



Kentucky

Department of Education

**Title I, Part A, C & D and
Title VI, Part B**

Frequently Asked Questions



As of

August 1, 2011

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Title I Frequently Asked Questions:

1. What is the difference between a school-wide and a targeted assistance program?

School-Wide Program	Targeted Assistance Program
<p>Definition: A school with at least 40% low-income is eligible to plan and implement a schoolwide program (SWP). A schoolwide program must upgrade the entire educational program in the school in order to raise academic achievement for all students. A schoolwide program:</p> <ul style="list-style-type: none"> • Is based on a year of planning and is built on schoolwide reform strategies, rather than on separate add-on services. • Provides flexibility in spending Federal, State, and local funds as long as the school engages in strategies that increase the amount and quality of learning time and help provide a high-quality curriculum for all children, according to a comprehensive school improvement plan or a SWP plan to help children meet Kentucky’s standards. • Focuses on results. The flexibility in the use of funds must result in increased achievement by student populations (economically disadvantaged, racial and ethnic groups, students with disabilities and students with limited English proficiency). 	<p>Definition: A targeted assistance school (TAS) must use funds only for programs that provide supplemental services for Title I identified children. The goal of a targeted assistance school is to improve teaching and learning to enable Title I, Part A participants to meet the academic standards that all children are expected to master.</p>
<p>Eligible Children: The school is not required to identify particular children. All children are to be provided the opportunity to meet the academic expectations. The focus is on the instructional program instead of particular children.</p>	<p>Eligible Children: The school identifies children who are failing or most at risk of failing to meet Kentucky’s challenging academic standards and having the greatest academic need. Children who are economically disadvantaged, children with disabilities, migrant children, homeless children, and limited English proficient children are eligible for Title I, Part A services on the same basis as other children that are selected for services. From the list of eligible children, the school selects those children who have the greatest need for special assistance to receive Title I, Part A services in the identified focus areas. Core academic areas include English, reading/language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.</p>
<p>Ten components of a school-wide program need to be addressed. They are:</p>	<p>Eight components of a targeted assistance school need to be addressed. They are:</p>

<ol style="list-style-type: none"> 1. Comprehensive Needs Assessment 2. School Reform Strategies 3. Instruction by Highly Qualified Professional Staff 4. High-quality and Ongoing PD 5. Strategies to Attract Highly Qualified Staff 6. Strategies to Increase Parental Involvement 7. Transition Strategies 8. Teacher Participation in Making Assessment Decisions 9. Timely and Additional Assistance to Students having Difficulty Mastering the Standards 10. Coordination and Integration of Federal, State and Local Programs and Resources <p>For more information about the SWP and its components go to the Title I handbook found here: http://www.education.ky.gov/KDE/Administrative+Resources/Federal+Programs+and+Instructional+Equity/Title+Programs/Title+I+Part+A+Improving+Academic+Achievement+of+the+Disadvantaged.htm</p>	<ol style="list-style-type: none"> 1. Activities to Ensure Students Meet State Standards 2. School Planning 3. Effective Methods and Instructional Strategies 4. Coordinate and Support Regular Program 5. Instruction by Highly Qualified Professional Staff 6. High-quality and Ongoing PD 7. Strategies to Increase Parental Involvement 8. Coordination and Integration of Federal, State and Local Programs and Resources <p>For more information about a TAS and its components go to the Title I handbook found here: http://www.education.ky.gov/KDE/Administrative+Resources/Federal+Programs+and+Instructional+Equity/Title+Programs/Title+I+Part+A+Improving+Academic+Achievement+of+the+Disadvantaged.htm</p>
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2. If a district has to implement school choice for one of its schools, how many options to transfer must a district give a parent?

If more than one choice is available, you must offer more than one choice.

If the option to transfer is not available within the district because there is only one (1) school at a grade level or all schools at a grade level are identified for improvement, corrective action and/or restructuring, the district superintendent (or designee) must contact neighboring districts about entering into a cooperative agreement to permit transfers. Although regulations do not specify the number of adjoining districts to contact, best practice would be to contact all adjoining districts. In addition, districts that have a choice within the district may want to include inter-district transfers in their plans in order to broaden the range of student choices or mitigate capacity concerns in the district or both. If an agreement cannot be arranged, the district must include an explanation in the parent notification of why choice is not available (e.g., schools at the same grade level in neighboring districts may also have missed AYP for two (2) or more years).

Transfer schools need to be determined prior to the release of the NCLB data and reports.

Districts should conduct a parent meeting as soon as possible after the notifications are sent at the school level to discuss school improvement including schools of choice and timeline for parents to choose a school from the schools offered. Give parents a minimum of

Fourteen (14) calendar days to select a first and second choice. If choice is not available, then the district should explain this at the parent meeting and emphasizes improvements at the identified school. The district makes final decisions on the school each child will attend and notifies the parents. After the district makes final decision, give parents time to decline transfer.

The following document provides guidance on school choice:

<http://www2.ed.gov/policy/elsec/guid/schoolchoiceguid.doc>

3. In a school-wide program is it possible to use Title I funds to pay the salary or a portion of a salary for a teacher to staff a regular ed class?

When you have a Schoolwide Title I Program, it doesn't matter which teacher or how many teachers are paid out of the budget as long as they are in addition to their required school staffing allocation.

4. What are the requirements for mandatory reservations of funds to serve the Homeless?

According to Title I, Part A, LEAs must reserve (or set aside) such funds as are necessary to provide comparable services to homeless children who are not attending Title I schools. [20 USC 6313(c)(3)]

Because homeless students often face unique barriers when accessing educational programs and striving for academic success, ensuring these students receive comparable services may require additional programming that is not provided to other Title I students. Hence, in determining appropriate expenditures for the funds set aside for homeless students, it is important to note that *comparable services* may not necessarily mean services that are *identical* to the services provided to non-homeless students.

LEAs must establish their own methods for setting aside Title I, Part A, funds for homeless students who are not attending Title I schools. Generally, these methods may involve conducting a needs assessment for homeless students in the LEA or basing the set-aside amount on a formula, such as per-pupil expenditure. Determining an appropriate amount requires coordination between the LEA Title I and homeless education programs. For more information on calculating the mandatory set-aside, visit:

www.serve.org/nche/downloads/calculating_setasides.pdf .

5. Who decides what schools are to be served by Title I funds? What factors should be considered?

The district must allocate funds to schools identified as eligible and selected to participate in rank order based on the percent of low-income students.

There are many factors that must be considered and guidance for this can be found here:

<http://www2.ed.gov/programs/titleiparta/wdag.doc>

This guidance outlines how districts identify eligible Title I schools and allocate funds to those schools.

6. When are the districts Title I allocations determined and are they based on the free and reduced lunch student population?

Generally, tentative allocations are released in late May or early June and they are based on census poverty data which may lag behind or be substantially different than the free and reduced lunch data. The tentative allocations are based on census estimates of the number of children ages 5-17 in families in poverty, the total school-age population, and the total resident population for each LEA. In addition, these allocations factor in updated State per-pupil expenditure data and data from last year on the number of children in locally operated neglected or delinquent institutions, foster homes, and families above poverty receiving assistance under the Temporary Assistance for Needy Families program.

Supplemental Educational Services Frequently Asked Questions:

1. What are Supplemental Educational Services?

Supplemental educational services are additional academic instruction services designed to increase the academic achievement of students in low-performing schools that have not met State targets for increasing student achievement (adequate yearly progress) for three or more years. These services may include academic assistance such as tutoring, remediation, or other after school educational interventions. Supplemental educational services must be:

- Consistent with the content and instruction used by the local educational agency (LEA);
- Aligned with the Kentucky academic content standards; and
- High quality research-based and specifically designed to increase academic achievement

2. Who is eligible to receive supplemental educational services?

Eligible students are all students from low-income families who attend Title I schools that are in their second year of school improvement, in corrective action, or in restructuring. If funds are insufficient to provide services to each eligible student, priority must be given to providing services to the lowest achieving eligible students.

3. What is the responsibility of the local educational agency in providing supplemental educational services?

Local educational agencies (LEAs) must:

- Notify parents about the availability of services.

- Help parents choose a provider, if such help is requested.
 - Determine which students should receive services when not all students can be served.
 - Enter into an agreement with a provider selected by parents of an eligible student.
 - Assist the State Educational Agency (SEA) in identifying potential providers within the LEA.
 - Provide information to the SEA so that it can monitor the quality and effectiveness of the services offered by providers.
 - Protect the privacy rights of students who receive supplemental educational services.
4. **May an LEA decide with which available providers it will contract for services?**
 NO. Any provider that has been approved by the KDE to provide services in the district is eligible to be chosen by a parent for services to their eligible children. SES is designed for parent choice. Districts may not choose which provider is “best” for them and exclude others. Districts may not exclude a provider for any reason.
5. **May an LEA remove a provider from its list of eligible providers or refuse to do business with a provider due to a conflict?**
 No. The KDE is the only entity that may remove a provider from the district or state approved list. If it is determined by an LEA or any individual that there is any type of violation or other concern with a provider, a formal complaint must be submitted to the KDE in accordance with the Complaint Procedure as noted in the KDE SES Policies and Procedures Manual.

Private School Frequently Asked Questions:

1. What must be included in the consultation process used to determine the Title I services to private school students?

Consultation must include:

- How the LEA will identify the needs of eligible private school children;
- Procedures and timelines for making decisions about services;
- Services to be offered, by whom, and how;
- Evaluation of student progress (Measures used to identify low-income students that will generate the available funds.);
- Size and scope of services (i.e. grade levels, subject areas, student selection and progress)
- An examination of private school low income data;
- Services provided by the LEA to teachers and parents of Title I students at the private school (PD and Parent Involvement);
- Thorough consideration of private school views on third party contracting.
- Identification of content areas and grade levels to be served
- Selection of assessment to be used for pre and post test
- Setting of goals for student achievement

2. Who is eligible to receive Title I, Part A services in a private school?

- Low income students residing in the participating Title I, Part A school attendance area that generate the funds are not necessarily those that should be served. (see below)
- Students are rank ordered based on objective educational criteria so the ones with the greatest educational needs (at-risk) are served first.
- Districts can determine students who are at-risk by:
 - Achievement tests
 - Teacher referrals
 - Grades

3. What are equitable services to private school students?

Services can be for students, their families or teachers and can include:

- Instruction in a pull-out setting
- Extended day services
- Counseling programs
- Home tutoring
- PD for teacher of Title I students
- Parent Involvement activities
- Instruction can be delivered by a district hired teacher or through a third party contract

4. What is a third party contract?

Through consultation an LEA may decide to provide private school services through a third party contractor approved by the district. Third party contracts are agreements between an LEA and an outside vendor for the delivery of Title I, Part A services to eligible private school students, teachers, and parents.

It is **NOT**:

- Contracts between or among districts to pool funds;
- A way to hire a non-highly qualified individual;
- A way to hire an individual as a district employee;

For further clarification or questions call your Title I consultant.

5. What types of assessments are involved in a private school Title I program?

There are two types of assessments involved in a private school Title I program.

- Assessment of the Title I program

- Districts must annually assess the program to determine the progress of the students toward meeting goals that were established during consultation and make modifications accordingly
- Assessment of students
 - Students should be given pre and post tests in the subjects in which Title I services are offered
 - Title I funds may be used for assessments if only for Title I purposes

Homeless Frequently Asked Questions:

1. What is the definition of homeless students?

Homeless students/people are those who lack a fixed, regular and adequate nighttime residence. This includes children and youth, ages three through 21 who are:

- Sharing housing due to loss of housing or economic hardship
- Living in motels, hotels, dilapidated trailers or camping ground due to lack of alternative adequate housing
- Living in emergency or transitional housing
- Abandoned in hospitals
- Awaiting foster care
- Having a primary nighttime residence that is a public or private place not designed for, or ordinarily used as regular sleeping accommodations
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations
- Migratory students who live in housing described above

“Unaccompanied Homeless Youth” means a homeless youth who is under the age of 18 and is not in the physical custody of a parent or guardian

2. Are homeless students eligible for free school meals?

When a student has been certified as eligible for free meals, based on designation as homeless, runaway or migrant by a local education agency liaison, homeless or domestic violence shelter director, Runaway Homeless Youth Agency (RHYA) service provider or Migrant Education Program (MEP) coordinator, the eligibility remains effective for the remainder of the school year and up to 30 days into the next school year.

3. Must schools enroll youth in school without proof of guardianship?

Yes. Lack of guardianship papers cannot delay or prevent the enrollment of an unaccompanied youth. 42U.S.C. §§11432(g)(3)(C),(g)(1)(H)(iv),(g)(1)(F)(ii). States and school districts have established different procedures for enrolling youth. Some permit the youth to enroll him or herself; some have the liaison handle enrollment; others use caregiver forms to allow adult caregivers to enroll youth. The McKinney-Vento Act requires states and school districts to eliminate barriers to enrollment and retention and to enroll unaccompanied youth in school immediately. 42 U.S.C. §§ 11432(g)(1)(I),(g)(7). School districts may adopt their own policies to meet these mandates. More information about approaches to enroll unaccompanied youth immediately will soon be available at:

www.nlchp.org/FA-Education

4. How does the McKinney-Vento Act define “unaccompanied youth”? Is there an age range?

Unaccompanied youth is defined as a youth not in the physical custody of a parent or guardian. 42U.S.C. § 11434A(6). The Act does not provide an age range.

5. Does the McKinney -Vento Act contain procedures for resolving disputes?

Yes. The McKinney-Vento Act requires each state to establish its own procedures to resolve disputes promptly. 42 U.S.C. §11432(g)(1)(C). The Act requires schools to admit students immediately to the school in which they are seeking enrollment, until the dispute is resolved. 42 U.S.C. § 11432(g)(3)(E). The school must provide a written explanation of its decision, including information about the right to appeal. 42 U.S.C. §§ 11432(g)(3)(B)(iii),(g)(3)(E). The school must then refer the student, parent, or guardian to the district liaison, who must carry out the dispute resolution process as quickly as possible. 42 U.S.C. § 11432(g)(3)(E).

Neglected and Delinquent (Title I, Part D (TIPD)) Frequently Asked Questions:

Acronyms with which a TIPD program coordinator should be familiar

CSPR:	Consolidated State Performance Report
DJJ:	Department of Juvenile Justice
DOC:	Department of Corrections for Adults
ED:	U.S. Department of Education
IWP:	Institution wide project (all DJJ facilities)
JJDPA:	Juvenile Justice and Delinquency Prevention Act
KDE:	Kentucky Department of Education
KECSAC:	KY Educational Collaboration for State Agency Children
LEA:	Local educational agency (school districts)
MOA:	Memorandum of Agreement (formal agreement contract)
NDTAC:	The National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk
OJJDP:	Office of Juvenile Justice and Delinquency Prevention
RJDC:	Regional Juvenile Detention Center (short term)
SA:	State Agency (DOC and DJJ)
SEA:	State Educational Agency (KDE)
TA:	Targeted assisted project (DOC only)
TIPD:	Title I, Part D – Neglected and Delinquent Program
YDC:	Youth Development Center operated by DJJ (long term)

1. What is the Title I, Part D?

The Title I, Part D, program (also called *The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent or At Risk*) was most recently reauthorized under the Elementary and Secondary Education Act (ESEA), as amended in 2001. This program provides financial assistance to supplement educational programs for youth in correctional or juvenile justice institutions or community day programs operated by State agencies (SAs) and local educational agencies (LEAs).

There are subparts to this program:

- ✓ **Subpart 1** - The Title I, Part D, Subpart 1 State agency Neglected or Delinquent (N or D) program was first authorized with P.L. 89-750, the Elementary and Secondary Amendments of 1966.
 - Subpart 1 establishes the State agency Neglected or Delinquent (N or D) program, through which ED provides Federal financial assistance to State educational agencies (SEAs) to enable them to award sub-grants to State agencies (SAs) that operate educational programs for children and youth in institutions or community day programs for children who are neglected, delinquent and at-risk and for children and youth in adult correctional facilities.

- Kentucky's Subpart 1's include all DOC institutions, DJJ Day Treatments and DJJ Youth Development Centers
- ✓ **Subpart 2** - The Title I, Part D, Subpart 2 local educational agency program came into being in its present form with the Improving America Schools Act of 1994.
 - **Subpart 2** authorizes ED to award grants to SEAs to enable them to award sub-grants to local educational agencies (LEAs) to provide programs that serve children and youth who are in locally operated correctional facilities or are attending community day programs for delinquent children and youth. Additionally, Subpart 2 programs may provide assistance to children and youth who are neglected or at-risk of dropping out of school.
- Kentucky's Subpart 2's include all Delinquent facilities, group homes and DJJ Regional Youth Detention Centers.

2. What are the Purposes of the Title I, Part D Program?

The purposes of Title I, Part D are to:

- improve educational services for children and youth in local and State institutions for neglected or delinquent children and youth so that they have the opportunity to meet the same challenging State academic content and State student achievement standards that all children in the State are expected to meet;
- provide these children with services to enable them to transition successfully from institutionalization to further schooling or employment; and
- prevent at-risk youth from dropping out of school as well as to provide dropouts and children and youth returning from correctional facilities or institutions for neglected or delinquent children and youth, with a support system to ensure their continued education.

Funds may be used to pay the necessary and reasonable costs that provide a variety of services, including reading, mathematics, language arts, and vocationally oriented programs that include academic classroom instruction so long as these are supplementary services and materials. For example, past projects have used funds to:

- Hire additional teachers, aides, educational counselors, and other staff members to provide additional instruction in areas of greatest need;
- Train teachers, aides, and other staff members who are actively involved in providing Title I services;
- Procure needed educational materials and equipment for Title I instruction, including books, computers, audiovisual equipment and supplies, and classroom materials for industrial arts and vocational training; and
- Hire transition coordinators or buy new equipment to assist students' transitions (e.g., purchasing scanners to scan individualized education program (IEP) documents).

3. How Are Funds Allocated to DOC, DJJ and the LEA's?

- Kentucky distributes funds proportionately based on the October Annual Count of the N or D children and youth. To calculate funding allocations; count data is collected on an annual basis via a survey form from two parts. The Annual Count procedures for State Agency (Subpart 1) and Local Agency (Subpart 2) programs are different. ED uses annual count data to calculate funding allocations.
- Kentucky's state goal is to distribute Part D funds to educational programs that (a) have the greatest chance of leading to positive outcomes for children and youth who are neglected, delinquent, or at risk, and (b) afford those children and youth the opportunity to succeed and meet the same challenging standards as expected from their peers in local community schools.
- The funding award is for a 27 month period on a yearly basis. Generally, tentative funds are sent out in May and the final allocation award certification is sent by KDE Budgets and Finance between July and September to DOC, DJJ and the LEAs.

4. May Subpart 1 funds be used for regular education instructional activities?

No. An SA must use Subpart 1 funds to provide services that supplement, not supplant, those services that would, in the absence of Subpart 1 funds, be provided to children participating in the regular school educational program. However, Subpart 1 funds may be used to increase the total number of hours of instruction in any subject area that students receive with State or local funds.

5. What are the SA's parental involvement requirements?

In its application, an SA must assure that it will work with parents to secure their assistance in improving their children's and youth's educational achievement and, as appropriate, preventing further involvement in delinquent activities. Although distance and other factors may limit the involvement of parents, an SA, to the extent possible, must give parents the opportunity to participate in their children's and youth's educational plans. In cases where such an arrangement may not be practicable, a person such as an instructional staff member or someone who is responsible for the individual's education may act in place of that person's parent.

Rural Education Achievement Program Frequently Asked Questions:

1. What is the Rural Education Achievement Program (REAP)?

The Rural Education Achievement Program (REAP), Title VI, Part B is designed to assist rural school districts in using Federal resources more effectively to improve the quality of instruction and student academic achievement. Included in REAP are two individual

programs: Small Rural School Achievement (SRSA) Program and Rural Low-Income Schools (RLIS) Program.

2. What is the difference between SRSA and RLIS?

To be eligible to participate in the SRSA Program, a district must:

1. Have a total average daily attendance (ADA) of less than 600 students, or serve only schools that are located in counties that have a population density of fewer than 10 persons per square mile; and
2. Serve only schools that have a school locale code of 7 or 8 as assigned by the USED's National Center for Education Statistics.

To be eligible to participate in RLIS Program, **all** of the following must apply to the district:

1. Twenty percent (20%) or more of the children ages five to seventeen served by the district are from families with incomes below the poverty line as determined by the USED based on census data;
2. All public schools in the district have a school locale code of 6, 7, or 8, as assigned by the USED's National Center for Education Statistics; and
3. The district is not eligible to participate in the Small Rural Schools Achievement (SRSA) Program.

3. What is REAP-Flex?

Only districts that are eligible for SRSA funds may use the REAP-Flex authority. The SRSA Alternative Uses of Funds Authority, which is referred to as REAP-Flex, provides eligible districts with greater flexibility in using the formula grant funds that they receive under applicable federal programs.

REAP-Flex does not involve a transfer of funds from one program to another. Rather, REAP-Flex gives a district broader authority in spending applicable funding for alternative uses under selected federal programs. When a district transfers funds from one program to another under the transferability authority, the transferred funds increase the allocation of the receiving program and are subject to all of the rules and requirements of the receiving program. Because REAP-Flex covers the same programs as transferability and provides districts with greater flexibility, a district that is eligible for REAP-Flex would not need to exercise transferability authority.

4. What are allowable expenditures for REAP funds (both SRSA and RLIS Programs)?

A district may use the funds that it receives under the SRSA Grant Program to carry out activities authorized under the following provisions:

- Title I, Part A;
- Title II, Part A;

- Title II, Part D;
- Title III;
- Title IV, Part A; and
- Title IV, Part B.

The RLIS Program funds may be used for any of the following activities:

- Teacher recruitment and retention;
- Professional development;
- Parent involvement activities;
- Activities authorized under Title I, Part A;
- Activities authorized under Title II, Part D;
- Activities authorized under Title III, Part A; and/or
- Activities authorized under Title IV, Part A.

Any REAP funds must be used to supplement, and not supplant, any other federal, state, or local education funds.

5. What happens if my district is in district improvement or corrective action or I have a school in school improvement, corrective action or restructuring?

If the district has only participated in the REAP (either SRSA or RLIS) for one (1) to two (2) years, the district has flexibility in the use of funds.

Once a district has received three (3) or more years of funding under REAP, specific accountability requirements take effect. (The number of years starts over if a district is eligible in a prior year and then not eligible and then eligible again.) The district is not required to, but may expend REAP funds on school choice and SES for Title I schools identified for School Improvement, Corrective Action and/or Restructuring.

1. If a district has participated in REAP for three (3) or more years and has made AYP, the district continues to have the broad flexibility.
2. If the district has participated in REAP for three (3) or more years and is in Title I District Improvement or Corrective Action, the district must spend **all** of its REAP funds to meet the specific requirement for Title I improvement. If the district has schools identified for Title I School Improvement, Corrective Action or Restructuring, the district may use the REAP funds to meet the twenty percent (20%) requirement to provide transportation for public school choice and/or Supplemental Education Services (SES) for students in those schools. The REAP funds must be used to implement the required revisions to the District Improvement Plan and/or the District Corrective Action Plan.
3. If the district has participated in REAP for three (3) or more years, did not make AYP, but the district is not yet in Title I District Improvement, the district does not have to meet the specific requirements for improvement outlined in #2. However, the district must spend all REAP funds to address the specific deficiencies that resulted in the

district's failure to make AYP. If the district has schools identified for Title I School Improvement, Corrective Action and/or Restructuring, the district may use REAP funds to meet the twenty percent (20%) requirement to provide transportation for public school choice and/or support SES for students in those schools.

REAP Accountability for 2011-2012	
Based on the NCLB Reporting	
1. District made AYP for 2010-2011 and is not in District Improvement or Corrective Action (even if district did not make AYP for 2009-2010)...	Use flexibility in spending 2011-2012 REAP funds based on allowed uses of funds.
2. District is in District Improvement or Corrective Action (regardless of whether the district made AYP in 2010-2011 school year or not)...	Spend all 2011-2012 REAP funds for improvement requirements. (e.g. SES – Supplemental Educational Services and Transportation costs for school choice)
3. District did not make AYP for 2010-2011 but did make AYP for 2009-2010 and is not in District Improvement or Corrective Action...	Spend all 2011-2012 REAP funds to address AYP deficiencies and in implementing the improvement plan.