

## SUPPLEMENT NOT SUPPLANT

Provisions	Title I-A [Sect. 1118(b)]	Title I – C [Sect. 1111]	Title I-D [Sect. 1401]	Title II-A [Sect. 2001]	Title III [Sect. 3115(g)]	Title IV-A [Sect. 4110]	RLIS [Sect. 5002]
<b>Purpose of Funding</b>	“...provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.”	“is to ensure that all migrant students reach challenging academic standards and graduate with a high school diploma (or complete a GED) that prepares them for responsible citizenship, further learning, and productive employment”	“...to improve educational services to children in local and state institutions for neglected or delinquent children and youth, so that such children and youth have the opportunity to meet the same state content standards and student performance standards that all children are expected to meet.”	“to provide grants to State educational agencies and subgrants to local educational agencies to: increase student achievement consistent with challenging State academic standards, improve the quality and effectiveness of teachers, principals, and other school leaders, increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools, provide low-income and minority students greater access to effective teachers, principals, and other school leaders.”	“...to help ensure that English learners (ELs), including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English; to assist teachers and other school leaders in establishing, implementing, and sustaining effective language instruction educational programs for ELs; to promote parent and family participation in language instruction educational programs for ELs.”	“...to improve students’ academic achievement by increasing the capacity of States, local educational agencies, schools, and local communities to provide all students with access to a well-rounded education, improve school conditions for student learning, and improve the use of technology in order to improve the academic achievement and digital literacy of all students.”	“...is to provide rural districts with financial assistance for initiatives aimed at improving student achievement.”
<b>Does SNS Apply</b>	YES	YES	YES	YES	YES	YES	YES
<b>Did ESEA Change SNS</b>	YES	NO	NO	NO	NO	NO	NO
<b>Guiding Principles</b>	<b>Methodology</b>	<b>3 Presumptions</b>	<b>3 Presumptions</b>	<b>3 Presumptions</b>	<b>3 Presumptions</b>	<b>3 Presumptions</b>	<b>3 Presumptions</b>
	The LEA/Charter must demonstrate a methodology that shows an equitable distribution of M & O funds before applying Title I funds.	1) Are the expenditures or activities required by other Federal, State or local laws? 2) Were the expenditures or activities funded in previous years by non-federal funds? 3) Would the expenditures or activities happen in the absence of federal funds?	1) Are the expenditures or activities required by other Federal, State or local laws? 2) Were the expenditures or activities funded in previous years by non-Federal funds? 3) Would the expenditures or activities happen in the absence of Federal funds?	1) Are the expenditures or activities required by other Federal, State or local laws? 2) Were the expenditures or activities funded in previous years by non-Federal funds? 3) Would the expenditures or activities happen in the absence of Federal funds?	1) Are the expenditures or activities required by other Federal, State or local laws? 2) Were the expenditures or activities funded in previous years by non-Federal funds? 3) Would the expenditures or activities happen in the absence of Federal funds?	1) Are the expenditures or activities required by other Federal, State or local laws? 2) Were the expenditures or activities funded in previous years by non-Federal funds? 3) Would the expenditures or activities happen in the absence of Federal funds?	1) Are the expenditures or activities required by other Federal, State or local laws? 2) Were the expenditures or activities funded in previous years by non-Federal funds? 3) Would the expenditures or activities happen in the absence of Federal funds?
<b>Rules</b>	To demonstrate compliance a LEA shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under Title I, Part A ensures that such school receives all the State and local funds it would otherwise receive if it were not receiving assistance under Title I, Part A. The LEA must have a written methodology for district state/local funds to its schools so that funds are distributed without regards to school’s Title I status.	SEAs and local operating agencies must comply with two fiscal requirements regarding the expenditure of State and local funds to ensure that MEP funds are used to provide services that are supplemental to the regular services migrant children receive. The statute requires SEAs and local operating agencies to: (1) use MEP funds to "supplement, not supplant" non-Federal funds; and (2) provide services to migratory children with State and local funds that are at least comparable to services provided non-migratory children. (See sections 1120A(b) and (c) of the statute.) The statute and regulations provide an exclusion from these requirements for special State and locally funded programs that meet the intent and purposes of the MEP.	<b>Sub-part 1 - State Agency SUPPLEMENT, NOT SUPPLANT:</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 supplement, not supplant requirement of section 1118 (as applied to this part) without regard to the subject areas in which instruction is given during those hours. <b>Sub-part 2 - LEA : Traditional District and/or Charter</b> There is no specific supplement / not supplant requirement for this subpart. However, all expenses should be aligned to identified local needs and plan created related to this program.	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. (Sect. 2301)	Federal funds available under this subpart shall be used to supplement the level of Federal, State, & local public funds that, in the absence of such availability, would have been expended for programs for English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds. Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act (EEOA) of 1974 MUST be considered when determining supplement, not supplant for Title III.	SSAE (Title IV) program funds must be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under the SSAE program. This means that an SEA/LEA may not use SSAE program funds to carry out activities that would otherwise be paid for with State or local funds. In no event may an SEA/LEA decrease the amount of State or local funds used to pay the cost of an activity because of the availability of the SSAE program funds.	Funds made available under subpart 1 or subpart 2 shall be used to supplement, and not supplant, any other Federal, State or local education funds. (Sect. 5232)