



Obligation of Funds, Evaluation, & Carryover
Title I-A, Title II-A, Title IV-A
Funding Year 2024 (Carryover funds into FY25)
Guidance & Procedures

As part of the end of year consultation, LEAs are required to complete the Obligation of Funds, Evaluation, Carryover document with an official from *each* participating private nonprofit school (PNP) regardless of carryover requests. Completed documents will be uploaded in EMAC to close out FY24 Equitable Service Monitoring.

Instructions: Please initial each page as verification that both LEA and PNP agree and participated. Information may be transferred into a sharable document, form, or other tool so long as all sections/questions are included, answered, and the responses are in a format compatible with EMAC.

Prepare: Gather the following information or documentation for each applicable fund in preparation for you consultation

- Date allocation was communicated to each private school (AOC and/or Yearlong Planning Workbook)
- Date(s) funds were made available by the LEA for each applicable fund (date services began and/or first purchase order generated)
- Factors, if any, prohibiting services beginning on/near the obligation date
- How/when does the LEA notify PNPs of any change in their equitable share
- Summative data source and results for Title I-A program evaluation
- Evaluation determination and modification plan if results were ineffective
- Balance of funds for all applicable funds if any
- Prepare for a discussion regarding the plan for expending any/all carryover along with the current year equitable share by the end of the funding cycle
- Rationale for all remaining funds
- Approved Completion Report for carryover requests

Carryover

Consideration: Entitlement funds are meant to be used in the year appropriated. Reserving large sums eliminates opportunities for other public and private school participants with needs. Equitable service carryover should be rare and minimal. The approved carryover funds must be used by the end of this funding period along with the current year allocation.

Completion Report: LEAs must have an approved Completion Report to align carryover requests.

Use of Carryover: Approved carryover will be added to the private school's current year allocation as additional funds. Therefore, the data used for eligibility remains the same. As with the original allocation, all funds including additional carryover should be expended by the end of the current funding period.

Consideration: Entitlement funds are meant to be used in the year appropriated. Reserving large sums eliminates opportunities for other public and private school participants with needs. Equitable service carryover should be rare and minimal. The approved carryover funds must be used by the end of this funding period along with the current year allocation.

Title I-A Carryover: If funds remain at the end of the year because services for a particular private school were delayed or cost less than expected, Title I-A funds carried over to the next fiscal year remain designated for equitable services for the private school participants from the original school for which they were reserved. If the original private school declines these services or if carryover results from closing of a private school, these funds must be redistributed to other participating private schools. If funds exceed the amount required to meet the participating private school participant's needs, then those funds revert to the LEA's Title I-A program.

Title II-A & IV-A Carryover: If funds remain at the end of the year because services for a particular private school were delayed or cost less than expected, Title II-A and IV-A funds carried over to the next fiscal year remain designated for equitable services for the private school participants from the original school for which they were reserved. If the original private school declines these services or if carryover results from closing of a private school, these funds may be redistributed to both LEA and private school participants (overall LEA allocation). Funds are not required to be redistributed solely to other participating private schools.

Approving Carryover: In consultation with the PNP, both parties will determine the amount required to meet the needs of the PNP by the end of the funding period. The LEA will fill in the chart on page 3 with the amount of approved carryover for each applicable fund. Unless requested by the PNP or LEA, carryover requests do not need to be sent to the ombudsman for approval.

Is carryover warranted?

***Once the year began, the PNP had no eligible students to participate in Title I-A services.**

If a PNP had no eligible students to participate in services, those funds must be redistributed to any other participating PNPs and therefore, the PNP is not eligible for carryover.

*** The PNP declined services after director approval.**

Title I-A funds must be redistributed to other participating private schools (resource document on the website) and Title II-A and IV-A funds may be redistributed to both public and private school participants. The PNP is not eligible for carryover.

*** The LEA states that the PNP never used their services.**

It is the LEA's responsibility to consult, consider the views of the PNP, develop a plan, and implement the plan. If services are not being provided, the LEA has the right to change the plan to ensure services are ongoing and uninterrupted. The PNP is eligible for carryover based on need.

***The PNP constantly reschedules meetings to set up services or refuses to work with providers who have been hired.**

While the LEA has the responsibility to develop and implement a plan, it is not possible without the

cooperation of the PNP. If the PNP refuses to work with the LEA and impedes their ability to provide services, the PNP is not eligible for carryover. The SEA recommends that LEAs always provide reasonable deadlines to ensure that all participants who demonstrate a need and who carry out the program have access to funding. The LEA must always make three good faith attempts when reaching out to PNPs.

***The LEA had a mix up in their business office which resulted in lapse in services.**

The PNP is eligible for carryover based on need.

Contact/Signatures: Please ensure all requested information is provided, including the title of the person completing the document. The SEA is creating a database for LEAs based on this information.

LEA Next Steps:

- Upload all carryover requests in FY25 Title I Related Documents as permanent record. If carryover is not requested, there is no need to upload documents into the grant.
- Carryover requests are NOT required to be sent to the ombudsman but may if requested by the LEA or PNP.
- Upload **all** private school's completed documents in EMAC as the last task for FY24 Equitable Service Monitoring no later than February 5th, 2025.

APPENDIX

Title I-A Program Evaluation:

PROGRAM EVALUATION AND MODIFICATION - An LEA must annually evaluate the Title I equitable services it provides to determine the progress being made in meeting participating students' academic needs. (ESEA section 1117(a)(1)(A), (b)(1)(D)). As part of this process, each year the LEA must consult with appropriate private school officials to determine how the services will be academically assessed and how the results of that assessment will be used to improve those services. (ESEA section 1117(b)(1)(D)). In measuring annual progress, the LEA has the flexibility to group children in a manner that will provide the most accurate information about their progress. For example, the LEA may decide to group children by instructional method, grade level, school, or other appropriate basis. If the Title I program for the private school participants does not make the expected annual progress, the LEA must make modifications to the Title I program.

[ESEA Title I-A Equitable Services Non-Regulatory Guidance Updated 2023](#)

Timeframe for Obligations - OBLIGATION OF FUNDS

Funds allocated to an LEA for educational services and other benefits to eligible private school children, their teachers, and their families must be obligated in the fiscal year for which the funds are received by the LEA. (ESEA section 1117(a)(4)(B)).

B-26. What is the purpose of the obligation of funds requirement given that an LEA may carry over funds from a given fiscal year and spend those funds in the succeeding fiscal year?

The purpose of this requirement is to ensure that an LEA obligates the funds available under Title I to provide equitable services in the fiscal year for which the funds are appropriated so that eligible students, teachers and other educational personnel, and families receive the services to which they are entitled in a timely manner. This provision reinforces the requirement that an LEA conduct timely consultation with private school officials to design appropriate equitable services so that those services can begin at the beginning of the school year for which the funds are appropriated.

B-27. May an LEA carry over unobligated funds despite the statutory requirement regarding obligation of funds?

If an LEA is providing equitable services as required and meeting the obligation of funds requirement in ESEA section 1117(a)(4)(B), it generally should not have any, and certainly not significant, carryover. The ESEA, however, does not prohibit carryover of funds for equitable services and, in most cases, requires it. The following are examples of circumstances that could result in carryover of equitable services funds and how an LEA would use such carryover:

Reason for Carryover	Use of Carryover
Services for eligible children in one or more private schools are delayed (e.g., based on a natural disaster, delayed consultation, inability to employ qualified personnel, or unexpected procurement challenges). As a result, the LEA is unable to fully provide required equitable services, and some funds are unobligated at the end of the Federal fiscal year.	The LEA must use the funds to provide equitable services to eligible children in the affected private schools the following year.
An LEA uses a third-party contractor to provide equitable services, and the invoiced amount for services in one of the private schools is \$1,000 less than anticipated. Because this occurs late in the summer, the LEA is unable to responsibly obligate the funds prior to the end of the Federal fiscal year.	The LEA, in consultation with private school officials, must use these funds the following year to provide equitable services to students in the affected private school. If, after consultation, those private school officials decline such services, the LEA must add the funds to the proportional share available for equitable services to other participating private schools. If there are no other participating private schools, the funds may be used to provide Title I services in public schools.

B-28. How does the 15 percent carryover limitation in ESEA section 1127(a) apply to equitable services carryover?

The 15 percent carryover limitation in ESEA section 1127(a) is calculated based on an LEA's total Title I allocation, including the portion allocated for equitable services. However, because an LEA generally must carry over any equitable services funds not obligated in accordance with ESEA section 1117(a)(4)(B), if an LEA exceeds the carryover limitation, and an SEA reduces the LEA's allocation as a result, such reduction may not come from the portion of carryover funds used to provide equitable services. An exception would be if one or more private schools declines all or a portion of services, and there are no other participating private schools. In this case, the SEA would consider the funds generated for the declined services when making a reduction to an LEA's allocation.

B-29. When does an "obligation" occur? 34 C.F.R. § 76.707 governs when an obligation of Federal funds by an SEA or LEA occurs.

The following table shows when a State or a subgrantee makes obligations for various kinds of property and services.

If the obligation is for—	The obligation is made—
(a) Acquisition of real or personal property	On the date on which the State or subgrantee makes a binding written commitment to acquire the property.
(b) Personal services by an employee of the State or subgrantee	When the services are performed.
(c) Personal services by a contractor who is not an employee of the State or subgrantee	On the date on which the State or subgrantee makes a binding written commitment to obtain the services.
(d) Performance of work other than personal services	On the date on which the State or subgrantee makes a binding written commitment to obtain the work.
(e) Public utility services	When the State or subgrantee receives the services.
(f) Travel	When the travel is taken.
(g) Rental of real or personal property	When the State or subgrantee uses the property.
(h) A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E—Cost Principles	On the first day of the grant or subgrant performance period.

B-30. How long does an LEA have to meet the obligation of funds requirement in ESEA section 1117(a)(4)(B)?

The applicable fiscal year is the Federal fiscal year, which ends on September 30 of each year. Although the State in which an LEA is located may operate on a different fiscal year (e.g., July 1 through June 30), September 30 is the date by which an LEA must obligate funds for equitable services to meet ESEA section 1117(a)(4)(B). For example, with respect to fiscal year 2017 Title I funds that an LEA received for the 2017-2018 school year, the ESEA requires an LEA to have obligated all of the funds generated for equitable services by September 30, 2018. In other words, the obligation period does not end with the end of the school year or the State's fiscal year.

B-31. May an LEA impose reasonable deadlines on private school officials to facilitate meeting the obligation of funds requirement in ESEA section 1117(a)(4)(B)?

Yes. An LEA—not private school officials—is responsible for ensuring that Title I funds are obligated in a timely manner. In some cases, however, action by private school officials is necessary for the LEA to meet this obligation. For example, if an LEA plans to reimburse private school teachers for the cost of Title I professional development selected by private school teachers from a menu of approved courses, during consultation it could establish a reasonable deadline by which private school staff must participate in applicable courses (e.g., by September 1 so that the LEA has time to process reimbursement requests before the end of the Federal fiscal year).

If a deadline is established in consultation and in the context of the requirement to obligate funds generated for equitable services in the current fiscal year, it would be reasonable for the LEA to inform private school officials that, if the deadline is not met and the private school officials have not notified the LEA of obstacles to meeting the deadline in a timely manner, the LEA may consider the private school to have declined services. Generally, however, the ongoing consultation required by the ESEA (ESEA section 1117(b)(3)) will help prevent this situation from occurring because consultation throughout the year provides an established forum for private school officials to alert the LEA if there are obstacles to meeting a deadline (e.g., a private school participant was unable to attend professional development due to an illness).

B-35. Is an LEA required to provide private school officials with the amount of funds available for equitable services for private school students in a specific private school or pool of schools?

Yes. As noted in A-9, the ESEA requires an LEA to consult with private school officials regarding the size and scope of the equitable services to be provided, the proportion of funds that is allocated for equitable services, and how that proportion is determined. (ESEA section 1117(b)(1)(E)). Given that consultation must occur well before allocations are finalized, it is likely that the initial discussions of this topic will be based on estimated allocations for the coming school year, which may be based on the prior year's allocations or preliminary allocations for the coming school year.

Once final allocations are available, the ESEA requires an LEA to provide this information to private school officials. In addition to addressing this topic during consultation, some LEAs provide this information through their website or in some other written form. This requirement is distinct from the notice of allocation requirement applicable to an SEA that is described in B-32.

Timeframe for Obligations - OBLIGATION OF FUNDS

Funds allocated to an LEA for educational services and other benefits to eligible private school children and educators must be obligated in the fiscal year for which the funds are received by the LEA. (ESEA section 8501(a)(4)(B); 34 C.F.R. § 299.7(a)(3)).

All other guidance is the same as stated in ESEA Title I-A Equitable Services Non-Regulatory Guidance listed above.



Obligation of Funds, Evaluation, & Carryover
Title I-A, Title II-A, Title IV-A
Funding Year 2024 (Carryover funds into FY25)

Local Education Agency _____ CTDS _____

Private Nonprofit School (PNP) _____

Instructions: Please initial each page as verification that both LEA and PNP agree and participated. Information may be transferred into a sharable document, form, or other tool so long as all sections/questions are included, answered, and the responses are in a format compatible with EMAC.

LEA: FY24 Obligation of Funds (SY 2023-2024): Please provide the date that funds were made available to the private school to begin services. This is the date services began and/or when the first purchase order was generated (not necessarily the substantial approval date).

Title I-A	Title II-A	Title IV-A
Date		

Services should have begun on or near the date above. If not, please describe any factors that prevented the start of services for each applicable fund.

LEA: _____

PNP: _____

LEA: How/when do PNPs get notified when the school's equitable share increases or decreases?

Title I-A Evaluation: For each service area, please provide agreed upon data that was used to evaluate the overall effectiveness.

PNP did not participate in Title I-A. Skip to the Carryover section.

Service Area	Service Area	Service Area
Data Source/Assessment		
Effective Use of Federal Funds Yes/No		

It is the LEA's responsibility to develop a plan, implement the plan, and adjust the plan if it was not effective. If the Title I-A program was not successful, please describe what modifications will be made to implement a successful Title I-A program with an outcome of increasing student achievement.

LEA: _____

PNP: _____

Carryover

PNP has no grant with remaining funds. Skip to the Signature section.

Consideration: Entitlement funds are meant to be used in the year appropriated. Reserving large sums eliminates opportunities for other public and private school participants with needs. Equitable service carryover should be rare and minimal. The approved carryover funds must be used by the end of this funding period along with the current year allocation.

Rationale: Provide the reason that funds were not used in the year appropriated, as intended. Please justify each grant that has remaining funds. Include a plan so this does not occur again.

LEA: _____

PNP: _____

LEA: Align with the LEA’s approved Completion Report.

Program	Remaining Equitable Share	Amount to Support FY25 Needs (to be used by the end of this funding cycle; may be less than the balance remaining)
Title I-A, 3c	\$	\$
Title I-A, 3d	\$	\$
Title I-A, 3e	\$	\$
Title II-A	\$	\$
Title IV-A	\$	\$

PNP: Indicate if carryover is being requested or waived for each *applicable* fund.

Title I-A, 3c		Title I-A, 3d		Title I-A, 3e		Title II-A		Title IV-A	
Yes	Waive	Yes	Waive	Yes	Waive	Yes	Waive	Yes	Waive

PNP: I understand that carryover is added as additional funds and must be expended along with the original allocation during this funded period. It is our responsibility to work with the LEA to ensure funds, including carryover, are fully expended during this funding period. This includes timely responses to LEA requests, notifying the LEA of any conflict causing a disruption or lapse in service, any change in eligibility, and ongoing communication about all agreed upon programs. **Please note, carryover is not immediately available. The LEA must close out their grant and have approval from ADE before funds are moved into the next funding period.**

Initials

LEA: I understand that carryover is added as additional funds and must be expended along with the original allocation during this funded period. It is our responsibility to work with the nonprofit private school to ensure funds, including carryover, are fully expended during this funding period. This includes timely responses to private school requests, notifying the private school of any conflict causing a disruption or lapse in service, budget reconciliation, grant revisions, and ongoing communication about all agreed upon programs. The LEA will notify the private school as soon as carryover funds are available for obligation.

Initials

LEA Use ONLY : Based on the private school’s needs and ability to utilize funds by the end of this funding period, the following amounts of carryover are approved. Complete the chart for each applicable fund. Carryover requests are not required to be sent to the ombudsman.

Title I-A, 3c	Title I-A, 3d	Title I-A, 3e	Title II-A	Title IV-A
Amount				

Contact/Signatures

Private School Official: Name & Title: _____

Email/Phone: _____

Signature _____ Date _____

LEA Official: Name & Title: _____

Email/Phone: _____

Signature _____ Date _____

LEA Next Steps

- Upload all carryover requests in FY25 Title I Related Documents as permanent record. If carryover is not requested, there is no need to upload documents into the grant.
- Carryover requests are NOT required to be sent to the ombudsman but may if requested by the LEA or PNP.
- Upload **all** private school's completed documents in EMAC as the last task for FY24 Equitable Service Monitoring no later than February 5th, 2025.