



# **FY 2023 LEA-level Maintenance of Equity (MOEquity) Tool Overview & Instructions**

**October 4, 2022**

**Federal Fiscal Compliance and Reporting Division**

This presentation is intended solely to provide general information and guidance to Texas local educational agencies (LEAs) and reflects the Texas Education Agency's (TEA's) current understanding of processes, requirements, and applicable federal guidance. The content of this presentation is subject to change as a result of further potential information and guidance provided by federal agencies with regulatory oversight of the topics covered. This presentation does not constitute legal advice, and LEAs are, therefore, advised to seek legal counsel regarding the information and guidance provided in this presentation before acting on such information and guidance.

# Topics Covered

1. Welcome and Introductions
2. Overview of LEA-level Maintenance of Equity (MOEquity)
  - a. Purpose/Intent
  - b. Requirements
  - c. Test Methods
3. LEA MOEquity Tool Overview
  - a. MOEquity: LEAs not Automatically Excepted
  - b. MOEquity Tool Completion and Submission
  - c. Summary of Compliance Paths
  - d. LEA-level MOEquity Timeline
4. Questions and Contact Information

# Purpose & Intent of LEA-level MOEquity

- Second year of fiscal compliance requirement defined in the American Rescue Plan (ARP) Act of 2021
- In receiving ARP Act funds, LEAs agreed to compliance provisions, including LEA-level MOEquity
- Ensures that campuses serving a large share of students from low-income backgrounds (“high-poverty” campuses) do not experience a disproportionate reduction in funding in fiscal years (FYs) 2022 and 2023 or school years 2021–2022 and 2022–2023

# LEAs Subject to LEA-level MOEquity

Applies to all local educational agencies (LEAs) that receive funding authorized by section 2001 of the ARP Act, which includes the following grant programs:

- 2020–2023 ARP ESSER III
- 2021–2023 ESSER Supplemental (ESSER-SUPP)
- 2021–2024 Texas COVID Learning Supports (TCLAS)

# Independence/Uniqueness of Federal Fiscal Compliance Requirements

- Federal fiscal compliance requirements are tied to receipt of funding from different federal grant programs.
- Federal fiscal compliance requirements often use similar terminology, but each requirement is independent/unique, and compliance determinations are calculated independently/separately.
  - Exemption/exception criteria from one federal fiscal compliance requirements **do not** apply to other federal fiscal compliance requirements.

# Automatically/Not Automatically Excepted LEAs

- Action required for LEAs that **are** correctly included on the automatic exception list:
  - Review the list posted on the [LEA-level MOEquity webpage](#) to ensure that your LEA is included and to verify that the exception criteria is correct
  - **No further action is needed**
- Action required for LEAs that are **included or excluded** from the automatic exception list **in error** and wish to request a reconsideration of automatic exception status:
  - Contact the FFCR Division at [Compliance@tea.texas.gov](mailto:Compliance@tea.texas.gov) **by December 2, 2022**

# MOEquity Document Submission Plan

## (Due 12/9/22)

LEAs that do not meet USDE's automatic exception criteria must complete the **MOEquity Document Submission Plan** – requirements:

- Survey completion/submission by **December 9, 2022**
- Subsequent follow-up actions
  - LEA Self-certification of Exception (Appendix B) – **no further action required**
  - Exception request e-mailed directly to USDE by **December 15, 2022**, or
  - ❖ MOEquity Tool submitted to TEA's GFFC Reports and Data Collections by **January 27, 2023**



# Options for LEAs that are Not Automatically Excepted

MOEquity Document Submission Plan: notifies TEA that an LEA that is **not** automatically excepted is choosing one of the following to demonstrate compliance:

- **Plan 1: LEA Self-Certification of Exception (USDE's Appendix B)**
- **Plan 2: USDE Exception Request**
- **Plan 3: MOEquity Tool**

## Plan 3: MOEquity Tool

LEAs that do not meet the USDE's automatic exception criteria, cannot certify "no aggregate reduction," and do not submit an exception request directly to USDE must complete the MOEquity Tool to calculate compliance.

- MOEquity Document Submission Plan survey due by **December 9, 2022**
- Completed MOEquity Tool must be submitted to GFFC Reports and Data Collections by **January 27, 2023**
- Today's MOEquity Tool training session focused specifically on tool completion and submission of all required data

# Meeting MOEquity by Tool Completion

**LEA must meet two tests.** ARP section 2004(c) prohibits an LEA that receives ARP ESSER funds from doing either of the following in FY 2022 or FY 2023:

- Reducing combined **state and local per-pupil funding** for any high-poverty campus by an amount that exceeds the total reduction, if any, of combined state and local per-pupil funding for all campuses in the LEA.
- Reducing the number of **FTE staff per-pupil** in any high-poverty campus by an amount that exceeds the total reduction, if any, of FTE staff per-pupil in all campuses in the LEA.

# Identifying “High-Poverty” Campuses

- Campuses that are in the highest quartile (top 25 percent) of campuses served by the LEA based on the percentage of economically disadvantaged students at the campus.
- LEAs should calculate this ranking using poverty percentage data that is consistent with **October 2022** (FY 2023/School Year 2022–2023) **PEIMS Fall snapshot** data.

# LEA-level MOEquity Test Methods

An LEA may elect, consistent with the statute, to make the determination on a districtwide or grade span basis:

- **Districtwide method:** after determining the top quartile of high-poverty campuses, a comparison is made of the top quartile's data to the districtwide averages
- **Grade span method:** after determining the number of campuses that constitute the top quartile and the highest poverty campuses within each grade span, a comparison is made of the highest poverty campuses' data to the grade span averages

# MOEquity Tool: Data Input & Submission

For FY 2023, the MOEquity Tool will **not** include any pre-populated data

- LEAs will input **October 2022** (FY 2023/School Year 2022–2023) **PEIMS Fall Snapshot** data
- All data will be manually entered for all required cells on the Districtwide worksheet (column headings shaded **red**, A—M)
- Grade span worksheets will auto-populate by Column E data (Grade Span Group Names)
- Auto-calculates
  - Districtwide test
  - Grade span tests
- MOEquity Tools are submitted to GFFC Reports and Data Collections

# MOEquity Tool: LEA Required Data

## LEA-level MOEquity Compliance Determination Tool (**MOEquity Tool**)

Required data input by LEA:

- Select from drop-down
  - ESC region
  - County-district-number (CDN)
  - LEA name auto-populates
- LEA grade span configuration – grade levels served by:
  - Elementary (cell B9)
  - Middle (cell B10)
  - High (cell B11)
- LEA contact information

# MOEquity Tool: LEA Required Data (cont)

- Individual campus information: columns A-F
  - 9-digit campus number
  - 12-digit campus NCES number
  - Campus names
  - Grade levels served
  - Grade span group name
  - Campus low-income percentage



Individual campus information: columns G-M

- FY 2022 (school year 2021–2022) data as of October 2021 PEIMS Fall Snapshot
  - Campus enrollment
  - Campus budget
  - Number of FTEs
- FY 2023 (school year 2022–2023) data as of October 2022 PEIMS Fall Snapshot
  - Campus enrollment
  - Campus budget
  - Number of FTEs
- Identified top quartile “high-poverty” campuses

# MOEquity Tool: ESC & CDN Selection

- Select ESC and CDN number from the drop-down
- LEA name will auto-populate

Note: Yellow background color will disappear once data is selected. Please verify that correct Region and CDN is selected.

LEA Information	
ESC Region	02
County District No.	<div></div>
LEA Name	

# MOEquity Tool: Defining Grade Spans

Grade Span Name	Grade Levels Served
Elementary	
Middle	
High	

Define your LEA's grade span configuration:

- Three selections available :
  - Elementary
  - Middle
  - High
- Determine what grade span group is most appropriate based on enrollment numbers per grade level – select the grade span where most students are enrolled.

# MOEquity Tool: Defining Grade Spans

## (continued)

Example #1: LEA with overlapping grade spans, which consists of the following campuses –

- Campus A: EE–2
- Campus B: PK–4
- Campus C: K–5
- Campus D: 6–8
- Campus E: 6–12 (alt center, largest enrollment in 6–8)
- Campus F: 9–12

Grade Span Name	Grade Levels Served
Elementary	EE-05
Middle	06-08
High	09-12

Example #2: LEA with NO overlap that consists of the following campuses –

- Campus A: EE–2 = Elementary
- Campus B: 3–5 = Elementary
- Campus C: 3–5 = Elementary
- Campus D: 6–8 = Middle
- Campus E: 9–12 = High

Note: if no overlap but still unable to meet compliance using the 3 basic grade span groups, contact FFCR for possible options.

**Allowable Grouping**

Grade Span Name	Grade Levels Served
Elementary	EE-05
Middle	06-08
High	09-12

# MOEquity Tool: Contact Information

Enter LEA contact information (columns F & G, lines 5-8):

Note: Yellow background color will disappear once the cell is completed. Please include a direct telephone line for point-of-contact.

LEA Contact Information	
Name	
Title	
Phone (Direct Line)	
E-Mail	

# MOEquity Tool: Inputting LEA Data


A	B	C	D	E	F	G	H	I	J	K	L	M
Campus Number (9 digits)	NCES ID (12 digits)	Campus Name (only include campuses that served students in BOTH FY 2022 and FY 2023)	FY 2023 Grade Levels Served	FY 2023 Grade Span Group Name (must match cells A9-A11)	FY 2023 Low-Income Percentage	FY 2022 Campus Enrollment	FY 2022 Budget as of Oct. 2021 Snapshot	FY 2022 number of FTEs	FY 2023 Campus Enrollment	FY 2023 Budget as of Oct. 2022 Snapshot	FY 2023 number of FTEs	FY 2023 High-Poverty Campus? (Yes/No)
↑	↑	↑	↑	↑	↑	↑	↑	↑	↑	↑	↑	↑

## Important notes:

- Include only campuses that served students in **BOTH** FY 2022 and FY 2023.
- All columns with headings in red background color are to be filled out by LEA.
- Columns A & B require the appropriate number of digits for each corresponding campus for verification.
- Data sheet containing some of the required information is available on the MOEquity webpage for LEAs required to submit MOEquity tool – LEAs can copy/paste data relevant to their respective campuses to assist with time and effort.

# MOEquity Tool: Inputting LEA Data

A	B	C	D
Campus Number (9 digits)	NCES ID (12 digits)	Campus Name (only include campuses that served students in BOTH FY 2022 and FY 2023)	FY 2023 Grade Levels Served



Data provided to LEAs in a “Data Sheet” (on MOEquity webpage):

- Column A: Campus number (9 digits)
- Column B: Campus NCES ID number (12 digits)
- Column C: Campus name
- Column D: Grade levels served by the campus in FY 2023

LEAs can copy from the Data Sheet and paste into the MOEquity Tool.



# MOEquity Tool: Grade Span Identification

**FY 2023 Grade  
Span Group Name**  
(must match cells  
A9–A11)



Column E:

- Drop-down will list 3 basic grade span names.
- For each campus, select the appropriate grade span (Elementary, Middle, or High).
- Cross-check with your LEA's grade span configuration defined previously in cells A/B9-11.
- These selections impact the pre-population of the grade span worksheets.

# MOEquity Tool: Low-income Percentage

F
FY 2023 Low-Income Percentage

Column F:

- Enter low-income percentage data for each campus consistent with **October 2022** (FY 2023/School Year 2022–2023) **PEIMS Fall Snapshot data**.

Note: for ease in identifying the top quartile (25%) of low-income campuses, campuses can be sorted and then listed in order from highest to lowest for low-income percentage.

# MOEquity Tool: FY 2022 Data to be Entered

FY 2022		
FY 2022 Campus Enrollment	FY 2022 Budget as of Oct. 2021 Snapshot	FY 2022 number of FTEs

## Important Notes:

- **All data** should be as of the **October 2021** (FY 2022/School Year 2021–2022) **PEIMS Fall Snapshot date**.
  - Enrollment
  - State and local funding from the board-adopted budget in effect at that time
  - Staff FTEs (include all FTEs performing campus-level services, including those funded with federal funds).

Columns G, H, I –

For school year **2021–2022**:

- Enter the enrollment for each active campus.
- Enter the budget allocation for each active campus.
- Enter the allocated staff full-time equivalents (FTEs) for each active campus.

# MOEquity Tool: FY 2023 Data to be Entered

FY 2023		
FY 2023 Campus Enrollment	FY 2023 Budget as of Oct. 2022 Snapshot	FY 2023 number of FTEs

## Important Notes:

- **All data** should be as of the **October 2022** (FY 2023/School Year 2022–2023) **PEIMS Fall Snapshot date**.
  - Enrollment
  - State and local funding from the board-adopted budget in effect at that time
  - Staff FTEs (include all FTEs performing campus-level services, including those funded with federal funds).

Columns J, K, L –

For school year **2022–2023**:

- Enter the enrollment for each active campus.
- Enter the budget allocation for each active campus.
- Enter the allocated staff full-time equivalents (FTEs) for each active campus.

# Tool Completion: FY 2022 & FY 2023 Funding Data

Funding sources to report for both FY 2022 and FY 2023:

- Include all sources of **State and local** funds the LEA has allocated to each campus for free public education.
- **Do not include** dedicated funds for **capital outlays** and **debt service**.
- **Do not include** federal funds or support from private donors, such as charitable contributions.
- Use consistent funding sources from year-to-year and document sources of data.
- LEAs must use the **board-adopted budget in effect at the PEIMS Fall Snapshot date** and use this budget data consistently to make comparisons across all three fiscal years.
- **Important note:** LEAs must submit a revised MOEquity Tool to TEA if it makes changes to the board-adopted budget/amount made available to its high-poverty campuses, if these changes could impact the LEA's compliance status.

# Tool Completion: FY 2022 & FY 2023 FTE Data

FTEs to report for both FY 2022 and FY 2023:

- Include all paid staff, both instructional and non-instructional, **from all fund sources** (state, local, **and federal**).
- LEAs must include all FTEs that provide campus-level services, regardless of whether they are considered an LEA/district or campus-level position.
- Include all employees hired by contract who perform campus-level services.
- Include staff who split their time between more than one campus building in the LEA – include the proportional FTE for each campus.
- LEAs are also encouraged to consider equity in terms of overall staffing budget, which may include considering the qualifications and level of experience of staff in high-poverty campuses compared to other campuses.

# MOEquity Tool: High-Poverty Campuses

Column M: Identify high-poverty campuses based on October 2022 (FY 2023/School Year 2022–2023) PEIMS Fall snapshot data:

- List campuses in order from highest to lowest poverty percentages
- Number of campuses in top quartile appears in **cell K4** once all active campus data has been entered
- Top quartile calculation: # of campuses/4, rounded up
- Select “yes” for the indicated number of campuses, starting at the top (in this example, the top 12 campuses)

Required No. of High-Poverty Campuses	12
Districtwide Campus Total	46

**FY 2023 High-Poverty  
Campus? (Yes/No)**



# MOEquity Tool: Compliance Summary

Is my LEA compliant or non-compliant?

- After all required data is input by the LEA, the tool auto-calculates whether the LEA has met the compliance standards for both funding and FTEs
- Data for each individual high-poverty campus is compared to the average for all campuses across the LEA
- Comparison results will show only for the identified top quartile
- Columns Q and U show compliance results: **green** for compliant (C) and not applicable (N/A) and **red** for non-compliant (NC)
- In the example on the next slide, the LEA is compliant for the funding test, but non-compliant for the FTE test on the Districtwide worksheet:



# MOEquity Tool: Compliant/Non-Compliant

FY 2022 State and Local Per-Pupil Budget as of Oct. 2021 snapshot	FY 2023 State and Local Per-Pupil Budget as of Oct. 2022 snapshot	Campus State and Local Per-Pupil Reduction (FY 2022 to FY 2023)	Funding Equity Test [Compliant/Noncompliant]	FY 2022 FTEs Per-Pupil	FY 2023 FTEs Per-Pupil	Campus FTE Per-Pupil Reduction (FY 2022 to FY 2023)	FTE Staff Equity Test [Compliant/Noncompliant]
\$ 11,538.46	\$ 11,574.07	\$ -	N/A	0.046	0.045	0.001	NC

## Using Districtwide vs. Grade Span Testing:

- An LEA must be compliant for **BOTH** the **funding** and **FTE tests** for all high-poverty campuses to be compliant
- LEAs may select **districtwide** or **grade-span** groupings regardless of the number of high-poverty campuses.
- If Districtwide test is not compliant, the LEA can test the top poverty campuses at the grade span level
  - Total number of identified high-poverty campuses across the grade spans must equal the number required in the top quartile (25 percent)
  - Grade span test compares campuses within the identified grade span groups to the average of data for that grade span

# MOEquity Tool: Grade Span Identification

## Using Grade-span Testing:

- LEAs are not required to select at least one high-poverty campus per grade span, i.e., LEAs may select all their highest-poverty campuses from one grade-span.
- LEAs may select grade-span grouping even if there is no basis of comparison in one or more grade-spans, but the LEA must select the high-poverty campuses from grade-spans where there is a meaningful basis for comparison.

# MOEquity Tool: Grade Span Example

In the example in the chart below, the LEA has elected to use grade span grouping and must identify two (2) high-poverty campuses.

- The LEA may select both high-poverty campuses from the “Elementary ” or the “Middle ” grade span.
- The LEA could not select the campus in the “High ” grouping as there is no basis of comparison within the grade span group.

Learnalot ISD		
Elementary	Middle	High
Weston ES – 85%	Birmingham MS – 60%	Ambleside HS – 65%
Dover ES – 80%	Coventry MS – 50%	
Wayside ES – 70%	Leeds MS – 45%	
Whitby ES – 55%		

## Using Grade-span Testing:

- Since all data entry occurs in the Districtwide worksheet, the LEA must modify its identification as a high-poverty campus within that worksheet
- LEAs must designate as “high poverty” its highest poverty campuses at each of the grade spans that it wishes to include in the testing
- In a grade span with a single campus, that campus cannot be designated as “high poverty” as there is no basis for comparison

# MOEquity Tool: Non-compliant LEAs

Steps to consider if both Districtwide and Grade Span testing, for either or both funding and FTEs, shows non-compliance:

- Funding
  - **Consider allocating additional funds to non-compliant campuses**
- FTEs
  - **Consider allocating additional FTEs to non-compliant campuses**
- Or consider submitting an exception request to USDE (Plan 2)
  - ***Note: If an LEA opts to change from Plan 3 to Plan 2, then the LEA will need to submit a revised MOEquity Document Submission Plan***

# MOEquity Tool: Important Reminders

1. All LEA data entry is done in the Districtwide worksheet, and both funding and FTE data must be entered for every active campus listed.
2. All campuses that have enrolled students must be included on the Districtwide worksheet to calculate the average per-pupil amounts for funding and FTEs – no campuses can be excluded.
  - Important note: USDE has verified that all campuses within an LEA, **including alternative campuses**, must be included for determining LEA-level MOEquity compliance (see MOQ-Q24 in TEA's ESSER FAQs for additional details).
1. Almost all LEAs will have only 3 grade spans: Elementary (EE–5), Middle (6–8), and High (9–12).

## MOEquity Tool: Important Reminders (continued)

4. If there is overlap of grade spans for some campuses (e.g., an alternative campus serving grades 7–12), determine at what level the majority of students fall – if 7–8, classify as Middle; if 9–12, classify as High.
5. If an LEA is unable to meet compliance using the Districtwide or the Grade Span testing using the 3 levels (Elementary, Middle, and High), and that LEA has an unusual grade span configuration with no grade span overlap, contact the FFCR Division at [Compliance@tea.texas.gov](mailto:Compliance@tea.texas.gov) for options.



# MOEquity Tool Submission via TEAL

Submit the completed MOEquity Tool (in Excel) through the secure GFFC Reports and Data Collections application as follows:

1. Log on to the TEA Login ([TEAL](#)).
2. Select GFFC Reports and Data Collections.
3. Select Upload Response Documents.
4. Select MOEquity Tool from the Response Template Title dropdown menu.
5. Select the current school year, 2022–2023.
6. Select Response Document from the Response Doc Type dropdown menu.
7. Choose/find your completed MOEquity Tool.
8. Select Upload Document.

# LEA-level MOEquity Timeline

Date	Action
September 15, 2022	TAA posted to announce FY 2023 LEA-level MOEquity project launch.
December 2, 2022	LEAs notify TEA if there are errors in the auto-excepted list by emailing: <a href="mailto:Compliance@tea.texas.gov">Compliance@tea.texas.gov</a> .
December 9, 2022	All LEAs receiving ARP Act funds and NOT on the <i>List of Automatically Excepted LEAs</i> must submit the MOEquity Document Submission Plan survey.
December 15, 2022	LEAs that opt to seek an exception directly from USDE must submit data/documentation to <a href="mailto:texas.oese@ed.gov">texas.oese@ed.gov</a> (copy <a href="mailto:Compliance@tea.texas.gov">Compliance@tea.texas.gov</a> ).
January 27, 2023	For LEAs that are not automatically excepted and selected Plan 3, MOEquity Tool is due to GFFC Reports and Data Collections.
Feb—March 2023	TEA reviews submissions to ensure compliance and requests clarifications and/or resubmissions as necessary.
April 2023	Compliance letters posted in GFFC Reports and Data Collections.

## Federal Fiscal Compliance and Reporting (FFCR) Division

- E-mail: [Compliance@tea.texas.gov](mailto:Compliance@tea.texas.gov)
- MOEquity Questions:
  - Will be included in the [ESSER FAQ](#) (updated regularly)
  - Use the [ESSER FAQ Submission](#) form to submit new MOEquity questions to TEA staff
- [ARP LEA-level MOEquity webpage](#)

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