

Consolidated Appropriations Act, 2014

Use of Title I, Part A Funds

For Homeless Children and Youth

WEBINAR

April 10, 2014

**Student Achievement and School Accountability
Office of Elementary and Secondary Education**



Other than statutory and regulatory requirements included in the document, the contents of this guidance do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Webinar Purpose

- Provide an overview of new authority regarding the use of Title I, Part A funds in the Consolidated Appropriations Act, 2014 (2014 appropriations act).
- Review recent U.S. Department of Education (ED) letter to State Title I Directors and Homeless Education Coordinators about the new authority.
- Respond to your questions about the new authority.

**Serving Homeless
Children and Youth is
an Integral Part of the
Title I, Part A Program**

Serving Homeless Children and Youth Under Title I, Part A

- Coordination is required between McKinney-Vento and Title I, Part A (Sections 1111(a)(1), 1112(a)(1), 1112(b)(1)(E)(ii) of ESEA).
- Homeless children and youth are eligible to be served in Title I, Part A schools (Sections 1114 and 1115(b)(2)(E) of ESEA).
- Homeless children and youth are eligible for Title I, Part A services regardless of whether they attend a Title I school (Section 1113(c)(3)(A) of ESEA).
 - Section 1113(c)(3)(A) requires a local educational agency with non-Title I schools to reserve the necessary funds to provide comparable Title I services to homeless children in non-Title I schools.

Serving Homeless Children and Youth Under Title I, Part A

- An LEA may also use Title I, Part A funds to provide:
 - Educationally related services to homeless children and youth in shelters and other locations where they may live. to homeless children and youth.
 - Services that may not ordinarily be provided to other Title I students. For example:
 - ❖ Items of clothing, particularly if necessary to meet a school's dress or uniform requirement.
 - ❖ Clothing and shoes necessary to participate in physical education classes.

Serving Homeless Children and Youth Under Title I, Part A

- Examples: (continued)
 - ❖ Student fees that are necessary to participate in the general education program.
 - ❖ Personal school supplies such as backpacks and notebooks.
 - ❖ Birth certificates necessary to enroll in school.
 - ❖ Immunizations.
 - ❖ Food.
 - ❖ Other examples listed in G-11 of Title I Use of Funds guidance.

New Authority

Provided further, that funds available under sections 1124, 1124A, 1125 and 1125A of the ESEA may be used to provide homeless children and youths with services not ordinarily provided to other students under those sections, including supporting the liaison designated pursuant to section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act, and providing transportation pursuant to section 722(g)(1)(J)(iii) of such Act.

New Authority

The 2014 appropriations act expands the use of Title I funds to support homeless children and youth for the following requirements under McKinney-Vento:

- Local homeless liaison.
- Transportation to and from school of origin.

**To which fiscal years'
Title I
funds does the
appropriations
language apply?**

To which fiscal years' Title I funds does the appropriations language apply?

- Fiscal Year (FY) 2014 funds.
- Under the section 421(b) of the General Education Provisions Act (GEPA), the appropriation language also applies to FY 2012 and 2013 Title I carryover funds.

**May Title I funds be
used to support in full
an LEA's homeless
liaison?**

May Title I funds be used to support in full an LEA's homeless liaison?

- Yes, as authorized in the FY 2014 appropriations act.
- An LEA may reserve funds for this purpose under 34 C.F.R. § 200.77(g).
- Previously, a Title I coordinator paid with Title I funds could also be the homeless liaison if those duties were in addition to Title I duties.
- An LEA may now use FY 2014 Title I funds and Title I carryover funds to fund all or part of a homeless liaison's salary even if that person has no Title I duties.

**May Title I funds be
used to transport
homeless children and
youth to their school
of origin?**

May Title I funds be used to transport homeless children and youth to their school of origin?

- Yes, as authorized in the FY 2014 appropriations act.
- An LEA may reserve Title I, Part A funds for this purpose under 34 C.F.R. § 200.77(g).
- Absent the FY 2014 appropriations language, the Title I supplement not supplant provisions prohibit an LEA from using Title I funds to pay the costs of transporting homeless children and youth to their school of origin because such services are required under McKinney-Vento.

May Title I funds be used to transport homeless children and youth to their school of origin? (continued)

- Costs that may be charged to Title I are the incremental costs to transport a homeless child or youth to his or her school of origin that are above what the LEA would otherwise provide to transport the student to his or her assigned school.

May an LEA use funds it reserves under ESEA section 1113(c)(3)(A) to pay for a homeless liaison or to provide transportation to the school of origin?

May an LEA use funds it reserves under ESEA section 1113(c)(3)(A) to pay for a homeless liaison or to provide transportation to the school of origin?

No, but an LEA may reserve additional Title I, Part A funds for these purposes.

- ESEA section 1113(c)(3)(A) requires an LEA to reserve Title I funds, as necessary, to provide instructional and related services to homeless children and youth who attend *non-Title I schools* that are comparable to those services the LEA provides to children in Title I schools.
- This reservation is *required* if an LEA has homeless children and youth who attend non-Title I schools.

If not from the required reservation under ESEA section 1113(c)(3)(A), how may an LEA use Title I, Part A funds to pay for the liaison and transportation?

- In addition to a number of required reservations, including section 1113(c)(3)(A), 34 C.F.R. § 200.77(g) permits an LEA to reserve funds off the top of its Title I, Part A allocation for “other authorized activities.”
- Because the 2014 appropriations act authorizes an LEA to use Title I, Part A funds to pay for the homeless liaison or to provide transportation to the school of origin for homeless children and youth, under 34 C.F.R. § 200.77(g), an LEA may now reserve funds off the top of its Title I allocation for these activities.

How else may an LEA use Title I, Part A funds to pay for Title I services to homeless children and youth?

- A Title I school may use funds allocated to it under ESEA section 1113(c)(1) to provide services either in a schoolwide program (ESEA section 1114) or a targeted assistance program (ESEA section 1115).
- An LEA may reserve off the top of the LEA's Title I, Part A allocation under 34 C.F.R. § 200.77(g) to provide additional services to homeless children and youth in Title I and non-Title I schools—e.g., tutoring in a homeless shelter or to provide allowable services not ordinarily provided to Title I participants.

May an LEA budget all services for homeless children and youth in one line item?

- An LEA should budget the Title I funds it plans to use to serve homeless children and youth in accordance with instructions from its SEA.
- For example:
 - An LEA's Title I budget might include a separate line item for the required reservation under ESEA section 1113(c)(3)(A) to provide comparable services and each optional reservation with respect to providing services in shelters, the liaison, and transportation to the school of origin; or
 - An LEA might include in its Title I budget all required and optional services for homeless children under a "Homeless Education" line item, provided the amount is at least sufficient to meet the LEA's obligation under section 1113(c)(3)(A).