

# FLORIDA DEPARTMENT OF EDUCATION



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**DPS: 2009-178**

### **MEMORANDUM**

**TO:** District Superintendents

**FROM:** Dr. Frances Haithcock

**DATE:** October 9, 2009

**SUBJECT: 2009-2010 SANCTIONS FOR LOCAL EDUCATIONAL AGENCIES IN CORRECTIVE ACTION**

According to Section 1116(c)(10)(C) of the No Child Left Behind (NCLB) Act, the state education agency must implement at least one of a set of actions listed in the law for any local educational agency (LEA) identified for corrective action. The Florida Department of Education, with approval by the State Board of Education, chose to implement the first of those options for the 2006-2007 school year and will continue this practice for the 2009-2010 school year.

The state has determined that the most appropriate action at this time is to reduce administrative funds and will implement this action by placing a cap on the amount of indirect costs that can be charged to the Title I, Part A project for 2009-2010.

The cap on each LEA's indirect funds is determined by applying the percentage of adequate yearly progress (AYP) criteria met to the LEA's approved indirect cost rate. The resulting indirect cost cap percentage is applied to the Title I, Part A project. For example: If the LEA met 85 percent of possible AYP criteria and the approved indirect cost rate for that LEA is 4.5 percent, the cap on indirect cost which can be charged to the project is 3.825 percent. The capped rate will be applied to all eligible expenditures from the Title I, Part A project and must be reflected on the final FA 399 submitted at the end of the project period.

Please find attached a report prepared by the Bureau of Contracts, Grants, and Procurement that specifies the calculations applied to the Title I, Part A project for each LEA.

**DR. FRANCES HAITHCOCK**  
CHANCELLOR OF PUBLIC SCHOOLS

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The column identified as *AYP Sanctions* specifies the amount of funding which must be moved from administrative use to activities that are specifically designed to address the areas in which the LEA did not make AYP. The attached review sheet will assist in determining appropriate activities.

These funds will be subtracted from the Title I, Part A project and an amended Project Award Notification issued. The funds will be re-awarded in a separate Title I, Part A Corrective Action Award. In order to receive these funds, the LEA must complete and submit the following:

- a DOE 150 Project Amendment for the amount specified as the AYP Sanction amount
- a DOE 101 Project Budget specifying how these funds are proposed to be used
- a project narrative describing the activities to be funded with this corrective action award (descriptions must include the names of each Title I school to be impacted, the target subgroups, the activities to be conducted, and an explanation of how the LEA expects to achieve AYP using these and other available resources)

Please submit documents to the following office by November 9, 2009:

Office of Grants Management  
Florida Department of Education  
325 West Gaines Street Suite 332  
Unit A  
Tallahassee, Florida 32399

If you have questions or need additional information, please contact your Title I Office Program Specialist at 850.245.0414.

Thank you for your leadership in ensuring the highest quality educational program for our students.

FH/mkm

Attachment