

APPENDIX 20

Appendix 20

Part 1

SPECIAL INSTRUCTIONS FOR SHARED SERVICES ARRANGEMENTS

General Instructions

1. Shared Services Arrangements (SSAs) must complete the SAS Schedules as described in the individual schedule instructions and in this appendix. In cases where instructions for completing the schedule for an SSA are different from those individual applicants, specific SSA instructions have been provided below.
2. A shared services arrangement exists when two or more LEAs enter into an agreement for the performance and administration of a program when such arrangement will strengthen the operation of the program. This arrangement may be made in agreement with an LEA or regional education service center (ESC), either of which may serve as a fiscal agent.
3. LEAs wishing to be part of an SSA do so by completing the GS2210—Applicant Designation and Certification (ADC) form with “Apply as Member of SSA.” This schedule is used to designate the fiscal agent and the member LEAs of an SSA. Shared services arrangement membership will automatically populate the **List of SSA Members** as LEAs complete their ADC form with “Apply as Member of SSA.” The List of SSA Members may be viewed and printed from the BS6001 – Program Budget Summary by clicking on the “View List of SSA Members” button.

The LEA's ADC designation is **binding** once submitted, and the LEA must remain in the SSA for the duration of the project period for the program(s) as specified.

4. Fiscal Agents must ensure that all LEAs who are included in the SSA Application for Federal Funding by the **September 1, 2011**, application deadline, are shown on the List of SSA Members releasing funds to the fiscal agent, and retain locally signed agreements for each LEA member.
5. An LEA releasing funds on the ADC form to the fiscal agent **MUST** remain in the SSA for the duration of the project. An LEA cannot submit the Consolidated Application for Federal Funding for a fund source for which they selected “Apply as Member of SSA.”
- 6.

Appendix 20—continued

Application Deadline

1. The application deadline of **September 1, 2011**, also applies to LEAs seeking to join an SSA through the amendment process. **Exception:** Charter schools opening for the first time on or before November 1 in school year 2011-2012 may be added to an SSA through the amendment process through the December 1, 2011, deadline date provided the charter school has submitted its SC5010—NCLB Data Request Form for Federal Funding through eGrants by the November 1, 2011, deadline date.
2. After the **September 1, 2011**, deadline, funds not requested either through an individual application or as a member of an SSA will be reallocated.
3. The responsibility for ensuring that the LEA has joined any SSA rests solely with the LEA and the fiscal agent, not with TEA.

Charter School Deadlines

1. Open Enrollment Charter Schools **Providing Instruction in the Previous School Year**
Data Request Form Deadline: **April 29, 2011**
Application Deadline: **September 1, 2011**
2. Charter Schools Opening for the First Time or Significantly Expanding Enrollment on or before November 1, 2011
Data Request Form Deadline: **November 1, 2011**
Application Deadline: **December 1, 2011**

Written Shared Services Agreement

1. When LEAs enter into an SSA, a **written agreement** must be developed to address the responsibilities of each member and the fiscal agent. The agreement must be signed by both the member and the fiscal agent prior to the fiscal agent submitting the SAS#NCLBAA12 through eGrants.
2. The SSA shall determine in advance and in writing as part of the shared services agreement how federal carryover funds will be distributed if a member LEA leaves the arrangement or if the arrangement dissolves. The fiscal agent and the SSA members are charged with resolving the issue of carryover distribution and handling the accounting and documentation of any transfers of funds resulting from a member leaving an arrangement or an arrangement dissolving. If an LEA has an independent project in the prior year and desires to join an SSA in the current year, the carryover will flow to the fiscal agent. Upon request, documentation of any such transfers shall be available to the Texas Education Agency.
3. The fiscal agent must maintain on file a copy of the written shared services agreement for audit and monitoring purposes. By registering as a fiscal agent on the ADC form and submitting the SAS#NCLBAA12 as an SSA, the fiscal agent is assuring that the **written shared services agreement** is on file.
4. Fiscal agents will collaborate and work with member LEAs to determine if transferability and REAP flexibility will be used for the alternative use of applicable funds. The written shared services agreement must address how services for this flexibility will be provided to participating LEAs.

Written Shared Services Agreement (continued)

5. The **written shared services agreement** should address certain legal requirements as described below (refer to section 1.3.1.4 of FAR, Financial Accountability System Resource Guide, for more detailed information pertaining to shared services arrangement written agreements):
 - a) Organization of the SSA
 - b) Ownership of assets (including policies and procedures addressing the disposition of such assets if the SSA is terminated by one or all of the members).
 - c) Liabilities (i.e., legal fees due to complaints, grievances, or litigation; refunds from on-site monitoring or audits, etc.)
 - d) Basis for allocation of costs of the fiscal agent
 - e) Responsibilities of the fiscal agent, including:
 - Services to be provided to member LEAs
 - Employment of personnel
 - Budgeting and accounting
 - Reporting
 - Private for profit/private nonprofit schools
 - f) Responsibilities of member LEAs, including:
 - Employment of personnel
 - Budgeting
 - Reporting
 - Private for profit/private nonprofit schools

List of SSA Members

The **List of SSA Members** is located on the BS6001–Program Budget Summary through the “View List of SSA Members” button.

- LEAs may continue to release funding to the fiscal agent as SSA members through the LEAs’ ADC form through the September 1, 2011, deadline.
- Special LEAs, such as charter schools will be required to provide actual enrollment data on the SC5010—NCLB Data Request Form for Federal Funding if they intend to participate in applicable NCLB federal programs of the Consolidated Application for Federal Funding for school year 2011-2012. The SC5010 was made available in eGrants on March 1, 2011.

Posting of NCLB planning amounts for special LEAs that submit the SC5010 will be made available by July 2011 on the Formula Funding Entitlements page at

http://www.tea.state.tx.us/index4.aspx?id=5040&menu_id=951

ONLY after posting of the planning amounts, charter schools must access and submit the GS2230 Applicant Designation and Certification (ADC) form. Until that time, the charter school’s ADC form will not be available.

- The responsibility for ensuring that the LEA has joined any SSA rests solely with the LEA and fiscal agent, not with the TEA.

Appendix 20—continued

List of SSA Members (continued)

- Any additional funds that result from entitlement adjustments or from reallocation are released to the fiscal agent through the LEA's submission of the ADC form. Once an LEA releases funds to the fiscal agent of an SSA, the LEA must retain membership in the SSA through the end of the project year.
- Additional members may be added through the **September 1, 2011**, deadline to request federal funding. After the **September 1, 2011**, deadline, all funds not requested either through an individual application for funding or as a member of an SSA will be reallocated.
- Additional fund sources may not be added to the SSA.

BS6001—Program Budget Summary

Submit one composite completed by the fiscal agent.

- In an SSA, the sum of the fiscal agent and the member LEAs portions of the funds must be reflected on the Program Budget Summary by class/object code for each applicable fund source.
- Payments to member LEAs must be included in the total direct costs (6100-6600) and must also be specified on budget line 6493—Payments to Member Districts of SSA.
- If the LEA chooses to budget funds from any fund source, its Title I schoolwide campuses under 8911, the LEA is not required to reflect the 8911 amount on the budget support schedules for that fund source.
- Refer to **Appendix 9** for information concerning the use of funds on schoolwide campuses.
- **The fiscal agent is responsible for ensuring that all funds, including payments to be made to member LEAs are expended in accordance with applicable laws and regulations for each budgeted fund source.**

BS6101—Payroll Costs

If applicable, submit one composite completed by the fiscal agent. Flow through is included.

- All personnel paid from funds budgeted on Line 01 of BS6001—Program Budget Summary must be identified on BS6101. This includes fiscal agent employees as well as personnel at the LEA paid with flow-through funds.

Appendix 20—continued

BS6234—Title III, Part A
BS6201, BS6301, BS6401

If applicable, submit one composite completed by the fiscal agent. Flow through is included.

BS6501—Debt Service

If applicable, submit one composite completed by the fiscal agent reflecting all funds budgeted for debt service. Flow through is included.

- For each item, include the name of the member LEA and the appropriate campus number in Part 2 to indicate where the item is/will be located.

BS6601—Capital Outlay

If applicable, submit one composite completed by the fiscal agent. Flow through is included.

- Reflect all capital outlay items, regardless of unit cost, except for library books and media, or if funds are budgeted for improvements to equipment which materially increase their value or useful life.

PS3101—Planning Abstract—
Title I, Part A

If the SSA application includes Title I, Part A funds budgeted on BS6001—Program Budget Summary, submit one composite for the fiscal agent of the SSA.

- Flow-through funds are included on this schedule when calculating the percentages.

PS3102—Planning Abstract—
Title I, Part A—Neglected and
Title I, Part D, Subpart 2—
Delinquent

If the SSA application includes Title I, Parts A and/or D2 funds budgeted on BS6001—Program Budget Summary, submit one composite for the fiscal agent of the SSA.

- Flow-through funds are included on this schedule when calculating the percentages.

PS3103—Planning Abstract—
Title I, Part C

If the SSA application includes Title I, Part C funds budgeted on BS6001—Program Budget Summary, submit one composite for the fiscal agent of the SSA.

- Flow-through funds are included on this schedule when calculating the percentages.

PS3104—Planning Abstract—
Title II, Part A—TPTR

If the SSA application includes Title II, Part A funds budgeted on BS6001—Program Budget Summary, submit one composite for the fiscal agent of the SSA.

- Flow-through funds are included on this schedule.
- If 100 percent of this fund source for all member districts is redirected through REAP flexibility, then this Schedule is NOT submitted.

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**PS3106—Planning
Abstract—Title III, Part A-
English Language
Acquisition**

If the SSA application includes Title III, Part A funds budgeted on BS6001—Program Budget Summary, submit one composite for the fiscal agent of the SSA.

- Flow-through funds are included on this schedule when calculating the percentages.
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**PS3109—Funding
Transferability**

If applicable, submit a separate Schedule PS3109 for each member of the SSA, as applicable. The written shared services agreement must state the procedure used to provide a clear audit trail if this flexibility is implemented.

**PS3109—Section 6211—
REAP**

If member LEAs are eligible and choose to participate in Title VI, Part B, Section 6211—REAP, complete a REAP section for every member district.

- Fiscal agents and member districts will collaborate and work together to determine if this flexibility is a viable option. The written shared services agreement must provide a clear audit trail for these alternative uses of funds provided to participating LEAs.
- Member LEA participation in REAP allows private schools located within the participating LEA's boundaries to participate in REAP also, thus, service delivery to these private schools may be affected.

**PS3210—Comprehensive
Needs Assessment**

Submit one composite completed by the fiscal agent.

- Reflect the program activities and services provided by the fiscal agent, as well as program activities conducted by member LEAs with flow-through funds.

**PS3211—Program
Coordination**

Submit one composite completed by the fiscal agent.

- Reflect the program activities and services provided by the fiscal agent, as well as program activities conducted by member LEAs with flow-through funds.

**PS3231—Professional
Development**

Submit one composite completed by the fiscal agent.

- Reflect the program activities and services provided by the fiscal agent, as well as program activities conducted by member LEAs with flow-through funds.

**PS3241—Parent and
Community Involvement**

Submit one composite completed by the fiscal agent.

- Reflect the program activities and services provided by the fiscal agent, as well as program activities conducted by member LEAs with flow-through funds

**PS3401—Equitable Access
and Participation**

Submit one composite completed by the fiscal agent.

Private Nonprofit Schools

This will be asked on program abstract schedules which will be a composite

<p>WV4001—Waiver Request for Title I, Part A Carryover</p>	<p>for the entire SSA. Detailed private school data will be reported on the individual program performance/compliance reports.</p> <p>The WV4001 schedule will <u>not</u> be available in the original submission of the application. ONLY those fiscal agents that are <u>eligible</u> and <u>require</u> a Title I, Part A carryover waiver carryover will be contacted by the Division of Formula Funding to negotiate the appropriate waiver request.</p>
<p>WV4002—Waiver Request for Title II, Part D—Professional Development</p>	<p>If applicable, submit one composite completed by the fiscal agent.</p>
<p>WV4003—Waiver Request for Title IV, Part A SDFSC EOE</p>	<p>If applicable, submit one composite completed by the fiscal agent.</p>
<p>WV4004—Ed-Flex Waiver—Schoolwide Eligibility</p>	<p>Submit a separate Schedule WV4004 for each member LEA campus that wishes to waive the 40 percent poverty threshold for Title I, Part A Schoolwide Eligibility.</p> <p>This schedule is a request to waive P.L. 107-110, Section 1114(a)(1)(B), which requires a 40 percent poverty threshold for Title I, Part A Schoolwide Eligibility. Campuses that have schoolwide eligibility waivers that were approved after 2003 do not need to resubmit Schedule WV4004.</p> <ul style="list-style-type: none"> • This schedule may only be submitted as part of the original Application for Federal Funding. It may not be submitted through the amendment process.
<p>SC5000—Campus Selection—Title I, Part A</p>	<p>If the SSA application includes Title I, Part A funds budgeted on BS6001—Program Budget Summary, submit a separate Schedule SC5000 for each member of the SSA, as applicable.</p>
<p>CS7000—Certifications, Provisions and Assurances</p>	<p>Submit one composite for the SSA.</p> <ul style="list-style-type: none"> • This schedule acknowledges the fiscal agent's and each member LEA's acceptance and compliance with all requirements described in this General Provisions and Assurances document.

Appendix 20
Part 2

Special Instructions for Fiscal Agents

If an SSA Dissolves:

- The fiscal agent applies for any carryover funds by contacting the Division of Formula Funding prior to submitting their ADC form. This will activate the Consolidated Application for Federal Funding (SAS#NCLBAA12) appropriately.
- Based on Shared Services Agreement, the fiscal agent will do A or B below.
 - A. Provide allowable activities and services to the original SSA member LEAs:
 - complete all applicable fiscal and program schedules of the application appropriately;
 - will develop and implement a new Shared Services Agreement with each of the original SSA member LEAs to outline the use of the carryover funds.
 - B. Disperse carryover back to the original SSA member LEAs through payments to member LEAs (flow-through):
 - the fiscal agent completes all applicable fiscal and program schedules of the application appropriately;
 - a new Shared Services Agreement is not needed. The initial SSA Agreement already stipulates the process of dispersement of the carryover to the member LEAs;
 - the fiscal agent is responsible for ensuring the expenditures and activities conducted with the flow-through funds follow applicable program rules and regulations;
 - the fiscal agent may reserve applicable direct costs (and indirect costs based on the direct costs only) associated with the administration of the flow-through funds.