



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

Honorable June St. Clair Atkinson  
Superintendent of Public Instruction  
North Carolina Department of Public Instruction  
6301 Mail Service Center  
Raleigh, North Carolina 27699-6301

NOV 28 2006

12/5/06

DEC 2006

To: Janice Davis  
Elsie Leak  
Carolyn Cobb

Dear Superintendent Atkinson:

I am writing in response to your letters of February 17, and August 15, 2006. In your letters, you asked me to verify several points concerning the use of funds under Title I, Part A of the Elementary and Secondary Education Act (ESEA) in conjunction with North Carolina's More-at-Four funds to provide pre-kindergarten services. I understand that these points flow from a conference call with staff from our respective departments addressing the specific question of whether Title I, Part A funds may be blended with More-at-Four funds for a child who is eligible for both programs. This issue arises because More-at-Four funds serve children from low-income families and are only intended to cover 50 percent of program costs; Title I, Part A funds, on the other hand, serve children most at risk of failing to meet North Carolina's academic achievement standards, many of whom are also low-income and thus also eligible for More-at-Four services. Key points in your letter are:

- The blending may occur if the identification of eligible children for Title I is based on uniform, objective, and multiple academic selection criteria. However, eligibility requirements for both programs must be met with Title I eligibility criteria being considered first.
- The Title I and More-at-Four funding supporting dually eligible children will be reflected in the total amount of funding for the class.
- If children served are designated as either Title I or More-at-Four without dual enrollment status, funding would be proportional to the percentages of children enrolled as either Title I or More-at-Four.
- Section 200.79 of the Title I regulations details an exclusion to the supplement, not supplant, clause stating "a grantee or subgrantee under subpart A of this part may exclude supplemental State and local funds spent in any school attendance area or school for programs that meet the intent and purposes of Title I." More-at-Four is a state-funded program whose requirements meet the intent and purpose of Title I making an exclusion warranted.

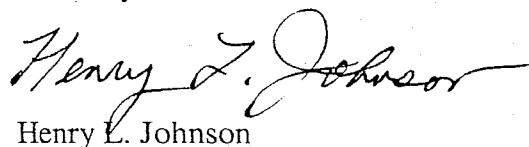
I believe these points accurately capture the allowable use of Title I, Part A funds to provide pre-kindergarten services in conjunction with More-at-Four funds. In essence, Title I, Part A funds may be used to serve children who are most at risk of failing to meet the State's academic achievement standards. To the extent those children are also from low-income families, they may be co-funded by both More-at-Four and Title I, Part A—

*i.e.*, Title I, Part A may support that portion of their services not covered by More-at-Four funds—or Title I, Part A funds may fully support their services. The whole pre-kindergarten program, however, must meet Title I's requirements if Title I, Part A funds are used to support the program. Specifically, to qualify for the exclusion noted in the fourth bullet above, the More-at-Four program must serve only children who are most at risk of failing to meet North Carolina's academic achievement standards, provide supplementary services designed to meet the needs of the students who are participating, and use the State's assessment system to review the effectiveness of the program (knowing, however, that State assessment systems rarely assess pre-kindergarten children).

Please note that this analysis is premised on the fact that pre-kindergarten services are not required by law in North Carolina. If pre-kindergarten were required for certain students in North Carolina, the Title I supplement-not-supplant requirement would preclude the use of Title I, Part A funds for pre-kindergarten services unless they were supplemental to those required by law.

Please let me know if you have additional questions. I am pleased that we can work together to meet the educational needs of all children in North Carolina, especially the pre-kindergarten children referenced in this letter.

Sincerely,

A handwritten signature in cursive script that reads "Henry L. Johnson". The signature is written in black ink and is positioned above the printed name.

Henry L. Johnson

cc: Elsie Leak  
Lynn Warren  
Carolyn Cobb