

Federal Program Compliance Division

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Title IV, Part A Frequently Asked Questions

This document provides the answers to program-related questions received by the Division.

Federal Requirements

Q1. What requirements

- Q4. What is considered an administrative cost for Title IV, Part A?
- A4. Title IV, Part A statute states that an LEA “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 ~~total~~ ^{reasonable}, necessary, and allowable costs associated with the overall project management and administration. These costs can be both personnel and non personnel.

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

*A8. Yes. Per ESSA 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 an LEA must follow if Title IV, Part A funds are allocated?

A9. Yes. An LEA shall adhere to all internet safety requirements of ESSA Title IV, Part A, Subpart 2 and annually agree to related assurances in the ESSA Consolidated Federal Grant Application 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

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 provision of routine or regular kindergarten, elementary, or secondary education or library services to children. Smoking shall not be allowed within any indoor facility

particular use of funds would violate the non-supplanting requirement, LEAs should consider matters such as whether the cost involved is currently paid for using State or local funds or whether the cost involved is for an activity that is required by State or local law. In no event may an LEA decrease the amount of State or local funds used to pay the cost of an activity simply because of the availability of the Title IV, Part A program funds.

There is a presumption of supplanting if Federal funds are used for State or local costs or costs previously covered with non-Federal funds. The presumption may be overcome if the LEA is able to 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 the activity would not be carried out in the absence of the Title IV, Part A program funds.

- USDE Non-Regulation 2.4.5 (e)-.82 >

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

significant LEA need. In this case, the items would support the purposes of the safe and healthy students content area as they can foster a safe school environment.

There are further determinations on the allowability of the costs in accordance with [2015 R Part 200, Subpart E](#) that costs are reasonable and necessary for the performance of the grant award. 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 otherwise allowable activity, in this case security cameras, door locks, and key cards.

As a reminder, 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. The installation of security cameras, locks, and key cards would generally constitute a minor alteration in a previously completed building and therefore would be allowable under the definition of minor remodeling.

Q17. May Title IV, Part A funds be used to pay for school campus security fencing and hardware?

A17. 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 funds received by the grant award as a result of the costs). Additionally, it would be difficult to evaluate security fencing and hardware for program effectiveness. However, if the LEA decides that it can document such justification and evaluate the use of funds for program effectiveness, it would be up to the LEA 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 Title IV, Part A funds be used for the purpose requested. However, the decision to use funds in this manner is a LEA decision.

Q18. May Title IV, Part A funds be used to purchase two-way radios for staff to communicate throughout the school buildings/campuses?

A18. It would be difficult to justify that use of Title IV, Part A funds would be reasonable and necessary to purchase 2

*Q24. May an LEA use Title IV, Part A funds to purchase flexible learning seats/tables?

*A24. Title IV, Part A funds must support activities/programs that support ~~well~~ provided education opportunities,

activities are “sustained (not standalone, 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.”

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-

supplant, other state or local funds that would otherwise be used to pay for the allowable activity.
– USDE Response, 9/2021.

Q5. May an LEA 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, “~~an~~ 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 educational and career choices as they develop personal, social, educational, and career skills. Programs often offer suontTg2.7 -4.

(c) Each school nurse, assistant school nurse, athletic coach or sponsor, physical education instructor, marching band director, cheerleading coach, and any other school employee specified by the commissioner and each student who serves as an athletic trainer must participate in the instruction in the use of an automated external defibrillator. A person described by this section must receive and maintain certification in the use of an automated external defibrillator from the American Heart Association, American Red Cross, or a similar nationally recognized association.

(d) The commissioner shall adopt rules as necessary to implement this section.

(e) This subsection applies only to a private school that receives an automated external defibrillator.

-U.S. Department of Education (3/2023)

- *Q11. May an LEA use Title IV, Part A to pay for school activity fees under the well-funded education content area?

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. SDE 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, the activity must be directly related to the purposes of the statute. 20 U.S.C. 1141(a)(1)-(3). 34 CFR 101.31(a)(1)-(3). 101.31(a)(1) requires that the activity be directly related to the purposes of the statute. 101.31(a)(2) requires that the activity be directly related to the purposes of the statute. 101.31(a)(3) requires that the activity be directly related to the purposes of the statute.

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 others, 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 use of Title IV, Part A funds would be reasonable and necessary to purchase students' clear backpacks. 6 (s)-0 >>BDCLink <</1t[h7cinkV wah8ink <</1nt3ude.7 (a)-3.3g (-6 (s)-

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

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- 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\(e\)\(2\)](#). With respect to the transferred funds, the LEA must provide

with federal grant funds is no longer needed for the original project, program, or activity 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 chrome books and the request aligns with their needs assessment/data, meets the program purposes, and is approved by LEA, the purchase is allowable.

- A9. No. Stipends and/or salary for a PNP's testing proctor does not meet any of the 3 purposes of Title Part A for students: wellrounded 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 credit tuition?
- A10. Yes, it must meet requirements listed in ESSA, Section 4107(a)(6)(D) Title IV, Part A Use of Funds

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 links to resources on the [TEA Mental and Behavioral Health webpage](#)

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 learners (EL) students and communication with parents and caregivers of ELs?
- A2. Yes
- Q3. Is there a requirement for LEAs receiving 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, an LEA 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

According to the [Texas Board of Nursing \(TBN\)](#), 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 LEA to employ a school nurse?

*A7. No.

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