

## ESSA Per Pupil Expenditure Law

### Section 1111 STATE PLANS

#### (h) REPORTS

##### (1) ANNUAL STATE REPORT CARD

- (A) IN GENERAL. A State that receives assistance under this part shall prepare and disseminate widely to the public an annual State report card for the State as a whole that meets the requirements of this paragraph.
- (B) IMPLEMENTATION. The State report card required under this paragraph shall be—
- (i) concise;
  - (ii) presented in an understandable and uniform format that is developed in consultation with parents and, to the extent practicable, in a language that parents can understand; and
  - (iii) widely accessible to the public, which shall include making available on a single webpage of the State educational agency's website, the State report card, all local educational agency report cards for each local educational agency in the State required under paragraph (2), and the annual report to the Secretary under paragraph (5).
- (C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:
- (i) A clear and concise description of the State's accountability system under subsection (c), including....
  - (ii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), homeless status, status as a child in foster care, and status as a student with a parent who is a member of the Armed Forces (as defined in section 101(a)(4) of title 10, United States Code) on active duty (as defined in section 101(d)(5) of such title), information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).
  - (iii) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), and for purposes of subclause (II) of this clause, homeless status and status as a child in foster care....
  - (v) For all students and disaggregated by each of the subgroups of students, as defined in subsection (c)(2), information on the performance on the other indicator or indicators of school quality or student success under subsection (c)(4)(B)(v) used by the State in the State accountability system.
  - (vi) Information on the progress of all students and each subgroup of students, as defined in subsection (c)(2), toward meeting the State-designed long term goals under subsection (c)(4)(A), including the progress of all students and each such subgroup of students against the State measurements of interim progress established under such subsection.
  - (vii) For all students and disaggregated by each subgroup of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.
  - (viii) Information submitted by the State educational agency and each local educational agency in the State, in accordance with data collection conducted pursuant to section 203(c)(1) of the Department of Education Organization Act (20 U.S.C. 3413(c)(1)), on....
  - (ix) The professional qualifications of teachers in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools) on the number and percentage of....

- (x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local education agency and each school in the State for the preceding fiscal year.**
- (xi) The number and percentages of students with the most significant cognitive disabilities who take an alternate assessment under subsection (b)(2)(D), by grade and subject.
- (xii) Results on the State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3)), compared to the national average of such results.
- (xiii) Where available, for each high school in the State, and beginning with the report card prepared under this paragraph for 2017, the cohort rate (in the aggregate, and disaggregated for each subgroup of students defined in subsection (c)(2)), at which students who graduate from the high school enroll, for the first academic year that begins after the students' graduation...
- (xiv) Any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State's public elementary schools and secondary schools, which may include the number and percentage of students attaining career and technical proficiencies (as defined by section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2323(b)) and reported by States only in a manner consistent with section 113(c) of such Act (20 U.S.C. 2323(c)).

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**§ 200.21 Comprehensive support and improvement.**

- (a) In general. A State must notify each LEA in the State that serves one or more schools identified for comprehensive support and improvement under § 200.19(a) of such identification as soon as possible, but no later than the beginning of the school year for which such school is identified.
- (b) Notice. Upon receiving the notification from the State under paragraph (a) of this section, an LEA must promptly notify the parents of each student enrolled in the school of the school's identification for comprehensive support and improvement, including, at a minimum, the reason or reasons for the identification under § 200.19(a) (e.g., low performance of all students, low graduation rate, chronically low-performing subgroup), and an explanation of how parents can become involved in the needs assessment under paragraph (c) of this section and in developing and implementing the comprehensive support and improvement plan described in paragraph (d) of this section. Such notice must—
- (1) Be in an understandable and uniform format;
  - (2) Be, to the extent practicable, written in a language that parents can understand or, if it is not practicable to provide written translations to a parent with limited English proficiency, be orally translated for such parent; and
  - (3) Be, upon request by a parent or guardian who is an individual with a disability as defined by the Americans with Disabilities Act, 42 U.S.C. 12102, provided in an alternative format accessible to that parent.

**§ 200.30 Annual State report card.**

(e) Timing of report card dissemination.

- (1) Beginning with the State report card based on information from the 2017–2018 school year, a State must annually disseminate the State report card for the preceding school year no later than December 31.
- (2) In meeting the deadline under paragraph (e)(1) of this section, a State may delay inclusion of per-pupil expenditure data required under § 200.35 until no later than the following June 30, provided the State report card includes a brief description of when such data will be publicly available.
- (3) If a State cannot meet the December 31, 2018, deadline for reporting some or all of the newly required information under section 1111(h)(1)(C) of the Act for the 2017– 2018 school year, the State may request from the Secretary a one-time, one-year extension for reporting on those elements. To receive an extension, a State must submit to the Secretary, by July 1, 2018—
  - (i) Evidence satisfactory to the Secretary demonstrating that the State cannot meet the deadline in paragraph (e)(1) of this section; and

- (ii) A plan and timeline addressing the steps the State will take to disseminate the State report card for the 2018–2019 school year consistent with this section.

**§ 200.31 Annual LEA report card.**

(e) Timing of report card dissemination.

- (1) Beginning with the LEA report card based on information from the 2017–2018 school year, an LEA must annually disseminate its report card for the preceding school year no later than December 31.
- (2) In meeting the deadline under paragraph (e)(1) of this section, an LEA may delay inclusion of per-pupil expenditure data required under § 200.35 until no later than the following June 30, provided the report card includes a brief description of when such data will be publicly available.
- (3) If an LEA cannot meet the December 31, 2018, deadline for reporting some or all of the newly required information under section 1111(h)(2)(C) of the Act for the 2017– 2018 school year, a State may request from the Secretary a one-time, one-year extension for reporting on those elements on behalf of the LEA consistent with the requirements under § 200.30(e)(3).

**§ 200.35 Per-pupil expenditures.**

(a) State report card requirements.

- (1) Each State report card must include the following:
  - (i) Current expenditures per pupil from Federal, State, and local funds, for the preceding fiscal year, consistent with the timeline in § 200.30(e), for each LEA in the State, and for each school served by each LEA—
    - (A) In the aggregate; and
    - (B) Disaggregated by source of funds, including—
      - (1) Federal funds; and
      - (2) State and local funds combined plus Federal funds intended to replace local tax revenues, which may not include funds received from private sources.
  - (ii) The Web address or URL of, or direct link to, a description of the uniform procedure required under paragraph (c) of this section that complies with the requirements under § 200.21(b)(1) through (3).
- (2) Each State report card must also separately include, for each LEA, the amount of current expenditures per pupil that were not included in school-level per-pupil expenditure data for public schools in the LEA.

(b) LEA report card requirements.

- (1) Each LEA report card must include the following:
  - (i) Current expenditures per pupil from Federal, State, and local funds, for the preceding fiscal year, consistent with the timeline in § 200.31(e), for the LEA and each school served by the LEA—
    - (A) In the aggregate; and
    - (B) Disaggregated by source of funds, including—
      - (1) Federal funds; and
      - (2) State and local funds combined plus Federal funds intended to replace local tax revenues, which may not include funds received from private sources.

- (ii) The Web address or URL of, or direct link to, a description of the uniform procedure required under paragraph (c) of this section.
  - (2) Each LEA report card must also separately include the amount of current expenditures per pupil that were not included in school-level per-pupil expenditure data for public schools in the LEA.
- (c) Uniform procedures. A State must develop a single statewide procedure to calculate LEA current expenditures per pupil and a single statewide procedure to calculate school-level current expenditures per pupil, such that—
- (1) The numerator consists of current expenditures, which means actual personnel costs (including actual staff salaries) and actual non-personnel expenditures of Federal, State, and local funds, used for public education—
    - (i) Including, but not limited to, expenditures for administration, instruction, instructional support, student support services, pupil transportation services, operation and maintenance of plant, fixed charges, preschool, and net expenditures to cover deficits for food services and student body activities; but
    - (ii) Not including expenditures for community services, capital outlay, and debt service; and
  - (2) The denominator consists of the aggregate number of students enrolled in preschool through grade 12 to whom the State and LEA provide free public education on or about October 1, consistent with the student membership data collected annually by the State for submission to the National Center for Education Statistics.

(Approved by the Office of Management and Budget under control number 1810–0581) (Authority: 20 U.S.C. 1221e–3; 20 U.S.C. 3474; 20 U.S.C. 6571(a); 20 U.S.C. 6311(h))