

Michigan Department of Education
Office of School Improvement
2009-10
Section 31a Program for At-Risk Pupils
Allowable Uses of Funds

<p>Eligible Recipients <i>Sec. 31a(2) State Board of Education Approved 2008</i></p>	<p>Local school districts and PSAs with a current year combined state and local revenue per membership pupil of less than or equal to the current year basic foundation allowance are eligible. A one-time application needs to be completed by new PSAs or school districts that have not received Section 31a funds in the past.</p>
<p>Allocation Formula <i>Sec. 31a(1) and (3) State Board of Education Approved 2008</i></p>	<ul style="list-style-type: none"> • Based on the foundation allowance and the prior year fall membership count of pupils eligible for free meals (11.5 percent of foundation allowance X free eligible count); • For PSAs that began operation after the prior year membership count day, funding is based on the current year fall membership free meal count; • Allocations are prorated by a per pupil amount to stay within the State appropriation.
<p>Eligible Pupils <i>Sec. 31a(17)</i></p>	<p>Pupils who meet at least 2 of the following criteria:</p> <ul style="list-style-type: none"> • Victim of child abuse or neglect • Below grade level in English language and communications skills or mathematics • Pregnant teenager or teenage parent • Eligible for free or reduced-price lunch • Atypical behavior or attendance patterns • Family history of school failure, incarceration or substance abuse <p style="text-align: center;">OR</p> <p>Pupils who did not achieve at least a score of Level 2 on the most recent Michigan Educational Assessment Program (MEAP) or Michigan Merit Exam English language arts, mathematics or science test for which results for the pupil have been received.</p> <p style="text-align: center;">OR</p> <p>Pupils in grades K-3 who are at risk of not meeting the district's core academic curricular objectives in English language arts or mathematics.</p> <p style="text-align: center;">Grades K-3 Eligibility Worksheet Grades 4-12 Eligibility Worksheet</p>

<p>Additional Eligible Pupils <i>Sec. 31a(4)</i> <i>Birth–Age 5 at-risk criteria established by MDE</i></p>	<p>Children Birth–Age 5 that meet the at-risk criteria used to determine eligibility of children for the Michigan School Readiness Program (MSRP) for four-year-olds.</p> <p style="text-align: center;">Birth–Age 5 Eligibility Worksheet</p>
<p>Allowable Uses of Funds <i>Sec. 31a(4-13)</i></p>	<p>All services provided under Section 31a must be supplemental, support a comprehensive program that is based on the needs identified using the Student Eligibility Worksheets and focused on the overall goal of improving student academic achievement. Supplemental is defined as services that are in addition to services provided to all students. Supplemental services cannot replace services required by State or Federal legislation or that have been funded with general funds in the prior year.</p> <p style="text-align: center;">INSTRUCTIONAL PROGRAMS</p> <p><u>Tutorial Services</u> <i>[Section 31a(4)]</i> <i>A tutorial method may be conducted with paraprofessionals working under the supervision of a certificated teacher. The ratio of pupils to paraprofessionals shall be between 10:1 and 15:1. Only 1 certificated teacher is required to supervise instruction using a tutorial method.</i> Tutorial services can be provided for mathematics, English language arts, science and for bilingual instruction supervised by a bilingually-certified/endorsed teacher. Tutorial services may be offered using the following methods:</p> <p style="padding-left: 40px;"><u><i>Traditional School Day</i></u> Instruction within the classroom or using a pull-out method during the traditional school day.</p> <p style="padding-left: 40px;"><u><i>Extended School Day</i></u> Instruction before or after regular school hours.</p> <p style="padding-left: 40px;"><u><i>Extended School Year</i></u> Instruction provided by the addition of extra school days to the school year.</p> <p style="padding-left: 40px;"><u><i>Summer Programs</i></u> Instruction conducted during the summer.</p>

Early Childhood Programs (also see Direct Non-Instructional Services) [Section 31a(4)]

A district may use Section 31a funds to supplement Instructional Programs provided in two types of existing early childhood programs for at-risk pupils age 0–5:

- A non-competitive MSRP*
- A district-designed early childhood program that is under funded*

* Section 31a funds may not replace district funds that are currently used for an MSRP or district-designed early childhood program

A district may also use Section 31a funds to develop a new district-designed Instructional Program for at-risk children age 0–5 in those districts that do not have access to other early childhood programs.

Reduced Class Size [Section 31a(10)]

A district may use Section 31a funds to reduce class size in grades K-6 or any combination of these grades. Schools are only eligible for class size reduction if the percentage of pupils eligible for free breakfast, lunch or milk exceeds the district's percentage of eligible students. A school within the district that does not exceed the district average may be funded for class size reduction if a waiver is submitted to and granted by the Michigan Department of Education (MDE). This waiver can only be approved if the school's eligible free breakfast, lunch or milk percentage is at least thirty percent (30%), and is sixty percent (60%) or more of the district's percentage of eligibility. Up to 100% of these funds may be used for this purpose.

It is recommended that Section 31a-funded class size reduction must meet the criteria established by the MDE for [Title II, Part A class size reduction](#) (with the exception of the K-3 grade level requirement).

Adult Education [Section 31a(11)]

A district or public school academy may use funds received under this section for adult high school completion, general educational development (G.E.D.) test preparation, adult English as a second language, or adult basic education programs described in section 107.

[Adult Education Participant Accounting Manual, Section 107 \(May 2008\)](#)

[The Michigan Department of Labor and Economic Growth \(DLEG\) Adult Education Guidebook](#)

K-3 Early Intervening Programs [Section 31a(13)]

A district or public school academy that receives funds under this section may use funds it receives under this section to implement and operate an early intervening program for pupils in grades K to 3 that meets either or both of the following:

- (a) *Monitors individual pupil learning and provides specific support or learning strategies to pupils as early as possible in order to reduce the need for special education placement. The program shall include literacy and numeracy supports, sensory motor skill development, behavior supports, instructional consultation for teachers, and the development of a parent/school learning plan. Specific support or learning strategies may include support in or out of the general classroom in areas including reading, writing, math, visual memory, motor skill development, behavior, or language development. These would be provided based on an understanding of the individual child's learning needs.*
- (b) *Provides early intervening strategies using school-wide systems of academic and behavioral supports and is scientifically research-based. The strategies to be provided shall include at least pupil performance indicators based upon response to intervention, instructional consultation for teachers, and ongoing progress monitoring. A school-wide system of academic and behavioral support should be based on a support team available to the classroom teachers. The members of this team could include the principal, special education staff, reading teachers, and other appropriate personnel who would be available to systematically study the needs of the individual child and work with the teacher to match instruction to the needs of the individual child.*

Allowable Section 31a K-3 Intervening Program Costs

- All direct supplemental services outlined in paragraph (a)
- Stipends to staff or substitutes to allow staff working with students in grades K-3 to participate in team meetings as identified in paragraph (b)

Unallowable Section 31a K-3 Intervening Program Costs

- Parent involvement
- Professional development
- Any meetings required by the special education student identification process or the Individualized Educational Program (IEP) process

Reading Programs [Section 31a(4)]

As described in former Section 32f as in effect for 2001-02, amended to be included in Section 31a, reading programs under this section include: reading improvement programs for pupils in grades K-4, reading disorders and reading methods programs, mentoring programs, language and literacy outreach programs, or cognitive development programs. These programs may be conducted outside of regular school hours or outside the regular school calendar.

A **proposed reading improvement program** must meet all of the following:

- The program shall include assessment of reading skills of pupils in grades K-4 to identify those pupils who are reading below grade level and must provide special reading assistance for these pupils
- The program shall be a research-based, validated, structured reading program
- The program shall include continuous assessment of pupils and individualized education plans for pupils
- The program shall serve at least 25% of pupils who are identified as at-risk, as determined by the Michigan literacy progress profile (MLPP) of reading failure
- The program shall align learning resources to state standards

A proposed **reading disorders and reading methods program** allows local adoption of one or more research-based programs for the remediation of reading disorders.

A proposed **mentoring program** must be a research-based, validated program or a statewide 1-to-1 mentoring program to enhance the independence and life quality of pupils who are mentally impaired by providing opportunities for mentoring and integrated employment.

	<p>A proposed cognitive development program must be a research-based, validated educational service program, focused on assessing and building essential cognitive and perceptual learning abilities to strengthen pupil concentration and learning.</p> <p>A proposed structured mentoring-tutorial reading program for preschool to grade 4 pupils must be a research-based, validated program that develops individualized instructional plans based on each pupil's age, assessed needs, reading level, interests, and learning style. An additional provision under the mentoring option allows service to students who are mentally impaired to enhance their independence and quality of life.</p>
<p><i>Other MDE-Approved Instructional Programs</i></p>	<p><u>Credit Recovery</u></p> <p>Section 31a funds may be used to fund credit recovery programs for Section 31a eligible students in the following manner:</p> <ul style="list-style-type: none"> • Salary or stipend for a highly qualified teacher to provide direct instruction • Salary or stipend for a highly qualified teacher to monitor and provide instructional support to students using an online program • Student's program tuition • Course fees for an online program monitored by a highly qualified teacher <p>If the district uses general funds to provide any credit recovery services for any students, the district is responsible for providing them for all students. Section 31a funds may not be used to supplant district-funded programs. Credit recovery programs must occur during a student's non-academic class periods, after school or summer school.</p> <p>Additionally, Section 31a funds may not be used to take the place of a previously-existing credit recovery program funded by the district.</p> <p>Section 31a funds may not be used for credit recovery for social studies classes.</p> <p><u>Alternative Education</u></p> <p>An Alternative Education program, by definition, is not a supplemental program. The purpose of an Alternative Education program is to deliver the core academic program using alternative instructional strategies. Therefore, an Alternative Education program may not be funded in its entirety using Section 31a funds.</p>

<p>Allowable Uses of Funds <i>Sec. 31a(4-13)</i></p>	<p>However, Section 31a may be used to supplement an established district-funded Alternative Education program.</p> <p>The exceptions to this rule are any Alternative Education programs established prior to the 1993 amendment of <i>The State School Aid Act of 1979</i> which included Section 31a legislation (<i>PA 336</i>). Districts that had existing Alternative Education programs prior to 1993 were allowed to grandfather the entire cost of these programs as an allowable expenditure in the original Section 31a application and overcome the presumption of supplanting. All Alternative Education programs not grandfathered in through the original application are subject to supplement, not supplant rules. Alternative Education services and activities funded by Section 31a must be supplemental to district-funded Alternative Education programs. The district must maintain valid documentation of a preexisting 1993 Alternative Education program that was grandfathered into Section 31a through the original Section 31a application. The district must also document that the currently operating (grandfathered) program has not deviated from the program description in the originally approved Section 31a application.</p> <p style="text-align: center;">DIRECT NON-INSTRUCTIONAL SERVICES</p> <p><u>Early Childhood Programs (also see Instructional Programs)</u> <i>[Section 31a(4)]</i></p> <p>A district may use Section 31a funds to supplement direct non-instructional services provided in two types of existing early childhood programs for at-risk pupils age 0–5:</p> <ul style="list-style-type: none"> • A non-competitive MSRP* • A district-designed early childhood program that is under funded* <p>* Section 31a funds may not replace funds that are currently used for an MSRP or district-designed early childhood program.</p> <p>A district may also use Section 31a funds to develop a new district-designed program that provides direct non-instructional services for at-risk children age 0–5 in those districts that do not have access to other early childhood programs.</p>
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Medical and Counseling Services [Section 31a(4)]

All medical, counseling, and/or behavioral intervention programs/services provided under Section 31a must be supplemental, support a comprehensive program that is based on the needs identified using the Student Eligibility Worksheets and focused on the overall goal of improving student academic achievement. Supplemental is defined as services that are in addition to services provided to all students. Supplemental services cannot replace services required by State or Federal legislation or that have been funded with general funds in the prior year. Medical, counseling or behavioral intervention programs/services can include counselors, nurses, social workers or staff with specialized training in behavioral intervention strategies.

OTHER SERVICES

School Health Clinics [Section 31a(4)]

School health clinics, focused on meeting specific medical needs of students in order to increase attendance and academic achievement, may be established using funds under this Section. Funds under this Section may not be used for routine medical processing required by the school, such as reviewing immunization records or administering head lice checks or to augment the curriculum for the whole school (providing sex education for all students). Funds under this Section may include the following types of services:

- Community Medical Referrals
- Dental Care
- Substance Abuse Counseling
- Sexually Transmitted Disease (STD) Education
- Chronic Disease Management
- Mental Health Services
- Prenatal Care
- Immunizations
- Obesity

Individuals authorized to administer services include:

- Licensed Physician
- Licensed Practical Nurse (LPN)
- Registered Nurse (RN)
- Licensed Physicians Assistant working under the supervision of a physician during all hours of clinic operation
- Health Educator
- Registered Dietician

	<ul style="list-style-type: none"> • Psychologist • Dentist or Dental Hygienist <p><u>Security</u> [Section 31a(4)] <i>A school district of the first class under the revised school code, or a district or public school academy in which at least 50% of the pupils in membership met the income eligibility criteria for free breakfast, lunch, or milk in the immediately preceding state fiscal year ... may use not more than 20% of the funds it receives under this section for school security.</i></p> <p><u>School Breakfast Programs</u> [Section 31a(5)] <i>Except as otherwise provided in subsection (12), a district or public school academy that receives funds under this section and that operates a school breakfast program under Section 1272a of the revised school code, MCL 380.1272a, shall use from the funds received under this section an amount, not to exceed \$10.00 per pupil for whom the district or public school academy receives funds under this section, necessary to operate the school breakfast program.</i></p> <p><u>Special Grants to Support Child and Adolescent Health Centers</u> [Section 31a(6)] MDE has established a partnership with Community Mental Health (CMH) in order to provide these services.</p> <p><u>Hearing and Vision Screenings</u> [Section 31a(7)] MDE has established a partnership with CMH in order to provide these services.</p>
<p>Allowable Costs <i>State Board of Education Criteria</i> <i>July 13, 1994</i></p>	<p>Costs that may be paid with Section 31a funds are limited to only that portion of the following that provides supplemental, instructional or support services to eligible students:</p> <ol style="list-style-type: none"> 1. Salaries and benefits for instructional staff; 2. Salaries and benefits to staff providing direct non-instructional services; 3. Purchased services, supplies and materials for instructional and direct non-instructional services; 4. Operation, maintenance, and pupil transportation costs for programs provided outside of the regular school day or year; 5. Costs for school breakfast programs; and 6. Capital outlay necessary for the provision of instructional and direct non-instructional services, such as computers and other instructional equipment.

<p>Section 31a Unallowable Uses of Funds</p>	<p><u>Administrative Costs</u> Section 31a funds may not be used for any administrative costs to administer a Section 31a program including personnel time spent managing the program, audit costs, evaluation activities and indirect costs.</p> <p><u>Professional Development Costs</u> Section 31a funds may not fund professional development.</p> <p><u>Parent Involvement Costs</u> Section 31a funds may not fund parent involvement costs. Section 31a funds may fund student programs with parent participation, where appropriate in the legislation.</p> <p><u>Supplanting Another Program or Funds</u> Section 31a funds may not be used to take the place of other funds used to support a previously-existing instructional program or previously-existing direct non-instructional services.</p>
<p>Flexibility <i>Sec. 31a(12)</i></p> <p><i>Additional Section 31a Flexibility Plan Information</i></p>	<p>Schools that have made adequate yearly progress in both mathematics and English language arts at all applicable grades, for all applicable subgroups [and are not identified for improvement] may request flexibility for using Section 31a funds. The request must be initiated in MEGS using the Section 31a/32e Flexibility application and must include the following information:</p> <ul style="list-style-type: none"> • Affected school or schools • Amount of funds to be used under the flexibility plan • The specific purposes for the funds that are designed to benefit at-risk pupils in the school, but that may be different from the purposes otherwise allowable under this Section <p>MDE has thirty (30) days to determine whether the purposes identified in the plan are reasonably designed to benefit at-risk pupils in the school. If MDE does not act to approve or disapprove an application within thirty (30) days after it is submitted, the application is considered to be approved. If the flexibility request is approved, the district may use the funds identified in the application for the purpose identified in the approved flexibility plan.</p> <p>Districts must consider and prioritize all allowable uses of Section 31a funds prior to requesting flexibility.</p>

Accountability	<p>Written report on usage of Section 31a funds submitted to MDE; program records available for audit; any disallowances returned to State.</p> <p>NOTE: Districts must report the number of students receiving each program or service as well as the number of those students who are eligible for free or reduced-price school lunch.</p>
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Carryover – Unobligated funds have a limit of one year carryover period. If the funds are not expended and reported in the July 15, 2010 annual report, the funds are returned to the State's School Aid budget.