



U.S. Department of Education

Serving Preschool Children Through Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended

Non Regulatory Guidance



February 2024

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PURPOSE OF THE GUIDANCE

This guidance is intended to assist State educational agencies (SEAs), local educational agencies (LEAs), and schools in understanding, implementing, and expanding preschool programs supported with funds under Title I, Part A (Title I) of the Elementary and Secondary Education Act of 1965 (ESEA). Guidance on this issue was originally published in October 2012. Following the passage of the Every Student Succeeds Act (ESSA) in December 2015, which amended the ESEA, the U.S. Department of Education (Department) formally rescinded the earlier guidance.

This non-regulatory guidance has been revised to align with current ESEA requirements and is being reissued by the Department to complement existing guidance on early learning: *Non-Regulatory Guidance Early Learning in the Every Student Succeeds Act: Expanding Opportunities to Support our Youngest Learners* available at: <https://oese.ed.gov/files/2020/07/essaelguidance10202016.pdf>. A link to this guidance is also available alongside other guidance published by the Department's Office of Elementary and Secondary Education at: <https://oese.ed.gov/guidance/>.

Although SEAs, LEAs, and individual schools may consider this guidance in the development of their own guidelines and standards, SEAs, LEAs, and individual schools may develop alternative approaches that are consistent with applicable Federal statutes and regulations. Nothing in this document should be construed to prescribe a particular approach or limit or prohibit SEA, LEA, or school flexibility permitted in the ESEA.

The Department has determined that this document is significant guidance under the Office of Management and Budget's Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007). See <https://www.gpo.gov/fdsys/granule/FR-2007-01-25/E7-1066>. Except for any statutory or regulatory requirements described in this document, significant guidance is non-binding and does not create or impose new legal requirements, nor does it create or confer any rights for or on any person.

SEAs, LEAs, and schools must comply with Federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, and age. These laws include Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act, the Age Discrimination Act of 1975, and the Equal Educational Opportunities Act of 1974. SEAs, LEAs, and schools must also comply with the requirements under the Individuals with Disabilities Education Act (IDEA), including Part C for infants and toddlers with disabilities receiving early intervention services and Part B for students with disabilities in preschool through high school. SEAs, LEAs, and schools must also comply with the requirements to protect the privacy of student education records under section 444 of the General Education Provisions Act (GEPA), commonly known as the Family Educational Rights and Privacy Act (FERPA) of 1974 and the requirements governing the administration to students of a survey, analysis, or evaluation under section 445 of GEPA, commonly known as the Protection of Pupil Rights Amendment (PPRA).

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A. GENERAL INFORMATION

A-1. What is a Title I “preschool program”?

A Title I preschool program is a preschool program for which an LEA or school uses Title I funds, in whole or in part, to improve educational outcomes for eligible children from birth to the age at which the LEA provides a free public elementary education. (ESEA sections 1113(c)(5), 1114(c), and 1115(c)(1)(A)(ii); 34 C.F.R. § 77.1). Such a program is designed to prepare eligible children with the prerequisite skills and dispositions for learning that will enable them to benefit from later school experiences. See Section B of this document for further information on eligible children.

This guidance reaffirms that Title I funds may be used to serve eligible children from birth to the age at which the LEA provides a free public elementary education. Still, the Department understands that, in practice, most of these Title I funds are used to serve children ages three to five. Accordingly, this non-regulatory guidance primarily focuses on the use of Title I funds for preschool programs to serve children ages three to five.

Please note that the ESEA also incorporates by reference the definition of “early childhood education program” used in the Higher Education Act of 1965. An early childhood education program is defined as (A) a Head Start program or an Early Head Start program carried out under the Head Start Act, including a migrant or seasonal Head Start program, an Indian Head Start program, or a Head Start program or an Early Head Start program that also receives State funding; (B) a State licensed or regulated child care program; or (C) a program that serves children from birth through age six that addresses the children’s cognitive (including language, early literacy, and early mathematics), social, emotional, and physical development; and is either a State prekindergarten program, a program authorized under section 619 or Part C of the IDEA, or a program operated by an LEA. (ESEA section 8101(16), section 103(8) of the Higher Education Act of 1965)). Throughout this guidance document, the term “early childhood education programs” is inclusive of Title I preschool programs.

A-2. May any Title I LEA or school use Title I funds to operate a preschool program?

Yes. Any LEA or school that receives Title I funds (i.e., a Title I LEA or Title I school, respectively) may use Title I funds to operate, in whole or in part, a preschool program consistent with Title I requirements. (ESEA sections 1112(b)(8), 1113(c)(5), 1114(c), and 1115(c)(1)(A)(ii)). A Title I LEA or school determines whether to use its Title I funds to operate a preschool program based on the needs of its eligible students and the most effective use of those funds (See G-2 and G-3). The decision to use Title I funds for a preschool program is made by an LEA or an individual school.

A-3. How may an LEA use Title I funds to support a preschool program?

There are several ways in which an LEA may use its Title I funds to support a preschool program:

- ***School-operated Title I preschool program:*** A Title I school may use all or a portion of its Title I funds to operate a preschool program for eligible children. (See A-4 and G-2).
- ***District-operated Title I preschool program:*** An LEA may reserve a portion of funds from its Title I allocation to operate a preschool program for eligible children districtwide or in a portion of the district. (See A-5 and G-3).

- ***Enhancing other preschool programs:*** An LEA may use Title I funds to improve the quality (which includes providing support services for early childhood educators), extend the day, increase the number of days, or increase the number of children served in State preschool, Head Start, child care programs, or other community-based early learning programs for eligible children. (See Section F).

If Title I funds are used in whole or in part to operate a preschool program, all Title I requirements apply to the program.

A-4. What is a “school-operated Title I preschool program”?

A school-operated Title I preschool program is a preschool program operated by a school that receives Title I funds under ESEA section 1113 and uses all or a portion of those funds to operate a preschool program for eligible children consistent with Title I requirements. (See G-2). How a Title I school would operate its preschool program would depend on the type of Title I school — *i.e.*, a schoolwide program school or a targeted assistance program school. See B-1 for a more detailed discussion of children eligible to participate in a school-operated Title I preschool program.

- ***Schoolwide program school:*** A Title I school may operate a schoolwide program if it either: (1) has 40 percent or more of its students living in poverty, regardless of the grades it serves; or (2) receives a waiver from the SEA to operate a schoolwide program without meeting the 40 percent poverty threshold. (ESEA section 1114(a)(1)). A schoolwide program is a comprehensive reform strategy designed to raise the achievement of the lowest-achieving students by upgrading the entire educational program in the school. Accordingly, a school operating a schoolwide program may use Title I funds for preschool activities if the preschool activities support the needs of students in the school as identified through the comprehensive needs assessment and as articulated in the schoolwide plan. (ESEA section 1114(b)). For additional guidance on Title I schoolwide programs, including consolidation of Title I funds with other Federal, State, or local funds, see *Supporting School Reform by Leveraging Federal Funds in a Schoolwide Program* (available at: https://oese.ed.gov/files/2020/07/essaswp_guidance9192016.pdf). In a schoolwide program school, all students are eligible to be served. Accordingly, if a schoolwide program school operates a preschool program, Title I funds may be used to serve all preschool children who participate in that program.
- ***Targeted assistance program school:*** A Title I school that is ineligible to operate, or has chosen not to operate, a schoolwide program may operate a targeted assistance program in which the school provides services to students with the greatest need for assistance — *i.e.*, those identified by the school as failing, or most at risk of failing, to meet the challenging State academic standards. (ESEA section 1115(c)(1)(B)). Accordingly, if a targeted assistance school operates a preschool program, Title I funds may only be used to serve preschool children whom the school identifies as most at risk of failing to meet the challenging State academic standards when they reach school age.¹

¹ Please note throughout this document, each reference to identifying students most at risk of failing to meet the challenging State academic standards refers to the challenging State academic standards applicable when students reach school age. The phrase “when they reach school age” is not repeated for ease of readability.

A-5. What is a “districtwide Title I preschool program”?

An LEA may reserve a portion of funds from its Title I allocation to operate a preschool program for eligible children. (ESEA section 1113(c)(5); 34 C.F.R. § 200.77(f)). The LEA may serve all eligible children districtwide or those in just a portion of the district. See B-1 for a more detailed discussion of children eligible to participate in a districtwide Title I preschool program.

- ***Districtwide:*** An LEA may serve preschool children who reside throughout the LEA and whom the LEA identifies as eligible because they are most at risk of failing to meet the challenging State academic standards. An LEA may not use Title I funds to implement a districtwide preschool program to benefit all preschool students in the LEA unless all the schools in the LEA are Title I schools operating schoolwide programs.
- ***A portion of the district:*** An LEA may serve preschool children who reside in specific Title I school attendance areas.² If, for example, an LEA does not have sufficient Title I funds to operate a preschool program for the district as a whole, the LEA may decide to serve only eligible children who reside in specific Title I participating school attendance areas (e.g., its highest poverty attendance areas, its attendance areas for schools operating schoolwide programs).

A-6. If an LEA uses Title I funds to support a preschool program, must the LEA describe that program in its Title I plan or consolidated local plan?

The answer depends on whether the LEA submits to the SEA (1) a separate Title I plan under ESEA section 1112 or (2) a consolidated local plan or application under ESEA section 8305 that includes Title I.

If an LEA does not submit a consolidated local plan or application that includes Title I and decides to use its Title I funds to provide early childhood education services, including a preschool program, the LEA must:

- Describe in its Title I plan how it will support, coordinate, and integrate services provided under Title I with early childhood education programs at the LEA or individual school level, including plans for the transition of participants in such programs to local elementary school programs (e.g., transition from preschool to kindergarten). (ESEA section 1112(b)(8)); and
- Include an assurance in its Title I plan that it will ensure that early childhood education services that the LEA provides using Title I funds comply with the performance standards established under section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)). (ESEA section 1112(c)(7)). (See H-3 for additional information on the specific performance standards that apply).

If an LEA submits a consolidated local plan or application that includes Title I and decides to use its Title I funds to provide early childhood education services, the LEA may not necessarily be required

² Section 1113(a)(2)(A) of the ESEA defines a “school attendance area” as, “in relation to a particular school, the geographical area in which the children who are normally served by that school reside.” For additional information on how an LEA determines which school attendance areas participate in Title I, please refer to the Department’s guidance *Within-District Allocations Under Title I, Part A of the Elementary and Secondary Education Act of 1965* (available at: <https://oese.ed.gov/files/2022/02/Within-district-allocations-FINAL.pdf>).

to provide the description and assurance noted above. Under ESEA section 8305(d), an SEA may require only descriptions, information, assurances, and other material that are absolutely necessary for consideration of the LEA plan. Thus, the SEA may determine that the description and assurance described above are not necessary for consideration of the LEA plan.

Regardless of whether the SEA requires the description and assurance in the LEA plan, the LEA must still meet all requirements, including ensuring that early childhood education services that the LEA provides with Title I funds comply with the performance standards established under section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)). (See H-3).

B. ELIGIBLE CHILDREN

B-1. Who is eligible to participate in a Title I preschool program?

In general, eligibility for a Title I preschool program depends on the type of Title I program an LEA or school is operating.

- ***School operating a Title I schoolwide program:*** A preschool that is part of a Title I school operating a schoolwide program (see A-4) is not required to identify particular children as eligible to participate in the Title I preschool. (ESEA section 1114(a)(2)(A)(i)). Rather, all children under six years of age are eligible to participate in the Title I preschool program. (ESEA section 1114(c)).
- ***School operating a Title I targeted assistance program:*** Preschool-age children residing in the attendance area of a school operating a targeted assistance program (see A-4) who are identified as most at risk of failing to meet the challenging State academic standards, are eligible to participate in a Title I preschool program on the basis of criteria, including objective criteria, established by the LEA and supplemented by the school. (ESEA section 1115(c)(1)(B)). The use of family income as one factor in determining eligibility is allowable, but children should not be identified for a Title I preschool program solely on the basis of family income. (See B-2 for information on how some children may also be automatically eligible).
- ***District-operated Title I preschool program:*** An LEA may reserve a portion of funds from its Title I allocation to operate a preschool program for eligible children in the district as a whole or in a portion of the district. (See A-5 and G-3). In general, when an LEA reserves funds to operate a districtwide Title I preschool program, it must select children who are eligible to participate in accordance with ESEA section 1115(c)(1)(B) (targeted assistance program) by identifying preschool children most at risk of failing to meet the challenging State academic standards based on criteria, including objective criteria, established by the LEA and supplemented by the school. The use of family income as one factor in determining eligibility for a districtwide Title I preschool program is allowable, especially for the purpose of prioritizing when there are not sufficient Title I funds to serve all eligible preschool-age children. However, children should not be identified as eligible for a Title I preschool program solely based on family income. An LEA may not use Title I funds to implement a districtwide preschool program to benefit all preschool children in the

LEA unless all the schools in the LEA are Title I schools operating schoolwide programs.

An LEA may also reserve funds to operate a preschool program for eligible children in a portion of the district — *i.e.*, attendance areas served by some or all of its Title I schools. Under this approach, the LEA would select specific Title I school attendance areas in which to provide preschool programs with Title I funds (e.g., its highest-poverty school attendance areas, its attendance areas for schools operating schoolwide programs). Because this approach is based on Title I participating school attendance areas, which children are eligible depends on the nature of the Title I program the school serving the attendance area is operating. Accordingly, all preschool children residing in the attendance area of a school operating a schoolwide program are eligible; in the attendance area of a school operating a targeted assistance program, eligible preschool children would be those who are identified as most at risk of failing to meet the challenging State academic standards based on criteria, including objective criteria, established by the LEA and supplemented by the school.

Please refer to questions G-4 and G-5 for additional information on how the Title I supplement not supplant requirements would apply to these programs, which include examples for various State laws or local policies (e.g., universal preschool or preschool for all programs).

B-2. Are some children “automatically eligible” to participate in a Title I preschool program?

Yes. Certain children are automatically eligible to participate in a Title I preschool program (ESEA section 1115(c)(2)), including —

- Children who participated in Head Start, received services supported by the Comprehensive Literacy State Development Grants program under Title II, Part B, Subpart 2 of the ESEA, or attended a Title I preschool program at any time in the prior two years;
- Children who received services under Part C of Title I (migrant education) in the prior two years;
- Preschool-aged children experiencing homelessness; and
- Children who are in a local institution for neglected or delinquent children and youth or attending a community-day program for these children.

B-3. What does it mean if a preschool child is “automatically eligible”?

If a preschool child is automatically eligible to participate in a Title I preschool program by virtue of being in one of the categories listed in B-2, an LEA or school need not identify the preschool child as most at risk of failing to meet the challenging State academic standards to participate in a Title I preschool program. However, the amount of Title I funds available may not be sufficient for the LEA or school to serve all eligible children. (See B-4).

B-4. Do all children who are eligible to participate in a Title I preschool program receive services?

Not necessarily. Often, the amount of Title I funds available may not be sufficient for an LEA or school to serve all eligible preschool children. In that case, consistent with ESEA section 1115, from the universe of eligible children, the LEA or school selects those children who have the greatest

need for special assistance to participate in a Title I preschool program. These selections are difficult because they inevitably result in some children being selected before other children who may also have significant needs. An LEA's or a school's staff, based on a review of all the information available, should use their best professional judgment in making these selections, often balancing the needs of different populations. An LEA or a school may decide, for example, that English learners have the greatest need for preschool services in order to learn English prior to entering school or that among the Title I eligible children, those children experiencing homelessness, children in foster care, or children with disabilities may have the greatest need.

B-5. Are children with disabilities eligible to participate in a Title I preschool program?

Yes. Children with disabilities are eligible to participate in a Title I preschool program on the same basis as eligible children without disabilities. (ESEA section 1115(c)(2)(A)). Furthermore, under section 504, children with disabilities may not be excluded from a Title I preschool program on the basis of a disability, and such program must take into account the needs of children with disabilities in determining the aid, benefits or services to be provided. (34 C.F.R. § 104.38). A Title I preschool program can be used to meet the free appropriate public education and least restrictive environment requirements under IDEA. Please note that, under the Title I supplement not supplant requirements, an LEA or school must receive the State and local funds necessary to provide services required by law for children with disabilities. (ESEA sections 1114(a)(2)(B) and 1118(b)(1)-(2)). (See G-4 and G-5 for additional information on Title I supplement not supplant requirements). For additional information on the inclusion of children with disabilities in early childhood programs, please see the [*Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs*](#).

B-6. Are migratory children eligible to participate in a Title I preschool program?

Yes. Migratory children are eligible to participate in a Title I preschool program on the same basis as eligible non-migratory children. (ESEA section 1115(c)(2)(A)).

Moreover, preschool children who received services under the migrant education program (Title I, Part C) in the prior two years are automatically eligible to participate in a Title I preschool program. (ESEA section 1115(c)(2)(C)). (See B-2 and B-3).

B-7. Are English learners eligible to participate in a Title I preschool program?

Yes. English learners (as defined in ESEA section 8101(20)) are eligible to participate in a Title I preschool program on the same basis as eligible children who are not English learners (ESEA section 1115(c)(2)(A)). Please note that, under the Title I supplement not supplant requirements, an LEA or school must receive the State and local funds necessary to provide services required by law for English learners. (ESEA sections 1114(a)(2)(B) and 1118(b)(1)-(2)). (See G-4 and G-5 for additional information on Title I supplement not supplant requirements).

B-8. Are children experiencing homelessness eligible to participate in a Title I preschool program?

Yes. Children experiencing homelessness are automatically eligible to participate in a Title I preschool program. (ESEA section 1115(c)(2)(E)). (See B-2 and B-3).

For more information on early childhood homelessness, see section N of the Department’s guidance *Education for Homeless Children and Youths Program Non-Regulatory Guidance* (updated August 2018) (available at: <https://oese.ed.gov/files/2020/07/160240ehcyguidanceupdated082718.pdf>).

B-9. Is an LEA required to provide equitable services under Title I to preschool children in a private elementary school?

ESEA section 1117 requires an LEA to provide equitable services to eligible children enrolled in private elementary schools. As a result, unless State law considers preschool to be part of elementary education, an LEA is not required to provide equitable services to preschool children in a private school, and preschool children from low-income families do not generate funds for such services. At the same time, if preschool children reside in a participating Title I public school attendance area and attend a private elementary school that is participating in the Title I program, the preschool children and their teachers and families may, but are not required to, be provided Title I equitable services based on timely and meaningful consultation between the LEA and private school officials, taking into consideration the needs of the preschool children and other eligible children in the private school and the amount of funds available to provide services.

For more information on the provision of Title I equitable services, see the Department’s guidance: *Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act: Providing Equitable Services to Eligible Private School Children, Teachers, and Families* (available at: <https://oese.ed.gov/files/2023/05/Title-I-ES-guidance-revised-5-2023.pdf>).

C. EARLY CHILDHOOD EDUCATORS (TEACHERS AND PARAPROFESSIONALS) IN A TITLE I PRESCHOOL PROGRAM

C-1. What qualifications are required for teachers working in a Title I preschool program?

Well-prepared, supported, and effective teachers are essential to ensure equitable access to a high-quality preschool program and the successful development and learning of young children. Under ESEA section 1112(c)(6), each LEA must ensure that all teachers working in a program supported with Title I funds meet applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes of education. Each LEA and school must also notify and provide certain information to parents about whether a student’s teacher has met State qualification and licensing criteria. (ESEA section 1112(e)(1)(A)-(B)).

Preschool teachers should meet the highest professional standards for teaching young children, which ideally include having earned a baccalaureate degree in early childhood education or early elementary education and possessing strong knowledge of child development and background in developmentally informed practices. Moreover, some early childhood programs are required to meet specific standards. For example, at least fifty percent of Head Start teachers nationwide in center-based programs must have: (1) a baccalaureate or advanced degree in early childhood education; or (2) a baccalaureate or advanced degree and coursework equivalent to a major relating to early childhood education, with experience teaching preschool-age children. (Head Start Act section 648A(a)(2)(A)). As another example, for Head Start teachers in center-based programs, each

classroom that does not have a teacher who meets the baccalaureate qualifications previously described must have a teacher with either (1) an associate degree in early childhood education; (2) an associate degree in a related field and coursework equivalent to a major relating to early childhood education, with experience teaching preschool-age children; or (3) a baccalaureate degree and has been admitted into the Teach For America program, passed a rigorous early childhood content exam, such as the Praxis II, participated in a Teach For America summer training institute that includes teaching preschool children, and is receiving ongoing professional development and support from Teach For America's professional staff. (Head Start Act section 648A(a)(3)(B)).

C-2. What qualifications are required for paraprofessionals working in a Title I preschool program?

ESEA section 1111(g)(2)(M) requires each State to have professional standards for paraprofessionals working in a program supported with funds under Title I, including qualifications that were in place on December 9, 2015 (the day before the date of enactment of the ESSA). As such, each State must ensure that its LEAs and schools continue to comply with the paraprofessional requirements in place on December 9, 2015, including those requirements under section 1119(c) and (d) of the ESEA, as amended by the No Child Left Behind Act of 2001 (NCLB) [see also 34 C.F.R. § 200.58], and any State-specific requirements for paraprofessionals. (This information is also available in question C-7a of the “Transitioning to the Every Student Succeeds Act (ESSA)” here <https://www2.ed.gov/policy/elsec/leg/essa/essatransitionfaqs11817.pdf>).

In a Title I preschool program, a paraprofessional paid with Title I funds must have:

- Earned a secondary school diploma or its recognized equivalent; and
- Either (1) completed at least two years of study at an institution of higher education; (2) obtained an associate’s or higher degree; or (3) met a rigorous standard of quality and have demonstrated — through a formal State or local academic assessment — knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness. (34 C.F.R. § 200.58(b)-(d)).

In a Title I preschool program in a schoolwide program school, all paraprofessionals must meet the above requirements, regardless of how their salaries are funded.

A paraprofessional who is proficient in English and a language other than English and serves only as a translator and/or interpreter to enhance the participation of preschool English learners or who has instructional-support duties that consist solely of parental involvement activities must have a high school diploma or its recognized equivalent but does not have to meet the additional requirements noted above. (34 C.F.R. § 200.58(e)).

Other State and local training or certification requirements for paraprofessionals, translators, and interpreters working in a preschool program may apply.

C-3. What does the term “paraprofessional” mean in a Title I preschool program?

“Paraprofessional,” for the purpose of meeting staff qualification requirements in a Title I preschool program, means an individual who provides instructional support and does not include individuals who have only non-instructional duties (such as providing technical support for computers,

providing personal care services, or performing clerical duties). (34 C.F.R. § 200.58(a)(2)).

ESEA section 1111(g)(2)(M) requires each State to have professional standards for paraprofessionals working in a Title I program. Those standards might include requirements regarding the responsibilities of paraprofessionals, such as what their duties may be and by whom they must be supervised.

C-4. May Title I funds be used to provide professional development for preschool teachers and paraprofessionals who are working in a Title I preschool?

Yes. In a school operating a schoolwide program, Title I funds may be used for professional development and other activities for teachers, paraprofessionals, and other personnel to improve instruction and use of data from academic assessments, and to recruit and retain effective teachers, particularly in high-need subjects. (ESEA section 1114(b)(7)(A)(iii)(IV)).

In a school operating a targeted assistance program, Title I funds may be used to provide professional development to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with eligible children in a Title I targeted assistance program or in the regular education program. (ESEA section 1115(b)(2)(D)). An LEA may also use Title I funds for professional development and other activities to improve instruction in Title I preschool programs or other early childhood education programs supported in whole or in part with Title I funds (e.g., Head Start).

ESEA section 8101(42) defines “professional development,” specifically noting that the professional development activities are sustained (not stand-alone, one-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused.

C-5. May Title I funds be used to support the development of paraprofessionals working in Title I preschool programs to become preschool teachers?

Yes. Title I funds may be used to support the development of paraprofessionals serving in a Title I preschool program (e.g., a paraprofessional working in a Title I school- or district-operated preschool program or who works in a Head Start program and is paid using Title I funds) so that they can become preschool teachers. Note that an individual paid with Title I funds providing instructional support to students (and who is not a teacher) must meet the Title I paraprofessional qualifications, regardless of their title (e.g., teacher resident, apprentice in a registered apprentice program) (see C-2 and C-3). Title I funds may not be used to help an individual meet the Title I paraprofessional qualifications.

Title I funds may, for example, be used to support academies or other cohorts of paraprofessionals to develop the skills necessary to become effective teachers in a Title I preschool program. Funds could be used for the salary or stipend for a teacher resident or registered teacher apprentice who meets the Title I paraprofessional requirements and is employed in a Title I preschool program or to compensate coaches or mentors of such resident or apprentice employees.

ESEA section 1114(b)(7)(A)(iii)(IV) expressly authorizes an LEA to use Title I funds in a schoolwide program to recruit effective teachers, such as paraprofessionals serving in a Title I preschool program. Although recruitment is not an enumerated allowable activity in a Title I

targeted assistance school, it is allowable to the extent the school is recruiting a teacher to serve only students selected for Title I services (e.g., a Title I preschool teacher). Similarly, an LEA may reserve funds at the district-wide level to recruit teachers to teach in Title I schools. Thus, there is authority in Title I for an LEA to use Title I funds to recruit teachers to teach in a Title I preschool program, subject to the additional considerations below.

In order to be allowable under Title I, use of funds must comply with requirements in 2 C.F.R. Part 200, including that they be necessary, reasonable, and allocable for the performance of the Federal award. (See 2 C.F.R. §§ 200.403-200.405). To be allocable, an LEA's Title I program must receive commensurate benefits. If, for example, an LEA uses Title I funds to support the development of new teachers through a teacher residency or registered teacher apprenticeship program, an LEA may not charge Title I for the cost of that program unless it can ensure that the participants will work, following completion of the program, (1) in the LEA's Title I program or (2) in the case of a Title I-funded paraprofessional working in a Head Start program, as a Title I-funded preschool teacher. Otherwise, the Title I program would receive no benefits from such costs.

As further described in questions G-4 and G-5, ESEA section 1118(b)(1) requires an LEA to use Title I funds only to supplement the funds that would, in the absence of the Title I funds, be made available from State and local sources for the education of students participating in the Title I program. Similarly, an LEA may use Title I funds in Title I schools only if the LEA demonstrates that the methodology it uses to allocate State and local funds to each Title I school ensures that the school receives all the State and local funds or resources it would otherwise receive if it were not receiving Title I funds. (ESEA section 1118(b)(2)).

C-6. May Title I funds be used to increase compensation of teachers and paraprofessionals working in a Title I school- or district-operated preschool program?

Yes. Title I funds may be used to pay for compensation of teachers and paraprofessionals working in a Title I school- or district-operated preschool program, including wages, salaries, and fringe benefits, consistent with the cost principles in the Uniform Guidance (2 C.F.R. Part 200), including 2 C.F.R. §§ 200.430 and 200.431. If the increase in compensation (e.g., to attract or retain qualified staff) of an employee is consistent with the written policy of the LEA applied to both Federal and non-Federal funds activities as required under 2 C.F.R. §§ 200.430(a)(1), then paying for the increase in compensation with Title I funds would be allowable if it is also reasonable, necessary, and allocable under 2 C.F.R. § 200.403 – 200.405.

As a reminder, an LEA must comply with the Title I supplement, not supplant requirements (see G-5). For example, the LEA would not be allowed to allocate fewer State or local funds to a Title I school operating a preschool program based on its Title I status because doing so would violate the Title I supplement not supplant requirements.

D. PARENT AND FAMILY ENGAGEMENT

D-1. Do the parent and family engagement provisions in ESEA section 1116 apply to a Title I preschool program?

Yes, and the Department encourages robust participation of parents in all Federal education programs. In the case of an LEA operating a Title I preschool program, a school could, but would not be required to, include parents of preschool children in its school parent and family engagement policy under ESEA section 1116(b). The LEA, however, would be required to include parents of preschool children in its parent and family engagement policy under ESEA section 1116(a).

A school operating a Title I preschool program would be required to include parents of preschool children in its parent and family engagement policy under ESEA section 1116(b). Parents must be notified of the school's policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. (ESEA section 1116(b)). With respect to other parent and family engagement activities described in ESEA section 1116, such as the annual meeting or parent training, a school or LEA must either include preschool parents or provide separate activities for those parents, as appropriate.

Finally, when an LEA or school is carrying out the Title I parent and family engagement requirements, the LEA or school must provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required under ESEA section 1111 in a format and, to the extent practicable, in a language such parents understand. (ESEA section 1116(f)).

D-2. What is the relationship between the Title I parent and family engagement policies and those in other programs?

An LEA or a school operating a Title I preschool program must, to the extent feasible and appropriate, coordinate and integrate Title I parent and family engagement strategies with parent and family engagement strategies under other relevant Federal, State, and local laws and programs, including public preschool programs (ESEA section 1116(a)(2)(C) and (e)(4)).

D-3. How can a Title I preschool program promote parent and family engagement?

A child's home environment, parent-child interaction, and early relationships are central to a child's health, development, and education. Parents and other family members are essential partners with early and elementary educators to support children's comprehensive development and lay the path for early school success. It is critical that Title I preschool programs engage with and support families to ensure child and family success.

Parents and families can support their child's development by engaging in language-rich conversation, providing support for early literacy and math and social emotional development, and holding appropriate expectations for their child's learning and development. Accordingly, preschool programs can provide families with training and support in implementing strategies most closely associated with children's language, social and emotional, and cognitive development. In addition,

preschool programs can share State early learning and development standards and the preschool curriculum goals with families and help them understand how to help children meet these standards and goals.

Programs can also train and support parents and families with respect to opportunities for continued learning and development during the summer or other extended vacation periods, and, as children move to preschool and kindergarten, partnering with educators to prevent the loss of previously acquired skills and smooth transitions.

To meet the Head Start performance standards, a preschool program supported by Title I must engage in some specific parent and family engagement practices. (See H-3 for more information about the Head Start performance standards).

D-4. May a school include parents of children in a Title I preschool program in the school's professional development activities?

Yes. To ensure effective involvement of parents and to support the partnership among the school, parents, and the community to improve student academic achievement, a Title I school must provide reasonable support for parental involvement activities as parents and families of participating children may request (ESEA section 1116(e)(14)), which may include allowing parents to participate in professional development activities that the school or LEA deems appropriate.

D-5. Are Title I funds available to support parent and family engagement in a Title I preschool program?

Yes. An LEA that receives a Title I, Part A allocation of more than \$500,000 in a given fiscal year must reserve not less than one percent to carry out parent and family engagement activities under ESEA section 1116. Of the one percent reserved by the LEA to carry out parent and family engagement activities, not less than 90 percent must go to its Title I schools, giving priority to high-need schools. (ESEA section 1116(a)(3)(C)). Accordingly, an LEA that operates a district-wide Title I preschool program may use the remaining funds it retains to support parent and family engagement in its preschool program or reserve additional funds above the required one percent reservation for this activity. Similarly, a Title I school operating a preschool program may use the funds it receives from the LEA's reservation under ESEA section 1116(a)(3)(C) to support engagement activities for parents and family members of preschool children.

An LEA may also use its funds reserved for parent and family engagement at the LEA level to support schools and nonprofit organizations (e.g., Head Start program providers, child care providers) in providing professional development for LEA and school personnel regarding parent and family engagement strategies, which may be provided jointly to educators, paraprofessionals, early childhood educators, and parents and family members. (ESEA section 1116(a)(3)(D)(i)).

An LEA with a Title I allocation of \$500,000 or less may, but is not required to, reserve Title I funds for parent and family engagement, although its Title I schools must carry out parent and family engagement activities under section 1116 regardless of any reservation.

E. TRANSITION FROM PRESCHOOL TO KINDERGARTEN

E-1. What responsibilities does a Title I schoolwide program school have to assist preschool children in the transition from preschool to elementary school programs?

A Title I schoolwide program's comprehensive plan must describe the strategies the school will implement to address the learning needs of all students, including preschool students. (ESEA section 1114(b)(7)(A)(iii)). Such strategies may include strategies to assist preschool children in the transition to elementary school programs from early childhood education programs, such as Title I preschool programs, Head Start, the Comprehensive Literacy State Development Grants program under Title II, Part B, Subpart 2 of the ESEA, State-funded preschool programs, special education and related services for preschool children under IDEA Part B, and other preschool programs. (ESEA section 1114(b)(7)(A)(iii)). This requirement applies regardless of whether a schoolwide program school operates a preschool program.

E-2. What responsibilities does a school operating a Title I targeted assistance program have to assist preschool children in the transition from preschool to elementary school programs?

A school operating a Title I targeted assistance program must coordinate with and support the school's regular education program, which may include services to assist preschool children in the transition from early learning programs, such as Title I preschool programs, Head Start, the Comprehensive Literacy State Development Grants program under Title II, Part B, Subpart 2 of the ESEA, and State-funded preschool programs, to elementary school programs. (ESEA section 1115(b)(2)(C)). This requirement applies regardless of whether a school operating a targeted assistance program uses Title I funds to operate a preschool program.

E-3. What responsibilities does an LEA have to assist preschool children in the transition from preschool to elementary school programs?

If an LEA decides to use its Title I funds to provide early childhood education services, the LEA must support, coordinate, and integrate services provided under Title I with early childhood education programs at the LEA or individual school level, including the transition of participants in such programs to a local elementary school program. (ESEA section 1112(b)(8)).

F. COORDINATION WITH OTHER FEDERAL PROGRAMS

F-1. What coordination activities must an LEA carry out with Head Start agencies and other early childhood programs?

Each LEA receiving Title I funds, regardless of whether it operates a Title I preschool program, must carry out the following coordination activities with Head Start agencies and, if feasible, other early learning programs that serve children who will attend the schools of the LEA:

- Developing and implementing a systematic procedure for receiving records of preschool children, with their family's consent;
- Establishing communication between school staff and their early learning program

counterparts;

- Conducting meetings involving parents, kindergarten or elementary school teachers, and Head Start teachers, or, if appropriate, teachers from other early learning programs to discuss the developmental and other needs of individual children;
- Organizing and participating in joint transition-related training of school staff and Head Start staff, and, where appropriate, other early learning program staff; and
- Linking the educational services provided by the LEA with those provided by Head Start programs. (ESEA section 1119(b)).

As part of these activities, the Department encourages the LEA to coordinate with early learning programs to identify students' home language and any necessary supports to develop and retain the home language, including parent and family engagement, while also supporting English proficiency and fluency. Funds received under Title III, Part A of the ESEA may be used for supplemental services that support English learners' English language development and acquisition beginning in preschool, which is an important period of development for gaining proficiency in more than one language. For additional details on the requirements that apply to the use of funds for English learners under Title III, Part A of the ESEA, including the supplement, not supplant requirement, please refer to the Department's guidance: *Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Act (ESEA), as amended by the Every Student Succeeds Act (ESSA)* (available at: <https://www2.ed.gov/policy/elsec/leg/essa/essatitleiiienglishlearners10219.pdf>).

The LEA should coordinate its services provided under IDEA and Title III, Part A of the ESEA with early learning programs, providers, and families. For additional details on the coordinated use of funds under Title III, Part A of the ESEA and IDEA to support early learning, please refer to the Department's guidance *Non-Regulatory Guidance Early Learning in the Every Student Succeeds Act: Expanding Opportunities to Support our Youngest Learners* (available at: <https://oese.ed.gov/files/2020/07/essaelguidance10202016.pdf>).

F-2. How may a school or an LEA use Title I funds to complement or extend Head Start, child care, State-funded preschool, or other community-based early learning programs for at-risk children, including children with disabilities?

In addition to supporting preschool children participating in a Title I preschool program, an LEA or school may use Title I funds to complement or extend Head Start programs, child care, State-funded preschool programs, or other community-based early learning programs for at-risk children, including children with disabilities. In the examples provided below, all Title I requirements apply to the use of Title I funds.

- Children eligible for Title I might not qualify for Head Start. If they do not, Title I funds may be used to provide services to Title I-eligible children who are not eligible for Head Start services.
- Head Start might be unable to serve all children eligible for Head Start. Title I funds may be used to serve children who are eligible for but not already served by Head Start, and are also eligible for Title I. Note that some Head Start-eligible children who are not otherwise eligible under Title I (e.g., by having participated in a Head Start program at any point in the prior two years) might not be eligible for Title I because they are not most at risk of failing to

meet the challenging State academic standards.

- Title I funds may be used to provide educational services for children who are eligible for both Title I and Head Start, with Head Start funds providing other services.
- State-funded preschool, child care, Head Start, and community-based early learning programs that are supported with Title I funds should be coordinated with IDEA Part B and Part C programs to ensure children with disabilities receive their IDEA services and supports in the same program in which they are currently enrolled. As a part of this work, Title I funds may be used to provide professional development to increase preschool teachers' competencies in instructing children with disabilities.
- Title I funds may be used to supplement, enhance, or expand existing early childhood education programs, including State-funded preschool, child care, and community-based early learning programs, for children who are eligible for Title I services. This may include extending the daily program, increasing the number of days in the program, increasing the quality of the program, providing services at times the program is not operating, or enriching services through the provision of extra personnel to work with Title I-eligible children.
- Title I funds may also be used to support the professional learning and retention of early learning program educators and staff, including by providing compensation increases. (See C-6 for information on the use of Title I funds to increase teacher compensation).

F-3. How should an LEA coordinate with other preschool programs when establishing a Title I preschool program?

Before establishing a Title I preschool program, an LEA should conduct a community needs assessment to assess the supply of preschool services available in Title I schools and their surrounding communities for eligible children, including Head Start and other community-based preschool providers. Such an assessment can be used to design a plan that builds on the existing supply of preschool services, including Head Start programs and services, and addresses how the LEA will support coordinated enrollment across all available preschool programs in the community. This support should include encouraging and facilitating enrollment in Head Start for children and families who would benefit from Head Start's comprehensive services model.

An LEA should consider how it will coordinate to expand access to high-quality preschool programs funded under Title I with existing services for preschool-aged children including, if applicable, State preschool programs and programs and services provided under Part C and Part B of IDEA, the Head Start Act, Preschool Development Grants, Birth to 5, and the Child Care & Development Block Grant Act.

F-4. May a school use school improvement funds received under ESEA section 1003 to operate a preschool program?

Yes, a school may use ESEA section 1003 funds awarded to the school's LEA to operate a preschool program in that school if it is aligned to the identified school's support and improvement plan. For example, if an elementary school identified for comprehensive support and improvement determines, as part of its school-level needs assessment, that students in early grades are performing poorly on reading or language arts, the school's support and improvement plan may include an evidence-based intervention to support early literacy instruction in preschool. As another example, if an elementary school is identified for additional targeted support and improvement based on the

performance of English learners as a student subgroup, the school's support and improvement plan may include an evidence-based intervention targeted at supporting English language acquisition instruction in preschool. In both examples, the school may use ESEA section 1003 funds awarded to the school's LEA to fund these preschool interventions.

Under ESEA section 1003(a) and 34 C.F.R. § 200.100(a)(1), an SEA must reserve Title I funds for purposes of carrying out school improvement activities, including a statewide system of technical assistance and support for LEAs. ESEA section 1003(b)(1)(A) requires an SEA to allocate at least 95 percent of funds reserved under section 1003 to LEAs with schools implementing comprehensive, targeted, or additional targeted support and improvement activities under ESEA section 1111(d). The ESEA authorizes an LEA to use section 1003 funds for any activity that it determines (and the SEA approves as part of the LEA's application) will help a school implementing a comprehensive, targeted, or additional targeted support and improvement plan to improve student outcomes. Thus, an identified school may use section 1003 funds awarded to the LEA for that school to implement a high-quality preschool program that is designed to improve school readiness if it is aligned to the identified school's support and improvement plan. The high-quality preschool program must be carried out in accordance with the LEA's application under ESEA section 1003.

ESEA section 1003(e)(2) requires an LEA to assure that each identified school the LEA serves with section 1003 funds will receive all State and local funds it would have received in the absence of the section 1003 funds. Under ESEA section 1118(b)(2), each LEA must allocate State and local funds to each Title I school through a methodology that ensures the school receives all State and local funds it would otherwise receive if it were not receiving Title I funds (i.e., in a Title I-neutral manner). Assuming an LEA allocates State and local funds through its methodology first, any school—whether Title I or non-Title I—that receives section 1003 funds would already have received, through the LEA's methodology, all the State and local funds it would have received absent the section 1003 funds. Thus, the LEA would be complying with both ESEA sections 1118(b)(2) and 1003(e)(2).

F-5. May an LEA operating an early childhood education program access funds through the Medicaid Program to pay for Medicaid-covered health and medical services to all Medicaid-enrolled children, including those children with disabilities with an individualized education plan (IEP)?

Yes, an LEA operating an early childhood education program may access funds through the Medicaid Program to provide health and medical services to all Medicaid-enrolled children. While Medicaid eligibility policy varies by State, all States must cover children through age five in households with income less than 133 percent of the Federal poverty level. In May 2023, the Centers for Medicare & Medicaid Services (CMS), in consultation with the Department, released *Delivering Service in School-Based Settings: A Comprehensive Guide to Medicaid Services and Administrative Claiming* (available at: <https://www.medicaid.gov/sites/default/files/2023-07/sbs-guide-medicaid-services-administrative-claiming-ud.pdf>). This guide offers new flexibilities and consolidates existing guidance, making it easier for all schools, including early childhood programs) operated by LEAs, to receive payment for delivering Medicaid-covered services. The guide also provides an overview of Federal efforts to improve and support early education and health initiatives for young children enrolled in Medicaid. While this Medicaid guide is focused primarily on the funding of school-based services (SBS) provided to children in kindergarten through high school, who are typically five years

old and older, much of the guidance may be relevant to SBS provided to children in these early education programs.

G. USE OF FUNDS

G-1. Under what circumstances may an LEA use Title I funds to identify eligible preschool children?

Generally, an LEA should use information it already has available to identify children who are failing or most at risk of failing to meet the challenging State academic standards. However, if an LEA has no appropriate existing data to identify at-risk preschool children, the LEA may use Title I funds to identify these children provided that the cost is reasonable (2 C.F.R. § 200.404).

G-2. May a Title I school use all of its Title I funds to operate a preschool program?

Yes. A Title I school may use all of the Title I funds it receives under ESEA section 1113 to operate a preschool program if the school determines that doing so holds the most promise for raising the achievement of its students and the school implements the preschool program consistent with all applicable requirements. Note that a Title I school operating a targeted assistance program may only serve children who are most at risk of failing to meet the challenging State academic standards.

G-3. May an LEA reserve its entire Title I allocation to operate a districtwide Title I preschool program?

No. Under Title I, funds are available to operate programs in eligible elementary and secondary schools. Specifically, ESEA section 1113 and 34 C.F.R. § 200.78 require an LEA to allocate Title I funds to elementary and secondary “school attendance areas and schools.” Although an LEA may also reserve Title I funds to operate a districtwide Title I preschool program (see A-5), the LEA must ensure that there are enough funds remaining to make allocations to some or all of its eligible school attendance areas or schools. In addition, in accordance with ESEA section 1113 and 34 C.F.R. § 200.78, such allocations must enable participating schools to operate a Title I program of sufficient size, scope, and quality to help students served by the program achieve proficiency on the challenging State academic standards.

G-4. Does the Title I supplement not supplant provision apply to the use of Title I funds to operate a preschool program?

Yes. An LEA or school operating a Title I preschool program must comply with the same supplement, not supplant requirements that apply to all Title I programs. (ESEA section 1118(b)).

For additional information, see the Department’s guidance *Supplement Not Supplant Under Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act* (June 2019) (available at: <https://oese.ed.gov/files/2020/07/snsfinalguidance06192019.pdf>).

G-5. How does an LEA demonstrate compliance with the Title I supplement not supplant provision when the LEA or one or more of its schools is using Title I funds to operate a preschool program?

To demonstrate compliance with the supplement, not supplant requirement with respect to State and local funds allocated to schools, an LEA must demonstrate that the methodology used to allocate State and local funds to each school receiving Title I funds ensures that such school receives all State and local funds it would otherwise receive if it were not receiving Title I funds. (ESEA section 1118(b)(2)). There is no similar compliance test for State and local funds reserved for districtwide activities, including preschool. However, because the general supplement, not supplant requirement in ESEA section 1118(b)(1) applies to all State and local funds, an LEA must conduct districtwide activities supported by such funds in a manner that does not take into account a school's Title I status (e.g., by implementing a policy of conducting districtwide activities in a Title I-neutral manner). In either case, an LEA is not required to identify that an individual cost or service supported under Title I is supplemental; or provide services under Title I through a particular instructional method or in a particular instructional setting in order to demonstrate the LEA's compliance with the supplement not supplant requirement. (ESEA section 1118(b)(3)).

Below are examples of how the Title I supplement not supplant requirements apply in States or LEAs operating universal or targeted preschool programs.

- *Example 1:* If State law requires that an LEA provide preschool services to all four-year old children, the LEA must provide a Title I school sufficient State and local funds to provide those services without regard to the school's Title I funds to comply with the supplement, not supplant requirement in ESEA section 1118(b)(2). The school may use Title I funds, however, to supplement the preschool services required by State law by also serving, for example, three-year-old children.
- *Example 2:* If State law requires that an LEA provide preschool services to all four-year-old children from low-income families, the LEA must make sufficient State and local funds available to provide preschool services to children from low-income families who will attend Title I schools to comply with the supplement, not supplant requirement in ESEA section 1118(b)(1). The LEA may use Title I funds, however, to supplement the preschool services required by State law by also serving, for example, four-year-old Title I-eligible children who are not from low-income families.
- *Example 3:* If an LEA, as a matter of school board policy, provides a half-day preschool program in each of its schools, the LEA must make sufficient State and local funds available to a Title I schoolwide program school to provide those services. The LEA or a Title I school may use Title I funds, however, to supplement those preschool services by providing, for example, a full-day preschool program.

As noted in the Department's guidance on Title I supplement, not supplant requirements, an LEA could, at its choosing, allocate *more* State and local funds to a Title I school on the basis of it being a Title I school. Similarly, an LEA could also, at its choosing, provide more State and local funds to a district-operated Title I preschool program than a district-operated non-Title I preschool program. For additional information, see the Department's guidance *Supplement Not Supplant Under Title I, Part*

A of the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act (June 2019) (available at: <https://oese.ed.gov/files/2020/07/snsfinalguidance06192019.pdf>).

G-6. May an LEA or a Title I targeted assistance school use Title I funds in a preschool program if only some of the children are eligible for Title I services?

Yes. However, Title I funds may only be used to pay for the costs for allowable Title I activities that are associated with the participation of preschool children who are eligible for Title I services. Federal funds such as those used to fund Head Start, child care programs, IDEA preschool programs, or other preschool programs, consistent with the requirements of those programs, may be used to pay for the costs associated with serving preschool children not eligible for Title I.

G-7. Where may an LEA operate a Title I preschool program?

An LEA may operate a Title I preschool program at any location that other Title I services may be provided, including public school buildings, public libraries, community centers, privately owned facilities (including facilities owned by faith-based organizations), and other appropriate settings.

G-8. If appropriate facilities are not available to house a preschool program in the LEA, how might Title I funds be used to provide preschool services?

If appropriate facilities are not available to provide a Title I preschool program, an LEA might consider using Title I funds to extend the number of hours, expand enrollment, or improve the quality of existing early learning programs such as Head Start or other child care programs. In any case, the setting should be of sufficient quality to facilitate effective program implementation.

G-9. May Title I funds be used to pay the cost of renting a privately owned facility to provide preschool services?

Yes. Using Title I funds to pay the cost of renting space in a privately owned building is allowable if the space is necessary to ensure the success of a Title I preschool program, provided other appropriate space is not available to the LEA and the cost is reasonable. (2 C.F.R. Part 200).

G-10. May Title I funds be used for minor remodeling to accommodate a preschool program?

Yes. If other appropriate space is not available, Title I funds may be used for minor remodeling, which means minor alterations in a previously completed building and does not involve building construction or structural alterations to a building. (34 C.F.R. § 77.1(c)). This also includes the extension of utility lines, such as water and electricity, from points beyond the confines of the space in which the minor remodeling is undertaken but within the confines of the previously completed building. For example, Title I funds might be used to make minor alterations to bathroom facilities to accommodate small children.

With respect to construction, 34 C.F.R. § 76.533 prohibits an LEA from using State-administered Department funds for construction unless specifically permitted by the authorizing statute or implementing regulations. No authorization exists in the Title I statute or regulations for an LEA to use Title I funds for construction.

G-11. May a portion of Title I funds be used to provide preschool children with comprehensive services?

Yes. If preschool children eligible for Title I preschool services need health, nutrition, and other social services, and the LEA or school, if appropriate, has engaged in a comprehensive needs assessment and established a collaborative partnership with local service providers, and funds are not reasonably available from other public or private sources to provide those services, a portion of Title I funds may be used, as a last resort, to address those needs. (ESEA section 1115(e)(2)).

Comprehensive services include such things as:

- The provision of basic medical equipment, such as eyeglasses and hearing aids;
- Compensation of a coordinator (e.g., a coordinator for integrated student supports or wraparound services);
- Family support and engagement services;
- Integrated student supports; and
- Professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children. (ESEA section 1115(e)(2)(B)).

G-12. May Title I funds be used to support the integration of educational technology into preschool programs?

Yes. On January 25, 2023, the Department’s Office of Educational Technology published “Dear Colleague Letter: Leveraging Federal Funding for Teaching and Learning with Technology” (available at: https://tech.ed.gov/files/2023/01/2023.01_Dear_Colleague_Federal_Funding_Technology.pdf). This letter offers two examples of ways funds can be used to support the integration of technology that could apply to preschool programs. First, an LEA may use Title I funds for educators in Title I schoolwide programs or Title I educators in targeted assistance programs by providing learning opportunities to support ongoing, job-embedded, collaborative, digitally literate professional learning for educators, to help educators better understand the core content of the subject areas they teach, improve their instruction and teaching practice, and demonstrate proficiency in using technology. (ESEA sections 1114(a)(1), 1114(b)(7)(A)(iii)(IV), 1115(a), and 1115(b)(2)(d)). Second, an LEA may use Title I funds to help educators in Title I schoolwide programs or Title I educators in targeted assistance programs manage and analyze student data to improve instruction and decision-making for school improvement efforts. (ESEA section 1114(b)(7)(A)(iii)(IV) and 1115(b)(2)(d)).

H. SEA SUPPORT OF TITLE I PRESCHOOL PROGRAMS

H-1. What oversight responsibilities does an SEA have with respect to a Title I preschool program?

As the Title I grantee, an SEA is responsible for oversight of all Title I programs, including preschool programs operated, in whole or in part, with Title I funds (ESEA sections 1111 and 8304).

H-2. How can an SEA support Title I preschools?

SEAs can support Title I preschools by —

- Promoting implementation of high-quality Title I preschool programs as an improvement strategy for schools identified for support and improvement under the ESEA;
- Encouraging the formation of mentoring relationships between effective preschools and those that are struggling;
- Raising awareness about how Title I funds can best be used to support preschool programs and sharing evidence-based practices;
- Supporting collaboration between the LEA, school, and Head Start agency and other entities carrying out early learning programs;
- Coordinating Title I preschool efforts with agencies administering other early learning programs and with State Advisory Councils for Early Care and Education (where they exist);
- Supporting LEA efforts to ensure effective transitions to kindergarten and instructional alignment across preschool and K-3;
- Ensuring transition requirements under IDEA, Part C of children with disabilities are met, including the timely evaluation of such children for services under IDEA, Part B Section 619, including through coordination with the IDEA, Part C lead agency if it is not the SEA;
- Coordinating Title I preschool efforts with IDEA, Part B and Part C services to support inclusive preschool classrooms and necessary collaboration and coordination across State and local agencies;
- Supporting a child's continued learning and proficiency in their home language in addition to English; and
- Providing training on early learning standards and in appropriately administering, interpreting, and using assessment data to inform and improve instruction, programs, and services that are informed by child development and the science of learning and attending to the needs of students with disabilities and English learners.

H-3. Must a preschool program receiving Title I funds comply with Head Start performance standards?

Yes, a Title I preschool program that provides early childhood educational services to children from low-income families below the age of compulsory school attendance must ensure that those services comply at a minimum with the education performance standards in effect under section 641A(a) of the Head Start Act. (ESEA section 1112(c)(7)).

The specific Head Start standards applicable to Title I preschool programs are in regulations at 45 C.F.R. § 1302 Subpart C — Education and Child Development Program Services (available at:

<https://eclkc.ohs.acf.hhs.gov/policy/45-cfr-chap-xiii/1302-subpart-c-education-child-development-program-services>).

H-4. Where can an SEA, LEA, or school find additional resources for supporting high-quality preschool programs?

Additional resources can be found in appendix B of the Department’s guidance on early learning: *Non-Regulatory Guidance Early Learning in the Every Student Succeeds Act: Expanding Opportunities to Support our Youngest Learners* (available at: <https://oese.ed.gov/files/2020/07/essaelguidance10202016.pdf>).