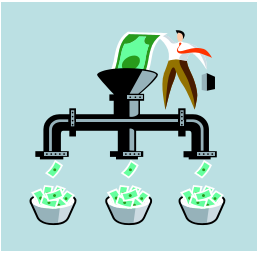

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## SUPPLEMENT, NOT SUPPLANT

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# Supplement, Not Supplant

(Applies to most federal programs and to many state-funded programs)

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# Supplement, Not Supplant

- Supplement, Not Supplant language will be in the actual authorizing program statute or in an amendment to the statute

- Example – Title I Part A:
- A State educational agency or local educational agency shall use Federal funds received under this part only to supplement the funds that would, in the absence of such federal funds, be made available from non-Federal sources for the education of pupils participating in programs assisted under this part, and not to supplant such funds.

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# What does Supplement, Not Supplant Mean?

- Supplement – to add to; to enhance; to expand; to increase; to extend; to create something new

- Supplant – to take the place of; to replace by something else

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# What does Supplement, Not Supplant Mean?

- Federal funds may be used only to supplement the educational programs generally offered with state and local funds.
- They may be used only to provide supplemental services that would not have been provided had the federal funds not been available.

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# What does Supplement, Not Supplant Mean?

- State or local funds which previously funded activities may not be diverted to another purpose simply because federal funds are now available to fund those activities.

- In other words, the use of federal funds may not result in a decrease in state or local funds for a particular activity, which, in the absence of the federal funds, would have been available to conduct the activity.

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# What does Supplement, Not Supplant Mean?

- Federal funds must supplement or augment that which must be provided by state law or SBOE rule, or any activities which have been adopted as policy by a local school board of education to fund from non-federal sources.

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# What does Supplement, Not Supplant Mean?

If federal funds are used to enhance or expand a state mandate, SBOE rule, or local board policy:

the federal supplementary activities must be separately identified and clearly distinguishable from those activities identified as necessary for implementing the state mandate, SBOE rule, or local board policy as outlined in the implementation plan.

Clear plan for each – one for meeting mandate, another for providing supplementary activities from federal funds

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# Ensuring Supplement, Not Supplant

- The state agency and the LEA assure in their applications for federal funds in the provisions and assurances that they are using funds to supplement and not supplant.

- In discretionary applications, applicants must describe how funds and activities are supplementary to current or previously funded activities.

- Penalties for supplanting are oftentimes very severe. All federal funds involved in a supplanting situation would most likely have to be returned to the Federal government.

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# Documenting Supplement, Not Supplant

- Recipients of federal funds must maintain documentation which clearly demonstrates the supplementary nature of the funds and activities.

- In most cases, it is both the funding and the activities that must be supplemented.

Exception:

- Title I Schoolwide projects – only the level of funding must be supplemented if combining state, local, and federal funds.

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# Am I Supplanting?

Ask yourself this question:

- If I didn't have federal funds available to conduct this activity/service, would I still conduct it with state or local (or other federal) funds anyway?

- If the answer to the question is yes, you are supplanting because it is no longer a supplementary activity. You must be able to demonstrate that you could not conduct the activity if it weren't for these federal funds.

- The test to determine whether supplanting has occurred is whether the programs supported with federal funds would, in the absence of those federal funds, have been supported with state or local (or other federal) funds.

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# Supplement, Not Supplant

One Exception to Presumption of Supplanting:
Diminished Budgets

- A grantee may be able demonstrate that it is supplementing where there is acceptable documentation of a diminished budget.
- Must be able to prove (in the actual budget) that fewer state or local funds are available in the current school year than were available in the previous school year.
- Must be carefully documented.

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# Let’s Practice

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# Scenario 1

A grantee uses various sources of federal funding to provide a supplementary program for children not meeting standards. Some of the federal funding sources are expiring as other new grant funding is beginning. The program uses the new federal grant funds to replace the expiring funding sources to continue this program.

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# Scenario 2

A district that receives grant funding to provide staff training to school districts charges a registration fee for staff to participate in specific training sessions. Each participant receives a complete training manual and set of materials to use in their classroom. The fees collected are used to offset the printing and binding cost of the materials provided during the training.

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# Scenario 3

A program coordinator, working with the parent involvement component of a campus, is paid from local sources. The local school district receives new grant funds to provide literacy services to parents within the campus and transfers the coordinator's salary to the new grant, since the population that is being served are the same parents that are participating in the parent involvement center.

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# Scenario 4

A teacher who is 100% locally and state-funded becomes the newly appointed program manager for a federal grant. The budget page in the grant application states that 100% of this position will be devoted to the federal grant program.

Another teacher is hired to take over the teaching duties.

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# Scenario 5

A grant allows professional development to be paid out of the funds. The district wants to pay for already scheduled and/or budgeted professional development and/or inservice with these new grant funds.

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# Scenario 6

A campus has a full-time assistant principal. The district applying for a grant project wants to have the assistant principal spend ½ day serving as assistant principal, and ½ day managing this new grant. They would charge ½ the salary to state/local funds and ½ the salary to the grant.

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# Scenario 7

District ABC has promoted their assistant principal (Mary) to principal and a supplementary ELA teacher (Bill) to assistant principal.

Bill's salary as an ELA teacher was originally funded through a federal grant the district received because he provided instruction in a supplementary computer lab.

The district is considering paying the remaining ELA teachers part of the federal money since they are now sharing Bill's former students and teaching his old computer lab classes (i.e., Bill's empty teacher position was not replaced).

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# Scenario 8

A district wants to pay consultants for activities that district personnel are already performing under the grant.

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# Scenario 9

Federal grant funds were approved to provide financial assistance to schools that received an influx of immigrant students. A grantee requested funds for an additional teacher so they could establish another class to accommodate the additional students.

According to the narrative description in the application explaining the need, the grantee indicated that it is school policy to add an additional class if the number of students exceeds 30. The number of students that were in the particular grade level prior to receiving the additional students was 32; they received 3 additional students.

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# Scenario 10

The district provides substitutes for teachers who are out of the classroom for personal or professional reasons, including all types of professional development. As a course of business, the district has consistently used local or state funds to always pay for the substitutes.

The district has recently been awarded a federal grant where they have requested funds to pay for substitutes while teachers attend professional development. The district will now use the federal funds to pay for substitutes while the teachers go to their training. The district will also use the federal funds to replace a grant-funded teacher while he or she is out sick.

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