NEW MEXICO
Public Education Department
Student, School, and Family Support

2026-2027 Supplement, Not Supplant Under Title I, Part A Documentation of Compliance

Name of District or
State Charter School: _____

This document must be completed by all LEAs receiving a Title I, Part A subgrant.

Supplement, Not Supplant
A district or state-authorized charter school (LEA) receiving Title I, Part A funds shall use Federal funds received under Title I, Part A only to supplement the funds that would, in the absence of such Federal funds, be made available from State and local sources for the education of students participating in programs assisted under Title I, Part A, and not to supplant such funds. Please see ESEA, as amended, Section 1118(b)(1).

When is a Methodology Not Required
An LEA need not have a methodology to comply with ESEA, as amended, Section 1118(b)(2) if it has:

- One school
- Only Title I schools; or
- A grade span that contains only: a single-school, non-Title I schools, or Title I schools (i.e. no methodology is required for this grade span).

Although such an LEA does not need to have a methodology to comply with ESEA section 1118(b)(2), it does not relieve the LEA of its requirement under ESEA section 1118(b)(1) and elsewhere to operate consistent with all Federal, State and local requirements and to provide free public education, including for schools and grade spans meeting the conditions described above.

Demonstrating Compliance

> **COMPLIANCE**
>
> To demonstrate compliance with [the supplement not supplant requirement], a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving [Title I, Part A funds] ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving [Title I, Part A funds].
>
> *(ESEA section 1118(b)(2))*

[Supplement Not Supplant Under Title I, Part A of the Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act Non-Regulatory Informational Document, June 2019]

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> The basis for Section 1118(b((2) is that an LEA has a methodology (or methodologies) to allocate State and local funds to schools. To demonstrate compliance with the supplement not supplant requirement, an LEA's methodology must result in each Title I school in the LEA receiving all the State and local funds it would otherwise receive if it were not receiving Title I, Part A funds—i.e., the methodology may not take into account a school's Title I status. When an LEA allocates State and local funds to schools through a methodology that is neutral with regard to whether a school receives Title I, Part A funds, it follows that Title I, Part A funds in a Title I school are supplemental to its State and local funds.

[Supplement not Supplant Non-Regulatory Information Document, June 2019]

NMPED does not require that the LEA implement a specific methodology to allocate State and local funds to its schools, as long as the methodology selected and implemented is neutral in regard to the Title I status of the schools and is implemented consistently among all schools in the LEA.

NMPED has recognized the following methodologies that LEAs may select from during the demonstration process:

1. Distribution of State and local resources based on the characteristics of the students;
2. Distribution of State and local resources based on staffing and supplies;
3. Distribution of State and local resources based on a combined approach; or,
4. Other, as adopted by the LEA.

To assist LEAs in determining which description best fits the LEA's methodology for allocating State and local funds to schools, NMPED has provided the following examples.

LEAs are required to select one of the examples provided below and to provide a written description of the LEAs methodology for allocating State and local funding to its schools.

Example 1: Distribution of State and Local Resources Based on the Characteristics of the Students

This form of equitable distribution is generally referred to as a "weighted per pupil" funding formula. Assume:

- Allocation per student ($7,000)
- Additional allocation per student from a low-income family ($250)
- Additional allocation per English learner ($500)
- Additional allocation per student with a disability ($1,500)
- Additional allocation per preschool student ($8,500)

In a school of 450 students, including 200 students from low-income families, 100 English learners, 50 students with disabilities, and 20 preschool students, the school would be expected to receive $3,495,000 in State and local resources based on the following calculation:

Category	Calculation	Amount
Allocation/student	450 x $7,000	$3,150,000

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Additional allocation/student from a low-income family	200 x $250	$50,000
Additional allocation/English learner	100 x $500	$50,000
Additional allocation/student with a disability	50 x $1,500	$75,000
Additional allocation/preschool student	20 x $8,500	$170,000
		$3,495,000

In this example, the LEA must distribute State and local resources according to the assumptions above to all of its schools, regardless of whether a school receives Title I, Part A funds. However, actual expenditures within each school after the distribution of resources may vary.

Example 2: Distribution of State and Local Resources Based on Staffing and Supplies

Assume:

- 1 teacher per 22 students ($65,000/teacher)
- 1 principal per school ($120,000)
- 1 librarian per school ($65,000)
- 2 guidance counselors per school ($65,000/guidance counselor)
- $825 per student for instructional materials and supplies (including technology)

In a school of 450 students, the school would be expected to receive $2,051,250 in State and local resources based on the following calculation:

Category	Calculation	Amount
1 principal	1 x $120,000	$120,000
1 librarian	1 x $65,000	$65,000
2 guidance counselors	2 x $65,000	$130,000
21 teachers	21 x $65,000	$1,365,000
Instructional materials and supplies	450 x $825	$371,250
		$2,051,250

In this example, the LEA must distribute State and local resources according to the assumptions above to all of its schools, regardless of whether a school receives Title I, Part A funds. However, actual expenditures within each school after the distribution of resources may vary.

Example 3: Distribution of State and Local Resources Based on a Combined Approach

This form of equitable distribution includes characteristics of the two previous examples, distribution of State and local resources based on the characteristics of the students and the staffing and supplies needs of the schools.

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Assume:

- 1 principal per school ($120,000)
- 1 librarian per school ($65,000)
- 2 guidance counselors per school ($65,000/guidance counselor)
- Allocation per student ($7,000)
- Additional allocation per student from a low-income family ($250)
- Additional allocation per English learner ($500)
- Additional allocation per student with a disability ($1,500)

In a school of 450 students, including 200 students from low-income families, 100 English learners, and 50 students with disabilities, the school would be expected to receive $3,640,000 in State and local resources based on the following calculation:

Category	Calculation	Amount
1 principal	1 x $120,000	$120,000
1 librarian	1 x $65,000	$65,000
2 guidance counselors	2 x $65,000	$130,000
Allocation/student	450 x $7,000	$3,150,000
Additional allocation/student from a low-income family	200 x $250	$50,000
Additional allocation/English learner	100 x $500	$50,000
Additional allocation/student with a disability	50 x $1,500	$75,000
		$3,640,000

In this example, the LEA must distribute State and local resources according to the assumptions above to all of its schools, regardless of whether a school receives Title I, Part A funds. However, actual expenditures within each school after the distribution of resources may vary.

Example 4: Other, as Adopted by the LEA

This form of equitable distribution does not necessarily fit within the parameters provided in the other three examples; however, the LEA assures that this methodology is neutral in regard to the Title I, Part A status of each school. The LEA has adopted this methodology and will provide a description.

Compliance Process

NMPED is responsible for verifying that each LEA is in compliance with the Title I supplement not supplant requirements under ESEA, as amended. To ensure all LEAs meet these requirements, each LEA will be required to submit the following:

(a) An assurance stating the LEA is in compliance with the provisions of section 1118(b) of the ESEA, as amended;

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(b) An indication of the type of methodology the LEA has adopted and is implementing in regard to the allocation of State and local funds to all schools; and,
(c) A narrative description of the methodology.

The LEA will not receive final approval of the 2026-2027 Consolidated Application until NMPED has verified that the LEA is in compliance with the supplement not supplant requirement.

Methodology Selection
Please select the methodology used in your LEA from the examples provided above:

Example 1 ☐
Example 2 ☐
Example 3 ☐
Example 4 ☐

Please describe the methodology used by the LEA to distribute state and local funding to all schools in the district. The description must demonstrate how the methodology is neutral with regard to the Title I status of a school.

Methodology Not Required

If a methodology is not required as described above, please indicate which of the following applies:

1. One school ☐

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2. Only Title schools ☐
3. A grade span that contains only: a single-school, non-Title I schools, or Title I schools (i.e. no methodology is required for this grade span). ☐

Assurance

We assure that the above information is correct and that _____
[*name of district/state charter school*]
is in compliance with the provisions of 1118(b) of the ESEA, as amended.

_____ _____

Signature of Superintendent Date

_____ _____

Signature of Business Manager Date