



Illinois State Board of Education

100 North First Street • Springfield, Illinois 62777-0001
www.isbe.net

Gery J. Chico
Chairman

Christopher A. Koch, Ed.D.
State Superintendent of Education

BULLETIN NO. 03-12

TO: School District Superintendents
School District Title I, Part A Directors

FROM: Monique Chism, Division Administrator, Innovation and Improvement

RE: Allocation of Title I Funds to School Attendance Centers

CONTACT: Melina Wright
Division Supervisor
217-524-4832, mewright@isbe.net

The purpose of Title I Part A is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and State academic assessments.

This e-bulletin outlines how local educational agencies (LEA) identify eligible Title I school attendance areas and schools and allocate funds to those attendance areas and schools, including private schools and charter schools. The information reflects the requirements in Title I, Part A, §1113 of the Elementary and Secondary Education Act (ESEA), as amended by the No Child Left Behind Act (NCLB), and §§200.77 and 200.78 of the Title I regulations published in the Federal Register on December 2nd, 2002.

GENERAL SERVICE SELECTION REQUIREMENTS FOR TITLE I:

1. An LEA must rank **all** of its school attendance areas according to their percent of poverty.
2. After an LEA has ranked all of its school attendance areas by poverty, the LEA must first serve, in rank order of poverty, its areas above 75% poverty, including any middle schools or high schools.
3. Only after an LEA has served **all** of its areas with a poverty rate above 75% may the LEA serve lower-ranked areas. The LEA has the option to (1) continue on with district-wide ranking or (2) rank remaining areas by grade span groupings.
4. An LEA with an enrollment of less than 1,000 students or with only one school per grade span is not required to run its school attendance areas.

RANKING AND SERVING

Each year, an LEA must rank its public school attendance areas in order of poverty prior to selecting which attendance centers will be served.

1. The LEA must serve all schools above 75% poverty in rank order regardless of grade-span.
2. After an LEA has funded all schools with a poverty rate above 75%, it may serve schools ranked lower than 75% either by grade-span groupings or by the district as a whole.

EXAMPLE 1: Central LEA has four schools with poverty rates above 75% (East High School, West Middle School, North Middle School, and South Elementary School) and four schools with poverty rates of 70% (Upper Elementary School) and 65% (Lower Elementary School), 60% (Coast Middle School) and 55% (Inland Middle School). The LEA has chosen to serve only elementary schools below 75%. The schools would be served in the following rank-order:

SCHOOL	PERCENT OF STUDENTS ON FREE AND REDUCED LUNCH	PER-PUPIL ALLOCATION
<i>Schools Above 75%</i>		
East High School	87%	\$800
West Middle School	85%	\$800
North Middle School	80%	\$750
South Elementary School	78%	\$750
<i>Elementary Schools Below 75%</i>		
Upper Elementary School	70%	\$750
Lower Elementary School	65%	\$700
<i>Middle Schools Below 75%</i>		
Coast Middle School	60%	\$0
Inland Middle School	55%	\$0

In this case, the district has an obligation to serve **ALL** schools with a poverty rate above 75%. After that, an LEA can choose how it would like to serve the remaining schools in the district. In this case the district chose to **ONLY** serve the elementary schools. *The allocation provided to each school should be reflected in the budget detail page. Also note that ranking and providing an allocation to a school (including charter schools) is based solely on poverty. Other factors, such as compliance issues, are not a factor in determining a schools allocation.*

EXAMPLE 2: If, for example, the Central LEA chooses to serve schools at or below 75% poverty using grade-span groupings, such as elementary or middle schools, may determine different per-pupil amounts for different grade spans as long as those amounts **DO NOT** exceed the amount allocated to any area or school above 75% poverty. Per-pupil amounts within grade spans may vary, but the LEA may not allocate higher per-pupil amounts to areas or schools with lower poverty rates.

This e-bulletin contains basic information on NCLB provisions. It is meant to provide a ready reference for school administrators, teachers, and the public on NCLB implementation. It is not intended as a comprehensive source of information on the rules and regulations which govern NCLB Title I.

Using the example above, Central LEA wants to serve all schools using grade span grouping and has determined that the middle school grade span has a greater need for services: *Again, the allocation provided to each school should be reflected in the budget detail page.*

SCHOOL	PERCENT OF STUDENTS ON FREE AND REDUCED LUNCH	PER-PUPIL ALLOCATION
<i>Schools Above 75%</i>		
East High School	87%	\$800
West Middle School	85%	\$800
North Middle School	80%	\$750
South Elementary School	78%	\$750
<i>Elementary Schools Below 75%</i>		
Upper Elementary School	70%	\$600
Lower Elementary School	65%	\$590
<i>Middle Schools Below 75%</i>		
Coast Middle School	60%	\$650
Inland Middle School	55%	\$625

Grandfathering

If an LEA served a school that was funded with Title I funds in a previous year but is no longer eligible in the current year for example, falls below 40% poverty, it may continue to serve that school for one additional year. This provision is known as “**grandfathering**” and is allowable under §1113(b)(1)(C).

Skipping

An LEA may elect to not serve or “**skip**” an otherwise eligible school **ONLY** when **ALL THREE** of the following criteria are met:

1. The school that is skipped must meet comparability requirements;
2. The school must receive supplemental state and local funds that are equal to or greater than the funds it would have otherwise received under Title I, Part A; and
3. The supplemental state and local funds must be spent for Title I-like purposes.

ALLOCATIONS TO PRIVATE SCHOOLS

An LEA must provide equitable services to **private schools** located in public school attendance areas that are not served but are otherwise eligible to be served. Thus, the LEA, in consultation with private school officials, must obtain the best available poverty data on private school children who reside in participating attendance areas.

This e-bulletin contains basic information on NCLB provisions. It is meant to provide a ready reference for school administrators, teachers, and the public on NCLB implementation. It is not intended as a comprehensive source of information on the rules and regulations which govern NCLB Title I.

Because private school officials may have access to some sources of poverty information not easily accessible to public school officials, it is very important that public and private school officials cooperate in this effort. An LEA may count private school children from low-income families every year or every two years.

If an LEA elects not to serve an eligible attendance area, the per-pupil allocation that would have been allocated to that attendance area must be allocated for private school students residing in that attendance area.

ALLOCATING TITLE I FUNDS TO REMAINING PARTICIPATING AREAS OR SCHOOLS

An LEA must allocate remaining Part A funds to participating school attendance areas or schools based on one of two criteria, if and only if one of the following two exemptions are not met:

1. The total district enrollment is less than 1000 students; or
2. The district has one school per grade span.

If one of the aforementioned exemptions are not met, the LEA must identify how it plans to rank Title I eligible schools for service. The LEA may qualify attendance areas or schools in one of the following ways:

1. The district plans to qualify for services only those attendance areas or schools from elementary, junior high, or high school with a low-income count above the average for the grade span.
2. The district plans to qualify for services only those attendance areas or schools with a low-income count equal to or greater than the low-income average, in which case the district must indicate which form of ranking will be used (*usually used by district with attendance areas or schools with less than 35% poverty*):
 - a. ranking all attendance areas or schools with a low-income count above the district average; or
 - b. ranking by grade span attendance areas or schools within the district that have a low-income count above the district average.
3. The district plans to qualify for services all eligible attendance areas or schools with a low-income count greater than 35%; again, the district must indicate which type of ranking will be used:
 - a. ranking with the entire district; or
 - b. ranking by same or similar grade spans.

This e-bulletin contains basic information on NCLB provisions. It is meant to provide a ready reference for school administrators, teachers, and the public on NCLB implementation. It is not intended as a comprehensive source of information on the rules and regulations which govern NCLB Title I.

ALLOCATIONS TO NEW OR EXPANDING CHARTER SCHOOLS

A new or expanding charter school must receive Title I Part A funds for which it is eligible within five months of opening or significantly expanding its enrollment. This is required “notwithstanding the fact that the identity and characteristics of the students enrolling at the charter school are not fully determined until that charter school actually opens.” See 20 U.S.C. 8065a(a). As with all school attendance areas served by the LEA, eligibility will depend upon the percent of low-income students served by the charter school; **except that, for the year a charter school opens for the first time or significantly expands its enrollment, LEAs are precluded from determining the charter school’s eligibility to participate in the district’s Title I program on the basis of enrollment or eligibility data from a prior year, even if eligibility determinations for other public schools under the program are based on data from a prior year.** An LEA has some flexibility in obtaining poverty data for charter schools that are opening for the first time or significantly expanding their enrollment

1. If enrollment and poverty data for a new or expanding charter school are *NOT* available at the same time that such data are collected for other public schools within the LEA (e.g. the charter school has not yet opened or expanded), an LEA may use the same data collected at a different time of the year to determine the charter school’s eligibility for, and allocation of, Title I funds.

EXAMPLE: An LEA that uses enrollment and free-lunch data collected in February 2011 to determine allocations for the 2011-2012 school year may use charter school data collected at a later date to determine the public charter school’s Title I eligibility and allocation.

2. If an LEA uses poverty data that is not available for a charter school, such as free and reduced-lunch data, the LEA has several options:
 - a. The LEA may use poverty data for children attending a new or expanding charter school that is from a different source than the data it uses for other public schools within the LEA, so long as the income level for both sources is generally the same.

EXAMPLE: Charter school officials may be able to produce an equivalent count of children eligible for free and reduced-price lunches using sources of poverty data other than free and reduced-price lunch data, such as a survey of parents, State programs, or tuition scholarship programs.

- b. If complete actual data is not available, the LEA may extrapolate the number of low-income students in a new or expanding charter school from actual data on a representative sample of students in the charter school. The sample size should be large enough to draw a reasonable conclusion that the poverty estimate is accurate.

This e-bulletin contains basic information on NCLB provisions. It is meant to provide a ready reference for school administrators, teachers, and the public on NCLB implementation. It is not intended as a comprehensive source of information on the rules and regulations which govern NCLB Title I.

- c. The LEA may obtain the number of low-income children in a new or expanding charter school by correlating sources of data--that is, by determining the proportional relationship between two sources of data on low-income children in regular public schools and applying that ratio to a known source of data on low-income students in a charter school (*U.S. Department of Education, Office of Elementary and Secondary Education: Non-Regulatory Guidance 34 CFR Part 76, Subpart H*).

If enrollment and poverty data for a charter school that is opening for the first time or significantly expanding its enrollment are not available in time to be factored into the LEA's allocation process, the LEA has a few options to accommodate this situation and ensure that charter schools receive the proportionate amount of Title I funds, as required by law.

1. The LEA may reserve an amount off the top of its Title I allocation that it believes will be sufficient to fund eligible charter schools that are opening for the first time or significantly expanding their enrollment. Once a charter school has opened or expanded, and the actual data is available, the LEA would determine whether the charter school is eligible and ranks sufficiently high to receive Title I funds;
2. The LEA may distribute an appropriate amount available from Title I *carryover funds* to a charter school that is opening for the first time or significantly expanding its enrollment; or
3. The LEA may apply to the SEA for funds available through the Title I reallocation process to serve a charter school that is opening for the first time or significantly expanding its enrollment.

ALLOCATIONS TO EXISTING CHARTER SCHOOLS

An LEA must rank and serve public charter schools in the same manner as any other public school within the district, because all charter schools are public schools in Illinois. Specifically, if the charter school serves a low-income population greater than 75%, it must receive Title I funds. Likewise, the charter school must meet all the same eligibility requirements as public schools within the district. If the charter school serves less than 75% low-income students, it may or may not be served depending upon the district's decision on ranking, or if the district is exempt from ranking.

