

2022 ESSA/ESSER Pre-Conference Session FY22 Monitoring Trends and Mitigating Risks

Questions and Answers


NOTE: When possible, a screenshot of the relevant slide from the [session presentation](#) is included under the question.

Perkins

1. How often are comprehensive local needs assessments (CLNA) due?

Information, Organization, and Initiatives

- Lack of documentation showing an attempt to consult representatives from all required stakeholder groups to inform the comprehensive local needs assessment (CLNA)
- Lack of documentation showing evidence gained by consulting CLNA stakeholders
 - According to Perkins V §§ 134(c)(2)(D), 134 (c)(2)(E), LEAs are required to consult a diverse group of stakeholders, as defined in Perkins V, on specific topics/content for the creation and revision of the CLNA and the local application on an ongoing basis.




- a. CLNAs are due every two (2) years, but it is an ongoing process to update information for annual application review. You can find the most recent comprehensive local needs assessment guide on the [Accountability and Data Reporting page of the Tennessee CTE website](#).

2. Can you expand on the 25% as the target?

Size, Scope, and Quality Indicators (SSQIs)

- SSQI portfolios not meeting compliance as set out in the Tennessee state Perkins V plan
- 25% of portfolios are reviewed; greater than 75% of portfolios reviewed must meet compliance to earn a “met requirements” monitoring result
 - Perkins V § 135(b) outlines the requirements for use of funds stating they are to be used on CTE programs of sufficient size, scope, and quality.



- a. The programs of study (POS) chosen for review include the two POS that were identified by LEAs in their CTE local application as being high-quality as well as other POS at each school participating in monitoring in order to meet the 25% sampling rule. The department looks at a


sampling of 25% of portfolios at each participating school as this has been identified as the target sampling that would allow for the monitoring team to ensure compliance in the LEA while also providing quality feedback to CTE directors in order to guide and improve any POS portfolio that may not have been chosen to review by the monitoring team.

Fiscal

- 1. How are travel policies monitored for LEAs with charter schools? Are charter schools' individual policies also monitored?**
 - a. Yes, charter schools must follow federal guidelines on travel policies and are also monitored as part of an LEA's monitoring process.
- 2. Can you go over assurances and the dates to be signed?**
 - a. Semi-Annual Certifications are completed on a calendar year basis (Jan. 1 – June 30 and July 1 – Dec. 31). Ensure that staff members date these certifications after the fact.
 - b. Personnel activity forms (PARs) need to be completed monthly.
- 3. With updates to UGG and EDGAR, is there flexibility to collect PARs on a quarterly basis to align with our budget revisions?**
 - a. Yes, as long as it is clearly documented in policies and procedures.
- 4. With certifications, if we have someone who works the school year in a federal project 100% of the time which represents the full contract time. However, the person may work in another area during the summer program. If the certification is dated through June 30th, would it not be incorrect? What should we do in this case?**
 - a. Treat this situation as two separate positions. Complete an additional semi-annual certification for summer work.
- 5. On Construction Contracts paid with ESSER funds, would documentation for the Davis-Bacon Act need to be payroll info from the Contractor?**

ESSER (1.0, 2.0, & 3.0) Use of Funds

- The LEA did not provide evidence for contracts, bids, or Davis-Bacon Act using ESSER funds.
- According to 2 CFR § 200.320, documentation must be provided to ensure federal procurement methods and other laws are followed.




- a. Yes, your contractor should be able to provide you with payroll evidence to demonstrate compliance with the Davis-Bacon Act.

Other Monitoring Trends

1. **Is there any work happening at the state level to improve the direct cert identification process without a social security number? It is very difficult to identify direct cert students without the student's SSN which can prevent them from being correctly identified for Title I purposes. I would love to see technical assistance for this as it relates to avoiding any barriers to enrollment and demonstrating best practices.**
 - a. We will work with team members in the ESSA group to provide solutions to this process.

Cross-Cutting

- The LEA uploaded an enrollment form that requires a **social security number**. This requirement could potentially create a barrier to enrollment for students in foster care and other subgroups. ESEA § 1111(g)(1)(E) requires "immediate enrollment even if the child is unable to produce records normally required for enrollment."
- The LEA uploaded an enrollment form where the **birth certificate** was required, and the same requirements were also listed on the website. This requirement could create a potential barrier to enrollment for some students including homeless, EL, immigrant, migrant, and foster care students. McKinney-Vento students must be provided equal access to the same free, appropriate public education, including public preschool education, as is provided to other children and youth (42 U.S.C. § 11431(1)). Schools must enroll children and youth experiencing homelessness immediately, and ensure they receive educational and related services for which they are eligible (42 U.S.C § 11432(g)(6)(A)(iii)), even if they are unable to produce records normally required for enrollment or have missed application or enrollment deadlines during any period of homelessness (42 U.S.C. § 11432(g)(3)(C)(i)).



Additional Resources

1. Results-Based Monitoring
 - a. The FY23 Risk Analysis Guide can be found in ePlan > TDOE Resources > Monitoring > 2022-23 > Results-Based Monitoring.
<https://eplan.tn.gov/DocumentLibrary/ViewDocument.aspx?DocumentKey=1933213&inline=true>
2. IEP Monitoring
 - a. Did you know that the [FY23 IEP Monitoring Protocol](#) was released? The team updated citations and added clarifying language throughout. If your copy of the IEP Monitoring Protocol doesn't have a footer dated Aug. 2022, please view and save this protocol for future reference.
3. IDEA
 - a. The Special Education Behavioral Supports Act is often referenced throughout monitoring results. The most up-to-date link to SEBSA can be found [here](#).
 - b. Did you know that the Isolation and Restraint Rule was revised via a TN State Board of Education Rule in June 2022? <https://publications.tnsosfiles.com/rules/0520/0520-01/0520-...> includes the updated rule beginning on Page 24.
4. Perkins V
 - a. You can find the Tennessee state Perkins V plan, as well as many other valuable resources, on the [Tennessee CTE website!](#)