

Supplement, Not Supplant



Resources Available

Purpose of Supplement, Not Supplant

Applying the Correct Standard:

- Traditional SNS, or
- Title I, Part A SNS Methodology

Practical Applications

Group Discussions

Monitoring

Resources Available

- [U.S. Department of Education \(USDE\) Non-Regulatory Informational Document](#), June 2019
- Texas Education Agency [Supplement, Not Supplant Handbook](#), version 4.0, revised Sept 2019

SUPPLEMENT, NOT SUPPLANT HANDBOOK

*A GUIDE FOR GRANTS ADMINISTERED BY THE
TEXAS EDUCATION AGENCY*

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- Texas Education Agency
Supplement, Not Supplant Handbook, version 4.0, revised
Sept 2019
pp. 2-3

Citation	Supplement, Not Supplant Provision
ESEA, as amended by ESSA, Title I, Part A, Improving Basic Programs Operated by LEAs [Section 1118(b)]	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. Information related to SNS requirements specific to Title I, Part A is available in Section B of this document.
ESEA, as amended by ESSA, Title I, Part A—School Improvement [Section 1003(e)(2)]	The non-regulatory guidance issued by the USDE states that “assuming an LEA allocates State and local funds through its methodology first, any school ... that receives Section 1003 funds would already have received, through the LEA’s methodology, all the State and local funds it would have received absent the 1003 funds. Thus, the LEA would be complying with both ESEA sections 1118(b)(2) and 1003(e)(2).” Therefore, Section B of this SNS Handbook would apply.
ESEA, as amended by ESSA, Title I, Part C—Education of Migratory Children [Sections 1304(c) and 1306(b)]	Such programs and projects will be carried out in a manner consistent with the objectives of ... subsections (b) and (c) of section 1118. This means that Title I, Part C is subject to SNS requirements, however, the USDE’s non-regulatory guidance is clear that because the initial allocation of Migrant funds is made to the State, rather than at the LEA level, the “specific requirements pertaining to the methodology...do not apply.” Refer to Section A of the SNS Handbook for the traditional SNS requirements.
ESEA, as amended by ESSA, Title I, Part D, Subpart 1—State Agency Programs [Section 1415(b)]	A program under this subpart that supplements the number of hours of instruction students receive from State and local sources shall be considered to comply with the SNS requirement of section 1118 (as applied to this Part) without regard to the subject area in which the instruction is given during those hours. This means that Title I, Part D, Subpart 1 is subject to SNS requirements, but the USDE’s non-regulatory guidance is clear that because the initial allocation of Part D funds is made to the State, rather than at the LEA level, the “specific requirements pertaining to the methodology...do not apply.” Refer to Section A of the SNS Handbook for the traditional SNS requirements.
ESEA, as amended by ESSA, Title II, Part A—Supporting Effective Instruction [Section 2301]	Funds made available under this title shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this title. Refer to Section A of this document for information about compliance.

Statutory Language varies by program . . .

- **Title I, Part A:** 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 State and local sources for the education of students participating in programs assisted under this part, and not to supplant such funds. [Section 1118(b)]
- **Title I, Part C:** Such programs and projects will be carried out in a manner consistent with the objectives of section 1114, subsections (b) and (d) of section 1115, subsections (b) and (c) of section 1118... [Section 1304(c)(2)]

Statutory Language varies by program . . .

- **Title III, Part A:** Funds made available under this title shall be used so as to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for limited English proficient children and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.

Revised SNS Handbook

- Traditional SNS Documentation (Section A)
- Title I, Part A Methodology Documentation (Section B)

Programs using Traditional SNS Documentation

- Title I, Part C
- Title I, Part D, Subpart 1
- Title II, Part A
- Title III, Part A
- Title IV, Part A
- Title IV, Part B
- Rural and Low-income Schools Program
- IDEA
- Perkins
- McKinney-Vento

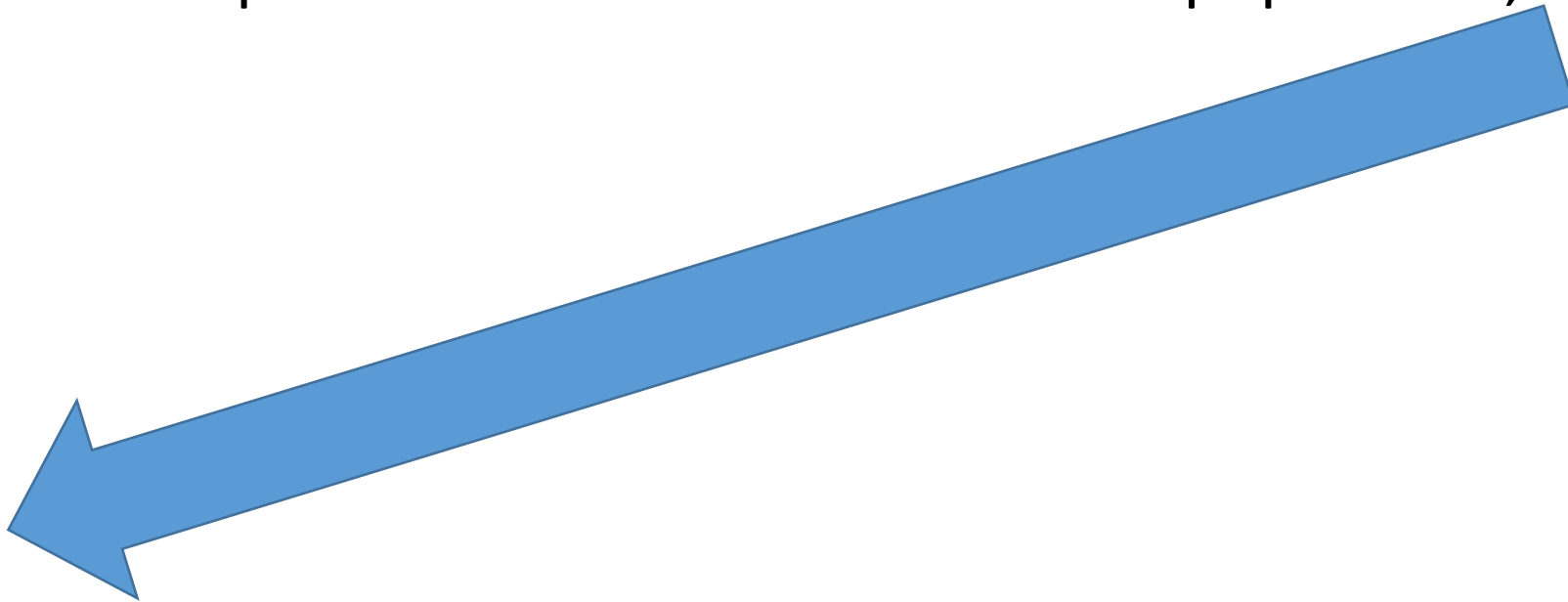
Programs Covered by SNS Methodology

- Title I, Part A
- Title I School Improvement

Purpose of Supplement, Not Supplant

Purpose of SNS Provision

The purpose of the SNS provision is to help ensure that federal grant funds are expended to benefit the intended population,

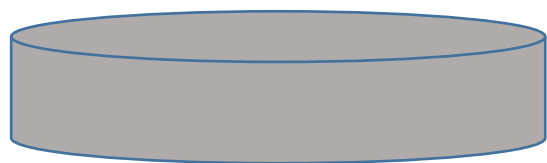


not diverted to cover expenses that the LEA would have paid out of other funds in the event the federal funds were not available.

Most federal programs with SNS provision still use traditional documentation.

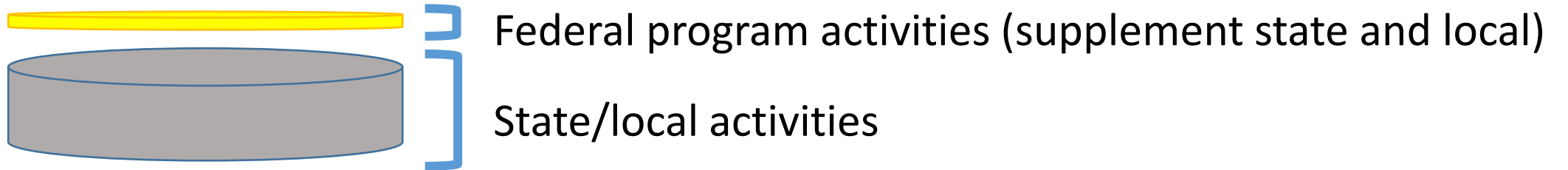
Program activities must be used to enhance, expand, or extend required activities.

Traditional SNS

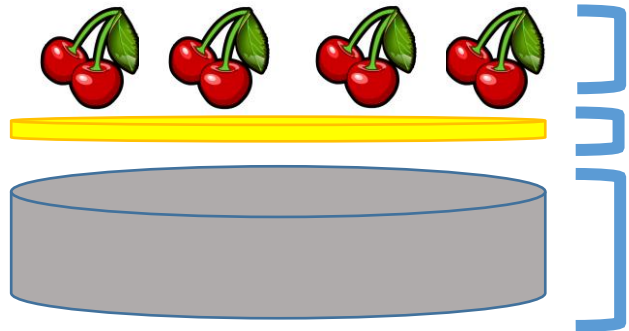


State/local activities

Traditional SNS



Traditional SNS

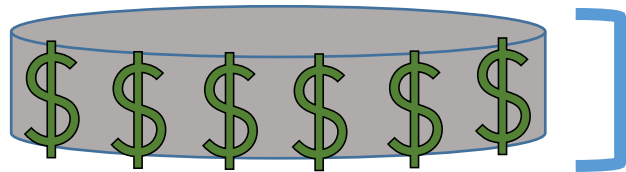


Title III activities (supplement Federal, state, and local.)

Federal program activities (supplement state and local)

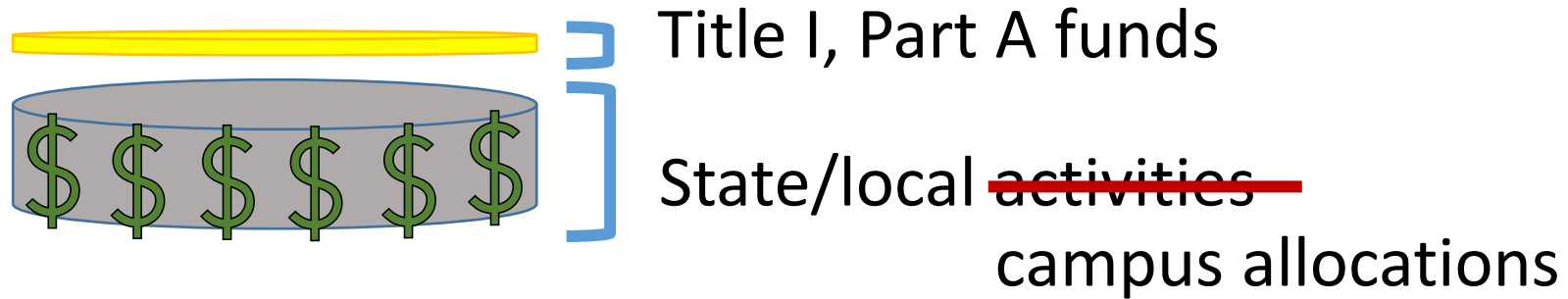
State/local activities

Title I, Part A SNS Methodology



State/local ~~activities~~
campus allocations

Title I, Part A SNS Methodology



Traditional SNS Documentation

Programs using Traditional SNS Documentation

- Title I, Part C
- Title I, Part D, Subpart 1
- Title II, Part A
- Title III, Part A
- Title IV, Part A
- Title IV, Part B
- Rural and Low-income Schools Program
- IDEA
- Perkins
- McKinney-Vento

Programs Covered by SNS Methodology

- Title I, Part A
- Title I School Improvement

Traditional SNS Documentation

Most federal programs with SNS provision still use traditional documentation at the service/activity level.

The State and LEAs may use these program funds **only to supplement** and, to the extent practical, increase the level of funds that would, in the absence of federal funds, be made available from **non-federal sources*** for the education of participating students.

In no case may an LEA use these federal program funds to supplant funds from non-federal sources.

*Title III, Part A and RLIS must also be supplemental to other **federal** funds.

Traditional Presumptions of Supplanting

An auditor will presume that supplanting occurs if the federal funds—

- Provide services/activities required by State or local law;
- Provide same services/activities as those provided in prior school year with State or local funds;
- Provide same services/activities in Federal and non-Federal programs.

Rebutting the Presumptions of Supplanting

The LEA is responsible for providing documentation to rebut a presumption of supplanting.

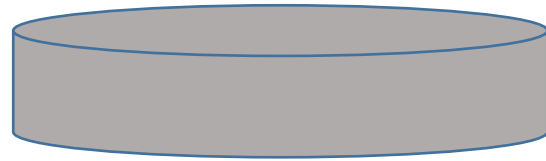
- Documentation of rescission of funds or budget reduction.
- Documentation that prior fund source is no longer available.
- **Written, contemporaneous documentation!**

Practical Applications

Usual first question:
Can I do _____
with Title I, Part C—MEP funds?

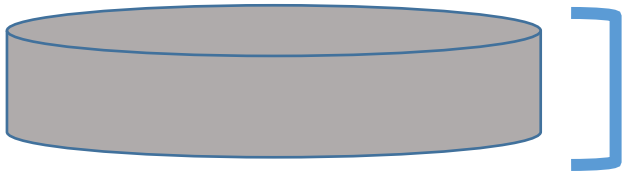


Better first question:



What is my State/local
program?

What is your State/local program?



Looks different at each LEA.

Table Discussions

Which MEP services do you provide in your LEA?

- Early Childhood Education and Support Services?
- Elementary Education Instructional Support?
- Middle School Instructional Support?
- High School Instructional Support?
- Out-of-School Youth Services?
- Parental Engagement Activities?

Title I, Part C—Use of Funds Discussions

- Choose a MEP service that you provide.
- How did you decide that it was supplemental?

(Hint: if this did not involve discussing what your state/local program and your Title I, Part A program look like, you may want to re-visit.)

Title I, Part C—Use of Funds Discussions

- Usual Question— Can Title I, Part C funds be used to pay for Early Childhood Education and Support Services in my LEA?
- Better Questions—What Early Childhood Education and Support Services are already provided in my LEA with State/local funds? With Title I, Part A funds?

Monitoring

Federal Fiscal Monitoring Division

- Monitoring Reviews

- Programs with Traditional SNS Documentation
 - Presumptions of Supplanting

Documentation that may be requested
(p. 7 of Handbook):

- Fiscal or programmatic documentation that staff or services would have been eliminated in absence of federal funds;
- Board minutes/agendas discussing elimination of staff/programs due to lack of state funds;
- Legislative actions.

Documentation that may be requested
(p. 7 of Handbook):

- Itemized budget histories from one year to next;
- Planning documents;
- Reduction of state or local funds.
- Decision to eliminate position/service made without regard to availability of federal funds.

Documentation that may be requested
(p. 7 of Handbook):

- Class-size data from previous and upcoming year;
- Policies and procedures related to SNS requirements.



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