UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

JUL 3 0 2015

Dear Chief State School Officer:

In recent years, State and local educational agencies (SEAs and LEAs) have made significant progress implementing reforms designed to improve student learning and increase the quality of instruction for all students. Simultaneously, we are seeing dramatic improvements in student achievement: achievement gaps are shrinking, high school graduation rates have reached an all-time high at 81 percent, and dropout rates are at an historic low. With all of this work taking place in States and LEAs across the country, it is more important than ever for LEAs and schools to leverage their Federal funds as efficiently and effectively as possible. In this regard, I want to highlight a primary means to maximize use of these funds—the Title I, Part A schoolwide program.

According to recent data from the Consolidated State Performance Report, more than 70 percent of Title I schools operate schoolwide programs. Based on input from the field, however, there appear to be some schoolwide program flexibilities that are not being used to their full extent. Consequently, some LEAs and schools may not be fully leveraging their resources.

The enclosed document highlights specific advantages and flexibilities in schoolwide programs, identifies common misunderstandings about schoolwide programs that may persist in some LEAs and schools, and serves as a resource tool for SEAs, LEAs, and schools. I encourage you to use this document in conjunction with existing guidance, and to circulate this document to your LEAs and schools.

We appreciate your incredible work to enhance the achievement of all your students.

Sincerely,

Ann Whalen
Delegated the authority to perform the functions
and duties of Assistant Secretary for Elementary
and Secondary Education

SUPPORTING SCHOOL REFORM BY LEVERAGING FEDERAL FUNDS IN A SCHOOLWIDE PROGRAM

Aligning Title I and School Reform

Title I, Part A (Title I) of the Elementary and Secondary Education Act of 1965 (ESEA) is among the most critical Federal education programs to support reforms and innovations in elementary and secondary education — in part due to the amount of Title I funds State educational agencies (SEAs), local educational agencies (LEAs), and schools receive annually, and because the purpose of Title I aligns with the reforms and innovations underway in schools across the country. The purpose of Title I 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 standards and assessments. To this end, Title I helps SEAs, LEAs, and schools meet the educational needs of low-achieving students in schools with high concentrations of students from low-income families.

Over the past few years, SEAs and LEAs have initiated reforms and innovations to increase the quality of instruction and improve academic achievement for all students and, thus, meet the statutory goals of Title I. SEAs have adopted college- and career-ready standards and have developed assessments aligned with those standards. SEAs and LEAs are also moving forward with reforms in such areas as teacher and leader evaluation and support systems, turning around low-performing schools, and expanding access to high-quality schools. Depending on the needs of each school, these reforms span a continuum from focusing on specific needs of historically underserved populations to implementing rigorous school intervention models designed to turn around a State's lowest-performing schools.

For an LEA implementing these or other reforms, it is essential to use Federal education funds effectively and efficiently. Of the two types of Title I programs an LEA can operate — targeted assistance or schoolwide — one permits the LEA to use Title I funds to support comprehensive schoolwide reforms. In a schoolwide program, an LEA may use Title I funds to implement reforms to upgrade the entire educational program of the school. In contrast, in a targeted assistance program, an LEA may use Title I funds only for Title I students — *i.e.*, those who are failing, or most at risk of failing, to meet the State's academic achievement standards.

The flexibility to use Title I funds to support comprehensive schoolwide reforms is particularly important for an LEA in a State that has received flexibility regarding specific requirements of the ESEA in exchange for rigorous and comprehensive State-developed plans designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction (ESEA flexibility). An LEA in a State that has received ESEA flexibility must implement rigorous, schoolwide reforms that are aligned with the turnaround principles in each of its "priority" schools (generally, a State's lowest-achieving five percent of Title I schools), and rigorous reforms that are designed to close achievement or graduation rate gaps in each of its "focus" schools (generally, the ten percent of Title I schools in a State with the largest achievement or graduation rate gaps).

This document explains how operating a schoolwide program under Title I can be beneficial to LEAs and schools as they explore how to most effectively leverage their local, State, and Federal funds in order to promote school reforms and raise student achievement. In particular, this document highlights specific advantages and flexibilities inherent in schoolwide programs, clarifies common misunderstandings about schoolwide programs that may persist, and serves as a resource tool, in conjunction with existing guidance, for SEAs, LEAs, and schools.

Using Title I Schoolwide Programs to Support School Reform

A Title I schoolwide program is a comprehensive reform strategy designed to upgrade the entire educational program in a Title I school with a poverty percentage of 40 percent or more in order to improve the achievement of the lowest-achieving students (ESEA section 1114(a)(1)).

- Any Title I school with 40 percent or more of its students living in poverty, regardless of the grades it serves, may operate a schoolwide program.

- An SEA may request a waiver for certain schools to operate a schoolwide program without meeting the 40 percent poverty threshold through:

  - ✓ The School Improvement Grants (SIG) program in a Tier I or Tier II school that receives SIG funds to implement one of the SIG intervention models; and

  - ✓ ESEA flexibility in a priority school or focus school that implements interventions designed to enhance the entire educational program of the school.

Benefiting from Operating a Schoolwide Program

A school that operates a schoolwide program is able to take advantage of numerous benefits, including:

- **Serving all students**. A school operating a schoolwide program does not need to identify particular students as eligible to participate (ESEA section 1114(a)(2)(A)(i)).

- **Providing services that need not be supplemental** (see pages 8-12). A school operating a schoolwide program does not need to provide specific services that supplement the services participating students would otherwise receive (ESEA section 1114(a)(2)(A)(ii)).

- **Consolidating Federal, State, and local funds** (see pages 7-8). A school operating a schoolwide program may consolidate Federal, State, and local funds to better address the needs of students in the school (ESEA section 1114(a)(3)).

Implementing a Schoolwide Program

There are three basic components of a schoolwide program that are essential to effective implementation:[1]

- Conducting a **comprehensive needs assessment** of the entire school, using academic achievement data and perception data from school staff, parents, and others in the community. Using a systematic method, such as root-cause analysis, this comprehensive needs assessment should identify the major problem areas that the school needs to address.

- Preparing a **comprehensive schoolwide plan** that describes how the school will improve academic achievement throughout the school, but particularly for the lowest-achieving students, by addressing the major problem areas identified in the comprehensive needs assessment. **This plan may be integrated into an existing improvement plan.**

- **Annually reviewing the schoolwide plan**, using data from the State's assessments, other indicators of academic achievement, and perception data to determine if the schoolwide program has been effective in addressing the major problem areas and, in turn, increasing student achievement, particularly for the lowest-achieving students. Schools need to **annually revise the plan**, as necessary, to ensure continuous improvement.

Using Federal Funds Flexibly in a Schoolwide Program

Consistent with the benefits identified above, a school operating a schoolwide program may use Title I funds for any activity that supports the needs of students in the school as identified through the comprehensive needs assessment and articulated in the schoolwide plan (ESEA section 1114(b)). In implementing the schoolwide plan, a school must, among other things, use effective methods and instructional strategies that are based on evidence, provide instruction by highly qualified teachers, provide high-quality, ongoing professional development, and increase parent involvement (ESEA section 1114(b)(1)).

Examples of Uses of Funds in a Schoolwide Program (Based on the Needs Assessment)
▪ Increased learning time. ▪ High-quality preschool or full-day kindergarten. ▪ Evidence-based strategies to accelerate the acquisition of content knowledge for English Learners ▪ Equipment, materials, and training needed to compile and analyze data to monitor progress, alert the school to struggling students, and drive decision making. ▪ Devices and software for students to access digital learning materials and collaborate with peers, and related training for educators. ▪ Instructional coaches to provide high-quality,

[1] Please see the Department's guidance titled *Designing Schoolwide Programs* (Mar. 2006) (available at http://www.ed.gov/policy/elsec/guid/designingswpgnd.doc), which provides helpful information on conducting a comprehensive needs assessment, developing and implementing a schoolwide plan, and revising a schoolwide program.

The specifics of the schoolwide plan, including which evidence-based strategies and instructional methods will be used, are at the discretion of the school (and other LEA officials).	school-based professional development. ▪ Evidence-based activities to prepare low-achieving students to participate successfully in advanced coursework. ▪ School climate interventions, *e.g.*, anti-bullying strategies, positive behavior interventions and supports. ▪ Activities that have been shown to be effective at increasing family and community engagement in the school. ▪ Family literacy programs.

Dispelling Misunderstandings about Uses of Title I Funds in a Schoolwide Program

The following are some common misunderstandings regarding the flexibilities available in using Title I funds to operate a schoolwide program:

Misunderstanding	Explanation of Law
Title I funds may only be used to support reading and math instruction.	Title I funds may be used in a schoolwide program to support academic areas that the school's needs assessment identifies as needing improvement.
Title I funds may only be used to provide remedial instruction.	The purpose of a schoolwide program is to upgrade the entire educational program in the school in order to raise the achievement of the lowest-achieving students. At times, this may be best achieved by preparing low-achieving students to take advanced courses — for example, providing an intensive summer school course designed to accelerate their knowledge and skills, offering an elective course to prepare them to take advanced courses, or providing after-school tutoring while they are taking advanced courses.
Title I funds may only be used to serve low-achieving students.	Title I funds may be used to upgrade the entire educational program in a school and, in doing so, all students may benefit from the use of Title I funds. However, consistent with the purpose of Title I, the reason to upgrade the entire educational program in a school is to improve the achievement of the lowest-achieving students.
If a school does not consolidate funds, Title I	A school need not use Title I funds to provide

Misunderstanding	Explanation of Law
funds may only be used to provide services in a pull-out setting.	services only in a pull-out setting, although this practice is not prohibited either. Title I funds may be used to upgrade the entire educational program in a school and serve all students, even if the school does not consolidate Title I funds with its other funds. However, the primary purpose of a schoolwide program is to raise the achievement of the lowest-achieving students by upgrading the entire educational program. (Please see the discussion below that identifies additional advantages of consolidating Title I funds with other Federal, State, and local funds in a schoolwide program.)
Title I funds may only be used for instruction.	Title I funds may be used for activities and strategies designed to raise the achievement of low-achieving students identified by a school's needs assessment and articulated in the school's comprehensive schoolwide plan. For example, Title I funds may be used to improve attendance, improve school climate, counteract bullying, or provide positive behavioral interventions and supports.
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.	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. (Please see the discussion below regarding supplement not supplant.)
Title I funds may not be used to support children below kindergarten or the age of compulsory education.	A schoolwide program school may use Title I funds to operate, in whole or in part, a preschool program to improve cognitive, health, and social-emotional outcomes for children below the grade at which the LEA provides a free public elementary education.

Misunderstanding	Explanation of Law
	Such a program is designed to prepare children with the prerequisite skills and dispositions for learning that will enable them to benefit from later school experiences. All preschool children who reside in the school's attendance area are eligible to participate.
Individuals with Disabilities Education Act (IDEA) Part B funds may not be consolidated in a schoolwide program.	A schoolwide program school may consolidate funds received under Part B of the IDEA. (Please see the discussion on consolidating Title I funds with other Federal, State, and local funds in a schoolwide program below regarding limitations on the amount of Part B funds that may be consolidated.) A school that consolidates funds under Part B may use those funds in its schoolwide program for any activities under its comprehensive schoolwide plan but must comply with all other requirements of Part B of the IDEA.

Safeguarding the Interests of Historically Underserved Populations

Although a school may use Title I funds to serve all students in a schoolwide program, there are protections to ensure that low-achieving students and historically underserved populations of students do not get ignored.

- The very purpose of a schoolwide program is to upgrade the entire educational program of the school in order to raise the achievement of the lowest-achieving students (ESEA section 1114).

- A comprehensive schoolwide plan must include strategies for —

  - ✓ meeting the educational needs of historically underserved populations (ESEA section 1114(b)(1)(B)(ii)(III)); and

  - ✓ addressing 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 (ESEA section 1114(b)(1)(B)(iii)(I)).

- A schoolwide program school must provide effective, timely additional assistance to students who experience difficulty mastering the State's academic achievement standards (ESEA section 1114(b)(1)(I)).

- An LEA must ensure that each schoolwide program school receives a basic level of funds or resources from non-Federal sources to provide services that are required by law for students with disabilities and English Learners before using Title I funds in the school (ESEA section 1114(a)(2)(B)).

- An LEA operating a schoolwide program must comply with all other applicable laws, including: civil rights laws; laws affecting the education of English Learners; and laws affecting the education of students with disabilities, such as the IDEA and Section 504 of the Rehabilitation Act of 1973.

- If a schoolwide program school consolidates Federal funds, it must ensure that it meets the intent and purposes of each Federal program whose funds it consolidates (ESEA section 1114(a)(3)(C)).

- Before a schoolwide program school may consolidate Title I, Part C Migrant Education Program (MEP) funds, it must, in consultation with migrant parents, an organization representing those parents, or both, first meet the unique educational needs of migrant students that result from the effects of their migratory lifestyle, and those other needs that are necessary to permit these students to participate effectively in school. The school also must document that these needs have been met (ESEA section 1306(b)(4)).

- Before a schoolwide program school may consolidate Title VII, Part A, Subpart 1 Indian Education Program funds, the LEA's parent committee must approve the inclusion of those funds (ESEA section 7115(c)).

Consolidating Federal, State, and Local Funds in a Schoolwide Program

By making systemic changes that knit together services funded from all sources into a comprehensive framework, schools have a better chance of increasing the academic achievement of all students. To encourage this approach and better leverage all available funding, a schoolwide program school has the flexibility to consolidate funds from Title I and other Federal education programs with State and local funds (ESEA section 1114(a)(1), (3)). By consolidating funds in a schoolwide program, a school can more effectively design and implement a comprehensive plan to upgrade the entire educational program in the school as identified through a comprehensive needs assessment. When a school consolidates funds in a schoolwide program, those funds lose their individual identity and the school may use

Advantages of Consolidating Funds in a Schoolwide Program
▪ Flexibility to allocate all available resources effectively and efficiently. ▪ A school is not required to meet most of the statutory and regulatory requirements of the specific Federal programs included in the consolidation, provided it meets the intent and purposes of those programs. ▪ A school is not required to maintain separate fiscal accounting records by Federal program that identify the specific activities supported by each program's funds. ▪ Simplified time and effort documentation.

the funds to support any activity of the schoolwide program without regard to which program contributed the specific funds used for a particular activity. Each SEA must encourage schools to consolidate funds in a schoolwide program and must eliminate State fiscal and accounting barriers so that these funds can be more easily consolidated (ESEA section 1111(c)(8)-(9)).

NOTE: A schoolwide program school has flexibility in its use of Title I funds even absent consolidation. The uses of Title I funds described throughout this document are available to a schoolwide program school that does not consolidate its Title I or other Federal funds. Consolidation, however, affords even greater flexibility, as discussed above.

As noted above, a schoolwide program school may consolidate funds received under Part B of the IDEA. The IDEA provides a straightforward formula for LEAs and their schools that wish to consolidate a portion of their IDEA Part B funds in any fiscal year to carry out a schoolwide program (IDEA section 613(a)(2)(D); 34 C.F.R. § 300.206). First, the LEA determines the amount of funds it received under the IDEA section 611 (ages 3-21) and 619 (ages 3-5) programs. Second, the LEA must divide the total amount of its IDEA grants by the number of children with disabilities in the jurisdiction of the LEA. Third, the LEA then multiplies this figure by the number of children with disabilities who will be participating in the schoolwide program.

The IDEA places the following conditions on LEAs and schools that consolidate IDEA funds in a schoolwide program:

- The IDEA funds must still be counted as Federal funds for IDEA's excess cost and supplement not supplant calculations required by 34 C.F.R. § 300.202(a)(2)-(3).

- Regardless of how the IDEA funds are expended, children with disabilities in a schoolwide program school must:

  - ✓ receive services in accordance with a properly developed individualized education program (IEP); and

  - ✓ be afforded all of the rights and services guaranteed to children with disabilities and their parents under the IDEA.

Making a Difference: Using Federal Funds to Supplement School Reform

The supplement not supplant requirement in ESEA section 1120A(b) does not apply to a schoolwide program school, and the school does not need to demonstrate that Title I funds are used only for activities that supplement 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 the use of Title I funds in a schoolwide program school. However, in order for Federal funds

to make a difference in supporting school reform in a schoolwide program, they must supplement those funds the school would otherwise receive. To ensure that this occurs, a schoolwide program school relies on the equitable distribution of non-Federal funds. Under ESEA section 1114(a)(2)(B):

> A schoolwide program school shall use Title I funds only to supplement the amount of funds that would, in the absence of the Title I funds, be available from non-Federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and English Learners.

This requirement ensures that the Federal funds a schoolwide program school receives do not replace non-Federal funds the school would otherwise receive if it were not operating a schoolwide program. In other words, the supplement not supplant requirement for a schoolwide program is simply that the school receive all non-Federal funds it would receive if it did not receive Title I funds (with the two caveats under "a word of caution" discussed below).

Examples of Equitable Distribution of Non-Federal Funds

There are multiple ways an LEA might distribute non-Federal funds among its schools, including its Title I schoolwide program schools, thereby satisfying the requirement that Title I funds be supplemental. Below, we provide two examples.

Example 1: Distribution of non-Federal resources based on characteristics of students
(This form of equitable distribution is generally referred to as a "weighted per pupil" funding formula.)

Assume:

- ✓ Allocation/student = $7,000
- ✓ Additional allocation/student from a low-income family = $250
- ✓ Additional allocation/English Learner = $500
- ✓ Additional allocation/student with a disability = $1,500
- ✓ Additional allocation/preschool student = $8,500

In a school of 450 students, including 200 students from low-income families, 100 English Learners, 50 students with disabilities, and 20 preschool students, the school would be expected to receive $3,495,000 in non-Federal resources based on the following calculations:

Category	Calculation	Amount
Allocation/student	450 x $7,000	$3,150,000
Allocation/student from low-income family	200 x $250	$50,000
Allocation/English Learner	100 x $500	$50,000

Allocation/student with a disability	50 x $1,500	$75,000
Allocation/preschool student	20 x $8,500	$170,000
		$3,495,000

To meet the supplemental funds test, an LEA would need to distribute non-Federal funds according to the assumptions above to all of its schools, regardless of whether a school receives Title I funds and operates a schoolwide program.

Example 2: Distribution of non-Federal resources based on staffing and supplies

Assume:

- ✓ 1 teacher per 22 students ($65,000/teacher)
- ✓ 1 principal/school ($120,000)
- ✓ 1 librarian/school ($65,000)
- ✓ 2 guidance counselors/school ($65,000/guidance counselor)
- ✓ $825/student for instructional materials and supplies (including technology)

In a school of 450 students, the school would be expected to receive $2,051,250 in non-Federal resources based on the following calculation:

Category	Calculation	Amount
1 principal	1 x $120,000	$120,000
1 librarian	1 x $65,000	$65,000
2 guidance counselors	2 x $65,000	$130,000
21 teachers	21 x $65,000	$1,365,000
Materials, supplies	450 x $825	$371,250
		$2,051,250

To meet the supplemental funds test, an LEA would need to distribute non-Federal resources according to the assumptions above to all of its schools, regardless of whether a school receives Title I funds and operates a schoolwide program. This example does not, however, suggest that non-Federal funds must be used to support the activities in the table above; rather, Title I funds may be used to support any activity identified by the comprehensive needs assessment and articulated in the comprehensive schoolwide plan.

A Word of Caution...

There are two situations in which an LEA's use of Title I funds would likely not be supplemental even if the LEA distributes non-Federal funds according to the examples above. As a result, the LEA would not be able to use Title I funds to operate a schoolwide program.

- **An LEA does not have sufficient non-Federal funds to provide even the most basic education program in all its schools.** In this situation, if Title I funds are used to provide part of the basic level of education funding, they would not be supplemental

because an LEA is charged with providing a basic level of funding for all its students. If, however, the LEA can provide a basic education program in all its schools with non-Federal funds, the LEA may use Title I funds to operate a schoolwide program in an eligible school.

- **An LEA is required by State or local law to provide funding for a specific purpose for all students.** To the extent that an SEA or LEA provides funds to schools to meet a legal obligation, a Title I schoolwide program school must receive its fair share of those resources, subject to application of the exclusion provision discussed below. For example, if State law provides funding for an LEA to deliver pre-kindergarten to all four-year-olds, a schoolwide program school would need to receive sufficient State funds to meet that mandate.

It is also important to note that, in addition to this supplemental funds test for schoolwide program schools, an LEA must also comply with Title I's maintenance of effort and comparability requirements as well as resource comparability requirements under Title VI of the Civil Rights Act of 1964.[2] Together, these requirements ensure Title I serves as a supplemental resource for schoolwide program schools.

Exclusion of Non-Federal Funds from Supplanting Determinations

An LEA may exclude from supplanting determinations *supplemental* non-Federal funds expended in any school for programs that meet the intent and purposes of Title I.

A program meets the intent and purposes of Title I if it either —

- Is implemented in a school with at least 40 percent poverty;
- Is designed to promote schoolwide reform and upgrade the entire educational operation of the school;
- Is designed to meet the educational needs of all students in the school, particularly those who are not meeting State standards; and
- Uses the State's assessment system to review the effectiveness of the program;

OR

- Serves only students who are failing, or most at risk of failing, to meet State standards;
- Provides supplementary services to participating students designed to improve their achievement; and
- Uses the State's assessment system to review the effectiveness of the program. (34 C.F.R. § 200.79(b)).

In other words, if the services would be allowable under Title I — that is, they are designed to promote schoolwide reform in a school with at least 40 percent poverty or to improve the achievement of students who are failing, or most at risk of failing, to meet State standards —

[2] In October 2014, the Department sent a "dear colleague" letter clarifying Title VI resource comparability requirements. The letter may be accessed at: http://www.ed.gov/ocr/letters/colleague-resourcecomp-201410.pdf.

they would not violate the supplanting prohibition, even if they are funded with supplemental non-Federal funds in non-Title I schools and Title I funds in Title I schools.

Examples of the Exclusion Provision in a Schoolwide Program School

- An LEA offers after-school tutoring for any student who scores below proficient on the State's mathematics assessment. Paying for eligible students in a schoolwide program school with Title I funds and eligible students in a non-Title I school with supplemental local funds would not violate the schoolwide program supplement not supplant requirement. This is true even though the schoolwide program school would not receive its share of the supplemental local funds to provide tutoring to eligible students. Rather, the local funds to provide tutoring in the non-Title I school would qualify for the exclusion because they are supplemental and benefit students who, by virtue of being non-proficient in mathematics, are failing to meet the State's mathematics standards.

- An SEA identifies in its ESEA flexibility request all "F" schools in the State as priority schools. An LEA would not violate the schoolwide program supplement not supplant requirement if it uses Title I funds to implement interventions consistent with the turnaround principles in its Title I priority schools and uses supplemental non-Federal funds to provide the same interventions in its non-Title I priority schools.

This exclusion provision applies even if the activity is required by State or local law. For example:

- A State law requires all third-grade students to meet the State's proficient achievement standard in reading/language arts in order to be promoted to fourth grade. Any student who is not proficient at the start of third grade must be provided 90 minutes of supplemental services designed to improve his/her reading proficiency. An LEA would not violate the schoolwide program supplement not supplant requirement if it uses Title I funds to implement the required-by-law reading services in a schoolwide program school and uses supplemental non-Federal funds to provide the same services in its non-Title I schools. Non-Federal funds to provide the reading services would qualify for the exclusion because they are supplemental and benefit only students who are failing to meet the State's reading/language arts standards. This is true even though the schoolwide program school would not receive its share of non-Federal funds to meet the State law requirement. This example is distinguishable from the second example under "a word of caution" above because the required-by-law services are supplemental and targeted at only at-risk students — *i.e.*, those for whom Title I is intended — rather than all students.

Existing Guidance on Schoolwide Programs

The following guidance documents contain additional information on operating schoolwide programs:

- *Title I Fiscal Issues* (Feb. 2008) (available at http://www2.ed.gov/programs/titleiparta/fiscalguid.pdf) (provides information on how

supplement not supplant operates in a schoolwide program and information on consolidating funds in a schoolwide program).

- *Notice Authorizing Schoolwide Programs to Consolidate Federal Education Funds and Exempting Them From Complying With Statutory or Regulatory Provisions of Those Programs*, 69 FR 40360-64 (July 2, 2004) (available at http://www.gpo.gov/fdsys/pkg/FR-2004-07-02/pdf/04-15121.pdf) (provides information regarding what Federal education programs may be consolidated in a schoolwide program and how a school can ensure that it meets the intent and purposes of the Federal programs included in the consolidated schoolwide program).
- *Using Title I, Part A ARRA Funds for Grants to Local Educational Agencies to Strengthen Education, Drive Reform, and Improve Results for Students* (Sept. 2009) (Available at: http://www.ed.gov/policy/gen/leg/recovery/guidance/titlei-reform.pdf.) (Provides information regarding factors to consider in selecting how to use Title I funds (regular and ARRA) to carry out a Title I program.)
- *Designing Schoolwide Programs* (Mar. 2006) (provides details on conducting a comprehensive needs assessment, developing and implementing a schoolwide plan, and revising a schoolwide program) (available at http://www.ed.gov/policy/elsec/guid/designingswpguid.doc).
- *Serving Preschool Children Through Title I Part A of the Elementary and Secondary Education Act of 1965, as Amended* (Oct. 2012) (available at http://www2.ed.gov/policy/elsec/guid/preschoolguidance2012.pdf).