

Identifying High Poverty

▲  
Maintenance of Equity  
ARP ESSER III



# *1. Introduction*

- Webinar led by Allison Seils, liaison with NH DOE, Division of Learner Support
- Joined by Mark Manganiello, School Finance, NH DOE, Division of Education Analytics & Resources;
- Aaron Fuchs, Acting Administrator, NH DOE, Division of Learner Support ; and
- McKenzie Snow, Director of Learner Support, NH DOE, Division of Learner Support
- Webinar is being recorded; slides and recording will be sent to each invitee along with answers to any questions received



## *2. Purpose of Today's Webinar*

- Define what maintenance of equity (MOEq) is and how it impacts each of NH qualifying district
- Outline specifically, what it is that will be required by each qualifying district to maintain compliance under the MOEq provision

### *3. What is Maintenance of Equity?*

- Maintenance of Equity (MOEquity) is a set of new fiscal equity requirements released by the U.S. Department of Education in ARP ESSER. Specifically, MOEquity ensures the following:
  - Districts do not disproportionately reduce State and local per-pupil funding in high-poverty schools
  - Districts do not disproportionately reduce the number of full-time-equivalent (FTE) staff per pupil in high-poverty schools

## 4. *ARP ESSER and MOEq Requirements*

- All districts receiving ARP ESSER funds are obligated to follow the district MOEq provision during fiscal years 2022 and 2023
- Under MOEq, per-pupil funding from state and local sources and staffing levels for high-poverty schools may not be decreased by an amount that exceeds districtwide reductions in per-pupil funding and staffing levels for all schools served by the district
  - *Outlines the main difference in how the newly incorporated Maintenance of Equity provision differs from Maintenance of Effort*
- High-poverty schools
  - The 25 percent of schools serving the highest percent of economically disadvantaged students in the district as measured by Free and Reduced Meals, reported, and certified by the districts

## *5. How is MOEq Tracked?*

- Per ARP requirement, at least 90% of ARP ESSER funds will be allocated to districts
  - Based on relative share of Title I-A funding in FY20
- Of importance to note, because in measuring MOEq compliance, we look at FY20 baseline data on behalf of FY21 (includes enrollments and F&R eligibility by school)

## *6. What Does All of This Mean for My District?*

- Districts must track ARP ESSER funds by school for FY's 22 and 23
- Exemptions:
  - 1) Has fewer than 1,000 students; OR
  - 2) Consists of a single school; OR
  - 3) Serves one school per grade span; or
  - 4) Demonstrates an exceptional or uncontrollable circumstance, as determined by the U.S. Secretary of Education
- Unfortunately, no district attending today is exempted from the first of the three criteria measuring MOEq compliance

## 7. *What About the Exception Waiver?*

- Little guidance received outside of Secretary Cardona’s Memorandum put out August 6<sup>th</sup>
- See page 3 of the Memorandum inserted within the “Request for Exception” tab of the NH MOEq LEA Tool (Excel) recently emailed to the districts

In addition, in the June guidance, the Department indicated that it will consider other “exceptional or uncontrollable circumstance” requests for exceptions to the LEA maintenance of equity requirements on a case-by-case basis and invites LEAs, or SEAs on their behalf, to contact the Department to seek a necessary exception for particular circumstances, including those that are unique to the specific context of the pandemic. For example, an “exceptional or uncontrollable circumstance” might include an “exceptional circumstance” such as increased one-time expenditures in the baseline year (school year 2020-2021) due to the pandemic or a very small school where the maintenance of equity calculations do not result in meaningful information about resource availability, or an “uncontrollable circumstance” such as a significant change in the expenses of a school that no longer serves a student whose educational and support needs require services that have a particularly high cost.



## *8. What Does My District Need to Do to Track MOEq Compliance?*

- The NH DOE has created the NH LEA Identification Tool that needs to be completed by each district by October 5<sup>th</sup>
- Tool will measure the first step in identifying MOEq compliance by district
- Information provided by each district will feed into Part 2 of measuring district MOEq compliance
  - Will measure equity based on funding and staffing per pupil
  - More details to be released to districts following October 5<sup>th</sup>

## 9. *Decreasing Enrollments Year-Over-Year*

- Districts may want to consider looking at year-over-year enrollment fluctuations when identifying their highest poverty schools (especially if the schools have been flat funded YoY)
- Schools with declining enrollments will have an easier time meeting MOEq standards, since the measurement of compliance is done on a per pupil basis
- Therefore, if you flat fund your schools, selecting a district with increasing enrollments would make it appear as if your district has cut funding for that school
  - Again, this is because equity is measured on a per pupil basis
- Because pupil data will be major factor in the MOEq criteria, selecting a school with declining enrollments may make compliance with the MOEq a little easier, while selecting a school with growing enrollments will make it more difficult

## *10. What Does My District Need to Submit to the NH DOE?*

- All materials are due to the NH DOE no later than close of business on **October 5, 2021**
- Email all materials to [esser@doe.nh.gov](mailto:esser@doe.nh.gov) indicating MOEq within your subject line
  - All materials below should be sent preferably in one email
- Completed LEA Identification Form
- Completed High Poverty Option Form
  - Districts only need to submit one of the 3 options back to us
  - Either Option 1, Option 2A, or Option 2B

### *Upcoming*

- Signed MOEq Exception Form (if applicable – upcoming due date – following Oct 5th)
  - Districts may consider sending a brief justification as to why they believe they are exempt along with their completed form
  - Form is being included now for reference purposes only; information regarding exemption status may not be known by the districts until we get further into FY22 following closure of the 2022 fiscal year and final expenditure numbers being made available