



The Michigan Department of Education (MDE)
Section 31a At-risk
Frequently Asked Questions
2021 - 2022

This document has been prepared to assist Local Educational Agencies (LEAs) in implementing programming in alignment with legislation using Section 31a funding. Questions and answers are organized into the following categories:

- Intent and Purpose
- Funding Eligibility
- At-risk Identification
- Instructional Programming
- Non-Instructional Programming
- Accountability
- Program Report and Audits
- Overall Planning

Key Contact Information

- **Programming**
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Introductory Information

LEAs must use Section 31a funds to provide instructional programs and direct non-instructional services for At-risk pupils for the intent and purpose of ensuring pupils are proficient in English Language Arts (ELA) by the end of 3rd Grade, proficient in mathematics by the end of 8th Grade, career- and college-ready by high school graduation and are attending school regularly [Sec. 31a (1)].

Section 31a is supplemental, categorical funding that requires LEAs to use a Multi-Tiered System of Supports (MTSS) framework to meet the needs of all students. Key elements include providing effective academic and behavior instruction for all learners, intervening early, and providing a multi-tiered model of instruction and intervention. Additionally, MTSS **must** include at least all five essential components: Team-Based Leadership, Tiered Delivery System, Selection and Implementation of Instruction, Interventions and Supports, Comprehensive Screening and Assessment System, and Continuous Data-Based Decision Making [Sec. 31a (3)]. These essential components are aligned and embedded in the [MDE MTSS Practice Profile](#).

Intent and Purpose [Sec. 31a (1) and (5)]

1. What is the focus of Section 31a legislation?

The focus of Section 31a legislation is to ensure At-risk K-12 eligible students, demonstrate proficiency in 3rd grade English Language Arts, 8th grade mathematics, and 11th grade career and college readiness and to reduce chronic absenteeism in the LEA.

2. What assurances are required to comply with Section 31a legislation [Sec. 31a (3) and (6)]?

In K-12, Section 31a funding eligibility requires an LEA to comply with the Read by Grade Three Law (RBG3); use resources to address early literacy and numeracy; and to implement with fidelity, for all grades it serves through 12th grade, an evidence-based MTSS framework that uses data-driven problem solving to integrate academic and behavioral instruction as well as interventions delivered to all pupils in varying intensities based on pupil needs. The MTSS must provide at least all of the following essential components:

- a) Team-Based Leadership
- b) A Tiered Delivery System
- c) Selection and Implementation of Instruction, Interventions, and Supports
- d) A Comprehensive Screening and Assessment System
- e) Continuous Data-Based Decision Making

Additionally, an LEA shall supplement their school breakfast program, operated under Section 1272a [MCL 380.1272a], with Section 31a funding not to exceed \$10 per Economically Disadvantaged Pupil using immediately preceding state fiscal year's data.

Funding Eligibility

3. Are administrative costs allocable to Section 31a funding?

No. Section 31a legislation specifically states that an LEA or PSA shall NOT use any funds for administrative costs [Sec. 31a(5)].

Administrative costs may include, but are not limited to, costs for staff or activities that provide oversight of the At-risk programming, including the management of Section 31a staff and completing Section 31a reporting documentation (ex. At-risk identification worksheets, Annual Program & Fiscal Report). It is generally not allowable to use these categorical state funds for administrative roles, such as Assistant Principals and Dean of Students, as they do not meet the Intent and Purpose of Section 31a. Please refer to the [Michigan Public School Accounting Manual](#) for a full list of administrative cost function codes. LEAs should contact their Section 31a Single Point of Contact consultant if they have specific questions about allowability.

4. Who in the LEA should manage the funding?

It is the LEA's decision as to who oversees Section 31a funding. The MDE expects a program team to provide program oversight while the fiscal team provides fiscal oversight. Both teams are expected to collaborate to review the needs assessment and determine goals, objectives, and strategies for the At-risk eligible pupils within their continuous improvement process. These plans must align with the intent and purpose of the Section 31a At-risk legislation (literacy, mathematics, career- and college-readiness, attendance, and MTSS) [Sec. 31a (1) and (3)].

5. May an LEA carry over Section 31a funds [Sec. 31a (1) and (9)]?

The current year allocation is intended for use during the current Fiscal Year (FY). Unobligated funds have a one-year carryover period. If carryover funds are not expended and reported in the July 15th Annual Program and Fiscal Report (APFR) of the following year, the funds are returned to the State's School Aid budget (State School Aid Act [388.1618a]). Carryover funds are those Section 31a funds not expended by August 31st. Extended school year programming costs and year-round positions funded by Section 31a are not considered carryover and are to be reported spent in the current fiscal year. Carryover funds are monies that have not been utilized or targeted for use within the same fiscal year in which they were allocated. Carryover funds from the prior year must be spent before the current year's allocation. All carryover funds abide by the legislative guidelines in place for the FY they are spent. LEAs showing unspent or negative carryover in the APFR will be notified by MDE to correct expenditures.

The following are fiscal and program risk factors that may indicate concerns in an LEA's At-risk program implementation and/or communication between finance and program leadership teams.

- Carryover of 25% or more
- Unaligned reporting of carryover expenditures to proposed programming in continuous improvement plans

6. Does the supplement, not supplant provision apply to 31a At-risk funds?

Yes, supplement, not supplant provisions apply to Section 31a At-risk funds. Since Section 31a is a categorical funding source intended for a narrow set of objectives as stated in subsections 3 and 6. "*Supplement, not supplant*" means that the categorical funding shall be in addition to general-purpose revenues; that categorical funding shall not be used to provide services required by federal or state law, administrative rule, or local policy; and that general-purpose revenues shall not be diverted for other purposes because of the availability of categorical funding.

Section 31a At-risk funds are allocated to support the LEA's efforts toward **improving student academic and non-academic outcomes** guided by the needs assessment, outlined in the continuous improvement plans, and supported **by foundation funds** [Sec. 31a (1) and (5)]. Realizing the **additional needs** of At-risk eligible students, the intent and purpose of this legislation is to strengthen and intensify the LEA's support toward implementing evidence-based practices in early literacy and numeracy, mathematics, and career- and college readiness through MTSS.

7. Does the October free/reduced lunch count number that is used for calculating the following year's Section 31a allocation come from the "Reimbursement Claim" report submitted from our food services department?

Section 31a allocations are calculated based on free and reduced-price lunch or free milk eligible pupils, not meal reimbursement claims. These data are collected through the Supplemental Nutrition Eligibility Component (SNE) of the Michigan Student Data System (MSDS) Fall General Collection and the direct certification of students enrolled on the Fall Pupil Membership Count Day. October data from the previous SY is used as a basis for the current SY's allocation [Sec. 31a (4)].

8. For LEAs who are Community Eligibility Provision (CEP), are all pupils within that LEA considered to be Economically Disadvantaged?

No. LEAs that are part of CEP **must** still collect and enter data showing the socio-economic information that was formerly collected on the free/reduced-price meal application. For those CEP eligible students that are not on the Direct Certification Report or have eligibility extended to them via a sibling on the Direct Certification Report, a household information report **must** be used to gather the families' economic status. The data collected **must** be reported through the Supplemental Nutrition Eligibility Component (SNE) of the Fall General Collection in MSDS. SNE is a report of family income characteristics that may indicate a student's eligibility for benefits at school such as free or reduced-price meals, Advanced Placement (AP) exam fee waivers, Great Start Readiness Program (GSRP), etc. Questions regarding CEP eligibility can be referred to the [Office of Health and Nutrition Services](#) or MDE-SchoolNutrition@michigan.gov.

9. What is the SNE data used for?

The SNE (Supplemental Nutrition Eligibility) characteristic is used in determining the **economically disadvantaged** (ED) population. The ED count is used by multiple State of Michigan offices for categorical funding allocations and in a multitude of state and federal reports. It must be submitted for each student who is determined to meet eligibility requirements for free or reduced-price meals. Following are some of these uses:

- Section 31a at all Local Educational Agencies (LEAs)
- Federal Title I Part A funding for public school academies only
- E-Rate
- Federal Individuals with Disabilities Education Act (IDEA) Part B funding for all LEAs
- Perkins Core Performance Indicators
- School Index and Parent Transparency Dashboard
- Graduation and Dropout Rates
- Great Start Readiness Program
- Child Nutrition Programs
- Pandemic-EBT

10. How will MDE determine allocations if there is no application process?

An annual appropriation in the State School Aid Act provides funding for Section 31a allocations. Allocations are calculated based on the formula in Section 31a of the State School Aid Act. The formula used to determine each LEA's allocation is based on the LEA's foundation grant multiplied by 11.5% then multiplied by its free/reduced lunch count [Sec. 31a (4)].

11. Will LEAs whose combined State and local revenue is greater than the basic foundation allowance for the current FY receive an amount equal to 35% of the allocation for which it would otherwise be eligible [Sec. 31a (2)]?

Districts whose revenue is greater than the basic foundation allowance will be allotted an amount equal to 35% of the allocation for which it would otherwise be eligible. Payments are prorated by an equal percentage per LEA [Sec. 31a (15)]. Allocation amounts are located on the [State Aid & School Finance webpage](#).

At-risk Identification

12. Which pupils are considered "At-risk" eligible?

An "At-risk pupil" is a pupil in grades Pre-k to 12 for whom the LEA has documentation that the pupil meets any of the following criteria [Sec. 31a (20)]:

- economically disadvantaged
- English learner (EL)
- chronically absent as defined and reported to CEPI
- victim of child abuse or neglect
- pregnant teenager or teenage parent
- family history of school failure, incarceration, or substance abuse
- an immigrant who has immigrated within the immediately preceding 3 years
- did not complete high school in 4 years and is still in school
- did not achieve proficiency on the ELA, mathematics, science, or social studies State summative assessments
- at the risk of not meeting the LEA's core academic curricular objectives in ELA or mathematics based on local assessments

Pupils who are eligible for the homeless, foster care, and migratory programs are automatically considered economically disadvantaged and are to be identified as such in the LEA's student information system.

13. How should LEAs code pupils who are considered At-risk if they receive no instructional or direct non-instructional services? Which students will be auto flagged?

The MDE and CEPI have been in collaboration to support LEAs in accurate At-risk student identification and reporting. There are two ways to report students within the MSDS

- The first is to use code "3060" within the Program Participation component in any MSDS general collection. Using this code At-risk does not reflect the type and intensity of service or program that will be provided.
- Secondly, a student will automatically be identified as At-risk if they are reported in an MSDS General Collection as EL, Immigrant, or Economically Disadvantaged for the school year in which they are reported. It is not necessary to report students with the code "3060" within the Program Participation Component; however, all other Section 31a At-risk eligible students **must** be reported with code "3060" in the Program Participation Component to be appropriately identified.

All At-risk services will be reflected in the Section 31a APFR due July 15th in the NexSys System [Sec. 31a (9)].

14. Do LEAs report At-risk eligible students in each collection (Fall, Spring, End-of-Year [EOY])?

Yes. Beginning with the first general collection for which the student is eligible as "At-risk," report the student in MSDS with either one of the automatic identifiers (EL, Immigrant, or Economically Disadvantaged) or by using program participation code 3060. Report the students in each subsequent collection for that school year [Sec. 31a (20)].

15. Is reporting the LEA's numbers in the Section 31a APFR sufficient, or should the LEA make sure that each qualified pupil is reported as At-risk in MSDS as well?

LEAs must identify their pupils in their local School Identification System (SIS) and report it to MDE through the three General Collections (Fall, Spring, EOY) in MSDS. The LEA must certify the data by the appropriate deadline specified by the State School Aid Act, and the data between the local SIS and MSDS must be 100% in agreement. LEAs need to contact the CEPI Help Desk to discuss any data-related issues they are experiencing with submitting data through MSDS.

16. What assessments can an LEA use to determine its academically At-risk pupils?

An LEA can use any of the state summative assessments in ELA, mathematics, social studies, and/or science; or local ELA or mathematics assessment data provided through the LEA's comprehensive screening and assessment system that is part of their MTSS framework. All assessments should align with the State standards to ensure the expected proficiency by 3rd Grade, 8th Grade, and 11th Grade [Sec. 31a (20)].

17. Do students with disabilities automatically qualify as At-risk eligible?

Determination criteria for At-risk eligibility for students with disabilities is the same as the criteria used for all pupils. Their Special Education status neither excludes them from consideration nor guarantees eligibility. [Sec. 31a (20)].

18. What data could an LEA use to determine which students are chronically absent?

LEAs should use the most recent student attendance information available. The Identification Criteria Worksheet includes pupils who miss 10% or more of the enrolled days during the SY. The reference to 10 days in CEPI's documentation now refers to the minimum number of days a student must be enrolled before being determined to be chronically absent. A student who is present for at least 50% of the school day is considered in attendance for a full day. Report participation in half-day pre-kindergarten or other specialized pupil programs as a full day in attendance based on the LEA's attendance policies. While there will be pupils who fit this category for the current SY, a student who was chronically absent the previous SY may also be included [Sec. 31a (20)].

19. Why is it necessary for an LEA to complete and maintain the Identification Criteria Worksheet?

Each LEA is required to identify and code its Pre-k-12 At-risk pupils whether they are enrolled in a school receiving Section 31a funds or not [Sec. 31a (4)]. The content of the worksheet is required for the following reasons:

- fiscal and program monitoring transparency
 - LEA demonstrates that the identified At-risk student is based on legislative criteria
- LEAs are to complete and maintain an Identification Criteria Worksheet for each grade level. LEAs may use the one provided by MDE or one they have developed that is comprehensive of the At-risk identification criteria. Once identified, a pupil is considered At-risk for the remainder of the year.

20. Are there changes to the 2021-22 At-risk eligibility criteria? Is Section 31a identification and reporting (Participation Code 3060) required for the 2021-22 school year in MSDS?

There were no changes to the ten eligibility criteria, however, grade level eligibility has been extended to Pre-k students. As in previous identification cycles, the district should refer to its established written procedure and policies for Section 31a identification and

reporting. Section 31a Identification and Reporting protocols should include, but are not limited to, timelines for data collection, reviewing and reporting, and responsible stakeholders. *Please note that Pre-k would not be included in the reporting for participation code (3060) in MSDS.*

Reporting for eligible K-12 students in all three general collections (Fall, Spring, and End of Year) is required. Students who are At-risk eligible will be reported in the first collection in which they are identified and in each subsequent collection. If students meet the eligibility criteria at the time of fall collection, they are reported in the fall, spring, and end of year collections. If students meet the eligibility criteria as of the spring collection, they are reported in the spring and end-of-year collections.

Refer to question 13 in the **At-risk Identification Section** for information on auto-flagged students.

21. How does the district and school identify and report students? Do all reported students receive supports and services funded with Section 31a? How often does the LEA need to review services and supports provided for eligible students?

School districts should review student-level data to determine a student's eligibility and include the 3060 code in the Program Participation Component of the MSDS collection for all students that a district has documentation of meeting any one of the ten criteria. Although students will be reported in the district's Student Information System and MSDS as being At-risk eligible based on the legislatively defined criteria, need drives support and services, not eligibility. Determination of programming is based on ongoing monitoring in alignment with the needs assessment for groups and individual students.

Districts must have student exit and entrance procedures to determine appropriate programming supports and services for eligible students. In addition, districts must have procedures for identifying and reviewing student's At-risk eligibility status between the reporting windows. These procedures may include but are not limited to when students move into a district, and a student's home or academic circumstances change.

22. If students are learning virtually, should they be identified as At-risk Eligible?

If students meet one or more of the criteria for At-risk eligibility, they will be identified as At-risk eligible. Any enrolled student for which you receive an FTE could potentially be At-Risk eligible if they meet one of the ten At-risk identification criteria. Therefore, all student-level data will be reviewed and, if determined eligible, should be accurately reported. Please note that participation in virtual learning programming is itself not one of the ten identification criteria.

23. What if a student did not participate in the latest statewide summative assessments? What criteria would the district utilize to identify eligible students for not meeting proficiency standards?

For pupil accounting, the law states that districts must have documentation for at least one of the ten criteria to identify and report the students as At-Risk eligible (participation code 3060) through the MSDS General Collections. In lieu of state assessments, districts may leverage criteria that allow districts to identify students as At-risk based on the latest local assessment data – Sec.31a(19)(x) *Is a pupil who is at risk of not meeting the*

district's or public school academy's core academic curricular objectives in English language arts or mathematics, as demonstrated on local assessments. Instructional Programming

24. Due to the Pandemic extension on USDA waivers for Nutrition Programs, how do districts utilize the Section 31a "The pupil is economically disadvantaged" criteria during their data review and reporting?

The USDA released waivers allowing school districts to operate the National School Lunch Program-Seamless Summer Option (SSO) to help feed students during School Year 2021-2022.

Section 31a allocation is generated from the student count from the preceding October count. Therefore, it is extremely important that district leadership teams communicate with their Nutrition Program leaders to ensure that documentation on the economic status of students, including Free and Reduced-Price Meals Applications and Household Information Reports (for CEP participating schools), **are still being collected from families and reported in the Supplemental Nutrition Eligibility component** in MSDS this school year.

Although these documents are not needed to feed students and receive reimbursement for meals at this time, the collection of these documents and reporting will potentially impact funding for various State (Section 31a) and Federal grants in the future. In addition, to utilize the "The pupil is economically disadvantaged" At-risk eligibility criteria, districts must have documentation of the student's economic status or the CEPI direct certification report with the student listed.

25. What are some examples of allowable instructional activities that LEAs can provide for At-risk eligible pupils with Section 31a funds?

Section 31a funds can be used to implement:

- evidence-based instruction and intervention
- supplemental instructional materials and equipment that are pertinent to MTSS, early literacy, and numeracy instruction
- supporting career and college readiness strategies
- hiring properly endorsed and/or highly-skilled staff to provide academic/behavior interventions
- professional learning based on the LEA's needs assessment to improve the quality and fidelity of instruction and intervention for MTSS, early literacy, and numeracy

For more information reference [Sec. 31a(3)]. The [Evidence for ESSA](#) website provides evidence-based practices that meet the *Every Student Succeeds Act of 2015* (ESSA) evidence standards.

26. Can LEAs use Section 31a to fund instructional coaches? Behavioral coaches?

Section 31a(13) allows LEAs to fund instructional and behavioral coaches and other allowable support staff providing services to At-risk eligible pupils. The job responsibilities of instructional and behavioral coaches are to be clearly defined and support the intent and purpose of Section 31a and the implementation of the MTSS framework. Coaches should support the development of teachers through evidence-based practices with the goal of increasing student engagement, teacher capacity, improvement of student achievement across core curriculum subjects, and behavioral outcomes. An LEA is to see evidence of increased instructional time, and improved student social, emotional, behavioral, and academic achievement. Instructional coaches are not paraprofessional staff. The MDE has developed the [MDE Coaching Definition](#) and core expectations for staff

in this role. It is expected that specific types of coaches (i.e., literacy, early childhood, instructional, behavioral) may have additional competencies and specific guidance for these roles in addition to the definition's expectations.

27. Can LEAs use Section 31a to purchase technology and testing materials that will identify pupils for services?

Since Section 31a is supplemental funding, the district should defer to its general fund before utilizing Section 31a funding. Supplemental purchases of technology and testing materials should be supported by the district needs assessment and documented.

All additional assessment needs are to be prioritized with the understanding that Section 31a funds are for identified At-risk eligible pupils. Testing materials are to be aligned and embedded in the LEA's MTSS, and only the percentage necessary to test At-risk pupils should be allocated for this cost.

28. Can Section 31a funds be used for an Alternative Education Program?

The LEA can utilize Section 31a funding for *supplemental supports* within an Alternative Education Program. ***It cannot be used to support the entire cost of programming and services for an Alternative Education Program.*** This funding is intended to provide support and services for the At-risk eligible students it enrolls that remove barriers, accelerate academic achievement, and meet the needs of the whole child. The additional assurance of MTSS K-12 must also be met, even in the alternative education setting. The LEA needs to prioritize the needs of all K-12 At-risk eligible students and ensure the intent and purpose of the legislation are met. One evidence-based model that could help support students is [Early Warning Intervention and Monitoring Systems \(EWIMS\)](#). Please reference the MDE webpage for additional information.

29. Can Section 31a funds be used for Pre-kindergarten to supplement the Great Start Readiness Program (GSRP) for pupils who do not meet the income threshold?

Subsection (14) allows a district to use up to 10% of the district's total allocation to provide evidence-based instruction for Pre-kindergarten instructional and noninstructional services to children who meet at least 1 of the criteria in subsection (20)(a)(i) to (x). Some examples of allowable costs are: additional seats for students that meet section 31a criteria, but not eligible for the Great Start Readiness Program (GSRP) or if slots are full; professional learning; transportation costs for transporting eligible students; social-emotional supports; MTSS Coaches. Services and programs must meet the intent and purpose of Section 31a and the program guidelines set by GSRP ([Implementation Manual](#)).

The GSRP program was designed to provide high-quality preschool to children at risk for low educational attainment in the school year before they are regularly eligible for kindergarten. For GSRP, this means a child must turn 4 years of age on or before September 1. However, a provision exists for parents who wish to request early enrollment for children who will turn 4 after September 1, but on or before December 1. For more information or specific GSRP questions, please contact the **Office of Great Start (OGS-MDE), Mischele McManus, 517.241.7008.**

30. Can Section 31a funds be used for Dual Enrollment costs?

In cases where a student is participating in Dual Enrollment opportunities, Section 31a funds may be used to **supplement the funding in the event a district has already exhausted its required prorated portion of the Statewide Pupil-Weighted Average Foundation.** The laws supporting Dual Enrollment ([Postsecondary Enrollment Options Act](#)

and the [Career and Technical Preparation Act](#)) provide for payment from a school district's state aid foundation allowance for enrollment of certain eligible high school students in postsecondary courses of education. Districts can get full details by reviewing the [Dual Enrollment FAQ](#) and can determine the required contribution using the Dual Enrollment Calculation Worksheet [MDE - Dual Enrollment \(michigan.gov\)](#).

Non-Instructional Programming

31. Can an LEA use Section 31a to fund behavior interventionists, aides, social workers, or counselors?

Yes. Direct non-instructional services are allowable. Such services can include medical, counseling, or behavioral intervention programs and services that include counselors, nurses, social workers, or their staff with specialized training in behavioral intervention strategies, community medical referrals, dental care, substance abuse counseling, sexually transmitted disease (STD) education, mental health services, prenatal care, immunizations, obesity health programs. Supplemental staff can also be utilized to provide support and improve the culture and climate of the school, address safety and security, and provide anti-bullying or crisis intervention programs [Sec. 31a(5) and (18)].

32. Can Section 31a funding cover the cost of an Attendance/Tuancy Officer or an Attendance Liaison?

The portion of an Attendance/Tuancy Officer position that calls for tracking pupil attendance, as well as instituting and participating in legal proceedings, is considered an administrative cost, and is not an allowable expense. The portion of an Attendance/Tuancy Officer or an Attendance Liaison position that calls for proactive monitoring and counseling of pupils/families with attendance concerns and working as a team member with school personnel to develop prevention/intervention strategies as part of an MTSS framework are considered intervention practices and is an allowable cost.

33. Can LEAs use Section 31a funds to provide an anti-bullying or crisis intervention program?

Yes. An LEA may use Section 31a funds to provide an anti-bullying or crisis intervention program [Sec. 31a(18)].

34. Must LEAs use Section 31a funds to support the school breakfast program?

Yes. LEAs, including CEP-eligible LEAs, shall use Section 31a funds in an amount not to exceed \$10.00 per economically disadvantaged pupil for whom the LEA receives Section 31a funds to pay for costs associated with the operation of the school breakfast program [Sec. 31a(6)]. Allowable costs to the Nonprofit School Food Service Account (NSFSA) can be used to support school breakfast program operations. LEAs are to identify the amount dedicated for school breakfast prior to allocating other expenditures. LEAs with 20% or less of students qualifying for free/reduced meals per building that do not offer a school breakfast program are not mandated to serve breakfast. LEAs offering a school breakfast program and/or operating a school breakfast program under Section 1272a of the Revised School Code, MCL 380.1272a must comply with this requirement.

All schools that offer a breakfast program regardless of sponsorship must allocate Section 31a funds for the School Breakfast Program. This includes alternate agreement sites under one LEA. There must be Section 31a funds allocated and provided by the LEA School Food Authority sponsor district to be used at the alternate agreement site for school breakfast.

Additional questions can be referred to the Office of Health and Nutrition Services:

- [Melanie Brummeler](#), Supervisor, (517)241-5354
- [Brenda Sweatman](#), Financial Analyst

35. How much of Section 31a funds can be used for security?

Districts in which at least 50% of the pupils in membership met the income eligibility criteria for free/reduced breakfast, lunch, or milk in the immediately-preceding State FY [Sec. 31a (5)] may utilize funding for school security. School security use includes personnel and/or School Parent Liaison that is connected and aligned with the district's needs assessment and delivered through its MTSS framework.

Program Report and Audits

36. How often should LEAs submit their Section 31a Annual Program and Fiscal Report (APFR)?

The Section 31a APFR must be submitted to the OES via NexSys by July 15th of each year. Non-compliance with this requirement will result in the MDE withholding the August school aid payment until the report is submitted. If the report is not submitted by the end of the State FY, September 30th, the funds will be forfeited to the school aid fund [Sec. 31a(9)].

37. Who should be included in completing the Section 31a APFR?

The APFR reports the supports and programs funded by Section 31a as well as counts of At-risk eligible students served. As such, it is critical that a team comprised of key stakeholders and decision-makers is utilized (finance, curriculum, building administration, human resources) to ensure funding has been dedicated and expended most effectively and reported accurately.

38. How is monitoring conducted?

The OES will conduct On-Site and Desk Reviews to ensure programs, practices, and services funded by Section 31a meet the intent and purpose of the legislation and data indicates improvements in meeting the needs of the whole child. Consultants will notify LEAs at least three months in advance of a review. A Section 31a Program Review Companion Guide is available on the [Section 31a At-risk](#) page of the OES website to assist LEAs in this process [Sec. 31a(10)].

In addition to formal monitoring, a selection of APFR submissions will be reviewed each year. Districts selected for APFR Review will be notified if additional information is needed. Following completion of the APFR Review, the district will receive a summary.

Overall Planning

39. Are Section 31a services limited to the regular school day?

No. Allowable instructional and non-instructional services under Section 31a may be conducted during the regular school day, before or after regular school hours, or by adding extra school days to the SY (i.e., summer school) [Sec. 31a(5)].

40. Can Section 31a funds pay for professional learning [Sec. 31a(12)]?

LEAs may use their allocable funds for evidence-based professional learning and to implement a coaching model that supports the MTSS framework, Pre-k-12. Professional learning may be provided to LEA and school leadership and teachers; must be aligned to professional learning standards; must be integrated into LEA, school building, and classroom practices; and is solely related to the following:

- Implementing the MTSS required in Section 31a(3) with fidelity and utilizing the data from that system to inform curriculum and instruction

- Implementing Section 1280f of the Revised School Code, MCL 380.1280f, as required under Section 31a(3), with fidelity

41. Can Section 31a funds be used for schoolwide reform?

Section 31a(11) allows for LEAs to utilize funds for instructional or non-instructional services for schoolwide reform if 40% of a buildings' pupils are identified as At-risk. This is **different** than the Title I, Part A requirement for Schoolwide status.

The schoolwide reform must meet the intent and purpose of Section 31a and support the implementation of the MTSS framework. The schoolwide reform instruction and/or services are to be guided by the needs assessment and included in the MiCIP planning process. Instruction and/or services must be evidence-based and delivered in varying intensity based on student needs. The LEA must have data demonstrating acceleration of student academic, behavioral, and social-emotional growth because of this instruction and/or services.

42. How do LEAs know if their programming is effective?

An annual program evaluation is expected and the key to continuous improvement. The evaluation shows the impact of instruction on student achievement and whether opportunity gaps are being closed for underserved students in the district. Program evaluation ensures that high-quality planning, implementation, and monitoring are part of the LEA and school's continuous improvement process. The evaluation also improves the quality of plans and the implementation of these plans with fidelity. Evaluating with fidelity ensures the ongoing engagement of multiple stakeholders (students, teachers, parents/community, and administrators). Additionally, evaluation maximizes the coordination, focus, and use of local, State, and Federal funds to impact student learning, and provides documentation of program implementation to inform future decision-making. Built into the MiCIP process are monitoring and adjusting components to support the ongoing evaluation of LEA's improvement efforts. [MDE - MiCIP Resources \(michigan.gov\)](#)