

**Virginia Department of Education
Office of Program Administration and Accountability
Procedures for Reallocation of Title III, Part A, Funds**

Section 3114(c) of the *Elementary and Secondary Education Act of 1965* (ESEA) requires the reallocation of excess Title III, Part A, funds to school divisions in accordance with criteria established by the state educational agency (SEA). The Virginia Department of Education (VDOE) has established procedures for reallocation that include determining: 1) identification of excess funds; 2) areas of eligibility; and 3) time frames for reallocation.

1. Identification of Excess Funds

Excess Title III, Part A, funds are identified as Title III, Part A, funds from a local educational agency (LEA) that has:

- a. Not submitted an application for Title III, Part A, within sixty days of the release of the allocations and has chosen not to apply for funds;
- b. Had its allocation reduced because it failed to meet the maintenance of effort requirements;
- c. Had funds recovered by the SEA after determining that the LEA has failed to spend Title III, Part A, funds in accordance with applicable law; or
- d. Excess funds for other reasons.

2. Reallocation Based on Ability to Expend the Funds

The SEA may reallocate excess Title III, Part A, funds on a per pupil basis to eligible LEAs who have the ability to expend the funds within the grant award period.

3. Determination of Eligibility

LEAs eligible for reallocation shall have accepted current year funds either directly or as a member of a consortium.

4. Reallocation Procedure

Within sixty days of the release of the allocations, each LEA shall submit an application. If a school division does not submit an application within sixty days, the funds for that LEA will be reallocated. Funds are reallocated on a per pupil basis to LEAs that have accepted current year funds either directly or as a member of a consortium.

5. Establishment of Time Frames

The SEA must reallocate funds on a timely basis, and funds should be made available to eligible LEAs within the allowable obligation period in which the funds were appropriated. The following guidelines apply:

- a. Sixty days from the release of the allocations, the LEA shall submit an application.
- b. The Department will reallocate funds within 120 days of the release of the allocations and reserves the authority to modify the timeline based on unanticipated circumstances.

A standard timeline for reallocation of funds allows the SEA to maintain current timelines for interim and final obligation and expenditure reports, and other variables that influence fiscal management of funds.

If you have any questions or need additional information, please contact Stacy Freeman, Title III specialist, at Stacy.Freeman@doe.virginia.gov or (804) 371-0778.