

# Title I Part A

## Improving Basic Programs Operated by Local Educational Agencies (LEAs)

LEA Title I Directors  
March 28, 2024

Utah State Board of Education  
Student Support Services  
ESEA Federal Programs and Related State Initiatives

# WELCOME

**Max Lang**

ESEA and Related State Initiatives

[max.lang@schools.utah.gov](mailto:max.lang@schools.utah.gov)

(801) 538-7725

# Agenda

## **Welcome and Introductions / Setting the Direction**

Max Lang, ESEA Programs and Related State Initiatives

## **1% Alternate Assessment Participation Threshold Consequences**

Tracy Gooley, Special Education Assessment Specialist

## **FY 25 Title I Allocations Update**

Max Lang, ESEA Programs and Related State Initiatives

Merilee Wendell, USBE Fiscal Compliance Manager

## **Creating Meaningful Title I Parent and Family Engagement Policies and School-Family Compacts**

Val Murdock, Title I Monitoring and Support

## **Family & Community Engagement Resources**

Susie Estrada, Family and Community Engagement Specialist

## **USBE Interpreter Training**

Dr. Christelle Estrada, Education Specialist: Title III/Refugee & Immigrant Programs

## **Teaching Students to Drive Their Own Learning/Teacher Clarity**

Dr. James Martin, School Improvement Specialist

## ***ESEANOW®***

Ryan Benetz, Training Team Lead LRP Publications

## **Introduction to Four Domains CALL Feedback System**

Dr. Greg Firn, Education Specialist, CCSI

## **What's coming up with CSI/T-CSI Exit and Identification?**

Dr. Maggie Cummings, School Improvement Specialist, CCSI

## **Title IV-B (21st CCLC) Grant RFA**

Savannah Odekirk-Hunt, Education Specialist - Title IV-B (21st CCLC) Grant

## **ESSER Funds Update / Reporting**

Jessica Kjar, CARES Specialist

# 1% Alternate Assessment Participation Threshold Consequences

- Tracy Gooley, Special Education Assessment Specialist  
[tracy.gooley@schools.utah.gov](mailto:tracy.gooley@schools.utah.gov)  
(801) 538-7887

# 1% Alternate Assessment Participation Threshold Consequences

Tracy Gooley

Special Education Assessment Specialist

[tracy.gooley@schools.utah.gov](mailto:tracy.gooley@schools.utah.gov)

# 34 CFR § 200.6(c)(2)(3) – ESEA/ESSA [Federal Regulation Code Link](#)

*(2) For each subject for which assessments are administered under [§ 200.2\(a\)\(1\)](#), the total number of students assessed in that subject using an alternate assessment aligned with alternate academic achievement standards under [paragraph \(c\)\(1\)](#) of this section may not exceed 1.0 percent of the total number of students in the State who are assessed in that subject.*

(Accountability Assessments RISE, Utah Aspire Plus and DLM (alternate assessment))

*(3) A State must—*

*(ii) Require that an LEA submit information justifying the need of the LEA to assess more than 1.0 percent of its assessed students in any such subject with such an alternate assessment;*

*(iii) Provide appropriate oversight, as determined by the State, of an LEA that is required to submit information to the State; and*

# 34 CFR § 200.6(c)(4)

## Federal Regulation Code Link

(4) *If a State anticipates that it will exceed the cap under [paragraph \(c\)\(2\)](#) of this section with respect to any subject for which assessments are administered under [§ 200.2\(a\)\(1\)](#) in any school year, the State may request that the Secretary waive the cap for the relevant subject, pursuant to section 8401 of the Act, for one year. Such request must—*

*(iv) Include a plan and timeline by which—*

*(B) The State will take additional steps to support and provide appropriate oversight to each LEA that the State **anticipates** will assess more than 1.0 percent of its assessed students in a given subject in a school year using an alternate assessment aligned with alternate academic achievement standards to ensure that only students with the most significant cognitive disabilities take an alternate assessment aligned with alternate academic achievement standards. The State must describe how it will monitor and regularly evaluate each such LEA to ensure that the LEA provides sufficient training such that school staff who participate as members of an IEP team or other placement team understand and implement the guidelines established by the State under [paragraph \(d\)](#) of this section so that all students are appropriately assessed; and*

# State Data

Subject Area	SY 2016-2017	SY 2017-2018	SY 2018-2019	SY 2019-2020	SY 2020-2021	SY 2021-2022	SY 2022-2023 W/Out Grade 9	SY 2022-2023 W Grade 9
ELA	1.04%	0.97%	0.91%	NA	0.87%	0.90%	0.97%	0.97%
Math	1.06%	0.98%	0.91%	NA	0.88%	0.91%	0.98%	0.97%
Science	1.04%	0.78%	0.79%	NA	0.86%	0.91%	0.97%	0.96%

2017-2018 was the first year that the Department of Education looked at the 1% participation numbers.

Starting this school year (SY 2023-2024) grade 9 student assessment data is being reported through ED Facts, data includes grades 3 through 10. In previous years, it only included grades 3 through 8 and grade 10.



# LEA Data

Subject Area	#LEAs Over 2%	#LEAs Over 1% but below 2%	#LEAs between 0.99% - 0.80%	#LEAs between 0.79% - 0.50%	#LEAs below 0.50%
ELA	8	30	22	23	72
Math	8	30	22	23	72
Science	8	34	17	25	71

Find State 1% Threshold Data on the [Special Education Assessment Webpage](#), Under the Alternate Assessment Tab, 1.0 Percent Alternate Assessment Participation Threshold section, [One Percent Alternate Assessment Participation Threshold Report](#). LEAs are reported “Yes” or “No” exceeding the alternate assessment Threshold.

Get your specific LEA data from your Special Education and/or Assessment Director.



# Additional Concerns

For a State to be eligible to receive a 1.0 percent cap waiver for a subject area, it must have assessed at least 95 percent of all students enrolled and 95 percent of children with disabilities in the previous year in the grades assessed in that subject area.

School Year	Subject Area	Grade Level	Participation
2023	M	4	93.10%
2023	M	8	83.01%
2023	M	HS (9&10)	78.12%
2023	L	4	93.39%
2023	L	8	85.31%
2023	L	HS (9&10)	76.68%

# Consequences for Not Meeting the 1.0 Percent Threshold

Classification Criteria	Consequences for State
Between 1.0-1.3 percent of students assessed with an AA-AAAS in at least one subject without a waiver and the State would have been eligible for (i.e., assessed at least 95 percent of all students and students with disabilities in the previous year), but did not request, a waiver.	Notification letter and a State is required to submit a plan for compliance with the requirement.

[Information Regarding Consequences for States Not Meeting the Requirement to Assess Not More than 1.0 Percent of Students on the Alternate Assessment.](#)

From Education Department, March 28, 2019

# Consequences Continued

Classification Criteria	Consequences for State
<p>Between 1.0-1.3 percent of students assessed with an AA-AAAS in at least one subject without a waiver. The State would not have been eligible for a waiver request because assessment participation rates in that subject for all students or students with disabilities were below 95 percent.</p> <p>OR</p> <p>More than 1.3 percent of students assessed with an AA-AAAS in at least one subject without a waiver.</p> <p>OR</p> <p>State received a notification letter in the preceding year and did not come into compliance by reducing the AA-AAAS participation rate below 1.0 percent.</p>	<p>Title I Part A grant award condition. As part of the condition, a State is required to submit a plan to come into compliance with the 1.0 percent cap and submit data via ED Facts.</p>

# Consequences Continued

Classification Criteria	Consequences for State
<p>State received a Title I grant condition in the preceding year and did not make progress in decreasing the AA-AAAS participation rate by at least 0.1 percent.</p>	<p>High-risk status for the Title I Part A grant award. A State with high-risk status would be required to submit a plan to come into compliance with the 1.0 percent cap and participate in joint OESE/OSEP monitoring calls until it meets the requirement.</p>

# Consequences Continued

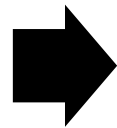
Classification Criteria	Consequences for State
<p>State was on high-risk status or had Title I administrative funds withheld in the preceding year and did not make progress in decreasing the AA-AAAS participation rate by at least 0.1 percent.</p>	<p>Withhold a percentage of Title I Part A State administrative funds. A State would be required to submit a plan to come into compliance with the requirement and participate in joint OESE/OSEP monitoring calls while until it meets the requirement.</p>

# Justification Process for 2023-2024

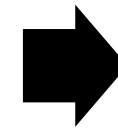


# Monitoring Process for 2023-2024

LEAs who were monitored had 4 weeks to upload files to UPIPS



Reviewed student Individual Education Program (IEP) and Eligibility



Any non-compliance identified triggers written findings and corrections



# What should your Special Education Director be doing?

- Check your 1% Alternate Assessment Participation data.
- Ensure teachers are getting robust training on how to implement USBE [Alternate Assessment Participation Guidelines](#).
- Create an internal monitoring process for ensuring that the appropriate students in your LEA are participating in the alternate assessment.
- Reach out for support if needed. [Training Requests Survey](#)
- Utilize the Alternate Assessment Individual Education Program (IEP) Compliance power point on the [DLM Administration \(for teachers\) Padlet](#)

# Where to Find More Information

- 34 CFR § 200.6(c)(2)(3) [Federal Regulation Code Link](#)
- [Information Regarding Consequences for States Not Meeting the Requirement to Assess Not More than 1.0 Percent of Students on the Alternate Assessment](#) (From Education Department, March 28, 2019)
- [Special Education Assessment Webpage](#) (under the Alternate Assessment tab, 1.0 Percent Alternate Assessment Participation Threshold Section)

# Questions

Tracy Gooley

Special Education Assessment  
Specialist

[tracy.gooley@schools.utah.gov](mailto:tracy.gooley@schools.utah.gov)



# FY 25 Title I Allocations

- Dr. Max Lang, ESEA and Related State Initiatives

[max.lang@schools.utah.gov](mailto:max.lang@schools.utah.gov)

(801) 538-7725

- Merilee Wendell, USBE Fiscal Compliance Manager

[merilee.wendell@schools.utah.gov](mailto:merilee.wendell@schools.utah.gov)

(801) 538-7977

# Creating the U.S. Federal Education Budget

- Federal agencies create budget requests and submit them to the White House Office of Management and Budget (OMB).
- OMB refers to the agencies' requests as it develops the budget proposal for the president.
- Proposed funding is divided among 12 subcommittees, which hold hearings. Each is responsible for funding for different government functions including Education.
- The House and Senate create their own budget resolutions, which must be negotiated and merged. Both houses must pass a single version of each funding bill.
- Congress sends the approved funding bills to the president to sign or veto.

3/11/2024



## President's FY 2025 Request for Selected Department of Education & Related Programs (compared with FY 2023)

Dollars in Billions

<sup>x</sup> Because FY 2024 funding hasn't been enacted yet for these programs, this table compares the FY 2025 request to FY 2023 enacted levels and shows proposed FY 2024 levels.

	2022	2023	2024 President	2024 Senate Cmte	2024 House Floor	2025 President	2025 Pres vs 2023 <sup>x</sup>	% change vs 2023 <sup>x</sup>
<b>Department of Education, selected discretionary programs</b>								
<i>New in FY 2025: \$8 billion over 5 years in mandatory funding for K-12 Academic Acceleration &amp; Achievement Grants</i>								
<b>Title I, Education for the Disadvantaged</b>								
Title I grants to local educational agencies****	17.537	18.387	20.537	18.562	3.688	18.587	0.200	1.1%

# Budget Update as of 3/25

- Congress released a bipartisan deal to fund the remainder of FY 2024 at 2am Thursday (3/21/24) morning, leaving just a couple of days before the funding deadline tonight at midnight.
- In this deal, the U.S. Department of Education is funded at \$79.1 billion, a .3% decrease compared to FY 2023. The bill includes a \$20 million increase to Title I, a \$20 million increase to IDEA Grants to States, and a \$10 million increase to Center on Education and Training for Employment (CETE) State Grants.

# Title I Allocation Calculations

- District LEA's Title I allocations are determined by the Department of Ed using Census Bureau survey economically disadvantaged student counts by district boundaries.
  - District LEA fund Title I schools by rank order, highest to lowest economically disadvantaged student percentages using free & reduced lunch counts, direct certification, or home income surveys.
- Charter LEA's Title I allocations are determined by free & reduced lunch counts, direct certification, or home income surveys (October 1<sup>st</sup> counts). A derived economically disadvantaged count and percentage is determined to equate more closely with Census Bureau survey counts.

\*Community Eligibility Provision (CEP) schools still need to collect economically disadvantaged counts and percentages for Title I funding purposes. CEP schools may use the data from the base year for the four-year cycle.



# Creating Meaningful Title I Parent and Family Engagement Policies and School-Family Compacts

- Val Murdock, Title I Monitoring and Support  
[val.murdock@schools.utah.gov](mailto:val.murdock@schools.utah.gov)  
(801) 538-7975

# Family and Community Engagement Resources

- Susie Estrada, Family and Community Engagement Specialist  
[susie.estrada@schools.utah.gov](mailto:susie.estrada@schools.utah.gov)  
(385) 295-7891

# Family and Community Engagement Resources

Title I Directors Meeting, March 28, 2024

Susie Estrada, Family and Community Engagement Specialist

# Defining Meaningful

- Intentional
- Informed
- Consistent
- Embedded
- Explicit

# Title I & Family Engagement

- Title I schools are **required** to engage students' families via outreach efforts *like* annual meetings.
- Very little difference in how parents from Title I and non-Title I schools participate in and receive information from their schools.

How are you communicating  
with your families?

# Intentional: More Than a Checkmark Item

- Goal in mind
- Supports the broader picture
- Accessible: Newsletters, SMS, email, direct phone calls, website, workshops, in-person events, etc.

[OSSE Checklist](#)

# Informed

- Formal feedback loops: Surveys including your CALL findings and indicator 8 report.
- Informal feedback loops (street data): conversations, pulse checks, *convenience sampling*.
- **No feedback *is* still feedback.**



# Consistent

- Trust the procedure
- Trust the expectation will be met
- Trust that everyone is working with the best of intentions

# Embedded

- Into your MTSS model
- Into your PBIS model
- Into your School Improvement Plan
- Into your yearly calendar
- Into your school's roles and responsibilities

# Explicit

- Have clearly defined roles for all members of your school community
- Write out these roles and expectations in your school's policies
- Post your policies
- Use accessible language and communication methods

“[ensuring] that parents play an active role in developing their child’s learning, that parents are actively involved in their child’s education at school, and that **parents are full partners in their child’s education and included in decision-making,**” ([Evan, 2011](#)).

# Supports, Projects, and Upcoming Events

- Quarterly Back to Basics Training
- Self-Reflection Tool (entering public feedback segment)
- Indicator 8, Parent Engagement Survey Support
- Family and Community Engagement Newsletter (email me to subscribe)
- [Research Spreadsheet](#) (working document)
- [The USBE webpage](#)
- [Parent Portal](#)

# Save the Date: Family and Community Engagement Summit

**May 24, 2024,**

**8:30 a.m. – 4:30 p.m.**

Thanksgiving Point

3003 Thanksgiving Way

Lehi, UT 84043



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**Utah State Board of Education**

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Food will be provided and the first 100 people to register will receive a free book!

\$50 registration fee, limited space.

For more information, contact [susie.estrada@schools.utah.gov](mailto:susie.estrada@schools.utah.gov)

# Contact Information

[susie.estrada@schools.utah.gov](mailto:susie.estrada@schools.utah.gov)

# USBE Interpreter Training

- Dr. Christelle Estrada, Education Specialist: Title III/Refugee & Immigrant Program

[christelle.Estrada@schools.utah.gov](mailto:christelle.Estrada@schools.utah.gov)

(801) 538-7888



# TITLE III

Dr. Christelle Estrada

1. [Professional Learning](#) – Catalog: Self-Paced for USBE MIDAS Credit
1. Supporting Students Learning English USBE [YouTube Playlist](#)
1. For Counselors – [Placement Guide](#) for International Transcripts

# Teaching Students to Drive Their Own Learning/Teacher Clarity

- Dr. James Martin, School Improvement Specialist

[james.martin@schools.utah.gov](mailto:james.martin@schools.utah.gov)

(801) 538-7932

- Becky Peters, ESEA and Related State Initiatives

[becky.peters@schools.utah.gov](mailto:becky.peters@schools.utah.gov)

(801) 538-7712

# COMFORT BREAK

# ESEANOW®

- Ryan Benetz, Training Team Lead LRP Publications

[eseanow@lrp.com](mailto:eseanow@lrp.com)

Customer Assistance – (800) 341-7874

User Assistance – (800) 515-4577 ext. 6603

# Introduction to Four Domains CALL Feedback System

- Dr. Greg Firn, School Improvement Specialist

[gregory.firn@schools.utah.gov](mailto:gregory.firn@schools.utah.gov)

(801) 538-7846



Utah State  
Board of  
Education

Center of  
Continuous  
School  
Improvement

# Introduction to Four Domains CALL Feedback System

Leading indicators to fuel school improvement journey

All Utah schools are eligible to use the *Four Domains CALL Feedback System* to support schoolwide leadership practice at no cost.

This system provides an opportunity to provide and receive input on practices, task, activities, and routines that educators have significant influence or control to impact



Utah State  
Board of  
Education

Center of  
Continuous  
School  
Improvement

## Four Domains for Rapid School Improvement

A SYSTEMS FRAMEWORK



# What Is CALL?

Comprehensive Assessment of Leadership for Learning (CALL) is an online feedback system designed to:

Measure schoolwide leadership

Provide leading indicators to guide school improvement efforts



Utah State  
Board of  
Education

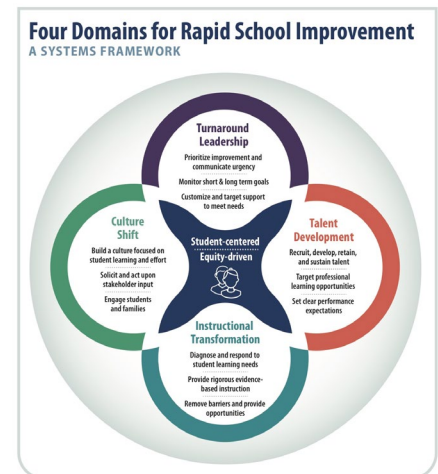
Center of  
Continuous  
School  
Improvement

# CALL Is *Not*...

A principal evaluation

A 360-degree evaluation

(CALL does not focus on one individual)





## CALL Is Unique

- The questions in the Four Domains CALL Feedback System require you to deeply consider various teacher and leader practices in your school.
- Because the system measures distributed leadership, the questions do not necessarily focus on the principal.
- The focus is meant to be experience-based, not perception-based.
- All responses are confidential and will remain anonymous.



## Getting Started

To begin, your school leaders will provide you with a link to access the Four Domains CALL Feedback System.

For all other questions, email Dr. Greg Firn:  
[Gregory.firn@schools.Utah.gov](mailto:Gregory.firn@schools.Utah.gov)



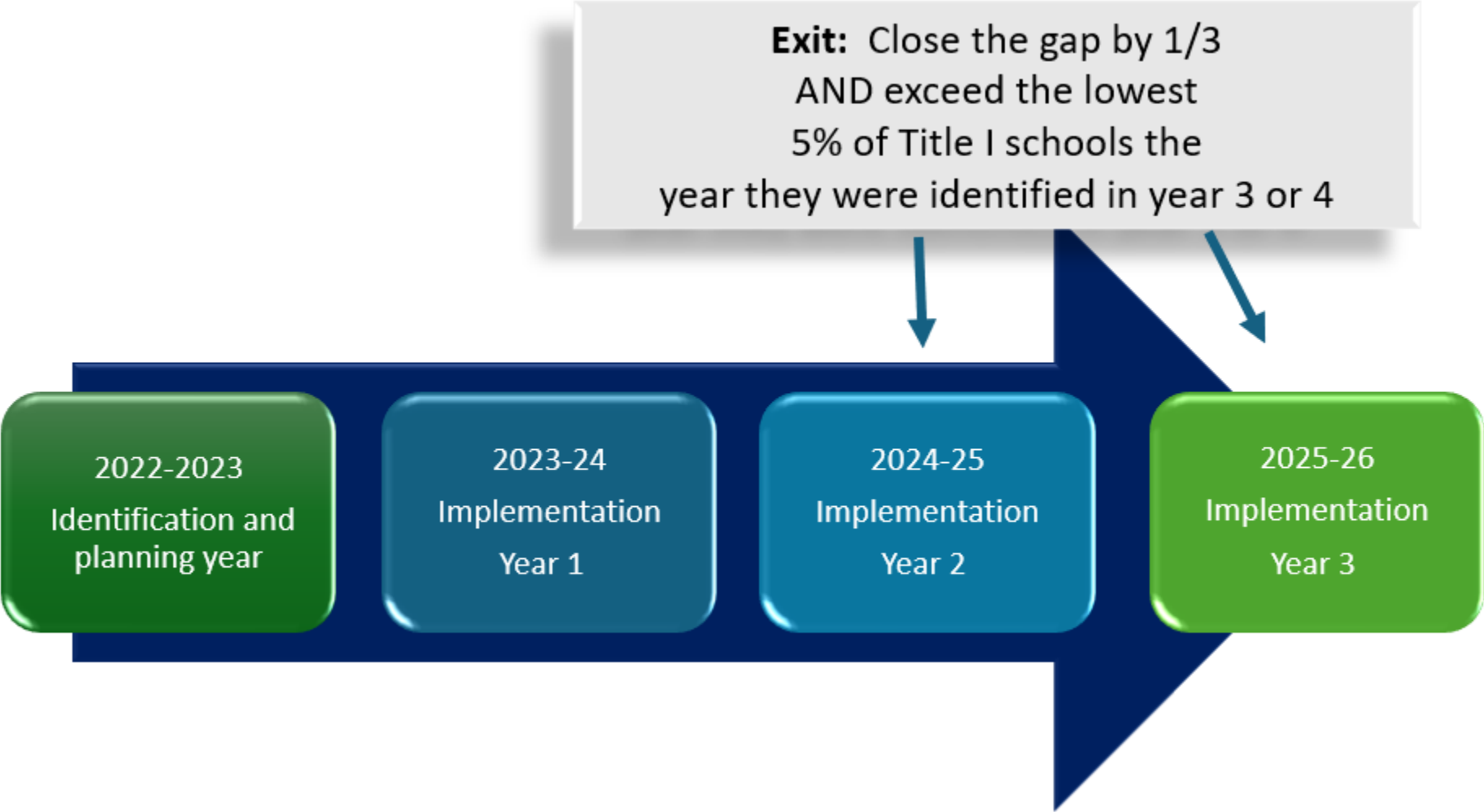
# What's coming up with CSI/T-CSI Exit and Identification?

- Dr. Maggie Cummings, School Improvement Educational Specialist  
[maggie.cummings@schools.utah.gov](mailto:maggie.cummings@schools.utah.gov)  
(801) 573-2811

# What's coming up with CSI/T-CSI Exit and Identification?

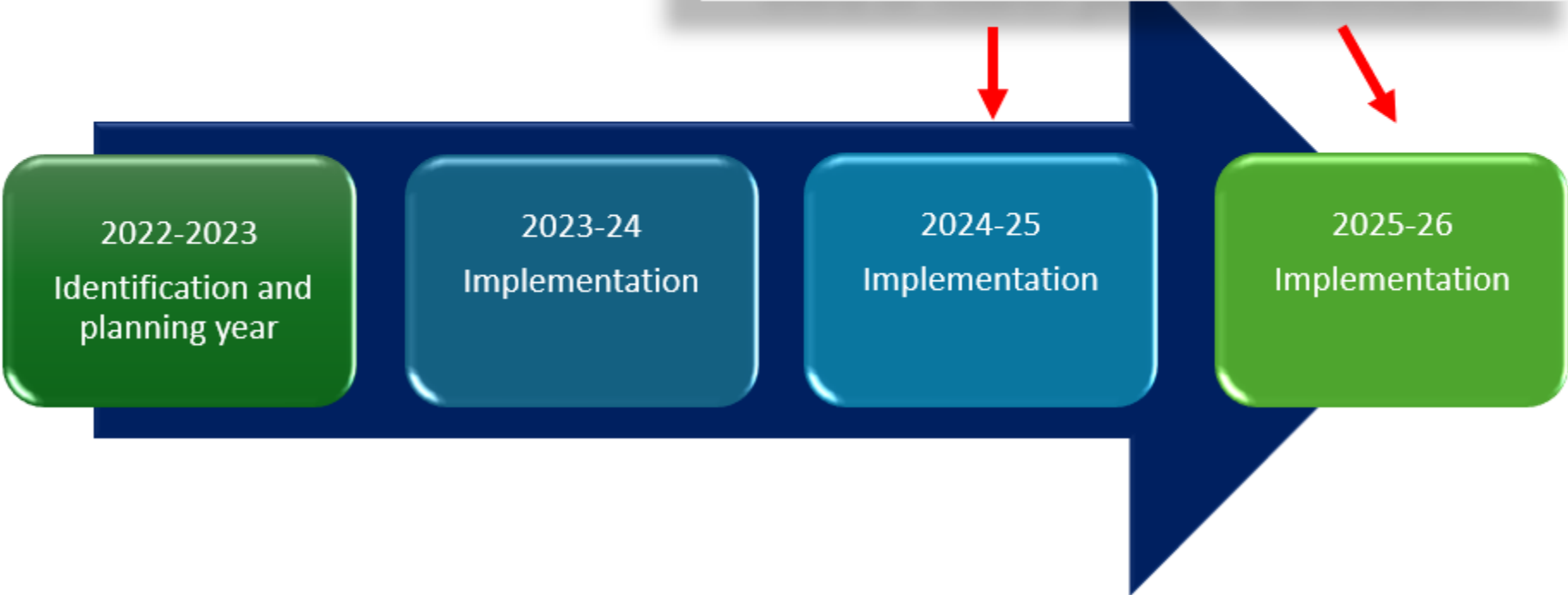
2024/2025 is a big year!

# Current CSI *Academic Growth* Schools are coming up to year 3



# Current CSI *Graduation Growth* Schools are coming up to year 3 (first year they may exit CSI)

**Exit:** Schools identified for CSI-graduation growth rate must have a graduation rate above 67% in the third or fourth year of identification.

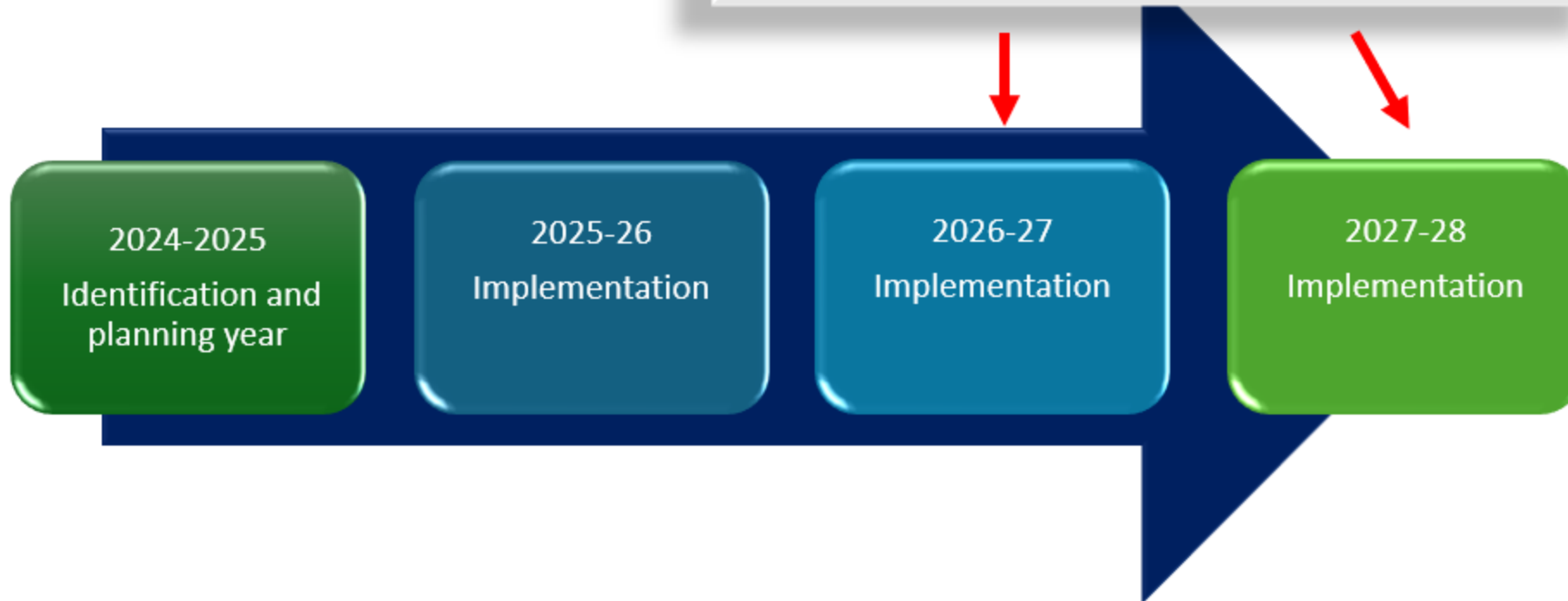


# T-CSI Identification 2024 (fall)

- **Title I Schools:** Based on the 2023/2024 accountability data, a **Title I** school that does not exit a 2018 ATSI group moves to T-CSI. All ATSI groups for that school, regardless of the year of identification, also move to T-CSI.
- **Non-Title 1 Schools:** A non-Title I school that fails to exit a 2018 ATSI group moves to more rigorous intervention with their LEA.

# T-CSI

**Exit:** Each identified group must close the gap by 1/3  
AND exceed the lowest 5% of Title I schools the year they were identified in year 3 or 4





# Example:

Type	StudentGroupsCod	SchoolImprovementStatu	FirstYearT	FirstYearAT	E
	BL7	ATSI		2022	
	EDA	ATSI		2022	
	ELL	ATSI		2018	
	HI7	ATSI		2022	
	MU7				
	PI7	ATSI		2019	
	SWD	ATSI		2019	
	WH7				

# Assessment Resources Page:

<https://schools.utah.gov/assessment/resources>

# Questions?

[maggie.cummings@schools.Utah.gov](mailto:maggie.cummings@schools.Utah.gov)

Or

801-573-2811

# Title IV-B (21st CCLC) Grant RFA

- Savannah Odekirk-Hunt, Education Specialist - Title IV-B (21st CCLC) Grant

[savannah.hunt@schools.utah.gov](mailto:savannah.hunt@schools.utah.gov)

(801) 538-7825

# ESSER Funds Update / Reporting

- Jessica Kjar, CARES Specialist  
[jessica.kjar@schools.utah.gov](mailto:jessica.kjar@schools.utah.gov)  
(385) 295-7870
- Armela Christiansen, CARES Administrative Secretary  
[armela.christiansen@schools.utah.gov](mailto:armela.christiansen@schools.utah.gov)  
(385) 295-7932



# COVID-19 Relief Funding CARES, GEER, ESSER, ARP

Utah State Board of Education



# What this presentation will cover.

- CARES Team Introductions
- Overview of COVID-19 (CARES, CRSSA, ARP)
- K-12 COVID Funding for Utah
- End of CRSSA
- Audits
- Monitoring
- Capital Expenditures
- Questions, Comments, Concerns, Hopes, Dreams?



# Introducing the CARES Team

## Jessica Kjar- CARES Education Specialist

Jessica Kjar (Pronounces like Care) has been with the Utah State Board of Education for almost 3 years, working in the COVID-19 Relief Funding. In the past she has worked for the Utah State Legislature, Weber County Elections, Several Political Campaigns, The Utah State Courts, The Utah Department of Health and Human Services on projects Statewide.

Email: [jessica.kjar@schools.utah.gov](mailto:jessica.kjar@schools.utah.gov)

## Armela Christiansen- CARES Education Secretary

Armela Christiansen has worked as the CARES Administrative Secretary at the Utah State Board of Education since November 2022. Previously she worked for the Alpine School District as the WIDA testing administrator. She holds an MBA and has extensive experience in office administration.

Email: [armela.christiansen@schools.utah.gov](mailto:armela.christiansen@schools.utah.gov)







# COVID-19 Relief Funding for Utah K-12

1. Coronavirus Aid, Relief, and Economic Security (CARES)
  1. ESSER I
  2. GEER I
2. State 2020 Coronavirus Relief Awards
3. Coronavirus Response and Relief Supplemental Appropriations (CRRSA)
  1. ESSER II
  2. GEER II
  3. EANS I
4. American Rescue Plan (ARP)
  1. ARP ESSER (III)
  2. ARP EANS (II)
  3. ARP HCY
  4. ARP IDEA

# K-12 COVID Funding for Utah

Award	Amount	Purpose	Distribution	Awards	Deadline
School Emergency Relief (ESSER I)	\$61,820,329	Address impact of COVID-19	Title I, Part A Federal Formula with \$21,194 base funding	178	Sept 30 2022
Gov Emergency Education Relief Fund (GEER)	\$29,189,663	Institutions that have been most significantly impacted	Students with disabilities and at-risk	147	Sept 30 2022
Coronavirus Relief Funds	\$22,900,000	PPE, classroom supplies, and equipment	\$5,000 Base+ Distribution	301	June 30 2021
School Emergency Relief (ESSER II)	\$249,861,592	Address impact of COVID-19	Title I, Part A Federal Formula with \$84,777 base funding	179	Sept 30 2023
Gov. Emergency Education Relief Fund (GEER II)	\$12,232,881	LEAs that serve students with disabilities and/or at-risk of academic failure	\$20,000 Base+ Distribution for students at-risk/SWD	157	Sept 30 2023
American Rescue Plan/ Emergency Relief (ARP ESSER)	\$561,532,379	Focus on impact of lost instructional time	Title I, Part A Federal Formula with \$190,750 base funding	180	Sept 30 2024
<b>Total in Direct LEA Awards</b>	<b>\$914,636,844</b>			<b>1,142</b>	



# Round Two - CRRSA

*ESSER II and GEER II HAD TO BE SPENT BY SEPTEMBER 30, 2023*

# CRRSA

LEA Award Title	Total Award Value	Amount Reimbursed* (FINAL)	% Requested for Reimbursement
ESSER II 90%	\$246,664,516	\$246,089,558	99.77%
ESSER II 10% Base	\$2,942,744	\$2,719,759	92.42%
GEER II	\$11,880,168	\$11,747,933	98.89%

ESSER II 90%  
117 of 128  
fully reimbursed

ESSER II 10% Base  
45 of 46  
fully reimbursed

GEER II  
136 of 145  
fully reimbursed



# Round Three – ARP

March 2021 - May 2021

*ARP ESSER and EANS II MUST BE SPENT BY SEPTEMBER 30, 2024*

## American Rescue Plan ESSER - In Progress

LEA Award Title	Total Award Value	Amount Reimbursed* (January 23rd 2024)	% Requested for Reimbursement
ARP ESSER 90%	\$552,641,736	\$371,241,842	67%
ARP ESSER 10% Base	\$6,051,764	\$4,239,828	70%
ARP Summer	\$6,159,290	\$2,748,794	45%
ARP After School	\$6,159,290	\$3,133,532	51%

ARP ESSER 90%  
**26 of 127**  
fully reimbursed

ARP ESSER 10%  
**17 of 44**  
fully reimbursed

ARP Summer  
**2 of 14**  
fully reimbursed

ARP After School  
**1 of 8**  
fully reimbursed

# Audits



# Audits

## How to comply with federal grants?

- Follow the appropriate rules, regulations and policies
- Document
- Closely monitor spending, processes and work progress

## What happens when you don't comply?

- Audit findings
- De obligation

## Multiple funding sources related to COVID-19 governed by different federal agencies with different requirements

- CARES Act
- Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA)
- American Rescue Plan (ARP)





# Audits

What will be the audit focus specifically with CARES and ARP?

- Supporting eligibility of dollars expended
- Tracking of dollars and expenditures
- Experience with federal funding
- Adequacy of supporting documentation retained
- Construction and infrastructure spend
- Documentation to link the costs back to COVID and other eligibility
- DAVIS BACON!!!



# Audits

## Federal independent audit requirements: lessons learned

- Throughout FY 2022, oversight work involving pandemic relief aid continued to be a top priority for the US Department of Education Office of Inspector General (OIG)
- The OIG issued 10 reports specific to pandemic relief during FY 2022
- Several reports were issued specific to selected state's administration of GEER fund grants
- Observations include issues around procurement, deadlines to spend funding, documenting and tracking obligation, spending and eligibility, and double payments
- Expect additional pandemic relief audits to continue in FY 2023 and beyond

# Audits

These funds can be audited up until 2029!

- During that time we will have...
  - Two Presidential Elections.
  - Three Olympics.
  - My son who is currently four years old, will be ten.
  - Why do I say these things? To highlight how far ahead these funds can be audited.
  - The Dept of Education has said everyone will be audited. This is why our team focuses on our 100% documentation policy.





# Monitoring





# Monitoring

- The Agency staff performing monitoring are NOT auditors.
- Monitoring is not a substitute for auditing.

## **ESSER FUNDING AND MONITORING**

The Utah State Board of Education (USBE) is required to monitor and report on the use of these emergency federal funds and the impact they have had in the state, and these are the grants being monitored (2 CFR 200.332(d)):

- CARES ESSER
- CRRSA ESSER
- ARP ESSER III

## **ALLOWABLE USE OF FUNDS**

ESSER funds are to prevent, prepare for, or respond to COVID-19 or any other pandemic or occurrence yet to happen. The expenses must be necessary, reasonable, and allocable. Expenses must be aligned with the ESSER Allowable Use Cases and follow Uniform Grant Guidance. Please contact USBE staff for questions about allowable expenses.

# Monitoring

## RISK ASSESSMENT

- LEAs received an ESSER risk assessment survey, which included a variety of questions regarding ESSER funds. With the results of that survey, categories such as high turnover (superintendents, business managers, and federal program managers) and ESSER audit findings were the determining factors for high-risk LEAs. As a result of this review, 0.32% of LEAs out of approximately 154 were designated as High Risk and will be monitored first, following with 29.87% of LEAs that were designated as Medium Risk for a total of 30% of our LEAs this year.
- If you have not completed yours... please do so ASAP. It is required.

 **Utah State Board of Education**

**LEA/Sub-recipient Fiscal Risk Self Assessment**

Name of LEA: \_\_\_\_\_ Date: \_\_\_\_\_  
 Completed by: \_\_\_\_\_ Position: \_\_\_\_\_

Indicator	A	B	C	D	RESPONSE
When was your last Fiscal Monitoring Visit by ISBE staff? (as of New 1)	Last fiscal monitoring visit was 2 or more years ago.	Last fiscal monitoring visit was between 1 and 2 years ago.	Last fiscal monitoring visit was between 1 and 2 years ago.	Last fiscal monitoring visit was within the last year.	
Has there been turnover with the Superintendent? Executive Director position? (as of New 1)	Superintendent/Executive Director hired/started within the last year.	Superintendent/Executive Director hired/started between 1 and 2 years ago.	Superintendent/Executive Director hired/started between 1 and 2 years ago.	Superintendent/Executive Director has been in the position for 3 or more years.	
Has there been turnover or change with Fiscal Staff or Business Administrator? (as of New 1)	Fiscal Staff or Business Administrator hired/started within the last year.	Fiscal Staff or Business Administrator hired/started between 1 and 2 years ago.	Fiscal Staff or Business Administrator hired/started between 2 and 3 years ago.	Fiscal Staff or Business Administrator has been in the position for 3 or more years.	
Have there been any changes with the Financial Management System? (as of New 1)	New or substantially changed financial management system within the last year.	New or substantially changed financial management system between 1 and 2 years ago.	New or substantially changed financial management system between 2 and 3 years ago.	Financial management system has been in place for 3 or more years.	
Annual financial audits - Corrective Actions from financial audits.	Audit with 3 or more findings from either of the last two financial audits.	Audit with 2 findings from either of the last two financial audits.	Audit with 1 finding from either of the last two financial audits.	No findings within the last two financial audits.	
If you applied for a Capital project, what stage of the project are you at?	Beginning stages of project.	Middle stages of project.	Final stages of project.	Project is complete.	

UNAPPLIED TO 4251 DMS02 Fiscal Risk Self Assessment

# Monitoring

## **PRIOR TO MONITORING VISITS**

LEAs will be notified that they have been designated as High Risk/Medium Risk and are in need of a monitoring visit. USBE staff will send LEAs a list of required documentation...

- Time and Effort Policy
- Procurement Policy
- General Ledger with Supporting Documentation
- Financial Control Policy and Procedures
- Cash Management Policy
- Equipment Policy and Procedures
- Equipment Log
- Comprehensive Needs Assessment
- LEA Plan for Safe Return to In-Person Instruction
- Summary of how LEA used the 20% set aside funds to address accelerated learning. 11. Summary of how LEA addressed the disproportionate impact of the COVID-19 pandemic on underserved students.
- LEA GEPA Section 427 Compliance
- Summary of LEA's Records Retention Policies and Procedures
- Link to where ARP ESSER Plan can be located on LEAs website.
- Plan for remaining Use of Funds.

that is due back to USBE staff one week prior to the monitoring visit. Once the documentation is received USBE staff will review all documents and bring questions to the LEA during the monitoring visit.



# Monitoring

## **MONITORING VISIT**

The monitoring visit should take an hour to an hour and a half. During the monitoring visit USBE staff will review any issues or follow up questions.

## **MONITORING REPORT**

USBE issues each LEA a Monitoring Report to outline LEA compliance, describe recommended next steps, and includes any findings/actions needed that together provide an analysis of the LEA's implementation of ESSER requirements.

## **TECHNICAL ASSISTANCE**

Technical assistance is provided to the LEAs on an as needed basis. For questions and clarification please contact Jessica Kjar, CARES Education Specialist at the USBE, via phone at 385-295-7870 or email [jessica.kjar@schools.utah.gov](mailto:jessica.kjar@schools.utah.gov).



# Capital Expenditures



# Federal Allowable Use Cases

Generally, in determining whether an activity is an allowable use of funds, a State or LEA must determine:

- Is the use of funds intended to prevent, prepare for, or respond to the COVID-19 pandemic, including its impact on the social, emotional, mental health, and academic needs of students?
- Does the use of funds fall under one of the authorized uses of ESSER or GEER funds?
- Is the use of funds permissible under the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance, 2 CFR Part 200)? In particular, is it necessary and reasonable for the performance of the ARP ESSER award?

# COVID-19

## Federal Relief Funding Allowable Use Cases



### Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding Allowable Use Cases.

The ESSER Fund provides LEAs considerable flexibility in determining how best to use ESSER funds. Allowable uses of the funds include the following:

1. Any activity authorized by the ESEA of 1965, including the
  - a. Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1400 et seq.),
  - b. Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.),
  - c. Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) ("the Perkins Act"), and
  - d. subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.)
2. Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.
3. Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.
4. Activities to address the unique needs of students living in conditions of poverty, students with disabilities, students learning English, students experiencing homelessness, students who are refugees, and youth in foster care.
5. Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
6. Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.
7. Purchasing supplies to sanitize and clean LEA facilities, including personal protective equipment.
8. Planning for and coordinating during long-term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq.) and how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements.
9. Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.
10. Providing mental health services and supports.
11. Planning and implementing activities related to summer learning and supplemental afterschool programs and addressing the needs of students living in conditions of poverty, students with disabilities, students learning English, students experiencing homelessness, students who are refugees, and youth in foster care.
12. Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency.

PO Box 144200 Salt Lake City, Utah 84114-4200 | Phone: (801) 538-7500



### Coronavirus Response and Relief Supplemental Appropriations Act (CRRSA) Allowable Use Cases

A Local Educational Agency (LEA) may use funds it receives under section 313(d) of the CRRSA Act for any activity listed in section 313(d) (described below). Any activity that is an allowable use of Elementary and Secondary Schools Emergency Relief (ESSER) funds by an LEA under section 18003(d) of the CARES Act is also an allowable use of ESSER II funds by an LEA under section 313(d) of the CRRSA Act. Any allowable use of ESSER II funds by an LEA is also an allowable use of ESSER funds by an LEA under section 18003(d) of the CARES Act.

1. Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) (Individuals with Disabilities Education Act (IDEA)), the Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) ("the Perkins Act"), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).
2. Coordination of preparedness and response efforts of LEA with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.
3. Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.
4. Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.
5. Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
6. Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases.
7. Purchasing supplies to sanitize and clean the facilities of a LEA, including buildings operated by such agency.
8. Planning for, coordinating, and implementing activities during long-term closures, including providing meals to eligible students, providing technology for online learning to all students, providing guidance for carrying out requirements under the IDEA and ensuring other educational services can continue to be provided consistent with all Federal, State, and local requirements.
9. Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and children with disabilities, which may include assistive technology or adaptive equipment.
10. Providing mental health services and supports.
11. Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, children with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

PO Box 144200 Salt Lake City, Utah 84114-4200 | Phone: (801) 538-7500

ESSER II  
CRRSA

Utah State Board of Education





# Capital Expenditures

## Uses of Funds:

An LEA must spend at least 20% of their ARP ESSER award to address “accelerated learning” (analogous to the federal definition of “learning loss”). Additionally, the federal legislation defines 19 allowable use cases to guide ESSER spending. The two use cases that are specifically relevant to this guidance on capital expenditures are:

*16. School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards, and to support student health needs.*

*17. Inspection, testing, maintenance, repair, replacement, and upgrade projects to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.*

# Capital Expenditures

Capital Expenditures have an additional application process.

Capital Expenditure Approval Process  
 ARP ESSER  
 USBE

## LEA Application

Please complete the fields below on pages 4-6 that are highlighted for response and submit to Armela Christiansen, CARES Administrative Secretary, at [armela.christiansen@schools.utah.gov](mailto:armela.christiansen@schools.utah.gov) for review and approval:

**Legal Name:** (e.g., North Sanpete School District)

---

**Contact Information for LEA Representative**

\_\_\_\_\_:

\_\_\_\_\_:

\_\_\_\_\_:

\_\_\_\_\_:

\_\_\_\_\_:

## PROPOSED USE OF FUNDS for CAPITAL EXPENDITURE

Each LEA must submit a letter on LEA letterhead that addresses the following requirements. Additional documentation may be submitted in a Google Drive that has public access rights to USBE.

### Letter with the following (must be on LEA letterhead):

1. **Project Description Requirement:**
  - o A description of at least 2-3 paragraphs describing the overall project, how the project is necessary due to COVID-19 response, how the project will support the LEA in achieving their goals, and provide details in regard to the project's implementation.
  - o Additionally, please provide this information, if applicable:
    - Projected number of students served
    - Names of school sites or buildings served by this project
    - Number of classrooms affected by this project
  - o For HVAC projects, please provide the following information:
    - Which school or building sites will be updated
    - How the new units or updated system will increase the turnover of fresh air into rooms

Capital Expenditure Approval Process  
 ARP ESSER  
 USBE

## 2. Project Timeline within the 34.CFR.75.707 full project must be completed by September 30, 2024:

- o Monthly milestones related to the project procurement, implementation, and completion date.
- o Projected draw-down amounts and dates related to the milestones
- o Note: All projects must be completed no later than September 30, 2024 to be eligible for reimbursement through the ARP ESSER COVID-19 relief funds.

## 3. Expected Budget:

- o Use the state budget table for expense alignment
- o Requires a budget narrative to outline expenditures, specifically referencing any items over \$5,000.00

Proposed Budget				
Description	Funding Requested – FY2022	Funding Requested – FY2023	Funding Requested – FY2024	Funding Requested – FY2025 concluding by September 30, 2024
A. (100) Salaries				
B. (200) Employee Benefits				
C. (300) Purchased Professional & Technical Services				
D. (400) Purchased Property Services				
E. (500) Other Purchased Services				
F. (580) Travel				
G. (600) Supplies/Materials				
H. (800) Other (Exclude Audit Costs)				
I. TOTAL DIRECT COSTS (Lines A through H)				
J. (800) Other (Audit Costs)				
K. Indirect Costs				
L. Property (includes equipment)				
<b>M. TOTAL (Lines I through L)</b>				



# Capital Expenditures

## Capital Expenditure Submission Process

Please submit comprehensive capital expenditure request packets to: Armela Christiansen, CARES Administrative Secretary, at [armela.christiansen@schools.utah.gov](mailto:armela.christiansen@schools.utah.gov)

- LEAs may submit a single file via email or a Google Drive that has public access rights to USBE.
- LEAs will receive a receipt of submission from USBE within 2 business days of submission. If an LEA does not receive receipt of submission via email within 2 business days, please follow up with USBE to be sure submission was received.



# Capital Expenditures

## Capital Expenditure Review and Outcome Process

- USBE will review the submission for completeness and compliance with the above expectations.
- USBE will review the submissions with the Capital Expenditure ARP ESSER team, and provide an outcome to LEAs within 14-days of submission.
  - The outcome may include requests for revision and resubmission.
- An LEA may **not** begin work on the capital project until they receive approval on letterhead from the Utah State Board of Education.
  - A Non-compliance letter will be sent out if this is not followed.

# COVER YOUR BACON

## Davis Bacon Compliance



Utah State Board of Education





# Davis Bacon

## The Davis-Bacon and Related Acts (DBRA)

DBRA requires payment of prevailing wages on federally funded or assisted construction projects.

The Davis-Bacon Act applies to each federal government or District of Columbia contract in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Many federal laws that authorize federal assistance for construction through grants, loans, loan guarantees, and insurance are Davis-Bacon “Related Acts.” The “Related Acts” include provisions that apply Davis-Bacon labor standards to most federally assisted construction. Examples of “Related Acts” include the Federal-Aid Highway Acts, the Housing and Community Development Act of 1974, and the Federal Water Pollution Control Act.



# Davis Bacon

## Basic Provisions/Requirements Part 1

- Contractors and subcontractors must pay laborers and mechanics employed directly upon the site of the work at least the locally prevailing wages (including fringe benefits), listed in the Davis-Bacon wage determination in the contract, for the work performed. Davis-Bacon labor standards clauses must be included in covered contracts.
- The Davis-Bacon "prevailing wage" is the combination of the basic hourly rate and any fringe benefits listed in a Davis-Bacon wage determination. The contractor's obligation to pay at least the prevailing wage listed in the contract wage determination can be met by paying each laborer and mechanic the applicable prevailing wage entirely as cash wages or by a combination of cash wages and employer-provided bona fide fringe benefits. Prevailing wages, including fringe benefits, must be paid on all hours worked on the site of the work.



# Davis Bacon

## Basic Provisions/Requirements Part 2

- Apprentices or trainees may be employed at less than the rates listed in the contract wage determination only when they are in an apprenticeship program registered with the Department of Labor or with a state apprenticeship agency recognized by the Department.
- Contractors and subcontractors are required to pay covered workers weekly and submit weekly certified payroll records to the contracting agency.
- Along with...

# Davis Bacon

## Basic Provisions/Requirements Part 3

Contractors are also required to post the applicable Davis-Bacon wage determination with the Davis-Bacon poster (WH-1321) on the job site in a prominent and accessible place where they can be easily seen by the workers.

**EMPLOYEE RIGHTS  
UNDER THE DAVIS-BACON ACT**

**FOR LABORERS AND MECHANICS  
EMPLOYED ON FEDERAL OR  
FEDERALLY ASSISTED  
CONSTRUCTION PROJECTS**

**PREVAILING WAGES** You must be paid not less than the wage rate listed in the Davis-Bacon Wage Decision posted with this Notice for the work you perform.

**OVERTIME** You must be paid not less than one and one-half times your basic rate of pay for all hours worked over 40 in a work week. There are few exceptions.

**ENFORCEMENT** Contract payments can be withheld to ensure workers receive wages and overtime pay due, and liquidated damages may apply if overtime pay requirements are not met. Davis-Bacon contract clauses allow contract termination and debarment of contractors from future federal contracts for up to three years. A contractor who falsifies certified payroll records or induces wage kickbacks may be subject to civil or criminal prosecution, fines and/or imprisonment.

**APPRENTICES** Apprentice rates apply only to apprentices properly registered under approved Federal or State apprenticeship programs.

**PROPER PAY** If you do not receive proper pay, or require further information on the applicable wages, contact the Contracting Officer listed below:

or contact the U.S. Department of Labor's Wage and Hour Division.

**WHD** WAGE AND HOUR DIVISION  
UNITED STATES DEPARTMENT OF LABOR

1-866-487-9243  
TTY: 1-877-889-5627  
[www.dol.gov/whd](http://www.dol.gov/whd)

WH-1321 809 0017



# Davis Bacon

## Davis-Bacon Wage Determinations

Davis-Bacon wage determinations are published on the System for Award Management (SAM) website at <https://sam.gov/content/wage-determinations> for contracting agencies to incorporate them into covered contracts. The “prevailing wages” are determined based on wages paid to various classes of laborers and mechanics employed on specific types of construction projects in an area. Guidance on determining the type of construction is provided in All Agency Memorandum Nos. 130, 131 and 236.



# FY23 Reporting

- All grantees are required to report on ESSER funds received under the Coronavirus Aid, Relief, and Economic Security (CARES) Act; the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act; and the American Rescue Plan (ARP) Act. Grantees must submit an annual report describing how the State and subrecipients used the awarded funds during the performance period.
- USBE staff created a survey to collect the required information. We sent that survey out to our LEAs on February 20th 2024.
- The surveys are due back from the LEAs on April 5th 2024 at 5:00pm
- At that time USBE staff will compile that data and start importing it into the reporting tool.

Dates our reporting is due back to the Department of Education

GEER: May 2, 2024

EANS: May 9, 2024

ESSER: Jun 6, 2024



# FY23 Reporting

- The questions that USBE staff put into the survey are directly from the Department of Education.
- We have let the Department know about our concerns on the length of the survey and the word choice on a few questions.
- If you have any questions about the word choice, length, or anything at all about the survey please feel free to reach out to me. I have worked with our Department of Education contact that if there are any questions I cannot answer... She will be happy to do so.

# Late Liquidation Opportunity

- Exciting News USBE's Superintendency has indicated to the CARES Team that our State will apply for Late Liquidation for ARP ESSER. This gives our LEAs the opportunity of an additional 18 months to spend these funds. The time frame is determined by the Department of Education once they review our application.
- Currently the Department of Education has a list of allowable use cases.
  - Unfortunately Staff is not one of the allowable use cases.
  - The Department is really looking at capital projects that are/were delayed, tutoring and PD contracts, software licences, etc.







# Questions

Jessica Kjar  
CARES Educational Specialist  
[jessica.kjar@schools.utah.gov](mailto:jessica.kjar@schools.utah.gov)

Armela Christiansen  
CARES Administrative Secretary  
[armela.christiansen@schools.utah.gov](mailto:armela.christiansen@schools.utah.gov)

# ESEA Programs Contact Information

Dr. Max Lang	ESEA and Related State Initiatives	(801) 538-7725
Becky Peters	Executive Secretary	(801) 538-7712
Sara Wiebke	Director UT Center for Continuous School Improvement	(801) 538-7893
Jeff Ojeda	Title I C Migrant, Title VII-B McKinney-Vento	(801) 538-7945
Val Murdock	Title I Monitoring/DMI	(801) 538-7975
Merilee Wendell	Fiscal Compliance Manager	(801)-538-7977
Dr. Christelle Estrada	Title III English Learners/Immigrants/Refugees	(801) 538-7888
Savannah Hunt	Title IV-B 21 <sup>st</sup> CCLC	(801) 538-7825
Robert Palmer	IGP/Partnerships for Student Success	(801) 538-7629
Dr. Harold (Chuck) Foster	Title VI American Indian Education	(801) 538-7838
Susie Estrada	Parent/Family/Community Engagement	(385) 295-7891
Madeline Kjar	Office Specialist II	(801) 538-7704
Jessica Kjar	CARES Educational Specialist	(385) 295-7870
Armela Christiansen	CARES Administrative Secretary	(385) 295-7932
Benji Carrier	YIC Program Coordinator	(801) 538-7727
Dr. Kami Dupree	Title II Excellent Teaching and Leading	(801) 538-7923
Jodi Parker	Title IV-A Student Support and Academic Enrichment	(801) 538-7734
Utah Grants Help Desk	<a href="mailto:utahgrants@schools.utah.gov">utahgrants@schools.utah.gov</a>	(801) 538-7604

THANK YOU!!

