



IMMEDIATE AID TO RESTART SCHOOL OPERATIONS (RESTART) PROGRAM FAQ FOR LEAs

This guidance is excerpted from the FAQ the US Department of Education (USDE) prepared for the Restart program.

This guidance includes the questions and responses applicable to Texas LEAs. Restart guidance for equitable services to Texas private nonprofit schools is provided separately. For full Restart guidance, see the [Restart page of the USDE website](#).

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Introduction

The purpose of this document is to provide general information about the Immediate Aid to Restart School Operations (Restart) program, CFDA 84.938A, as authorized by the Bipartisan Budget Act of 2018, P.L. 115-123 (February 9, 2018).

This document provides basic information about the program, including the award process and allowable uses of funds, and does not impose any requirements beyond those included in the Bipartisan Budget Act of 2018 and other applicable laws and regulations. In addition, it does not create or confer any rights for or on any person.

This Restart FAQ for LEAs can be found on the [TEA Grant Opportunities](#) website under the *2018-2020 Immediate Aid to Restart School Operations (Restart)* grant page or on TEA's Department of Contracts, Grants and Financial Administration [Hurricane Harvey](#) webpage.

The US Department of Education (USDE) has provided additional or updated information as necessary on the [K-12 Restart program page](#) and the [USDE Disaster Relief page](#).

If you have questions that are not answered in this document, please e-mail grantapplications@tea.texas.gov.

Questions

A. General Information about the 2018 Restart Program

A-1. Under what authority is the 2018 Restart program authorized?

The 2018 Restart program is authorized by the Bipartisan Budget Act of 2018, P.L. 115-123 (February 9, 2018). In enacting this legislation, Congress modified the provisions of the Hurricane Education Recovery Act, P.L. 109-148 (HERA), which was enacted after Hurricanes Katrina and Rita.

The provisions of the modified authority are generally similar to those in the prior Restart program legislation, except for references to eligible applicants, the names of the covered disasters and emergencies, and date-specific and timeframe references.

A-2. What is the purpose of the 2018 Restart program?

The Restart program is designed to support the provision of immediate services or assistance to local educational agencies (LEAs) and non-public schools in areas where a major disaster or emergency was declared under sections 401 and 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5190) related to the consequences of Hurricanes Harvey, Irma, and/or Maria or the California wildfires in 2017 ("a covered disaster or emergency").

For Texas, funds will be used to assist school administrators and personnel in restarting school operations, re-opening schools, and re-enrolling students after Hurricane Harvey.

A-3. For what purposes may TEA use its Restart allocation?

TEA may use its Restart allocation to provide services or assistance to eligible LEAs and non-public schools. The services or assistance must be related to the restart of operations in, the re-opening of, and the re-enrollment of students in, elementary and secondary schools within the areas in which the federal government declared a major disaster or emergency (Hurricane Harvey). (See Section D below for additional information regarding allowable uses of funds.)

A-4. How did the US Department of Education (USDE) determine allocations under the program?

In determining allocations under this authority, as required by the authorizing statute, USDE will consider, among other things, the number of students enrolled during the 2016–2017 school year in elementary schools and secondary schools that were closed as a result of a covered disaster or emergency (Hurricane Harvey).

A-5. What information did TEA include in its initial application in order to receive a Restart allocation?

In the initial application for Restart program funds, TEA provided the following:

- Data on the number of public and non-public schools closed as a result of Hurricane Harvey, and the number of students enrolled during the 2016–2017 school year in those schools
- A preliminary Restart plan that provides a brief description of how the state will use the funds to provide services or assistance to eligible LEAs and non-public schools and ensure accountability for the use of funds
- Required assurances

USDE will consider this information in determining initial funding amounts under this program.

A-6. What data source did TEA use in its initial application to provide the number of students enrolled in the 2016–2017 school year in schools closed as a result of a covered disaster or emergency?

For public schools, TEA used the most recent and appropriate data set for the 2016-2017 school year from the National Center for Education Statistics. For private nonprofit schools (PNPs), TEA worked with the Texas Private School Accreditation Commission (TEPSAC) and the Texas Private Schools Association (TPSA) to collect the relevant data from eligible PNPs.

A-7. What does it mean for a school to be “closed”?

The initial application requested data on the number of public and non-public schools closed for less than 10 days as a result of a covered disaster or emergency, the number of schools closed for 10 days or more, and the number of schools closed for 30 days or more.

To provide maximum flexibility, TEA had discretion to define the term “closed” for purposes of these data; and included its definition of “closed” in its application. TEA’s definition of “closed” was the number of instructional days a school was not opened for operations.

A-8. Will USDE provide additional funding after the initial application process?

Yes. At a later date, USDE will provide further Restart funding opportunities for those states that submit a subsequent application demonstrating a need for additional financial assistance.

B. Eligible LEAs and Non-Public Schools

B-1. What entities may apply to TEA for services or assistance under the Restart program?

An LEA or non-public school that serves an area in which a major disaster or emergency was declared under sections 401 and 501 of the Robert T. Stafford Disaster Relief and

Emergency Assistance Act (42 U.S.C. 5170 and 5190) related to the consequences of Hurricane Harvey may apply for services or assistance under the program.

B-2. What is an “LEA”?

The Restart legislation uses the definition of LEA as provided in Section 8101(30) of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA).

Under that definition, an LEA is “a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools.”

The term includes **education service centers (ESCs)** and open-enrollment charter schools in Texas.

B-3. May charter schools receive assistance or services under the Restart program?

A public, nonprofit charter school that is an LEA may receive services or assistance if it serves an area in which the federal government has declared a major disaster as a result of a covered disaster or emergency.

A public, nonprofit charter school that is not an LEA, but is a school within an LEA (in-district charter campus), may receive assistance or services like other schools in the LEA.

B-4. What is a “non-public school”?

The Restart legislation defines a non-public school as a non-public elementary or secondary school that is accredited or licensed or otherwise operates in accordance with state law, and that was in existence one week prior to the date the major disaster or emergency was declared for the area.

B-5. Are for-profit schools eligible to receive funding under this program?

For-profit (public and non-public) schools are not eligible to receive services or assistance under this program. The Restart program uses the definitions in ESEA Section 8101 that specify that elementary and secondary schools must be nonprofit.

B-6. Will LEAs provide equitable services to eligible PNPs?

No, under this statute TEA has options on how to provide equitable services to eligible PNPs impacted by Hurricane Harvey. The PNPs will apply directly to TEA to request equitable services, and those services will be provided by the regional education service center (ESC) as the fiscal agent who will have public control of the funds.

Guidance for ESCs serving PNPs and private school officials is contained in a separate guidance document. The Restart FAQ for PNPs can be found on the [TEA Grant Opportunities](#) website under the *2018-2020 Immediate Aid to Restart School Operations (Restart)* grant page or on the [TEA Hurricane Harvey](#) webpage.

C. The TEA Award Process

C-1. What criteria must TEA use to determine the level of services or assistance to be provided to eligible LEAs or non-public schools?

States have considerable discretion in determining the level of services and assistance to eligible LEAs and non-public schools. In exercising this discretion, the statute requires that TEA consider the following:

- The number of school-aged children served by the LEA or non-public school during the 2016-17 school year; and
- The severity of the impact of the covered disaster or emergency on the LEA or non-public school and the extent of the needs of these LEAs and non-public schools.

C-2. What information must TEA require LEAs and non-public schools to include in their applications for Restart services or assistance?

Taking into consideration the statutory criteria for determining the levels of services or assistance to eligible LEAs and non-public schools (as described in C-1), TEA has discretion to determine what information to require in a local application. By statute, the application process must ensure expedited and timely provision of services or assistance to eligible LEAs and non-public schools.

At a minimum, LEAs seeking Restart funding must have on file with the state a set of assurances that meet the requirements of Section 442 of the General Education Provisions Act (GEPA). Further, to the extent applicable, an LEA must include in its application a description of how it will comply with the requirements of Section 427 of GEPA.

Other LEA information included in the LEA application for funding includes budget information and allowable uses of funds information.

C-3. What are the deadlines for the submission of applications by LEAs or non-public schools to TEA?

The Restart statute does not set a specific application deadline. Therefore, TEA has discretion to set an appropriate deadline or deadlines for the submission of Restart applications. Although applications will be expedited when received, due to the timing of the release of the award from USDE, TEA will accept applications through the end of July.

If an LEA is unable to meet the application submission deadline, the LEA should contact Cory Green, Associate Commissioner for Contracts, Grants and Financial Administration at TEA at cory.green@tea.texas.gov or (512) 463-8992.

C-4. May an LEA use Restart funds to defray the costs of administering the program?

Yes. An LEA may charge as an expense to the Restart program an amount that is reasonable and necessary to effectively administer the program.

Administrative costs include costs (direct and indirect) involved in the proper and efficient performance and administration of this federal grant. For example, LEAs may use Restart funds to hire personnel to assist in the planning, implementation and oversight of Restart activities.

C-5. How long does an LEA have to expend Restart funds?

LEAs must expend Restart grant funds within 24 months of the date USDE obligated the funds (i.e., April 26, 2020).

C-6. May an LEA charge indirect costs to its Restart funds?

Yes. Indirect costs and rates must comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in Title 2 of the Code of Federal Regulations (2 CFR) Part 200 and USDE's administrative regulations. (See 34 CFR 76.560–76.569 on indirect costs.)

Because the Restart program has a statutory supplanting prohibition, TEA and LEAs must use their restricted indirect cost rate.

C-7. Is TEA required to reserve a portion of their Restart allocation to provide services or assistance to non-public schools?

Yes. From the payment provided by USDE to TEA, TEA shall reserve an amount of funds, to be made available to non-public schools in the state, that is not less than an amount that bears the same relation to the payment as the number of students in non-public elementary schools and secondary schools in the state bears to the total number of students in non-public and public elementary schools and secondary schools in the state.

The legislation requires that the services or assistance for non-public school students be provided in a timely manner. TEA must work closely and promptly with representatives of non-public schools to ensure that this occurs.

C-8. How does TEA provide services or assistance to eligible LEAs under this program?

TEA will award Restart funds to eligible LEAs to reimburse them for costs incurred, or to provide funding for other allowable purposes.

D. Allowable Services or Assistance and Limitations

D-1. What kinds of activities may be supported (are allowable) with Restart funds?

Under section 102(e) of the authorizing statute, Restart funds may be used for the following activities:

- Recovery of student and personnel data, and other electronic information;
- Replacement of school district information systems, including hardware and software;
- Financial operations;
- Reasonable transportation costs;
- Rental of mobile educational units and leasing of neutral sites or spaces;
- Initial replacement of instructional materials and equipment, including textbooks;
- Redeveloping instructional plans, including curriculum development;
- Initiating and maintaining education and support services;
- Specific educator–related costs (as described in D-9); and
- Other activities related to the purposes of the program subject to approval by USDE.

Subject to the statutory supplanting prohibition (see D-5), the recipients may use these funds for pre-award costs, including the reimbursement of expenditures incurred prior to the receipt of a grant.

In all instances, the services and assistance provided under the program, including equipment and materials, must be secular, neutral, and non-ideological.

See Question D-7 for more detail.

D-2. May Restart funds be used for construction or major renovation?

No. The legislation expressly prohibits the use of Restart funds for construction or major renovation of schools. If necessary and reasonable, these funds may be used for minor remodeling and repair.

D-3. What is minor remodeling?

Minor remodeling refers to minor alterations in a previously completed building. The term also includes the extension of utility lines, such as water or electricity, from points beyond the confines of the space in which the minor remodeling is undertaken but within the confines of the previously completed building. The term does not include building construction, structural alteration to buildings, building maintenance, or repairs (34 CFR 77.1).

D-4. May an LEA or non-public school use services or assistance under Restart in coordination with other available federal, state, or local funds?

Yes. LEAs and non-public schools are encouraged to coordinate the services and assistance that they receive under Restart with other available services and assistance.

D-5. How does the supplanting prohibition apply to services or assistance available under the Restart program?

Restart funds must be used to supplement, and may not supplant, any funds made available through the Federal Emergency Management Agency (FEMA) or through a state.

An eligible LEA may use Restart funds for activities that may be supported from FEMA or a state source if the following is true:

- The LEA or school has not received such other benefits by the time of application for Restart; and
- The LEA or school agrees to repay all duplicative Federal assistance received to carry out the purposes of Restart.

For example, an LEA may use Restart funds for costs that may ultimately be covered by FEMA; however, once it receives funds from FEMA for those costs, it must reimburse the Restart grant account. At the same time, the LEA may use those Restart funds for other allowable Restart costs.

In the simplest of terms, “double-dipping” is prohibited.

D-6. May Restart funds be used to support costs that may be covered by insurance?

If the LEA or school has not yet received insurance reimbursement for Restart allowable costs that may also be covered by insurance, it may charge those activities to Restart funds and then reimburse the Restart grant account once it receives the insurance payment. Again, “double-dipping” is prohibited.

D-7. What are some examples of allowable costs under Restart?

The following list provides examples of allowable activities or services that fall within the various statutory categories. This list is not intended to be exhaustive.

For any of these costs to be allowable, they must comply with the Cost Principles in 2 CFR Part 200, Subpart E (e.g., the costs must be “necessary and reasonable” for proper and efficient administration of the Restart program, 2 CFR 200.403) and support the restart of operations in, the reopening of, and the re-enrollment of students in elementary and secondary schools that serve an area in which the federal government

declared a major disaster related to a covered emergency or disaster (Hurricane Harvey).

Restart funds may be used to support --

(a) Recovery of student and personnel data, and other electronic information

- Hiring additional clerical staff to input and manage data
- Developing new electronic data systems to replace paper-based student and personnel files
- Purchasing computer data recovery services for damaged hard drives
- Recovering testing and assessment services
- Creating an electronic inventory system using scanners and bar codes
- Rebuilding and recovering cumulative records and folders on electronic files
- Recovering student and personnel information systems
- Tracking dropouts

(b) Replacement of school district information systems, including hardware and software

- Rebuilding school district communication and information networks, including restoring Internet connectivity
- Replacing homework software systems
- Replacing wireless network connectivity for portable classrooms
- Replacing technology equipment, including phone and intercom systems
- Hiring additional technical staff to install wiring, hardware, and software
- Replacing services for off-site electronic data storage
- Purchasing data recovery for hard files
- Providing additional hardware and software programs for use in tutorial and remedial programs.
- Recovering and expanding student progress monitoring systems

(c) Financial operations

- Supporting off-site electronic data storage of financial data
- Hiring accountants or other staff to assist LEAs and schools on issues such as FEMA matters, insurance reimbursements, and the coordination of maintenance activities
- Replacing financial software systems
- Processing free lunch applications for students

(d) Reasonable transportation costs

- Supporting costs of transporting students to and from school, after-school programs, tutorials, remediation programs, extended-year programs, enrichment programs, etc.
- Providing funds for additional bus drivers for displaced students
- Replacing buses and supporting repair costs to buses
- Replacing other LEA or school vehicles

(e) Rental of mobile educational units and leasing of neutral sites or spaces

- Replacing bookmobiles for school library services
- Replacing or leasing mobile professional development computer training labs
- Replacing, renting, or leasing mobile distance learning labs
- Supporting rent for temporary storage facilities for instructional equipment and supplies

- Providing rent for temporary sites to conduct regular educational activities where facilities no longer exist (e.g., mobile classrooms, local auditoriums, civic centers, theaters or other facilities for school programs like physical education, drama, choir, awards recognition ceremonies, or graduation)

(f) Initial replacement of instructional materials and equipment, including textbooks

- Replacing instructional materials, including textbooks, manipulatives, and consumable educational materials such as workbooks, art supplies, and lab supplies
- Providing resources to teachers to meet instructional needs, including copiers and copier paper
- Restocking school libraries with books, magazines, resource materials, media supplies, etc.
- Hiring additional staff to catalog or install new media supplies, equipment, and materials
- Replacing equipment, materials, and supplies used in the classroom

(g) Redeveloping instructional plans, including curriculum development

- Supporting curriculum development activities
- Supporting consultant fees for in-district staff development

(h) Initiating and maintaining education and support services

- Supporting increased salaries of teachers and other personnel (e.g., cafeteria workers, bus drivers, maintenance workers) due to increased cost of local labor
- Hiring additional staff for tutorial and remedial programs and supporting such programs
- Funding supplemental payments to staff who performed services outside of their contract days to help reopen schools
- Hiring additional staff for psychological services, social services, behavioral services, nursing services, and counseling services for students and employees
- Funding employees to make home visits to enroll students in schools
- Supporting the minor repair of facilities
- Sanitizing, cleaning, and replacing cafeteria equipment and supplies
- Providing labor and equipment for cleaning buildings and grounds
- Providing training sessions on new or updated software used to replace damaged or destroyed software

(i) Other activities related to the purpose of the Restart program that have been approved by USDE:

- Hiring personnel to assist in the planning, implementation and oversight of Restart activities
- Supporting expenses incurred to recruit teachers and other school personnel, such as –
 - 1) Reimbursing districts for costs of leasing temporary housing for school staff
 - 2) Providing daycare services for children of school staff
 - 3) Providing transportation allowances to school staff
- Replacing physical education equipment and supplies related to extracurricular activities (e.g., band, choir, athletics)
- Installing security cameras and supporting cell phones, two-way radios, satellite phones, etc.
- Rewiring bell, fire, and burglar security systems
- Payment of utility costs (e.g., heating and air conditioning) related to the covered disaster or emergency through the end of the school year in which the school reopened
- Leasing or purchasing generators and related operational costs

- Providing debris removal and rental of port-a-lets
- Supporting interior clean-up costs and replacing carpets and fixtures
- Supporting the cleanup of schools used as shelters
- Paying regional service centers (ESCs) for activities related to the reopening of schools
- Providing meals for extended-day programs

D-8. May Restart funds be used to replace damaged equipment or supplies with upgraded or enhanced versions?

Yes, such costs may be allowable taking into consideration the cost principles, including whether costs are reasonable and necessary. (See the Cost Principles in 2 CFR Part 200, Subpart E.)

For example, an LEA may replace computers destroyed by a covered disaster with a current model that has enhanced features, provided the costs are reasonable.

D-9. What specific educator-related costs are expressly authorized under the Restart statute?

Restart funds may be used for the following educator-related costs:

- Recruiting, retaining, and compensating new and current teachers, school principals, assistant principals, principal resident directors, assistant directors, and other educators for school-based positions in public elementary and secondary schools impacted by a covered disaster or emergency, including through such mechanisms as paying salary premiums, performance bonuses, housing subsidies, signing bonuses, and relocation costs and providing loan forgiveness;
- Activities to build the capacity, knowledge, and skills of teachers and school-based school principals, assistant principals, principal resident directors, assistant directors, and other educators in such public elementary and secondary schools to provide an effective education, including the design, adaptation, and implementation of high-quality formative assessments;
- The establishment of partnerships with nonprofit entities with a demonstrated track record in recruiting and retaining outstanding teachers and school-based school principals, assistant principals, principal resident directors, and assistant directors; and
- Paid release time for teachers and principals to identify and replicate successful practices from the fastest-improving and highest-performing schools.

D-10. What are some examples of unallowable costs under the Restart program?

Restart funds may *not* support the following costs. These examples are illustrative and are not intended to be a complete list of all unallowable costs.

Restart funds may *not* be used for –

- Replacing the loss of local tax revenue, providing working capital, or providing debt service payments
- Paying the salaries or fringe benefits of teachers or other school personnel for periods during which they did not work
- Construction and major renovation
- Purchasing land
- Purchasing and planting trees or shrubbery on school property to replace those lost or damaged in the storms
- Supporting the costs of housing students and their families

- Paying the cost of tuition for students enrolled in non-public schools (See *Temporary Emergency Impact Aid for Displaced Students (EIA)* program and guidance for information on the use of EIA funds for this activity.)

Note: USDE will periodically provide additional examples of allowable and unallowable activities under the Restart program as new issues arise during the administration of the program.

E. Recordkeeping and Reporting

E-1. What records must an LEA maintain after receiving Restart funds?

LEAs must maintain adequate written records to support how funds were received, disbursed, and spent under the program, including all records necessary to facilitate an effective audit. The records must be made available, upon request, during monitoring and audits. (See 2 CFR 200.333-200.337; GEPA section 443, 20 U.S.C. 1232f). In addition, the *Bipartisan Budget Act of 2018* designates the Restart program to be “susceptible to significant improper payments” for purposes of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note.)

This will result in additional requirements for grantees under the program, including making expenditure information and documentation available for review by USDE, starting with the Federal Fiscal Year 2019 reporting period (State Fiscal Year 2020). USDE will provide additional information about this requirement, providing advanced notice to ensure grantees understand their responsibilities for documenting all expenditures of Restart funds. In general, these documentation requirements are identical to those ordinarily required for all Federal education program expenditures; the primary impact of the Improper Payments Information Act will be increased review of this documentation.

Note: TEA has already been notified and conducted one meeting with the USDE Office of Inspector General who will audit the Bipartisan Budget Act disaster relief programs.

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