



# New State Entity Grantee Toolkit





The National Charter School Resource Center (NCSRC) is dedicated to supporting the development of high-quality charter schools. The NCSRC provides technical assistance to sector stakeholders and has a comprehensive collection of online resources addressing the challenges charter schools face. The website hosts reports, webinars, and newsletters focusing on facilities, funding opportunities, authorizing, English learners, special education, military families, board governance, and other topics. The NCSRC is funded by the U.S. Department of Education and led by education consulting firm Safal Partners.

**National Charter School Resource Center** ([www.charterschoolcenter.ed.gov](http://www.charterschoolcenter.ed.gov))



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# Introduction



## INTRODUCTION

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This informal guidance addresses issues that cover both Charter Schools Program (CSP) State Educational Agency (SEA) and State Entity (SE) grants, which will be referred to collectively in this document as “State Grants.” As a new Project Director (PD), you face the challenge of implementing a complex program, and you likely have many questions. This informal guidance is designed as a starting point to answer these questions and to link you to key resources for successful CSP grant administration. In addition to this document, you are encouraged to reach out to your Program Officer (PO) at the U.S. Department of Education (the Department) as well as the staff at the National Charter School Resource Center (NCSRC). A wide range of resources, including many referenced in this document, are available on the [CSP](#) and [NCSRC](#) websites.

# Questions & Answers



## 1. WHERE CAN I GET A LIST OF RELEVANT ACRONYMS AND TERMS?

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See [Appendix A](#) for a glossary. Be sure to ask for clarification from your PO when terms or acronyms are used that are not familiar to you.

## 2. WHO IS MY PO AT THE U.S. DEPARTMENT OF EDUCATION, AND WHAT IS HIS OR HER ROLE?

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Each recipient of a State Grant under the CSP is assigned a staff person from the Department to serve as the PO. This individual is your primary contact at the Department for that specific CSP grant and is responsible for monitoring your grant performance. The PO is the person at the Department who becomes most familiar with your state program, and the person who will understand your grant objectives and activities. He or she will reach out to you with official news and updates and will also work with colleagues at the Department to explain the context of challenges your state might be facing or any requests that you might have. It is especially important to reach out to your PO if you have questions about how to administer your grant or if you want to modify the activities outlined in the original grant application. The PO will be your first and best point of contact to determine if a modification is allowable. The PO will also help identify required steps you must follow to modify grant activities.

## 3. WHAT ARE THE KEY DOCUMENTS WITH RESPECT TO THE CSP GRANT ADMINISTRATION THAT WILL DRIVE THE WORK IN MY STATE OVER THE NEXT THREE TO FIVE YEARS?

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Every grant produces a series of official documents. These documents help inform and shape all the funding, activities, monitoring, and reporting associated with your CSP program. Some documents are common to all grantees, like a **Grant Award Notification (GAN)**. Other documents, like **specific conditions**, are developed only as needed and can be found as part of the GAN. See [Appendix B](#) for examples of official documents and their purpose. If you are new to the office administering your CSP grant, reading the following grant-specific documents is an initial step to help you better understand your state's CSP program:

- **Notice Inviting Application (NIA)** (for the year in which your grant was awarded)
- **Grant Application, including:**
  - Application Narrative;

- Grant Budget and Budget Narrative; and
- Objectives and Performance Measures;
- **Original GAN and all attachments;**
- **Special Conditions** (if applicable they will be included in your original GAN); and
- **Annual Performance Reports (APR)** (if any have been completed).

#### 4. WHAT RESOURCES CAN HELP ME UNDERSTAND THE FEDERAL CSP, INCLUDING RULES, REGULATIONS, AND GUIDANCE ASSOCIATED WITH THE PROGRAM?

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The Department has posted and/or produced an extensive body of documents that address various aspects of the CSP State Grant programs. A list of official documentation can be found at <http://www.innovation.ed.gov> on your specific grant program page under funding and legislation. To begin the task of understanding the CSP and the State Grant programs, the following are key resources:

- Authorizing statutory language. This includes language from the No Child Left Behind ([NCLB](#)) for grants prior to 2017, and Every Student Succeeds Act ([ESSA](#)) for those awarded in 2017 or later and those grants who have received ESSA flexibility award prior to 2017;
- [Charter Schools Program Nonregulatory Guidance](#) (this guidance is for grants prior to 2017 but can be used as a guide for SE grantees with the understanding that additional flexibility is allowed under ESSA);
- [Dear Colleague Letters and other documents released by CSP and ED](#); and
- Charter Schools Program Assurances (please make sure to review the ones associated with your specific grant award year). See: [The Program Assurances for grants made under NCLB](#) and [Program Assurances for grants made under ESSA, in 2017 or later](#).

In addition to these official documents, many other resources are available with additional information and support:

- The [Office of Innovation and Improvement](#) has its own web site within the [ED website](#). There you can find webpages dedicated to the [SEA](#) and [SE](#) grant programs, which include [links to grant documents and program details](#). Bookmarking these pages will be useful;
- ED has created or commissioned documents and materials on numerous topics related to charter schools. A centralized resource is available through the [NCSRC](#);
- State leaders have developed a network of peers in other states that face similar contexts and rely on their peers for day-to-day advice and support. Peers can be reached directly, through webinars and in-person meetings, and through the [SEA/SE Exchange](#), an online community administered by the NCSRC;
- As an administrator of a CSP State Grant, you can communicate with your peers in other states through an online exchange. To register for the [SEA/SE Exchange](#) serving SEA and SE Grants, contact the [NCSRC](#) or sign up on [the NCSRC website](#);

- Your PO is a direct option for support and is always willing and ready to support you; and
- The annual CSP Project Directors' Meeting convened by the Department provides an opportunity for you to meet your PO in person and connect with your peers.

## 5. ARE THERE EXAMPLES OF MATERIALS USED BY PEERS IN OTHER STATES THAT I CAN REVIEW?

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Materials from peers in other states are available through a variety of sources, including the [NCSRC website](#) and the [SEA/SE Exchange](#). Many states also post materials on websites for their state entity or the specific office administering the CSP program. Your PO and staff at the NCSRC are available to help you identify resources and peers that may face similar contexts or challenges.

## 6. HOW DO I GET IN TOUCH WITH PEERS AROUND THE COUNTRY RUNNING SIMILAR PROGRAMS?

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The Department encourages all CSP PDs to develop and use the network of their peers in other states. Peer-to-peer networking is supported through annual PD Meetings convened by the Department. The NCSRC also hosts an online exchange (the [SEA/SE Exchange](#)), where SEA and SE PDs can post and interact on key questions. Given the variation in state charter policies and charter contexts, it helps for people to become familiar with the states that share similar circumstances and face similar challenges. The staff at the NCSRC is available to help states connect, and your PO at the Department is also available to help you identify and connect to peers in other states that share similar circumstances and/or challenges. The utility of these networks relies on reciprocity and the ability of states to support one another.

## 7. IS AN APPLICATION ALWAYS FUNDED FOR THE ENTIRE AMOUNT REQUESTED?

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No. In some cases, the program staff determines that certain proposed activities in the application are unnecessary or unallowable and deletes them, along with their associated costs, from the award. In others, the program staff that performs the cost analysis determines that the amounts requested for some items are excessive and reduces the budget for them. Funding levels might also be restricted based on the amount of funds appropriated for the current fiscal year and the number of applications to be funded.

## 8. OUR GRANT AWARD IS FOR LESS MONEY THAN WE REQUESTED. WE CANNOT DO EVERYTHING WE PROPOSED IN OUR GRANT APPLICATION WITH THIS AMOUNT. HOW DO WE DETERMINE WHAT WE ARE GOING TO DO, AND WHAT WE WILL BE ACCOUNTABLE FOR DOING GIVEN THE REDUCED AMOUNT?

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If your state received less funding than requested, your GAN outlines the total amount the state is expected to receive and a specific condition noting the budget adjustment requiring follow-up with the Department. Your PO will provide additional guidance on reasoning, expectations, and updated

documents needed to address any budget reductions. After consulting with your PO, the state will be tasked with adjusting its budget narrative, performance measures (if applicable), and ED 524 form to reflect the adjusted funding level. The state is still responsible for completing all activities outlined within its grant application, and the PO will work with the state on documentation regarding application modifications as necessary and appropriate. All updated documents are subject to Department review and approval. The Department works with states to complete these activities as quickly as possible after the initial award so that states may begin the work on launching subgrant competitions.

Your GAN and discussion with your PO can help determine the remaining obligations of your program. The grant application and any official Department-approved modifications are key documents that outline the program objectives and project activities that your state will be expected to complete. For example, the Department may reduce funding to correct for an unreasonable estimate of the number of expected subgrants. The scale of the program funded under the State Grant may be reduced, leading to fewer subgrants, but the scope of activities cannot be modified.

## 9. WHAT ARE THE CHARTER SCHOOLS PROGRAM ASSURANCES, AND WHAT SHOULD WE DO WITH THEM?

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As part of accepting your grant, each state is required to sign a form accepting all the [Charter Schools Program Assurances](#). This document lists ongoing requirements of CSP grantees throughout the duration of the project. The assurances in this form are based on the statutory requirements and sometimes appropriations language requirements of the CSP, which can vary depending on the year of the initial award. Many of the activities and obligations listed in these assurances require proactive work by the grantee, while others are dependent on activities in the field that the grantee must ensure occur. As a CSP grantee, independent of the activities outlined in your grant application, you are required to fulfill these assurances. The state's compliance with these assurances is evaluated each year and during official Department monitoring. The Charter Schools Program Assurances applicable to a specific grant are determined by the specific statute, meaning there is one set of [Charter Schools Program Assurances for grants awarded under NCLB \(before 2017\)](#), and a second set of [Program Assurances for grants awarded under ESSA \(for grants awarded in 2017 and later\)](#).

## 10. OUR AWARD INCLUDED SPECIFIC CONDITIONS. WHAT ARE THESE, AND WHAT DO WE DO ABOUT THEM?

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In some circumstances, a state may receive a grant award with **specific conditions**. These conditions are provided in the GAN and discussed during post-award communication with the grantee. The specific conditions attached to a grant are based on areas that require clarification or require additional focus as identified in the grant review process by Department staff. Specific conditions do not prevent a state or entity from being funded but require action by the state or entity to ensure the state program complies with requirements of the CSP. In the event your grant includes specific conditions, your PO will discuss the requirements of the specific conditions with you and your team. Regular meetings and ongoing reporting schedules will be developed as needed to ensure your PO and other Department staff can document that your program is meeting all specific conditions. Failure to meet these conditions could lead the Department to take additional actions.

## 11. HOW DO WE MODIFY THE CSP BUDGET, AND HOW DO WE GET IT APPROVED?

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The approved projected funding amounts for your state’s project are outlined in the GAN, and detail is provided in your approved budget narrative. If modifications to your budget and funded activities are necessary and do not change the overall scope or objectives of the project, the grantee may contact his or her PO to discuss potential modifications. The PO will provide guidance on appropriate next steps in requesting a modification to the CSP budget and what information is needed for review and approval by the Department. When revising budgets, the Department references the state’s original grant application, statutory requirements of the CSP, the Charter Schools Program Assurances, and the Uniform Guidance.

## 12. WHAT ARE PERFORMANCE MEASURES? CAN WE CHANGE THEM? IF SO, HOW?

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Every grant application contains **performance measures** that the applicant includes based on the activities of their grants. For each performance measure, the applicant is expected to define: the data source; baseline data, if available; annual targets on each measure; and how to operationalize measures. Performance measures should be linked clearly to project objectives, and the links between objectives, activities, outcomes, and measures should be delineated in the **Logic Model** included in the grant application.

The Department reviews performance measures outlined in each application as part of the grant review process. While a grantee may not change or remove any performance measures from its original application, it is not uncommon for grantees to have to clarify their performance measures. In these cases, the PO typically provides initial feedback on areas where performance measures could be clarified and works with the state PD to approve any clarifications provided on the performance measures prior to the first annual performance report. Generally, performance measures are not allowed to be clarified after the first reporting cycle is complete. The performance measures for Department programs are expected to be “SMART” measures, meaning they are:

- **Specific;**
- **Measurable;**
- **Attainable/Achievable;**
- **Relevant;** and
- **Timebound.**

A key concern for states and the Department is to ensure the measures include annual targets that can be measured and reported each year in the APR. However, some states include measures that are not measurable until the completion of the grant, which leads to the state reporting that it has made no progress on that measure during the early years of the grant. All performance measures should be measurable during the years that the grant is active, and measures lacking annual reporting targets are likely to need clarification. If an objective has a measure that cannot be reported on until the end of the project even with clarification, the grantee must ensure there are other measures that can be reported on annually under that same objective.

## 13. WHAT ARE GPRA MEASURES?

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The **Government Performance and Report Act (GPRA)** is a federal law that requires all federal agencies to develop performance measurement mechanisms for their programs. While states develop their own performance measures based on their state's grant objectives, all CSP grantees are also required to include in their performance measures two **GPRA Measures**. All states report on GPRA Measures annually in their APR. The state may not adjust the content of the GPRA Measures, but states must describe how they will define and operationalize the measure based on their own state testing systems or measures of school quality. For the CSP state programs, the required GPRA Measures include:

- The number of charter schools in operation around the nation; The percentage of fourth- and eighth-grade charter school students who are achieving at or above the proficient level on state assessments in mathematics and reading/language arts; and
- The federal cost per student in implementing a successful school (defined as a school in operation for three or more consecutive years).

CSP operationalizes these measures for the State Grants to report on in their APR as follows:

- The number of charter schools opened with CSP funds annually;
- The percentage of fourth-grade charter school students who are achieving at or above the proficient level on state assessment in mathematics;
- The percentage of fourth-grade charter school students who are achieving at or above the proficient level on state assessment in reading;
- The percentage of eighth-grade charter school students who are achieving at or above the proficient level on state assessment in mathematics; and
- The percentage of eighth-grade charter school students who are achieving at or above the proficient level on state assessment in reading.

Grantees are not required to report on the federal cost per student in their APR as a measure; the data collection forms submitted by grantees provide this information.

## 14. WHAT IS AN ANNUAL PERFORMANCE REPORT?

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Each state reports on its performance measures, conditions, assurances, budget, and overall grant progress (including project activities, progress on competitive preference priorities, and pipeline of subgrantees) in the **APR**. The APR is used by the state PO and other staff at the Department to evaluate and monitor the progress of grant activities to be completed by the CSP grantee as well as the efficacy of the CSP nationally.

The APR is submitted through the G5 system in a standard form. The PD will have access to complete the APR within the G5 system. In addition to the APR, State grantees are asked to complete a data collection form that they receive from the Department's contractor. This form collects information on the subgrantee level, including the charter schools who have received funding; how much money they were awarded; how much money they have spent; and the duration of their subgrant award. This is requested at the same time as the APR.

## 15. BEFORE WE RUN A SUBGRANT COMPETITION, WHAT DO WE NEED TO DO?

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A subgrant competition must meet the requirements of the CSP and the objectives described in the state's CSP grant application. In addition, states have developed their own standard procedures for the administration of competitive grants that can also determine aspects of a CSP subgrant competition. Your state's plan for administering the CSP competition should accommodate each of these elements, but states may also be able to borrow ideas and materials for their own use. When adapting material from other states, you will need to review all materials to ensure they align with your state's requirements.

Details of competitions should be described in a grantee's grant administration plan. These plans and supporting materials are often available from other states. While these materials are customized to reflect state law and requirements, as well as details of each state's CSP grant objectives and specific activities outlined in its application, a state may benefit from reviewing the materials and procedures of another state in developing its own suite of materials to support a grant competition. Specific items include, but are not limited to, the following:

- Training materials used to introduce stakeholders to the program and the upcoming competition;
- Request for Proposal (RFP) or Request for Application (RFA);
- A grant application checklist;
- Rubric for reviewing applications;
- Qualifications of peer reviewers;
- Materials to train peer reviewers;
- A timeline for review and procedures;
- Checklists to determine eligibility; and
- Guidance on allowable expenditures.

Under the CSP authorizing statutes, subgrants awarded by SEAs and SEs must be competitive. States must also be able to ensure all applicants are eligible to receive funds and that all awarded subgrants have costs that are allowable, allocable, and reasonable.

Prior to running your first subgrant competition, you must submit your RFP/RFA to your PO for review and feedback to assist the state in ensuring it complies with all statutory requirements. POs review your RFA against the requirements of the CSP and commitments in your state application. Your PO will provide technical assistance as necessary to help identify potential areas of confusion prior to running your first competition.

## 16. HOW DO PEOPLE RECRUIT AND TRAIN PEER REVIEWERS?

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The subgrant applications are generally read by teams of expert **peer reviewers** from the field. The specific types of people and qualifications should reflect the state context and the objectives of the subgrant competition. Grantee staff are responsible for administering the competition and should not serve as peer reviewers. In many cases, states recruit peer reviewers that are leaders

at high-quality charter schools in their state (from entities that are not currently competing in the subgrant competition), from the offices of charter school authorizers (again controlling for real or apparent conflict of interest), and retired school leaders and experienced school administrators. For all readers, avoid real or apparent conflicts of interest. State Grant staff also reach out to their peers in other states, sharing lists of potential reviewers and even serving as reviewers for competitions in other states.

States use various strategies to train peer reviewers, including written documents, meetings, conference calls, and webinars. Some states help prospective readers discuss examples of applications to inform their evaluation and attempt to norm reviewers' expectations and understanding of the subgrant application and its rubrics.

## **17. CAN WE USE OUR CHARTER AUTHORIZERS' REVIEW OF CHARTER APPLICATIONS AS THE GRANT COMPETITION, AND NOT RUN A SEPARATE SUBGRANT COMPETITION?**

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In some circumstances, states or entities have worked with their local authorizer to leverage the authorizer's review of all charter applications. This serves as a preliminary review of quality for CSP planning and implementation subgrantees. This approach is not applicable to dissemination grants.

This approach is generally used in states with one or a small number of authorizers who are recognized as implementing strong authorizing practices that lead to a rigorous approval process. In Massachusetts, the Massachusetts Board of Elementary and Secondary Education is the sole authorizer and also the CSP grantee. In the District of Columbia, the DC Public Charter School Board is the sole authorizer, and the Office of the State Superintendent of Education is the CSP grantee.

In these cases, the charter application review is treated as the competitive element of the review and offers an opportunity for a rigorous assessment of a charter school developer's capacity. The state's CSP program must still review materials that supplement the charter school application and that may not be in an application for a charter. Specifically, the state requests grant-specific materials on the charter applicant's objectives, planned use of funding, and all required assurances or program details for CSP subgrantees. In these cases, the CSP office in the state is reviewing the supplemental material to ensure the applicant is eligible for a CSP subgrant, that all expenses are allowable, and that all program requirements are satisfied. In other states, like Colorado, the state is working with authorizers to strengthen the alignment between the CSP grant application and model charter application materials used by authorizers, but the authorizing process and the CSP competition remain entirely separate.

It should be noted that State Grants must adhere to what was written in their application regarding the competition process. If you are interested in modifying this process, please contact your PO to discuss this in greater depth. Do not make any changes to your subgranting process without prior approval.

## 18. OUR SUBGRANTS ARE SUPPOSED TO BE COMPETITIVE, BUT ALL THE NEW CHARTER SCHOOLS IN OUR STATE NEED SUPPORT. HOW DO WE RUN A COMPETITIVE GRANT PROGRAM, AND STILL MEET THE NEED IN THE FIELD?

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The federal statutes authorizing state grant programs require that these programs be competitively awarded. States have discretion to shape their subgrant competitions to fit their objectives and local context. State Grants also have an obligation to pursue the objectives and complete activities described in their grant application while complying with CSP requirements. If you have questions regarding your subgranting review process, contact your PO. The details are affected by the statute under which a state's grant operates. See [details on SEA grants operated under the provisions of NCLB](#); and [review the statutory language on SE grants operated under ESSA](#).

## 19. WHO DECIDES WHAT COUNTS AS AN ALLOWABLE EXPENSE IN A SUBGRANT?

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The statutory provisions ([NCLB](#) and [ESSA](#), as applicable) of the CSP describe broad categories of **allowable expenses**, and [nonregulatory guidance](#) from the Department provides additional details (please note the nonregulatory guidance is for grantees under NCLB but can be used as a helpful starting point for those under ESSA with the understanding that there is additional flexibility). All expenditures must be for initial start-up costs and should not be ongoing in nature. States should review the statutory requirements and the nonregulatory guidance and contact their PO if they have questions regarding allowable expenses. In addition, [subpart E of the uniform guidance](#) provides general guidance on cost principles specifically focusing on allowable, allocable, and reasonable costs for federal grants. Finally, for those grantees under ESSA, the ESSA [Flexibility FAQ published in December 2017](#) provides additional clarity on some of the changes to allowable costs under ESSA.

Many states have provided additional guidance on allowable expenses for subgrant applicants. States developed these documents as they responded to funding requests and the state entity had to consider whether its agency deemed a particular expense allowable. Such material has the advantage of providing a set of expenses that subgrant applicants can include in their grant applications and their grant plans with a degree of confidence that such expenses will be allowed. Generally, these state documents provide a level of detail that is more prescriptive than what is provided in federal statute or guidance. You can reach out to peers in other states for examples of these documents.

## 20. WHAT ARE THE STATE GRANTEES OBLIGATIONS REGARDING GRANT MONITORING?

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There are a range of obligations for the State Grant to monitor its CSP subgrantees and other obligations that include all charter schools in the state. These obligations were listed in a [Dear Colleague Letter from the CSP](#), the NIA (for the year in which your grant was awarded), and in the [Uniform Guidance](#). Various parties, including the Department's Office of the Inspector General ([OIG](#)), the Government Accountability Office ([GAO](#)), and the Office of Management and Budget

([OMB](#)) have requirements for oversight of federally-funded programs in general. The Department has also listed the monitoring obligations, including those covered by the **Statutory Provisions** of the CSP and the Charter Schools Program Assurances (described above in [Q.9](#)).

Several entities have also studied specific aspects of charter school oversight and issued recommendations for state-level oversight of charter schools and CSP programs. For example, the GAO has [released recommendations](#) regarding charter school data and research, and the [OIG examined oversight of Education Management Organizations](#).

All states have an obligation to monitor subgrantees' use of federal funds and to measure the extent to which subgrantees achieve the objectives they identify in their subgrant applications. State Grants also have an obligation to ensure that subgrantees conduct their operations in ways that ensure they remain eligible for CSP funds. This includes the use of [lotteries](#) in all subgrantees' schools that receive more applicants for enrollment than the school can accommodate as well as the design of such lotteries and admission services, among other program requirements.

## 21. WHAT IS THE STATE GRANT'S OBLIGATION IF A SUBGRANT WITH A PLANNING GRANT DELAYS THE OPENING OF ITS SCHOOL FOR A YEAR?

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When a charter school that has received federal funding (including CSP funds) closes, or never opens, various provisions determine the state entity's necessary steps. Since charter schools are subject to closure through their charter contract or state charter law, state entities should design their grant administration to fulfill all obligations that may occur in the event of charter closure. Your PO can help answer specific questions, and materials from [the Department](#) and the [NCSRC](#) can provide [additional information](#) on specific issues in the administration of federal funding or assets acquired with federal funding after a charter school closure.

When a school closes after receiving funds, the necessary steps are affected by which federal program or funding stream is involved. As the CSP is administered on a reimbursement mechanism, in almost all cases their CSP funds will not be directly recovered. State Grants should ensure that no costs incurred after a final binding closure decision is rendered are reimbursed. In addition, those charter schools who received CSP funding often buy materials and equipment for the new school. The federal requirements outlined in the Uniform Guidance related to disposition of assets would apply in this case. For assets purchased with federal funding, states implement various steps to take possession, catalogue, and make them available to other public schools. Generally, state entities make such material available in the following order: first to other CSP subgrantee charter schools, then to any charter school that has not received a CSP subgrant and receives federal funds, and finally to other public schools that receive federal funds.

## 22. WHAT IS THE STATE GRANT'S OBLIGATION IF A SUBGRANT WITH A PLANNING GRANT DELAYS THE OPENING OF ITS SCHOOL FOR A YEAR?

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For states with grants awarded under NCLB (up to 2016 federal awards), the statutory provisions affect the timeline for start-up. Charter schools are not always able to open on schedule as originally intended. In states funded under the NCLB provisions, the statutory provisions of the CSP require that any single charter school only receive one subgrant, which cannot exceed a three-year (36 month) period. This single grant is designed to potentially cover two phases: (1) a planning phase

of up to 18 months in length that covers expenses associated with the initial planning and program design before the school opens; and (2) no more than two-years (24 months) for initial implementation expenses that occur after the school has opened.

States determine how to respond to pre-opening delays, working with your PO. A school that delays its opening for a school year may be allowed to conduct planning activities for up to 18 months. However, if the school has not opened within those 18 months, it cannot continue planning activities and must end. In the event of a delay, an SEA or SE may work with its PO to request a waiver for that specific school to receive a second subgrant to be able to receive the original implementation funds they were unable to access. In this case, if a waiver is approved, the three-year period controlling the entire grant is still in effect, which reduces the amount of time this school would have in its implementation phase. For example, if a school has spent two years in its planning phase, including 18 months to spend its planning money and a six-month freeze, if a waiver is approved, it would only have 12 months remaining for any expenditures associated with post-opening start-up costs.

For states with grants awarded under ESSA (2017 and beyond federal awards), the statutory provisions of the CSP still require that any single charter school receive no more than 18 months for planning. The subgrant length in this case can be for up to 60 months (5 years). The same provision regarding delay in opening and exceeding the planning timeline would apply. A waiver would need to be requested on behalf of that specific school to receive a second subgrant to complete its activities once it opens its doors. Please contact your PO for additional information and guidance.

### **23. THE NUMBER OF NEW CHARTER SCHOOLS IN OUR STATE HAS DECLINED DRAMATICALLY. WHAT CAN WE DO TO ADJUST OUR PROGRAM? WHAT ARE THE FIRST STEPS TO MAKE CHANGES?**

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States occasionally award fewer subgrants than expected or were described in their initial grant application. This can be because fewer charter schools are approved in their state, or because schools that are approved do not meet the state's quality standards. When states award substantially fewer subgrants than expected, the state may request an application amendment to make a budget modification. It is the grantee's responsibility to make substantial progress on all activities under its grant. One of the major activities is awarding subgrants; therefore, it can benefit the grantee to ensure it is making substantial progress by requesting a modification. In addition, the Department has a fiduciary responsibility to be good stewards of federal funds. If a grantee has more funds than what are needed to accomplish the overall objectives of the grant, the Department may identify your grant as possibly benefiting from a reduction in continuation funding and could reach out to you to ask you to assess your need. If you believe you will not be able to spend all the funds allocated under your grant, your first step is to contact your PO (see Q.24).

### **24. WHAT HAPPENS TO THE ADMINISTRATIVE PORTION OF THE STATE GRANT IF WE REDUCE THE NUMBER OF START-UP GRANTS?**

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The funds available to State Grants to administer their grants are directly proportional to the amount of subgrants awarded in that state. Under the NCLB provisions (affecting states with grants that

were awarded in FY 2016 or earlier), the SEA may spend up to five percent of its total grant spending on state-level activities, including the administration of the CSP grant.

For SEs receiving grants (from FY 2017 and later), the provisions of ESSA control the amount available for state activities, including grant administration. An SE under ESSA may spend up to 10 percent of its total spending on state activities. Of these activities, no more than three percent may be spent on the administration of the CSP SE grant program within the state entity, while at least seven percent must be spent on technical assistance activities.

It is important to note, the five percent (under NCLB) and the three percent (under ESSA) that are available for administering the grant is based on total spending rather than on the amount the state received in its award. This holds for all states, regardless of whether the NCLB or ESSA provisions guide the grant. This means that if a state is unable to distribute as much money in subgrants as expected, and the total spending is less than the grant award to that state, the amount available for administrative expenses shrinks as well.

## Appendix



## APPENDIX A: GLOSSARY OF ACRONYMS

Acronym	Full title
AU	Administrative Unit
APR	Annual Performance Report
COP	Community of Practice (former name of the SEA/SE Exchange)
CSP	Charter Schools Program
DCL	Dear Colleague Letter
ED	U.S. Department of Education
EDGAR	Education Department General Administration Regulations
ESEA	Elementary and Secondary Education Act
ESSA	Every Student Succeeds Act
GAO	Government Accounting Office
GPRA	Government Performance and Reporting Act
GAN	Grant Award Notification
Grant Plan	Grant Administration Plan
LEA	Local Education Agency
NCLB	No Child Left Behind Act
NCSRC	National Charter School Resource Center
NIA	Notice Inviting Application
OIG	Office of the Inspector General
OII	Office of Innovation and Improvement
OMB	Office of Management and Budget
PD	Project Director
PO	Program Officer
RFA	Request for Application
RFP	Request for Proposals

<b>Acronym</b>	<b>Full title</b>
SE	State Entity (includes entities other than SEAs)
SEA	State educational agency
“SMART” Measures	Specific, measurable, attainable, relevant and time-bound measures
SE	State Entity
TRF	Technical Review Form
UG	Uniform Guidance (2 CFR § 200)

## APPENDIX B. EXAMPLES OF OFFICIAL DOCUMENTS RELEVANT TO THE CSP

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Note: This list is provided for example only and is not exhaustive.

- Grant Award Notification Letter
- Grant Award Notification (GAN)
  - Specific conditions (included in GAN)
  - Technical Review Forms (TRFs)
- Grant Application
  - Grant budget and budget narrative
  - CSP Assurances
  - Performance Measures
- Grant Administration Plan
- Annual Performance Report
- Annual Data Submission

## APPENDIX C. FEDERAL GUIDANCE, REGULATIONS AND RELATED STATUTORY DOCUMENTS

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### Authorizing Legislation

SEAs (FY 2016 and earlier):

Title V, Part B, Subpart 1 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), Section 5201 – 5211.

SEs (FY2017 and later years):

Title IV, Part C of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA), Section 4301 – 4311 (20 U.S.C. 7221-7221j).

### Regulations and Guidance

The Department maintains websites that provide the most recent guidance and supporting materials related to each of the programs.

[Most recent guidance and supporting materials for programs operating under NCLB](#)

[Most recent guidance and supporting materials for programs operating under ESSA](#)