



TITLE IV, PART A: STUDENT SUPPORT AND ACADEMIC ENRICHMENT PROGRAM

Frequently Asked Questions

This document provides answers to Title IV, Part A program-related questions. LEAs should also refer to the [Title IV, Part A Guidance on Allowable and Unallowable Expenditures](#).

TITLE IV, PART A:

General FAQs

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General FAQs

Q1: If an LEA has reviewed the Guidance on Allowable and Unallowable Expenditures and is not sure if a proposed program or activity is allowable, are there requirements it should consider?

A1: LEAs should take the following steps:

- Verify that proposed Title IV, Part A (Title IV-A) activities were informed by needs, stakeholder engagement, and prioritization of schools.
- LEAs must ensure that the identified needs are listed in the Title IV-A section of the Consolidated Application and the proposed program or activity is to address the identified needs.
 - For nonpublic schools, confirm that LEA Affirmation of Private School Consultation has identified the need for the proposed Title IV-A activities.
- Confirm that the proposed activity is consistent with the purposes of at least one of the three content areas in the Title IV-A program (well-rounded education in [ESEA Section 4107](#), safe and healthy students in [ESEA Section 4108](#), or the effective use of technology in [ESEA Section 4109](#)).
- Determine if the proposed expenditure is reasonable, necessary, and allocable to the grant.
 - Reasonable: consistent with prudent business practice and comparable current market value
 - Necessary: required to carry out the intent and purpose of the Title IV-A program
 - Allocable: chargeable or assignable in accordance with relative benefits received. In addition, costs must be aligned with generally accepted accounting principles (GAAP) and adequately documented and budgeted within the grant
- Verify that the proposed use of funds for Title IV-A activities supplement, and not supplant, other state or local funds that would otherwise be used to pay for the allowable activity. **Supplanting is presumed** if any of the

following is true, according to federal fiscal guidance (2 CFR Part 200, Appendix XI):

- A district uses federal funds to provide services that are required under other federal, state, or local laws.
- A district uses federal funds to provide services that the district provided with non-federal funds in the prior year.
- A district uses federal funds to provide services that the district would otherwise provide without federal funds.

Note: These presumptions may be overcome if the district can demonstrate that it would not have provided the services absent the availability of these federal funds. For example, new STEAM professional development had been provided with state grant funds for middle school teachers, and the grant funds were not available for the coming year. Title IV-A funds could be used for this PD, assuming no other presumption was violated, and the district would not otherwise have been able to provide the PD.

- Finally, ensure that the activity is not one of the prohibited activities in [ESEA Section 4001\(b\)](#) or [Section 8526](#), as amended by the ESSA.

For additional assistance on allowable and unallowable Title IV-A activities, districts may contact the Office of ESSA-Funded Programs at (518) 473-0295 or CONAPPTA@nysed.gov.

Q2: What are the 20-20 Portion and 15% Special Rules?

A2: 20-20 Portion Rule: LEAs with allocations of \$30,000 and greater must use a minimum of 20% of their total allocation to support Well-Rounded Educational Opportunities (WRE), a minimum of 20% of their total allocation to support Safe and Healthy Students (SHS), AND use a portion to support Effective Use of Technology (EUT).

15% Special Rule: This rule applies to all LEAs, regardless of the allocation amount. Of the portion **allocated to EUT**, only 15% may fund technology infrastructure. Some examples of technology infrastructure are devices, equipment, learning technology software and platforms, digital instructional resources, one-time information technology purchases, and software applications.

For example, if an LEA allots \$1,000 to EUT, the maximum that can be spent on technology infrastructure is \$150 (15% of \$1,000). Since the special rule limits the amount of funds that can be spent on devices, learning software/programs, etc. we recommend that LEAs use the other EUT funds for professional development opportunities to increase its staff's capacity in using technology.

In the Consolidated Application, the *Title IV, Part A – Use of Funds* section includes **Title IV, Part A – Use of Funds CALCULATIONS** to assist LEAs in determining that they are following these rules.

Title IV, Part A Frequently Asked Questions

Title IV Part A - Use of Funds CALCULATIONS

No direct action is required of the LEA for Items #5 and #6. The calculation charts below are for informational purposes only.

5 Please find total amounts allocated to each of the Title IV, Part A content areas - *Well-Rounded Educational Opportunities*, *Safe and Healthy Students*, and/or *Effective Use of Technology*. Additionally, the chart provides the maximum of 15% of funds allotted to the *Effective Use of Technology* content area for equipment and infrastructure.

	Well-Rounded Educational Opportunities <u>TOTAL</u> (\$)	Safe & Healthy Students <u>TOTAL</u> (\$)	Educational Technology <u>TOTAL</u> (\$)	<u>Maximum</u> for Technology Infrastructure (Max. 15% of Ed. Tech. Funding) (\$)
Content Area Use of Funds	42,429.00	11,750.00	2,507.00	376.05

6 For LEAs with an allocation (including Transferability) greater than \$30,000 - the following chart provides the minimum Title IV, Part A funding amounts of 20% that an LEA is required to allot to both *Well-Rounded Educational Opportunities* AND *Safe and Healthy Students* content areas.

	Well-Rounded Educational Opportunities <u>minimum</u> (20% of <u>total</u> Title IV Allocation) (\$)	Safe & Healthy Students <u>minimum</u> (20% of <u>total</u> Title IV Allocation) (\$)
Content Area Minimum/Maximum	11,565.80	11,565.80

In the above example, the LEA must use a minimum of 20% of their total allocation (\$11,565.80) in WRE, a minimum of 20% of their total allocation (\$11,565.80) in SHS, and a portion to support EUT. Based on what this LEA has entered in the *Title IV, Part A Use of Funds* section of the application, they have met the 20-20 Portion Rule by proposing to spend: \$42,429 in WRE; \$11,750 in SHS; and \$2,507 in EUT.

To meet the 15% Special Rule of the \$2,507 allotted to EUT, the maximum that can be spent on technology infrastructure is \$376.05.

Q3: Is an individual LEA that receives an allocation of less than \$30,000 of Title IV-A program funds required to use a certain percentage of funds for each of the three content areas?

A3: 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-A program. Such LEAs must provide an assurance that they will either use not less than 20 percent of Title IV-A funds for well-rounded education, use not less than 20 percent of Title IV-A funds for safe and healthy students, or use a portion of Title IV-A funds to support the effective use of technology consistent with 4106(f). The 15% EUT Special Rule still applies.

Q4: Do the application requirements regarding use of funds in the three Title IV-A program content areas apply to the schools to which an LEA distributes funds?

A4: No. The application requirement regarding use of funds in the three Title IV-A program content areas apply at the LEA level. These requirements 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 of funds for activities to support the effective use of technology) that an LEA must meet with respect to its entire allocation. In meeting these requirements, an LEA 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. An LEA 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.

Q5: May an LEA use a single activity to address more than one of the application requirements regarding use of funds in the three program content areas: (well-rounded education, safe and healthy students, and effective uses of technology)?

A5: There may be certain activities an LEA wishes to fund that could fit into more than one of the program content areas and could be used to address the application requirements regarding use of funds in each area. For example, a student trauma recovery program that utilizes student performance art could be categorized in either the safe and healthy students content area or the well-rounded content area and could be used to satisfy expenditure requirements in both areas. In such cases, the LEA should explain in its Consolidated Application for ESSA Funded Programs how the activity fits in more than one content area. The approval or disapproval will be consistent with the relevant statutory application requirements.

Q6: Can funds be utilized for professional staff?

A6: Yes, funds can be utilized for professional staff if it is supported by the comprehensive needs assessment and the expense is necessary and reasonable for the implementation of the grant program. The use of funds for Title IV-A activities must supplement, and not supplant, other state or local funds that would otherwise be used to pay for the allowable activity, unless the presumption of supplanting can be overcome (see Q&A 1).

Q7: Are project activities under the grant for in-school and/or after-school? Are funds restricted for new activities or can they be used to enhance or expand current programs/activities?

A7: Project activities can be used for both in-school and/or after-school activities as supported by the results of the comprehensive needs assessment. The use of funds must be necessary and reasonable for effective implementation of the program. Funds may enhance or expand current activities but may not supplant current funding sources.

Carryover

Q8: Is carryover allowed?

A8: Yes, up to 100% of the LEA's Title IV-A allocation can carry over to the next project year. LEAs have 27 months in which to request allocated Title IV-A funds beginning September 1 of the fiscal year for which the funds are allocated. For example, FY 20-21 funds begin the 27-month countdown on September 1, 2020. Once funds have expired, there is no recourse to recover the funds.

Q9: If an LEA carries over funds, must they maintain percentage distribution requirements?

A9: An LEA 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, an LEA only must meet the spending requirements once for each year's appropriation.

Transferability

Q10: Can funds be transferred into another Title?

A10: Yes, up to 100% of Title IV-A funds can be transferred to Title I, Part A; Title I, Part D; Title II, Part A; Title III, Part A;

Title IV, Part B; and/or Title V, Part B.

Prior to transferring funds, LEA must have assessed Title IV-A needs, consulted with required stakeholders, and consulted with in-district private schools.

Establishing Needs

Q11: Must an LEA whose allocation is \$30,000 or more conduct a separate comprehensive needs assessment for Title IV, Part A purposes? Are there examples of a comprehensive needs assessment?

A11: If an LEA receives \$30,000 or more for Title IV-A, the district must conduct a comprehensive needs assessment every three years to examine the needs for: access to well-rounded educational opportunities (WRE); activities to support safe and healthy students (SHS); and effective use of technology (EUT) to improve the academic achievement, academic growth, and digital literacy of all students.

If the LEA has recently conducted a needs assessment for other programs that corresponds to the Title IV-A content areas, the LEA may want to consider how best to incorporate the information for the completed needs assessment into the comprehensive needs assessment for the Title IV-A program.

LEAs must also engage in timely and meaningful consultation with a broad range of stakeholders (ESEA section 4106(c)) and may find it helpful to examine relevant data to understand students' and schools' most pressing needs, including the potential root causes of such needs.

However, if existing needs assessment processes do not address the content areas included in Title IV, Part A, then a separate comprehensive needs assessment should be conducted to ensure relevant needs are identified for use of funds.

NYSED has not prescribed a comprehensive needs assessment tool that LEAs must use. However, the US Department of Education has developed a [needs assessment tool](#) that may be used by LEAs if they wish. The [Title IV-A non-regulatory guidance](#) also addresses questions to consider when identifying local needs.

Q12: What are some examples of Community-Based Organizations (CBOs) that are required stakeholders for consultation?

A12: Some examples of CBOs are Boys and Girls Clubs, Boy Scouts and Girl Scouts, YMCA, YWCA, after-school services, Cornell Cooperative Extension, 4 H, the Grange, sports organizations (Little League, CYO basketball, Pop Warner football), fire departments, parent-teacher associations/organizations, public libraries, food pantries/banks, Meals on Wheels, Habitat for Humanity, rescue missions, LGBTQ youth-serving organizations, Red Cross, Ronald McDonald House, Salvation Army, and the United Way.

It is best practice to consult and collaborate with a CBO with programmatic expertise.

Q13: What are some examples of Local Government Representatives?

A13: Some examples are members of a local law enforcement agency, school resource officers, local juvenile court staff, local child welfare agency staff, local public housing agency representatives, village/town/city council representatives, village/town clerks, public school board of education members, or other local elected officials.

Q14: What other stakeholders should an LEA consider consulting with as it develops its Consolidated Application for

ESSA-Funded Programs?

A14: In addition to the list of required stakeholders provided in the Program Application Requirements section, an LEA may consider involving members from the business community, health providers, police officers, social workers, librarians, technology experts, service providers, faith-based community leaders, and other key stakeholders, as appropriate.

LEAs 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, LEAs may find it particularly helpful to include such partners in the needs assessment process.

Equitable Services

Q15: Must funds be shared with private schools?

A15: Funds are not shared with private schools. LEAs receiving funds under Title IV-A must provide for the **equitable participation** of private school students, teachers and other educational personnel in private schools located in areas these agencies serve in Title IV, Part A-funded activities, including by engaging in timely and meaningful consultation with private school officials during the design and development of their Title IV-A programs. Services provided to private schools apply to the LEA-wide statutory spending rules, including the EUT special rule.

Q16: May an LEA transfer only those funds that are to be used for equitable services to private school students or teachers?

A16: 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. Please see our [Guidance on Transferability](#) for additional information.