

Title IV Frequently Asked Questions

The Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA), was signed into law in December 2015. Newly authorized under ESSA is the Student Support and Academic Enrichment (SSAE) program. The purpose of the Title IV grant is to improve students' academic achievement by increasing the capacity of State, districts, and local communities to:

- provide all students with access to a well-rounded education;
- improve school conditions for student learning; and
- improve the use of technology in order to improve the academic achievement and digital literacy of all students.

Funding

Q. How are Title IV funds distributed?

A. In Spring 2017 the North Dakota Department of Public Instruction sought input from educational leaders on the distribution of these funds. It was the decision of these leaders that the funds would be distributed to districts as a formula grant through the Consolidated Application for Federal Title Programs.

Q. Can districts join a consortium for Title IV funds?

A. Yes. Districts may, and are encouraged to, apply for funds in a consortium to implement programs across districts. Working together, a district may be able to more efficiently deliver services through economies of scale that enable them to serve more students at lower cost and reduce administrative overhead.

Q. How are district Title IV allocations calculated?

A. District allocations are based on the district's relative share of Title I Part A funds received through the Title I funding formula. The department will provide a district their allocation in the same proportion as the district's prior year Title I allocation (ESEA § 4105(a)(1)).

If a district did not generate, receive, or accept a Title I allocation in the preceding year, it is not eligible to receive a Title IV subgrant award.

No district may receive less than \$10,000 and if the state's allocation is such that this requirement cannot be met, the federal statute includes language regarding ratable reductions.

Q. Where can each district's allocation be found?

A. The allocation amounts are prepopulated in the consolidated application.

Q. What is the allowable amount of carryover for Title IV funds?

A. LEAs may carryover up to one hundred percent of their funds from one year to the next. They will have a full 27 months to obligate and expend the funds. The NDDPI will still close out each fiscal year as of June 30 and make the remainder of the district's Title IV A allocation available as carryover. If applicable, after 24 months, the Title IV A final financial statement will indicate the

carryover funds that must be spent by September 30 of that year. Fiscal year (FY) 2017 would be the first time that funds have been awarded under the SSAE program. Therefore, with respect to an allocation of FY 2017 SSAE funds, the potential for carryover would not exist until after the first 15 months of funding, i.e., not until October 1, 2018. The carryover year for any FY 2017 SSAE funds would be October 1, 2018 – September 30, 2019.

Q. Are Title I Cooperative districts eligible for Title IV funds?

A. No. ESEA § 4105(a)(1) outlines the funding formula for the distribution of Title IV funds. The statute clearly states allocations are distributed in the same proportion as the Title I funds received by the district during the prior year.

If a district did not generate, receive, or accept a Title I allocation in the preceding year, it is not eligible to receive a Title IV subgrant award.

Q. What revenue codes are used to incorporate Title IV funds into the district's budget and accounting system?

A. Districts are to use revenue account 4525 for Title IV grant awards. This information can be found in the *North Dakota School District Accounting and Reporting Manual (NDSFARM)*.

Q. What accounting codes should be used to track Title IV expenditures?

A. Please refer to *Tracking Federal and Local Funds* document.

Q. What percentage funding can be used for administrative costs?

A. Districts may reserve up to 2% of Title IV funds for direct administrative costs.

Q. What funding requirements are in place for districts with allocations greater than \$30,000?

A. Districts that receive an allocation of \$30,000 or more must distribute their allocation among the three focus areas and according to the proportions described below.

- At least 20% of funds for activities to support well-rounded educational opportunities;
- At least 20% of funds for activities to support safe and healthy students; and
- A portion of funds for activities to support effective use of technology. ****Districts may not spend more than 15% of the funds they use for technology for purchasing technology infrastructure including devises, equipment, software applications, platforms, digital instructional resources and/or other one- time IT purchases (ESSA §419(b)).***

Example: District allocation: \$76,845

- At least 20% for well-rounded education = \$28,000
- At least 20% for safe and healthy students = \$25,000
- Effective use of technology: \$23,845 / up to 15% of \$23,845 = \$3,576.75 can be used on technology infrastructure.

Q. Are there spending requirements for Title IV carryover funds?

A. Yes. For LEAs receiving an allocation of \$30,000 or more, it is expected that the LEA will meet the 20-20 Special Rule within the fiscal year the funds were awarded. **For those LEAs that did not expend all their Title IV funds, the percent difference will need to be expended in the next year’s consolidated application through carryover.**

For example: LEA receives a \$30,000 FY18-19 Title IV-A allocation, and their consolidated application is approved as meeting the 20-20 Rule. However, during the final financial process, the LEA reports having only spent 15% of the planned 20% of their allocation on Well-Rounded Education activities and is wanting to carryover the 5% remainder to FY19-20. In doing so, this 5% of carryover **MUST** be spent within the Well-Rounded Education category to meet the funding requirements of the previous year.

The FY19-20 consolidated application would need to have “at least the minimum 20% toward Well-Rounded Education” PLUS the additional 5% of carryover budgeted toward the Well-Rounded Education category. LEAs must have internal process in place to track these funds and the percentages spent within each of the required areas.

Q. Does the district factor in the Title IV proportionate share to the private schools in their 20-20 Special Rule?

A. Yes. Any Title IV services the private schools receive through Title IV must be calculated towards the district’s funding requirements under the 20-20 Special Rule.

Q. What funding requirements are in place for districts with allocations less than \$30,000?

A. Districts that receive less than \$30,000 must utilize their allocation for at least one of the three focus areas described below.

- Activities to support well-rounded educational opportunities;
- Activities to support safe and healthy students; and
- Activities to support effective use of technology. *Districts may not spend more than 15% of the funds they use for technology for purchasing technology infrastructure including devices, equipment, software applications, platforms, digital instructional resources and/or other one- time IT purchases (ESSA §419(b)).

Transferability

Q. Can a district transfer its Title IV funds to another federal Title program in which the district generated an allocation?

A. Yes. It is allowable for a district to transfer its Title IV funds into another federal Title program provided that program has an allocation. Title IV Funds that are transferred into another Federal Title program must follow the requirements of the program they are transferring into.

Q. If a district chooses to transfer funds out of Title IV and into another allowable federal Title program (i.e., Title I, Title II), how does this affect participating private schools?

- A. Before a district may transfer funds from a program subject to equitable services requirements, it must have evidence of conducting a needs assessment (if allocation is over \$30,000) and engage in timely and meaningful consultation with appropriate private school officials. With respect to the transferred funds, the district 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.

- Q. If a district elects to transfer funds toward the Title IV program and the new amount equals \$30,000 or more in the Transfer Title IV budget, what requirements must the district follow?**

- A. When a district's allocation, in this case Transfer Title IV budget, is \$30,000 or above, they must still meet Title IV requirements plus now meet the 20-20 Special Funding Rule and conduct a comprehensive needs assessment that addresses the required areas.

- Q. If an LEA requests to transfer 100% of their Title IV funds to Title I (they have consulted with participating private schools) 30 days prior to submitting their allocation (which is \$30,000 or more), does the LEA still have to complete a comprehensive needs assessment?**

- A. Yes. The needs assessment is an eligibility requirement for Title IV, Part A. (Section 4106(a)(2) of the ESEA). Even if an LEA intends to transfer 100% of its Title IV, Part A funds into another eligible program, it must fulfill the eligibility requirements in order to obtain its Title IV, Part A subgrant.

Use of Funds

*Sustainability will be key; salaried positions paid exclusively through Title IV could be difficult to sustain in future years without alternate sources of funding.

The following section includes questions regarding specific positions such as school counselor, school resources officer, school nurse, etc. and program activities such as SMART labs, afterschool programs, etc. In making the determination of the allowability of funds for program costs will depend on a number of factors, starting with whether all statutory requirements are met. Assuming that the activity is consistent with the purposes of one of the three content areas, as applicable, the SEA 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 Title IV-A if it is reasonable and necessary for performance of the grant and allocable to the grant. Also, because section 4110 of the ESEA prohibits supplanting, the funds must supplement, and not supplant, other non-Federal funds that would otherwise be used to pay for the allowable activity.

- Q. Can we hire a School Resource Officer (SRO) with Title IV Part A Funds?**

- A. In making the determination of the allowability of funds for program costs will depend on a number of factors (as stated above), starting with whether all statutory requirements are met. The district must first and foremost demonstrate a need (i.e. school safety audit or other needs assessment with relevant data) and how the SRO would meet that need.

The SRO must also follow an evidence-based approach. The National Association of School Resource Officers (NASRO) developed the triad model which is what we recommend. The SRO triad model outlines their responsibilities under three areas: teacher, informal counselor, and law enforcement officer. The SRO must fit into a comprehensive system of supports for staff and students and how that system is utilizing evidence-based programs.

Schools must also develop and have in place a relevant way to assess the effectiveness of the SRO within the school environment. Allowability will be determined on a case-by-case basis.

*Evidence has shown if they are just a security presence then it is detrimental to the school climate.

Q. Can we hire a School Nurse with Title IV Part A Funds?

A. In making the determination of the allowability of funds for program costs will depend on a number of factors (as stated above), starting with whether all statutory requirements are met. The district must first and foremost demonstrate a need (i.e. school needs assessment with relevant data that would demonstrate a need to be filled or impacted by the hiring of a school nurse) and how the School Nurse would meet that need.

Schools must also develop and have in place a relevant way to assess the effectiveness of the School Nurse program within the school environment. Allowability will be determined on a case-by-case basis.

Q. Can we use Title IV funds to pay for our school counselor in grades 7-12?

A. In making the determination of the allowability of funds for program costs will depend on a number of factors (as stated above), starting with whether all statutory requirements are met. The district must first and foremost demonstrate a need. The ND Century Code has set the requirements of 1 FT counselor for every 300 students in grade 7-12. Title IV Part A funds cannot cover the cost of a school counselor's salary when it is required by NDCC as that would be supplanting. Allowability will be determined on a case-by-case basis.

Q. Can we use Title IV funds to pay for our school counselor in grades K-6?

A. In making the determination of the allowability of funds for program costs will depend on a number of factors (as stated above), starting with whether all statutory requirements are met. The district must first and foremost demonstrate a need.

Established past practices also determine supplanting; if the district has established the past practice of using state or local funds for K- 6 grade school counseling position(s), Title IV Part A funds cannot be used. Allowability will be determined on a case-by-case basis.

Q. Can you explain supplement vs. supplant?

A. SSAE program funds may be used only to supplement, and not supplant, non-federal funds that would otherwise be available for activities authorized under the SSAE program (Section 4110). This means that, in general, LEAs may not use SSAE program funds for the cost of activities in the three SSAE 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 SSAE program funds.

The three Presumptions of Supplanting guiding questions are:

- 1) Are the expenditures or activities required by other Federal, State or local laws?
- 2) Were the expenditures or activities funded in previous years by non-Federal funds?
- 3) Would the expenditures or activities happen in the absence of Federal funds?

Q. What is meant by Uniform Grants Guidance?

A. Uniform Grants Guidance cost principles apply to the use of SSAE program funds, including the standards below:

- Necessary and reasonable
- Allowable
- Allocable to the program
- Adequately documented

Q. Can we purchase security cameras with Title IV Part A funds?

A. In making the determination of the allowability of funds for program costs will depend on a number of factors (as stated above), starting with whether all statutory requirements are met. The district must first and foremost demonstrate a need (i.e. school safety audit or other needs assessment with relevant data) and how the purchase of security cameras would meet need.

Schools must also develop and have in place a relevant way to assess the effectiveness of the addition of the security system within the school environment. Allowability will be determined on a case-by-case basis.

The following should guide the LEA when making this determination:

- Are the activities/strategies found within the LEA’s Emergency Response Plan?
- Are the intended purchases necessary and reasonable?
- Are the three Presumptions of Supplanting met? (as listed above)

Q. Can you explain prior written informed consent under Title IV?

A. Any LEA receiving funds under the SSAE program must 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 that is funded with SSAE program funds. Prior written, informed consent means active consent; silent (passive) consent does not constitute prior written, informed consent is therefore not sufficient. Before obtaining the consent, the LEA shall provide the parent written notice describing in detail the mental health assessment or service, including the purpose for such assessment or service, the provider of such assessment or service, when such assessment or service will begin, and how long such assessment or service may last. The informed written consent required under this paragraph shall not be a waiver of any rights or protections under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

Q. Can food be purchased with Title IV funds?

- A.** Typically, food is *not an allowable* use of Title IV. Federal grant funds may only be used for expenses that are reasonable and necessary. There is a very high burden of proof to show that paying for food and beverages with federal funds is necessary to meet the goals and objectives of a federal grant. While these determinations will be made on a case-by-case basis, and there may be some circumstances where the cost would be permissible, it is likely that those circumstances will be rare. Districts, therefore, will have to make a compelling case that the unique circumstances they have identified would justify these costs as reasonable and necessary.

Q. What is a comprehensive needs assessment?

- A.** A comprehensive needs assessment is a systemic, ongoing process a school engages in to gather and analyze their data, determine their root causes, set priorities, implement programming, and evaluate for effectiveness of desired outcomes. A wide variety of methods or tools can be used to evaluate, measure, and document the readiness, learning progress and outcomes, skill acquisition, or educational needs of all students based on all desired outcomes.

Q. When conducting our needs assessment, what are the requirements for Title IV?

- A.** A Comprehensive Needs Assessment must be conducted every three years to examine the needs for improvement of well-rounded educational opportunities, school conditions for student learning, and access to personalized learning experiences supported by technology.

If the district has an existing comprehensive needs assessment process, includes stakeholder involvement, and data elements relevant to the areas of allowable uses of Title IV funds (well-rounded, safe and healthy students, educational technology), then it is sufficient to leverage this existing process to satisfy the Title IV program requirement. However, if existing needs assessment processes do not address the content areas included in Title IV, then a separate comprehensive needs assessment should be conducted to ensure relevant needs are identified for use of funds.

Q. Is transportation an allowable cost?

- A.** The cost of transportation to and from a specific and allowable Title IV-A activity, such as a robotics competition or other nonprofit competitions related to STEM subjects, would not be prohibited by Section 8526 and should be evaluated in accordance with the analysis below.

A SEA's determination of the allowability of funds for program costs will depend on a number of factors, starting with whether all statutory requirements are met. Assuming that the activity is consistent with the purposes of one of the three content areas, as applicable, the SEA 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 Title IV-A if it is reasonable and necessary for performance of the grant and allocable to the grant. Also, because section 4110 of the ESEA prohibits supplanting, the funds must supplement, and not supplant, other non-Federal funds that would otherwise be used to pay for the allowable activity.