

Title IV, Part A, Frequently Asked Questions

This document provides the answers to program-related questions received by the Division. You can also navigate through the document using the Bookmarks in your PDF viewer. The newest questions that have been added will be noted by “*” and in blue font.

For questions or additional information, please contact us at ESSASupport@tea.texas.gov.

The [Supplement, Not Supplant requirement, ESEA Section 4110](#), requires that Title IV, Part A, program funds be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under the program. For additional guidance related to the Supplement, Not Supplant requirement, refer to the [Supplement, Not Supplant Handbook](#).

***Questions and responses are organized by the following topic areas:**

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Federal Requirements

When determining Title IV, Part A, use of funds allowability, a school system/campus should always reference the [TEA Title IV, Part A, Use of Funds Criteria](#) reference document.

***Q1. What requirements should a school system consider when determining if Title IV, Part A, funds may support allowable programs and activities?** (revised June 2025)

***A1.** The TEA [Title IV, Part A, Use of Funds Criteria](#) document provides school systems with the requirements needed for review to ensure programs and activities are allowable.

A school system should ensure Title IV, Part A, programs and activities meet the following requirements:

- Ensure that the LEA has prioritized distribution of Title IV, Part A, funds to applicable school campuses; [ESSA, Section 4106(2)(A)]
- Ensure that the LEA has consulted with Private Nonprofit (PNP) schools; [ESSA, Section 4106(2)(B)]
- Ensure that activities and/or resources are –
 - Supplemental [ESSA, Section 4110] - [Supplement, Not Supplant Handbook](#);
 - Identified in the required *Comprehensive Needs Assessment*, which includes data and all stakeholders [ESSA, Sections 4106(2) and 4106(c)];
 - The planning process meets the requirements for continued consultation of stakeholders and coordination [ESSA, Sections 4106(c)(2)];
 - Reasonable;
 - Necessary to carry out the intent and purpose of the Title IV, Part A program;
 - Allocable; and
 - Allowable under Title IV, Part A;
- Ensure that the expenditure(s) meets all EDGAR requirements;
- Ensure that all LEA policies and procedures were followed;
- Ensure if Title IV, Part A, allocation is over \$30,000, LEA must- [ESSA, Section 4106(2)(D)(D)(E) –
 - Not use less than 20% of funds to support **Well-Rounded Education Opportunities**
 - Not use less than 20% of funds to support **Safe and Healthy Students**
 - Use a portion of funds to support the **Effective Use of Technology**;
- Ensure no more than 15% of funds allocated to the effective use of technology content area are used for purchasing technology infrastructure, *regardless* of district Title IV, Part A, allocation amount [ESSA, Section 4109(b)]. This restriction does apply to LEAs with a Title IV, Part A, subgrant of less than \$30,000.
- [Ensure that no more than 2% of Title IV, Part A, funds are used for direct administration.](#)

Finally, LEA must verify that the activity is not one of the prohibited activities in section 4001(b) or section 8526 of the ESEA, as amended by the Every Student Succeeds Act (ESSA).

Q2. Are there federal requirements that might affect Title IV, Part A, allowability of costs?

A2. Yes. The *Code of Federal Regulations* (C.F.R.), Section 200.403₂ provides requirements that must be met for expenditures to be allowed under Federal grants.

Q3. Is there a school system limitation on Title IV, Part A, direct administrative costs that may be taken?

A3. Yes. The school system may not reserve more than 2% for the direct administrative costs of carrying out the LEA's responsibilities under Title IV, Part A, per the ESEA Section 4105(c).

Q4. What is considered an administrative cost for Title IV, Part A?

A4. Title IV, Part A, statute states that a school system "may reserve not more than 2 percent for the direct administrative costs of carrying out the local educational agency's responsibilities" under Title IV, Part A. The costs of administration are those portions of reasonable, necessary, and allowable costs associated with the overall project management and administration. These costs can be both personnel and non-personnel.

Please note that "administrative" is not further defined in the statute beyond carrying out the LEA's responsibilities under the program. The Title IV, Part A, uses of funds, including administrative funds, must be 1) reasonable and necessary, 2) allocable to the grant, 3) consistent with the Uniform Guidance and program statute and 4) treated consistently across Federal programs (e.g., a cost that is categorized as administrative in one program, should not be categorized as programmatic in another program). – USDE Response, 6/2021

Q5. Is an individual LEA that receives an allocation of less than \$30,000 of the Title IV, Part A, program funds required to use a certain percentage of funds for each of the three content areas?

A5. No. Section 4106(f) allows an individual LEA receiving an allocation of less than \$30,000 to use funds for only one (or more) of the three content areas in the Title IV, Part A, program. Such LEAs must provide an assurance [i.e., ESSA Consolidated Federal Grant Application's *Program-Specific and ESSA Provisions and Assurances*] that they will either use not less than 20 percent for well-rounded education, use not less than 20 percent for safe and healthy students, or use a portion to support the effective use of technology consistent with 4106(f). [USDE Office of General Counsel]

Q6. Must a school system distribute Title IV, Part A, Subpart 1 program funds to each of its schools?

A6. No. A school system is not required to distribute Title IV, Part A program funds to each of its schools. Consistent with ESEA section 4106(e)(2)(A), an LEA must prioritize the distribution of funds to schools and must implement the program consistent with all relevant statutory requirements. In prioritizing the distribution of funds, a school system that provides district-wide services with Title IV, Part A, program funds must focus those services on schools with the greatest need identified in ESEA section 4106(e)(2)(A).

Q7. Do the application assurances regarding use of funds in the three main content areas apply to the schools to which a school system distributes funds?

A7. No. The application assurances regarding the use of funds in the three Title IV, Part A, program content areas apply at the school system level. These assurances serve to establish minimum expenditure requirements (i.e., not less than 20 percent of funds for activities to support well-rounded educational opportunities, not less than 20 percent for activities to support safe and healthy students, and a portion for activities to support the effective use of technology) that an school system must meet with respect to its entire allocation. In meeting these requirements, a school system has flexibility in determining the amount of funds to distribute to a school and for which activities, provided its determinations are consistent with its needs assessment and school prioritization. A school system might, for example, use 20 percent of its

funds for an arts program in only two of its elementary schools and use 40 percent of its funds for a district-wide school climate program, consistent with its assurance to prioritize schools most in need.

Q8. Must an LEA prioritize which schools receive Title IV, Part A, funds?

A8. Yes. Per ESEA, Section 4106(e)(2)(A), an LEA or consortium of LEAs must include in its application an assurance that funds will be prioritized for distribution to schools as set out in the statute below.

Section 4106(e)(2)(A)

(A) - Prioritize the distribution of funds to schools served by the local educational agency, or consortium of such agencies, that—

- i. are among the schools with the greatest needs, as determined by such local educational agency, or consortium;
- ii. have the highest percentages or numbers of children counted under section 1124(c);
- iii. are identified for comprehensive support and improvement under section 1111(c)(4)(D)(i);
- iv. are implementing targeted support and improvement plans as described in section 1111(d)(2); or
- v. are identified as a persistently dangerous public elementary school or secondary school under section 8532;

***Q9. Are there internet safety requirements that an LEA must follow if Title IV, Part A, funds are allocated?**
(revised)

*A9. Yes. An LEA shall adhere to all internet safety requirements of the ESSA, Title IV, Part A, Subpart 2, statute, and annually agree to related assurances in the ESSA Consolidated Federal Grant Application’s *Program-Specific and ESSA Provisions and Assurances*.

Below is a summary of the Title IV, Part A, Subpart 2 internet safety requirements:

No funds made available under Title IV, Part A, Subpart 1 to an LEA for an elementary school or secondary school that does not receive services at discount rates under section 254(h)(5) of the Communications Act of 1934 [47 U.S.C. 254(h)(5)] may be used to purchase computers used to access the internet or to pay for direct costs associated with accessing the internet for such school unless the school, school board, LEA, or other authority with responsibility for administration of such school has the following in place:

1. **policy of internet safety for minors** that includes the operation of a technology protection measure for any of its computers with internet access that protects against access through such computers to obscene visual depictions, child pornography, or are harmful to minors, and is enforcing the operation of such technology protection measure during any use of such computers by minors; and
2. **policy of internet safety that includes the operation of a technology protection measure** to any of its computers with internet access that protects against access through such computers to visual depictions that are obscene or child pornography and enforces the operation of such technology protection measure during any use of such computers.

An LEA shall certify its compliance with these requirements annually upon submission of the ESSA Consolidated Application.

- [Business and Commerce Code Title 11. Personal Identity Information Subtitle A. Identifying Information Ch. 509. Use of Digital Services by Minors.](#)

- Add requirements for Digital Service Providers (DSPs) to provide additional levels of protection for known minor-aged users related to the collection and use of personal information.
- Add specific requirements for digital devices transferred for student use to have installed filters, barring pornography and other harmful content.
- The agency must adopt standards for permissible electronic devices and software applications used by a school district or open-enrollment charter school.

Q10. Is there a requirement for LEAs to have a non-smoking policy for children’s services?

A10. Yes. In the *Program-Specific and ESSA Provisions and Assurances*, an LEA must certify, submit, and assure it meets compliance with the non-smoking policy for children’s services.

The LEA assures that no person shall permit smoking within any indoor facility owned or leased or contracted for and utilized by such person for the provision of routine or regular kindergarten, elementary, or secondary education or library services to children. Smoking shall not be allowed within any indoor facility (or portion of such a facility) owned or leased or contracted for, and utilized by, such person for the provision of regular or routine health care or day care, or early childhood education programs. Exception: This shall not apply to any portion of such facility used for inpatient hospital treatment of individuals dependent on or addicted to drugs or alcohol, or to any private residence. [ESSA, Title VIII, Part F, Subpart 5, Section 8573].

Q11. Has an Errata been posted explaining a new prohibition of ESEA program funds being used for possession and/or training with dangerous weapons?

A11. Yes. An Errata was published on August 26, 2022, for the 2022-2023 ESSA Consolidated Federal Grant Application.

Prohibition of ESEA Program Funds Used for Possession of and/or Training with Dangerous Weapons: The LEA assures that no funds under the ESEA will be used for the provision to any person of a dangerous weapon, as defined in section 930(g)(2) of title 18, United States Code, or training in the use of a dangerous weapon. [Section 8526 of the Elementary and Secondary Education Act of 1965 (ESEA) as amended by the Bipartisan Safer Communities Act, *section 2938, Division A-Mental Health and Firearms Provisions, Title III-Other Matters, Subtitle D-Amendment on ESEA Funding, section 13401*]

A dangerous weapon is defined in section 930(g)(2) as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocketknife with a blade of less than 2 1/2 inches in length.

Please note that the prohibition went into effect immediately on June 25, 2022, and applies to all ESEA funds, existing and future awards under all ESEA programs.

***Q12: How is equipment defined by federal statute? (as of 1/3/2025 amendment)**

*A12: *Equipment* means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the **recipient or subrecipient** for financial statement purposes, or \$10,000. - [Code of Federal Regulations, Title 2, Subtitle A, Chapter II, Part 200, Subpart A, Section 200.1](#)

***Q13: How are supplies defined by federal statute? (as of 1/3/2025 amendment)**

- *A13: *Supplies* means all tangible personal property other than that described in the definition. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the **recipient or subrecipient** for financial statement purposes or \$10,000, regardless of the length of its useful life. - [Code of Federal Regulations, Title 2, Subtitle A, Chapter II, Part 200, Subpart A, Section 200.1](#)
- *Q14: **How is ‘special purpose equipment’ defined by federal statute?** (as of 1/3/2025 amendment)
- *A14: Special purpose equipment is used only for research, medical, scientific, or other similar technical activities. Examples of special-purpose equipment include microscopes, x-ray machines, surgical instruments, spectrometers, and associated software. - [Code of Federal Regulations, Title 2, Subtitle A, Chapter II, Part 200, Subpart A, Section 200.1](#)

Webpage Resources*

- *Q1. **Is there an official Department of Education website that provides documents and information related to Title IV, Part A, federal programs?**
- *A1. Yes. The U.S. Department of Education’s (ED) Title IV, Part A, webpage is located on the U.S. Department of Education, Office of Safe and Supportive Schools’ Title IV, Part A, Center webpage: <https://t4pacenter.ed.gov/T4PAStatutes.aspx>
- *Q2. **Does the Texas Education Agency (TEA) have a webpage that provides federal requirements, supporting documents, and resources for the Title IV, Part A, program?**
- *A2. Yes. TEA’s Title IV, Part A, program webpage can be located at: <https://tea.texas.gov/finance-and-grants/grants/essa-program/title-iv-part-a-student-support-and-academic-enrichment>.
- *Q3. **Is there an updated webpage for TEA’s ESC 14 Title IV, Part A, Capacity Building Initiative (CBI) that provides information on Title IV, Part A, resources, tools, and guidance documents?**
- *A3. Yes. ESC 14’s Title IV, Part A, CBI webpage is at: <https://www.esc14.net/page/t4si>.

Supplement, Not Supplant (SNS) Requirements

- Q1. **Is it permissible for a school system to use Title IV, Part A, funds to pay salaries this year if it used local funds last year?**
- A1. No. School systems should be mindful that Title IV, Part A, program funds may be used only to supplement, and not supplant, non-Federal funds that would otherwise be available for activities authorized under the program’s Supplement, Not Supplant requirement, ESEA section 4110. This means that, in general, school systems may not use Title IV, Part A program funds for the cost of activities in the three program content areas – well-rounded education, safe and healthy students, and technology – if the cost of those activities would have otherwise been paid with State or local funds in the absence of the Title IV, Part A, program funds. *USDE Non-Regulatory Guidance Student Support and Academic Achievement (October 2016)*
- Q2. **What does “supplement, not supplant” mean in the context of the Title IV, Part A, program?**

- A2. The Supplement, Not Supplant requirement, ESEA section 4110, requires that Title IV, Part A, program funds be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under the program. This means that a school system may not use Title IV, Part A, program funds to carry out activities that would otherwise be paid for with State or local funds. In determining whether a particular use of funds would violate the non-supplanting requirement, School systems should consider whether the cost involved is currently paid for using State or local funds or whether the cost involved is for an activity required by State or local law. In no event may a school system decrease the amount of State or local funds used to pay the cost of an activity simply because of the availability of Title IV, Part A, program funds.

There is a presumption of supplanting if Federal funds are used for State-required costs or costs previously covered with non-Federal funds. The presumption may be overcome if the school system can demonstrate through written documentation (e.g., State or local legislative action, budget information, or other materials) that it does not have the funds necessary to implement the activity and that the activity would not be carried out in the absence of the Title IV, Part A, program funds.

USDE Non-Regulatory Guidance Student Support and Academic Achievement (October 2016)

Comprehensive Needs Assessment (CNA)

Q1. Who are the required stakeholders that must participate in the Title IV, Part A, program development?

- A1. A local educational agency shall develop its application through consultation according to ESSA, section 4106(c)(1), with the following stakeholders:
- Parents
 - teachers
 - principals
 - other school leaders
 - specialized instructional support personnel
 - students, community-based organizations
 - local government representatives
 - local law enforcement agencies
 - local juvenile courts
 - local child welfare agencies
 - local public housing agencies
 - Indian tribes or tribal organizations that may be in the region served by the local educational agency (where applicable)
 - charter school teachers, principals, and other school leaders (if such an agency or consortium of such agencies supports charter schools)
 - others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this subpart

Q2. How does Title IV, Part A, statute define 'local government representatives' who shall participate during consultation with the program development?

- A2. Local government representatives are defined in ESSA, section 4106(c)(1), as local law enforcement agencies, local juvenile courts, local child welfare agencies, or local public housing agencies.

Q3. With what other stakeholders should a school system consider consulting as it develops its application?

- A3. In addition to the Title IV, Part A required stakeholders, a school system should consider involving members from the business community, health providers, police, social workers, librarians, technology experts, service providers, faith-based community leaders, and other key stakeholders, as appropriate.

Under ESEA section 4107(a)(2) (well-rounded education) and section 4108(4) (safe and healthy students), school systems are explicitly authorized to use a portion of funds in these areas to develop and implement programs and activities that may be conducted in partnership with an Institute of Higher Education (IHE), business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing these activities. In addition, school systems may find it particularly helpful to include such partners in the needs assessment process.

Q4. Does TEA have any additional guidance, tools, resources, and/or templates to support school systems working on the required Title IV, Part A, comprehensive needs assessment components?

- A4. Yes. School systems [Title I, Part A, Capacity Building Initiative](#) in Region 20 has resources to support LEAs with sample documents and guidance to meet requirements for a Title IV, Part A, comprehensive needs assessment. The [Collaborative Comprehensive Needs Assessment Resource Toolkit](#) provides sample templates, tools, videos, and other resources to support school systems in meeting the Title IV, Part A, requirements of a comprehensive needs assessment.

Required Consultation and Stakeholders

Q1. What should an LEA do if one of the required stakeholder groups is not responsive to consultation requests?

- A1. First, an LEA must make a good-faith effort to contact all required stakeholders for participation in consultation. If a stakeholder group(s) declined to participate in the application consultation process and/or did not respond to an LEA's request to consult after a good-faith effort on the part of the LEA to contact the required stakeholder groups, the LEA has provided a good-faith effort. Then, the LEA should document and maintain some type of evidence of outreach so it can demonstrate good-faith efforts were made within a given timeframe (e.g., letters, emails, meeting notes, etc.) for TEA or an auditor's review. In addition, per the statutory requirement, LEAs shall engage in continued consultation with stakeholder groups. – USDE Response, 11/2021

Q2. Is it an allowable use of Title IV, Part A, funds to pay stipends for district staff to serve on various school committees or teams?

- A2. Stipends for district staff to support various school committees/teams may be an allowable use of Title IV, Part A, funds. The necessity will be closely tied to the grantee's policies for compensating employees (see the Uniform Guidance at 2 CFR 200.430 and 2 CFR 200.431), as well as whether the activities take place during regular school hours or outside regular school hours and the employee is not expected, as a condition of their employment, to participate in such teams.

Once a determination regarding stipends is made, the LEA must determine if and how the activity (i.e., use of stipends) supports one of the three purposes of Title IV, Part A, well-rounded education, supporting safe

and healthy students, and effective use of technology. If the activity supports one of the three purposes, the LEA must ensure that the activity was informed by the school district’s needs assessment, stakeholder engagement process, and prioritization of schools.

As with any cost charged to a grant, grantees are responsible for ensuring that only costs that are reasonable, necessary, and allocable to the grant are charged to the grant. Title IV, Part A, also has a supplanting prohibition, so the grantee must ensure that the use of Title IV, Part A, funds supplements and does not supplant other state or local funds that would otherwise be used to pay for the allowable activity. In this case, since stipends (i.e., compensation of personnel) are involved, the grantee should be particularly cautious about ensuring that the use of funds is supplemental. – USDE Response, 4/2022

Q3. What are acceptable forms of documentation for sign-in sheets?

A3. Given the increased use of virtual meeting environments, participant rosters that include the meeting title, meeting date, and stakeholder names and roles would be acceptable substitutes for the more traditional sign-in sheets. This eliminates the need for a participant's signature for any training sessions, professional development opportunities, and/or meetings.

***Q4. If an LEA transfers or REAPs 100% of Title IV, Part A, funds, is it still required to consult with stakeholders?**

*A4. Yes, the LEA is required to consult with stakeholders. The LEA is not exempt from consulting with stakeholders if it transfers or REAPs 100% of its funds. The Title IV, Part A, application must be developed through consultation with local stakeholders [ESSA section 4106(c)]. Therefore, the stakeholder engagement process is an eligibility requirement and must be fulfilled to obtain a Title IV, Part A, subgrant. After the subgrant is received, the LEA can make decisions regarding transferring funds or enacting the Alternative Fund Use of Authority (AFUA) under the Title IV, Part A, program.

If the LEA is considering a transfer, it must also engage in timely and meaningful consultation with appropriate private school officials before transferring funds [ESSA, section 5103(e)(2)].

Use of Funds

Q1. May a school system use Title IV, Part A, funds to purchase bus security cameras?

A1. Yes, if the school system has supporting documentation, bus security cameras meet all requirements listed in the TEA [Title IV, Part A, Use of Funds](#) resource. In addition, a school system with an allocation of at least \$30,000 must provide activities in all three Title IV, Part A, content areas.

Q2. May a school system use Title IV, Part A, funds to purchase a phone/software threat machine that interprets electronic threats to and from students?

A2. No. A phone/software threat machine does not meet the requirement of a ‘reasonable and necessary’ Title IV, Part A, purchase. – USDE Response

Q3. Our district has had issues with bomb threats and anonymous calls regarding weapons on campuses. We would like to purchase a service that identifies where calls come from. May we use Title IV, Part A, funds for this service?

- A3. No. A phone identification service to track calls is not a reasonable and necessary use of Title IV, Part A, funds. – *USDE Response*
- Q4. May an LEA use Title IV, Part A, funds for promotional items (i.e., t-shirts, wristbands, lanyards, notebooks, etc.) which support a specific activity or program?**
- A4. No. These types of items appear to fit in the category of “advertising and public relations,” which are generally not allowable per 2 *CFR* 200.421. One exception to the prohibition is costs that involve “program outreach and other specific purposes necessary to meet the requirements of the Federal award.” So, items that are purely about publicity and promotion of the organization would not be proper. However, an item that was designed to let individuals who might need the program services know about its existence might be allowable. – *USDE Response*
- *Q5. May a school system use Title IV, Part A, funds to provide professional development opportunities for staff? (revised response)**
- *A5. Yes, if the Title IV, Part A, *Comprehensive Needs Assessment* (CNA) and data support the specified professional development opportunities and meet all [Title IV, Part A, Use of Funds](#) requirements, **and the professional development activity is not a State requirement**. However, a school system with an allocation of at least \$30,000 must provide activities in all three content areas.
- Q6. May a school system expand or improve access to elementary students for a program that is currently being offered at the high school level? We have an elementary school that would like to expand a music program; however, funding for the program is very limited.**
- A6. Yes. Title IV, Part A, funds may only be used to expand or create new music/art programs and meet all requirements listed in the [Title IV, Part A, Use of Funds](#) resource. In addition, a school system with an allocation of at least \$30,000 must provide activities in all three content areas.
- Q7. Would the use of Title IV, Part A, funds for implementation of a drug testing program be allowable if all other requirements are satisfied?**
- A7. Yes, if the Title IV, Part A, *Comprehensive Needs Assessment* (CNA) and data support a drug testing program and meet all listed requirements in the [Title IV, Part A, Use of Funds](#) resource. In addition, a school system with an allocation of at least \$30,000 must provide activities in all three content areas.
- Q8.* May an LEA use Title IV, Part A, funds to support a student’s advanced placement (AP) exams? (revised response)**
- A8.* Yes, Title IV, Part A, funds may be used as a reimbursement for *low-income* students to cover all or part of the AP examination costs/fees, **if the LEA does not take a state subsidy for the AP exams**, per ESSA, section 4107(a)(3)(D).
- Q9. A school system is tracking an alarming number of vaping incidents in its middle and high schools. This was identified as a need and is in the campus improvement plan. May the school system use Title IV, Part A, funds to purchase vaping sensors for those hot-spot campus areas?**
- A9. Yes, only if local district policy does not require vaping sensors; otherwise, this would be supplanting.

School systems may utilize Title IV, Part A, funds for vape detectors, vape prevention tools, vape education programs, and related staff development under ESSA, section 4108. - "Activities to Support Safe and Healthy Students:

- ESSA, section 4108(5)(A) "...drug and violence prevention activities and programs that are evidence-based."
- ESSA, section 4108(5)(A)(i) "...programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes"
- ESSA, section 4108(5)(C)(ii) "...support a healthy, active lifestyle..."
- ESSA, section 4108(5)(D)(vi) "high-quality training for school personnel, including specialized instructional support personnel, related to— "...drug abuse prevention..."

In addition, the school system must meet all requirements in [Title IV, Part A, Use of Funds](#) resource. If the school system has an allocation of at least \$30,000, it must provide activities in all three content areas.

Q10. Our district has a new identified and prioritized need for "Mobile Messaging Signs" for immediate school safety improvements. We are exploring the use of Title IV, Part A, grant funds under the "Safe and Healthy Students" content area for purchasing the equipment. Would this be an allowable use of funds?

A10. No. Based on the information provided, the use of Title IV, Part A, funds for this purpose raises significant concerns about the "supplement, not supplant" requirement. Traffic control is a state/local issue and, while related to school safety, is generally paid for with other state/local funds. Further, even if the presumption of supplanting could be overcome, the purchase does not appear to be reasonable and necessary for performance of the grant (i.e., of a type generally recognized as ordinary and necessary for operation of the grant) and allocable to the grant (i.e., chargeable to the grant award in proportion to the benefits received by the grant award as a result of the cost). – *USDE Response*

Q11. May an LEA use Title IV, Part A, funds to purchase a fingerprint scanner?

A11. No, this purchase would not be allowable. Based on the information provided, it appears that the primary use of the fingerprint scanner is for police-related activities. The scanner does not support the development of programs/activities in at least one of the three content areas in the Title IV, Part A, program. In addition, the purchase does not appear to be reasonable and necessary for performance of the grant (i.e., it is of a type generally recognized as ordinary and necessary for operation of the grant) and allocable to the grant (i.e., it is chargeable to the grant award in proportion to the benefits received by the grant award as a result of the cost). – *USDE Response*

Q12. May an LEA use Title IV, Part A, funds for portable microphones/headphones for teachers (because the students on the Zoom meeting cannot hear them when they move away from the camera)? Would portable microphones/headphones be part of the 15% rule, or would they be considered part of improving the integration of instruction using technology?

A12. USDE Response (12/15/2020):

- If a district decides to use funds under Title IV, Part A, for costs related to computer devices and accessories (like microphones/headphones) or internet connectivity, etc., the district must be sure that the use of the funds is reasonable and necessary and does not violate other program requirements, such as the supplement, not supplant requirement.
- If a district is providing free public education virtually (i.e., providing its core curriculum through online instruction), it must also provide the basic tools necessary to access that instruction with State or local funds or CARES Act funds and other Federal funds in which such spending is allowable.

- If the portable microphone/headphones for teachers are necessary for virtual learning, then they would likely constitute a violation of the Title IV, Part A supplement, not supplant requirement.
- However, Title IV, Part A, funds may be used to enhance such virtual learning after such access is provided with other funds.
- If the district determines that the microphones/headphones do not constitute a supplanting violation, then the microphones/headphones would constitute an allowable use of funds under section 4109(a)(1), which is not subject to the 15% cap on technology infrastructure purchases.

Q13. One of our rural LEAs has asked about the allowability of adding an additional concrete pad to their playground to provide additional space to play basketball. Is this an allowable Title IV, Part A, activity?

A13. No. The ESSA section 8526(1) statute expressly prohibits the use of funds for the construction, renovation, or repair of any school facility. These funds may be used for minor remodeling and repair. 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. – USDE Response 12/2020.

Q14. Is the purchase of playground equipment allowable under the Safe and Healthy content area?

A14. In general, the purchase of playground equipment is an allowable use of funds under the safe and healthy student content area. To be funded, this activity should have been informed by the school district’s needs assessment, stakeholder engagement process, and prioritization of schools. As with any cost charged to a grant, grantees are responsible for ensuring that only costs that are reasonable, necessary, and allocable to the grant are charged to the grant. If the program has a supplanting prohibition, which the Title IV, Part A, program does, the grantee must ensure that the use of Title IV, Part A, funds supplements and does not supplant other state or local funds that would otherwise be used to pay for the allowable activity.

Note: Construction is not authorized under Title IV, Part A. Thus, allowable activities regarding the condition of a school building must fall into the definition of 'minor remodeling' to be allowable. See 34 CFR 77.1(b). – USDE Response 9/22/2021

***Q15. May an LEA use Title IV, Part A, funds to purchase and/or replace security cameras, exterior door locks, and key cards? (revised response, May 2023)**

*A15. The Commissioner Rules on School Safety Standards were adopted on May 31, 2023 - [School Safety Standards in 19 TAC §61.1031](#), making all items and activities requirements in the School Safety Standards a state requirement.

Title IV, Part A funds could not be used to meet any state or local safety standards or requirements. That would be supplanting– *Texas State Law/Regulations (9/2023)*

Note: Construction is not authorized under Title IV, Part A. Thus, allowable activities regarding the condition of a school building must fall into the definition of 'minor remodeling' to be allowable. – *34 CFR 77.1(b) and Texas State Law/Regulations (9/2023)*

***Q16. May Title IV, Part A, funds be used to pay for school campus security fencing and hardware? (revised response, May 2023)**

*A16. It would be difficult to justify that use of Title IV, Part A, funds would be reasonable and necessary for performance of the grant (i.e., of a type generally recognized as ordinary and necessary for operation of the

grant) and allocable to the grant (i.e., chargeable to the grant award in proportion to the benefits received by the grant award as a result of the cost). Additionally, it would be difficult to evaluate security fencing and hardware for program effectiveness.

The Commissioner Rules on School Safety Standards were adopted on May 31, 2023 - [School Safety Standards in 19 TAC §61.1031](#), making all items and activities requirements in the School Safety Standards state requirements.

Fencing is not required in the [School Safety Standards in 19 TAC §61.1031](#). However, fencing can be used to create an Exterior Secured Area. Title IV, Part A, funds cannot be used to meet a state or locally required activity or requirement. That would be supplanting. The purchase of fencing, if the fencing is being used to create an Exterior Secured Area so that doors and windows within the Exterior Secured Area are considered compliant with the [School Safety Standards in 19 TAC §61.1031](#), would be supplanting, as this is now a state requirement in the [School Safety Standards in 19 TAC §61.1031](#).

Note: Construction is not authorized under Title IV, Part A. Thus, allowable activities regarding the condition of a school building must fall into the definition of 'minor remodeling' to be allowed. *34 CFR 77.1(b) and – Texas State Law/Regulations (9/2023)*

***Q17. May Title IV, Part A, funds be used to purchase two-way radios for staff to communicate throughout the school buildings/campuses? (revised response)**

***A17.** It would be difficult to justify that Title IV, Part A, funds would be reasonable and necessary to purchase two-way radios. Most importantly, it would be difficult to evaluate the program's effectiveness of radio. **It is important for the school system to ensure it did not use state safety allotment funds or state safety grant funds in the previous or current year for this item, as it would then create a supplanting issue with Title IV, Part A, funds.** However, if the school system decides that it can document such justification and evaluate the use of funds for program effectiveness, it would be up to the school system to provide such documentation to an auditor and/or TEA program staff in the event of an audit. TEA or audit staff would make the final determination concerning whether the documentation is sufficient to demonstrate compliance with the Title IV, Part A, use of funds statutory requirements. Based on the guidance provided above, TEA would not recommend that Title IV, Part A, funds be used for the purpose requested. However, the decision to use funds in this manner is a school system decision.

Q18. What guidance is available related to providing “light meals” using Title IV, Part A, funds?

A18. As per the most current Budgeting Costs Guidance Handbook, “The following costs are allowable:

- Food necessary to conduct nutrition education programs for parents
- Parent involvement activities in which refreshments are necessary to encourage participation or attendance by parents, such as in low-income areas, and thus meet program objectives.

Full meals for parents or students are unallowable for these purposes under any circumstances. Expenditures must be reasonable in cost, necessary to accomplish program objectives, and an integral part of the instructional program.”

Q19. What is the definition of “nutritional” when it comes to providing snacks with Title IV, Part A, funds?

A19. There is no specific guidance on the definition of “nutritional.” However, the school system can use the Smart Snack standards that have been established by the US Department of Agriculture. The following

website provides information about smart snacks: <https://www.fns.usda.gov/cn/tools-schools-focusing-smart-snacks>.

Q20. May a school system use Title IV, Part A, funds to purchase musical instruments?

A20. Yes, musical instruments are an allowable activity of Title IV, Part A, funds, if supplemental. The instruments must remain the property of the school system and not the students. In addition, the school system must track and keep inventory records on instruments. Any Title IV, Part A, activities must be tied to program objectives and intended outcomes, and school systems must track progress toward meeting the program objectives and intended outcomes. All Title IV, Part A, activities must meet the [Title IV, Part A, Use of Funds Criteria](#).

In addition, the school system will need to ensure that the use of funds to pay for musical instruments is informed by the school district's needs assessment, stakeholder engagement process, and prioritization of schools. As always, uses of funds must be reasonable and necessary and may not supplant other state and local funds that would be used to support the activity. For example, it may be necessary to provide musical instruments (on loan) to students from low-income families, thus making the cost allowable, but perhaps not to students whose families may be able to cover the cost of participation.

Q21. May a school system use Title IV, Part A, funds to purchase SUVs?

A21. It would be difficult to justify using Title IV, Part A, funds to purchase SUVs as reasonable and necessary for school system staff and student safety. Most importantly, it would be difficult to evaluate the program's effectiveness on the vehicles. In addition, the school system should ensure it has program objectives and intended outcomes and can track progress made toward those objectives and outcomes with all Title IV, Part A purchases. However, if the school system decides that it can document such justification and evaluate the use of funds for program effectiveness, it would be up to the school system to provide such documentation to an auditor and/or TEA program staff in the event of an audit.

If the school system decides to purchase vehicles using Title IV, Part A, funds, it must submit a *Special or Unusual Costs form* through the *EDGAR Forms WorkApp System* for pre-approval. TEA or audit staff would make the final decision concerning whether the documentation is sufficient to demonstrate compliance with Title IV, Part A, use of funds statutory requirements. Based on the guidance above, TEA would not recommend that Title IV, Part A, funds be used for the purpose requested. However, the decision to use funds in this manner is a school system decision.

Q22. May a school system use Title IV, Part A, funds to purchase an ice machine for a campus?

A22. Title IV, Part A, funds must support activities/programs that support well-rounded education opportunities, safe and healthy students, and effective use of technology. It would be difficult for a school system to justify how an ice machine could meet the intent and purposes of Title IV, Part A. In addition, it might also prove difficult for a school system to provide the Title IV, Part A, program objective and measurable outcome, and track the progress an ice machine would make toward meeting that objective and outcome.

Q23. May a school system use Title IV, Part A, funds to purchase flexible learning seats/tables?

A23. Title IV, Part A, funds must support activities/programs that support well-rounded education opportunities, safe and healthy students, and effective use of technology. It would be difficult for a school system to justify how flexible learning seats/tables could meet the intent and purposes of Title IV, Part A. In addition,

it might also prove difficult for a school system to provide a Title IV, Part A program objective and measurable outcome, and track the progress the learning seats/tables would make toward meeting the objective and outcome. All Title IV, Part A, activities must meet the [Title IV, Part A Use of Funds Criteria](#).

Q24. Can an LEA employee’s salary and costs be paid with Title IV, Part A, funds?

A24. Possibly. The LEA would need to determine if the costs are 1) reasonable and necessary for the performance of the grant; 3) allocable to the grant; 4) supplements, and does not supplant, other State or local funds that would otherwise be used to pay for the position; and 5) not one of the prohibited activities in ESEA section 4001(b) or section 8526.

To determine allowability, including whether the cost is reasonable, necessary, and allocable, the LEA would need to consider 1) whether the program activities that the employee is responsible for overseeing are Title IV, Part A, activities and 2) whether the employee is administering Title IV, Part A, in part or in whole (and if in part, then only part of the salary might be chargeable to Title IV, Part A).

In addition, to overcome the presumption of supplanting, the LEA would need to show that it would not otherwise be able to fund the salaries of the position, but for the availability of Title IV, Part A, funds. The LEA would need to provide clear documentation that no state or local funds are available to cover the staff salaries and that the reason for the lack of appropriations is not because federal funds might be available to cover the positions. - U.S. Department of Education (4/2023)

***Q25. An LEA is using Title IV, Part A, funds to purchase supplies for constructing a tiny house as part of a Title IV, Part A, activity. The LEA is purchasing the tools with Title IV, Part A, funds, and staff members are covered by the General Fund. Would it be better to build and donate or build and sell the tiny house?**

*A25. In constructing the tiny house, Title IV, Part A, funds were used to purchase supplies, such as tools and materials. The essence of the tiny house project, for grant purposes, is a learning experience for students that generates intangible educational benefits.

As a supported Title IV, Part A, activity, this scenario meets the definition of program income, which is defined as follows: “Program income means gross income earned by the non-Federal entity that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance.” On June 21, 2021, the U.S. Department of Education issued a program memorandum that provided prior approval for Title IV, Part A, grantees to use the additive method for distributing program income consistent with 2 CFR 200.307(e). That is, recipients must add program income earned to Title IV, Part A, funds and use those funds in furtherance of Title IV, Part A, purposes. In this instance, the LEA may either continue to use the tiny house for educational purposes or sell it and add the proceeds of the sale to the Title IV, Part A, grant award. – ED (November 2023)

***Q26. Can both Advanced Placement (AP) and dual enrollment fees be paid for all students, or only low-income students?**

*A26. Dual enrollment fees could be paid for all students if shown to be reasonable and necessary. In addition, paying for AP exam fees could also be available for more than just low-income students if shown to be reasonable and necessary. The statute lists paying for AP exams for low-income students as an example. The LEA must determine the costs are (1) reasonable and necessary for the performance of the grant; (2) allocable to the grant; (3) supplements, and does not supplant, other State or local funds that would otherwise be used to pay for the exam and/or course fees; (4) and not one of the prohibited activities in ESEA Section 4001(b) or Section 8526. – ED, April 2023

- *Q27. If Title IV, Part A, is funding an allowable activity, such as a field trip, are the fuel and/or transportation costs allocated as part of the 2 percent cap on administrative costs?**
- *A27. Fuel and/or transportation costs for an allowable field trip activity are allowable program costs under Title IV, Part A, so they do not need to be charged as administrative costs. In some cases, transportation costs may be included under indirect costs, in which case, they need to stay there. – Office of General Counsel (OGC), *SEA State Coordinator’s Annual Meeting, 3/2023*
- *Q28. How does a school system determine whether the use of Title IV, Part A, funds is considered reasonable and necessary?**
- *A28. TEA General and Fiscal Guidelines explain “Reasonable and Necessary” that a school system would use to determine allowability. The school system must maintain documentation to demonstrate that such costs were reasonable and necessary. In the event of an audit, TEA or audit staff would determine whether the documentation is sufficient to demonstrate compliance.
- *Q29. May Title IV, Part A, funds be used for student snacks?**
- *A29. Yes. Per the TEA Budgeting Costs Guidance Handbook, nutritional snacks for students are allowable during extended day (i.e., after-school) programs and for children in childcare while parents participate in grant activities. Full meals for parents or students are unallowable for these purposes under any circumstances. Expenditures must be reasonable in cost, necessary to accomplish program objectives, and an integral part of the instructional program.
- *Q30. Can funds under Title IV, Part A, be used to improve educational outcomes and address the unique needs of students in foster care?**
- *A30. Yes. Authorized under Title IV, Part A, of the ESEA, the Title IV, Part A, grant program is designed to increase the capacity of SEAs, LEAs, schools, and local communities to (i) provide all students with access to a well-rounded education; (ii) improve school conditions for student learning; and (iii) improve the use of technology to improve the academic achievement and digital literacy for all students. (ESEA section 4101).

LEAs have substantial flexibility in how they utilize Title IV, Part A, program funds to provide students access to a well-rounded education, improve school conditions for student learning, and utilize educational technology. For example, Title IV, Part A, program funds may be used for a wide range of activities that could positively impact students in foster care, including activities related to implementing:

- College and career guidance and counseling programs;
- Accelerated learning programs;
- Trauma-informed practices in classroom management;
- Positive Behavioral Interventions and Supports (PBIS) programs; and
- Academic content through the use of technology.

ED’s non-regulatory guidance on the Title IV, Part A, program contains more detailed information on how SEAs administer Title IV, Part A, program funds to LEAs, examples of allowable uses of funds, and other important information. Access the non-regulatory guidance on the Title IV, Part A, program at <https://www.ed.gov/grants-and-programs/formula-grants/school-improvement/student-support-and-academic-enrichment-program#Legislation,-Regulations-and-Guidance>.

U.S. Department of Education and U.S. Department of Health and Human Services, Non-Regulatory Guidance: Ensuring Educational Stability and Success for Students in Foster Care, 2024. This document is available at

<https://www.ed.gov/teaching-and-administration/supporting-students/special-populations/students-foster-care/legislation-guidance>.

***Q31. How can an LEA ensure that Title IV, Part A, program funds are utilized to improve academic outcomes for students in foster care?**

*A31. LEAs have substantial flexibility in how they utilize Title IV, Part A, program funds. In applying for a Title IV, Part A, subgrant, an applicant LEA (or a consortium of applicant LEAs) must consult with various stakeholders to assess the needs of its students, develop priorities for its proposed Title IV, Part A, program, and coordinate its Title IV, Part A, program with other services provided in the community. (ESEA section 4106(c)(2)). Further, LEAs that receive Title IV, Part A, program allocations of at least \$30,000 must conduct periodic comprehensive needs assessments to reassess students' needs and reprioritize its Title IV, Part A, program. (ESEA section 4106(d)).

LEAs are encouraged to involve stakeholders with experience or expertise in the foster care system in the Title IV, Part A, program's required stakeholder engagement and comprehensive needs assessment activities. By doing so, LEAs can ensure that the unique needs of students in foster care are considered in the development of an LEA's Title IV, Part A, program. To this end, participants in an LEA's stakeholder engagement and comprehensive needs assessment activities for the Title IV, Part A, program may include:

- Students in foster care;
- Foster care caregivers;
- School social workers;
- Child welfare case managers;
 - The LEA's foster care liaison; and
- Community-based organizations serving students and families involved in the child welfare system.

Additional information about the Title IV, Part A, program's requirements related to stakeholder engagement and comprehensive needs assessments is available at <https://www.ed.gov/grants-and-programs/formula-grants/school-improvement/student-support-and-academic-enrichment-program#Legislation,-Regulations-and-Guidance>.

U.S. Department of Education and U.S. Department of Health and Human Services, Non-Regulatory Guidance: Ensuring Educational Stability and Success for Students in Foster Care, 2024. This document is available at <https://www.ed.gov/media/document/non-regulatory-guidance-ensuring-educational-stability-and-success-students-foster-care-november-15-2024>.

***Q32. We have a variety of districts that support private vendor contracts for dog therapy services. This question is whether a school district can purchase and train a therapy dog with Title IV, Part A funds. This is a large, urban district, so they can document significant cost savings by purchasing and training their own dog. The district has a clear plan for how the dog would be handled and scheduled, and ongoing care would be provided through local funds. I still have a variety of questions, such as: How would a live animal be "inventoried"; what happens to the animal when it can no longer serve in its designated role; and can a dog be reassigned to another program should funding go away? Are there other areas of concern in this situation?**

*A32. Use of Title IV-A funds for a therapy dog may be an allowable use of funds, subject to the general considerations related to Title IV-A allowability. The answers to the other questions depend on whether it is classified as equipment or supplies, which is based on cost. "Equipment" means tangible personal property having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds

the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$10,000. [2 CFR 200.313] “Supplies” means all tangible personal property other than that described in 2 CFR 200.313. A “therapy dog” is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$10,000, regardless of the length of its useful life. (2 CFR 200.314).

Information regarding the title, use, management, and disposition of equipment can be found in the Uniform Guidance at 2 CFR 200.313. The requirements regarding supplies are outlined in 2 CFR 200.314.

Per the Uniform Guidance at 2 CFR 200.313 and 200.314, title to equipment and supplies vests in the non-Federal entity (e.g., the LEA) upon acquisition. If the residual inventory value upon completion of the project is \$10,000 or less, then there is no longer a Federal interest in the supplies or equipment and no Federal requirements regarding disposition. Please review the appropriate section, 2 CFR 200.313 for equipment and 2 CFR 200.314 for supplies, for the applicable requirements if the value at the time of disposition is greater than \$10,000. **[However, if the school system’s threshold is lower, the more restrictive level would apply -TEA, 2025].**

In addition to the Uniform Guidance, the LEA should examine the requirement outlined in EDGAR section 76.682, which requires proper care and humane treatment of an animal in accordance with the Animal Welfare Act of 1970. – ED, OESE, 4/2024 and 2025.

Professional Development and Travel

Q1. Does the ESEA statute define professional development?

A1. Yes, the ESEA section 8101(42) statute defines “professional development.” Section 8101(42) generally applies to ESEA programs that authorize the use of funds specifically for “professional development” activities.

Title IV, Part A, authorizes the use of funds for well-rounded education, safe and healthy students, and the effective use of technology. In each of these three content areas, the statute provides examples of how funds may be used, some of which include specific reference to “professional development” activities. For instance, ESEA section 4108(5)(A)(ii) indicates that funds may be used for “professional development and training for school and specialized instructional support personnel and interested community members in prevention, education, early identification, intervention mentoring, recovery support services and, where appropriate, rehabilitation referral, as related to drug and violence prevention.” This kind of specific reference to “professional development” means that any activities carried out under this authority must be consistent with the definition of “professional development” in ESEA section 8101(42), including that the activities are “sustained (not stand-alone, 1-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused.”

However, Title IV, Part A, is a program that supports a broad range of other activities, not only those specifically identified in the statute. Therefore, Title IV, Part A, funds could be used to carry out other kinds of training activities that meet the program’s statutory requirements and that are not statutorily identified as “professional development.” Such activities would not need to meet the definition of “professional development” in ESEA section 8101(42), although the Department would certainly encourage the use of the definition as a guide to developing meaningful training.

For activities that are carried out under statutory “professional development” authorities, these activities can be offered in a variety of formats, such as in-person or virtually in either a synchronous or asynchronous format, as long as they otherwise meet the requirements of ESEA section 8101(42). – USDE, 4/2022

Q2. May school system staff use Title IV, Part A, funds to attend out-of-state training?

A2. Federal grant funds may not be used for out-of-state training when the same type and quality of training is available in the state. - [TEA Budgeting Costs Guidance Handbook](#), Other Operating Costs (6400) section.

Q3. May Title IV, Part A, funds pay college tuition or reimburse teachers to become fully certified in an area of need or to attend graduate school?

A3. In general, the use of Title IV, Part A, funds for teacher certification in core subjects would raise a presumption of supplanting. U.S. Department of Education (4/2023)

Q4. Is there a website or resource to review state requirements regarding travel and its reimbursement costs?

A4. Yes. The [federal per-diem rate map](#), published by the U.S. General Services Administration, is used for reimbursement of in-state and out-of-state meal and lodging expenditures. Because the reimbursement rates can change, it is recommended that travelers print the page at the time reservations are made and submit the printout with the travel reimbursement voucher as a supporting document.

For more detailed information regarding allowable travel expenses, consult the [Texas State Comptroller's Textravel](#) webpage and the [TEA Budgeting Costs Guidance Handbook](#).

***Q5. Can Title IV, Part A, funds be used to pay for professional development activities for technology teachers?**

*A5. The use of Title IV, Part A, funds to pay for the costs of this professional development *may* be allowable under Section 4109 if (1) it is reasonable and necessary for the performance of the grant; (2) allowable to the grant; (3) supplements, and does not supplant, other State or local funds that would otherwise be used to pay for the position; and (4) is not one of the prohibited activities in ESEA Section 4001(b) or Section 8526. – ED, November 2023

***Q6. A school system is considering budgeting the amount of Title IV, Part A, funds for out-of-state travel. How does the school system determine if the amount is reasonable and necessary?**

*A6. As per the [2025-2026 ESSA Consolidated Federal Grant Application - Program Guidelines](#), out-of-state travel costs are allowable Title IV, Part A, expenditures; however, they should be minimal, reasonable and necessary to meet the intent and purpose of the Title IV, Part A, program, which is to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps. Grantees must retain documentation that participation in a conference is necessary. Travel costs are allowable if the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee’s regular business operations and written travel policy. The school system should retain travel documentation locally as noted in the [Budgeting Costs Guidance Handbook](#), so that such documentation may be provided to the school system’s independent auditor or to TEA monitors if the school system is selected for a review.

The school system should consider the following when deciding to use Title IV, Part A, funds for out-of-state travel:

- As with any use of Title IV, Part A, funds, the school system would need to follow the steps and requirements noted in the [Title I, Part A Use of Funds document](#).
- As per the [Budgeting Costs Guidance Handbook](#), grant funds may not be used for out-of-state training when the same type and quality of training is available in state.
- The school system is aware that “minimal” is subject to interpretation by the school system’s independent auditor or TEA monitor, and it should be prepared to justify that the expenditure is “minimal” as per its local policies and procedures.
- As per the [2025-2026 ESSA Consolidated Federal Grant Application - Program Guidelines](#), travel costs for officials, such as the executive director, superintendent, or board members, may not be funded under Title IV, Part A, until further guidance is available from the USDE.

If the school system plans on using grant funds for out-of-state travel, it is required to complete the appropriate [TEA justification form\(s\)](#) and retain the documentation at the local level. The school system must keep and maintain the form(s) so that they may be provided to the independent auditor or to TEA monitors if it is selected for a review.

- *Q7. Is it an allowable use of Title IV, Part A, funds to pay for costs associated with a Title IV, Part A, field trip that was canceled?**
- *A7. It would be unallowable to use Title IV, Part A, funds to pay for costs associated with a Title IV, Part A, field trip that was canceled because such use does not provide a benefit to the program. In addition, it does not meet the intent and purpose of the Title IV, Part A, program, which provides well-rounded education opportunities, safe and healthy students, and the effective use of technology.
- *Q8. Is it mandated that an LEA must use at least 85 percent of funds allocated to the technology section on technology PD?**
- *A8. No. The use of the term “must” in the response to Question 4 on Page 37 in [ED] Non-Regulatory Guidance: Student Support and Academic Enrichment Grants is incorrect and should be replaced with “may.” The correct response is: In addition to purchases for technology infrastructure, at least 85 percent of funds used under Section 4109 may be used to support a variety of professional development, defined in 8101(42) as activities that are an integral part of school and local educational agency strategies, activities and for capacity building and other activities directly related to improving the use of educational technology. As you are aware, LEAs or consortia of LEAs may not spend more than 15 percent of the funding reserved in the effective use of technology content area on devices, equipment, software applications, platforms, digital instructional resources, and/or other one-time IT purchases. -ED Office of Elementary and Secondary Education (OESE), November 2023.

Well-Rounded Education Opportunities

- Q1. Does the ESSA statute define well-rounded education?**
- A1. Yes, ESEA section 8101(52) defines well-rounded education. The term “well-rounded education” means courses, activities, and programming in subjects such as:

English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, physical education, and any other subject, as determined by the State or local educational agency, to provide all students access to an enriched curriculum and educational experience.

Q2. How may a school system use Title IV, Part A, to support activities in the well-rounded content area?

A2. A school system may use Title IV, Part A, funds to support well-rounded activities, such as:

- Science, technology, engineering, and mathematics (STEM)
- Music and arts (i.e., dance, theater, media/visual arts, etc..)
- Foreign language instruction
- Accelerated learning programs
 - Dual or concurrent enrollment programs
 - Early college high school programs
- Civics instruction
- College and career counseling (programs and services)
- Social emotional learning (SEL)
- Environmental education

Q3. What are examples of science, technology, engineering, and mathematics (STEM) activities?

A3. A few examples of Title IV, Part A, STEM activities are:

- Increasing access for groups of underrepresented students to high-quality courses
- Supporting participation in nonprofit competitions (i.e., robotics, computer programming, etc..)
- Providing hands-on learning
- Integrating other academic subjects into STEM curricula
- Integration and learning through exploration, problem solving, and other real-world contexts

Q4. Can Title IV, Part A, funds be used to purchase drones? The drones would be part of the LEA's STEM program and activities for students.

A4. In general, the purchase of drones would need to support at least 1 of the 3 purposes of the Title IV, Part A, program statute: well-rounded education, safe and healthy students, and effective use of technology. To be funded, the purchase of equipment should have been informed by the school district's needs assessment, stakeholder engagement process, and prioritization of schools. As with any cost charged to a grant, grantees are responsible for ensuring that only costs that are reasonable, necessary, and allocable to the grant are charged to the grant. If the program has a supplanting prohibition, which the Title IV, Part A, program does, the LEA must ensure that the use of Title IV, Part A, funds supplements and does not supplant other state or local funds that would otherwise be used to pay for the allowable activity.
– USDE Response, 9/2021.

Q5. May a school system purchase an online reading program focusing on foundation reading skills and designed to accelerate literacy be an allowable expenditure under Title IV, Part A?

A5. Yes. The Title IV, Part A, Guidance states, "a well-rounded education promotes a diverse set of learning experiences that engages students across a variety of courses, activities, and programs in subjects such as

English, reading/language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, and physical education.”

Q6. May Title IV, Part A, funds pay for SAT and ACT exam fees?

A6. Yes, SAT and ACT exam fees are allowable under the well-rounded education content area.

An LEA may use funds for college and career counseling programs and services. These programs and services are generally designed to help students make informed and better education and career choices as they develop personal, social, educational, and career skills. Programs often offer students information starting in middle school about how to prepare for college, including the importance of choosing rigorous high school course offerings, how to choose from among career options, how to enroll in and receive federal financial aid through the FAFSA, and how to pursue academic and occupational training needed to succeed in the workplace. To help prepare students to transition to college, assistance is provided on identifying postsecondary opportunities associated with students’ interests, applying for college admissions and obtaining financial aid, and preparing for college aptitude tests (*e.g.*, SAT and ACT). - *College and career counseling (ESEA section 4107(a)(3)(A))*. - [USDE Non-Regulatory Guidance Student Support and Academic Achievement](#) (October 2016)

***Q7. May Title IV, Part A, funds be used to purchase cardiopulmonary resuscitation (CPR) mannequins for student training purposes? (revised TEA response, May 2023)**

*A7. No. This activity would not be considered supplemental as is required in state law. Using Title IV, Part A, funds for this activity would be considered supplanting Title IV, Part A, funds to meet a state requirement. Student training is required in [TEC §28.0023](#) and [19 TAC 74.38](#). Staff training is required in [TEC §22.902](#). [TEC §28.0023](#) and [19 TAC 74.38](#) require districts to provide CPR training for students.

Q8. Does the ESEA statute define ‘dual or concurrent enrollment’?

A8. Yes, the ESEA statute 4101(15) defines ‘dual or concurrent enrollment’ programs. The term ‘dual or concurrent enrollment program’ means a program offered by a partnership between at least one institution of higher education and at least one local educational agency through which a secondary school student who has not graduated from high school with a regular high school diploma can enroll in one or more postsecondary courses and earn postsecondary credit that—

1. is transferable to the institutions of higher education in the partnership; and
2. applies toward completion of a degree or recognized educational credential as described in the Higher Education Act of 1965.

Q9. Our school system is exploring the use of animal-based interventions for counselors to teach social-emotional learning skills to students. Would it be an allowable activity under Title IV, Part A, to pay for a district employee’s dog to be trained as a therapy/comfort dog?

A9. No. Training an employee’s dog does not meet the intent and purposes of the Title IV, Part A, program.

Q11. Can Title IV, Part A, funds be used to support students in critical subjects who may have dyslexia? Most of the examples in ESEA Title IV, Part A, appear to support students in ‘enriching’ subjects.

A11. ESEA section 4101(b)(3) provides that state-level funds may be used to support LEAs in offering well-rounded educational experiences to all students, including special populations such as female students,

minority students, and children with disabilities, “...who are often underrepresented in critical and enriching subjects...” However, there is no requirement that these funds only be used in critical and enriching subjects, and thus no need to make this determination here.

As with any cost charged to a grant, grantees are responsible for ensuring that only costs that are reasonable, necessary, and allocable to the grant are in fact charged to the grant. If the program has a supplanting prohibition, which the Title IV, Part A, program does, the grantee must ensure that the use of Title IV-A funds supplements and does not supplant other state or local funds that would otherwise be used to pay for the allowable activity. -U.S. Department of Education (3/2023)

Q12. May an LEA use Title IV, Part A, to pay for school activity fees under the well-rounded education content area?

A12. Payment of fees for activities, including school day and after-school activities, may be allowable under Title IV, Part A. The LEA must determine if the fees support at least one of the three purposes of the Title IV, Part A, program: well-rounded education, supporting safe and healthy students, and effective use of technology.

In addition, the LEA will need to ensure that the use of funds to pay student activity fees was informed by the school district’s needs assessment, stakeholder engagement process, and prioritization of schools. As always, uses of funds must be reasonable and necessary and may not supplant other state and local funds that would be used to support the activity. For example, it may be necessary to provide dues assistance for students from low-income families, thus making the cost allowable, but perhaps not to students whose families may be able to cover the cost of participation.

-U.S. Department of Education (3/2022)

Q13. Can schools use Title IV, Part A, funds to pay for nursing or ensuring services as long as they are part of the district’s comprehensive approach to meeting the needs of the whole child?

A13. Use of Title IV, Part A, funds to support a school nurse may be allowable if the nurse is not providing medical services. The LEA will need to determine if the costs are 1) reasonable and necessary for the performance of the grant; 3) allocable to the grant; 4) supplements and does not supplant other State or local funds that would otherwise be used to pay for the position; and not one of the prohibited activities in ESEA section 4001(b) or section 8526).

Medical services are listed as a prohibited use of funds in ESEA section 4001(b). To determine allowability, including whether the cost is reasonable, necessary, and allocable, the LEA would need to consider 1) whether the program activities that the employee is responsible for overseeing are Title IV, Part A, activities and 2) whether the employee is administering Title IV, Part A, in part or in whole (and if in part, then only part of the salary might be chargeable to Title IV, Part A).

In addition, to overcome the presumption of supplanting, the LEA would have to show that it would not otherwise be able to fund the salaries of the position, but for the availability of Title IVA funds. The LEA would need to provide clear documentation that no state or local funds are available to cover the nurses’ salaries, and the lack of appropriations is not because federal funds might be available to cover the positions. -U.S. Department of Education (4/23)

***Q14. May a school system use Title IV, Part A, funds to support music and art programs?**

- *A14. Yes, if the program is supplemental, Title IV, Part A, funds may be used for art and music programs to provide a well-rounded education. ESEA Section 4107(a)(3)(B) establishes as allowable Title IV, Part A, programs and activities that "use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution." ESEA Section 4107(a)(3)(I) also lists as an allowable activity "programs and activities that support educational programs that integrate multiple disciplines, such as programs that combine arts and mathematics."

ED non-regulatory guidance states these activities may include dance, media, theater, and visual arts, as referenced in the *Non-Regulatory Guidance: Student Support and Academic Enrichment Grants*.

- *Q15. May Title IV, Part A, funds be used to support Social Emotional Learning (SEL) and the training/meeting space for professional development?**

- *A15. Yes. Title IV, Part A, funds may be used if they meet all [Title IV, Part A, Use of Funds Criteria](#) and the [TEA Budgeting Costs Guidance Handbook](#) requirements under section 'Hosting Meetings or Conferences' and other applicable areas of the handbook.

Safe and Healthy Students

- *Q1. What are some examples of allowable activities in the safe and healthy students content area? (revised, 2/2024)**

- *A1. A few examples of student physical and mental health activities that are allowable under the safe and healthy student content area (*ESSA, section 4108*) are:

- Drug and violence prevention;
- School-based health and mental health services;
- Healthy, active lifestyle, and nutritional education;
- Physical activities;
- Trauma-informed classroom management;
- Chronic disease management;
- Mentoring and school counseling; and
- Schoolwide positive behavioral interventions and support (PBIS).

Federal funds must be spent on programs, activities, services, and support that are reasonable and necessary and based on local needs assessment. Funds must supplement the State statute by adding additional programs, activities, services, support, and training to any requirements by the state.

- *Q2. May a school system use Title IV, Part A, funds to pay for *Crisis Prevention Intervention (CPI)* curriculum materials? CPI is a nonviolent crisis intervention training designed to teach staff best practices for de-escalating students in crisis, managing difficult situations, and disruptive student behaviors. (revised, July 2023)**

- *A2. No, unless the school system can provide contemporaneous documentation that shows they are going above and beyond the State requirement. Texas Administrative Code [19 TAC 89.1053](#), section (d)(1) states that a core team of personnel on each campus *must* be trained and *must* include a campus administrator or designee and anyone in general or special education likely to use restraint.

Q3. May Title IV, Part A, funds be used for district staff firearms and ammunition as part of a school safety program?

A3. No. Title IV, Part A, funds may not pay for costs, direct or indirect, related to firearms and ammunition. - *USDE Response*

***Q4. May Title IV, Part A, funds be used to support active shooter drills? (revised)**

*A4. No. Title IV, Part A, funds may not support virtual, practice, or active shooter drills.

TEC 37.0812(a) requires that a school district peace officer or school resource officer shall complete an active shooter response training program approved by the Texas Commission on Law Enforcement at least once in each four-year period. These state requirements create a Title IV, Part A, supplanting issue with this activity.

***Q5. May Title IV, Part A, funds be used for the services of a school resource officer? (revised)**

*A5. No. As of September 1, 2023, state law (TEC 37.0814) mandates that each LEA must have at least one armed security officer at every campus during regular school hours. Because this is a state requirement, LEAs cannot use Title IV, Part A, funds to support a school resource officer (SRO), as doing so would constitute supplanting.

***Q6. How does ESEA Section 8526 impact the funding of school resource officers and/or Alert, Lockdown, Inform, Counter, Evacuate (ALICE) active shooter training? (revised)**

*A6. Title IV, Part A, funds cannot be used to procure (i.e., buy) weapons, as defined in the [Bipartisan Safer Communities Act](#), for School Resource Officers (SROs) or to train SROs on how to use these weapons. If the ALICE training includes a component on the use of weapons, then Title IV, Part A, funds cannot be used to pay for this portion of the training. The cost for attending the training will need to be prorated, and the percentage of time that the training focuses on weapons paid from state or local funds. -U.S. Department of Education (4/2023)

TEC 37.0812(a) requires that school district peace officers or school resource officers shall complete an active shooter response training program approved by the Texas Commission on Law Enforcement at least once in each four years. This state requirement creates a Title IV, Part A, supplanting issue with this activity.

Q7. May Title IV, Part A, funds support LEAs' physical education equipment?

A7. Physical education equipment is allowable under the safe and healthy student content area. To be funded, the purchase of equipment should have been informed by the school district's needs assessment, stakeholder engagement process, and prioritization of schools. As with any cost charged to a grant, grantees are responsible for ensuring that only reasonable, necessary, and allocable costs are charged to the grant.

If the program has a supplanting prohibition, which the Title IV, Part A, program does, the grantee must ensure that the use of Title IV, Part A, funds supplements and does not supplant other state or local funds that would otherwise be used to pay for the allowable activity. -USDE Response, 9/2021.

Q8. Is the purchase of protective gear, such as coveralls and helmets for a welding program, an allowable expenditure under Title IV, Part A?

- A8.** In general, all Title IV, Part A, activities must support at least 1 of the 3 purposes of the Title IV, Part A, program statute: well-rounded education, safe and healthy students, and effective use of technology. To be funded, all purchases should be aligned with the school district’s needs assessment, stakeholder engagement process, and prioritization of schools.

However, some classroom welding protective gear is state-required, and therefore it would be supplanting to purchase with Title IV, Part A, funds. The [Texas Education Code 38.005](#), requires teachers and students to wear industrial-quality eye-protective devices as determined by the school district policy. The Texas Administrative Codes, [25 TAC 295.141](#) and [25 TAC 295.142](#), list situations where eye and face protection are recommended or required.

As with any cost charged to a grant, LEAs are responsible for ensuring only costs that are reasonable, necessary, and allocable to Title IV, Part A, are charged to the grant. In addition, the LEA must ensure that supporting documentation meets all requirements listed in the [Title IV, Part A, Use of Funds](#) resource. If all Title IV, Part A, program requirements have been met and documentation supports it, welding protective gear could be an allowable expense under Title IV, Part A.

- *Q9.** [May LEA Title IV, Part A, funds be used to purchase metal detectors for campuses under the *Safe and Healthy Students* content area? \(revised response\)](#)

- *A9.** Metal detectors could be an allowable purchase with Title IV, Part A, funds if all requirements are met. [It would be important for the school system to ensure it did not use state safety allotment funds or state safety grant funds in the previous or current year for this item, as it would create a supplanting issue with Title IV, Part A, funds.](#)

TEA recommends school system review the Texas Governor’s [School and Firearm Safety Action Plan](#) (May 2018), [Texas Association of School Boards: Metal Detectors in Schools FAQ](#) documents (2019), and the [Title IV, Part A Use of Funds](#) criteria. In addition, there are additional questions a school system should consider when reviewing Title IV, Part A, data, stakeholder feedback, and student/staff needs to determine if funding should be used for district metal detectors:

1. Will an armed law enforcement officer, school resource officer, or other staff member be present in case a weapon or anything else illegal is found to handle the situation or make arrests?
2. Will staff be adequately trained to use handheld scanners to detect prohibited objects, including weapons, on students, staff, parents, and other visitors?
3. What will be the protocol after the school day starts and visitors (i.e., parents, special guests, etc.) enter the building?
4. What will the protocol be for after-school events?
5. Which entry points will have metal detectors?
6. If metal detectors are determined to be an adequate activity for Title IV, Part A funds supported by the results of a comprehensive needs assessment (if applicable), consultation meetings with stakeholders, and review of other federal requirements, the protocols and trainings for metal detector use must be outlined in the school and/or district’s safety plan.
7. How will the LEA evaluate the metal detectors for program effectiveness?

If the program has a supplanting prohibition, which the Title IV, Part A, program does, the grantee must ensure that the use of Title IV, Part A, funds supplements and does not supplant other state or local funds that would otherwise be used to pay for the allowable activity. If the LEA has met the [Title IV, Part A Use of Funds](#) requirements and supporting documentation is readily available for TEA and/or auditors, metal detectors may be an allowable expense with Title IV, Part A, funds.

Q10. May Title IV, Part A, funds be used to purchase students' clear backpacks for safety?

A10. It would be difficult to justify that the use of Title IV, Part A, funds would be reasonable and necessary to purchase students' clear backpacks or book bags to increase student safety. Additionally, it would be difficult to evaluate the program's effectiveness on student backpacks. However, if the school system decides that it can document such justification and evaluate the use of funds for program effectiveness, it would be up to the school system to provide such documentation to an auditor and/or TEA program staff in the event of an audit. TEA or audit staff would make the final determination concerning whether the documentation is sufficient to demonstrate compliance with the Title IV, Part A, use of funds statutory requirements. Based on the guidance provided above TEA would not recommend that Title IV, Part A, funds be used for the purpose requested. However, the decision to use funds in this manner is a school system decision.

Q11. May Title IV, Part A, funds be used to provide weapons and/or weapons training?

A11. The Office of Safe and Supportive Schools at the United States Department of Education shared information regarding the [Bipartisan Safer Communities Act](#), signed into law by President Biden on June 25, 2022.

Section 13401 of the Act amends Section 8526 of the Elementary and Secondary Education Act of 1965 (ESEA) to add a prohibition that no funds under the ESEA may be used for the provision to any person of a dangerous weapon, as defined in section 930(g)(2) of title 18, United States Code, or training in the use of a dangerous weapon. A dangerous weapon is defined in section 930(g)(2) as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocketknife with a blade of less than 2 1/2 inches in length.

Please note, the prohibition went into effect immediately on June 25, 2022, and applies to all ESEA funds, existing and future awards under all ESEA programs, including Title IV, Part A. – USDE Response 8/9/2022.

Q12. May Title IV, Part A, funds be used to purchase an automated external defibrillator (AED) storage cabinet to keep general first aid and supplies for life-threatening emergencies readily accessible?

A12. Yes. As with any cost charged to a grant, grantees are responsible for ensuring that only costs that are reasonable, necessary, and allocable are charged to the grant. If the program has a supplanting prohibition, which the Title IV, Part A, program does, the grantee must ensure that the use of Title IV, Part A, funds supplements and does not supplant other state or local funds that would otherwise be used to pay for the allowable activity.

***Q13. May Title IV, Part A, funds be used by an LEA to provide health and safety monitoring technology for school athletic programs?**

***A13.** It depends. The use of Title IV, Part A, funds for the costs associated with health and safety monitoring technology for school athletic programs *may* be allowable *if* it is not locally or state required. To be funded, the procurement of such services should have been informed by the school district's needs assessment, stakeholder engagement process, and prioritization of schools. The LEA must determine if the activity (1) is consistent with one of the three content areas; (2) is reasonable and necessary for the performance of the grant; (3) is allocable to the grant; (4) supplements, and does not supplant, other state or local funds that would otherwise be used to pay for the allowable activity; and (5) is not one of the prohibited activities in ESEA Section 4001(b) or Section 8526. (*ED response, November 2023*)

***Q14. May Title IV, Part A, funds be allowed for a school system to purchase body cameras for school district police officers?**

*A14. It depends.

- The school system must ensure it does not use any State safety grants (safety allotment, safety standard formula grant, safe grant cycle 1 or 2, etc.) or any local funds for the need in the prior or current year.
- The school system needs to ensure that no law, policy, or regulation requires the School Resource Officer (SRO), Police Department, or law enforcement to have body cameras.
- The district needs to ensure it meets all requirements on the [Title IV, Part A Use of Funds Criteria](#).

***Q15. May an LEA use Title IV, Part A, funds to pay for ‘emergency medication storage’ to facilitate a swift and efficient response in urgent medical situations? The emergency medication storage aligns with our commitment to maintain a secure environment and promptly address health-related emergencies.**

*A15. Use of Title IV, Part A, funds to purchase “emergency medication storage” may be an allowable use of funds, subject to the general considerations related to Title IV, Part A, allowability, since it appears this use of funds could be allowable under the supporting safe and healthy students content area. The LEA needs to ensure that the activity is informed by the school district’s needs assessment, stakeholder engagement process, and prioritization of schools. As with any cost charged to a grant, grantees are responsible for ensuring costs are reasonable, necessary, and allocable and are charged to the grant. In addition, Title IV, Part A, also has a supplanting prohibition, so the grantee must ensure that Title IV, Part A, funds supplement and do not supplant other state or local funds that would otherwise be used to pay for the allowable activity. If, for example, state law or regulation required “emergency medication storage” to be placed in elementary and secondary schools, then use of Title IV, Part A, funds would raise a presumption of supplanting. – U.S. Department of Education, May 2024.

Effective Use of Technology

Q1. In terms of what technology is limited by the 15% cap, the USDE has not defined what it means to address “readiness shortfalls of technological capacity and infrastructure” as described in ESEA Section 4109(a)(2)(B) (the 15 percent cap).

A1. All *technology* purchases are subject to the same general cost allowability analysis as stated below:

“The LEA’s determination of allowability of Title IV, Part A, Subpart 1 funds will depend on several factors, starting with whether all statutory requirements are met. Generally, in reviewing an LEA’s application, LEA should first consider whether a proposed activity is consistent with the purposes of at least one of the three content areas in the Title IV, Part A program (well-rounded education in Section 4107, safe and healthy students in Section 4108, or the effective use of technology in Section 4109). Assuming that the activity is consistent with the purposes of one of the three content areas, as applicable, LEA must make further determinations as to the allowability of costs in accordance with the cost principles in the [Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards \(Uniform Guidance\) at 2 CFR Part 200, Subpart E](#).

Specifically, the cost of an activity is allowable under the Title IV, Part A, program if it is reasonable and necessary for performance of the grant (i.e., it is of a type generally recognized as ordinary and necessary for operation of the grant) and allocable to the grant (i.e., it is chargeable to the grant award in proportion

to the benefits received by the grant award as a result of the cost). Also, because section 4110 of the ESEA prohibits supplanting, the proposed use of funds for the activity must supplement, and not supplant, other State or local funds that would otherwise be used to pay for the allowable activity.

***Q2. What is the scope and applicability of the Special Rule in ESEA, section 4109(b)? (revised response)**

- *A2. School systems or consortia of school systems may not spend more than 15 percent of funding in this section on devices, equipment, software applications, platforms, digital instructional resources, and/or other one-time IT purchases. At least 85 percent of the educational technology funds ~~must~~ **MAY** be used to support professional learning to enable the effective use of educational technology.

Specifically, the statute states that school systems may not use more than 15 percent for purchasing technology infrastructure as described in ESEA section 4109 (a)(2)(B) which states: "purchasing devices, equipment, and software applications to address readiness shortfalls" and in ESEA section 4109 (a)(4)(A) which states: "blended learning technology software and platforms, the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases." (*ED revision, 11/2023*)

***Q3. An LEA is considering using Title IV, Part A, funds to purchase a 3D printer under the Well-Rounded Education (WRE) content area for summer camp. After the camp, the printer will be utilized during the regular school year for STEM and other educational programs. Should expenses be classified under WRE or the Effective Use of Technology (EUT) content area, which has the 15% spending cap?**

- *A3. A 3D printer could qualify as an allowable expenditure under Title IV, Part A, funds. It can be purchased as equipment to support activities outlined in section 4107 (Well-Rounded Education), section 4108 (Safe and Healthy Students), or section 4109 (Effective Use of Technology). The LEA can allocate the purchase under any of these three content areas—Well-Rounded Education, Safe and Healthy Students, or Effective Use of Technology—based on its specific needs and funding priorities.

As a reminder, the EUT content area has a 15% cap on technology infrastructure. – *ED, Office of Elementary and Secondary Education, 4/9/2025. [ED response summarized by TEA].*

Q3. After determining that all Title IV, Part A, requirements have been met as per the [Title IV, Part A, Use of Funds Criteria](#) guidance, may a school system pay for an annual subscription or program-related software license at the beginning of the year?

- A3. Possibly. If the subscription contains items that are not all available at the beginning of the service, such as completing one level of the software before the next level is available, then you may pay for the service that has been invoiced and received during that period. In this example, you could not pay the entire year of the subscription at the beginning of the grant year because the school system has not received the full benefit (full access).

*Title IV, Part A, LEA Special Data Collection (SDC) for Public Reporting

***Q1. Is there a TEA webpage that provides information on the Title IV, Part A, LEA special data collection for public reporting and its requirements?**

*A1. Yes. School systems may find information and requirements on TEA's [Title IV, Part A](#) webpage.

***Q2. Are instructions or other resources available to assist school systems in submitting data available?**

*A2. Yes. School systems should refer to the latest version of the *ESSA Title IV, Part A LEA Special Data Collection for Public Reporting Handbook* and resources. Then, follow TEA's Smartsheet WorkApp submission guidelines for federal compliance. These resources may be found on TEA's [Title IV, Part A](#) webpage.

***Q3. Are there any statewide training sessions on the LEA Special Data Collection for Public Reporting requirements and submission details?**

*A3. Yes. All training slides and voiced-over presentations are on the [Federal Program Compliance Statewide Federal Program Compliance Resources](#)

***Q4. Is there an online training video on how to access the FPC division's WorkApp general system?**

*A4. Yes. An on-demand training video on navigating through the Smartsheet WorkApp system has been developed and published online. The training video will provide an overview of how to navigate through the *Federal Program Compliance Division Smartsheet WorkApp* to review, save, submit, or view data available for school systems and Education Service Centers (ESCs). The features available to end users accessing the WorkApp are highlighted, and information is shared related to how to request assistance and/or report an issue with the data.

The training video may be accessed on TEA's YouTube channel at:

<https://www.youtube.com/watch?v=go3EvF8B2Ok>. (December 2024)

***Q5. Is there an EDGAR WorkApp instructional video to assist districts with gaining access? Also, how may additional school system staff be granted access to the Smartsheet WorkApp for Title IV, Part A, data submission?**

*A5. School system staff submitting the information need access to the *Department of Grant Compliance and Administration WorkApp System*. Currently, the superintendent, chief financial officer, and federal program director listed in AskTED have been given access to the system. To add or change the individuals with access to the system, **someone with existing access** must request access for the new individual via the Help Form in the EDGAR Smartsheet WorkApp. The additional staff to be added to the system must agree to certain security requirements.

The following video outlines the process for an individual with existing access to request access for a new individual: <https://youtu.be/0dp00LrkF4>. Each school system is only guaranteed a certain number of access accounts currently.

***Q6. If a school system redirects 100% of its Title IV, Part A, funds through the Rural Education Achievement Program (REAP) and/or the Funding Transferability option, is it required to complete the WorkApp and submit data for public reporting?**

*A6. Yes. Per federal guidance, TEA must collect data on all school systems receiving a Title IV, Part A, subgrant.

A school system that redirects 100% of its Title IV, Part A, funding via Funding Transferability and/or the Rural Education Achievement Program (REAP) will certify that it redirected 100% of Title IV, Part A, funds to implement other programs and will not be required to provide additional data. School systems may find information in the latest version of the *ESSA Title IV, Part A LEA Special Data Collection for Public Reporting Handbook* on the TEA Title IV, Part A, webpage.

***Q7. How does the school system submit data to TEA for public reporting?**

*A7. The school system must submit data through the [Smartsheet WorkApp](#) for the Federal Program Compliance division.

***Q8. Are there any TEA announcements regarding Title IV, Part A, LEA Special Data Collection, and any submission requirements?**

*A8. Yes. TEA posted a *To The Administrator Addressed (TAA) Correspondence* on February 2, 2023. The [TAA Title IV, Part A Special Data Collection: Program Objectives and Measurable Outcomes](#) is on TEA's TAA webpage.

***Q9. Does ED's Title IV, Part A, statute define 'evaluate' when referring to LEA's progress toward meeting the program objectives and measurable outcomes?**

*A9. No. The term 'evaluate' is not defined in the federal statute. Therefore, ED uses a commonly accepted definition, a systematic method for collecting, analyzing, and using data to examine the effectiveness of programs that contribute to continuous improvement.

A school system's self-assessment may not necessarily provide data to determine progress towards meeting objectives and outcomes or support a continuous improvement process.

-ED Title IV, Part A, State Coordinators' Annual Conference, March 2023.

However, ESSA Section 4106(e)(1)(E) does mandate that local education agencies (LEAs) "...will periodically evaluate the effectiveness of the activities carried out under this section based on such objectives and outcomes."

Furthermore, the [TEA ESSA Title IV, Part A LEA Special Data Collection for Public Reporting](#) provides guidance on how the LEAs must:

- (1) provide assurance that it will "maintain a description of the program objectives and intended outcomes...and how the LEA will periodically evaluate the effectiveness of the activities..."
- (2) complete the Compliance Report Self-Check to document how the LEA "...periodically evaluated the effectiveness of the programs and/or activities based on the objectives and intended outcomes."

The school system will evaluate the effectiveness of the activities using the following Progress Reporting Options:

- Minimal measurable progress was made (0-25% progress)
- Some measurable progress was made (26-49% progress)
- Substantial progress was made (50-99% progress)
- Outcomes were met (100% progress)

***Q10. Do school systems need to include nonpublic Title IV, Part A, program objectives, intended outcomes, and measures for effectiveness on their applications and discuss them on their Title IV, Part A, evaluations?**

- *A10. The school systems can determine if they wish to establish objectives and outcomes for each activity, for a group of activities, or for the application. We recommend that objectives and outcomes be driven by the identified needs and the plan outlined in the school system’s application. The school system must then periodically evaluate the effectiveness of the activities based on such objectives and outcomes [4106(e)(1)(E)]. While school systems should discuss needs and objectives with the private schools during consultation, this would not necessarily have to be included in their applications or evaluations. - ED, November 2023
- *Q11. **What is the link to access Title IV, Part A, Smartsheet WorkApp?**
- *A11. LEAs may access the Title IV, Part A, Smartsheet WorkApp at:
<https://workapps.smartsheet.com/app/PxWx9X7w72FqXx5cX6QGjG5J2R/mp3Vj7Q2Cxm59>.
- *Q12. **Who do I contact with questions regarding Title IV, Part A, LEA Special Data Collection for Public Reporting?**
- *A12. Questions related to the Title IV, Part A, LEA Special Data Collection may be sent to ESSASupport@tea.texas.gov.

Private Nonprofit (PNP) Equitable Services

- Q1. May private nonprofit schools get a share of carryover funds when public schools do not expend their funds?**
- A1. No. ESEA section 8501(a)(4) requires that expenditures for services to private school children and educators be equal, considering the number and educational needs of the children to be served, to the expenditures for participating public school children.
- Note that private schools do not directly receive equitable services funds. Instead, funds are allocated to the LEA for the provision of equitable services, and the LEA either administers the services or contracts with a third-party provider to administer the services to eligible private school students and teachers. [USDE Office of General Counsel]
- Q2. When should LEAs calculate equitable shares if they plan to transfer Title IV, Part A, funds?**
- A2. Before an LEA may transfer funds from a program subject to equitable services requirements, including Title IV, Part A, Subpart 1, it must engage in timely and meaningful consultation with appropriate private school officials [ESEA section 5103(e)(2)]. For the transferred funds, the LEA must provide private school students and teachers equitable services under the program(s) to which and from which the funds are transferred, based on the total amount of funds available to each program after the transfer. [USDE Office of General Counsel]
- Q3. May an LEA transfer only those funds that are to be used for equitable services to private school students or teachers?**
- A3. No. An LEA may *not* transfer funds to a particular program solely to provide equitable services for private school students or teachers. Rather, an LEA, after consulting with appropriate private school officials, must

provide equitable services to private school students and teachers based on the rules of each program and the total amount of funds available to each program after a transfer. [ESEA Section 5103(e)].

Q4. If a PNP school has Title IV, Part A, equitable services remaining and declines continued participation or closes, what happens with the remaining funds for services?

A4. The remaining Title IV, Part A funds for equitable services are considered additional funds for services in both public and participating PNP schools, in the subsequent year, on an equitable basis.

Q5. If a private school receives Title IV, Part A, funds from an LEA one year and has money left over but either does not want to participate or shuts down, may the remaining funds go back to the public schools in Title I, Part A?

A5. If the LEA provided equitable services for students in the private school in a particular year and there are carryover funds, those funds are considered additional funds for services for both public and private school students in the subsequent year. The funds would be used, along with any other carryover funds, for both public and private school students on an equitable basis. – USDE Response, 12/2020.

Q6. Must PNP schools participate in Title I, Part A, equitable services to receive Title IV, Part A, services?

A6. No. The LEA must have received Title I, Part A, funds to generate Title IV, A funds. -USDE Response, 12/2020.

Q7. Is an evaluation of the Title IV, Part A, program required if private nonprofit (PNP) schools participate in any Title IV, Part A, equitable services?

A7. Yes. The evaluation of services and how the results will be used must be discussed during ongoing consultation meetings per the ESEA, Participation by Private Schools and Teachers, Part F, Subpart 1, Section 8501(c)(1)(D), and ESEA, Title IV, Part A, Section 4106 (e)(1)(E).

Q8. If a school system purchased two Chromebooks with Title IV, Part A, equitable services for a PNP school a few years back, and they no longer work, what is required? Is the school system obligated to replace the devices at the district's cost? If the PNP school has Title IV, Part A, equitable services available for the current year, may they replace Chromebooks with this year's equitable services?

A8. The school system is required to follow instructions on the *Inventory Disposition Request* form located on the [TEA Grants Administration](#) webpage. Disposition approval is required when equipment originally purchased with federal grant funds is no longer needed for the original project, programs currently funded by other USDE grants, or projects previously supported by USDE grants.

If the PNP school would like to use the current year's Title IV, Part A, equitable services to replace the Chromebooks and the request aligns with their needs assessment/data, meets the program purposes, and is approved by the school system, the purchase is allowable.

Q9. Can Title IV, Part A, funds be used to pay for a private nonprofit's (PNP's) advanced placement testing proctor's stipend or salary?

A9. No. Stipends and/or salary for a PNP's testing proctor do not meet any of the three purposes of Title IV, Part A, for students: well-rounded education, safe and healthy students, or the effective use of technology.

Q10. Can Title IV, Part A, funds be used to assist PNP students for dual-credit tuition?

A10. Yes, it must meet requirements listed in ESSA, section 4107(a)(3)(D) and the [Title IV, Part A Use of Funds](#) document. In addition, all Title IV, Part A, funds used for PNP equitable services/materials/purchases must be neutral, secular, and nonideological.

Q11. Can Title IV, Part A, funds be used to pay for PNP student licenses for an online career inventory?

A11. Yes, it must meet requirements listed in ESEA, section 4107(1)(3)(A) and the TEA [Title IV, Part A Use of Funds](#) document. In addition, all Title IV, Part A, funds used for PNP equitable services/materials/purchases must be neutral, secular, and nonideological.

Q12. May a school system use Title IV, Part A funds for a PNP’s student group to attend a *Science, Technology, Engineering, and Mathematics (STEM)* competition?

A12. Yes, it must meet all requirements in the [Title IV, Part A, Use of Funds](#) document.

A school system may use Title IV, Part A, funds for PNP’s programming and activities to improve instruction and student engagement in STEM subjects per ESEA section 4107(a)(3)(C). STEM activities may include increasing access for groups of underrepresented students to high-quality courses and supporting participation in nonprofit competitions (e.g., robotics, science research, intervention, math competitions, and computer programming).

All Title IV, Part A, funds used for PNP equitable services/materials/purchases must be neutral, secular, and nonideological.

Q13. Are educational field trips an allowable activity with Title IV, Part A, funds?

A13. Yes, such an activity is allowable if it meets the following conditions:

- is identified in the Comprehensive Needs Assessment (CNA);
- is included in the Campus Improvement Plan (CIP);
- is allocable, reasonable, and necessary to carry out the intent and purpose of the grant program;
- includes an instructional activity or activities that cannot be conducted through interactive activities in the classroom or on campus;
- will result in a positive impact on student achievement;
- includes instruction that addresses the Texas Essential Knowledge and Skills (TEKS); and
- includes an evaluation of the field trip that measures the impact on student achievement.

If a school system plans on using grant funds for field trips, it will be required to complete the appropriate TEA justification form(s) and retain the documentation at the local level. School systems must keep and maintain this form so that it may be provided to an independent auditor or to TEA monitors if selected for a review. Additional information regarding field trips is listed in the [TEA Budgeting Costs Guidance Handbook](#).

Q14. May a school system use Title IV, Part A, funds for an accelerated learning program for struggling students?

A14. Yes. Efforts to raise student academic achievement through accelerated learning programs are an allowable activity with Title IV, Part A, funds.

Q15. May PNP staff use federal funds to attend out-of-state training?

- A15.** Federal grant funds may not be used for out-of-state training when the same type and quality of training is available in the state. - [TEA Budgeting Costs Guidance Handbook](#), *Other Operating Costs (6400)* section.
- Q17. How is the definition of professional development applied to private nonpublic (PNP) schools?**
- A17. The definition of ‘professional development’ in ESEA section 8101(42) does not change as applied to PNP schools. The response applies to any use of funds for either professional development or training for teachers in PNP schools. – USDE, 4/2022
- *Q18. If a private school moves out of a district after equitable services allocations have been determined, how should those funds be reallocated?**
- *A18. If a private school decides not to participate after allocations have been determined for services, the LEA may then use the funds initially allocated for equitable services as additional funds that would be equitably redistributed for services for both public and participating private school children. – ED, June 2023
- *Q19. If any LEA transfers or REAPs 100% of Title IV, Part A, funds, is it exempt from consultation with private school officials?**
- *A19. No, the LEA is not exempt from consulting with private school officials. If the LEA is considering a transfer, it must engage in timely and meaningful consultation with appropriate private school officials before transferring funds [Section 5103(e)(2)]. – ED, 2021.
- *Q20. May LEAs limit what is offered to private schools, for example, only offer services, no goods, or use a particular vendor list, or ones that are already in the LEA’s financial system?**
- *A20. For all equitable services, what funds that can be used are circumscribed by the allowable uses for funds under the individual program. In general, most equitable services programs under Title VIII, if you establish a blanket rule for excluding certain services/programs before consultation, could preclude meaningful consultation, whereby the LEA and private school officials would discuss how best to meet the needs of eligible private school children and educators. So, the bottom line is that LEAs should avoid establishing a ‘blanket rule.’

The LEA is not required to use a particular vendor, given the procurement issues. An LEA must follow the procurement requirements in the Uniform Guidance, which will preclude using a particular vendor. So that applies generally.

In carrying out its responsibility to provide equitable services to eligible private school children and educators, an LEA can establish policies for reasons of effectiveness, quality, cost, or other relevant factors or favor certain kinds of services and programs that statute authorizes and meet the needs of eligible private school children and educators – Office of General Counsel (OGC), *SEA State Coordinator’s Annual Meeting*, March 2023

- *Q21. Is it allowable to use Title IV, Part A, equitable share to purchase computing devices, such as laptops/tablets, which are not integral to an equitable services activity in one of the three Title IV, Part A, program areas and consequently not necessary to meet the understood purpose of Title IV, Part A?**
- *A21. No, it would not be allowed. These purchases are not integral to the Title IV, Part A, program and aren’t necessary. Allowable costs must be reasonable and necessary to use funds for expenditures, which extend to equitable services. Equitable services cannot meet the general needs of students and teachers in the

private school. So, these funds could not be used to purchase laptops/tablets for general needs. There must be a connection to one of the three content areas of Title IV, Part A, for it to be allowable. – Office of General Counsel (OGC), *SEA State Coordinator’s Annual Meeting, 3/2023*

***Q22. May LEAs require PNP schools to complete paperwork, such as a needs assessment chart, which gathers information and determines if activities are aligned with Title IV, Part A, program areas for obligating and expending for equitable services?**

*A22. The LEA must be able to determine if activities are allowable under the program and to assess and determine the needs of private schools. The LEA is responsible for providing equitable services; there are no requirements that apply directly to private schools.

The LEA cannot provide responsive, equitable services during consultation, and the private school officials aren’t able or willing to provide information to assess the needs of students. So, although the ESEA does not impose any requirements on the private school officials themselves, the only way to ensure consultation is timely and meaningful is for private school officials to actively participate in consultation meetings. Through this process, private school officials have an opportunity to provide data and information about the needs of their eligible children and educators.

However, any paperwork the LEA considers, such as a needs assessment, must be discussed in consultation and should not require undue administrative effort for private school officials. That is the extent to which an LEA may have private school officials complete something such as a needs assessment chart. – Office of General Counsel (OGC), *SEA State Coordinator’s Annual Meeting, 3/2023*

***Q23. If a student is enrolled and attends a campus in the school system, but attends a private school’s after-school program, should the school system count the student as a PNP student generating equitable services on the PS3099?**

*A23. No. The school system may not count its students enrolled on a campus in the district as PNP students when calculating equitable services on the PS3099 Private School Schedule. It must ensure that documentation of eligible PNP student enrollment counts is used to calculate applicable equitable services.

***Q24. May Title IV, Part A, cover the expense of substitute teachers in private schools when regular classroom teachers attend a Title IV, Part A-related training or conference?**

*A24. No. Using Title IV, Part A, funds to pay the cost for substitute teachers while a private school teacher attends a Title IV, Part A-related training/conference would not be allowable. This use of funds would not be consistent with the public control of funds requirements and the requirement that funds not be used to benefit the general needs of a private school. – ED, May 2024

Mental Health Services

Q1. How does Title IV, Part A, define a ‘school-based mental health services provider’?

A1. Title IV, Part A, section 4102(6) statute defines “school-based mental health services provider” as a State-licensed or State-certified school counselor, school psychologist, school social worker, or other State-licensed or certified mental health professional qualified under State law to provide mental health services to children and adolescents.

Q2. Is there a TEA website with resources that may assist school systems in supporting students' mental and behavioral health?

A2. Yes. The TEA's [Mental Health and Behavioral Health](#) webpage assists school personnel with tools and resources for supporting student mental health.

***Q3. Can Title IV, Part A, funds pay for mental health services and support? (revised)**

*A3. Yes. Section 4108 of the ESEA allows for supplemental activities to support safe and healthy students. Allowable activities include school-based mental health services, including early identification of mental health symptoms, drug use, and violence, and appropriate referrals to direct individual or group counseling services, which may be provided by school-based mental health services providers. School systems may use Title IV, Part A funds for programs and activities that integrate physical and emotional safety into the school to help maintain the well-being of students.

Federal funds must be spent on programs, activities, services, and support that are reasonable and necessary and based on local needs assessment. Funds must supplement any requirements of state statute by adding additional programs, activities, services, supports, and training to any requirements by the state. School mental health services are not required by state statute other than specific staff training, procedures, and practices, such as notification of parents of early warning signs of suicide or a mental health condition, so that a parent may seek appropriate intervention and treatment. Thus, supplemental mental health interventions, such as tele-mental health, may be funded by Title IV, Part A.

Examples Title IV, Part A, activities, programs, and services to support safety, mental health, and wellbeing that may be allowable include those that:

- Prevent bullying and harassment, [except for requirements specified in State law](#).
- Improve instructional practices for developing relationship-building skills, such as effective communication and interpersonal skills, [except for requirements specified in State law](#).
- Improve instructional practices for developing skills to manage emotions and skills for behavioral self-regulation that are grief and trauma-informed, [except for requirements specified in State law](#).
- Improve instructional and schoolwide practices in a school to improve safety through the recognition and prevention of violence, coercion, abuse, including teen and dating violence, stalking, and sexual violence and harassment.
- Provide mentoring and school counseling to all students, including students who are at risk of academic failure, dropping out of school, involvement in criminal or delinquent activities, or drug use and abuse.
- Provide substance use and abuse recovery and support services.
- Establish or improve school dropout and reentry programs.
- Integrate systems of student and family support.
- Provide parent, guardian, and family engagement and learning opportunities to teach and support integrated student mental health, wellbeing, and academic success.
- Establish learning environments and enhance students' effective learning skills that are essential for school readiness and academic success.
- Provide positive youth development and engagement programs, including engaging students who are at-risk, highly mobile, disabled, and/or English language learners.

- Provide other school mental health services that are delivered within a multi-tiered system of support (MTSS) across all tiers and are coordinated to serve all students, including students with disabilities under IDEA and Section 504 plans.
- Provide telemedicine and tele-mental health therapy and services.
- Provide programs that promote community partnerships, including school-based and school-linked mental health services and support.
- Provide students in rural, remote, and underserved areas with the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators or tele-health and tele-mental health services.

Federal funds must be spent on programs, activities, services, and support that are reasonable and necessary and based on local needs assessment. Funds must supplement any requirements of State statute by adding additional programs, activities, services, support, and training to any requirements by the State.

Q4. May Title IV, Part A, funds be used to cover the purchase of curriculum, programs, and training for mental health?

A4. Yes. School systems may purchase curriculum for evidence-based programs and training to support the activities and objectives to support school mental health. Costs for any supplemental, additional, or advanced training, plus any curriculum materials, staffing, or coaching that the school system determines are reasonable and necessary to implement the related program activities in a school, may be allocated to Title IV, Part A.

The following types of basic training required by the state *may not* be funded by Title IV, Part A:

- Suicide prevention/intervention/postvention
- Recognizing mental health conditions/prevention/intervention
- Substance abuse prevention/intervention
- Grief and trauma-informed practices
- Building/maintaining positive relationships and good decision-making
- Bullying prevention
- Child maltreatment

For example, if a school system provides basic trauma informed care training that is required for educators by purchasing an online subscription to a trauma-informed care training with Foundation School Program (FSP) or local funds, it could supplement that required training with supplemental and advanced training with Title IV, Part A, such as the Trauma Sensitive Schools Framework or PBIS-Integrated Systems Framework for Mental Health or another initiative for school mental health training. In this scenario, Title IV, Part A, could pay for the supplemental training and curriculum, materials, training, and coaching that are reasonable and necessary to build out a trauma-informed school on a systems level – an evidence-based strategy for schools.

***Q5. May Title IV, Part A, funds be used for staff salaries to coordinate and provide mental health services and support? (revised)**

*A5. Yes. Examples of positions that may be funded include:

- Licensed mental health professionals, including licensed clinical social workers (LCSW) and licensed master social workers (LMSW) with supervision to complete LCSW licensure, licensed professional

counselors (LPC) or licensed professional counselor interns (LPC-i) with supervision to complete licensure, advance practice psychiatric nurses, PhD psychologists, licensed marriage and family therapists (LMFT).

- Social workers: licensed master social workers and licensed bachelor social workers
- Parent Engagement Specialists
- Professional School Counselors
- Case Managers, Service Coordinators, or Resource Coordinators: any mental health positions or other specialized instructional support personnel who are well trained in school mental health and who the LEA determines can effectively serve in these roles.
- Telemedicine and tele-mental health or tele-counseling services are provided remotely to students at school or at home.
- Contracted or partnership agreements to provide school mental health services through community providers such as local mental health authorities (LMHAs), clinics, hospitals, medical schools, psychiatrists, private-practice behavioral health clinicians, nonprofit organizations, and other prevention specialists for services and supports that are aligned with school needs and coordinated through the MTSS. Examples of these contracted or partnership agreements include services delivered at a school through a memorandum of understanding, a purchased services contract, a shared funding strategy for a non-physician mental health professional, a licensed specialist in school psychology, or a social worker to provide services in a school.

Federal funds must be spent on programs, activities, services, and support that are reasonable and necessary and based on local needs assessment. Funds must supplement the requirements of State Statute by adding additional programs, activities, services, support, and training to any requirements by the State.

Also, it is important for the school system to ensure it did not use state safety allotment funds or state safety grant funds in the previous or current year for this item, as it would then create a supplanting issue with Title IV, Part A, funds.

Q6. May an LEA use state and federal funds to pay for a portion of a mental health service coordinator’s salary?

- A6. For a school system to use Title IV, Part A, funds to pay a portion of the salary for a Mental Health Service Coordinator, the LEA must first determine if that activity is supported by the needs assessment and stakeholder engagement process and is allowable under Title IV, Part A:
- 1) consistent with one of the three content areas;
 - 2) reasonable and necessary for the performance of the grant;
 - 3) allocable to the grant;
 - 4) supplements, and does not supplant (section 4110) other State or local funds that would otherwise be used for the position; and
 - 5) not one of the prohibited activities in ESEA section 4001(b) or section 8526.

Because there might be the presumption of supplanting, which would preclude the use of Title IV, Part A, funds to pay the portion of the coordinator’s salary, the LEA would need to show it would not otherwise be able to fund a portion of the position, but for the availability of Title IV, Part A, funds. To do this, the LEA would need to provide clear documentation that no State or local funds are available to cover the

coordinator’s salary, and the reason for the lack of appropriations is not because federal funds might be available to cover the position.

Additionally, the coordinator would need to provide supplemental (i.e., additional) services to those already being provided with State funds. For example, providing services to a greater number of students. – USDE response 11/2021

Q7. What are examples of funding sources that are allowed to be allocated or braided to work together for mental health services and support?

A7. School systems may braid funding, such as split-funding positions, so that all students may be served by a school mental health professional. For example, a position may be funded by 50% Individuals with Disabilities in Education Act (IDEA) funds to serve students with disabilities and 50% General Education Students if the position will serve half of each eligible student population. This cost allocation for time and effort would be approved through an approved methodology by TEA or the school system, as guided by the agency. Positions may also include a portion of the Foundation School Program (FSP) or local funding to ensure the allocation is planned correctly and to allow for any actual variance to the cost allocation.

School systems may also use Title IV, Part A, in coordination with third-party insurance payments for purchased services. For example, it may contract with a tele-mental health provider or organization for a practitioner to provide necessary mental health services for students at hourly rates for a recommended dosage of treatment that is approved by insurance providers, including Texas Medicaid.

Title IV, Part A, could be braided into the provider contract to pay for uninsured students to ensure equitable delivery of tele-mental health or face-to-face services for all students who need mental health services. Equity must be assured so that all students can access services when establishing a school-based mental health program, including contracting for tele-mental health. Other funding sources may be braided with Title IV, Part A, and third-party reimbursement through contracted providers to set up a tele-mental health and/or a physical school-based mental health clinic program, such as IDEA, FSP, local funds, grants, foundation/philanthropy dollars, hospital donations, and Federally Qualified Health Center partnerships.

Additional education funding sources designed to support at-risk students are available to school systems, such as: State Compensatory Education or other ESSA federal funds may be braided with Title IV, Part A, when the mental health services to be provided are designed as a part of academic and wraparound services, such as through an MTSS process, to remove barriers to learning, accelerate learning, and to help students achieve milestones, including achieving on state standards toward high school graduation, by guidance from those funding sources.

Q8. Can Title IV, Part A, funds be used for partnerships in school mental health?

A8. Yes. Funds may be used for school-based mental health services partnership programs that are conducted in partnership with a public or private mental health entity or health care entity. Programs must provide comprehensive school-based mental health services, supports, and staff development for school and community personnel working in the school that are based on trauma-informed practices that are evidence-based, coordinated (where appropriate) with early intervening services provided under IDEA, and

provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise.

Evidence-based interventions are practices or programs that have evidence to show that they are effective at producing results and improving outcomes when implemented. The kind of evidence described in ESSA has generally been produced through formal studies and research.

Examples of trauma-informed practices at the systems level and student level that are supported by training and supplemental resources include: integrating a trauma-informed approach into the PBIS framework and integrating trauma informed approaches into a multi-tiered system of support (MTSS) such as: Restorative Discipline Practices, Trauma-Sensitive Schools, Trust Based and Relational Interventions and Trauma-Informed Classrooms, Collaborative and Proactive Solutions, The Bounce Back Program, Cognitive Behavioral Interventions for Trauma in Schools, Trauma-Focused Cognitive Behavioral Therapy, Dialectical Behavioral Therapy, The Emotional Backpack Project, and the Child Trauma Toolkit for Educators.

TEA reviewed a selection of state and national resources with the Health and Human Services Commission (HHSC) mental health experts, university researchers, and research documentation to determine evidence base. TEA has curated evidence-based, trauma-informed training, frameworks, and supplemental resources for schools and posted information with resources on the [TEA Mental and Behavioral Health webpage](#).

***Q8. A rural school system would like to reimburse families when referred to a contracted mental health provider 70 miles from the school, as no providers are available locally. Is it allowable to reimburse families directly for transportation?**

*A8. When transportation costs are a reasonable and necessary component of a Title IV, Part A, authorized activity (i.e., mental health services) and comply with other considerations regarding cost allowability, supplement not supplant, and all other Title IV, Part A, requirements, the costs may be allowable. In reimbursing family members or other individuals driving students to their mental health appointments, the school system shall use the State’s current mileage rate per the Texas State Comptroller. – ED guidance (5/2024). [Response edited with State and TEA-specific guidance on mileage rates].

For more detailed information regarding allowable travel expenses and mileage rates, consult the [Texas State Comptroller's TexTravel](#) webpage and [TEA Budgeting Costs Guidance Handbook](#).

***Q9. Is there a TEA Statewide Plan for Student Mental Health? Also, may Title IV, Part A, funds be used to support student mental health in our schools?**

*A9. Yes, the [TEA Statewide Plan for Student Mental Health \(2025-2030\)](#) is posted on TEA’s webpage.

Title IV, Part A, funds must be used to supplement and not supplant programs and/or services. For any student/school mental and behavioral health State requirements, Title IV, Part A, funds may not be used; it would be supplanting.

***Q10. What is the mental health training requirement introduced by House Bill (HB) 3 during the 88th Texas Legislative Session in 2023?**

*A10. During the 88th Legislative Session, House Bill 3 was passed to establish a requirement that each school system employee who regularly interacts with students enrolled at the district complete an evidence-based mental health training program designed to provide instruction to participants regarding the recognition

and support of children and youth who experience a mental health or substance use issue that may pose a threat to school safety. Using Title IV, Part A, funds for this activity would be considered supplanting Title IV, Part A, funds to meet a State requirement. [TEC § 22.904](#) – (summary per *TEA Texas School Mental Health FAQ, May 2025*)

***Q11. Has the TEA released an FAQ related to the mental health training requirements under HB 3 from the 88th Legislative Session?**

*A11. Yes. In May 2025, TEA published the [HB 3 Mental Health Training Requirements FAQ](#) document.

***Q12. Is there additional mental and behavioral information, state requirements, tools, and resources on TEA's webpage?**

*A12. Yes. Stakeholders may find additional TEA resources, tools, state requirements, the *TEA Statewide Plan for Student Mental Health*, and other helpful information on the [Mental Health and Behavioral Health](#) webpage.

***Q13. Who do I contact with questions regarding TEA's mental and behavioral health requirements and HB 3?**

*A13. If there are questions regarding TEA's mental and behavioral health requirements, contact the division at MentalandBehavioralHealth@tea.texas.gov.

Parent and Family Engagement

Q1. May Title IV, Part A, program funds in the Safe and Healthy Students content area be used to support parents?

A1. Yes. Promoting community and parent involvement in schools is an allowable activity.

Q2. May Title IV, Part A, program funds provide educator support to learn how to use technology for increasing the engagement of English learner (EL) students and communication with parents and caregivers of ELs?

A2. Yes.

Q3. Is there a requirement for school systems that receive an allocation of at least \$30,000 to include parents in the design and development of Title IV, Part A, programs and activities?

A3. Yes, a school system must include parents as a required stakeholder to provide program input. In addition, the LEA may use funds to promote the involvement of parents in program activities during the development, implementation, and evaluation of comprehensive program activities.

Q4. Must a school system obtain prior written, informed consent from the parent of each child who is under 18 years of age to participate in any mental-health assessment or service funded with Title IV, Part A, program funds?

A4. Yes. Prior written informed consent means active consent. Before obtaining consent, the entity must provide the parent with written notice describing in detail: mental health assessment/service, purpose of assessment/service, provider of assessment/service, start of assessment/service, and how long the assessment/service(s) may last. [ESSA, section 4001(a)(1)(A-C)]

Q5. Can Title IV, Part A, funds be used to pay for sign-language interpretation services during a parent conference?

A5. Yes, use of Title I, Part A, funds to pay for sign-language interpretation may be allowable under the Title IV, Part A, program. To be funded, the need for the services should have been informed by the school system’s needs assessment, stakeholder engagement process, and prioritization of schools. As with any cost charged to a grant, the SEA will need to work with the school system to determine if the activity is (1) consistent with one of the three content areas; (2) reasonable and necessary for the performance of the grant; (3) allocable to the grant; (4) supplements, and does not supplant (SNS), other state or local funds that would otherwise be used to pay for the allowable activity; and (5) is not one of the prohibited activities in ESEA section 4001(b)_or section 8526.

A local or state mandate requiring schools to provide these services would raise the presumption that use of these funds would violate the SNS requirement and thus would not be allowable.

US Dept. of Education (3/2023)

***Shared Services Arrangement (SSA) for Title IV, Part A, PNP Equitable Services**

***Q1. What is a Shared Services Arrangement, and how can it support Title IV, Part A, PNP equitable services?**

*A1. A shared services arrangement (SSA) is an agreement between two or more school systems and/or ESCs serving eligible private nonprofit (PNP) schools with equitable services. The SSA provides services for all entities involved. Such entities may desire to enter an SSA for the performance and administration of a school system's/ESC’s PNP program(s) to maximize the use of funds and equitable services provided to eligible private schools. In every SSA, a fiscal agent is designated to be ultimately responsible for compliance with grant program requirements, conducting administrative duties, and providing equitable services for eligible PNP schools as provided in the Agreement. Refer to the [General and Fiscal Guidelines](#) on the TEA website for more information on shared services agreements.

***Q2. What must be included in a written SSA Agreement?**

*A2. A formal written agreement is **required** that defines the composite entity and describes the responsibilities of its fiscal agent and each SSA member. Written responsibility for compliance belongs to the non-federal entity (fiscal agent) receiving the subgrant award.

An SSA agreement must:

- define the roles and responsibilities of the fiscal agent and member, including responsibility for the policies and procedures; and
- kept on file by the fiscal agent for audit and monitoring purposes.

- *Q3. What is the Fiscal Agent’s responsibility in an SSA that includes school system PNP equitable services?**
- *A3. The Fiscal Agent is responsible for:
- Submitting the ESSA Consolidated Federal Grant Application’s SC3099, Special Collection Private School Schedule, on behalf of the members. An LEA that is a member of an SSA is not responsible for completing the PS3099 or SC3099 program schedule or budget;
 - Ensuring generated funds for PNP equitable services are used by grant provisions;
 - Maintaining all SSA financial and personnel records required by TEA, per Financial Accounting and Reporting (FAR); and
 - Managing the SSA per federal statute(s).
- *Q4. What additional responsibilities might a Fiscal Agent have concerning PNP equitable services under Title IV, Part A, guidance?**
- *A4. The Fiscal Agent *may also be responsible* for financial consequences concerning:
- SSA instances of noncompliance with calculated PNP equitable services; and
 - Any SSA member is unable to repay the respective portion of misappropriated funds for PNP equitable services.
- *Q5. What are the responsibilities of the designated fiscal agent for the school system PNP equitable services?**
- *A5. Responsibilities include:
- Services provided to SSA members and/or participating PNP schools
 - Submission of signed Affirmation of Consultations forms from participating PNP school(s), via the method requested by TEA
 - Submission of validation requirement(s) for members who are selected for the PNP program monitoring
 - Employment of personnel to provide and supervise all PNP equitable services
 - Ensuring PNP federal requirements are met for Title I, Part A, and Title VIII programs
 - Budgeting and accounting records of PNP equitable services amounts for participating private school(s)
 - Reporting of PNP equitable services, reports, and data as requested by TEA and/or auditors
- *Q6. What is the SC3099 special data collection schedule that an SSA completes when providing PNP services?**
- *A6. SC3099 is the application schedule that SSA fiscal agents complete to calculate PNP equitable services amounts per participating PNP program.
- *Q7. When will the project district officially become part of the SSA? Will it be the date I submit the application or the date of the NOGA?**
- *A7. The SSA fiscal agent is responsible for completing and submitting the grant application. The start of the grant or the date of submission, whichever is later, is the start date of the NOGA and subsequently the SSA for the grant. However, the SSA fiscal agent must have a written agreement with each member school system that addresses the start and end dates of the shared services agreement.

Flexibility, Funding Transferability, Waivers, and Carryover

Q1. If there are questions regarding Title IV, Part A, carryover, and/or fiscal waivers, who is the TEA contact?

A1. Questions may be emailed to the TEA’s Department of Grant Compliance and Administration staff at GrantSupport@tea.texas.gov.

Q2. If a school system carries over Title IV, Part A, funds, must they maintain percentage distribution requirements?

A2. A school system should be establishing its plans for spending across the content areas in its approved application and meeting those commitments, whether in the initial year or a carryover year. That said, a school system must only meet the spending requirements once for each year's appropriation. [USDE Office of General Counsel]

Q3. Are the carryover funds meant for school systems, or may the TEA use them as well?

A3. A school system may carry over its funds (funds may be obligated by the LEAs for 27 months). If a school system does not want to carry funds over and decides to return the funds to the TEA, then TEA would need to redistribute those funds to eligible school systems consistent with the formula. [USDE Office of General Counsel]

Q4. May the SEA determine a carryover cap for school systems?

A4. According to [34 CFR 76.709\(a\)](#), school systems have 27 months in which to obligate these funds, entitling them to carry over whatever funds are not obligated in the first fiscal year. [USDE Office of General Counsel]

Q5. If a school system uses the *Rural Education Achievement Program (REAP)* or Funding Transferability option from Title IV, Part A, into Title I, Part A, or another program, what are the guidelines?

A5. Funds that are transferred into another program through REAP or Funding Transferability follow the guidelines of the receiving program. For example, if Title IV, Part A, funds are transferred into Title I, Part A, those funds follow the guidelines of Title I, Part A.

Q6. If a school system transfers some or all Title IV, Part A, funds to another Title program, when the “transferred out” funds are spent, are they considered Title IV, Part A, funds spent?

A6. No. Funds transferred from the Title IV, Part A, account lose their program identity and take on the identity of the program to which they are transferred. – USDE Response

Q7. If a school system receives an allocation that is greater than \$30,000 and then transfers some of the funds out of Title IV, Part A, into another Title program--so their available funds total drops below \$30,000--does the LEA need to meet the 20%/20%/portion requirements for the remaining Title IV, Part A, funds?

- A7. No. If the remaining Title IV, Part A, funds fall below \$30,000 after a transfer, the school system is not required to comply with the percentage spending requirements. The requirements apply based on the total funds available after the transfer.

However, if a school system transfers funds into Title IV, Part A, increasing the total allocation above \$30,000, it must then follow the content area spending requirements.

- *Q8. If a school system transfers 100% of Title IV, Part A, funds to Title I, Part A, or another program in 2025-2026, what happens to the 2025-2026 carryover funds from the previous year? Do the Title IV, Part A, funds transfer to Title I, Part A, or any other program, or stay with the original allocation category in 2025-2026?**
- *A8. If a school system elected to do funding transferability in 2025-2026 from Title IV, Part A, into Title I, Part A, or any other eligible program, and:
- the school system used funding transferability in 2025-2026 from and into the same program; the carryover will transfer with the eligible program. For Title I, Part A, the carryover will be used to calculate the 15%;
 - the school system did not use funding transferability in 2025-2026 or transfer into a different program from 2025-2026; the carryover will remain with the original program.

Reminder: If 100% of Title IV, Part A, funds are transferred to another program, the school system must submit limited data and certify its *Title IV, Part A, LEA Special Data Collection for Public Reporting* in the WorkApp.

*Federal Program Compliance (FPC) WorkApp General Help

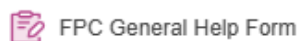
- *Q1. Does the Federal Program Compliance (FPC) division have an online system for school systems/ESCs requesting help with the WorkApp?**
- *A1. Yes. The FPC division has created a new form (*FPC General Help Form*) for the school system, ESC, and Fiscal Agent Dynamic Views for school systems/ESCs to submit questions and/or report any issues related to the various FPC WorkApp projects. The form link is available within the WorkApp environment. Users may use the FPC WorkApp General Help Form for assistance with any FPC WorkApp-related issues, including incorrect or incomplete data submissions, inadvertent attachment uploads, and/or access issues.

If school systems or ESC staff are experiencing issues with the EDGAR Connect WorkApp, they will need to complete the help form available in the EDGAR Connect WorkApp for assistance.

FPC WorkApp General Help Form

Link: <https://app.smartsheet.com/b/form/1b6692e7ac864fc682e8855d7d293fe9>

Screenshot of the Form Link in the WorkApp environment:



- *Q2. Once a school system/ESC submits an FPC WorkApp General Help form, what is the expected timeline for a response?**
- *A2. Please allow FPC staff time to review and resolve the issue referenced in the help form submitted. If you do not receive a response within five business days, please email us at ESSAsupport@TEA.Texas.gov.

- *Q3. Is there a webpage for school systems/ESCs to receive *WorkApp Support and Passwords*?**
- *A3. Yes.** school systems/ESCs may receive general *WorkApp Support and Password* assistance at: <https://help.smartsheet.com/contact>.

Texas State Requirements

- Q1. Is there a list of Texas State requirements related to Title IV, Part A, programs and activities for a school system to avoid selecting which would be deemed supplanting?**
- A1. Yes. School systems may review the [Region 14 Title IV, Part A School Safety State Initiative](#) webpage for state training requirements and mandates.
- Q2. If a school system has met the state requirement of having at least one (1) automated external defibrillator (AED) per campus with state and/or local funds, may Title IV, Part A, purchase additional AEDs?**
- A2. Yes, if state and/or local funds were used to meet the minimum requirement, Title IV, Part A, funds may be used for additional AEDs on campus.
- Q3. May Title IV, Part A, funds be used to support professional development in Trauma-Informed Schools?**
- A3. If the program has a supplanting prohibition, which the Title IV, Part A, program does, the grantee must ensure that the use of Title IV, Part A funds supplements and does not supplant other state or local funds that would otherwise be used to pay for the allowable activity. Title IV, Part A, funds cannot be used to meet a state or locally required activity or requirement. That would be supplanting. Trauma-Informed Care is *state-mandated* by [TEC 38.036 \(c\)](#) and [TEC 21.054\(d\)\(6\)](#). Therefore, Title IV, Part A, funds may not be used to support the state requirements listed in the bill. If professional development activities are not listed in state regulations, which would be supplemental and meet the requirements listed in the Title IV, Part A, Use of Funds document, activities may be allowed.
- Q4. May Title IV, Part A, funds be used to support training sessions for staff in bleeding control stations?**
- A4. No. If the program has a supplanting prohibition, which the Title IV, Part A, program does, the grantee must ensure that the use of Title IV, Part A, funds supplements and does not supplant other state or local funds that would otherwise be used to pay for the allowable activity. Title IV, Part A, funds cannot be used to meet a state or locally required activity or requirement. That would be supplanting. Staff training for bleeding control stations is *state-mandated* by [TEC 38.030](#). Title IV, Part A, funds cannot be used for bleeding control stations or training for all charter schools and districts.
- Q5. Can Title IV, Part A, funds be used to print or purchase Suicide Prevention stickers for student IDs?**
- A5. No. If the program has a supplanting prohibition, which the Title IV, Part A, program does, the grantee must ensure that the use of Title IV, Part A, funds supplements and does not supplant other state or local funds that would otherwise be used to pay for the allowable activity. Title IV, Part A, funds cannot be used to

meet a state or locally required activity or requirement. That would be supplanting. Suicide prevention stickers are *state-mandated* by [TEC 38.353](#). Title IV, Part A, funds cannot be used to purchase the stickers.

Q6. How does Texas define a school nurse?

A6. The TEA defines a school nurse *in 19 Texas Administrative Code (TAC) 153.1022 (a)(1)(D)* as “...an educator employed to provide full-time nursing and health care services and who meets all the requirements to practice as a registered nurse (RN)...”

According to the [Texas Board of Nursing \(TBON\)](#), a "school nurse" in Texas is a registered nurse (RN) who provides health care services to students within a school setting.

Q7. Does Texas require a school system to employ a school nurse?

A7. No.

Q8. Where can a school system find information regarding State School Safety grants and resources?

A8. The [TEA School Safety Resources](#) webpage provides information on state school safety resources. [The TEA School Safety Related Grant Programs](#) webpage provides details on state school safety programs.

***Q9. Our school system would like to purchase the *Door Check App* for our security officers at campuses and use it for reporting findings on locked doors. Although it is a State mandate to have door checks, is this an allowable expense since the product does not check the doors, but simply a system to document if the doors are locked?**

***A9.** This item would not be an allowable use of Title IV, Part A, funds because conducting, documenting, and reporting weekly door checks are a State requirement in [19 TAC 61.1031 \(d\)\(1\)\(A\) & \(d\)\(1\)\(B\)](#).

In addition, it would not be an allowable use of funds because TEA has provided Sentinel with a free-to-district documentation program for State safety requirements.

Finally, the district has access to three State fund sources that could potentially be used for this expense:

- [Annual School Safety Allotment TEC 48.115](#)
- [2022-2025 School Safety Standards Formula Grant](#)
- [2024-2025 SAFE Grant Cycle 2](#)

***Q10. Senate Bill 2365 (SB 2365), passed during the 89th Texas Legislature in 2025, prohibits students from using personal cell phones during instructional time, with exceptions for medical or instructional accommodations. Since SB 2365 does not require the use of student cell phone pouches or holders, would purchasing them with Title IV, Part A funds be considered supplanting? If not, is it an allowable expenditure for Title IV, Part A funds?**

***A10.** No, purchasing student cell phone pouches or storage containers/cabinets would not be considered supplanting, as SB 2365 does not mandate their use. *However*, the use of Title IV, Part A funds for this purpose is not recommended. It would be difficult to justify the purchase of pouches, holders, or similar items as reasonable, necessary, allocable, or aligned with the intent and purposes of the Title IV, Part A program.

***Q11. Is there a TEA website that lists 89th legislature updates for school systems regarding school safety and other related Title IV, Part A, program areas?**

*A11. Yes. School systems may locate the website at: <https://tea.texas.gov/about-tea/government-relations-and-legal/government-relations/89th-legislature-updates>.

***Q12. Is there a TEA contact for questions regarding the 89th legislature updates, House Bill 2, and their implementation?**

*A12. Yes. For questions regarding the 89th Legislature Updates, email 89th@tea.texas.gov. For questions regarding House Bill 2, email HB2@tea.texas.gov.

***Q13. Is there any TEA guidance from the 89th legislative session, 2025, on SB 569 regarding virtual and hybrid learning guidance for the 2025-2026 school year?**

*A13. Yes. TEA provided a [*To The Administrator Addressed \(TTAA\) Correspondence SB 569 Overview: Virtual and Hybrid Learning Guidance for the 2025-2026 School Year*](#) on August 21, 2025, that provides an overview of SB 569.

If there are questions, email virtual.hybrid@tea.texas.gov.