

GUIDANCE RE: ADJUSTMENTS TO 2013-14 (AND BEYOND) TITLE I, PART A ALLOCATIONS FOR CHARTER SCHOOL LEAs WITH SIGNIFICANT ENROLLMENT EXPANSION

On September 23, 2013, the United States Department of Education (USDE) released official guidance instructing states on how to comply with Section 5206 of the Elementary and Secondary Education Act (ESEA) regarding methodologies to address enrollment changes in Charter School Local Educational Agencies (LEAs) that are providing instruction for the first time or have significantly expanded their enrollment over the previous year. Federal regulations instruct the State Education Agencies (SEAs) to establish criterion to identify Charter School LEAs that have experienced “Significant Expansion.”

Pursuant to this [new guidance](#), the New York State Education Department (NYSED or “the Department”) will define “significant expansion” as follows: Any Charter School LEA that experienced an increase in enrollment equivalent to one grade’s worth, or an increase of fifteen percent or greater. Those Charter School LEAs that meet this criterion are eligible to have their Base Year Hold Harmless level adjusted upward to reflect the current year’s poverty counts, provided that the adjustment increases their Base Year Hold-Harmless amount over the original calculation.

The USDE guidance provides several exemplars on how this new guidance may affect a Charter School LEA’s Title I allocation. A simplified [exemplar chart](#) is available that presents the basic steps in the recomputation of the eligible Charter School LEAs. There are several factors that enter into the computation of the final allocations that do not reduce to a simplified presentation as in the guidance or the chart. Please note that Title I allocation computations for Charter School LEAs are always based on the low-income student counts; the actual enrollment count is used **only** for determining eligibility for an allocation adjustment. Therefore, while a Charter School could experience what the New York State Education Department defines as a significant enrollment increase, the main drivers of its allocation continue to be the count of low-income students (based on a conversion of free-and-reduced-price lunch counts to an imputed Census Poverty Count) and the per-pupil allocations of the sending LEAs. It should also be noted that the computation of the actual adjustment is not based simply on overall enrollment and poverty counts because charter schools that enroll students from more than one LEA/borough will have their actual adjustment differ slightly from the simplified total enrollment/low income data used in the USDE and the NYSED exemplars. Also, the Total Title I, Part A Allocation is composed of four distinct parts which are each computed separately.

Final 2013-14 Title I allocation figures are available at <http://www.p12.nysed.gov/accountability/allocations/home.html>. Please note that Final Title I allocations may differ from the Preliminary allocations that were posted in July 2013 due to a variety of factors, including, but not limited to, revised data received from the Charter School LEAs and the incorporation of the reallocated monies from prior year’s unspent funds. While most of the resulting changes occur in the allocations for the LEAs that “send” their residents to a charter school, sometimes there are also changes in the allocations for other LEAs. Once final allocations are posted, LEAs may wish

to submit an amendment (FS-10-A) in order to reflect changes in their 2013-2014 Title I budget. In future years, NYSED anticipates that the adjustment to the Charter School LEA allocations for significant expansion will be a part of the Preliminary and Final Title I, Part A allocations.

Any questions regarding this guidance can be directed to CONAPPTA@mail.nysed.gov.