

Title V, Part A Update 2009-2010

FY08 Carryover Funds

Districts with FY08 carryover funds must expend all remaining funds by September 30, 2009. There will be no new Title V, Part A allocations.

Annual Evaluation Report

The 72 Local Educational Agencies (LEAs) who implemented Title V, Part A activities during the 2008-2009 school year with FY08 carryover funds, will be required to complete the Annual Evaluation Report via the FY10 Consolidated Application. The Title V, Part A program will need to be added to the district's programs in the FY10 Consolidated Application. To access the Annual Evaluation Report, click on the Program Information tab, then the Data Collection tab.

1. Data Collection Tab

- The Data Collection tab contains the **Innovative Programs Annual Evaluation Report**.
- **Innovative Programs Annual Evaluation Report Form**
 - The data for this report must reflect the 2008-2009 school year.
 - Part I and Part II of the report contain the same information as the previous year's report.
 - Part III contains the same information as the previous year's report with one exception; the amount uploaded into the form will be the FY08 carryover amount. For the 2008-2009 school year, the LEA must report in whole dollars the amount of funding spent in each of the four Strategic Federal Priority Areas and the "Other" area.

Due to the new completion report schedule, the deadline for submission of the Title V, Part A Annual Evaluation Report has been changed from **August 15 to October 30**.

Equipment and Materials located in Private Schools

The United States Department of Education (US ED) has released guidance relative to Title V, Part A materials and equipment located in private schools in the absence of FY10 funding and the discontinuation of Title V, Part A programs in local school districts.

Under the Title V, Part A program, LEAs are responsible for providing equitable services for the benefit of private school students. The program statute and the Education Department General Administrative Regulations (EDGAR) require that the LEA maintain title to, and administrative control over, any materials and equipment acquired with program funds for the purpose of providing Title V, Part A services to private school students. (20 U.S.C. § 7217a(c)(1); 34 CFR § 76.661) US ED has identified two options that LEAs may utilize concerning the materials and equipment purchased with Title V, Part A funds that are housed in private schools for use by private school students and teachers. **Prior to selecting an option, LEAs must engage in timely and meaningful consultation with private school officials in order to ensure that the needs of private school students and teachers have been adequately addressed.**

Guidance for Disposition of Title V, Part A Materials and Equipment in Private Schools

1. LEAs must engage in timely and meaningful consultation with private school officials in order to ensure that the needs of private school students and teachers have been adequately addressed.
2. Consultation will result in selection of Option 1 or Option 2.
 - Option 1: The LEA may allow materials and equipment to remain in a private school for the benefit of the school's students under a continuing activity authorized by Title V, Part A (even though that activity will no longer be funded under Title V, Part A). If there is no continuing Title V, Part A activity, then the equipment may be used for other activities currently or previously supported by the federal government that the LEA is implementing for the benefit of the private school students.
 - a. The LEA retains the responsibility to keep title to, and maintain administrative control over, the materials and equipment.
 - b. The LEA must keep the materials and equipment on their inventory and monitor their use at the private school through periodic spot checks.
 - c. LEAs must obtain from the appropriate private school official a written assurance that equipment and materials placed in the private school will be used only for secular, neutral, and non-ideological purposes; that private school personnel will supplement, and in no case supplant, the equipment and materials that, in the absence of the Title V, Part A program, would have been made available for the participating students.
 - Option 2: LEAs may dispose of the equipment placed in non-public schools.
 - d. If the equipment is no longer needed for the current project or another federal program and its per-unit fair market value is less than \$5,000.00, the LEAs may retain, sell, or otherwise dispose of the equipment.
 - e. The LEA must develop a method for determining fair market value.
 - f. An LEA could sell some or all of the materials or equipment to a non-public school for its fair market value.
 - g. The LEA would no longer have the responsibility for administrative control and proper use requirements over the materials and equipment.