Tool 2: Steps to Approve Proposed Uses of Funds

This tool provides a set of decision rules that can help determine whether or not a proposed use of Title I, Part D, funds is allowable and appropriate. The tool is divided into two parts, one for State agency (SA) programs (Subpart 1) and one for local educational agency (LEA) programs (Subpart 2).

**Note:** The assumption throughout this tool is that the State educational agency (SEA) has already determined the SAs and LEAs are eligible to receive Title I, Part D, funds.

Purpose of the Tool

When reviewing the uses of Title I, Part D, funds, as proposed in subgrantee applications for SAs and LEAs, **State Part D coordinators** may have questions about whether the suggested uses of funds are allowable. Similarly, when proposing uses of funds in response to a Part D application, **SA and LEA administrators** may also have questions about the allowableness and appropriateness of their requests.

How to Use the Tool

This tool includes 6 steps users can take to determine whether a proposed use of funds is allowable and appropriate (see figure below).



For each step, users should refer to the information listed under *How do I know?* to answer the question. The *Explanation/Notes* column can be used to record any thoughts related to the decision. If a user has answered yes to each question listed in the steps, then he or she has the most support for the use of funds being considered. When used by a **State Part D coordinator**, any step that results in a “no” response provides enough reason to question or reject the proposed use. The coordinator may ask the subgrantee to amend the funding proposal or it altogether. Similarly, when used by an **SA or LEA administrator**, any step resulting in a “no” gives good reason to amend or withdraw the proposal.

**State Part D coordinators** are encouraged to adapt this tool to fit their State and/or local needs. This is particularly true for the *How do I know?* sections for Step 2: State Plans; Step 3: subgrantee applications; Step 5: State and local laws and regulations; and the section at the end of each table for *Additional Area(s) of Consideration*.

Steps to Approve State Agency (SA) Proposed Uses of Title I, Part D, Subpart 1, Funds

| Title I, Part D, Subpart 1, State Agency Programs |
| --- |
| Agency/Facility Name: |  |
| Proposed Uses of Funds: |  |
| Step 1: Do the proposed uses comply with Federal requirements regarding the use of Title I, Part D, Subpart 1, funds?How do I know?* Title I, Part D, statute: [Section 1415. Use of Funds](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1415) (including “supplement, not supplant” clause); [Section 1416. Institutionwide Projects](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1416); and [Section 1418. Transition Services](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1418)
* Nonregulatory Guidance: [Section H. Use of Funds](http://www.neglected-delinquent.org/nd/resources/guidance/state.asp#sa_funds); [Section J. Institutionwide Projects](http://www.neglected-delinquent.org/nd/resources/guidance/state.asp#sa_projects); and [Section K. Transition Services](http://www.neglected-delinquent.org/nd/resources/guidance/state.asp#sa_transition)
 | [ ] Yes [ ] No | Explanation/Notes: |
| Step 2: Do the proposed uses align with the goals and objectives of the State Plan?\*How do I know?* The State Plan\*\*

\*The priorities, goals, objectives, and any stated restrictions on uses of funds for the Part D program included in the State Plan will vary between States.\*\*The Title I, Part D, statute ([Section 1414. State Plan and State Agency Applications](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1414)) and the Nonregulatory Guidance ([Section F. State Plan](http://www.neglected-delinquent.org/nd/resources/guidance/state.asp#sa_plan)) address the requirements for State plans. | [ ] Yes [ ] No | Explanation/Notes: |
| Step 3: Do the proposed uses align with the requirements for and the needs expressed in the SA application?How do I know?* Program narrative of the SA application covering the needs assessment
* Statute: [Section 1414. State Plan and State Agency Applications](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1414)
* Nonregulatory Guidance: [Section G. State Agency Applications](http://www.neglected-delinquent.org/nd/resources/guidance/state.asp#sa_applications)
 | [ ] Yes [ ] No | Explanation/Notes: |
| Step 4: Do the proposed uses comply with other applicable Federal regulations for the uses of Title I grant funds?How do I know?* EDGAR: [Part 80, Subpart C (Post‑Award Requirements)](http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf#page=161)
* [80.22: Allowable Costs](http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf#page=163)
* [80.31: Real Property](http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf#page=169), [80.32: Equipment](http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf#page=170), and [80.33: Supplies](http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf#page=171)
* [OMB Circular A‑21: Principles for Determining Costs Applicable to Grants, Contracts, and Other Agreements with Educational Institutions](http://www.whitehouse.gov/omb/rewrite/circulars/a021/a021.html)
* [OMB Circular A–87 Cost Principles for State, Local, and Tribal Governments](http://www.whitehouse.gov/omb/rewrite/circulars/a087/a087-all.html)
* [General Principles for Determining Allowable Costs](http://www.whitehouse.gov/omb/rewrite/circulars/a087/a087-all.html#atta)
* [OMB Circular A–133: Audits of States, Local Governments, and Non‑Profits](http://www.whitehouse.gov/omb/rewrite/circulars/a133/a133.html)
 | [ ] Yes [ ] No | Explanation/Notes: |
| Step 5: Do the proposed uses of funds comply with all applicable State and/or local laws and regulations?How do I know?* The evidence to support the answer to this question will vary between States and localities; refer to State and local documentation.
 | [ ] Yes [ ] No | Explanation/Notes: |
| Additional Area(s) of Consideration:EXAMPLE: Do the proposed uses facilitate the planning and improvement of Part D programs based on evaluation data?\*How do I know?* Consolidated State Performance Report (CSPR)
* Other student and program performance data/evaluation results

\*The Title I, Part D, statute ([Section 1431. Program Evaluations](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1431)) and the Nonregulatory Guidance ([Section R. Evaluation Requirements](http://www.neglected-delinquent.org/nd/resources/guidance/evaluation.asp)) address the requirements for SA programs using funds in this manner.  | [ ] Yes [ ] No | Explanation/Notes: |

Steps to Approve Local Educational Agency (LEA) Proposed Uses of Title I, Part D, Subpart 2, Uses of Funds

| Title I, Part D, Subpart 2, Local Educational Agency Programs |
| --- |
| Agency/Facility Name: |  |
| Proposed Uses of Funds: |  |
| Step 1: Do the proposed uses comply with Federal requirements and funding priorities for the use of Title I, Part D, Subpart 2, funds? How do I know?* Statute: [Section 1421. Purpose](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1421), [Section 1424. Uses of Funds](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1424) (no “supplement, not supplant” clause) and [Section 1425. Program Requirements for Correctional Facilities Receiving Funds Under This Section](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1425)
* Nonregulatory Guidance: [Section O. Use of Funds](http://www.neglected-delinquent.org/nd/resources/guidance/local.asp#lea_funds) and [Section P. Program Requirements for Subpart 2 Programs](http://www.neglected-delinquent.org/nd/resources/guidance/local.asp#lea_requirements)
 | [ ] Yes [ ] No | Explanation/Notes: |
| Step 2: Do the proposed uses align with the goals and objectives of the State Plan?\*How do I know?* The State Plan\*\*

\*The priorities, goals, objectives, and any stated restrictions on uses of funds for the Part D program included in the State Plan will vary between States.\*\*The Title I, Part D, statute ([Section 1414. State Plan and State Agency Applications](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1414)) and the Nonregulatory Guidance ([Section F. State Plan](http://www.neglected-delinquent.org/nd/resources/guidance/state.asp#sa_plan)) address the requirements for State plans. | [ ] Yes [ ] No | Explanation/Notes: |
| Step 3: Do the proposed uses align with the requirements for and the needs expressed in the LEA application?How do I know?* Program narrative of the LEA application covering the needs assessment
* Statute: [Section 1423. Local Educational Agency Applications](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1423)
* Nonregulatory Guidance: [Section N. LEA Applications](http://www.neglected-delinquent.org/nd/resources/guidance/local.asp#lea_applications)
 | [ ] Yes [ ] No | Explanation/Notes: |
| Step 4: Do the proposed uses comply with other applicable Federal regulations for the uses of Title I funds?How do I know?* EDGAR: [Part 80, Subpart C (Post‑Award Requirements)](http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf#page=161)
* [80.22: Allowable Costs](http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf#page=163), [80.31: Real Property](http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf#page=169), [80.32: Equipment](http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf#page=170), and [80.33: Supplies](http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.pdf#page=171)
* [OMB Circular A‑21: Principles for Determining Costs Applicable to Grants, Contracts, and Other Agreements with Educational Institutions](http://www.whitehouse.gov/omb/rewrite/circulars/a021/a021.html)
* [OMB Circular A–87 Cost Principles for State, Local, and Tribal Governments](http://www.whitehouse.gov/omb/rewrite/circulars/a087/a087-all.html)
* [General Principles for Determining Allowable Costs](http://www.whitehouse.gov/omb/rewrite/circulars/a087/a087-all.html#atta)
* [OMB Circular A–133: Audits of States, Local Governments, and Non‑Profits](http://www.whitehouse.gov/omb/rewrite/circulars/a133/a133.html)
 | [ ] Yes [ ] No | Explanation/Notes: |
| Step 5: Do the proposed uses of funds comply with all applicable State and/or local laws and regulations?How do I know?* The evidence to support the answer to this question will vary between States and localities; refer to State and local documentation.
 | [ ] Yes [ ] No | Explanation/Notes: |
| Additional Area(s) of Consideration:EXAMPLE 1: Do the proposed uses facilitate the planning and improvement of Part D programs based on evaluation data?\*How do I know?* Consolidated State Performance Report (CSPR)
* Other student and program performance data/evaluation results

\*The Title I, Part D, statute ([Section 1431. Program Evaluations](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1431)) and the Nonregulatory Guidance ([Section R. Evaluation Requirements](http://www.neglected-delinquent.org/nd/resources/guidance/evaluation.asp)) address the requirement that LEA programs use funds in this manner. EXAMPLE 2: For programs that have received Title I, Part D, funds previously, have funds been effectively used? How do I know?* Consolidated State Performance Report (CSPR)
* Other student and program performance data/evaluation results

\*The Title I, Part D, statute ([Section 1426. Accountability](http://www.neglected-delinquent.org/nd/resources/legislate/intro.asp#sec1426)) and the Nonregulatory Guidance ([Section Q. Accountability](http://www.neglected-delinquent.org/nd/resources/guidance/local.asp#lea_accountability)) address the requirement that LEA programs use funds in this manner.  | [ ] Yes [ ] No | Explanation/Notes: |