



**Impact Aid Program Refresher  
FY 2020 Application  
Section 7003  
October 17th, 2018**

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# Topics

- Purpose
- Section 7003 Program
- Documentation Required
- Application Process
- IPPs
- Deadlines



## Purpose / Use of Funds

- Purpose is to replace lost local revenues due to federal activity.
- Section 7003(b) funds are treated like general fund money subject to state and local restrictions.



# Restrictions on Certain Funds

- Section 7003(d) Children With Disabilities (CWD) payments
- Section 7007(a) and 7007 (b) Construction Payments
- Section 7008 Facilities Maintenance Payments



## Section 7003 Program

### 7003(b) – Basic Support Payments

- Payments relating to eligible federally connected children
  - Child resides on federal property, Indian lands, or eligible low-rent housing
  - Parent is active duty military or works on federal property, eligible Indian lands, or low-rent housing



## Section 7003 Eligibility

- A Local Education Agency (LEA) must have at least 3% or 400 eligible federally connected children in average daily attendance (ADA)
- **Categories A-E**
  - Civilian Reside on and Employed on
  - Uniformed Services
  - Low Rent Housing
  - Children with Disabilities
  - Children living on Indian Land Property



## Section 7003 Eligibility

- LEA must have at least 10% or 1,000 eligible federally connected children in ADA
- **Categories F & G:**
  - Employed but not residing on federal property
  - Residing on but not employed on federal property not considered Low-Rent



## 7003(d) – Children With Disabilities

Supplemental payments for children with disabilities (CWD) who:

**Have a parent in the active duty Uniformed Services**

**OR**

**Reside on Indian lands**

- ✓ Child must have individualized education program (IEP) or individualized family service plan (IFSP) in effect on the survey date
- ✓ Funds must be spent on additional programs and services for children with disabilities





# Application Process

- Survey
- Tables
- Documentation
- Specific Program Requirements
- Field Review
- Annual e-Application Deadlines
- Payment



## 7003 Application Process: Survey

- Select a survey date to count your membership  
Date must be between the 4<sup>th</sup> day of school and January 30<sup>th</sup>
- On the survey date you count:
  - District's federally connected children
  - District's total membership

*\*\*You must keep records of the LEA's total membership on the survey date to submit when requested during the application field review process*



## Types of Surveys

- Parent Pupil Survey Forms- Forms sent home to parents to complete and sign. **New form now allows more than one child on a form.**
- Source Check Forms – Forms sent to a certifying official to verify lists of children and parent information.
- Other Approved Method – Under the new regulations an LEA may propose another method of collecting the information to the Department. **Prior Approval is Required.**

It is highly recommended that the LEA submit their forms to their IAP state assigned analyst to ensure compliance



# Parent Pupil Survey Forms

- LEAs may create own forms or use IAP sample forms

All forms **MUST** include the following information:

- Survey date
- Signature of Parent and Date on or after survey date (except as provided in 34 CFR 222.35(a)(4)(ii) )
- Pupil enrollment information
  - Name of pupil
  - Date of birth of the pupil
  - Name of public school and grade of the pupil



# Survey Forms- Pupil Residence

Pupil residence information, including:

- The complete address or other acceptable location information
  - Complete legal description
  - Complete U.S. Geological Survey number
  - Complete property tract or parcel number
  - Acceptable certification by a Federal agency official with access to data or records to verify the location of the Federal property
  - Post Office boxes are not allowed
- If the pupil's residence is on Federal property, the name of the Federal facility.



## Survey Forms- Parent Employment

Parent employment information, including—If the parent is employed on Federal property, *but NOT active duty Uniformed Services*,

- Name (as it appears on the employer's payroll record) of the parent, guardian or other person standing *in loco parentis* who is employed on Federal property and with whom the pupil resides
- Name of employer, name and complete address of the Federal property on which the parent is employed (or other acceptable location information, such as a complete legal description or acceptable certification by a Federal agency)
- Post Office boxes are not allowed



## Survey Forms- Uniformed Services

If the parent is a member of the Uniformed Services on active duty:

- Name of Parent
- Rank or Pay Grade of Parent
- Branch of Service of Parent

If the parent is both an Accredited Foreign Government Official AND a Foreign Military Officer:

- Name of Parent
- Branch of Service
- Rank of Parent
- Foreign Government



## Survey Forms- Federal Vessels

If the parent is a civilian employed on a Federal vessel:

- The name of the vessel
- Hull number of vessel
- Vessel homeport
- Name of the controlling agency





# Source Check Documents

- One document that groups children claimed by Federal property
- Official signs to certify residence of family, employment of parent and land status
- Certifying Officials include:
  - Parent's employer
  - Housing official
  - Tax assessor
  - BIA official/Tribal official
- Source Check is used in lieu of or in addition to the parent-pupil survey form



# Source Check Requirements

A source check must include sufficient information to determine the eligibility of the Federal property and the individual children claimed on the form. A source check may also include a certification by :

- A parent's employer regarding the parent's place of employment;
- A military or other federal housing official as to the residence of each pupil claimed;
- A military personnel official regarding the military active duty status of the parent of each pupil claimed as active duty uniformed services; or
- The Bureau of Indian Affairs (BIA) or authorized tribal official regarding the eligibility of Indian lands.



# Sample Forms For Your Use

<https://www2.ed.gov/programs/8003/resources.html>

- Sample Survey Form
- Sample Multiple Child Survey Form
- Sample Employed-On Source Check Form
- Sample Reside and Employed-On Source Check Form
- Sample Reside-On Category F Source Check Form
- Sample HUD Housing Source Check Form
- Sample Resided on Indian Lands Source Check Form
- Sample Employed on Indian Lands Source Check Form
- Sample Oklahoma Indian Tribal Housing Source Check Form
- Sample Resided on ANCSA Indian Lands Source Check Form (AK Only)
- Sample Employed on ANCSA Indian Lands Source Check Form (AK Only)



# Reporting Children

## Tables 1 through 5

- CWD Military residing on Federal property Table 1
- CWD residing on eligible Indian Lands Table 1
- CWD Military not residing on Federal property Table 2
- Non-CWD Military residing on Federal property Table 3
- Civilians residing and working on Federal property Table 3
- Non-CWD residing on eligible Indian Lands Table 3
- Civilians residing in Federal low rent housing Table 4
- Civilians residing on Federal property other than low rent housing/parents not employed on Federal property Table 4
- Non-CWD Military not residing on Federal property Table 5
- Civilians working on Federal property Table 5



# LEA Data and Fiscal Reporting

- Table 6 - Membership
  - Total Membership for the entire school district
  - Optional preceding year Average Daily Attendance (Every state except DC has a state average attendance rate that may be used)
- Table 7 - CWD Fiscal Report
  - Only completed if LEA received CWD funds from IAP in the preceding year
  - To ensure the LEA expends as much as it receives for CWD



## LEA Data and Fiscal Reporting – Cont.

- Table 10
  - Section 8007 Construction
  - Only completed if LEA received construction funds from IAP in the preceding year
- Housing Undergoing Renovation or Rebuilding
  - Only for LEAs that have military or Indian land housing undergoing renovation or rebuilding (families are displaced as a result of the project)



## Records to Keep with Application

- ✓ Parent-pupil survey forms and/or signed source check documents
- ✓ Membership
- ✓ ADA records if sampling or using actual ADA
- ✓ Lists of CWD students claimed and dates of Individualized Education Programs (IEPs)
  - ✓ Child must have an active IEP as of the survey date
- ✓ Indian Policies and Procedures (IPPs) and evidence of standards (for Indian children living on Indian lands)





## Records to Keep with Application

- A copy of any tuition agreements for Tuition-in & Tuition-out Students including a list of children enrolled under a tuition agreement on the survey date
- Document and list:
  - ✓ Student's name
  - ✓ Grade level
  - ✓ School site

*NOTE: Tuition-out children should be included in your total membership and ADA counts. Tuition-in students should be excluded*





## Records to Keep with Application

### Documenting CWD Children Claimed on Tables 1 & 2

- Maintain list of CWD children by name, date of birth, grade, and date IEP was signed
  - ✓ Each child must have a signed active IEP that was signed on or before the survey date
  - ✓ List must be signed by director of special education or other appropriate official.

***NOTE: Children claimed on Tables 1 and 2 cannot be listed on any other tables***



## Documenting CWD Expenditures on Table 7

- LEAs that were paid for CWD children on the prior year's application must complete Table 7
- Data should come from your annual financial report (AFR)
- Report CWD revenue and expenditure data from the prior school year
- Data used to ensure that IAP CWD funds were expended in compliance with the IAP law and regulations.



## Documenting LRH Children

For each LRH property claimed, provide:

- HUD project number or AMP number
- Housing area name and address
- Certification from a housing official certifying that the housing claimed was funded under the U.S. Housing Act of 1937
- Verification that the child resided on this property as of the survey date

**NOTE: Many housing areas such as Section 8 housing are not eligible for Impact Aid Purposes**



## Documenting Reserves and National Guard

- Must be called up to active duty under Presidential Orders – Executive Order 13223 of September 14, 2001, as amended; and Title 10 USC
- Must be activated as of the survey date
- Documentation required
  - Copy of orders for individual **OR**
  - Certification from service component for activation of unit listing parents' names of children claimed and certifying they were called up under Title 10



## Records Retention

How long must you keep all this documentation?

*For three years AFTER you receive your “final payment” for any fiscal year*

*e.g. FY 2016 final payments were made in 2017, so you can discard the information in 2020.*



## Infant & Pre Kindergarten Children

Pre-kindergarten children may be claimed on Tables 1 through 5 (infant and toddler only on Tables 1 & 2)

- ✓ Infant and Pre-K children must be federally connected
- ✓ ALL Pre-K children should be counted in both membership **AND ADA**
- ✓ Education of the children must be provided at public expense (No tuition charged)
- ✓ Federal funds other than Impact Aid (e.g., Head Start, IDEA) must not provide a substantial portion of the funding



## Eligible Indian Lands

- ✓ Real property that is tax-exempt due to federal law, agreement, or policy AND that is held in trust by the U.S. for individual Indians or Indian tribes (“trust” property)
- ✓ Real property that is tax-exempt due to federal law, agreement, or policy AND that is held by individual Indians or Indian tribes subject to restrictions on alienation imposed by the U.S. (“restricted” property)

### **FOR OKLAHOMA ONLY:**

- ✓ Real property that is owned by an Indian housing authority and used for low rent housing AND at any time was designated by treaty as tribal land or satisfied the definition of federal property under section 403 (1)(A) of P. L. 81-874





## Eligible Indian Lands

### **FOR ALASKA ONLY: ANCSA Property**

- ✓ Real property that is tax-exempt due to federal law, agreement, or policy AND that was conveyed under the Alaska Native Claims Settlement Act (ANCSA) to a Native individual, Native group or corporation organized under section 1613(h)(3) of ANCSA, or village or Regional Corporation, as those terms are defined in ANCSA
- ✓ ANCSA property remains eligible as long as it is not taxed.
- ✓ ANCSA property in a Regional Educational Attendance Area (REAA) is automatically eligible





# Indian Policies and Procedures (IPPs)

- A local educational agency (LEA) that claims children residing on Indian lands for the purpose of receiving funds under Section 7003 shall establish Indian Policies and Procedures
- Any LEA that claims children residing on Indian lands on Tables 1 or 3

***NOTE: The IPPs or waiver must be submitted at the time of application for the application to be considered complete.***



## Purpose of IPPs

- Six requirements see 34 CFR 222.91-94 for more information
- Equal participation of Indian children in LEA's education programs and activities
- Improve communication and cooperation between LEA and Indian community
- Involve parents and tribal officials in planning and developing education programs and activities



## IPP Reviews

- IPPs are reviewed annually by the Impact Aid Program for compliance with minimum standards
- Determination of compliance of implementation of IPPs is periodically reviewed on a schedule
- The Impact Aid Office can be contacted if there are concerns about the LEA's IPPs and its implementation



## IPP Waiver Requirements

- ✓ A waiver must contain a voluntary written statement from an appropriate tribal official or tribal governing body that—
  - The LEA need not comply with §222.94 because the tribe is satisfied with the LEA's provision of educational services to the tribe's students; and
  - The tribe was provided a copy of the requirements in §222.91 and §222.94, and understands the requirements that are being waived.
  - The LEA must submit the waiver at the time of application.
  - A waiver is required from every tribe for which the LEA provides services
- ✓ If waivers are not obtained from all tribes, the LEA must comply with 222.94 for those tribes that have not signed a waiver.

Reference 34CFR 222.91(b)



## IPPs Documentation Guidelines

IPPs must be kept current by being reviewed and board approved each year:

- ✓ *For the FY 2020 application, an LEA's current IPPs should be board approved between February 1, 2018 and January 31, 2019*
- ✓ *The IPPs should be dated and signed within this time period, and board minutes should be submitted showing that the IPPs were approved during this time period*



## IPPs - Regulation Changes

- ✓ When IAP reviews the IPPs (see 222.95), if the IPP standards aren't met or implemented, IAP requires revision or action. LEA has 90 days (changed from 60) to revise IPPs.
- ✓ If the LEA fails to make the necessary adjustments or changes within the prescribed period of time, the Director may withhold all or part of payments that the LEA is eligible to receive under section 7003.

Reference 34CFR 222.95(d)



# Field Reviews

## Documentation Review – Monitoring Process

- On-site visit or mail-in
- Approximately 180 applications selected each year
  - Letters sent out in Spring
- Data reviewed and approved after you apply
  - ✓ ***BUT BEFORE YOU GET PAID***



# Annual e-Application Deadlines

## Annual Application

- Summary counts of federally-connected children from the survey
- Listed by federally-connected properties associated with the children and their parents
- FY 2020 applications based on school year 2018-2019 data





# Complete Application Package

- Cover Page
- Full Assurance Package (new beginning FY 2018)
- At least one table on Tables 1-5
- Table 6
- Table 7 – If paid for CWD children in prior year
- Table 8 – If you LEA has ED owned facilities
- Housing Undergoing Renovation or Rebuilding if applicable
- Table 10 – if the LEA received a construction payment in prior year
- Tax rate form if applying for heavily impacted funds
- Indian Policies and Procedures (IPPs) or Waiver – if claiming children living on Indian Lands



# Annual e-Application Deadlines

- Thursday, January 31, 2019
- Late applications received after 11:59:59 pm or incomplete applications penalized 10%
- Ineligible if received **60 days or more** after application deadline
  
- G5 e-Application (**<http://www.g5.gov>**)
  - FY 2019 applications will be available by December
  - *No paper applications accepted*



# Annual e-Application Deadlines

## Amendments

- Any changes submitted after initial submission of application
- Must be submitted on-line
- May be submitted until **JUNE 30<sup>th</sup>** – the amendment deadline changed with regulatory changes effective FY 2018



# Payment

- Payment is direct deposit to your LEA's bank account
  - ✓ *Remember to notify Department when your bank information changes*
- E-mail payment voucher
  - Will be sent to contact person's e-mail address
  - Additional contacts can be added



## Contact Us

- A team of analysts is assigned to each state – state assignments can be found at <https://www2.ed.gov/about/offices/list/oese/impacted/stateassi.html>
- ✓ *Contact your analyst and obtain pre-approval on your survey and source check forms*



# Contact Us

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**E-mail:** [Impact.Aid@ed.gov](mailto:Impact.Aid@ed.gov)

**Website**

[www.ed.gov/about/offices/list/ose/impactaid/index.html](http://www.ed.gov/about/offices/list/ose/impactaid/index.html)

**IAP Listserv**

<http://www2.ed.gov/about/offices/list/ose/impactaid/index.html>

**IAP Resources**

<http://www2.ed.gov/programs/8003/resources.html>

**Legislation, Regulations, and Guidance**

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QUESTIONS?????