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DEPARTMENT OF EDUCATION

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May 26, 2010

TO: Chief School Administrator
Charter School Lead Person
State Agency Title I, Part D Project Directors

FROM: Anne Corwell, Director
Office of Grants Management

SUBJECT: FY 2011 *NCLB* Application – Planning Information

The New Jersey Department of Education (NJDOE) has begun the preparation process for development of the Fiscal Year (FY) 2011 *No Child Left Behind (NCLB)* Consolidated Formula Subgrant Application and allocations.

To this end, the Office of Grants Management (OGM) anticipates the release of the FY 2011 *NCLB* allocation notices to occur during late May 2010. In our continuing efforts to further streamline and enhance the application process, there are several items to note.

The FY 2011 *NCLB* consolidated application will remain fully electronic and be submitted through the Electronic Web-Enabled Grant (EWEG) system. Access to the EWEG system is through the New Jersey Homeroom Page at <http://homeroom.state.nj.us/>. Districts will submit completed applications as follows:

- The application will be submitted online through the EWEG system.
- If applicable, the Title I Unified Plan, Excel Budget pages, and Title I, Part D Subpart 1 or Subpart 2 Plan will be uploaded as attachments to the application. DINI plans also will be uploaded.
- For nonpublic schools, copies of the signed Affirmation of Consultation forms must be completed and kept on file in the districts to be presented to the NJDOE upon request. As in prior years, the Nonpublic School Participation Refusal forms must be submitted to the Office of Grants Management (OGM) as specified in the *NCLB* Reference Manual.

In an effort to assist districts in developing well considered implementation plans, which support the Consolidated Formula Subgrant, program specific planning material is attached. This information

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should be taken into consideration as districts begin to plan for the implementation of the *NCLB* provisions, as well as the efficient management and timely expenditures of these federal appropriations. Updated *NCLB* Budget Detail Excel district planning worksheets, needs assessment and planning forms, the Title I Unified Plan template, the Title I Part D Subpart 1 and Subpart 2 plan templates, nonpublic school documentation forms and other pertinent worksheets and planning documents are now available at the following NJDOE Web site located at <http://www.nj.gov/njded/grants/entitlement/nclb/>. The *NCLB* Reference Manual is updated regularly to include all relevant information and guidance as this relates to the implementation of *NCLB* programs, services, or activities.

The NJDOE anticipates that the FY 2011 *NCLB* Consolidated Formula Subgrant Application will be available in late June 2010. In its ongoing efforts to work more directly with districts on the submission of applications, the OGM will conduct technical assistance work sessions for the FY 2011 *NCLB* consolidated application on a county-wide basis beginning in July 2010. Additional information regarding these specific training dates and the FY 2011 application will be provided at a later date.

The NJDOE congratulates you on your ongoing efforts to effectively coordinate *NCLB* programs with other federal and state programs as you strive to improve the learning and achievement of all New Jersey students.

Thank you for your continued efforts as we work in collaboration to develop effective FY 2011 *NCLB* applications and programs.

AC/AS: K:\Entitlement\NCLB 2011\FY 2011Planning Letter.doc

Attachment

c: Commissioner Bret Schundler
Senior Staff
David Corso
NCLB Directors
County Superintendents
NCLB Advisory Council
LEE Group
Garden State Coalition
New Jersey Public Charter Schools Association
Advisory Committee for Nonpublic Schools
Andrea Sunderville
File

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Budget Planning Information:

For budgeting purposes, calculations should be based on the following projected percentages of the district's FY 2010 allocation:

- Title I 85% (Newly ineligible districts have been notified)
- Title II-A 100%
- Title II-D 26%
- Title III 85%
- Title III, Immigrant 85%
- Title IV **0% (Title IV is not funded for FY 2011)**

Program Planning Information Specific to Individual Titles:

Title I –

- **Comprehensive Needs Assessment and Planning –**
Under the federal *No Child Left Behind (NCLB)* legislation, Title I districts and schools are required to conduct a comprehensive needs assessment to identify student and staff needs and to determine appropriate programs, services and activities. This process includes assessing the effectiveness of programs that were implemented in the prior year and identifying scientifically based research programs and strategies to be used. Effectiveness is measured by student academic performance. This process needs to begin now for program implementation in the coming school year.

A critical component of the comprehensive needs assessment process is the collection of data. In addition to student academic performance outcomes, these data may include survey results or focus group comments, performance analyses and observations, and discussion group results. When completing the needs assessment and prioritizing problems, the district and schools should gather disaggregated assessment data and review AYP results, as applicable.

Programs, services and activities that are determined as a result of the needs assessment process culminate in a program plan. After completing the comprehensive needs assessment, Title I schools in need of improvement, and/or schools operating an approved Title I schoolwide program must begin the annual process of preparing or revising their Title I Unified Plan. The process for submitting the plan is attached to this letter (see Attachment A) and posted on the Web site <http://www.nj.gov/njded/grants/entitlement/nclb/>. The USDE guidance on “Designing Schoolwide Programs” is a resource that describes a comprehensive planning process and can be found at <http://www.ed.gov/policy/elsec/guid/designingswpguid.doc>.

The Title I Unified Plan is developed with input from all stakeholders. Schools that need to complete the plan should begin setting the agenda for their respective planning committees. Meetings should focus on the development of Title I programs, setting targets for student achievement and identifying methods to measure progress. If applicable, the committee should incorporate CAPA recommendations into the Title I Unified Plan. A template of the Title I

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Unified Plan is available with the required school level forms on the NJDOE Web site at <http://www.nj.gov/njded/grants/entitlement/nclb/>. Districts are required to annually upload the Title I Unified Plan for their schools to EWEG, as well as the Excel budget pages for SINIs.

Prior to developing the FY 2011 *NCLB* Consolidated Application, districts that serve eligible nonpublic school children and local Neglected & Delinquent facilities, must begin the consultation process. Before decisions are made that impact the participation of students in these populations, the district must consult with the appropriate officials to ensure that the programs and services offered are adequate to meet the needs of these students. Nonpublic school documentation forms, updated income eligibility guidelines and sample letters and surveys may be found on the NJDOE Web site at <http://www.nj.gov/njded/grants/entitlement/nclb/>.

- Resource Allocation –

Districts allocate Title I funds to schools based on poverty using the EWEG system. Schools may or may not be eligible for funding and the funding may change from the prior year. Districts must adjust their school budgets to reflect the actual Title I funds specified in EWEG. LEAs are not permitted to reduce the amount of state and local funds to Title I schools during this adjustment process. Failure to budget and expend the accurate Title I amounts in eligible schools may be an audit exception and such funds are subject to a corrective action and possible recovery to the state.

Programs selected for implementation at the school and district level depend on the resources. In Title I districts and schools, these Title I resources are used to fund additional programs that would not have been available using state and local funds. The federal supplement not supplant provision requires that federal funds be used to augment the regular educational program. These Title I funds must not be used to substitute for funds or services that would otherwise be provided. The statute requires that districts use federal funds received under Title I only to supplement the amount of funds available from nonfederal sources for the education of students participating in Title I services. The district cannot use these federal funds to supplant funds that would, in the absence of Title I funds, be spent on Title I students [Title I, Part A, Section 1120A (b)].

- Program Implementation –

Title I districts must develop and mail the various parental notifications prior to the beginning of the school year, as appropriate (e.g., notification of school in need of improvement status, school choice, supplemental educational services). In addition, the district must develop and distribute the annual Parents' Right-to-Know letter regarding highly qualified teacher (HQT) requirements. The district is encouraged to view the Title I Program Managers Training module with specific information on the responsibilities of managing the Title I grant on the NJDOE Web site <http://www.nj.gov/education/title1/tech/managers/>

Note: The FY 2011 *NCLB* Consolidated Application will not require uploads of parent letters as in previous years. Instead, districts must enter dates for specific parent letters and documents. The actual letters and documents must be posted on the district's Web site.

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Title II Part A –

- Section 2141(a): If the LEA has failed to make progress toward meeting the annual measurable objective of 100% highly qualified teachers for 2 consecutive years, such LEA must develop an improvement plan that will enable the agency to meet the annual measurable objective and that specifically addresses issues that prevented the agency from meeting it.
- Section 2141(c): If the LEA does not make its annual measurable objective of 100% highly qualified teachers and does not make AYP (adequate yearly progress) for three consecutive years, the SEA and LEA must enter into an *agreement* on the use of Title II Part A funds.
- Develop and distribute the annual Parent’s Right-to-Know letter regarding highly qualified teacher (HQT) requirements.
- Determine whether highly qualified and experienced teachers are equitably distributed in schools across the district. If there are inequities, the LEA must implement strategies to achieve an equitable distribution of both highly qualified and experienced teachers.

Title II Part D –

- It is expected that *NCLB* Title II-D formula funding allocations for FY 2011 will decrease by approximately 74%. This is due to a 62% reduction in federal Title II-D funding and a decrease of FY 2010 carryover funds.
- Assess the professional development needs of all staff regarding the level of educational technology implementation in the classroom.
- Assess the professional development needs of school principals regarding their technology literacy skills.
- Schedule and conduct consultations with all nonpublic schools.
- Collect student data on technological proficiency as related to the 8.1 Computer and Information Literacy Standards.
- ***Please Note:*** Further technical assistance will be provided to school districts to answer questions and provide resources to assist with the integration of technology into the curriculum.

Title III –

Nonpublic Schools

- In order to comply with federal guidance for Title III funding, the Office of Student Achievement and Accountability has changed the way data is collected on the number of LEP students enrolled in the nonpublic schools. In the past, each nonpublic school would annually report to the NJDOE the number of LEP students enrolled in their school on the Nonpublic School Enrollment Report. Beginning with the 2009-2010 school year, nonpublic school limited English proficient (LEP) students will be identified and reported by the public school district on the Report of Nonpublic Auxiliary and Handicapped Services, rather than identified

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by the nonpublic school on the Nonpublic School Enrollment Report. This report collects data from local school districts regarding the number of nonpublic school students eligible for Chapter 192 ESL services. FY 2011 Title III nonpublic school allocations will be based on the count of LEP students in the 2009-2010 Report of Nonpublic Auxiliary and Handicapped Services.

- Public schools must ensure that the nonpublic schools within their jurisdiction use Title III funds in accordance with the federal regulations.

Supplement Not Supplant

- The “Supplement, not Supplant” provision of Title III of the *No Child Left Behind Act* (Section 3115[g]) stipulates that recipients may not use those funds to pay for services that, in the absence of Title III funds, would be necessary to be provided by other Federal, or State or local funds.

Use of Title III Funds to Pay for the ACCESS for ELLs Test

- Districts that receive Title III funds are required to annually order and administer the ACCESS for ELLs test to all LEP students in grades K-12. Such districts may use Title III funds to pay for the portion of the ACCESS for ELLs test that is above and beyond the cost of state approved language proficiency tests that would have been used to satisfy state and Title I requirements if the district were not required to administer the ACCESS for ELLs test. In 2010-2011, districts that receive Title III funds may use these funds to pay up to \$15.00 per student for the ACCESS for ELLs test.

Title III Consortia

- Districts that enter into a consortium must develop a Memorandum of Understanding (sample provided on the NJDOE Web site at: <http://www.nj.gov/education/grants/entitlement/nclb/>) or alternative arrangement that outlines how the consortium will meet Title III requirements, including:
 - Title III Annual Measurable Achievement Objectives (AMAOs);
 - Parental notification to parents of participating LEP students; and
 - Participation in an improvement plan if the consortium as a whole, or individual LEAs within the consortium, fail to meet Title III AMAOs for two consecutive years.
- The fiscal agent of the consortium is responsible for ensuring that consortium members fulfill their fiscal and programmatic responsibilities as subgrantees under Title III.

Title III Immigrant –

- Title III Immigrant funds may be available to a district even if the district has less than a \$10,000 Title III allocation and declines Title III funds. This funding is contingent upon the New Jersey Department of Education (NJDOE) receiving the federal *No Child Left Behind (NCLB)* Title III Immigrant funds.

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Title IV –

Please Note – The appropriation for *Title IV-A* has been eliminated from the Federal budget affecting fiscal year 2011. As a result, there will be no additional *Title IV-A* formula grant funds available to LEAs in the 2010-2011 school year, and no *Title IV-A* formula funds are anticipated for award thereafter. Please be advised if 2009-2010 *Title IV-A* funds remain unexpended by August 31, 2010, and an LEA elects to carry over these unexpended funds, the LEA may carry over no more than 25 percent of the 2009-2010 *Title IV-A* allocation to use for allowable activities in the 2010-2011 grant period, unless the LEA requests and is granted a waiver to this carry over limitation through the approval of the 2009-2010 *NCLB* Final Report. If, however, an LEA does not request to carry over 2009-2010 *Title IV-A* funds into the 2010-2011 grant period, all unexpended 2009-2010 grant funds must be returned to the New Jersey Department of Education (NJDOE) upon approval of the 2009-2010 *NCLB* Final Report.

Guidance from the United States Department of Education (USDE) has indicated that an LEA may exercise the transferability authority under Section 6123(b) of *NCLB* and transfer FY 2011 funds it receives from *Title II-A* and *Title II-D* to *Title IV-A*. The LEA may transfer no more than 50% of its funds unless identified for improvement or corrective action, in which case the limitation is 30%. Please refer to the *NCLB* Reference Manual for additional information regarding transferability.

To effectively plan for achievement of the purposes of *Title IV-A* and to fulfill the requirements under the Principles of Effectiveness, the following activities *currently* should be taking place in preparation for the receipt of the *NCLB* application, if carry over or transfer funds are to be budgeted for *Title IV-A* purposes. Technical assistance in fulfilling the *Title I-A* requirements identified below, as well as all other *Title IV-A* requirements, is available from the NJDOE-funded initiative titled the Rutgers Safe and Drug-Free Schools and Communities Project by calling (732) 445-6173 or by e-mailing blerman@rci.rutgers.edu.

- **Consultation** – *Ongoing* consultation is required with parents, as well as school and community representatives and organizations with relevant and demonstrated expertise in drug and violence prevention activities, in addition to consultation with these representatives in the development of the application. This includes consultation with nonpublic schools that will receive services under *Title IV-A*. Parents also are required to be involved in the ongoing administration of the funded programs.
- **Conduct and Analyze the Needs Assessment** – The LEA is required to conduct *ongoing* local assessment or evaluation activities designed to assess objective data on the incidence of violence and illegal alcohol, tobacco and other drug (ATOD) use in the public and nonpublic schools to be served, including an objective analysis of the current conditions and consequences regarding violence and illegal ATOD use, delinquency and serious conduct problems among the students who attend the schools served. The assessment also must include an analysis of data on the prevalence of risk factors, including high or increasing rates of child abuse and domestic violence, protective factors or other variables in schools and communities that have been identified through scientifically based research.

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- Program Evaluation – All programs, services and activities must undergo a *periodic* evaluation to assess their progress toward reducing violence and illegal ATOD use based on the established performance measures. The results must be used to refine, improve and strengthen the programs, services and activities and to refine the performance measures.
- Identify Performance Measures – Based on the findings from the Needs Assessment and Program Evaluation, identify priority problems and either refine or identify new performance measurements to reduce the problem or improve the conditions contributing to the problems.
- Identify Scientifically Based Programs – Examine and select programs, services or activities to address the priority problems and achieve the performance measures. A list of eligible, evidence-based programs can be found at the following website: <http://sdfsc.rutgers.edu/page/program/>. The Web site has a search engine to help match local needs with programs. The LEA may plan to request a waiver to the requirement that a program, service or activity be research-based; the waiver request must provide evidence that the program, service or activity has a substantial likelihood of success in achieving the performance measures.

Process for Submitting the Title I Unified Plan 2010-2011

Who Must Submit

The Title I Unified Plan must be completed and submitted annually to the NJDOE for Title I schools operating an approved schoolwide program (SW), schools newly applying for schoolwide status, and schools in need of improvement (SINIs).

- Submission of all Title I Unified Plans (or revisions to existing plans) is required for the Title I portion of the 2010-2011 NCLB Consolidated Application to be considered in substantially approvable form.
- Plans must be uploaded via EWEG. Each plan file must be named using the school's CDS code and submission date.
- Plans must be amended for schools that receive an SIA Part A grant.
- Excel budget pages must be submitted for SINIs operating a targeted assistance program.

Title I Funding

- The NJDOE will verify receipt of the plans before Title I, Part A funds are released to districts.
- Deficiencies noted at subsequent monitoring and/or review of the plans may be cause for recovery of funds.

Submission Dates

Submission dates vary depending on the status of the school—whether the school has a previous plan on record or is newly designated as SW or SINI.

1. Title I Unified Plans due at the time of the NCLB Consolidated Application submission include those schools that meet the following criteria:
 - Title I SW schools*
 - Title I SINIs that submitted a Unified Plan in the previous year**
2. Title I Unified Plans due within 90 days of SINI notification:
 - Title I schools *newly* designated as SINIs (did not submit a plan in the previous year)
3. *Revisions* to Title I Unified Plans due within 90 days of SINI notification:
 - Title I SW schools that submitted a Unified Plan and are newly designated as SINIs must incorporate additional district plan elements of the Unified Plan that pertain to SINIs.

Note: Districts in need of improvement (DINIs) must submit a separate district improvement plan and upload this document to the FY 2011 *NCLB* application.

*Schools newly applying for SW status must also submit the *Application to Operate a Title I Schoolwide Program* to the NJDOE Office of Student Achievement and Accountability.

**Schools going into restructuring must also submit a *School Restructuring Plan* to the NJDOE Office of Student Achievement and Accountability.