2009 AASA
Educating the Total Child
Legislative Toolkit
2009 AASA Educating the Total Child Legislative Toolkit

This toolkit is designed to help members support and advance AASA’s Educating the Total Child campaign. The campaign calls for refocusing the federal role in education on low-income and minority children and creating the conditions necessary for all students to become successful, lifelong learners. The campaign is aligned with the 2009 AASA Legislative Agenda.

- Introduction to the toolkit from AASA President Randy Collins and AASA Executive Director Dan Domenech.
- Tips for Using this Toolkit
- Tips for Communicating With Your Legislators

Educating the Total Child
- Position Paper
- Frequently Asked Questions
- Message Points
- Fact Sheet

2009 AASA Legislative Agenda
- 2009 AASA Legislative Agenda
- Executive Summary
- Frequently Asked Questions
- Talking Points
- PowerPoint Presentation

Economic Stimulus Update

- ARRA Guidance – April 1, 2009
  - State Fiscal Stabilization Fund
  - IDEA
  - Title I
- ABCs of the Economic Stimulus Plan
- Top 10 Questions and Answers About the Economic Stimulus
- AASA Stimulus Webinar Resources:
  - March 3, 2009: Q&A and PowerPoint
  - March 10, 2009: Q&A and PowerPoint
  - March 17, 2009: Q&A and PowerPoint
  - March 24, 2009: PowerPoint
Reauthorization of the Elementary and Secondary Education Act

- ESEA Resolution
- Steps for Using the Resolution
- Press Release Template Announcing Adoption of Resolution
- List of Districts That Have Adopted ESEA Resolution

Additional Resources:

- AASA Stimulus Webpage
- AASA Legislative Advocacy Conference, April 22-24, 2009
- AASA Legislative Corps: Join Today!
- National Conference on Education Video Package (includes AASA Federal Stimulus Update)
- “Toward a Meaningful Federal Contribution,” by AASA Executive Director Dan Domenech, The School Administrator, October 2008
- U.S. Dept. of Education Recovery Act webpage

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March 2009

Dear AASA Member:

We are pleased to present the 2009 AASA Educating the Total Child Legislative Toolkit, designed to help you:

- Support AASA’s Educating the Total Child campaign
- Advocate for the 2009 AASA Legislative Agenda
- Get up-to-speed on the American Recovery and Reinvestment Act
- Adopt a resolution on ESEA reauthorization

We invite you to put these tools to immediate use at the AASA Legislative Advocacy Conference, April 22-24, in Washington, D.C. Hear directly from U.S. Secretary of Education Arne Duncan and meet with legislators on Capitol Hill to call for a new agenda for public education.

If you have colleagues who are not members of AASA -- whether senior-level school administrators, cabinet members, principals or aspiring school system leaders -- please encourage them to join at www.aasa.org/member so they can benefit from this toolkit. Other benefits of membership include The School Administrator magazine, electronic newsletters, cutting-edge professional development events (including the popular series of members-only stimulus webinars held in March), networking events, member discounts, and representation in Washington, D.C.

Send us your feedback! Please let us know how you use the toolkit in your district by e-mailing nellerson@aasa.org.

Sincerely,

Randall Collins
AASA President

Daniel A. Domenech
AASA Executive Director
Tips for Using the
2009 AASA Educating the Total Child Legislative Toolkit

This toolkit is packed with easy-to-use tools to advocate for high-quality education on behalf of all children in your district:

- Learn about Educating the Total Child, AASA’s new advocacy campaign, and spread the word using the position paper, message points and PowerPoint provided in the toolkit.

- Find out what’s in the 2009 AASA Legislative Agenda using the “Frequently Asked Questions,” press release and executive summary. Advocate for the agenda with local reporters using the talking points and PowerPoint documents. Take the message to Congress using the “Tips for Communicating with Your Legislators.”

- Learn how economic stimulus dollars will benefit your district in the question-and-answer and PowerPoint documents from the well-received AASA Economic Stimulus Webinar series. Share these documents with your staff and school board to enhance understanding of stimulus funding.

- Join the almost 100 school districts nationwide that have already adopted a resolution for ESEA reauthorization based on the AASA Legislative Agenda.

- Pull it all together!
  - Come to the 2009 AASA Legislative Advocacy Conference, April 22-24 in Washington, D.C. This is the advocacy event of the year for school leaders!
  - Join the AASA Legislative Corps, AASA’s grassroots advocacy organization.
Tips for Communicating With Your Legislators

Take action on issues affecting public schools by communicating with your state and federal legislators. Use these tips, in conjunction with the talking points and other materials in this toolkit, to communicate with lawmakers who represent you locally and nationally.

Locate and Contact Your Legislator’s Office
You can take action with just a few clicks and send targeted messages to your members of Congress using AASA’s online service:

2. In the “Find your Legislators” box, enter your zip code to locate the name, contact information, biographical information, committee assignments, staff members and district offices of your federal legislators. (Note: To find contact information for your state lawmakers, go to www.votesmart.org.)
3. In the “Our Issues” box, click on “Write Your Legislators” to personalize and send your own message to your member of Congress.

Set Up a Meeting With a Legislator or Staffer
Planning a face-to-face meeting with a lawmaker can be an effective way to influence the legislative process and educate policymakers on important issues affecting public education. To set up a meeting, call the lawmaker and learn the name of his or her scheduler. Fax or e-mail your meeting request to that person and follow-up by phone within a day or two.

Better yet, call the D.C. office of your legislator and ask to speak to the staffer who handles education, and set up a meeting with that staffer if you will be in Washington, D.C., or if they will be in the district. The 2009 AASA Legislative Advocacy Conference, April 22-24, is an opportune time to meet with your lawmakers.

At the federal level, staff play a much more significant role than staff at, for example, the state legislature. Make sure to get to know that education staffer in the Washington, D.C., office as she or he is likely to be developing legislation and advising his or her boss on how to vote on issues. Stay in touch with the staffer once you are back home and invite him or her to visit your school system if the staffer is back in the home state; many staffers have little education experience other than their own schooling. If you can get that staffer to rely on you as a source of information about key education issues, you can have a real impact on policy.

Get Your Message Across Effectively
• Before you meet with a legislator, know what your main message will be and what your legislator’s position is on the issue.
• Keep your message brief. Try to pare it down to three or so key points.
• Call the AASA public policy staff and let them know about the meeting. AASA can pass on important information such as details about how your legislator has advanced an issue, or issues that AASA is working on that need your lawmaker’s support. AASA can also provide customized talking points and materials.
When meeting with a legislator, take a summary of your main points to leave behind to reinforce your message.

Make it personal. Use a personal story to illustrate the importance of your message and explain how the issue at hand affects the legislator’s district or state.

Make it real. Talk about how federal policies will affect your school system in terms of actual programs and services for children.

Call your member when things are going right – and invite your member or the education staff person to come and see effective federal programs in action in your school system.

Don’t forget to say thank you if their efforts support AASA positions.
We have reached a tipping point in American education. Consensus is growing that it’s time to get back to the basics of supporting the total child — from physical and mental health to the development of fundamental learning skills.

To educate the total child, schools need support from the entire community: from parents to teachers, from principals to central-office administrators, from superintendents to school board members, and from business leaders to policymakers.

The mission of the American Association of School Administrators is to support and develop effective school system leaders who are dedicated to the highest quality public education for all children. AASA's 13,000 members include superintendents, senior-level school administrators, cabinet members, professors and aspiring school system leaders from every region of the country, in rural, urban and suburban school settings.

AASA members are involved in educating the total child every day, and the association is committed to developing initiatives that will help our members create the conditions necessary for students to become successful, lifelong learners.
AASA believes that a high-quality public education is a civil right. AASA advocates an education approach designed to effect real change by addressing key factors that determine our children's academic achievement, including:

- The devastating impact of poverty on our students;
- The lack of universal early childhood education; and
- The need for cooperation and collaboration across agencies and organizations.

How do these factors affect our mission to educate the total child?

The many and varied effects of poverty form the single greatest factor limiting student achievement.

The most prevalent and persistent gaps in student achievement are a result of the effects of poverty. Children of poverty tend to live in low-income neighborhoods and attend schools that have limited resources. They also are more likely to complete fewer years of formal education and face more health issues than do children from higher-income families. Poor children may be hindered in their cognitive development by weak social, emotional and behavioral skills and poor nutrition.

Professors Valerie E. Lee and David T. Burkam, authors of the 2002 study “Inequality at the Starting Gate,” reported math and reading scores for new kindergartners from the lowest socioeconomic group are 60 percent and 56 percent lower, respectively, than those of students at the highest end.

According to “Meaningful Differences in the Everyday Experience of Young American Children,” a 1995 study by professors Betty Hart and Todd R. Risley, by the time children from economically advantaged families are 3 years old, they have a substantially more varied vocabulary than do children from low-income families.

Current efforts at education reform were created based on the assumption that toughening accountability would close achievement gaps and resolve learning problems that, in many cases, actually result from children struggling against disadvantages caused by poverty.

The impact of poverty on student achievement is especially significant given the current economic downturn. Indications are that, with higher unemployment rates, a greater number of Americans will be pushed into deep poverty. The rise in childhood poverty caused by the recession likely will reduce student achievement and increase the number of dropouts. It also will widen the achievement gap between the have and have-nots.

To mitigate the disadvantages poverty brings to the classroom, AASA advocates for local, state and federal funding for human services to address childhood poverty. Focusing education funding where it is needed the most — on schools serving children of poverty — significantly increases the chances that those dollars will actually help close the achievement gap.
Achievement gaps among students of different socioeconomic, ethnic and linguistic backgrounds are noticeable by age 3 and must be addressed by early childhood education programs that ensure each child begins school prepared to learn.

Children from lower-income families who participated in an intensive early childhood education program showed higher rates of educational achievement and lower rates of depression and criminal activity, according to “Effects of a School-Based, Early Childhood Intervention on Adult Health and Well-Being,” a 2007 study funded by the National Institute of Child Health and Human Development, part of the National Institutes of Health. However, as is expected, the likelihood that a child will attend preschool is tied largely to socioeconomic status, according to data from the National Institute for Early Education Research at Rutgers University.

All but a dozen states now offer some form of state-funded prekindergarten. However, researchers at NIEER say prekindergarten quality varies widely from state to state and from program to program. Eight states — Arkansas, Connecticut, Louisiana, Massachusetts, New Jersey, Ohio, Oregon and Tennessee — fund preK on a par with K-12 schooling (based on spending per child enrolled) and only one state, Oklahoma, offers universal prekindergarten for all 4-year-olds.

AASA believes federal support for early childhood education is a crucial link to reducing the achievement gap. The association supports President Obama’s “Zero to Five” plan to provide critical support to young children and their parents, and the Obama Administration’s proposal to help states move toward voluntary, universal preschool.

The effects of poverty cannot be erased in the classroom. Research from the Children’s Defense Fund shows the direct link between children’s physical and mental health status and academic performance. Reading scores and school attendance of uninsured children improve dramatically after the children gain access to health care.

Factors such as prenatal care, health services available to a child after birth, parenting education and support, the quality of child care, and the availability of preschool programs and full-day kindergarten all affect children’s ability to learn. Addressing each factor long before a child sets foot in the classroom is critical to eliminating the achievement gap.

Community organizations must work together to ensure that our students have access to adequate health and human services so the students can focus on academic achievement. Only when children have support for all their needs will schools have a real chance of helping every student master required education concepts and skills.

AASA believes that overcoming the devastating effects of poverty on children’s lives and educational outcomes requires fulfilling their need for safety, health, shelter and nurturing environments, while also providing high-quality opportunities to learn. Schools serving larger concentrations of low-income and minority children should be eligible for every federal program aimed at the development, health and general well-being of children.

In addition, the 93 disconnected programs in the Elementary and Secondary Education Act should be linked to create a more systemic, focused continuum of services and supports based on need.

**BY THE NUMBERS**

- 78 percent of 3- and 4-year-olds from families with incomes over $100,000 attend preschool
- < 50 percent of children from families with incomes below $50,000 attend preschool

Source: National Institute for Early Education Research
The American Association of School Administrators is committed to developing initiatives that will help superintendents, central-office staff, principals, teachers, parents and others educate the total child. To demonstrate that commitment, AASA has joined nearly 100 other organizations representing all aspects of child development in calling for a new White House Office of Children and Youth.

America’s political leaders rely on the frontline experience of AASA members to provide policy guidance and model programs to replicate across the country. AASA has the experience and prestige to forge ahead in transforming America’s school systems. AASA’s legislative agenda supports:

- A health care system focused on serving all children from low-income families, including prenatal care and school-based, school-linked and community health clinics
- Continued Medicaid reimbursements for school-based administrative and transportation claims for health care.
- Provision of federal funding and access to mental health care and dental care.
- Federal support for children in their first five years of life, including social intervention and full funding for and alignment of Head Start to public education.
- Access to high-quality child care for families in poverty, including the working poor.
- Compiling research and best practices that will help schools educate the total child.

As school system leaders, AASA members set the pace for academic achievement. They help shape policy, oversee its implementation and represent school districts to the public at large. Become part of the strong voice of experience in Washington advocating for the issues that will help prepare each child to begin school healthy and ready to learn.
AASA Educating the Total Child Campaign
Frequently Asked Questions

What is Educating the Total Child?
Educating the Total Child is an advocacy campaign launched by the American Association of School Administrators in 2009. Through the campaign, AASA is committed to creating the conditions necessary for all students to become successful, lifelong learners.

AASA believes it’s time to get back to the basics of supporting the total child – from physical and mental health to the development of fundamental, lifelong learning skills. Only when children have support for all their needs will schools have a real chance of helping every student master required education concepts and skills.

The campaign addresses three key factors that determine children’s academic achievement:

1. The devastating impact of poverty on our students
2. The lack of universal early childhood education
3. The need for organizations to work with public education to coordinate the delivery of health and child development services.

What is the goal of the campaign?
The goal of the campaign is to support and advance the 2009 AASA Legislative Agenda, which calls for a refocusing of the federal role in education on low-income and minority children. Focusing federal dollars where they are needed most, on schools serving children of poverty, significantly increases the chances that those dollars will help to close the achievement gap.

Who is the audience for the campaign?
The audience for the campaign is policymakers, as well as the entire community, including parents, teachers, principals, central-office administrators, superintendents, school board members and business leaders.

How can I spread the campaign message?
Join AASA in advocating for solutions to help each child begin school healthy and ready to learn!

- Use this 2009 Legislative Advocacy Toolkit: Educating the Total Child to advocate for the Educating the Total Child campaign and the 2009 AASA Legislative Agenda.

- Join the almost 100 school districts nationwide that have already adopted a resolution on reauthorization of the Elementary and Secondary Education Act that calls for refocusing the federal role in education on low-income and minority children.

- Contact your local representatives and urge them to support the total child and reauthorize ESEA by increasing the level of funding and focusing funding on poverty, the most significant factor affecting student achievement. Use the “Tips for Communicating with Your Legislators” included in this toolkit.
• Encourage other school leaders to become members of AASA. Your membership dues advance AASA’s efforts to support the total child and make the voice of school leaders heard on Capitol Hill.

• Use the campaign message points included in this toolkit to advocate for the campaign when speaking with local reporters.

• Share success stories from your district with other school leaders using the AASA Success Stories feedback form at http://www.aasa.org/focus/content.cfm?ItemNumber=9435&snItemNumber=10542.
AASA Educating the Total Child Campaign
Message Points

- We have reached a tipping point in American education with a growing consensus that we must get back to the basics of supporting the total child—from physical and mental health to the development of fundamental learning skills.

- To succeed in educating the total child, schools need support from the total community: from parents to school leaders, from business leaders to politicians. Collaboration is the only way to affect real change.

- Only when children have support for all of their needs will teachers have a real chance of helping students achieve universal mastery of educational concepts and skills.
  - Current models of education reform were based on the assumption that toughening accountability would resolve the achievement gap and other learning problems that, in many cases, actually result from children struggling against disadvantages caused by poverty.

- High quality, effective public education fortifies the foundation of democracy.
  - In any educational policy discussion, superintendents and their teams are advocates for the children they serve with knowledge that only they can convey.

- Join AASA so school leaders can speak with one strong voice to help our communities educate our children.
  - AASA has the history and prestige to forge ahead in transforming America’s schools.
  - At AASA, leaders unite to share insights and best practices while also finding solutions to common challenges.
  - AASA represents superintendents and other school system leaders who are facilitators of learning and helps teachers who are the conveyors of learning.
  - AASA supports and develops effective school system leaders so we can push together for the highest quality public education for all children.
Fact: The many and varied effects of poverty form the single greatest factor limiting student achievement.

- Math and reading scores for new kindergartners from the lowest socioeconomic group are 60 percent and 56 percent lower, respectively, than those of students at the highest end. (Source: Valerie E. Lee and David T. Burkam, “Inequality at the Starting Gate,” 2002)

- Student achievement is closely tied to neighborhood characteristics. On the fourth-grade NAEP math test, low-income students attending schools with low rates of poverty scored eight points higher than middle-class students in high-poverty schools. (Source: "The Condition of Education 2006," U.S. Department of Education, 2006)

- During an economic downturn, more students are pushed into poverty and schools are forced to make cuts that directly impact student achievement (Source: AASA Economic Impact Study Series, www.aasa.org/policy/econstudies)

Fact: Achievement gaps among students of different socioeconomic, ethnic and linguistic backgrounds are noticeable by age 3 and must be addressed by early childhood education programs that ensure each child begins school prepared to learn.

- Achievement gaps based on socioeconomic status are present before children begin formal schooling. Policies aimed directly at education-related social and economic disadvantages can improve school performance and student achievement. (Source: “Broader, Bolder Approach to Education,” Economic Policy Institute)

- By the time children from economically advantaged families are 3 years old, they have a substantially more varied vocabulary than do children from low-income families. (Source: “Meaningful Differences in the Everyday Experience of Young American Children,” Betty Hart and Todd R. Risley, 1995)

- The likelihood that a child will attend preschool is tied largely to socioeconomic status. (Source: National Institute for Early Education Research at Rutgers University)

- Children from lower-income families who participated in an intensive early childhood education program showed higher rates of educational achievement and lower rates of depression and criminal activity. (Source: “Effects of a School-Based, Early Childhood Intervention on Adult Health and Well-Being,” National Institute of Child Health and Human Development, 2007)
Fact: Students achieve to higher levels when organizations work with public education to coordinate delivery of health and child development services.

- AASA’s current projects on asthma management, healthy school environments, youth development and healthy eating and active living, all emphasize disparities or gaps in well-being among children from low-income families. AASA believes that all children everywhere can be successful within and outside of the school walls. (Source: http://www.aasa.org/focus/content.cfm?ItemNumber=7972&snItemNumber=7973)


- Poor health can greatly reduce a young person’s ability to get the most from school or life. (Source: “The Case for School-Based Integration of Services: Changing the Ways Students, Families and Communities Engage With Their Schools,” Public/Private Ventures, http://www.ppv.org/ppv/publications/assets/267_publication.pdf)

- The academic success of America’s youth is strongly linked with their health. (Source: National Center for Chronic Disease Prevention and Health Promotion, Student Health and Academic Achievement, http://www.cdc.gov/healthyyouth/health_and_academics/index.htm)

- Schools by themselves cannot — and should not be expected to — solve the nation’s most serious health and social problems. Families, health care workers, the media, religious organizations, community organizations that serve youth, and young people themselves also must be systematically involved. However, schools could provide a critical facility in which many agencies might work together to maintain the well-being of young people. (Source: National Center for Chronic Disease Prevention and Health Promotion, Coordinated School Health Program, http://www.cdc.gov/healthyyouth/CSHP/)
Preamble

AASA believes that the goal of universal proficiency contained in the 2001 reauthorization of the Elementary and Secondary Education Act, called No Child Left Behind, requires system-wide changes in public schools. Public education is vital to the continued success of American democracy and leadership matters in improving outcomes for children. As such, AASA believes that achieving the lofty goals of ESEA requires simultaneous focus in three areas:

- Getting children ready for schools by working together with communities to produce the best outcomes for children;
- Getting schools ready for students by ensuring that they are safe places where teaching and learning have been transformed to meet the needs of each child; and
- Getting children ready for democracy and prepared for active roles in society through collaboration between schools and communities.

Core Beliefs

AASA believes that a high-quality public education is a basic civil right. Equal access to educational opportunity is a cornerstone of American democracy. State and local school system leaders are dedicated to helping students reach high levels of learning and to preparing students to be active participants in a global society.

AASA believes the primary responsibility for determining educational methods and strategies resides at the state and local level. The supplemental federal role must be consistent with the 1979 U.S. Department of Education Organization Act. States have a constitutional responsibility to establish, fund and support public education. Local school districts have a responsibility to ensure student learning in the context of their state’s constitutional requirements for education.

AASA believes the role of the federal government in education is to help ensure equal opportunities to learn for each child by assisting states and school districts in their efforts to develop capacity, by providing leadership and by providing resources. The federal government should supplement and support rather than dictate state efforts in education.

AASA members know that the devastating effects of poverty have a significant impact on student achievement. While school systems do address the effects of poverty, they cannot eliminate the causes of poverty. Federal efforts to improve student achievement should coordinate with other relevant systems, such as health care, housing and judicial systems, to alleviate the fundamental inequities that perpetuate poverty.

AASA believes that states and school systems should not be required to spend state and local funds to implement federal program mandates.
AASA believes that successfully prepared students leaving the public school system will have:

- An academic background that allows them to engage in the workforce, post-secondary education, and life-long learning in an increasingly competitive, rapidly changing global society;
- A mastery of content within and across academic areas that provides a solid foundation of knowledge and understanding of the world;
- The skill set that enables them to actively participate in life-long learning as they strive to expand their knowledge and understanding of their increasingly connected world;
- The ability to work, live and learn with people of all races, creeds and ethnicities; and
- Experience with art, music, literature and the performing arts that develop their ability to discern patterns from disparate information and create new forms from old information. Creativity and moving beyond accepted limitations on ideas is critical to maintaining our competitive edge in a global society.

Critical Assumptions

Maximizing children’s learning requires equal measures of high expectations, appropriate instruction, appropriate health care, early developmental activities and care for children’s well-being throughout their early childhood and school years.

Equal educational outcomes for low-income and minority students and other special populations of students, such as English language learners and students with disabilities, have proven to be the educational challenge most resistant to improvement. There are two major causes of the inability to obtain equal results for all children: opportunities to learn are not equally distributed and non-school factors, such as health and school readiness, have not been directly connected to initiatives to improve educational outcomes for low-income and minority students.

Federal programs aimed at children’s health, personal and social development, overall well-being and education that are disjointed and disconnected must be successfully connected to schools. These programs need to be connected to schools through ESEA in a way that increases learning for all students, closes gaps in achievement and aligns other educational outcomes among all groups of children. Those programs should be distributed based on children’s need for services and support.

ESEA Title I funds must be carefully targeted to make a difference in student learning. Funding for Title I of ESEA will never amount to much more than two to three percent of state and local expenditures. Title I dollars should be focused on districts with the highest percentages of low-income students.

Continuous improvement of a loosely coupled public education system where every school and school system is unique requires clear, widely accepted goals, great flexibility and constancy of purpose and principles.

Federal education policy must follow a hypothesis defined by researcher John Carroll: Given the right amount of time and appropriate instruction, nearly all children can succeed in learning the desired material. Thus, federal programs must promote flexible learning time and continuous improvement of high-quality, developmentally appropriate instruction.

Money makes a difference in the quality of services provided to children, and more money wisely spent will improve children’s educational outcomes. Thus, states and the federal government have an obligation to distribute funds in a manner that promotes equal opportunities to learn for all children.
AASA Recommendations for Federal Support of States and School Systems to Improve Opportunities to Learn for Low-Income and Minority Students

AASA recommends that ESEA move from the 93 disconnected and disjointed programs added between the original passage of the law in 1965 and the most recent reauthorization in 2001 toward a more systemic continuum of services and supports based on poverty, special student populations and special conditions. We need to return to the original goal of ESEA, which was to promote equal educational opportunity.

The federal government should help states and school systems either improve opportunities to learn for low-income and minority students or address the needs of populations of students with special conditions in those school systems that improved their ability to serve all children. This recommendation is designed to give Congress and the Obama Administration incentives to increase the federal investment in education by sharpening the focus on poverty, serving the whole child, and adhering to the principle that given appropriate instruction and enough time all students will achieve greater learning success.

Continuum of Services and Support

Basic Federal Services for Low-Poverty School Systems

AASA believes that basic services for low-poverty school systems should include:

- Immediate access (at no cost) to research that will help teachers, principals and superintendents organize and deliver high-quality, developmentally-appropriate instruction;
- Immediate access (at no cost) to information about best practices that will help teachers, principals and superintendents organize and deliver high-quality, developmentally-appropriate instruction; and
- Funds for professional development.

Federal Services and Support for School Systems with Special Populations or Unique Circumstances

AASA believes that federal services and support should be provided to school systems with special populations or special characteristics.

- Special populations include:
  - English language learners
  - Special education students
  - Homeless students
- Special characteristics include:
  - Small and rural
  - High-poverty rural
  - Impacted (this is a legislative term that drives a program called Impact Aid) by federal installations, institutions or lands

Federal Services and Support for High-poverty School Systems
AASA believes that federal services and support for high-poverty school systems should include:

- Increased coordination and cooperation among federal agencies that have programs, initiatives and money targeted at serving children in poverty, including education, mental health, transition to work, early childhood education, and child care, among other programs;
- Establishment of a White House Office of Youth Policy;
- Immediate access (at no cost) to research that will help teachers, principals and superintendents organize and deliver high-quality, developmentally-appropriate instruction;
- Immediate access (at no cost) to information about best practices that may help teachers, principals and superintendents organize and deliver high-quality, developmentally-appropriate instruction;
- Adequate funds for high-quality professional development;
- Universal access to health care, including mental health care, for children and their parents or guardians, by tying all relevant federal programs together in ESEA and assessing the impact of non-school factors;
- Guaranteed ability to make Medicaid claims for services, administrative costs and transportation by amending both ESEA and Title XIX of the Social Security Act;
- Universal access to early child care in homes or centers, guaranteed by tying together these services with all relevant federal programs in ESEA;
- Universal access to early childhood education programs, guaranteed by tying all relevant federal programs together in ESEA;
- Full funding for Head Start;
- Universal access to well-administered recreation and after-school care through high school, guaranteed by tying all relevant federal programs together in ESEA;
- Scholarships for teaching candidates who will agree to teach in high-poverty schools guaranteed in ESEA reauthorization and the Higher Education Act; and
- Funds to pay salary supplements for teachers and administrators; and
- Reinstating public school districts’ eligibility to participate in all federal workforce preparation and training programs, in recognition of the responsibility and capacity of schools to prepare students for the multitude of opportunities available to them after high school graduation, including support for schools’ efforts to develop and expand career and technical programs.
Program Standards for
All Children Will Learn

AASA believes ESEA should provide coherent goals, assumptions and methods to improve learning for all students, especially for low-income and minority students. These goals, assumptions and methods should be based on evidence gained from research and practice.

Content Standards

1.1 AASA recognizes the need for high standards for all children.
1.2 AASA supports the establishment of standards for student performance, curriculum content, teacher certification and professional training. Today’s children live in a highly mobile and globally-oriented world. As such, the standards should include the mastery of both basic skills and higher-order thinking skills.
1.3 AASA believes state-developed standards should be the primary educational framework that local districts should use to develop educational programs.
1.4 AASA supports voluntary national standards developed by professionally qualified national organizations and practitioners.
1.5 AASA believes alignment of standards, curriculum, instruction, assessment and professional development for teachers, principals and superintendents is critical to successful implementation of high content standards.

Accountability

2.1 AASA supports clear, accurate measures that hold school systems and schools accountable for the quality of their performance.
2.2 AASA supports holding states accountable for providing appropriate financial and programmatic support and for monitoring and connecting both state and federal programs aimed at children’s health, development and well-being. These programs must be aligned with the education system to ensure that children are ready to learn.
2.3 AASA supports holding school systems accountable for providing developmentally-appropriate instruction for each student in a timeframe that maximizes the probability of success.
2.4 AASA believes in holding students and schools accountable through the use of multiple sources of valid and reliable assessments and in reporting progress to the students and the general public. In addition to measuring individual student growth, it is critical that schools and school systems evaluate program effectiveness using multiple sources of evidence.
2.5 AASA believes that where intervention by the state is required as a result of failure to meet expectations under ESEA, the intervention should be narrowly focused on building capacity for improvement in those schools where there is a pervasive pattern of underachievement.
2.6 AASA supports accountability for all agencies working with school districts to serve the total child so long as the appropriate parties or agencies are held accountable for their individual responsibilities in the helping children meet expected standards developmentally, academically and socially.
Evidence of Learning

3.1 AASA supports the use of growth measures to monitor student progress. Each child should be assessed using multiple sources of evidence that begin with his or her level of learning, not with the use of arbitrary group starting points that could be inappropriate for the child.

3.2 AASA believes school and student performance should be based on more than just a single measure or test. The multiple indicators should be determined at the state and local levels.

3.3 AASA believes that success for special education students should be measured in accordance with the student’s Individualized Education Program (IEP) and should not be subjected to arbitrary percentage caps.

3.4 AASA believes English language learners should not be measured in a language they do not understand. English and native language assessments need to be fair, appropriate and based on each student’s level of proficiency.

3.5 The accountability system at both the state and federal levels should be both fair and transparent to parents, community members and students.

3.6 AASA welcomes the continued use of disaggregated data as a positive influence in schools that allow teachers and administrators to focus on the success of all children. The results of the disaggregation should be used to make informed decisions about teaching and learning.

3.7 AASA supports the use of multiple opportunities to bring students to an acceptable standard of performance, including extended-learning day programs, summer learning sessions, re-testing and after-school learning opportunities.

Research and Best Practices

4.1 AASA values the role that the federal government plays in providing high-quality research that can inform decision making in local school systems. It is essential that all research funded by the federal government be transparent and widely disseminated to teachers and administrators.

4.2 AASA believes that the topics chosen for research should continue to identify best practices for closing the achievement gap and improving the quality of education for all children.

4.3 AASA believes that there is an unmet need for federally-funded research regarding high-quality professional development for all educators, including teachers, principals and superintendents.

4.4 AASA supports the revitalization of federally supported research venues and other means of innovations aimed at raising awareness of and providing ready access to best practices.

Public School Workforce Issues

5.1 AASA urges inclusion of funds to encourage teachers to work in hard-to-staff schools in urban and rural areas.

5.2 AASA believes that school districts with hard-to-staff schools should have access to cutting edge technology for professional development and instruction.

5.3 AASA believes the federal government has a role in supporting enhanced teacher salaries across all school systems, including incentives such as loan forgiveness.
Other Services and Supports Needed to Overcome the Effects of Poverty

6.1 AASA believes the federal government has a responsibility to help prepare children for success in school in their first five years of life by addressing an array of social factors that have been shown to affect student achievement. These factors include, but are not limited to, poverty, health care, early education and child care.

6.2 AASA believes the federal government must help build and support an economic system that sustains families above the poverty level, providing access to quality jobs and acceptable wages. The federal government’s definition of “families in poverty” should be expanded to include the working poor.

6.3 AASA believes the federal government has the responsibility to provide funding for social intervention before children start school. This support should be disseminated through the non-profit and social networks that assist children in getting ready for school. This federal support should be focused on families in poverty, the working poor and immigrant families. This support should also expand quality, low-income housing for families in need.

6.4 AASA supports the establishment and federal funding of a comprehensive, universal health care system that starts with prenatal care and includes school-based, school-linked and community health clinics. Comprehensive health care for children is vital for improved academic achievement. School systems play a critical role in providing health care services for students, including access to vision and dental care.

6.5 AASA believes the federal government should provide funding and access to mental health care for students in need of such assistance.

6.6 AASA believes the federal government must increase Medicaid payments for low-income students, including school-based administrative and transportation claiming.

6.7 AASA believes in early childhood education for all children starting at age three as a crucial link to reducing the achievement gap.

6.8 AASA supports full funding for Head Start to expand access to all eligible children.

6.9 AASA believes the federal government should improve access to high-quality child care for families in poverty, including the working poor. Federal support could include tax incentives for employers to provide family support for child care and dollars to provide after-school care for children of all ages.

6.10 AASA supports the engagement of families in schools and recognizes the vital importance of parents/guardians in the success of each child.
Recommendations for Other Services and Supports for School Systems with Special Populations and Special Conditions

7.1 AASA supports the provisions of ESEA aimed at language instruction for limited English proficient and immigrant students. In particular, AASA supports the programs that drive funds to school systems through a formula and urges the maximization of local control in order to expand the continuum of services available to English language learners.

7.2 AASA supports creating a pilot program that would provide grants for dual language programs for schools serving concentrations of low-income and minority students.

7.3 AASA believes that 100 percent of the funding under the Safe and Drug Free Schools Act should flow directly to local school districts to ensure the maximum benefit at the local level. In addition, AASA supports the inclusion of school resource officers as an allowable use of funds under this program.

7.4 AASA supports more federal resources for after-school programs under the 21st Century Community Learning Centers Program. These after-school programs, which should be governed by local school systems, play an important role in ensuring the success of students from all backgrounds. These additional federal funds should not come at the expense of other ESEA Title allocations.

7.5 AASA supports the continued flexibility allowed to school districts under the Education Innovative Block Grant Program and urges the restoration of funding for this program.

7.6 AASA supports the Rural Education Achievement Program Reauthorization Act.

7.7 AASA opposes the limitation of eligibility under the Rural and Low-Income Schools Program that would eliminate funding for many rural districts.

7.7 AASA supports federal funding for literacy programs but strongly encourages Congress to ensure that the U.S. Department of Education does not dictate or prescribe specific curricula.

7.8 AASA supports the continuation and expansion of programs in ESEA that address the unique needs of Indian/Native American, Native Hawaiian and Native Alaskan communities, as well as federally-impacted military and Native American areas.

7.9 AASA recognizes the unique circumstances of federally-impacted school systems and supports full funding of Impact Aid.
AASA Positions on Other Federal Policy and Legislation That Supports Students’ Learning, Health, Personal Development and Wellness

Individuals with Disabilities Education Act

8.1 AASA maintains its commitment to mandatory federal funding of IDEA at 40 percent of the national average per-pupil expenditure for every child in special education. The long-term federal funding shortfall is straining school system budgets and is diverting resources from other critical local educational programs.

8.2 AASA believes that the district of residence should be responsible for the equitable participation of parentally-placed private school students. AASA supports a return to the principles of the 1997 IDEA law for this provision.

8.3 AASA supports reducing local maintenance of effort as federal funding increases.

8.4 AASA supports making the requirement for parental consent for Medicaid reimbursement part of the parental consent provisions in the Individualized Education Program process.

School-Based Medicaid Claiming

9.1 AASA strongly supports the role that school districts play in providing medically necessary services to Medicaid-eligible students and the right of school systems to claim reimbursement for those services. AASA opposes the steps being taken by the Centers for Medicare and Medicaid Services to exclude school systems from reimbursement.

9.2 AASA supports ensuring that all school systems can receive reimbursement for Medicaid services, administrative costs and transportation.

9.3 AASA supports the expansion of Medicaid claiming to include eligibility for 504 Vocational Rehabilitation students.

9.4 AASA urges the Centers for Medicare and Medicaid Services to work with states and local school districts to ensure a uniform and reasonable methodology for claiming reimbursement for Medicaid-eligible services across the country.

9.5 AASA supports the continuation of a moratorium against any changes by the Centers for Medicare and Medicaid Services in school-based Medicaid claiming.

Universal Children’s Health Insurance

10.1 AASA supports the proposal of the Children’s Defense Fund to provide health insurance for all children and pregnant women whose family income is up to three times the poverty line.

10.2 AASA supports efforts to increase Medicaid doctors’ reimbursement rate for practitioners who participate in the Medicaid program.
**Child Nutrition**

11.1 AASA supports efforts to improve federal rules regarding the nutritional content of food and beverages served during the school day.

11.2 AASA feels that exceptions to school nutrition policies should include school-sponsored events, fundraisers and celebrations.

11.3 AASA believes that when federal requirements result in loss of revenue for school systems, the federal government should recognize and provide a reimbursement for that loss of revenue.

11.4 AASA believes that nutrition policy is best addressed at the local level and opposes any federal overreach into nutrition policy.

**Higher Education Act**

12.1 AASA supports the role of school systems as active partners with institutions of higher education in determining solutions for teacher recruitment and retention and leadership development.

12.2 AASA believes that mentoring and induction programs play an important role in the training of new teachers and should be a vital part of recruitment and retention efforts.

12.3 AASA supports a focus on educational leadership development within higher education institutions.

**E-Rate**

13.1 AASA strongly supports the E-Rate program as a vital part of connecting school systems across the country. As Congress begins the reauthorization of the Telecommunications Act, AASA supports the continued inclusion of E-Rate in the Universal Service Fund.

13.2 AASA supports efforts to reduce the paperwork requirements for participation in the E-Rate program while still ensuring program integrity.

13.3 AASA supports efforts to eliminate the current $2.25 billion funding cap and allow the program to meet the increasing demand for technology services.

**Secure Rural Schools and Communities Self-Determination Act**

14.1 AASA continues to support the Secure Rural Schools and Communities Self-Determination Act.

**Vouchers and Tuition Tax Credits**

15.1 AASA supports strong, high-quality public school systems and continues to oppose efforts to extend federal support to private schools.

15.2 AASA supports the expiration and elimination of the private school voucher program in the District of Columbia, known as the D.C. Opportunity Scholarship Program.
Qualified Zone Academy Bonds

16.1 AASA recognizes the success of the Qualified Zone Academy Bonds program in addressing some school facility needs. AASA supports the expansion of this program to include new construction and additional resources.

Seclusion and Restraint

17.1 AASA believes that monitored seclusion and restraints should be used as a last resort but must be an option for staff working with students who are out of control and pose a danger to themselves and others.

Economic Recovery Act

18.1 AASA supports efforts by Congress and the Obama Administration to include America’s public schools in the Economic Recovery and Reinvestment Act. Schools across the nation have been negatively impacted by the recent economic downturn. The additional federal funds provide an opportunity to address new and back-logged renovation and construction projects, avoid staff cuts, and bring IDEA funding to the mandated 40 percent of the national average per pupil expenditure for every child in special education. The economic recovery funds are a tangible representation of the federal funds and recognize the role that public schools can have in helping their local communities through this economic downturn.

18.2 AASA supports clarifying language in the Economic Recovery and Reinvestment Act to prevent states from supplanting their state funds with the federal funds, to require maintenance of effort by the states and to ensure that funds are distributed to the local districts as quickly as possible, through formulas.

18.3 AASA supports waivers of supplement/supplant and ‘maintenance of effort’ provisions where schools are using funds from the Economic Recovery and Reinvestment Act to fill in gaps and back fill cuts in state and local revenues.
TO: AASA Members
FROM: Bruce Hunter, Associate Executive Director, Public Policy
RE: 2009 AASA Legislative Agenda: All Children Will Learn
DATE: March 2009

Seven years of educators voicing profound disagreement with No Child Left Behind and seven years of researchers questioning the assumptions underlying NCLB have diminished support for NCLB and splintered opinion about what to do next. The new Congress and administration have indicated that other legislation — including health care reform — will receive greater priority than reauthorizing the Elementary and Secondary Education Act in 2009. Combined with the absence of a critical mass of opinion in any direction, it means that final reauthorization is unlikely until 2010. There is still work to be done, though. School administrators should weigh in now with their thoughts, before it is too late.

While there is no clear direction for ESEA, school groups could have a powerful influence if we can agree on what we want and drive hard for a consensus agenda. That drive must take place now and continue through the reauthorization. The AASA Executive Committee has taken the first step to a consensus agenda by developing a clear, easily understood path toward revitalizing the federal role in education to benefit all children and focus especially on low-income and minority children.

The proposal, All Children Will Learn, represents AASA’s bold post-NCLB plan for ESEA reauthorization. The plan embodies a continuum of systematically connected children’s education, health, child care, social services and support based on a poverty continuum of need.

All Children Will Learn is based on two key assumptions aimed at resources and education outcomes. First, concentrating the relatively small federal investment in K-12 education, combined with appropriate instruction, will result in better educational outcomes. Second, targeted funding and appropriate instruction, combined with health and human services, will result in even better educational outcomes.

All Children Will Learn focuses federal health, social service and family support dollars toward low-income, minority and non-English-speaking children. Recognizing that overcoming the effects of poverty cannot be accomplished by schools alone, schools serving high concentrations of these students would receive the greatest assistance from the federal government. This assistance would not be just academic: schools would receive assistance in health care and mental health care for their students as well as before- and after-school enrichment and high-quality, school-linked early childhood programs.

All Children Will Learn improves accountability with accurate, instructionally-useful information. Our legislative agenda sets high standards for all children, while holding school systems accountable for student learning. It calls for an accountability system that is transparent, uses multiple sources of evidence and a growth measure, and is fair to all students. It also calls for federal accountability that is consistent with the amount of federal assistance.
**All Children Will Learn addresses special learners.** AASA’s legislative agenda assures that the progress of special education students is measured in accordance with their Individualized Education Program and assures that the progress of English language learners is measured in a language they understand, with appropriate assessments based on proficiency level.

**All Children Will Learn addresses teachers.** This year’s legislative plan calls for funds to encourage teachers to work in hard-to-staff positions and schools as well as funds to enhance teacher salaries, but leaves qualification requirements to the states.

We hope you will use AASA’s ambitious plan to create a new framework for ESEA. In addition to the reauthorization of ESEA, AASA will continue to work on our legislative priorities in other areas such as Medicaid claiming, IDEA funding and E-Rate, among others. This 2009 AASA Educating the Total Child Legislative Toolkit contains a host of resources that you can use to advance our legislative priorities and ensure high-quality education for all children.

In addition, we welcome you to join us in person in Washington, D.C., April 22-24, 2009, for the AASA Legislative Advocacy Conference. Use this opportunity to weigh in with your members of Congress and make your voice heard.

As you move forward in your work, using AASA’s 2009 Legislative Agenda to advocate for public education, feel free to contact me with any questions. I can be reached at bhunter@aasa.org. We appreciate all of your help in advance.
Frequently Asked Questions

About the

2009 AASA Legislative Agenda

Theme: “All Children Will Learn”

1. Why did the AASA Executive Committee and Governing Board create the AASA Legislative Agenda?

To identify priority issues that AASA will advocate for on behalf of children and school system leaders. Each year, the AASA Executive Committee develops the legislative agenda and the Governing Board adopts it at the National Conference on Education.

2. What are the key points within the 2009 AASA Legislative Agenda?

The agenda calls for a refocusing of the federal role in education on low-income and minority children. Specifically, it calls for:

- **A systemic ESEA based on need.** The law should target the relatively small federal investment in K-12 education to schools serving larger concentrations of low-income and minority children. It should move from its current structure of 93 disconnected and disjointed programs to a more systemic, focused continuum of programs based on need.

- **A more integrated approach to serving disadvantaged children.** Schools serving high concentrations of poor children should receive not just academic assistance but also assistance with health and mental health care for their students. They should also receive assistance with before- and after-school enrichment and high-quality early-childhood programs.

- **Clear and accurate accounting for results.** ESEA should encompass an academic accountability system that is transparent and fair and sets high standards for all children. It should be commensurate with the relative contribution of the federal government to the school district.

3. The 2009 AASA Legislative Agenda looks a lot like the 2008 agenda. What are the main differences?

The 2009 legislative agenda is very similar to the 2008 agenda. AASA’s Executive Committee and Governing Board gave the legislative agenda a complete overhaul in 2008 and felt that many of the positions and policy statements in the 2008 legislative agenda remained the same in 2009. The key differences are:

- **Child Nutrition:** Clarified the position to reflect AASA belief that nutrition policy is best addressed at the local level and AASA opposition to any federal over-reach into nutrition policy.
• **E-Rate**: Modifying the E-Rate position to include support for the elimination of the current $2.25 billion funding cap.

• **Seclusion and Restraint**: This is a brand new policy position this year, and it reflects AASA’s belief that monitored seclusion and restraints should be used as a last resort but must be an option for staff working with students who are out of control and pose a danger to themselves and others.

• **American Recovery and Reinvestment Act**: In light of the large increase of federal funds that will be flowing through America’s public schools over the next two school years due to the stimulus, the 2009 Legislative Agenda includes a new AASA position statement in support of the stimulus dollars, clarifying language to prevent states from supplanting state funds with federal funds, and waivers for ‘maintenance of effort’ and supplement/supplant.

4. **Why is the 2009 AASA Legislative Agenda titled “All Children Will Learn”?**

   The title embodies the belief that each and every child will learn through emphasizing high-quality programs rather than test-taking. The title is consistent with AASA’s mission to support and develop effective school system leaders who are dedicated to the highest quality public education for all children.

5. **If implemented, what impact would the 2009 Legislative Agenda have on my students and school system?**

   It would provide a seamless array of services for children in need, and it would reframe the federal role in education to be commensurate with the federal financial contribution to the school system budget. AASA believes that the federal government’s role in education is to help ensure equal access and opportunity for each child and to supplement and support, rather than supplant, state education efforts.

6. **What can I do to help AASA advance the 2009 AASA Legislative Agenda?**

   Use the tools included in the 2009 AASA Educating the Total Child Legislative Toolkit:

   • Guide adoption of the enclosed draft resolution by your school board and relevant organizations.
   • Contact your local representatives and urge them to support the total child and reauthorize ESEA by increasing the level of funding and focusing funding on poverty, the most significant factor affecting student achievement.
   • Encourage other school leaders to become members of AASA. Your membership dues advance AASA’s efforts to support the total child and make the voice of school leaders heard on Capitol Hill.
   • Use the campaign message points to advocate for the campaign when speaking with local reporters.
ESEA Reauthorization –  
All Children Will Learn

Use these talking points to communicate AASA’s 2009 Legislative Advocacy Agenda: All Children Will Learn,  
in your communications with your members of Congress, your community, the media and others. Read the  
complete agenda at http://www.aasa.org/policy.

ESEA must be reframed to effectively supplement the improvement of educational outcomes for low income  
and minority students:

- Over its 43 year history ESEA has become a collection of 93 generally disconnected and disjointed  
programs that were added in each of the succeeding 7 reauthorizations. This reframing provides greater  
focus and connections for the many programs in ESEA.
- Focus on low income and minority children was diminished as programs with divergent purposes were  
added to ESEA

All Children Will Learn is based on two key assumptions:

- Increasing funds directed to schools where poverty is concentrated through better targeting, combined  
with appropriate instruction, will result in better educational outcomes.
- Serving the whole child—by providing health and human service programs for both children and their  
families that are generally located in federal agencies other than the US Department of Education,  
combined with appropriate instruction and additional funding--will result in even better educational  
outcomes.

Reframing ESEA will result in a continuum of services and support based on a continuum of need:

- School systems with higher levels of poverty, as determined by their eligibility for free and reduced  
lunch, and higher proportions of special populations (such as English language learners, Native  
Americans, special education students) and conditions (rural/inner-city) will be eligible for more  
programs and greater funding.
- School districts with high levels of poverty must be eligible to apply for funds from all programs in  
other federal agencies that provide services needed to improve the health and well being of children and  
their families.

Key Highlights of All Children Will Learn:

- **Accountability**: Sets high standards for all children, while holding school systems accountable for  
student learning; calls for an accountability system that is transparent; uses multiple sources of evidence  
and a growth measure; is fair to all students; and calls for federal accountability that is consistent with  
the amount of federal assistance.
- **Special Learners**: Assures that the progress of special education students is measured in accordance  
with their Individualized Education Program and assures that the progress of English language learners  
is measured in a language they understand, with appropriate assessments based on proficiency level.
- **Teachers**: Provides funds to encourage teachers to work in hard-to-staff positions and schools and to  
enhance teacher salaries, but leaves setting qualification requirements to the states.
- **Early Childhood Development**: Requires federal support for children in their first five years of life,  
including social intervention and full funding for and alignment of Head Start to public education. In  
addition, All Children Will Learn requires the support of an economic system that provides for access to  
high-quality child care for families in poverty, including the working poor; supports the engagement of
families in schools; and recognizes the vital importance of parents/guardians in the success of each child.

- **Health**: Provides for continued Medicaid reimbursements for school-based administrative and transportation claims; calls for a universal health care system focused on low-income families, including prenatal care and school-based, school-linked and community health clinics; and provides federal funding and access to mental health care and dental care.

**What You Can Do:**
To make your voice heard on the reauthorization of ESEA:

**Key Steps:**
1. Use these talking points to communicate AASA’s legislative priorities when speaking with state and federal lawmakers.
2. Seek adoption of the All Children Resolution in your district. Full information about the resolution is available online at [http://www.aasa.org/policy/ACWLpolicy](http://www.aasa.org/policy/ACWLpolicy)
3. Ask your members of Congress for field hearings in your area so legislators can witness how federal policy is affecting students in your district.
4. Contact the AASA Advocacy and Policy staff if you have questions or need additional information about the 2009 AASA Legislative Agenda.

**Urge your members of Congress to support:**
1. A new framework for the reauthorization of ESEA that focuses the federal role on students in poverty.
2. Strengthening the connection between high poverty schools and federal programs providing health and mental health care for children and their families, quality services from ages zero to five and extended learning opportunities.
3. Efforts to improve the assessments used by the states and encourage the use of assessments that can provide timely and instructionally useful information to teachers and principals to directly improve student achievement.
4. A federal accountability system that is focused on useful interventions and linked to the amount of federal assistance a school is receiving.

If you have questions about the legislative agenda, the resolution or AASA’s advocacy efforts, please contact:

Bruce Hunter  
Associate Executive Director-Advocacy and Policy  
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Assistant Director-Advocacy and Policy  
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ALL CHILDREN WILL LEARN

AASA’s Proposal for Reauthorization of
the Elementary and Secondary Education Act

Developed January 2009, by the
AASA Executive Committee
Approved February 2009, by the
AASA Governing Board

Reframing ESEA: The AASA Proposal

• Create a continuum of support based on a
  continuum of need – A systemic plan to
improve schools rather than a disjointed
collection of unrelated programs

Reframing ESEA

Three Key Assumptions

1. Money makes a difference.
2. Serving the total child will improve
  educational outcomes.
3. The federal share of K-12 spending (8%) will not change.
AASA’s Proposal: Systemically align 93 disconnected programs to focus on high-poverty and minority students.

1965

ESEA
4 Titles containing 3 grant programs

2002

No Child Left Behind
11 Titles containing 93 grant programs

Reframing ESEA

AASA’s Proposal: A continuum of systemically related services and support based on a continuum of need

• Need based primarily on poverty – definition TBD by feds
  ○ There is a disagreement over the Title I formula – AASA is neutral

• Need also includes special populations – such as ELL and special education students

• Need also includes special conditions – such as rural isolation

Reframing ESEA

AASA’s Proposal: Provide systemic support for low-income and minority students

Special student groups: ELL, Native American, special education, etc.

Special conditions, e.g., rural isolation, federal installations
**Reframing ESEA**

AASA’s Proposal: Continuum of Services, Continuum of Need - by poverty level

*++ Additional Supports and Services Available to Schools With Special Populations and Conditions

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**Data Connecting Poverty and Student Achievement:**

2000 Data

Across all student groups, student achievement falls as poverty levels increase.

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**Data Connecting Poverty and Student Achievement:**

2005 Data

Across all student groups, student achievement falls as poverty levels increase.
A robust menu of support for high-poverty schools would include:

- Nearly all programs in ESEA
- Physical and mental health care
- Childcare
- Early childhood education
- Full funding for Head Start
- After-school care, enrichment and recreational programs
- Home instructional support

What’s New?

- You’ll note that the 2009 Legislative Agenda is VERY similar to the 2008 Legislative Agenda. AASA’s Executive Committee and Governing Board gave the legislative agenda a complete overhaul in 2008 and felt that many of the positions and policy statements carried over. There are a few notable changes:
  - Child Nutrition: Clarified the position to reflect AASA belief that nutrition policy is best addressed at the local level and AASA opposition to any federal over-reach into nutrition policy.
  - E-Rate: Modifying the E-Rate position to include support for the elimination of the current $2.25 billion funding cap.
  - Seclusion and Restraint: This is a brand new policy position this year, and it reflects AASA’s belief that monitored seclusion and restraints should be used as a last resort but must be an option for staff working with students who are out of control and pose a danger to themselves and others.
  - American Recovery and Reinvestment Act: In light of the large increase of federal funds that will be flowing through America’s public schools over the next two school years due to the stimulus, the 2009 Legislative Agenda includes a new AASA position statement in support of the stimulus dollars, clarifying language to prevent states from supplanting state funds with federal funds, and waivers for “maintenance of effort” and supplement/supplant.

Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

STANDARDS

- High state-developed standards for all children
- Standards include mastery of basic skills and higher-order thinking skills
- Voluntary national standards developed by national professional organizations
- Alignment of standards, curriculum, instruction, assessment and professional development
Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

ACCOUNTABILITY

- All schools would still be responsible for assessing and disaggregating results similar to current system.
- Calls for clear, accurate measures.
- As federal intervention increases, accountability increases.
- Holds states accountable for appropriate support, monitoring and connecting state and federal programs.
- Holds school systems accountable for student learning.
- Evaluates program effectiveness using multiple sources of evidence.
- Supports interventions focused on building capacity.

Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

MEASURING LEARNING

- Uses growth measures – multiple sources of evidence beginning with level of learning.
- Special education students measured in accordance with the student’s Individualized Education Program (IEP) – no arbitrary caps.
- English language learners measured in a language they understand by fair, appropriate assessments based on level of proficiency.
- Accountability system transparent and fair to all students.
- Uses disaggregated data to inform parents and the public and to make decisions about teaching and learning.

Elements of the 2008 AASA Legislative Agenda: “All Children Will Learn”

RESEARCH SUPPORT

- All federal education research transparent and widely disseminated to teachers and administrators.
- Research topics chosen to identify best practices for closing the achievement gap and improving the quality of education.
- Need federally-funded research regarding high-quality professional development for all educators.
Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

PROFESSIONAL IMPROVEMENT

• Funds to encourage teachers to work in hard-to-staff schools in urban and rural areas.
• Support enhanced teacher salaries across all school systems, including incentives such as loan forgiveness.

HEALTH AND HUMAN SERVICES

• Federal help for children in their first five years of life
• Federal leadership to help build and support an economic system that sustains families above the poverty level, providing access to quality jobs and acceptable wages
• Federal funding for social intervention before children start school
• Universal health care system that starts with prenatal care and includes school-based, school-linked and community health clinics
• Federal funding and access to mental health care

Elements of the 2009 AASA Legislative Agenda: “All Children Will Learn”

HEALTH AND HUMAN SERVICES

• Medicaid reimbursements, school-based administrative and transportation claims
• Early childhood education for all children starting at age three
• Full funding for Head Start and alignment of public education and Head Start
• Access to high-quality child care for families in poverty, including the working poor
• Engagement of families in schools and recognition of the vital importance of parents/guardians in the success of each child
Questions?

E-mail Bruce Hunter
Associate Executive Director, Advocacy and Policy
American Association of School Administrators
bhunter@aasa.org
Economic Stimulus Update
ABCs of the Economic Stimulus Plan  
*(as of March 26, 2009)*

**Stimulus Overview**

- The measure invests some $100 billion in education. It is the single largest investment in public education in history.

- The intent of the law is to stimulate the economy and support school improvement by helping cash-strapped school districts avoid program cuts, prevent teacher layoffs, invest in school modernization and increase funding for Title I, special education and other important programs for children nationwide.

- On March 6, 2009, the U.S. Dept. of Education released guidance on how education stimulus dollars will be dispensed and how they may be used by states and local districts. The guidance is available on the Department’s website at [http://www.ed.gov/policy/gen/leg/recovery/index.html](http://www.ed.gov/policy/gen/leg/recovery/index.html).

- The U.S. Dept. of Education has directed states to disperse stimulus funds to school districts by the end of April 2009.

- AASA urges school districts to work with their states to secure the greatest possible investment in K-12 education and to spend the funds quickly and wisely. The way these dollars are spent will help determine the ability to secure federal investment in education in the future.

- In spending stimulus dollars, schools must comply with rigorous accounting and transparency requirements. Spending of the stimulus funds will be tracked on the federal government website, [www.recovery.gov](http://www.recovery.gov). The Dept. of Education will release guidance on the record-keeping and recording requirements.

**Stimulus Components**
The education portion of the economic recovery plan is broken down into three major sections:

- Increased funding for federal education programs,
- Monies to the state to stave off reductions in the state funding formulas, and
- Support for school modernization needs.

1. **Federal Education Programs**

   A major support for schools under the economic recovery plan is direct funding to school districts through massive increases in federal programs.
• **Individuals with Disabilities Education Act** - Congress is providing an $11.3 billion increase for IDEA. This increase will help bring congressional support closer to 40 percent of the national average per-pupil expenditure. Under current IDEA law, districts will then be able to reduce their local special education spending by an amount equal to half of their federal increase, as long as districts spend their reclaimed local dollars on activities authorized within the Elementary and Secondary Education Act.

• **Title I and School Improvement** - In addition to the increase for IDEA, there is a $10 billion increase for Title I and states will receive $3 billion for school improvement funds to assist schools in need of improvement. While this increase is only slated for two years, the groundwork has been set for AASA to argue for such increases in FY 2011 (2011–2012 school year). The new regulations for Title I will apply to the increased funding, but there is an opportunity for districts to apply for a waiver on setting aside funding for supplemental services and public school choice.

• **Note**: Unfortunately, the funds for Title I and IDEA that will flow through existing program formulas will have very little flexibility, because all Title I and IDEA rules apply.

• **Timeline** - *The Department of Education plans to release the first half of the Title I and IDEA dollars to states by March 30, 2009, and the states will be encouraged to push those dollars to districts by the end of April.* Districts will be allowed to start spending those dollars in the current school year. Districts are required to have 85 percent of those dollars allocated by Sept. 30, 2010, and the full amount obligated by Sept. 30, 2011. Remember: Except for the flexibility to reclaim your local dollars under IDEA, the rest of the IDEA and Title I dollars must be spent for new programming.

2. **Stabilization Fund**

The largest portion of the economic recovery bill is the new $53.6 billion state stabilization fund. This pot of funding is designed to help cover state funding shortfalls and help states bridge the gap to future increases in education funding.

• **State Funding Formulas** - Some $39.5 billion of the $53.6 billion is to be used by states to backfill cuts in their state funding formulas or provide increases in the coming years. Whatever monies they have left over after backing their state funding formulas would be delivered to local school districts via the Title I formula. Districts will be allowed to use these dollars for any activities within ESEA, IDEA, the Perkins Career and Technical Education Act or school modernization and renovation.

• **Note**: Districts will get state stabilization funds through the states via existing formulas. We do not know which specific state formulas will be used to carry out distribution of the stabilization funds. ‘Supplement/supplant’ and ‘maintenance of effort’ rules do not apply to these funds at the local level. Maintenance of effort does apply to the state, which may not reduce its funds to districts nor supplant state dollars to districts with fiscal stabilization dollars.
• Districts should work with their state associations to ensure that K-12 is getting its necessary portion of the funding. The Dept. of Education has stated that it is a violation of the spirit of the law for states to supplant their effort in education with the federal dollars. In addition, states will be prevented from applying for waivers if they have supplanted their effort with federal dollars.

• **Performance Grants** - Secretary of Education Arne Duncan will receive $5 billion to provide performance grants to states based on their progress on ensuring a quality teaching force in the hardest-to-teach classrooms, establishment of a longitudinal data systems and development of assessments of special education and ELL students. Of that funding, $650 million will be available for Innovation Grants to local school districts to replicate or continue best practices.

• Finally, states will be given complete discretion over the remaining $8.8 billion. States will be allowed to spend those dollars on any area of their budget they deem appropriate, including education, but it is not money guaranteed for education.

• **Timeline**: The federal government has indicated it will send two-thirds of the stabilization dollars to states within two weeks of a governor’s submission of a short and simple form to Washington on his/her state plan. Local districts should expect their share of stabilization funds to arrive shortly thereafter.

3. **Modernization**

• The final package contains two tax credit bonds, an extension of the Qualified Zone Academy Bonds and $22 billion in new bond authority for new school construction. Within the new construction bonds, 40 percent of the dollars would be set aside for the 100 largest, poorest school districts. Unfortunately, AASA was not able to eliminate this set-aside. It will be difficult for small and rural school districts in states with districts that are eligible within the 100 largest, poorest districts to secure bond authority, but there is still a possibility for districts to secure this funding. We are expecting additional guidance out of the Department of Treasury shortly as to how they plan to implement this new bonding authority.

• While both the House and the Senate’s original recovery bills included direct funding to local school districts for school modernization and repair, the idea did not survive the final package. Instead, districts are now eligible to use funding that comes to them under the state stabilization fund for such purposes.

• **Note**: Modernization and construction funds have yet to emerge from the Treasury Department; so no guidance exists yet on how these bonds and credits will be allocated or how they can be used.
Resources:
AASA stimulus website: http://www.aasa.org/content.cfm?ItemNumber=11157

U.S. Department of Education websites for the American Recovery and Reinvestment Act
- Overview: http://www.ed.gov/recovery
- RSS feed: http://www.ed.gov/rss/arracomms.xml

U.S. Department of Education Guidance:

Education Recovery and Reinvestment Center (includes Fund Finder tool that calculates the amount of funds a school district will receive under Title I and IDEA): http://www.learningpt.org/recovery
AASA Economic Stimulus Webinar Series
Top 10 Questions

As part of a month-long series of weekly webinars on the economic stimulus during March 2009, staff from AASA’s Advocacy and Policy Team collected and responded to questions submitted by webinar attendees. More than 300 questions were received, covering everything from timelines and implementation to allowable uses and reporting requirements. Some topics were more popular than others, and here we answer the Top 10 Questions—those submitted most often.

Will there be any ability to supplant Title I and IDEA funds? Can we supplant with the State Fiscal Stabilization Funds (SFSF)? There is no supplanting with the Title I and IDEA funds. The underlying statute and regulations apply, and do not permit waivers to supplant. USED has been clear: there will be no supplanting with the Title I and IDEA funds. The SFSF funds, however, have no supplanting issues. Supplanting and maintenance of effort **DO NOT** apply to the SFSF. This is new money that is not subject to any underlying statute.

What happens in 2011, when these stimulus funds are gone? That remains to be determined; no one is 100% sure. We will have to work together to advocate for funding levels to increase—or at least remain flat—after the stimulus funds are spent.

Will the Title I and IDEA stimulus funds occur only in FY09, or will they be available again in FY10? Districts are slated to receive the first half of their increase this spring and the second half this fall. The funds are counted in FY09, but can be obligated over both FY09 and FY10. All of the stimulus funds are treated as supplemental appropriations to the FY09 budget year. Schools must obligate 85% of their education stimulus dollars by **Sept. 30, 2010**.

With the IDEA 50% funds, can we utilize that money to fund special education teacher units that we normally fund with local dollars? Before we answer, let us clarify: Federal special education dollars must be spent on special education. That being said, the 50% provision permits the reduction of those state and local general education funds that have been subsidizing the shortfall of federal and state special education funding. Your district is allowed to reclaim your local effort in special education up to an amount equal to 50% of your federal increase, providing that you use those local dollars for activities authorized under ESEA, including the 93 grant programs listed in ESEA. To answer the specific question: It is not federal special education money that is displaced. You are reclaiming state and local dollars that you can use for any of the purposes in ESEA. If you can justify this expenditure on staff under ESEA, then it would be an appropriate use.

Can the governor move State Stabilization Funds (SSF) around so there is no net gain for public school districts from the SSF? Yes. We expect some to do that. They are required, though, to provide the higher of 2008 or 2009 funding levels. The SSSF language very clearly requires the governor’s to spend 81.8% of the SSSF funds on education. That being said, the decision of whether or not to make
the 81.8% additional funding over original budget allotments lies with the Governor. You will need to work with your state associations to help the governor, legislature, and state education department understand the importance of maximizing the flow of funds to the local level.

**Can we reduce our state and local effort for Title I and IDEA?** Yes, under certain conditions: Section 613 of IDEA permits districts to reduce LOCAL EFFORT by up to 50% of the annual increase in funding. Section 9521 of Title IX of ESEA permits reduction in local effort for natural disasters and a precipitous decline in state and local revenues

**Can we buy equipment or make renovations with IDEA funds?** Yes. Section 605 of IDEA permits purchasing equipment or altering facilities to make them more accessible. It requires a waiver by the secretary of education.

If a school district has Title I schools in school improvement, must part of the Title I stimulus funds be set aside for public school choice and/or supplemental educational services? Yes. If they are in school improvement, 20% of stimulus funds must be set aside for public school choice and/or supplemental educational services. Underlying statutes and regulations apply to the stimulus funds, for both IDEA and ESEA.

**Can we use the stimulus funds to hire staff? Can we retain or rehire a non-Title I or IDEA teacher with stimulus funds?** You can use stimulus funds to hire/retain staff. Remember that as one-time funds, once the stimulus dollars are used, the financial responsibility for funding these positions will fall to the districts. If you use Title I or IDEA stimulus funds to hire/retain positions, remember two things: they must be Title I or IDEA positions and do NOT use the funds to pay for a position that was previously supported with local dollars. Supplement/supplant will apply. When it comes to retaining/rehiring non-Title I or IDEA teachers, you can only use SFSF funds.

**When will the Race to the Top grants be available for application?** Applications for the Race to the Top funds will be available in June 2009. We are expecting the first round of awards to go out in October 2009 and the second half of awards to go out in the spring of 2010. The Race to the Top funds will follow the usual grant award process.

This was actually one of the most popular questions. Since it isn’t really related to the stimulus, we included it as a freebie: **Are the webinar slideshow presentations available for distribution? Where can we access the questions and answers from the webinar sessions?** The slideshow presentation and full Q&A for each of the webinars are available to AASA members. (http://www.aasa.org/content.cfm?ItemNumber=11157)
AASA Presents

The American Recovery and Reinvestment Act
and America’s Public Schools

AASA Economic Stimulus Update #1
March 3, 2009

Bruce Hunter
Associate Executive Director, Advocacy and Policy
## Economic Recovery & Reinvestment Act

<table>
<thead>
<tr>
<th>Category</th>
<th>House Passed</th>
<th>Senate Passed</th>
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</tr>
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<tbody>
<tr>
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<td>Tax Cuts Total</td>
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<td>Total</td>
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</tr>
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</table>

*Note, totals may not add due to rounding.*
Economic Recovery & Reinvestment Act

Three Funding Pots for Schools

1. Funds flowing through established federal formulas, Title I, IDEA, Title II, McKinney Vento Homeless Act, Impact Aid

2. Funds flowing through the State Stabilization Fund, controlled by the governors and existing state funding formulas
   - one exception is $5 billion for competitive grant in school improvement through the Secretary of Education’s ‘Race to the Top’ funds

3. Tax Credit bonds for new construction and Qualified Zone Academy bonds for renovation and modernization
<table>
<thead>
<tr>
<th>Amount</th>
<th>Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10 billion</td>
<td>Title I</td>
</tr>
<tr>
<td>$3 billion</td>
<td>School Improvement Grants</td>
</tr>
<tr>
<td>$11.3 billion</td>
<td>IDEA Part B</td>
</tr>
<tr>
<td>$400 million</td>
<td>IDEA Section 619</td>
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<tr>
<td>$500 million</td>
<td>IDEA Part C</td>
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<tr>
<td>$650 million</td>
<td>Title II Part D: Education Technology</td>
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<tr>
<td>$250 millions</td>
<td>State Development of Longitudinal Data</td>
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<tr>
<td>$200 million</td>
<td>Teacher Incentive Fund</td>
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<tr>
<td>$70 million</td>
<td>McKinney-Vento Homeless Act</td>
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<tr>
<td>$100 million</td>
<td>Teacher Training (Higher Education Act, Title II)</td>
</tr>
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</table>
Things to Think About

Spending Practices for Title I and IDEA

• We have heard that the funds will come all at once.

• It is expected that, for most districts, funding for Title I and IDEA will double or almost double.

• Both programs are forward funded. Funds for FY 2009 will arrive when the federal fiscal year starts, on July 1 2009 (NOT October 1, 2008).

• School districts will have 27 months to obligate Title I and IDEA funds after the funds are received.

• State and federal administrators have enforced a ‘first in, first out’ spending practice. Money is to be spent in the order in which it is received. Districts are now spending FY 2007 dollars, with FY 2008 and 2009 in that order waiting to be spent.
Things to Think About

Spending Practices for Title I and IDEA

- Spend the funds fast enough to avoid looking like New York Bankers but slow enough to avoid supplanting problems.

- ARRA permits planning and effective use, but not swift usage.

- It is a balancing act: While swift usage requires breaking past spending practices and may cause supplanting problems, failure to spend the full funds within three years will incur the wrath of the administration, the press and the public.
Things to Think About

Spending Practices for Title I

• With the $10 billion for Title I:
  – State can reserve 4 percent for school improvement.
  – Waiting for final word on how this will impact the supplemental services and public school choice set aside.
    Q-How will the new regulations impact this?
    A-We were told on the USED webinar that all current rules apply.
  – Need to report per pupil expenditure from state and local funds for every school by December 1, 2009.

• With the $3 billion for School Improvement Grants:
  – States should be spending these dollars on schools in need of improvement.
  – 40% of this money should be spent on middle and high schools.
Things to Think About

Spending Practices for IDEA

• Districts can reduce their local effort by an amount equal to 50 percent of the federal increase.

• Reclaimed local dollars must be spent on activities authorized under ESEA.

• As an example: If your district receives a $500,000 increase in IDEA, they could reduce their local effort in special education by $250,000, so long as those dollars are used for activities in ESEA.

• We don’t know how USED is going to define the increase in IDEA
  – Will it be just the increase in the ARRA? or
  – Will it include funds appropriated for FY 2009 awaiting action in the Senate?
Economic Recovery & Reinvestment Act
Stimulus Fund for Schools - Pot #2

<table>
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<tr>
<th>Amount</th>
<th>Description</th>
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<tbody>
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<td>$53.6 billion</td>
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</tr>
<tr>
<td>$39.5 billion</td>
<td>States to fund cuts to K-12 and higher ed</td>
</tr>
<tr>
<td>$5 billion</td>
<td>Competitive grants awarded to states</td>
</tr>
<tr>
<td>$8.8 billion</td>
<td>States can spend anywhere in their budgets</td>
</tr>
</tbody>
</table>

- The $39.5 billion can be used for any purpose in ESEA or school modernization.
- The competitive grants are awarded by the Secretary based on performance in 3 areas: distribution of teachers, creation of longitudinal data systems and development of assessments for special education and ELL. It includes $650 million for innovation grants and ‘Race to the Top’ funds.
- States can use the $8.8 billion anywhere in their state budget, including education & school construction.
- ESEA rules do not govern these funds. State law does.
Economic Recovery & Reinvestment Act
Stimulus Fund for Schools - Pot #3

<table>
<thead>
<tr>
<th>Amount</th>
<th>Program</th>
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</thead>
<tbody>
<tr>
<td>$24.8 billion</td>
<td>QZABs and Bonds for New Construction</td>
</tr>
<tr>
<td>$22 billion</td>
<td>Tax Credit Bonds</td>
</tr>
<tr>
<td>$2.8 billion</td>
<td>QZAB</td>
</tr>
</tbody>
</table>

- Under the school modernization funds, the 100 largest, poorest school districts are guaranteed part of 40% of their state’s bond allocation.
  - Up to an additional 25 school districts may receive priority status from the Secretary

- Separate direct funding for school modernization was cut from the final deal and added as an allowable use in the state fund.
Things to Think About
Spending Practices for QZABS and Tax Bonds

• The QZAB dollars are:
  – Only for renovation and modernization;
  – Allocated to states; and
  – Awarded by state departments of education or the state construction authority

• Tax Credit Bonds:
  – Are for new construction;
  – Rules are not yet in place; and
  – Are essentially no-interest loans paid back over the agreed upon period. There is no debt service; rather, tax credits go to investors.
Economic Recovery & Reinvestment Act
Other Provisions Affecting Educators

• Social Security Payments
  • Every Social Security recipient will receive a $250 check from the federal government.
  • Those states not paying into social security will receive a $250 federal tax credit in 2009.
    • AK, CA, CO, CT, IL, KY, LA, MA, ME, MO, NV, OH and selected districts in three additional states (GA, RI, TX)
Economic Recovery & Reinvestment Act
Other Provisions Affecting Educators

- **FMAP:** $89 billion for Federal Medicaid Assistant Payments, to provide necessary relief and reduce competition for limited state dollars between Medicaid and education

- **Broadband:** $7.2 billion for broadband deployment

- **Medicaid:** Extension of the Medicaid Regulations moratoria until June 30, 2009.
Heading Toward Implementation

• Focus is on transparency with a fast spend out!

• Title I and IDEA dollars will flow before July 1, 2009.

• All infrastructure projects will be listed on a federal website.

• Start organizing now at the state level to maximize the dollars that are flowing to K-12 education.
  • Force the governors to pass down the State Stabilization Fund as soon as possible.
  • Force the State Education Agencies to push the Title I and IDEA funds down as soon as possible.

• Waiver allowed for states and districts for maintenance of effort and allowed to supplant with funds in State Stabilization Fund

• Will the state fund actually mean new dollars to districts?
Would you like a copy of today’s slideshow?

- AASA is happy to share copies of today’s slideshow with AASA members.

- Please email Noelle Ellerson (nellerson@aasa.org)

- Not a member? Join now! Learn how at www.aasa.org/member
2009 AASA Legislative Advocacy Conference

New President, New Education Policy...

Attend this conference, and let your voice be heard!

Congressional leaders want to know... “What do superintendents in my state say?” AASA will help you prepare and present your message on Capitol Hill.

AGENDA

Day 1 • Accountability/Assessment Policy Briefings
Senior-Level Representative, U.S. Department of Education
American Recovery and Reinvestment Act

Day 2 • Breakfast at the Monace
Visit Capitol Hill Networking Reception
Sen. Tom Harkin, invited
Make your voice heard directly!
Network with congressional members and staff

Day 3 • General Sessions
How U.S. Supreme Court Decisions Affect Education
Accountability/Assessment
Discuss your congressional meetings and key action steps

AMERICAN ASSOCIATION OF SCHOOL ADMINISTRATORS
Questions?
Bruce Hunter
bhunter@aasa.org

For more information...
US Department of Education ARRA Website
AASA Economic Stimulus Update #1
Question & Answer
March 3, 2009

AASA’s 1st Economic Stimulus Webinar was a success! We received over 100 follow up questions during and after the webinar, which we have organized and answered here. They are grouped into seven categories: Title I, IDEA, State Stabilization Fund, Maintenance of Effort and Supplement/Supplant, Governor and State Legislature, Budgeting for Your District, and Other.

WEBINAR INFORMATION

- **Is the slideshow presentation from the webinar available for distribution?** The slideshow presentations for each of the webinars will be available to AASA members ([http://www.aasa.org/content.cfm?ItemNumber=11315](http://www.aasa.org/content.cfm?ItemNumber=11315))
- **Where do I register for the remaining economic stimulus webinars?** AASA members can sign up online ([http://www.aasa.org/content.cfm?ItemNumber=11315](http://www.aasa.org/content.cfm?ItemNumber=11315)).

TITLE I

- **Would adding a Title I math teacher to our staff qualify for Title I funds?** Yes, but remember that these may be one time funds. Once the stimulus funds go away, the district would be responsible for the staff position.
- **If a school district has Title I schools in school improvement, must part of the Title I stimulus funds be set aside for public school choice and/or supplemental educational services?** Yes. If they are in school improvement, 20% of stimulus funds must be set aside for public school choice and/or supplemental educational services.
- **Can Title I monies be used for building renovations?** No.
- **Is the 50% reduction of effort allowable under the Title I stimulus package?** No. The language of Title I permits a maintenance of effort reduction only if there is a precipitous decline in state and/or local revenue.
- **If we have a locally funded pre-school, can we change that to a Title I Pre-school and not be supplanting if we add classes or sections?** No. If you have an existing program, you can add new classes, but you cannot put the money into an existing class.

IDEA

To clarify: Federal special education dollars must be spent on special education. That being said, the 50% provision permits the reduction of those state and local general education funds that have been subsidizing the shortfall of federal and state special education funding. Your district is allowed to reclaim your local effort in special education up to an amount equal to 50% of your federal increase, providing that you use those local dollars for activities authorized under ESEA, including the 93 grant programs listed in ESEA.

- **Can the IDEA money be used for technology in special education classrooms?** Yes.
- **Can IDEA money be used for accessibility such as an elevator?** No.
- **If your plans for FY 2010 call for discontinuation of a project that used to be funded by IDEA, but was taken over more and more with local funds due to reduction in IDEA allocations, could the new IDEA funds be used to continue the project (i.e., external counseling services for students/parents)?** If you were running it last year with local money, you cannot run it next year with federal money.
- **Can IDEA money be used for local/state salaries for special education staff this year?** No.
• Can I use IDEA funds to add staff to our special education program? Yes.
• Must the reclaimed local dollars be spent on new activities? No, they only have to be spent on activities that are included in any of the ten titles of ESEA.
• With the IDEA 50% funds, can we utilize that money to fund special education teacher units that we normally fund with local dollars? It is not federal special education money that is displaced. You are reclaiming state and local dollars that you can use for any of the purposes in ESEA. If you can justify this expenditure on staff under ESEA, then it would be an appropriate use.
• What are the criteria for the 50% of displaced special education money (IDEA money)? You must use the displaced funds within the allowable uses listed in ESEA.
• Hypothetical situation: Assume we pay $100,000 for a special education teacher. If we receive $100,000 in new IDEA money through the stimulus package, can we use 50% ($50,000) to help pay for the teacher? If not how does the 50% freed from the MOE work? If the teacher is a new teacher, you can use the IDEA dollars to pay for that teacher. If the teacher was already on your staff and paid with local funds, then you could use some of your reclaimed funding to help pay for that position.
• Is the IDEA money for one year or longer? It is a supplemental appropriation for federal fiscal year 2009. You have 27 months to obligate the funds after they have been received.
• What is the likelihood that the IDEA funding increases through the stimulus fund will be sustained after the 27th month? Continuing discussion in and around Capitol Hill centers on the debate of whether the IDEA funding increases are one-time funds or if they establish a new baseline. It is AASA’s hope and intention to work to sustain these funds in the coming years.
• We can find the current allocation for Title I by district within states on ed.gov. Where can we find the IDEA B current allocations by district? This information is not yet posted, as of 3/3/09.
• How much flexibility will districts have with the IDEA stimulus funds? Very little. You can use up to 15% of your IDEA allocation for early intervening services—including professional development—to help reduce the number of children in special education and/or the overrepresentation of minority students in special education.
• We have heard that 15% of the Title and IDEA must be used for early childhood programs. Has that 15% been removed prior to the allocation numbers provided to districts? While this was true in earlier Senate version of the bill, it was removed from the final version.
• Do the current regulations of spending money on IDEA or Title I on private school children apply to the stimulus money? Yes. The equitable participation language applies to the Title I, IDEA, and Education Technology increases.

STATE STABILIZATION FUND
• Could state stabilization money be used for infrastructure, e.g. wiring, switches, etc...? Yes.
• Can we use state stabilization funds for the removal of asbestos? Yes.
• Can State Stabilization money be used to fund cuts in Career and Technical Education, Teacher Compensation Assistance and Sparsity? Yes.
• Can SEAs use the stabilization fund dollars for purchase of textbooks, etc.? LEAs would be able to use their stabilization dollars to buy textbooks. SEAs would be eligible to purchase textbooks out of the $8.8 billion pot of flexible money.
• What if any timelines are in place for applying for the federal stabilization and for getting a response from the Feds? You do not need to apply for the state stabilization funds. At this time, we do not have the final timeline.
• I understand that Secretary Duncan has billions of dollars for his discretionary use. What are you hearing about his priorities? Do you have any idea when regulations or guidelines on those dollars
will come our way? Secretary Duncan refers to it as the Race to the Top Fund, an opportunity to improve schools and foster innovation. We await further detail, including regulations and guidelines.

MAINTENANCE OF EFFORT/SUPPLEMENT-SUPPLANT

Maintenance of Effort: To be eligible for Title I funds, you have to spend at least 90% of what you spent the previous year.

Supplement-Supplant: You need to add to what you are doing. You cannot use federal Title I or IDEA funds to provide programs that were operated by state and/or local funds in the previous year.

- Is FY06 maintenance of effort tied to a dollar amount or a percentage? It is tied to a dollar amount.
- Does the maintenance of effort flexibility you've described for IDEA apply to new Title I money? No.
- The only real help I see for my school is in the reduction of effort. How can I find out more about this concept? Read section 613 of IDEA. The full text of the legislation is available online. (http://thomas.loc.gov/cgi-bin/query/F?q=108:1:/temp/~c108XRTaa9:e151873:)
- What will be the basis of maintenance of effort the year following expenditure of federal funds? That has yet to be determined. We need to see how Congress and the administration account for the stimulus funds.
- What's the timeframe on "previously" in the supplant definition? 'Previous' refers to the immediate preceding school year. In this case, the previous year would be the 2007-08 school year.
- What are the safety nets in place to prevent supplanting while utilizing 2009 money early? The stimulus oversight group (recovery.gov), along with the states, will be overseeing the use of stimulus funds, including the prevention of supplanting.
- How does supplement not supplant benefit my district? The federal dollars are meant as additional dollars for districts to expand current services or add more programs. It ensures that new federal spending feels like new, additional funding rather than a replacement of local effort.
- We are planning to add a reading specialist position with the new money. The teacher is currently employed in a very different position. Is this an issue? This does not seem to be supplanting. Be careful, though: if this person was previously a reading teacher, and the change would simply adjust how they are being paid, that would be supplanting.
- How is rehiring staff that were part of a RIF (reduction in force) different from supplanting? Supplement/supplant does not apply to the state stabilization fund. You can rehire any staff, regardless of how their salary was paid—local, state or federal—if you are using your state stabilization funds.
- How will the stimulus money help if there are non-supplanting restrictions on the IDEA money? It can help in two ways: you can reduce your effort in special education or increase the amount available for early intervening.

GOVERNOR AND STATE LEGISLATURE

- Given the SEA's reluctance to get the stimulus money out to the local schools quickly, how should local schools push the SEA and Governor to get the money out? Partner with your state administrator/superintendent associations, and work with your state education department and governor. If need be, apply public pressure.
- Under the state stabilization fund, is the state Governor allowed to keep 18%, leaving 82% for schools to be distributed under the Title I formula? The governor doesn’t get to ‘keep’ the 18%. Governors can hold on to it and use it for non-education related items. The 82% must be used by states to backfill their state funding formulas and provide increases for coming years. If there is additional money left over, those dollars will be driven to local districts by the Title I formula.
What's your sense of when we'll have "final" answers or clarity on all of this? We expect the 'final' answers to be available by this summer. We expect the Department of Education to release information as it becomes available.

Does the Governor's application have to be approved by the state legislature? That depends on your state law and state constitution.

Can we change our current state aid formula and not put state stabilization dollars at risk? Yes.

Will AASA coordinate with state organizations on a lobbying strategy to free funds ASAP? Yes.

Are states required to distribute stabilization funds to school districts? Yes – 82% of the state's allocation is available for education, though there is no required split between K-12 and higher education.

How much control of the stimulus money in Title I and IDEA will the State have control over? States have no new authority. They will control the amount stipulated in the federal IDEA and Title I statutes.

Can a state elect to hold the additional IDEA and Title funds for allocation over a three year period or is this money required to be sent to school systems all at one time? No. The money must be sent to school districts, according to the formulas provided in the law.

Has any other state talked about using the state stabilization funds to supplant the state formula and then use the supplanted funds to provide a state tax cut? At this point, we know of no states having made this an official policy.

BUDGETING FOR YOUR DISTRICT

How will the requirement to spend 85% in the first year (under Title I) be impacted by stimulus dollars and the FY09 regular entitlement? You do not have to spend 85% in the first year. You have 27 months to spend your allocation. The carry-over provision allows you to carry-over up to 15 percent of each annual allocation.

Can you use the Title I stimulus funds for the upcoming school year, and save the new allocations (09-10) as carryover? Yes, though the typical spending pattern is that new dollars go to the back of the line. Federal funds are typically spent in the order in which they were received.

Does the fact that you have 27 months to spend the money mean that you need to apply to carryover the funds from one year to another? No. The regular carry-over rules still apply. Your stimulus funds will be covered under your 'Continuing Title I' application.

Are we saying that all Title I funding for the 27 month period will be a single payment? The Title I payment may be a one-time payment to the state. We do not know how the states will distribute the funds.

Will we have to keep two sets of books on these monies? You are already maintaining two sets of books: one for federal funds, one for state funds. This practice will continue.

If money is available during this fiscal year, are you suggesting that we may expend back through the beginning of the FY? No. In fact, we warn against that.

How accurate are the lists showing how much each district will receive? The lists on the US Department of Education website are estimates. It is possible that your district’s allocation could change slightly from the posted amount, after the required set-asides are taken out at both the federal and state levels.

Do the totals posted include both Title I and IDEA? No. At this point (3/3/09), it refers to only to Title I funds.

Am I correct that the dollar allocations for Title I and IDEA that have been posted represent the total LEAs will receive to expend over the next 27 months? They will receive the stimulus funds as a supplemental appropriation to 2009. We think it will be a lump-sum delivery to the states. We cannot predict how the states will distribute the funds to the local level.
• If the funds come in the current year, can they be used to offset increased costs for the current year, or must they only be applied to the FY10 & FY11? The state stabilization funds can be used as soon as they are received. The federal funds could offset current-year cuts to the federal programs (IDEA and ESEA) in your state.
• Will a "new" needs assessment have to be conducted or can we use existing line items and amend budgets to add the additional funds? As a supplemental appropriation, you should not have to do a new needs assessment. The final decision will be made by the state.
• Is there any "option" a state has that would allow a state to avoid the requirement for the stimulus monies in education to be used to backfill to 2008 or 09 level? This will be determined by your state and/or Governor. There is flexibility in the use of the funding for education, but all of the dollars must be driven down to local school districts or colleges/universities.
• How long will we have to spend the stimulus funds? You have 27 months to obligate the IDEA and Title I funds. You have through 2011 to spend the state stabilization funds.
• Are there consequences if states do not distribute the funds to districts prior to July 1? Unfortunately, no.

OTHER
• Is there any money for green projects in schools such as wind generation and solar cells? Green projects are an allowable use for the state stabilization funds. Additionally, you can use you QZAB and tax credit bonds on green projects.
• Does Broadband funding come through states or by grants to schools? How will we know if we get any funding for broadband? Details are still unclear on how the broadband dollars will be distributed. It is unlikely that the dollars will flow directly to districts; a more likely scenario is that service providers (who will be building out broadband access) will want to partner with school districts to provide such access.
• What does the extension for Medicaid mean to me as a school administrator? It means that your district will continue to be able to claim for reimbursement for providing Medicaid eligible services, transportation, and claiming. It will offset the cost of healthcare services for students with disabilities (e.g.: OT, PT, and speech therapy).
• What steps do we need to take to ensure a permanent change in Medicaid reimbursement? Work with AASA to amend Title XIX, Section 19 of the Social Security Act to ensure that school continue to be able to claim Medicaid reimbursement for services, transportation, and administrative costs.
• Will the funding apply to McKinney-Vento? Yes. Can we use the additional funding for transportation? McKinney Vento dollars can be used for transportation. The state stabilization fund cannot be used for vehicles or vehicle upgrades.
• Are ELL Programs, assessments, services for LEP students specifically addressed? No, but they are an allowable use of funding under the state stabilization fund and under the reclaimed local effort in special education.
• Will free and reduced lunch counts be used to determine poverty levels rather than population counts? Unfortunately, no.
• If a Bond Issue is approved by voters in April 2009 for new construction, can this qualify for Tax Credit Bonds? We assume so, though we are awaiting further guidance on this issue from the US Department of Treasury.
• Our district has been using district money to subsidize our Title I allocation in order to avoid cutting Title I staff for the past couple of years. Can we use the stimulus money to replace this? No. This is a good question, and we are pursuing this.
• Are any of the stimulus funds going to be directly sent towards virtual education or distance learning programs? No.
• Are there stimulus funds available for school security measures (security cameras, etc.)? Yes.
• Is there additional money for the National School Lunch Program for equipment? Yes. The stimulus includes $100 million for grants to school food authorities for equipment assistance. Funds will be distributed to states based on the proportion of the State Administrative Expense funds received. State agencies must then make grants to school food authorities on a competitive basis, with priority given to schools in which no less than 50 percent of the students are eligible for free and reduced price meals.
• If positions are RIF's because of budget cuts, may the stimulus program be used to rehire these individuals? Yes. The state stabilization fund was designed specifically for this.
• What is teacher incentive concerning the stimulus package? What are some of the incentives? The Teacher Incentive Program is a national competitive grant program to provide districts funding to pursue alternative compensation plans, including merit pay and school based performance measures.
• Can you use the funds to purchase a handicap accessible bus? No.
• What is the level of low socio-economic status needed to qualify for a QZAB? 35% free and reduced lunch count.

Don’t forget to sign up for the rest of AASA’s Economic Stimulus webinars!
http://www.aasa.org/content.cfm?ItemNumber=11315

Questions? Contact our Advocacy & Policy Team

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AASA Presents

The American Recovery and Reinvestment Act and America’s Public Schools

AASA Economic Stimulus Update #2
March 10, 2009

Bruce Hunter
Associate Executive Director, Advocacy and Policy
A Little Housekeeping...

- You can download copies of ALL webinar presentations and Q&A online: [http://www.aasa.org/content.cfm?ItemNumber=11157](http://www.aasa.org/content.cfm?ItemNumber=11157)

- Please note that the final language of the stimulus DID include $100 million for food-service equipment in schools. Full detail is available in the Q&A from the March 3 webinar.
Economic Recovery & Reinvestment Act

Review - Three Funding Pots for Schools

1. Funds flowing through established federal formulas, Title I, IDEA, Title II, McKinney Vento Homeless Act, Impact Aid

2. Funds flowing through the State Stabilization Fund, controlled by the governors and existing state funding formulas
   - one exception is $5 billion for competitive grant in school improvement through the Secretary of Education’s ‘Race to the Top’ funds

3. Tax Credit bonds for new construction and Qualified Zone Academy bonds for renovation and modernization
# Economic Recovery & Reinvestment Act

## Stimulus Fund for Schools - Pot #1

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10 billion</td>
<td>Title I</td>
</tr>
<tr>
<td>$3 billion</td>
<td>School Improvement Grants</td>
</tr>
<tr>
<td>$11.3 billion</td>
<td>IDEA Part B</td>
</tr>
<tr>
<td>$400 million</td>
<td>IDEA Section 619</td>
</tr>
<tr>
<td>$500 million</td>
<td>IDEA Part C</td>
</tr>
<tr>
<td>$650 million</td>
<td>Title II Part D: Education Technology</td>
</tr>
<tr>
<td>$250 millions</td>
<td>State Development of Longitudinal Data</td>
</tr>
<tr>
<td>$200 million</td>
<td>Teacher Incentive Fund</td>
</tr>
<tr>
<td>$70 million</td>
<td>McKinney-Vento Homeless Act</td>
</tr>
<tr>
<td>$100 million</td>
<td>Teacher Training (Higher Education Act, Title II)</td>
</tr>
</tbody>
</table>
# Economic Recovery & Reinvestment Act

## Stimulus Fund for Schools - Pot #2

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$53.6 billion</td>
<td></td>
</tr>
<tr>
<td>$39.5 billion</td>
<td>States to fund cuts to K-12 and higher ed</td>
</tr>
<tr>
<td>$5 billion</td>
<td>Competitive grants awarded to states</td>
</tr>
<tr>
<td>$8.8 billion</td>
<td>States can spend anywhere in their budgets</td>
</tr>
</tbody>
</table>

- The $39.5 billion can be used for any purpose in ESEA or school modernization.
- The competitive grants are awarded by the Secretary based on performance in 3 areas: distribution of teachers, creation of longitudinal data systems and development of assessments for special education and ELL. It includes $650 million for innovation grants and ‘Race to the Top’ funds.
- States can use the $8.8 billion anywhere in their state budget, including education & school construction.
- ESEA rules do not govern these funds. State law does.
### Economic Recovery & Reinvestment Act
**Stimulus Fund for Schools - Pot #3**

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$24.8 billion</td>
<td>QZABs and Bonds for New Construction</td>
</tr>
<tr>
<td>$22 billion</td>
<td>Tax Credit Bonds</td>
</tr>
<tr>
<td>$2.8 billion</td>
<td>QZAB</td>
</tr>
</tbody>
</table>

- Under the school modernization funds, the 100 largest, poorest school districts are guaranteed part of 40% of their state’s bond allocation.
  - Up to an additional 25 school districts may receive priority status from the Secretary
- Separate direct funding for school modernization was cut from the final deal and added as an allowable use in the state fund.
IDEA Statutory Language for Sec. 613

SEC. 613. LOCAL EDUCATIONAL AGENCY ELIGIBILITY.

(a) In General.--A local educational agency is eligible for assistance under this part for a fiscal year if such agency submits a plan that provides assurances to the State educational agency that the local educational agency meets each of the following conditions:......

(A) In general.--Amounts provided to the local educational agency under this part shall be expended in accordance with the applicable provisions of this part and-

(i) shall be used only to pay the excess costs of providing special education and related services to children with disabilities;

(ii) shall be used to supplement State, local, and other Federal funds and not to supplant such funds; and

(iii) shall not be used, except as provided in subparagraphs (B) and (C), to reduce the level of expenditures for the education of children with disabilities made by the local educational agency from local funds below the level of those expenditures for the preceding fiscal year.
IDEA Stimulus Funds

- You should have your IDEA funds by the end of April.

- The IDEA funds in the stimulus do NOT increase the amount a state would otherwise be able to reserve for state administration or other state-level activities under its regular grants to states FY 2009 award.

- LEA eligibility for the first 50 percent of the IDEA recovery funds is based on eligibility established by the LEA for FY 2008 funds.

- States should be obligating IDEA recovery funds to LEAs very quickly. Part B Grants to States and Preschool Grants recovery funds received in March should be available to LEAs by the end of April.

- LEAs are encouraged to use IDEA recovery funds expeditiously. School districts should obligate the majority of the recovery funds during 2008-09 / 2009-10 school years, and the remainder during 2010-11 school year.

- States may begin obligating IDEA, Part B recovery funds immediately upon the effective date of the grant. All IDEA recovery funds must be obligated by Sept. 30, 2011.
Suggested Uses for IDEA Stimulus Funds

• The IDEA recovery funds are a **unique opportunity** for states and school districts to **improve teaching and learning** and results for children with disabilities.

• These funds should be **used for short-term investments with the potential for long-term benefits**. School districts should be careful to avoid expenditures they may not be able to sustain once the recovery funds are spent.

• Allowable uses for IDEA funds in the stimulus include:
  – Obtaining **state-of-the art assistive technology devices** and **provide training in their use** to enhance access to the general curriculum for students with disabilities.
  – Providing **intensive district-wide professional development for special education and regular education teachers that focuses on scaling-up, through replication, proven and innovative evidence-based school-wide strategies in reading, math, writing and science, and positive behavioral supports to improve outcomes for students with disabilities.**
  – Developing or expanding **the capacity to collect and use data** to improve teaching and learning.
  – Expanding **the availability and range of inclusive placement options for preschoolers** with disabilities by developing the capacity of public and private preschool programs to serve these children.
  – Hiring **transition coordinators to work with employers** in the community to develop job placements for youths with disabilities.
IDEA Funding Rules - MOE - Supplement

SEC. 613. LOCAL EDUCATIONAL AGENCY ELIGIBILITY

• "(a) In General.—A local educational agency is eligible for assistance under this part for a fiscal year if submits a plan that provides assurances to the SEA that it meets each of the following conditions:
• `(1) Consistency with state policies.—
• `(2) Use of amounts.—"(A) In general.—Amounts provided to the local educational agency under this part shall be expended in accordance with the applicable provisions of this part and—"(i) shall be used only to pay the excess costs of providing special education and related services; "(ii) shall be used to supplement State, local, and other Federal funds and not to supplant such funds; and "(iii) shall not be used, except as provided in subparagraphs (B) and (C), to reduce the level of expenditures made by the local educational agency from local funds below the level of those expenditures for the preceding fiscal year.
• "(B) Exception.—Notwithstanding the restriction in subparagraph (A)(iii), a LEA may reduce the level of expenditures where such reduction is attributable to—
• "(i) the voluntary departure, by retirement or otherwise, or departure for just cause, of special education personnel;
• "(ii) a decrease in the enrollment of children with disabilities;
• "(iii) the termination of the obligation of the agency, consistent with this part, to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by the State educational agency, because the child—"(I) has left the jurisdiction of the agency; "(II) has reached the age at which the obligation of the agency to provide a free appropriate public education to the child has terminated; or "(III) no longer needs such program of special education; or "(iv) the termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.
IDEA Statutory Language for Sec. 613

Sec. 613 (a)(C) Adjustment to local fiscal effort in certain fiscal years.—

(i) Amounts in excess.—Notwithstanding clauses (ii) and (iii) of subparagraph (A), for any fiscal year for which the allocation received by a local educational agency under section 611(f) exceeds the amount the local educational agency received for the previous fiscal year, the local educational agency may reduce the level of expenditures otherwise required by subparagraph (A)(iii) by not more than 50 percent of the amount of such excess.

(ii) Use of amounts to carry out activities under ESEA.—If a local educational agency exercises the authority under clause (i), the agency shall use an amount of local funds equal to the reduction in expenditures under clause (i) to carry out activities authorized under the Elementary and Secondary Education Act of 1965.

(iii) State prohibition.—Notwithstanding clause (i), if a State educational agency determines that a local educational agency is unable to establish and maintain programs of free appropriate public education that meet the requirements of subsection (a) or the State educational agency has taken action against the local educational agency under section 616, the State educational agency shall prohibit the local educational agency from reducing the level of expenditures under clause (i) for that fiscal year.

(iv) Special rule.—The amount of funds expended by a local educational agency under subsection (f) shall count toward the maximum amount of expenditures such local educational agency may reduce under clause (i).
What Do They Mean By ‘Previous Fiscal Year’?  
Code of Federal Regulations: Title 34 – Part 200 Education

• What does previous fiscal year mean?

(c) Meaning of preceding fiscal year. For purposes of determining if the requirement of paragraph (a) of this section is met, the preceding fiscal year means the Federal fiscal year, or the 12-month fiscal period most commonly used in a State for official reporting purposes, prior to the beginning of the Federal fiscal year in which funds are available for obligation by the Department.

• Example: Consider FY95 funds that were made available July 1, 1995:
  – If a State is using the FEDERAL fiscal year,
    • Then the preceding fiscal year is FY94 (which began on October 1, 1993 and ended September 30, 1994) and the second preceding fiscal year is FY93 (which began on October 1, 1992).
  – If a State is using a fiscal year that begins on July 1, 1995,
    • Then the preceding fiscal year is the 12-month period ending on June 30, 1994, and the second preceding fiscal year is the period ending on June 30, 1993.
How will IDEA Part B Grants Awarded?

• **50%** of the IDEA Part B Grants to States and Preschool Grants will be awarded to SEAs **by the end of March 2009**. The remaining **50%** will be awarded by **Oct. 1, 2009**.

• These funds are **in addition to** the regular FY09 Part B grants.

• States **DO NOT need to submit a new application to receive the first 50% of the Part B grants**. These funds will be available based on each state’s eligibility established for FY 2008 Part B funds. The assurances in the state's FY 2008 application will apply to these recovery funds.

• States **DO need to submit an amendment** to their FY09 applications **to receive the remaining 50%** of Part B recovery funds. The application will address the recordkeeping and reporting requirements of ARRA and will be reviewed/approved by the Department.
IDEA Regulations Related to Purchasing Equipment, Construction and Renovation

- The underlying IDEA statute grants the Secretary the ability to allow LEAs to use IDEA funds for purchasing equipment, construction and renovation (Sec. 300.718)

- How can YOU apply for an IDEA Construction, Renovation and Equipment Waiver?
  - It is NOT clear how to apply, so let’s all ask, to see what answer we get.
  - Ask your state department of education to ask how these waivers can be expeditiously granted, and
  - We will ask the US Education Department the same thing,

Alternative IDEA Flexibility: Early Intervening - 15%

- LEAs can use **up to 15% of their total IDEA Part B Grants** to States and Preschool Grants for early intervening services

- An LEA can only use up to 15% of its allocation minus any amount by which the LEA reduced its required state and local expenditures (under section 613(a)(2)(C))
Title I Stimulus Funds

• **Who will receive Title I stimulus funds?**
  
  – Any school district meeting the criteria of ESEA for the Targeted and Education Finance Incentive Grant formulas of Title I, Part A is eligible to receive Title I, Part A recovery funds.

• **Please note:** The stimulus funds constitute a large increase in Title I, Part A funding that **will likely not be available at the same level beyond Sept. 30, 2011.**
  
  – The Title I stimulus funds are a **unique opportunity** for states and school districts to **improve teaching and learning** and results for children with disabilities.
  
  – These funds should be **used for short-term investments with the potential for long-term benefits.** School districts should be careful to avoid expenditures they may not be able to sustain once the recovery funds are spent.
How will Title I Part A Stimulus Funds be Awarded?

- **50% of each state’s Title I Part A recovery funds will be awarded to SEAs by the end of March 2009.**
  - These funds will be awarded under each state’s existing ESEA Consolidated State Application
  - No new/amended application will be required to receive the first portion of funds
  - To receive the remaining 50%, states will have to submit amendments to their Consolidated Applications addressing the recordkeeping/reporting requirements of ARRA

- **The Title I, Part A ARRA awards will be in addition to the regular FY 2009 Title I, Part A grant awards that the Department plans to make on July 1 and Oct. 1, 2009.** Together, these four grant awards (i.e., the two phases of the Title I, Part A recovery funds, and the two phases of the regular FY 2009 Title I, Part A funds) will constitute a state’s total FY 2009 Title I, Part A allocation

- **USED encourages states to award Title I, Part A recovery funds to their LEAs as quickly as possible.** Similarly, **LEAS should use Title I, Part A recovery funds expeditiously but sensibly.**

- **In the absence of a waiver, an LEA must obligate at least 85 percent of its total FY 2009 Title I, Part A funds (including ARRA funds) by Sept. 30, 2010.** Any remaining FY 2009 Title I, Part A funds will be available for obligation until Sept. 30, 2011.
Suggested Uses for Title I ARRA Funds

- **Providing new opportunities** for Title I school-wide programs for secondary school students to use high-quality, online courseware as supplemental learning materials for meeting mathematics and science requirements;
- **Establishing a system for identifying and training highly effective teachers** to serve as instructional leaders in Title I school-wide programs and modifying the school schedule to allow for collaboration among the instructional staff;
- **Establishing intensive, year-long teacher training for all teachers and the principal** in a Title I elementary school in corrective action or restructuring status in order to train teachers to use a new reading curriculum that aggressively works on improving students' oral language skills and vocabulary or, in some other way, builds teachers' capacity to address academic achievement problems;
- **Strengthen and expand early childhood education** by providing resources to align a district-wide Title I pre-K program with state early learning standards and state content standards for grades K–3 and, if there is a plan for sustainability beyond 2010–11, expanding high-quality Title I pre-K programs to larger numbers of young children;
- **Using longitudinal data systems** to drive continuous improvement efforts focused on improving achievement in Title I schools;
- **Providing professional development to teachers** in Title I targeted assistance programs on the use of data to inform and improve instruction for Title I-eligible students;
- **Using reading or mathematics coaches** to provide professional development to teachers in Title I targeted assistance programs; and
- **Establishing or expanding fiscally sustainable extended learning opportunities** for Title I-eligible students in targeted assistance programs, including activities provided before school, after school, during the summer, or over an extended school year.
ESEA: Maintenance of Effort

• The underlying statute of ESEA (Title IX - Section 9521) applies to the stimulus funds.

• **What does this mean for YOU?**
  – The maintenance-of-effort provision requires that an LEA maintain its expenditures for public education from State and local funds from one year to the next, at levels not less than 90% of the previous year. Thus, an LEA cannot reduce its own spending for public education and replace those funds with Federal funds.
  – The Secretary may waive the MOE requirement if it is determined that such a waiver would be equitable due to—
    • Exceptional or uncontrollable circumstances such as a natural disaster; or
    • A precipitous decline in the financial resources of the LEA.

• **We don’t know if such a waiver has ever been granted**
Statute Language for Title I Sec. 1120A

SEC. 1120A. FISCAL REQUIREMENTS.

(a) MAINTENANCE OF EFFORT- A local educational agency may receive funds under this part for any fiscal year only if the State educational agency involved finds that the local educational agency has maintained the agency's fiscal effort in accordance with section 9521.

(b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS-

(1) IN GENERAL- A State educational agency or local educational agency shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of pupils participating in programs assisted under this part, and not to supplant such funds.

(2) SPECIAL RULE- No local educational agency shall be required to provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency's compliance with paragraph (1).
Statutory Language for ESEA Title IX Sec. 9521
Governing all ESEA Programs

SEC. 9521. MAINTENANCE OF EFFORT.

(a) IN GENERAL- A local educational agency may receive funds under a covered program for any fiscal year only if the State educational agency finds that either the combined fiscal effort per student or the aggregate expenditures of the agency and the State with respect to the provision of free public education by the agency for the preceding fiscal year was not less than 90 percent of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year.

(b) REDUCTION IN CASE OF FAILURE TO MEET-

(1) IN GENERAL- The State educational agency shall reduce the amount of the allocation of funds under a covered program in any fiscal year in the exact proportion by which a local educational agency fails to meet the requirement of subsection (a) of this section by falling below 90 percent of both the combined fiscal effort per student and aggregate expenditures (using the measure most favorable to the local agency).

(2) SPECIAL RULE- No such lesser amount shall be used for computing the effort required under subsection (a) of this section for subsequent years.

(c) WAIVER- The Secretary may waive the requirements of this section if the Secretary determines that a waiver would be equitable due to —

(1) exceptional or uncontrollable circumstances, such as a natural disaster; or

(2) a precipitous decline in the financial resources of the local educational agency.
How Will State Fiscal Stabilization Funds Be Awarded?

- **Sixty-one percent of a state's allocations will be on the basis of their relative population of individuals aged 5 to 24, and 39 percent will be based on relative shares of total population.**

- **The Department will award SFSF funds to governors in two phases.** To receive its initial SFSF allocation, a state must submit to the Department an application that provides (1) assurances that the state is committed to advancing education reform in four specific areas (described below); (2) baseline data that demonstrates the state's current status in each of the four education reform areas; and (3) a description of how the state intends to use its stabilization allocation.

- **As part of its application for initial funding, the state must assure that it will take actions to:**
  1. increase teacher effectiveness and address inequities in the distribution of highly qualified teachers;
  2. establish and use pre-K-through-college and career data systems to track progress and foster continuous improvement;
  3. make progress toward rigorous college- and career-ready standards and high-quality assessments; and
  4. support targeted, intensive support and effective interventions to turn around schools identified for corrective action and restructuring.

- **Within two weeks of receipt of an approvable SFSF application, the Department will provide a state with 67 percent of its SFSF allocation.**

- **A state will receive the remaining portion of its SFSF allocation after the Department approves the state's plan detailing its strategies for addressing the education reform objectives described in the assurances. This plan must also describe how the state is implementing the record-keeping and reporting requirements under ARRA and how SFSF and other funding will be used in a fiscally prudent way that substantially improves teaching and learning.**

- **In the near future, the Department will issue guidance on the specific requirements that a state must meet to receive its phase two allocation.** The Department anticipates that the phase-two funds will be awarded beginning July 1, 2009, on a rolling basis.
How Will State Fiscal Stabilization Funds Be Awarded?

• If a state demonstrates that the amount of funds it will receive in phase one (67 percent of its total stabilization allocation) is insufficient to prevent the immediate layoff of personnel by LEAs, state educational agencies, or publicly funded institutions of higher education, the Department will award the state up to 90 percent of its SFSF allocation in phase one. In such cases, the remaining portion of the state's allocation will be provided after the Department approves the state's plan.

• Of the amount appropriated for the SFSF, the Department will use at least $4.35 billion to make competitive grants under the "Race to the Top" fund. These grants will help states to drive significant improvement in student achievement, including through making progress toward the four assurances noted above.

• The Department will use up to $650 million to make competitive awards under the "Invest in What Works and Innovation" fund. These awards will reward LEAs or nonprofit organizations that have made significant gains in closing achievement gaps to serve as models for best practices.
Suggested Uses for State Fiscal Stabilization Funds

- To qualify for State Stabilization Funds Governors must submit an application to the U.S. Secretary of Education that includes assurances that the state will:

  - **Data Systems**: Establish a longitudinal data system that includes prescribed elements in the America COMPETES Act, including among others having linked P-16 systems; a teacher identification system that can be linked to students; college readiness test scores; postsecondary remedial course work data, and a data audit system;

  - **Academic Assessments**: Enhance the quality of academic assessments used under Title I, ESEA through activities such as collaboration with higher education, use of multiple measures, and development of performance and technology-based assessment instruments and meet Title I requirements for the inclusion of students with disabilities and LEP students in these assessments, through development of assessments for these students and provision of appropriate accommodations;

  - **Standards**: Take steps to improve state academic content standards and student achievement standards consistent with provisions in the America COMPETES Act, which provides for aligning standards with the knowledge and skills needed for success in credit-bearing postsecondary course work, 21st Century jobs, and the Armed Forces, without remediation; and

  - **School Improvement**: Ensure compliance with provisions in Title I, ESEA related to implementation of corrective action and restructuring options for schools identified for these interventions.
Funds to Restore Support for Education

- States MUST use 81.8 percent of SFSF funds for the support of public elementary, secondary, and higher education, and, as applicable, early childhood education programs and services.

- States MUST use their allocations to help restore for FY 2009, 2010, and 2011 support for public elementary, secondary, and postsecondary education to the greater of the FY 2008 or FY 2009 level. The funds needed to restore support for elementary and secondary education must be run through the state’s primary elementary and secondary education funding formulae. The funds for higher education must go to IHEs.

- If any SFSF funds remain after the state has restored state support for elementary and secondary education and higher education, the state MUST award the funds to LEAs on the basis of the relative Title I shares but not subject to Title I program requirements.
LEA and IHE Uses of Funds

• LEAs and IHEs should use funds consistent with the intent and overall goals of ARRA: to create and save jobs and to advance the education reforms set forth in the assurances section so as to produce lasting results for students from early learning to college. LEAs and IHEs are also encouraged to consider uses of funds that create lasting results without creating unsustainable recurring costs.

• Subject to limited restrictions in ARRA as defined in further guidance LEAs may use their share of 81.8% of the SFSF education funds for any activity authorized under the Elementary and Secondary Education Act of 1965 (ESEA) (which includes the modernization, renovation, or repair of public school facilities), the Individuals with Disabilities Education Act (IDEA), the Adult Education and Family Literacy Act (Adult Education Act), or the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins Act).

• Any funds that an LEA receives from the 81.8 percent of the SFSF program (whether distributed through the state’s primary funding formulae or on the basis of the relative Title I, Part A) may be used for any activity listed in the above paragraph.

• LEAs may use SFSF to pay salaries to avoid having to lay off teachers and other school employees.

• To the extent LEAs use funds for modernization, renovation or repair, they should consider the use of facilities for early childhood education and for the community and should create "green" buildings.
Would you like a copy of today’s slideshow?

• All webinar materials are available to AASA members: http://www.aasa.org/content.cfm?ItemNumber=11157

• Not a member? Join now! Learn how at www.aasa.org/member
Questions?
Bruce Hunter
bhunter@aasa.org

For more information...
US Department of Education ARRA Website
AASA Economic Stimulus Update #2
Question & Answer
March 10, 2009

AASA’s Economic Stimulus Webinars continue to experience success! We received another set of follow-up questions during and after the webinar, which we have organized and answered here. They are grouped into five categories: Budgeting, IDEA, Title I, State Stabilization Fund, and Other.

WEBINAR INFORMATION
• Is the slideshow presentation from the webinar available for distribution? The slideshow presentations for each of the webinars will be available to AASA members (http://www.aasa.org/content.cfm?ItemNumber=11315).
• Where do I register for the remaining economic stimulus webinars? AASA members can sign up online (http://www.aasa.org/content.cfm?ItemNumber=11315).

BUDGETING
• Will the Title I and IDEA stimulus funds occur only in FY09, or will they be available again in FY10? The funds are counted in FY09, but can be obligated over both FY09 and FY10. Please note the 85% of your Title I and IDEA dollars must be obligated by Sept. 30, 2010.
• How do we close out our FY09 budget if we will still be receiving stimulus funds in October 2009? You will have to wait and count the money. You will need to file an amendment to your close-out statements. Work with your state education department on this.
• What definition will states use for their ‘primary’ funding formula? The intent of the language “Primary K-12 funding formulae” refers to each state’s foundation or general fund. We do not yet know if the states will be permitted to use if for categorical formulae.
• How will the State Fiscal Stabilization Funds be used? The Governors will determine this. $39.5 billion must be used for K-12 and higher education, to fulfill purposes of IDEA, ESEA (all 11 titles), adult education, career/technical education, or school modernization.
• If districts receive ALL of their Title I funds for both years at the end of March 2009, will they be held to the 85% commitment standard of Sept. 30, 2009? All of the stimulus funds are treated as supplemental appropriations to the FY09 budget year. Schools must obligate 85% of their education stimulus dollars by Sept. 30, 2010. However, districts are slated to receive the first half of their increase this spring and the second half this fall.
• Can you provide more clarification around the booking of revenue received by districts? While it appears that money received through formula grants will be easily tracked, it becomes more problematic to track state stabilization dollars co-mingled with state aide. It is not clear how the funds will be tracked, but we know they will
have to be. States and the US Department of Education will have to offer further clarification on this matter.

- **How likely is it that funding levels will increase—or at least remain flat—after the 27 month funds ends?** Nobody knows. We will all have to work together to make this happen.

**IDEA**

- **Will we be able to use IDEA funds to make up for the anticipated loss of 1% of Committee for Preschool Special Education funding?** Yes.
- **How do we calculate the 50% reclaimed funds based on the IDEA increase? Is it calculated each time we receive a lump sum or over the full 27 months?** The IDEA increase is an annual increase, calculated year over year. You will calculate a one-time increase using your FY09 levels (adding both the FY09 appropriation and the stimulus funds).
- **Can a state use IDEA funds to supplement/supplant portions of their state special education appropriation that gets allocated to districts?** No. States cannot supplement/supplant: federal IDEA dollars have to be used for IDEA.
- **If the IDEA stimulus funds are one-time money and districts use 50% of their increase to reduce local effort, won’t there be even less local money for special education once the stimulus money goes away?** You will have more overall IDEA dollars, given the increase in federal funding. This may translate in a lower amount of local dollars going to IDEA, but the overall amount is larger in the long run.
- **Am I correct in thinking that the local expenditures my district makes to support IDEA can be decreased by an amount equal to up to 50% of the federal increase in IDEA and that my district must use these reclaimed dollars to support ESEA activities?** Yes. Your district must use the reclaimed dollars for any of the allowable uses in the 93 programs identified through all 11 titles of ESEA. You are not limited to Title I.
- **If we hire people using the IDEA money, what happens at the end of 2 years? Is it expected that this funding will be maintained?** You can hire people with your IDEA money, with the understanding that, at this time, we do not know what the funding reality will be in the third year and that your district may likely be liable for supporting that position.
- **Are we allowed to use IDEA funds (repair and renovation) for a wheel chair lift to the Mezzanine level of the gym? We are out of compliance with state code.** Yes, under section 605. It requires a waiver from the Secretary, but it sounds like a legitimate expenditure of those funds.

**TITLE I**

- **Will the additional Title I money be subject to excess accrued interest guidelines if it is not spent quickly enough?** Yes. All existing regulations (Title I and IDEA) apply to the stimulus funds.
• Our district currently uses Title I funds only for elementary. Am I correct in my understanding that we can use stimulus funds in middle/high schools where there are students eligible for free/reduced lunch? Yes.
• Can we use the stimulus dollars to fund a new administrative position? Will we be able to use the funds to replace an Assistant Principal position reduced as a result of budget reductions? Yes. Please note, however, that once the stimulus funds expire (in the third year), it is very realistic that your district would then bear the burden of funding that new position.
• Will the Title I per-pupil allocation (PPA) rules apply for the distribution of funds? Yes. All underlying regulations apply.
• Is it true that the Title I stimulus funds for extended learning opportunities are only for targeted assistance programs? No. You can use the Title I stimulus funds for extended learning opportunities where there are school-wide programs.
• Can the Title I stimulus monies receive in April be held over until July, or must they be used before the end of the school year? The stimulus funds are FY09 dollars and you have 27 months to obligate them. You need to obligate 85% of your stimulus dollars by Sept. 30, 2010.
• Can we use Title I monies for a math teacher once the teaching position was voted down in a public meeting? Not, not for a general education teacher. If it is a Title I position, then yes.

STATE STABILIZATION FUNDS
• How can we trust the state to provide funding to save jobs? Everyone is wondering about that right now, and it is a political determination that has yet to be resolved. The $39.5 billion of the state funding is dedicated to education. Hopefully they will pass it down to districts quickly enough to save jobs.
• How do you resolves the notion that one of the main purposes of these funds is to ‘save jobs’, yet we can’t supplant or fund things that require on-going support? This is contradictory. It is contradictory in regard to Title I and IDEA, given the underlying legislative statute. It is not contradictory in regard to the state stabilization fund, because there are no limitations on supplanting.
• Do the state stabilization funds require a state to maintain current school district funding levels as a condition for accepting the stabilization money? No. The state stabilization fund requires the state to maintain the overall state effort at either the 2008 or 2009 level, whatever is higher.
• We have local non-profits saying there are funds available for them. Are they referring to the 18% of the state stabilization fund that the governors will allocate? Yes.
• Given that the state stabilization funds are intended to save jobs, and given the layoff notice requirements (in time), would these funds be available to prevent payoffs for 2009-10? Yes. The administration intends for the funds to be available at the state level in April 2009.
• Is it likely that they will relax the supplement/supplant language as it relates to Title I and IDEA? No, this is very unlikely.
OTHER PROGRAMS

- **Do you have any additional information regarding the $100 million for equipment in the National School Lunch Program?** The stimulus includes $100 million for grants to school food authorities (SFAs) for equipment assistance. Funds are to be distributed to states based on the proportion of State Administrative Expense funds received. State agencies must then make grants to SFAs on a competitive basis, with priority given to schools in which no less than 50% of the students are eligible for free/reduced price meals.

- **For the QZAB funds, you mentioned that the free/reduced lunch eligibility percentages need to be at least 35%. Is this by school or by district?** To qualify for QZAB, your DISTRICT must have an eligibility rate of 35%.

- **Are faith-based programs included in the stimulus funding? Will services to private schools change in any way under the stimulus funding?** Equitable service provisions for private schools apply under the ESEA and IDEA funding. Equitable participation will not apply to the state fiscal stabilization fund.

- **We have been advised that one of the components of the stimulus package is a requirement to pick-up COBRA for non-renewed employees. Please share your insight on COBRA changes related to the ARRA.** Two-thirds of COBRA is subsidized by the stimulus plan, such that employees have to pay 35% of what they would have originally paid for the period of this act. If someone is laid off now, their health insurance costs them 35%, and the remainder is subsidized by the stimulus funds.
AASA Presents

The American Recovery and Reinvestment Act
and America’s Public Schools

AASA Economic Stimulus Update #3
March 17, 2009

Bruce Hunter
Associate Executive Director, Advocacy and Policy
A Little Housekeeping...

- You can download copies of ALL webinar presentations and Q&A online: http://www.aasa.org/content.cfm?ItemNumber=11157
Economic Recovery & Reinvestment Act

Review - Three Funding Pots for Schools

1. Funds flowing through established federal formulas, Title I, IDEA, Title II, McKinney Vento Homeless Act, Impact Aid

2. Funds flowing through the State Stabilization Fund, controlled by the governors and existing state funding formulas
   - one exception is $5 billion for competitive grant in school improvement through the Secretary of Education’s ‘Race to the Top’ funds

3. Tax Credit bonds for new construction and Qualified Zone Academy bonds for renovation and modernization
# Economic Recovery & Reinvestment Act

## Stimulus Fund for Schools - Pot #1

<table>
<thead>
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<td>Title I</td>
</tr>
<tr>
<td>$3 billion</td>
<td>School Improvement Grants</td>
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<tr>
<td>$11.3 billion</td>
<td>IDEA Part B</td>
</tr>
<tr>
<td>$400 million</td>
<td>IDEA Section 619</td>
</tr>
<tr>
<td>$500 million</td>
<td>IDEA Part C</td>
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<tr>
<td>$650 million</td>
<td>Title II Part D: Education Technology</td>
</tr>
<tr>
<td>$650 million</td>
<td>Title II Part D: Education Technology</td>
</tr>
<tr>
<td>$250 millions</td>
<td>State Development of Longitudinal Data</td>
</tr>
<tr>
<td>$200 million</td>
<td>Teacher Incentive Fund</td>
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<tr>
<td>$70 million</td>
<td>McKinney-Vento Homeless Act</td>
</tr>
<tr>
<td>$100 million</td>
<td>Teacher Training (Higher Education Act, Title II)</td>
</tr>
</tbody>
</table>
How will IDEA Part B Grants Awarded?

• 50% of the IDEA Part B Grants to States and Preschool Grants will be awarded to SEAs by the end of March 2009. The remaining 50% will be awarded by September 30, 2009 – the funds are FY 2009 appropriations, in addition to the regular FY09 Part B grants.

• States DO NOT need to submit a new application to receive the first 50% of the Part B grants.

• States DO need to submit an amendment to their FY09 applications to receive the remaining 50% of Part B recovery funds.
How will Title I Part A Stimulus Funds be Awarded?

• **50%** of each state’s Title I Part A recovery funds will be awarded to SEAs **by the end of March 2009**, under each state’s existing ESEA Consolidated State Application

• **To receive the remaining 50%,** states will have to submit amendments to their Consolidated Applications

• The Title I, Part A **ARRA** awards will be in addition to the regular FY 2009 Title I, Part A grant awards that the Department plans to make on July 1 and September 30, 2009.

• **In the absence of a waiver,** an LEA must obligate at least 85 percent of its total FY 2009 Title I, Part A funds (including **ARRA** funds) **by Sept. 30, 2010**. Any remaining FY 2009 Title I, Part A funds will be available for obligation until Sept. 30, 2011.
Suggested Uses for Title I ARRA Funds

- Providing new opportunities for Title I school-wide programs for secondary school students to use high-quality, online courseware as supplemental learning materials for meeting mathematics and science requirements;
- Establishing a system for identifying and training highly effective teachers to serve as instructional leaders in Title I school-wide programs and modifying the school schedule to allow for collaboration among the instructional staff;
- Establishing intensive, year-long teacher training for all teachers and the principal in a Title I elementary school in corrective action or restructuring status in order to train teachers to use a new reading curriculum that aggressively works on improving students' oral language skills and vocabulary or, in some other way, builds teachers' capacity to address academic achievement problems;
- Strengthen and expand early childhood education by providing resources to align a district-wide Title I pre-K program with state early learning standards and state content standards for grades K–3 and, if there is a plan for sustainability beyond 2010–11, expanding high-quality Title I pre-K programs to larger numbers of young children;
- Using longitudinal data systems to drive continuous improvement efforts focused on improving achievement in Title I schools;
- Providing professional development to teachers in Title I targeted assistance programs on the use of data to inform and improve instruction for Title I-eligible students;
- Using reading or mathematics coaches to provide professional development to teachers in Title I targeted assistance programs; and
- Establishing or expanding fiscally sustainable extended learning opportunities for Title I-eligible students in targeted assistance programs, including activities provided before school, after school, during the summer, or over an extended school year.
Children in Private Schools

• The current regulations of spending money on private school children apply to the stimulus money. The equitable participation language applies to the Title I, IDEA, and Education Technology increases.

• What does this mean for you?
  – **Under IDEA:**
    • The amount LEAS spend on the provision of services (including direct services to parentally placed private school children) shall be equal to a proportionate amount of Federal funds made available under this part.
    • The child find process will ensure equitable participation of parentally placed private school children with disabilities.
    • LEAs are responsible for identifying all children with disabilities in private schools in their district, even if those students do not reside in their district
  – **Under Title I: (Section 1120)**
    • LEAs shall provide those children enrolled in private elementary schools and secondary schools, on an equitable basis, special educational services or other benefits under this part that address their needs, and shall ensure that teachers and families of the children participate, on an equitable basis, in services and activities
    • Educational services and benefits for these private school children must be equitable to the services/benefits provided for public school children
    • Expenditures for these educational services/benefits shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools
Children in Private Schools: IDEA Statute

(i) In general.—To the extent consistent with the number and location of children with disabilities... provision is made for the participation of those children in the program assisted or carried out under this part by providing for such children special education and related services

(i) Amounts to be expended for the provision of those services (including direct services to parentally placed private school children) by the local educational agency shall be equal to a proportionate amount of Federal funds made available under this part.

(ii) Such services to parentally placed private school children with disabilities may be provided to the children on the premises of private, including religious, schools, to the extent consistent with law.

(iii) ....

(iv) State and local funds may supplement and in no case shall supplant the proportionate amount of Federal funds required to be expended under this subparagraph.
Children in Private Schools: IDEA Statute

(I) In general.--The requirements of paragraph (3) (relating to child find) shall apply with respect to children with disabilities in the State who are enrolled in private, including religious, elementary schools and secondary schools.

(II) Equitable participation.--The child find process shall be designed to ensure the equitable participation of parentally placed private school children with disabilities and an accurate count of such children.
Children in Private Schools: Title I Statute
SEC. 1120. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS

• (a) GENERAL REQUIREMENT-
• (1) IN GENERAL- To the extent consistent with the number of eligible children identified under section 1115(b) in the school district served by a local educational agency who are enrolled in private elementary schools and secondary schools, a local educational agency shall, provide such children, on an equitable basis, special educational services or other benefits under this part that address their needs, and shall ensure that teachers and families of the children participate, on an equitable basis, in services and activities developed pursuant to sections 1118 and 1119.

• (3) EQUITY- Educational services and other benefits for such private school children shall be equitable in comparison to services and other benefits for public school children participating under this part, and shall be provided in a timely manner.

• (4) EXPENDITURES- Expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools, which the local educational agency may determine each year or every 2 years.
Children in Private Schools: Title I Statute
SEC. 1120. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS

(1) CALCULATION- A local educational agency shall have the final authority, consistent with this section, to calculate the number of children, ages 5 through 17, who are from low-income families and attend private schools by —

(A) using the same measure of low income used to count public school children;

(B) using the results of a survey that, to the extent possible, protects the identity of families of private school students, and allowing such survey results to be extrapolated if complete actual data are unavailable;

(C) applying the low-income percentage of each participating public school attendance area, determined pursuant to this section, to the number of private school children who reside in that school attendance area; or

(D) using an equated measure of low income correlated with the measure of low income used to count public school children.
# Economic Recovery & Reinvestment Act

## Stimulus Fund for Schools - Pot #2

<table>
<thead>
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<th>Amount</th>
<th>Description</th>
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<tbody>
<tr>
<td>$53.6 billion</td>
<td></td>
</tr>
<tr>
<td>$39.5 billion</td>
<td>States to fund cuts to K-12 and higher ed</td>
</tr>
<tr>
<td>$5 billion</td>
<td>Competitive grants awarded to states</td>
</tr>
<tr>
<td>$8.8 billion</td>
<td>States can spend anywhere in their budgets</td>
</tr>
</tbody>
</table>

- The $39.5 billion can be used for any purpose in ESEA or school modernization.
- The competitive grants are awarded by the Secretary based on performance in 3 areas: distribution of teachers, creation of longitudinal data systems and development of assessments for special education and ELL. It includes $650 million for innovation grants and ‘Race to the Top’ funds.
- States can use the $8.8 billion anywhere in their state budget, including education & school construction.
- ESEA rules do not govern these funds. State law does.
How Will State Fiscal Stabilization Funds Be Awarded?

• Sixty-one percent of a state's allocations will be on the basis of their relative population of individuals aged 5 to 24, and 39 percent will be based on relative shares of total population.

• The Department will award SFSF funds to governors in two phases. To receive its initial SFSF allocation, a state must submit to the Department an application that provides (1) assurances that the state is committed to advancing education reform in four specific areas (described below); (2) baseline data that demonstrates the state's current status in each of the four education reform areas; and (3) a description of how the state intends to use its stabilization allocation.

• As part of its application for initial funding, the state must assure that it will take actions to:
  1. increase teacher effectiveness and address inequities in the distribution of highly qualified teachers;
  2. establish and use pre-K-through-college and career data systems to track progress and foster continuous improvement;
  3. make progress toward rigorous college- and career-ready standards and high-quality assessments; and
  4. support targeted, intensive support and effective interventions to turn around schools identified for corrective action and restructuring.

• Within two weeks of receipt of an approvable SFSF application, the Department will provide a state with 67 percent of its SFSF allocation.** see next slide

• A state will receive the remaining portion of its SFSF allocation after the Department approves the state's plan detailing its strategies for addressing the education reform objectives described in the assurances. This plan must also describe how the state is implementing the record-keeping and reporting requirements under ARRA and how SFSF and other funding will be used in a fiscally prudent way that substantially improves teaching and learning.

• In the near future, the Department will issue guidance on the specific requirements that a state must meet to receive its phase two allocation. The Department anticipates that the phase-two funds will be awarded beginning July 1, 2009, on a rolling basis.
How Will State Fiscal Stabilization Funds Be Awarded?

• If a state demonstrates that the amount of funds it will receive in phase one (67 percent of its total stabilization allocation) is insufficient to prevent the immediate layoff of personnel by LEAs, state educational agencies, or publicly funded institutions of higher education, the Department will award the state up to 90 percent of its SFSF allocation in phase one. In such cases, the remaining portion of the state's allocation will be provided after the Department approves the state's plan.

• Of the amount appropriated for the SFSF, the Department will use at least $4.35 billion to make competitive grants under the "Race to the Top" fund. These grants will help states to drive significant improvement in student achievement, including through making progress toward the four assurances noted above.

• The Department will use up to $650 million to make competitive awards under the "Invest in What Works and Innovation" fund. These awards will reward LEAs or nonprofit organizations that have made significant gains in closing achievement gaps to serve as models for best practices.
Suggested Uses for State Fiscal Stabilization Funds

- To qualify for State Stabilization Funds Governors must submit an application to the U.S. Secretary of Education that includes assurances that the state will:
  
  - **Data Systems:** Establish a longitudinal data system that includes prescribed elements in the America COMPETES Act, including among others having linked P-16 systems; a teacher identification system that can be linked to students; college readiness test scores; postsecondary remedial course work data, and a data audit system;
  
  - **Academic Assessments:** Enhance the quality of academic assessments used under Title I, ESEA through activities such as collaboration with higher education, use of multiple measures, and development of performance and technology-based assessment instruments and meet Title I requirements for the inclusion of students with disabilities and LEP students in these assessments, through development of assessments for these students and provision of appropriate accommodations;
  
  - **Standards:** Take steps to improve state academic content standards and student achievement standards consistent with provisions in the America COMPETES Act, which provides for aligning standards with the knowledge and skills needed for success in credit-bearing postsecondary course work, 21st Century jobs, and the Armed Forces, without remediation; and

  - **School Improvement:** Ensure compliance with provisions in Title I, ESEA related to implementation of corrective action and restructuring options for schools identified for these interventions.
Funds to Restore Support for Education

• States MUST use 81.8 percent of SFSF funds for the support of public elementary, secondary, and higher education, and, as applicable, early childhood education programs and services.

• States MUST use their allocations to help restore for FY 2009, 2010, and 2011 support for public elementary, secondary, and postsecondary education to the greater of the FY 2008 or FY 2009 level. The funds needed to restore support for elementary and secondary education must be run through the state's primary elementary and secondary education funding formulae. The funds for higher education must go to IHEs.

• If any SFSF funds remain after the state has restored state support for elementary and secondary education and higher education, the state MUST award the funds to LEAs on the basis of the relative Title I shares but not subject to Title I program requirements.
Maintenance of Effort
State Stabilization Fund

• The maintenance of effort language, as it pertains to the State Fiscal Stabilization Fund in the American Recovery and Reinvestment Act of 2009 is as follows:

  – (1) Maintenance of effort.(A) Elementary and secondary education. The State will, in each of fiscal years 2009, 2010, and 2011, maintain State support for elementary and secondary education at least at the level of such support in fiscal year 2006.
Economic Recovery & Reinvestment Act
Stimulus Fund for Schools - Pot #3

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<tr>
<td>$22 billion</td>
<td>Tax Credit Bonds</td>
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<tr>
<td>$2.8 billion</td>
<td>QZAB</td>
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</table>

- Under the school modernization funds, the 100 largest, poorest school districts are guaranteed part of 40% of their state’s bond allocation.
  - Up to an additional 25 school districts may receive priority status from the Secretary

- Separate direct funding for school modernization was cut from the final deal and added as an allowable use in the state fund.
AASA Webinar Top Ten Stimulus Questions

Q. Will there be any ability to supplant Title I and IDEA funds?
A. No. The law and regulations do not permit waivers to supplant. USED has been clear, there will be no supplanting

Q. What happens in 2011?
A. Nobody is 100% sure. We will have to work together to have funding levels increase—or at least remain flat—after the stimulus funds are spent.

Q. Can we reduce our state and local effort for Title I and IDEA?
A. Yes, under certain conditions:
   - Section 613 of IDEA permits districts to reduce LOCAL EFFORT by up to 50% of the annual increase in funding
   - Section 9521 of Title IX of ESEA permits reduction in local effort for natural disasters and a precipitous decline in state and local revenues
Q. **Can we buy equipment or make renovations with IDEA funds?**
A. Yes. Section 605 of IDEA permits purchasing equipment or altering facilities to make them more accessible. It requires a waiver by the Secretary of Education.

Q. **Can the governor move State Stabilization Funds (SSF) around so there is no net gain for public school districts from the SSF?**
A. Yes. We expect many to do that. They are required, though, to provide the higher of 2008 or 2009 funding levels.

Q. **Can we supplant with State Stabilization Funds?**
A. Supplanting and maintenance of effort **DO NOT** apply to the SSF.

Q. **If a school district has Title I schools in school improvement, must part of the Title I Stimulus funds be set aside for public school choice and/or supplemental educational services?**
A. Yes. If they are in school improvement, 20% of stimulus funds must be set aside for public school choice and/or supplemental educational services. Underlying statutes and regulations apply to the stimulus funds, for both IDEA and ESEA.
AASA Webinar Top Ten Stimulus Questions

Q. Can we use the stimulus funds to hire staff?
A. Yes, you can. Remember that as one-time funds, once the stimulus dollars are used, the financial responsibility for funding these positions will fall to the districts.

Q. Can we retain or rehire a non-Title I or IDEA teacher with stimulus funds?
A. No, not if that position was being funded through local dollars. You can, however, use SFSF money to fund the position. Refer to the question above.

Q. Is the slideshow presentation from the webinar available for distribution?
A. The slideshow presentations and Q&A for each of the webinars are available to AASA members. (http://www.aasa.org/content.cfm?ItemNumber=11315)
AASA State Executive Directors

• As part of ongoing efforts to help school administrators understand the stimulus, AASA has hosted a series of conference calls with the State Executive Directors.

• Their questions and focus touch on many of the same topics that have arisen through the webinars.

• With all of the stimulus funds flowing through the state, the state executive directors have expressed a strong desire to know what it is they can/should be doing to help maximize the flow and flexibility of funding to their local schools.

• **What does this mean for you?** Once the funds arrive at the state level, the work and discussions shift to the state level, as well. Work with your state executive directors to engage your Governor, state legislature and state education department in efforts to maximize the flow/flexibility of funding to your schools.
Would you like a copy of today’s slideshow?

• All webinar materials are available to AASA members: http://www.aasa.org/content.cfm?ItemNumber=11157

• Not a member? Join now! Learn how at www.aasa.org/member
Questions?
Bruce Hunter
bhunter@aasa.org

For more information...
US Department of Education ARRA Website
Q&A: Questions Regarding the American Recovery and Reinvestment Act

• All school districts are scheduled to receive IDEA funds from the ARRA. The guidelines for the use of these funds appear to be both conflicting and unclear. It is our understanding that these funds will be distributed evenly over two years, or approximately half of the total amount over two years? Is this correct? Will this amount be factored into year three allocations or, is this a one time infusion?

• A district plans to lay-off three teaching assistants in special education. Can these funds be used to reinstate these positions? Should the three positions be included in the general fund expenditure budget for 2009-10? If so, will the revenues associated with the American Recovery and Reinvestment Act of 2009 be applicable as general fund revenue?

• Can these funds be used to restore a regular education kindergarten teaching position or a regular education teaching assistant working in inclusion or co-teaching classes? If the funds can be used to reinstate regular education positions, in which fund should the Board of Education recognize the expenditure, and in which fund should the Board of Education recognize the revenue?

• Can we use funds from ARRA to reinstate a reading teacher who was cut from the school budget to support RTI strategies (not children with disabilities) but for at-risk students?
Q&A: Questions Regarding the American Recovery and Reinvestment Act

• Can the district use ARRA funds to hire special education instructional coaches to work with regular education and special education teachers?

• Can a district use ARRA funds to hire special education administrators who were cut from the budget in previous years?

• Can the district use ARRA funds to pay for professional development opportunities already included in the budget?

• Can the district use ARRA funds to purchase equipment such as SMART Boards for regular education classrooms made up of regular and special education students? ... For a special education classroom? Are there any limitations on equipment purchases for special education students?

• Will the IDEA funds be received as revenue in our special aid fund?
Q&A: Questions Regarding the American Recovery and Reinvestment Act

- What type of filing requirements are there associated with the American Recovery and Reinvestment Act of 2009?

- Would there be a requirement to provide flow through funds proportionally to local education agencies?

- Will the use of the funds be restricted to the same types of expenditures as the 611 Grant and the 619 Grant?

- Our fiscal year runs July 1 through June 30. Would the American Recovery and Reinvestment Act funds be applicable to the district’s 2008-09, 2009-10 or the 2010-11 fiscal year(s)? Can the allocation be requested as one lump sum and then allocated over a span of 27 months. In other words, can we receive the total amount all at once and decide at the local level how to allocate over time?
AASA Economic Stimulus Update #3
Question & Answer
March 17, 2009

AASA’s Economic Stimulus Webinars continue to experience success! We received another set of follow-up questions during and after the webinar, which we have organized and answered here.

WEBINAR INFORMATION
• Is the slideshow presentation from the webinar available for distribution? The slideshow presentations and Q&A for each of the webinars will be available to AASA members. (http://www.aasa.org/content.cfm?ItemNumber=11315)

IDEA / TITLE I
• All school districts are scheduled to receive IDEA funds from the ARRA. The guidelines for the use of these funds appear to be both conflicting and unclear. It is our understanding that these funds will be distributed evenly over two years, or approximately half of the total amount over two years? Is this correct? Will this amount be factored into year three allocations or, is this a one-time infusion? These funds are supplemental funds to your FY09 appropriations. They are subject to all of the underlying statutes and regulations as IDEA. The funds will all be distributed in 2009, however the dollars will flow to states in two installments: the first half by March 30, 2009 and the second half by September 30, 2009. You have to obligate 85% of the funds by Sept. 30, 2010. They are urging states and districts to treat this as a one-time infusion of funds.

• A district plans to lay-off three teaching assistants in special education. Can these funds be used to reinstate these positions? Should the three positions be included in the general fund expenditure budget for 2009-10? If so, will the revenues associated with the American Recovery and Reinvestment Act of 2009 be applicable as general fund revenue? If those positions were funded using IDEA dollars, then you can use your IDEA stimulus dollars. You could also fund those positions, through your reduction in your local effort in special education. You will now have freed up local funding equal to up to half of your federal increase. If you were using local dollars to fund the position, then you can use the State Fiscal Stabilization Fund (SFSF). If you use the SFSF funds to retain the positions, then the dollars are applicable to the general revenue fund.

• Can these funds be used to restore a regular education kindergarten teaching position or a regular education teaching assistant working in inclusion or co-teaching classes? If the funds can be used to reinstate regular education positions, in which fund should the Board of Education recognize the expenditure, and in which fund should the Board of Education recognize the revenue? You can use your SFSF funds to restore regular education teachers/assistants. You can use IDEA funds ONLY if the positions were originally funded with IDEA dollars. If you try to reinstate positions that were formerly funded with local dollars using IDEA dollars, you will be supplanting. However, you can restore those positions with local dollars if you use your reduction in special education effort allowed under IDEA. If you use the SFSF funds to retain the positions, then the dollars are applicable to the general revenue fund.
Will the use of the funds be restricted to the same types of expenditures as the 611 Grant and the 619 Grant? Yes.

Can we use funds from ARRA to reinstate a reading teacher who was cut from the school budget to support RTI strategies (not children with disabilities) but for at-risk students? If you were using local dollars to fund the position, then you can use the State Fiscal Stabilization Fund (SFSF). However, if you were using local dollars to fund that position, it would be considered supplanting to use Title I or IDEA dollars to now fund that position.

Can the district use ARRA funds to hire special education instructional coaches to work with regular education and special education teachers? Yes, you can use either your IDEA or SFSF funds to fill these new positions. If these coaching positions formerly existed, you can use SFSF funds to reinstate them. You can only use IDEA funds to reinstate the positions if they were originally funded with IDEA (not local) dollars.

Can a district use ARRA funds to hire special education administrators who were cut from the budget in previous years? If that position was originally funded using IDEA dollars, then you can use your IDEA stimulus dollars. If you were using local dollars to fund the position, then you can use the State Fiscal Stabilization Fund (SFSF).

Can the district use ARRA funds to pay for professional development opportunities already included in the budget? You can use your Title I, IDEA, or SFSF funds to pay for professional development opportunities. Keep in mind that supplement/supplant will still apply to Title I and IDEA dollars here.

Can the district use ARRA funds to purchase equipment such as SMART Boards for regular education classrooms made up of regular and special education students? Yes. There are any limitations on equipment purchases for special education students? Yes, you can use your IDEA, SFSF, or Ed Tech stimulus dollars to purchase equipment. If you pursue this through IDEA, you will need a waiver from the Secretary of Education (refer to IDEA Section 605).

Will the IDEA funds be received as revenue in our special education fund? Yes. The IDEA stimulus funds will be received by districts in the same manner in which they receive their annual federal IDEA dollars.

Would there be a requirement to provide flow through funds proportionally to local education agencies? Yes. All of the underlying rules and regulations for IDEA and ESEA apply. The SFSF language very clearly requires the governor’s to spend 81.8% of the SFSF funds on education.

What are the strings attached to Title 1 and IDEA (i.e. how much can we supplant vs. invest into new programs and services)? The Title I and IDEA stimulus funds are subject to all of underlying statutes and regulations. Neither law allows supplanting.
• When Title II D was initially available, districts with low over-all poverty rates were able to access II-D funds for projects in high poverty schools. In the last year or so, that was changed and districts with low poverty (based on census data) were not allowed to apply for these grants -- even for their high poverty schools. Do you have information on the eligibility under the new stimulus funds for II-D? The pool of eligibility was reduced as the funding levels declined. We expect the program to return to its original method of distribution, given the sizeable funding increase included in the stimulus.

• When will we know whether our state receives a waiver? You need to work with your governor and state superintendent on this issue.

• Most high schools are not Title I schools, yet this gives us the opportunity to use Title I funds to support transformation of secondary schools. What needs to happen to allow the use of the Title I funds in high schools? What criteria would need to be applied? The Title I stimulus dollars can be used in the same way you use your regular annual Title I appropriations. Underlying Title I statute and regulations apply.

• Can we use IDEA funds to pay for deans of students at the secondary level who provide support for students with disciplinary issues? The positions are now being eliminated. Can the position be considered early intervening services? If that position was originally funded using IDEA dollars, then you can use your IDEA stimulus dollars. If you were using local dollars to fund the position, then you can use the State Fiscal Stabilization Fund (SFSF).

STATE FISCAL STABILIZATION FUND
• Regarding Pot #2...can the states establish additional requirements of the LEA's in order to receive funds? For example, provide funds to only those districts who provide a certain number of days of instruction. Yes. The SFSF funds are at the discretion of the Governor; however, states must pass through the majority of the funding through the primary K-12 formulae.

• If the Governor can move SFSF funds around so that there is no net gain for school districts, how does that stimulate the local level, rising costs but level funding? Everyone needs to work with their state associations to make sure that doesn’t happen.

• Does any part of this save regular education jobs and help us prevent the elimination of current teaching positions? Some of us are anticipating we will see none of the State Stabilization money because the Governors will reallocate it. The SFSF was designed to specifically help states backfill gaps in their state budgets, in an effort to save jobs. The SFSF language very clearly requires the governor’s to spend 81.8% of the SFSF funds on education. That being said, the decision of whether or not to make the 81.8% additional funding over original budget allotments lies with the Governor. You will need to work with your State Associations to help the Governor, legislature, and State Education Department understand the importance of maximizing the flow of funds to the local level.

• When will the Race to the Top grants be available for application? Applications for the ‘Race to the Top’ funds will be available in June 2009. We are expecting the first round of awards to go out
in October 2009 and the second half of awards to go out in the spring of 2010. The ‘Race to the Top’ funds will follow the usual grant award process.

BUDGETING

- Are you looking in 2011 to increase the annual funding to include the amount increased by the stimulus funds or does ‘remaining flat’ mean the current funding level (before stimulus funds)? AASA will advocate for the 2011 funding levels to be calculated using the stimulus levels as the new baseline. We will need the help of all of AASA’s members to help make this a reality.

OTHER

- What type of filing requirements are there associated with the American Recovery and Reinvestment Act of 2009? The final details of filing requirements have yet to be determined. It is likely that the reporting requirements will be extensive, looking to determine if the ARRA dollars had both a stimulating effect and an impact on the achievement of students.

- Our fiscal year runs July 1 through June 30. Would the American Recovery and Reinvestment Act funds be applicable to the district’s 2008-09, 2009-10 or the 2010-11 fiscal year(s)? Can the allocation be requested as one lump sum and then allocated over a span of 27 months. In other words, can we receive the total amount all at once and decide at the local level how to allocate over time? The federal budget year runs October 1 through September 30. It takes the name of the year in which it ends. For instance, the FY09 appropriations were just signed into law, and cover the federal fiscal year spanning Oct. 1, 2008 through Sept. 30, 2009. Due to the way education is funded, FY 2009 funding usually pertains to your 2009 – 2010 school year. You can use the stimulus dollars as soon as you receive them. The usual rules that your state has for distribution of federal and state dollars will apply.

- Fiscal year question—In my state the term fiscal year refers to the year the budget year ENDS. So FY 09 refers to the year that started Oct. 1, 2008 and ends September 30, 2009. Is this the same for the FEDERAL fiscal year? I ask this because restoration to the FY 08 Fiscal Year allocations in my state is for the budget year that ended in September 08 in proration because we spent too much. Please explain. The federal budget year runs October 1 through September 30. It takes the name of the year in which it ends. For instance, the FY09 appropriations were just signed into law, and cover the federal fiscal year spanning Oct. 1, 2008 through Sept. 30, 2009. Due to the way, education is funded FY 2009 funding usually pertains to your 2009 – 2010 school year. In the case of the State Fiscal Stabilization Fund, the state defines the term fiscal year.

- Is it true that tax credit bonds are only available to schools with poverty of a certain percent? We are awaiting further detail on the tax credit bonds. At this point, we are still unsure. Under the tax credit bonds for new construction, the 100 largest, poorest school districts are guaranteed part of 40% of their state’s bond allocation. Up to an additional 25 school districts may receive priority status from the Secretary. To qualify for the Qualified Zone Academy Bonds, your DISTRICT must have a 35% eligibility rate for free/reduced lunch.

- Do you have any information on the funds for school lunch equipment? The stimulus includes
$100 million for grants to school food authorities (SFAs) for equipment assistance. Funds are to be distributed to states based on the proportion of State Administrative Expense funds received. State agencies must then make grants to SFAs on a competitive basis, with priority given to schools in which no less than 50% of the students are eligible for free/reduced price meals.

Questions? Contact our Advocacy & Policy Team

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AASA Presents

The American Recovery and Reinvestment Act and America’s Public Schools

AASA Economic Stimulus Update #4
March 24, 2009

Bruce Hunter
Associate Executive Director, Advocacy and Policy
An Opportunity to Make a Difference

You can download copies of ALL webinar presentations and Q&A online: http://www.aasa.org/content.cfm?ItemNumber=11157
What’s New in Webinar #4

• Advice and Discussion of serving students in private schools
  – IDEA
  – Title I

• Advice on avoiding supplanting problems
  – IDEA
  – Title I
Children in Private Schools

• The current regulations of spending money on private school children apply to the stimulus money. The equitable participation language applies to the Title I, IDEA, and Education Technology increases.

• What does this mean for you?
  – Under IDEA:
    • The amount LEAS spend on the provision of services (including direct services to parentally placed private school children) shall be equal to a proportionate amount of Federal funds made available under this part.
    • The child find process will ensure equitable participation of parentally placed private school children with disabilities.
    • LEAs are responsible for identifying all children with disabilities in private schools in their district, even if those students do not reside in their district
  – Under Title I: (Section 1120)
    • LEAs shall provide those children enrolled in private elementary schools and secondary schools, on an equitable basis, special educational services or other benefits under this part that address their needs, and shall ensure that teachers and families of the children participate, on an equitable basis, in services and activities
    • Educational services and benefits for these private school children must be equitable to the services/benefits provided for public school children
    • Expenditures for these educational services/benefits shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools
What’s New in Webinar #4

• Serving students placed in private schools by their parents
  • Proportional share is an equal per pupil allocation for every parentally placed private school special education student, **BUT**
  • That proportional share will double for the coming 2009-2010 school year
    – Doubling will lead to more service for each student through their service plan
    – Public schools will not able to sustain the increased level of services if the stimulus is one time funding
• The stimulus funds are FY 2009 and thus must be **completely obligated by September 30, 2011.**
What’s New in Webinar #4

Serving students placed in private schools by their parents:

1. Make it clear to parents in the service plan that this is one time money; the increases in services are temporary!
2. Follow up the clear statement with a MOU with the schools so they understand that service increases are a one-time short-term event.
3. Do not select services for the student’s service plan that have a requirement for continuation after the stimulus funds are gone.
What’s New in Webinar #4

• Serving students placed in private schools by their parents:
  – No supplanting is permitted
  – No extension of funds is anticipated
  – The Section 613 permission to reduce local effort by up to 50% of the annual increase does not apply to the proportional share funds for parentally placed students in private schools.
What’s New in Webinar #4

• Title I services in private schools
  – Funds available to provide Title I services to students in private schools will increase by the percentage of the increase in Title I funds
  – Because 100% of eligible students in private schools are served, the quality and intensity of services will increase in a way that cannot be sustained when the stimulus funds are gone.
What’s New in Webinar #4

Title I services in private schools

1. During the annual consultation, make it clear—in writing—what part of the per-student increase in funding is a result of the stimulus funds.

2. Get a MOU with the private schools clarifying that funding will decline by the amount of the Title I stimulus funds when the stimulus funds are gone.
What’s New in Webinar #4

ARRA Principles

– Spend funds quickly to save and create jobs
– Improve student achievement through school improvement and reform
– Ensure transparency, reporting and accountability
– Invest one-time ARRA funds thoughtfully to minimize the funding cliff
What’s New in Webinar #4

Ultimately, school districts must....

1. Provide evidence that jobs were saved and/or created
2. Provide evidence that the money made a difference in student outcomes
What’s New in Webinar #4

• Health Care Benefits
  – The American Recovery and Reinvestment Act of 2009 (ARRA) provides for premium reductions and additional election opportunities for health benefits under the Consolidated Omnibus Budget Reconciliation Act of 1985, commonly called COBRA.
  
  – Eligible individuals pay only 35 percent of their COBRA premiums and the remaining 65 percent is reimbursed to the coverage provider through a tax credit.
  
  – The premium reduction applies to periods of health coverage beginning on or after February 17, 2009 and lasts for up to nine months for those eligible for COBRA during the period beginning September 1, 2008 and ending December 31, 2009 due to an involuntary termination of employment that occurred during that period.
## Economic Recovery & Reinvestment Act

<table>
<thead>
<tr>
<th>Category</th>
<th>House Passed</th>
<th>Senate Passed</th>
<th>Conference</th>
<th>% of Total</th>
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*Note, totals may not add due to rounding.*
Economic Recovery & Reinvestment Act

Review - Three Funding Pots for Schools

1. Funds flowing through established federal formulas, Title I, IDEA, Title II, McKinney Vento Homeless Act, Impact Aid

2. Funds flowing through the State Stabilization Fund, controlled by the governors and existing state funding formulas

   - one exception is $5 billion for competitive grant in school improvement through the Secretary of Education’s ‘Race to the Top’ funds

3. Tax Credit bonds for new construction and Qualified Zone Academy bonds for renovation and modernization
## Economic Recovery & Reinvestment Act

**Stimulus Fund for Schools - Pot #1**

<table>
<thead>
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<th>Amount</th>
<th>Program</th>
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<tbody>
<tr>
<td>$10 billion</td>
<td>Title I</td>
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<td>$3 billion</td>
<td>School Improvement Grants</td>
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<td>$11.3 billion</td>
<td>IDEA Part B</td>
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<td>$400 million</td>
<td>IDEA Section 619</td>
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<td>$500 million</td>
<td>IDEA Part C</td>
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<td>$650 million</td>
<td>Title II Part D: Education Technology</td>
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<td>$250 million</td>
<td>State Development of Longitudinal Data</td>
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<td>$200 million</td>
<td>Teacher Incentive Fund</td>
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<tr>
<td>$70 million</td>
<td>McKinney-Vento Homeless Act</td>
</tr>
<tr>
<td>$100 million</td>
<td>Teacher Training (Higher Education Act, Title II)</td>
</tr>
</tbody>
</table>
When will IDEA Part B Grants be Awarded?

- **50%** of the IDEA Part B Grants to States and Preschool Grants will be awarded to SEAs **by the end of March 2009**. The **remaining 50%** will be awarded by **September 30, 2009** – the funds are **FY 2009** appropriations, *in addition to* the regular FY09 Part B grants.

- States **DO NOT** need to submit a new application to receive the first 50% of the Part B grants.

- States **DO need to submit an amendment** to their FY09 applications **to receive the remaining 50%** of Part B recovery funds.
IDEA Statutory Language for Sec. 613

Sec. 613 (a)(C) Adjustment to local fiscal effort in certain fiscal years.—

(i) Amounts in excess.—Notwithstanding clauses (ii) and (iii) of subparagraph (A), for any fiscal year for which the allocation received by a local educational agency under section 611(f) exceeds the amount the local educational agency received for the previous fiscal year, the local educational agency may reduce the level of expenditures otherwise required by subparagraph (A)(iii) by not more than 50 percent of the amount of such excess.

(ii) Use of amounts to carry out activities under ESEA.—If a local educational agency exercises the authority under clause (i), the agency shall use an amount of local funds equal to the reduction in expenditures under clause (i) to carry out activities authorized under the Elementary and Secondary Education Act of 1965.

(iii) State prohibition.—Notwithstanding clause (i), if a State educational agency determines that a local educational agency is unable to establish and maintain programs of free appropriate public education that meet the requirements of subsection (a) or the State educational agency has taken action against the local educational agency under section 616, the State educational agency shall prohibit the local educational agency from reducing the level of expenditures under clause (i) for that fiscal year.

(iv) Special rule.—The amount of funds expended by a local educational agency under subsection (f) shall count toward the maximum amount of expenditures such local educational agency may reduce under clause (i).
Suggested Uses for IDEA Stimulus Funds

- These funds should be used for short-term investments with the potential for long-term benefits. School districts should be careful to avoid expenditures they may not be able to sustain once the recovery funds are spent.

- Allowable uses for IDEA funds in the stimulus include:
  - Obtaining state-of-the art assistive technology devices and provide training in their use to enhance access to the general curriculum for students with disabilities.
  - Providing intensive district-wide professional development for special education and regular education teachers that focuses on scaling-up, through replication, proven and innovative evidence-based school-wide strategies in reading, math, writing and science, and positive behavioral supports to improve outcomes for students with disabilities.
  - Developing or expanding the capacity to collect and use data to improve teaching and learning.
  - Expanding the availability and range of inclusive placement options for preschoolers with disabilities by developing the capacity of public and private preschool programs to serve these children.
  - Hiring transition coordinators to work with employers in the community to develop job placements for youths with disabilities.
When will Title I Part A Stimulus Funds be Awarded?

- **50%** of each state’s Title I Part A recovery funds will be awarded to SEAs **by the end of March 2009**, under each state’s existing ESEA Consolidated State Application.

- To receive the remaining **50%**, states will have to **submit amendments** to their Consolidated Applications.

- The Title I, Part A **ARRA** awards will be in addition to the regular FY 2009 Title I, Part A grant awards that the Department plans to make on July 1 and September 30, 2009.

- In the absence of a waiver, an LEA must obligate at least **85 percent** of its total FY 2009 Title I, Part A funds (including **ARRA** funds) by Sept. 30, 2010. Any remaining FY 2009 Title I, Part A funds will be available for obligation until Sept. 30, 2011.
Suggested Uses for Title I ARRA Funds

• **Providing new opportunities** for Title I school-wide programs for secondary school students to use **high-quality, online courseware as supplemental learning materials** for meeting mathematics and science requirements;

• **Establishing a system for identifying and training highly effective teachers** to serve as instructional leaders in Title I school-wide programs and modifying the school schedule to allow for collaboration among the instructional staff;

• **Establishing intensive, year-long teacher training for all teachers and the principal** in a Title I elementary school in corrective action or restructuring status in order to train teachers to use a new reading curriculum that aggressively works on improving students' oral language skills and vocabulary or, in some other way, builds teachers' capacity to address academic achievement problems;

• **Strengthen and expand early childhood education** by providing resources to align a district-wide Title I pre-K program with state early learning standards and state content standards for grades K–3 and, if there is a plan for sustainability beyond 2010–11, expanding high-quality Title I pre-K programs to larger numbers of young children;

• **Using longitudinal data systems** to drive continuous improvement efforts focused on improving achievement in Title I schools;

• **Providing professional development to teachers** in Title I targeted assistance programs on the use of data to inform and improve instruction for Title I-eligible students;

• **Using reading or mathematics coaches** to provide professional development to teachers in Title I targeted assistance programs; and

• **Establishing or expanding fiscally sustainable extended learning opportunities** for Title I-eligible students in targeted assistance programs, including activities provided before school, after school, during the summer, or over an extended school year.
Economic Recovery & Reinvestment Act
Stimulus Fund for Schools - Pot #2

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<td>$53.6 billion</td>
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<tr>
<td>$39.5 billion</td>
<td>States to fund cuts to K-12 and higher ed</td>
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<tr>
<td>$5 billion</td>
<td>Competitive grants awarded to states</td>
</tr>
<tr>
<td>$8.8 billion</td>
<td>States can spend anywhere in their budgets</td>
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- The $39.5 billion can be used for any purpose in ESEA or school modernization.
- The competitive grants are awarded by the Secretary based on performance in 3 areas: distribution of teachers, creation of longitudinal data systems and development of assessments for special education and ELL. It includes $650 million for innovation grants and ‘Race to the Top’ funds
- States can use the $8.8 billion anywhere in their state budget, including education & school construction.
- ESEA rules do not govern these funds. State law does.
How Will State Fiscal Stabilization Funds Be Awarded?

- Sixty-one percent of a state's allocations will be on the basis of their relative population of individuals aged 5 to 24, and 39 percent will be based on relative shares of total population.
- The Department will award SFSF funds to governors in two phases. To receive its initial SFSF allocation, a state must submit to the Department an application that provides (1) assurances that the state is committed to advancing education reform in four specific areas (described below); (2) baseline data that demonstrates the state's current status in each of the four education reform areas; and (3) a description of how the state intends to use its stabilization allocation.
- As part of its application for initial funding, the state must assure that it will take actions to:
  1. increase teacher effectiveness and address inequities in the distribution of highly qualified teachers;
  2. establish and use pre-K-through-college and career data systems to track progress and foster continuous improvement;
  3. make progress toward rigorous college- and career-ready standards and high-quality assessments; and
  4. support targeted, intensive support and effective interventions to turn around schools identified for corrective action and restructuring.
- Within two weeks of receipt of an approvable SFSF application, the Department will provide a state with 67 percent of its SFSF allocation.**see next slide**
- A state will receive the remaining portion of its SFSF allocation after the Department approves the state's plan detailing its strategies for addressing the education reform objectives described in the assurances. This plan must also describe how the state is implementing the record-keeping and reporting requirements under ARRA and how SFSF and other funding will be used in a fiscally prudent way that substantially improves teaching and learning.
- In the near future, the Department will issue guidance on the specific requirements that a state must meet to receive its phase two allocation. The Department anticipates that the phase-two funds will be awarded beginning July 1, 2009, on a rolling basis.
How Will State Fiscal Stabilization Funds Be Awarded?

• If a state demonstrates that the amount of funds it will receive in phase one (67 percent of its total stabilization allocation) is insufficient to prevent the immediate layoff of personnel by LEAs, state educational agencies, or publicly funded institutions of higher education, the Department will award the state up to 90 percent of its SFSF allocation in phase one. In such cases, the remaining portion of the state's allocation will be provided after the Department approves the state's plan.

• Of the amount appropriated for the SFSF, the Department will use at least $4.35 billion to make competitive grants under the "Race to the Top" fund. These grants will help states to drive significant improvement in student achievement, including through making progress toward the four assurances noted above.

• The Department will use up to $650 million to make competitive awards under the "Invest in What Works and Innovation" fund. These awards will reward LEAs or nonprofit organizations that have made significant gains in closing achievement gaps to serve as models for best practices.
Suggested Uses for State Fiscal Stabilization Funds

• To qualify for State Stabilization Funds Governors must submit an application to the U.S. Secretary of Education that includes assurances that the state will:

  – **Data Systems:** Establish a longitudinal data system that includes prescribed elements in the America COMPETES Act, including among others having linked P-16 systems; a teacher identification system that can be linked to students; college readiness test scores; postsecondary remedial course work data, and a data audit system;

  – **Academic Assessments:** Enhance the quality of academic assessments used under Title I, ESEA through activities such as collaboration with higher education, use of multiple measures, and development of performance and technology-based assessment instruments and meet Title I requirements for the inclusion of students with disabilities and LEP students in these assessments, through development of assessments for these students and provision of appropriate accommodations;

  – **Standards:** Take steps to improve state academic content standards and student achievement standards consistent with provisions in the America COMPETES Act, which provides for aligning standards with the knowledge and skills needed for success in credit-bearing postsecondary course work, 21st Century jobs, and the Armed Forces, without remediation; and

  – **School Improvement:** Ensure compliance with provisions in Title I, ESEA related to implementation of corrective action and restructuring options for schools identified for these interventions.
Funds to Restore Support for Education

• States MUST use 81.8 percent of SFSF funds for the support of public elementary, secondary, and higher education, and, as applicable, early childhood education programs and services.

• States MUST use their allocations to help restore for FY 2009, 2010, and 2011 support for public elementary, secondary, and postsecondary education to the greater of the FY 2008 or FY 2009 level. The funds needed to restore support for elementary and secondary education must be run through the state's primary elementary and secondary education funding formulae. The funds for higher education must go to IHEs.

• If any SFSF funds remain after the state has restored state support for elementary and secondary education and higher education, the state MUST award the funds to LEAs on the basis of the relative Title I shares but not subject to Title I program requirements.
Maintenance of Effort  
State Stabilization Fund

• The maintenance of effort language, as it pertains to the State Fiscal Stabilization Fund in the American Recovery and Reinvestment Act of 2009 is as follows:

  – (1) Maintenance of effort. (A) Elementary and secondary education. The State will, in each of fiscal years 2009, 2010, and 2011, maintain State support for elementary and secondary education at least at the level of such support in fiscal year 2006.
Economic Recovery & Reinvestment Act
Stimulus Fund for Schools - Pot #3

<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>$24.8 billion</td>
<td>QZABs and Bonds for New Construction</td>
</tr>
<tr>
<td>$22 billion</td>
<td>Tax Credit Bonds</td>
</tr>
<tr>
<td>$2.8 billion</td>
<td>QZAB</td>
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</table>

- Under the school modernization funds, the 100 largest, poorest school districts are guaranteed part of 40% of their state’s bond allocation.
  - Up to an additional 25 school districts may receive priority status from the Secretary

- Separate direct funding for school modernization was cut from the final deal and added as an allowable use in the state fund.
Economic Recovery & Reinvestment Act

Other Provisions Affecting Educators

• **FMAP**: $89 billion for Federal Medicaid Assistant Payments, to provide necessary relief and reduce competition for limited state dollars between Medicaid and education

• **Broadband**: $7.2 billion for broadband deployment

• **Medicaid**: Extension of the Medicaid Regulations moratorium until June 30, 2009.
Q&A: Questions Regarding the American Recovery and Reinvestment Act

• All school districts are scheduled to receive IDEA funds from the ARRA. The guidelines for the use of these funds appear to be both conflicting and unclear. It is our understanding that these funds will be distributed evenly over two years, or approximately half of the total amount over two years? Is this correct? Will this amount be factored into year three allocations or, is this a one time infusion?

• A district plans to lay-off three teaching assistants in special education. Can these funds be used to reinstate these positions? Should the three positions be included in the general fund expenditure budget for 2009-10? If so, will the revenues associated with the American Recovery and Reinvestment Act of 2009 be applicable as general fund revenue?

• Can these funds be used to restore a regular education kindergarten teaching position or a regular education teaching assistant working in inclusion or co-teaching classes? If the funds can be used to reinstate regular education positions, in which fund should the Board of Education recognize the expenditure, and in which fund should the Board of Education recognize the revenue?

• Can we use funds from ARRA to reinstate a reading teacher who was cut from the school budget to support RTI strategies (not children with disabilities) but for at-risk students?
Q&A: Questions Regarding the American Recovery and Reinvestment Act

• Can the district use ARRA funds to hire special education instructional coaches to work with regular education and special education teachers?

• Can a district use ARRA funds to hire special education administrators who were cut from the budget in previous years?

• Can the district use ARRA funds to pay for professional development opportunities already included in the budget?

• Can the district use ARRA funds to purchase equipment such as SMART Boards for regular education classrooms made up of regular and special education students? ... For a special education classroom? Are there any limitations on equipment purchases for special education students?

• Will the IDEA funds be received as revenue in our special aid fund?
Q&A: Questions Regarding the American Recovery and Reinvestment Act

• What type of filing requirements are there associated with the American Recovery and Reinvestment Act of 2009?

• Would there be a requirement to provide flow through funds proportionally to local education agencies?

• Will the use of the funds be restricted to the same types of expenditures as the 611 Grant and the 619 Grant?

• Our fiscal year runs July 1 through June 30. Would the American Recovery and Reinvestment Act funds be applicable to the district’s 2008-09, 2009-10 or the 2010-11 fiscal year(s)? Can the allocation be requested as one lump sum and then allocated over a span of 27 months. In other words, can we receive the total amount all at once and decide at the local level how to allocate over time?
AASA Webinar Top Ten Stimulus Questions

Q. Will there be any ability to supplant Title I and IDEA funds?
A. No. The law and regulations do not permit waivers to supplant. USED has been clear, there will be no supplanting

Q. What happens in 2011?
A. Nobody is 100% sure. We will have to work together to have funding levels increase—or at least remain flat—after the stimulus funds are spent.

Q. Can we reduce our state and local effort for Title I and IDEA?
A. Yes, under certain conditions:
   - Section 613 of IDEA permits districts to reduce LOCAL EFFORT by up to 50% of the annual increase in funding
   - Section 9521 of Title IX of ESEA permits reduction in local effort for natural disasters and a precipitous decline in state and local revenues
AASA Webinar Top Ten Stimulus Questions

Q. Can we buy equipment or make renovations with IDEA funds?
A. Yes. Section 605 of IDEA permits purchasing equipment or altering facilities to make them more accessible. It requires a waiver by the Secretary of Education.

Q. Can the governor move State Stabilization Funds (SSF) around so there is no net gain for public school districts from the SSF?
A. Yes. We expect many to do that. They are required, though, to provide the higher of 2008 or 2009 funding levels.

Q. Can we supplant with State Stabilization Funds?
A. Supplanting and maintenance of effort DO NOT apply to the SSF.

Q. If a school district has Title I schools in school improvement, must part of the Title I Stimulus funds be set aside for public school choice and/or supplemental educational services?
A. Yes. If they are in school improvement, 20% of stimulus funds must be set aside for public school choice and/or supplemental educational services. Underlying statutes and regulations apply to the stimulus funds, for both IDEA and ESEA.
AASA Webinar Top Ten Stimulus Questions

Q. Can we use the stimulus funds to hire staff?
A. Yes, you can. Remember that as one-time funds, once the stimulus dollars are used, the financial responsibility for funding these positions will fall to the districts.

Q. Can we retain or rehire a non-Title I or IDEA teacher with stimulus funds?
A. No, not if that position was being funded through local dollars. You can, however, use SFSF money to fund the position. Refer to the question above.

Q. Is the slideshow presentation from the webinar available for distribution?
A. The slideshow presentations and Q&A for each of the webinars are available to AASA members. (http://www.aasa.org/content.cfm?ItemNumber=11315)
Questions?
Bruce Hunter
bhunter@aasa.org

For more information...
US Department of Education ARRA Website
Reauthorization of the Elementary and Secondary Education Act
RESOLUTION

WHEREAS, on Jan. 8, 2002, President Bush signed into law the No Child Left Behind Act of 2001 (NCLB), which pertained to all public schools in states that accept federal funds under Title I of the Elementary and Secondary Education Act (ESEA); and

WHEREAS, NCLB expanded the mission of public schools from providing universal access to public education for all children to ensuring that all public school students reach a high level of achievement or universal proficiency; and

WHEREAS, NCLB contained several flaws that made successful implementation very difficult for school systems and states; and

WHEREAS, [Name of School District/School Board/Organization] recognizes a moral obligation to continuously improve educational outcomes for all students and eliminate gaps in outcomes among various groups of students; and

WHEREAS, good stewardship of public funds requires public schools to provide clear, accurate and easily understood evidence of student achievement to students, parents, teachers, administrators and the general community, and to the state and the federal government for the funds they provide; and

WHEREAS, the level of funding for public schools has a direct impact on the quality of learning opportunities for all children, and the relatively small funding contribution by the federal government is unlikely to grow significantly in the near term; and

WHEREAS, the relatively small federal investment in K-12 education should be targeted to schools serving larger percentages of low-income and minority children, to ensure the maximum impact on student achievement for every federal dollar; and

WHEREAS, ESEA is currently a collection of 93 disjointed programs that would better serve children if organized to provided a seamless array of services and support for children in need; and

WHEREAS, overcoming the devastating effects of poverty on children’s lives and educational outcomes requires meeting non-school needs for safety, health, shelter and nurturing environments, while also providing high-quality opportunities to learn; and therefore be it now

RESOLVED that [Name of School District/School Board/Organization] hereby urges the United States Congress to fundamentally reframe ESEA to more carefully target the relatively small federal investment in K-12 education to schools serving larger concentrations of low-income and minority children; and be it further

RESOLVED, that the 93 disconnected programs in ESEA should be linked to create a more systemic, focused continuum of services and supports based on need; and be it further
RESOLVED, that accountability systems under ESEA should be clear, accurate, easily understood and commensurate with the relative contribution of the federal government to the school district; and be it further

RESOLVED, that schools serving larger concentrations of low-income and minority children should be eligible for every federal program aimed at the development, health and general well-being of said children.
Steps for Using the Enclosed Resolution

AASA has included a draft resolution focusing on reauthorization of the Elementary and Secondary Education Act. The goal is to have your school board and other relevant organizations adopt this resolution. Use the following tips to manage adoption of the resolution, and to share the adopted resolution with your community.

Please note: You have AASA’s permission to reshape this resolution to reflect the wishes of your school and community. AASA grants permission to use and reproduce the resolution, in whole or in part and by any means, without charge or further permission.

Suggestions for guiding adoption of the resolution:

1. Put the resolution on your school board’s meeting agenda for adoption.
2. Put the resolution on the agenda for adoption at your next state administrators association meeting.
3. Ask members of your school board to put the resolution on the agenda for adoption at their next state school board association meeting.
4. Ask members of your school board and community to put the resolution of the agenda of other community-based organizations.

Suggestions for promoting the adopted resolution:

1. Put the resolution on the letterhead of the school system/organization that has adopted it.
2. Send the enclosed press release and a copy of the adopted resolution to local media outlets.
3. Send a copy of the adopted resolution to your state and federal legislators. (To contact your federal lawmakers, go to www.congressweb.com/cweb4/index.cfm?orgcode=AASA and enter your zip code in the "Find your Legislators” box. To contact your state lawmakers, go to www.votesmart.org.)
4. Send a copy of the adopted resolution to your local officials, civic organizations and other community leaders and organizations.
5. Send a copy of the adopted resolution to candidates running for public office.
6. Send a copy of the adopted resolution to AASA so we can keep track of all adopted resolutions. Please contact Bruce Hunter, associate executive director for public policy and advocacy, at bhunter@aasa.org or 703-875-0738.
Press Release Template
Announcing Adoption of Resolution

You may tailor this press release to fit your resolution and distribute it to your local media contact list to increase awareness of the resolution. AASA grants permission to AASA members to use and reproduce this material, in whole or in part and by any means, without charge or further permission.

FOR IMMEDIATE RELEASE
[Date]

Contact: [Name, phone number, e-mail]

[NAME OF DISTRICT/SCHOOL BOARD/ORGANIZATION]
ADOPTS RESOLUTION CALLING FOR NEW AND IMPROVED ELEMENTARY AND SECONDARY EDUCATION ACT

[City, State] – [Name of District/School Board/Organization] today adopted a resolution calling for a fundamental reframing of the Elementary and Secondary Education Act, the law currently known as No Child Left Behind. The resolution called for refocusing ESEA on low-income and minority children, and realigning the programs under ESEA to better serve children in need.

“[Name of School District/School Board/Organization] recognizes a moral obligation to continuously improve educational outcomes for all students and eliminate gaps in outcomes among various groups of students,” reads the resolution, which was signed by [insert signee information]. The resolution noted that flaws in NCLB have made its implementation difficult for school systems and states.

“We are calling on Congress to reframe ESEA,” said [insert name, title, School District/School Board/Organization]. “A new and improved ESEA will focus federal dollars where they are needed most in a manner most likely to supplement local and state efforts to improve schools for every child.”

[Name of School District/School Board/Organization] also stressed the importance of serving the total child by providing children with both academic and non-academic services and support. “Overcoming the devastating effects of poverty on children’s lives and educational outcomes requires meeting non-school needs for safety, health, shelter and nurturing environments, while also providing high-quality opportunities to learn,” reads the resolution.

The resolution urges Congress to:
• Target the relatively small federal investment in K-12 education to schools serving larger concentrations of low-income and minority students;

• Link the 93 disconnected programs in ESEA to create a more systemic, focused continuum of services and supports based on need;

• Make schools serving larger concentrations of low-income and minority students eligible for every federal program aimed at the development, health and general well-being of said students; and

• Provide accountability systems under ESEA that are clear, accurate, easily understood and commensurate with the relative contribution of the federal government to the school district.

About [School System/Organization]
[insert description]

#####
Additional Resources
Yes! I’m ready to join AASA.

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MR. MRS. MS. DR. OTHER M.I.

LAST NAME

BIRTH YEAR (OPTIONAL)

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AASA membership dues are not deductible as a charitable contribution for federal tax purposes but may be deductible as a business expense. Membership is for 12 months and $40 of your membership dues is applied to a subscription to The School Administrator.
New President
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Maximize federal funding
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2009 AASA Legislative Advocacy Conference

Regular Registration — March 3–31
q Regular Member ....................................................... $575.00 = ________
q Regular Non-Member ............................................. $675.00 = ________
q Regular Team Member * ........................................ $535.00 = ________

* Three or more from same district registering at the same time on separate forms.
Send team forms together.

Late Registration — April 1–22 (on-site)
..........+$74.00 = ________

Guest Registration and Optional ticketed events
q Fill in Guest's First and Last Name Below ........$159.00 = ________
(price includes 2 receptions and 2 breakfasts)
q Guest/Spouse: 1 Meal Ticket*  ....Qty _____ x $40.00 = ________
*One ticket = one meal function  Total = __________

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CARD #                                      EXP. DATE
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Payment Information
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q MasterCard  q American Express  q Visa  q Discover Card

CARD #                                      EXP. DATE
PRINT CARDHOLDER'S NAME
CARDHOLDER'S SIGNATURE

late registration — April 1-22

2009 AASA Legislative Advocacy Conference

Day 1: Accountability / Assessment
10:45-12:00 Pm General Session: The Total Child

EEI/Technical session: The Total Child

Essays and essays and more essays and more essays and more essays
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Available Programming:

**Most Popular:**

**How to Make a Difference and Influence the Next Version of NCLB**  
*Presenter(s): Bruce Hunter, Associate Executive Director, Advocacy and Policy, AASA*

Unhappy with the current version of No Child Left Behind? Learn about five simple steps you can take to make a difference during the rewrite of the law. Find out how you can help your Washington lobbying team effectively advocate to reframe the next version of ESEA to focus on children in poverty.

**Federal Stimulus Update**  
*Presenter(s): Mary Kusler, Assistant Director, Advocacy and Policy, AASA*

This session provides an update on the American Stabilization and Reinvestment Act and its implications on FY09 school budgets. Learn how to best use your portion of the stimulus pie!

**Federal Legislation and Appropriations Update**  
*Presenter(s): Mary Kusler, Assistant Director, Advocacy and Policy, AASA*

AASA's staff will walk you through the latest from Capitol Hill, briefing you on recent federal legislation and appropriations news. Learn how you can influence these very important policy discussions.

**NCE Thought Leaders:**

**Together We Stand: Change the Course of Child Obesity**  
*Presenter(s): Randy Collins, AASA President, Superintendent, Waterford Public Schools, Waterford, Conn.*
Ricardo Medina, Deputy Superintendent, Pajaro Valley Unified District, Watsonville, Calif.

The prevalence of childhood obesity is growing in this country and African-American and Latino children are disproportionately affective. AASA, NASBE and ALAS have partnered to develop a culturally appropriate foundation to address obesity among Latino and African-American students, with a strong focus on family and community as well as school district leadership. The outcomes of this partnership will be shared at this session, including the development of a framework for addressing obesity in school districts.

**Leading From Within: Building Trust in Schools**
*Presenter(s): Parker Palmer, Founder and Senior Partner, Center for Courage & Renewal, Madison, Wis.*

In this session, Parker Palmer (author of *The Courage to Teach*, *Let your Life Speak* and *A Hidden Wholeness*) will explore the relation of the leader's "inner work" to the creation of the "relational trust" that allows schools to strengthen their capacity to serve students well.

**Queen Bees and Wannabees**
*Presenter(s): Rosalind Wiseman, Author and Educator, Washington, D.C.*

Rosalind Wiseman presents a general overview of the philosophy and practices of her "Owning Up" curriculum and her book- the New York Times bestseller *Queen Bees and Wannabees: Helping Your Daughter Survive Cliques, Gossip, Boyfriends & Other Realities of Adolescence*. This keynote is an interactive multi-media presentation that shows how cliques, bullying and social hierarchies among children and adults can be placed in a larger context of social justice.

**Come on People: On the Path from Victims to Victors**
*Presenter(s): Alvin Poussaint, Director, Media Center, Judge Baker Children's Center, Boston, Mass.; Professor, Psychiatry, Associate Dean for Student Affairs at Harvard Medical School, Cambridge, Mass.*

In his book, co-written by Bill Cosby, and in his presentation, Alvin Poussaint shares his vision for strengthening America by addressing the crisis of people frozen in feelings of low self-esteem, abandonment, fearfulness, sadness and frustration. By addressing these issues and by providing tools to deal with them, Poussaint helps empower people to make the daunting transition from victims to victors, helping them to become purposeful and effective citizens.

**The Merrow Report**
*Presenter(s): John Merrow, Education Reporter and Author*

John Merrow brings 35 years of education reporting experience to the podium, he offers his analysis of what we can expect in the years to come in public education,
including an in-depth look at NCLB and its impact on academic achievement and increased federal role in education.

**Tracing the Role of Leadership on Learning**
*Presenter(s): Richard Laine, Director, Education, The Wallace Foundation, New York, N.Y.*
*Kenneth Leithwood, Professor, Ontario Institute for Studies in Education, University of Toronto, Toronto, Ontario, Canada*
*Margaret Orr, Director, Future School Leaders Academy, Bank Street College of Education, New York, N.Y.*

Two leading teams of researchers are looking at the impact of education leadership on teaching and learning. This session will share fresh insights from this work and examine the implications for policymakers and practitioners. Sponsored by the Wallace Foundation.

**Gender Differences and the Strategies Suggested by Neurological Realities**
*Presenter(s): Kim Bevill, Founder, Gray Matters, LLC., Littleton, Colo.*

Why are boys' test scores sometimes two or more years behind girls'? Why do spatial reasoning scores differ by gender? Brain imaging shows compelling differences in male-female processing. Learn how neurology, hormones and culture work together to create the sometimes hilarious opposites, and how two schools bridged the gap in one school year!

**Education in the New Digital Landscape**
*Presenter(s): Ian Jukes, Director, The InfoSavvy Group, British Columbia, Canada*

Ian Jukes will examine the effect digital media has on kids. What are the implications for teaching, learning and assessment? How can we reconcile these new developments with current instructional practices in a climate of standards and testing? What strategies can we use to appeal to the learning preferences of digital learners while honoring our traditional teaching, learning and assessment practices?

**Featured Educational Sessions:**

**RTI: Where Do I Begin?**
*Presenter(s): Edythe Austermuhl, Superintendent, Deerfield Township School, Rosenhayn, N.J.*

Recent research has demonstrated that a school/district RTI program is an effective remediation tool for improved student achievement. This program will illustrate how an administrator can begin the process of establishing an RTI program. Learn the basic concepts of RTI, and the components of a successful program.

**Access and Equity Trifecta: Three Models of Closing the Achievement Gap**
*Presenter(s): Nancy Potter, Educational Manager, K-12 Services, The College Board, San Jose, Calif.*
A Dream Deferred: The Future of American Education and the Native American Student Advocacy Institute are events driven by the College Board’s recognition that we must be assertive and unwavering in our efforts to connect all students to college success and opportunity. These conferences have led to innovative thinking on how to close the achievement gap for under-represented students. The session will provide an overview of the three events and their outcomes including the formulation of models of promising practices.

**Additional Sessions:**

**Dare to Advocate: Civil Rights and the Achievement Gap: Strategic Planning for Social Justice**
*Presenter(s): Carlos Garcia, Superintendent, San Francisco Unified School District, San Francisco, Calif.*

Since 1964 when the civil rights act was signed into law, public school systems across the country have, despite valiant effort, maintained the achievement gap. Superintendent Carlos Garcia calls this the greatest civil rights issue in America. San Francisco Unified School District has created a strategic plan that dares to diminish the predictive power of demographics to make social justice a reality.

**The Role of Pre-Kindergarten Policy in Education Reform**
*Presenter(s): Stephanie Rubin, Director, State Policy, Pew Center on the States, Washington, D.C.*

Despite fiscal pressures, state pre-K has remained a policy priority in legislatures across the country. Policymakers, educators, the business community and leaders have developed bipartisan coalitions to expand access to quality pre-K through increased budget appropriations, improvements to quality standards and eligibility expansions. This session will explore new policy trends, including revenue sources and the folding of pre-K into school funding formulas, the role education leaders can play in the growing pre-K movement and the new research highlighting the need for greater access to quality pre-K.

**Making the Most of What You’ve Got: Time Management and Student Achievement**
*Presenter(s): Roberta Hendee, Assistant Director, Large Unit District Association, Springfield, Ill.  
Mark Shellinger, Director, SAMs Expansion, Louisville, Ky.*

This session focuses on the use of time for administrators and how they can manage their time in support of student achievement. Attention is given to the role of the central office as the resource of time is allocated.

**Maintaining Effective Media Relationships**
*Presenter(s): Jack Dale, Superintendent, Fairfax County Public Schools, Falls Church, Va.  
Bill Wendling, Executive Director, Ohio 8 Coalition, Cleveland, Ohio*
Learn how to develop and manage positive working relationships with the media and how to implement a comprehensive media relations plan, including how to establish and maintain a message on behalf of your school system.

**Eastern States Consortium: Benchmarking for Improvement**  
*Presenter(s):* James Hutto, Superintendent, Petal School District, Petal, Miss.  
Mark Keen, Superintendent, Westfield Washington Schools, Westfield, Ind.  
Rodney Lafon, Superintendent, St. Charles Parish Public Schools, Luling, La.  
Keith Richards, Superintendent, Newark City Schools, Newark, Ohio  
Alan Seibert, Superintendent, Salem City Schools, Salem, Va.

This session is presented by superintendents from six states who banded together two years ago as respective State Superintendents of the Year. Their primary purpose was to benchmark practices and performance and address student achievement while preparing students with 21st century skills. Learn how the consortium exchanges ideas for improving their systems, provides support for one another and stays engaged in worthwhile projects.

**Navigating Complex Change: What Works, What Doesn’t**  
*Presenter(s):* Karen Dyer, Group Director, Education and Nonprofit Sector, Center for Creative Leadership, Greensboro, N.C.

During this session, faculty members from the Center for Creative Leadership will engage participants using self-assessment data to predict, shape and manage anticipated and unanticipated change. Participants will also examine strategies, applicable to both individuals and organizations, for navigating the "wilderness" of complex change as well as explore the power of perception when attempting to change paradigms.

**Changing of the Guard**  
*Presenter(s):* Maree Sneed, Attorney, Hogan & Hartson LLP, Washington, D.C.

What will be the new President’s likely legislative agenda for important issues like NCLB and IDEA? How will the new Secretary of Education change DOE regulations that you deal with every day? Will the Department of Justice have a different enforcement agenda?