

**New Hampshire Department of Education
Title III Office**

Procedures for Reallocation of Title III, Part A, Funds

Section 3114(c) of the *Elementary and Secondary Education Act of 1965* (ESEA) carefully explains the reallocation of unused Title III, Part A, funds to local education agencies (LEA) in accordance with criteria established by the state educational agency (SEA). The New Hampshire Department of Education (NHDOE) has established procedures for reallocation that include determining: 1) identification of unused funds; 2) areas of eligibility; and 3) time frames for reallocation.

1. Identification of Unused Funds

The NHDOE identifies unused Title III, Part A, funds from an LEA that has:

- a. Not submitted an application for Title III, Part A, within 60 days of the release of the NHDOE Title III Preliminary Allocations and has chosen not to apply for funds;
- b. Had its allocation reduced because it failed to meet the maintenance of effort requirements;
- c. Had funds recovered by the SEA after determining that the LEA has failed to spend Title III, Part A, funds in accordance with applicable law; or
- d. Unused or unbudgeted funds for other reasons.

2. Reallocation Based on Ability to Expend the Funds

The SEA may reallocate unused Title III, Part A, funds on a per pupil basis to eligible LEAs who have the need and ability to expend the funds within the grant award period.

3. Determination of Eligibility

LEAs eligible for reallocation shall have accepted current year funds either directly or as a member of a consortium and have submitted the appropriate acceptance form.

4. Reallocation Procedure

Funds are reallocated on a per pupil basis to LEAs that have accepted current year funds. These funds may be reallocated directly to single LEAs and through fiscal agents to consortium member LEAs.

To determine need and ability, the SEA will review the LEA's history of submitting applications and monthly expenditure reports. In addition, it will review the current spenddown rate of current Title III projects and the rate of increase in English learners within the district/school over the past 12 months.

5. Establishment of Time Frames

The SEA must reallocate funds on a timely basis, and funds should be made available to eligible LEAs within the allowable obligation period in which the funds were appropriated. The following guidelines apply:

- a. Sixty (60) days from the release of the NHDOE Title III Preliminary Allocations, the LEA shall submit an application.
- b. If the LEA fails to submit an application within this timeframe, its preliminary allocation will be reallocated among the LEAs applying for funding for the current year on a per pupil basis.
- c. Additionally the Title III Office will send an announcement to Title III Project Managers on or before the first week in April informing them of the NHDOE Title III Intent to Expend/Request for Reallocation Funds. Extenuating circumstances may require the SEA to implement an Intent to Expend/Request for Reallocation Funds notification at alternate times.
- d. LEAs will have thirty (30) days from the release of the NHDOE Title III Intent to Expend/Request for Reallocation Funds Notification to notify the Title III Office of their decision to return unused funds and/or receive reallocation funds.
- e. If the LEA does not respond within this timeframe, the Title III Office will interpret this as a decision of “no change” indicating the LEA intends to spend the full allocation within the performance period of the grant and not request access to additional reallocation funds.

A standard timeline for reallocation of funds allows the SEA to maintain current timelines for final obligations, expenditure reporting, and other variables that influence the fiscal management of funds.

If you have any questions or need additional information, please contact the Title III Office.

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