEquity calculations do not providemeaningful information about resource availability
- A significant change in the expenses of a school that no longer serves a student who has educational and support needs or required services that have a particularly high cost.
- Unpredictable changes in student enrollment
- A precipitous decline in financial resources

LEAs will indicate their intent to request a USDE waiver in ISBE's exemption survey. They will be asked to summarize the intended waiver request. The survey will then skip to Section 6 (attestation).

USDE will review each waiver request individually. ISBE staff will reach out to LEAs that intend to submit a waiver request to USDE to provide technical assistance.



Section 5: Demonstration Worksheet

LEAs that are not eligible for exemptions or waiver must implement MOEquity requirements in FY23.

ISBE has created a worksheet and guidance to support LEAs in making MOEquity determinations. You can find these resources at https://www.isbe.net/Pages/covid19.aspx.

By or before December 2, LEAs must email a completed demonstration worksheet to ARPMOEQUITY@ISBE.net in addition to submitting the FY23 MOEquity Exception Survey.



Section 6: Attestation

By submitting this form, I hereby confirm that I am the authorized representative, with the fiscal and legal authority, to certify this information on behalf of this school district. In addition, to the best of my knowledge and belief, all the information in this form is true and correct. If a representative other than the superintendent is submitting this form, submission signals that the superintendent has approved of the information contained within this form.



Next Steps

- 1. Review ISBE's list of LEA's pre-identified for exemption to confirm accuracy.
- 2. Complete the <u>FY23 LEA MOEQuity Exception Survey</u> along with any required deliverables by September 12, 2022.
- 3. Certification of Exemption: LEAs eligible for this exemption should submit the survey and send the signed certification to ARPMOEQUITY@ISBE.net by September 12.
- 4. USDE Waiver: LEAs requesting a USDE waiver should submit the survey by September 12. ISBE will contact these LEAs to provide additional direction.
- 5. Questions can be sent to ARPMOEQUITY@ISBE.net
- 6. This webinar/ppt and all related resources can be found at https://www.isbe.net/Pages/covid19.aspx under Federal-Funding ESSER.

LEAs not eligible for exemption or waiver should also watch PT. II of this webinar to learn more about ISBE's MOEquity Demonstration Tool.



MOEquity Webinar Part II

Webinar Pt. I: Exception Survey

- Survey is required for all districts <u>not</u> <u>pre-identified as Exempt</u>.
- Provides overview of MOEquity requirements
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Webinar Pt. 2: Demonstration Tool

- Only for districts not eligible for exemption or waiver in FY23
- Instructions for completing ISBE's FY23 MOEquity Demonstration Tool and submitting final data to ISBE
 - Required by December 2

ISBE's MOEquity Resources: https://www.isbe.net/Pages/covid19.aspx



Agenda Part II

- I. Demonstration Tool Overview
 - I. Steps 1-3: ISBE and District Data,High-Poverty School Identification
 - II. Steps 4-5: Modeling and Analyzing Determinations
 - III. Step 6: Submitting Final Data



Demonstration Tool

The FY23 Demonstration Tool has five tabs:

- The Directory tab contains all ISBE-supplied data
- The High-Poverty Identification tab supports LEAs in identifying their high-poverty schools on a district-wide or grade-span basis
- The District-Wide and Grade-Span
 Determination tabs allow LEAs to model the results of fiscal and staffing tests on a district-wide or grade-span basis.
- The Final LEA Data tab collects the results the LEA intends to submit to ISBE



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- I. Demonstration Tool Overview
 - I. Steps 1-3: ISBE and District Data, High-Poverty School Identification

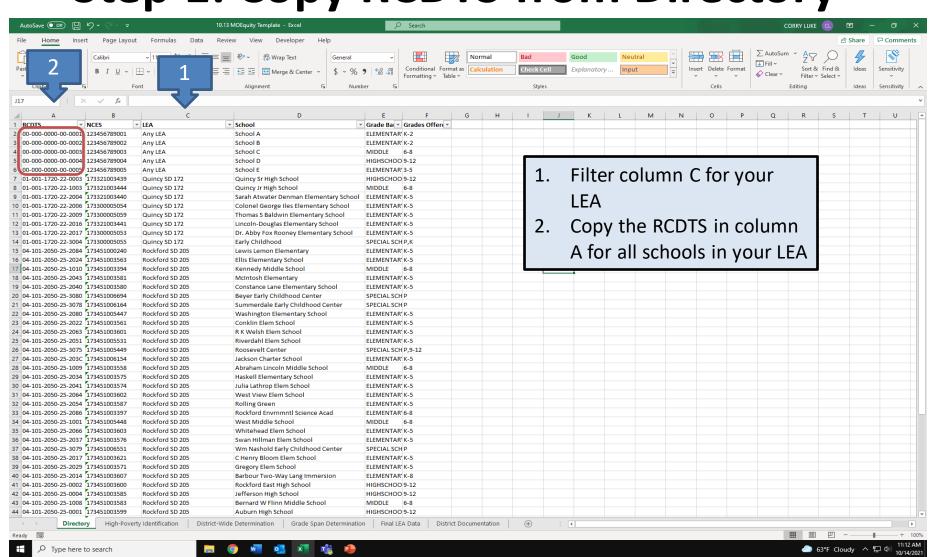
High-Poverty
Identification Tab

- II. Steps 4-5: Modeling and Analyzing Determinations
- III. Step 6: Submitting Final Data



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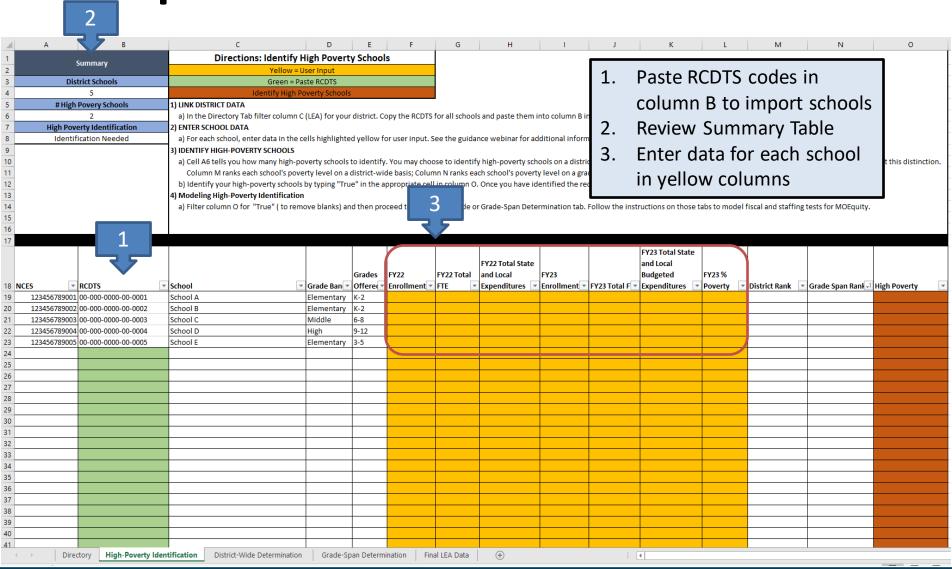
Step 1: Copy RCDTS from Directory





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Step 2: Paste RCDTS and Enter Data





FY22 and FY23 Enrollment

- Provide a count of the **total** home student enrollment at each building for each year
- LEAs have flexibility in choosing enrollment data
 - Same enrollment data it used to allocate funds each year
 - Prior year enrollment
 - An average of multiple prior years' enrollment
- Document your enrollment procedures
- LEAs do not need to account for changes to enrollment during the course of the year.

ISBE recommends following the same enrollment procedures your LEA uses to determine enrollment for Title I Comparability.



FY22 and FY23 FTE Staff

- Provide the total FTE staff assigned to each building each year, including federally funded staff
- Include all paid staff (instructional and noninstructional), including contractors who perform school-level services (lunch staff, custodial staff, etc.)
- Include proportional FTE for staff who serve more than one building, such as a speech language pathologist who is shared across schools. As a result, the total FTE may not be a whole number.
- You do not need to account for changes to staffing during the course of the year.



FY22 Actual Expenditures and FY23 Budgeted Expenditures

- Enter the total state and local expenditures allocated to each building for each fiscal year (actual for FY22, budgeted FY23)
- Include all state and local funds available for expenditures for public education
- Exclude federal fund sources and support from private donors, such as charitable contributions from corporations or individuals
- Data should be consistent with sources of state and local funding used for purposes of site-based expenditure reporting

Funding sources must be consistent year to year. Document your procedures!



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School Data Guidance - Expenditure/Budget Exclusions

Exclusions (Consistent with Site-Based Reporting)

Funds budgeted for: Fund 30: Debt Service Fund 60: Capital Projects Fund 70: Working Cash Fund 90: Fire Prevention and Safety Function 1115: Tuition Payments to Charter Schools Function 1300: Adult/Continuing Education Programs Function 3000: Community Services Functions 4130, 4230, 4330: Payment to other governmental agencies for adult/continuing education programs Function 5000: Debt Services Object 500: Capital Outlay and/or Depreciation (may include or exclude expenditures in fund 10) County Juvenile Detention Center Expenditures **Legacy Pension Obligations** Reimbursable expenditures that come from an LEA that would be reporting the expenditure Function 1999: Student Activity TRS on-behalf payments

Additional Exclusions

- Federal funds
- Support from private donors
- Funds from state and local grants where the LEA is reimbursed for expenses based on the actual cost of services (e.g. the state After School Programs Grant)
- One-time disbursements for a specific purpose, if any

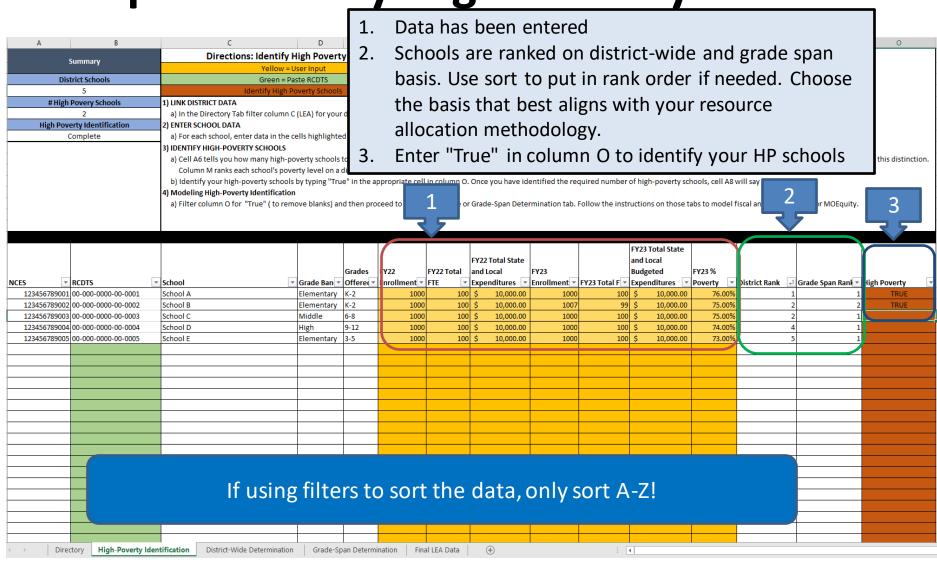


FY23 Poverty Percentage

- Permitted to use the same measure(s) of poverty your LEA uses to rank schools under 1113(a) of ESEA. ISBE recommends being consistent with the poverty percentages you report for Title I Comparability.
- You do not need to account for changes to enrollment during the course of the year.

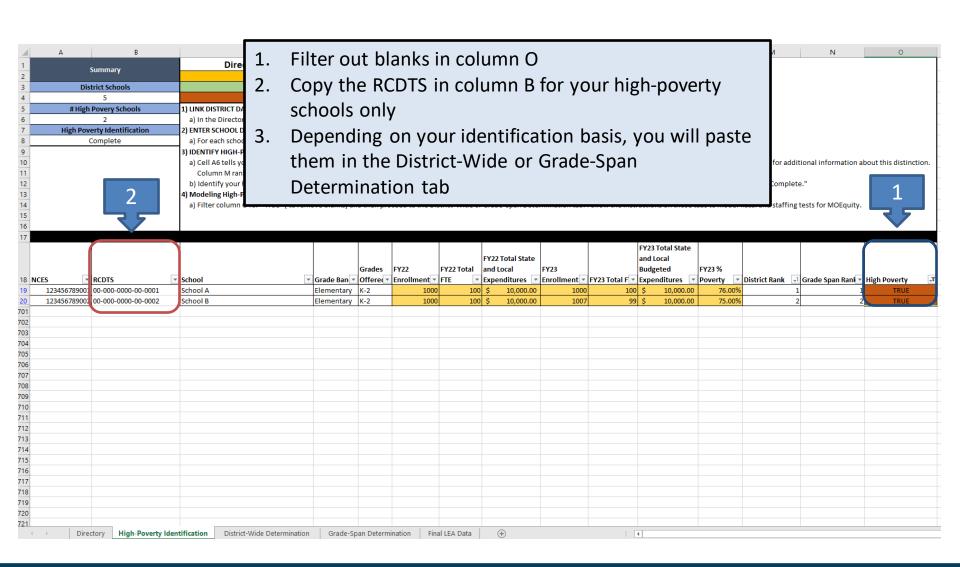


Step 3: Identify High-Poverty Schools





Step 3 Continued: Copy RCDTS for High-Poverty Schools





Agenda Part II

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 - Steps 1-3: ISBE and District Data,
 High-Poverty School Identification
 - II. Steps 4-5: Modeling and Analyzing Determinations

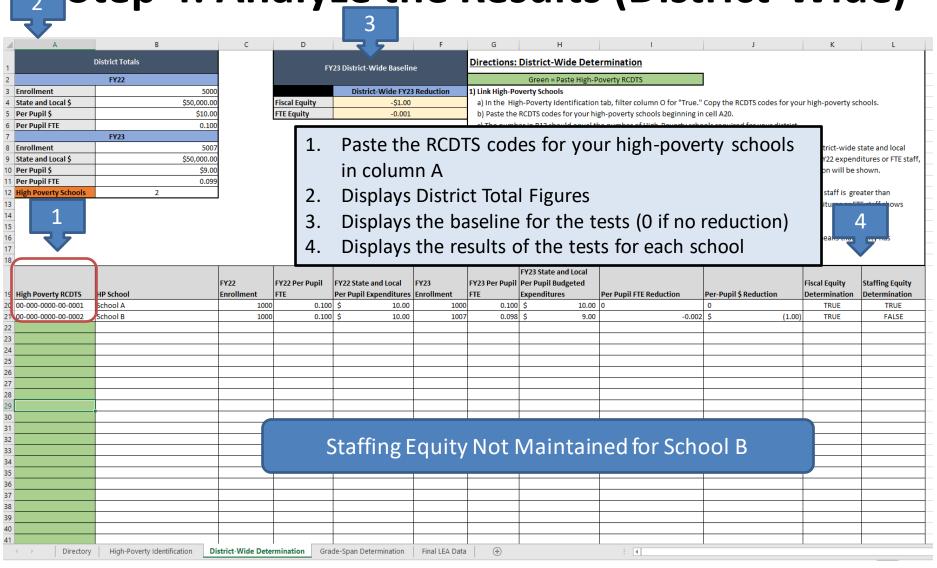
III. Step 6: Submitting Final Data

Determination Tabs



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Step 4: Analyze the Results (District-Wide)





Determination Flexibilty

Per the Department, LEAs may choose to analyze MOEquity determinations on a district-wide or grade-span basis. LEAs may

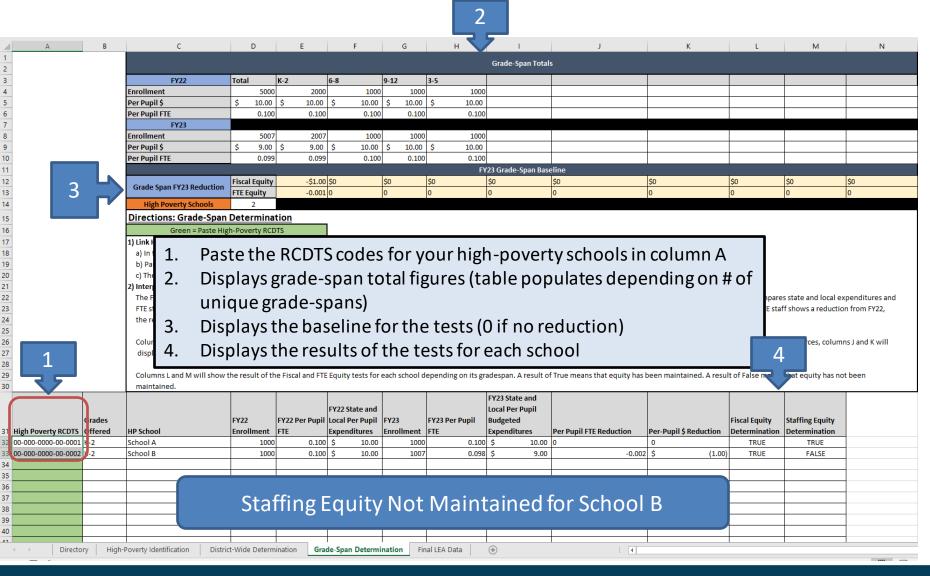
- Alternate between conducting MOEquity determinations on a gradespan or district-wide basis from year to year
- Choose one determination basis for fiscal equity and another for staffing equity, if there are meaningful differences in how staff and funding are allocated

LEAs should be consistent within each test each year.

School	Fiscal Equity	Staffing Equity	Allowed?	
School A	Grade-Span	District-Wide	No	
School B	District-Wide	District-wide	NO	
School A	Grade-Span	District-Wide	Voc	
School B	Grade Span	District-Wide	Yes	

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Step 5: Analyze the Results (Grade-Span)





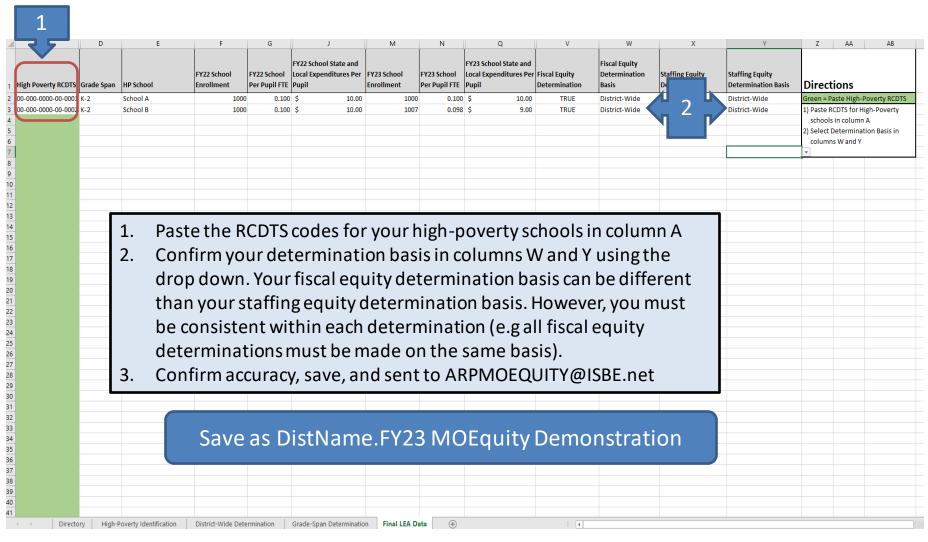
Agenda

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Final LEA Data Tab



Step 6: Confirm Final Determinations





If Equity is not Maintained

Per Section 2004(c) of the ARP Act, LEAs must maintain fiscal and staffing equity to receive and spend ESSER III funds. These test are intended to be conducted during the budgeting process, so that any disproportionate reductions at high-poverty schools can be addressed.

If an LEA does not maintain equity, the LEA must make adjustments to resources. Per guidance from the Department of Education, if an LEA cannot adjust resources to ensure compliance in that same year, the LEA may make adjustments to resources in the next year to ensure that high-poverty schools in the LEA are treated equitably.

LEAs that determine they have not maintained fiscal and/or staffing equity in high-poverty schools must submit a plan describing what adjustments they will make to be in compliance prior to the start of the next fiscal year. ISBE will provide further direction to districts that submit worksheets demonstrating that they have not maintained fiscal and/or staffing equity in high-poverty schools.



Next Steps

- 1. Complete the <u>FY23 LEA MOEQuity Exception Survey</u> by September 12, 2022.
- Certification of Exemption: LEAs eligible for this waiver should submit the survey and send the signed certification to <u>ARPMOEQUITY@ISBE.net</u> by September 12.
- 3. FY23 Demonstration Worksheet submitted to ISBE by December 2, 2022.
- 4. Questions can be sent to ARPMOEQUITY@ISBE.net
- This webinar/ppt and all related resources can be found at https://www.isbe.net/Pages/covid19.aspx under Federal-Funding ESSER.