

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.

General Funding and Accounting

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 deliver services more efficiently 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, they are 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 posted each year and can be found on the DPI website [Federal Title Allocations](#).

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 is required for equipment inventory purchased with Title IV funds?

A. The LEA must maintain a current inventory of any materials purchased with Title IV-A funds. This includes laptops, computers, Smartboards, projectors, etc. The LEA retains control of and includes an inventory of fixed assets for all equipment purchased with funds for private schools (if applicable).

Comprehensive Needs Assessment

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.

Spending Requirements

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 devices, 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.

LEAs must have internal process in place to track these funds and the percentages spent within each of the required areas.

Q. What does a portion of funds in technology mean?

A. A portion has not been identified as a specific dollar amount, rather an amount identified by the district to execute an activity or program that aligns with the purpose of those funds.

Q. What is the general guidance around technology purchases in Title IVA 4019 in addition to 4107 and 4108?

A. There are many funding sources that allow for the purchase of technology. Given the flexibility of Title IV-A funds for diverse strategies that impact student instruction and conditions for learning, Title IV-A should be used as funds of **last resort for device purchases.**

There is a 15 percent technology spending cap for devices, equipment, software, and digital content. 20 U.S.C. § 7119(b). This includes district-level or employee use hardware and software.

Please understand that the 15% cap fits under this category, but technology purchases for instructional purposes can be funded under well-rounded education as part of an integrated technology approach. Infrastructure expenses do not include broadband (hotspots and service plans for students is allowable), security cameras, building hardware, district online security and monitoring tools. Keep in mind, this title should support classroom instruction and professional learning.

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 if we do not spend our full awarded amount of Title IV funds?

A. LEAs have a full 27 months to obligate and expend their Title IV funds. The NDDPI will still close out each fiscal year as of June 30. Any remaining Title IV A funds will continue to be available within the district grant award until it has been fully expended or expired.

Q. Are there spending requirements for Title IV remaining fiscal year 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 example: LEA receives a \$30,000 FY20-21 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. The remaining required 5% MUST be spent within the Well-Rounded Education category to meet the funding requirements of the grant award year.

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. Does each private schools have to follow the 20-20 special rule?

A. No. Any Title IV services or programming 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 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.

Statutory Requirements

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 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

Use of Funds - Staff Positions

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

Q. Can we use Title IV funds to pay for staff positions?

A. If a LEA wants to use Title IV-A funds to pay for a staff position(s), they must first determine if that staff position or teaching activity is allowable under Title IV-A – i.e., the position would need to support at least one of the three purposes of the Title IV-A program statute—well-rounded education, safe and healthy students, and effective use of technology.

To be funded, the position(s) 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 in fact charged to the grant. If the program has a supplanting prohibition, which the Title IV-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.

**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 staff position(s), but for the availability of Title IV-A funds. The LEA would need to provide clear documentation that no state or local funds are available to cover the*

faculties' salaries and that the reason for the lack of appropriations is not because federal funds might be available to cover the positions.

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 use Title IV funds to pay for our school counselor?

- 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 grades 7-12 and beginning 2022-2023 school year, grades K-6. 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. If you are supplementing school counseling services and going above the NDCC requirements, it maybe allowable. Allowability will be determined on a case-by-case basis.

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.

The goal is to integrate health and safety practices into school or athletic programs. School nurses support a healthy, active lifestyle, including nutritional education and regular, structured physical education activities and programs, that may address chronic disease management with instruction led by school nurses, nurse practitioners, or others to help maintain the well-being of students.

Schools must also develop and have in place a relevant way to assess the effectiveness of the School Nurse program within the school environment. **According to the National Association of School Nurses (NASN), research demonstrates when chronic and acute healthcare needs are met, students miss fewer days of school and academic achievement is higher.*

Can we implement [eNurse](#) 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.

The goal is to integrate health and safety practices into school or athletic programs. School nurses support a healthy, active lifestyle, including nutritional education and regular, structured physical education activities and programs, that may address chronic disease management with instruction led by school nurses, nurse practitioners, or others to help maintain the well-being of students.

Schools must also develop and have in place a relevant way to assess the effectiveness of the School Nurse program within the school environment. **According to the National Association of School Nurses (NASN), research demonstrates when chronic and acute healthcare needs are met, students miss fewer days of school and academic achievement is higher.*

Q. Is administrator or coordinator technology staffing options allowable under IVA 4109?

- 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 staffing position must be connected to classroom instructional programming. Schools must also develop and have in place a relevant way to assess the program effectiveness aligned with students outcomes.

Q. Can Title funds be used to pay a bus monitor?

- 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 bus monitor would meet that need.

Schools must also develop and have in place a relevant way to assess the effectiveness of the bus monitor. How are you are going to measure the outcome and effectiveness of the bus monitor with student achievement? Is this a bus where students behaviors are impacting attendance and academics?

There is also the presumption of supplanting, the LEA would have to show that it would not otherwise be able to fund the salaries of the position(s), but for the availability of Title IV-A funds. The LEA would need to provide clear documentation that no state or local funds are available to cover the salaries and that the reason for the lack of appropriations is not because federal funds might be available to cover the position(s). Is this an additional position or are they using Title IV funds to cover a position that has existed in the past? If this is the case, it would be a strong indicator of supplanting and they would have to show that there is not another funding option to pay for this position.

Q. Can we use our Title Funds for providing contracted services with the Village?

- A.** 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 (as stated above).

It is important to note that a 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 Title IV -SSAE program funds.

Prior written, informed consent means active consent; silent (passive) consent does not constitute prior written, informed consent is therefore not sufficient. Section 4001 of the ESEA describes in detail the contents of such consent, as well as limitations and exceptions to when prior, written informed consent is required. Included is the ESEA section below for your reference.

**43 ESEA section 4001 provides: SEC. 4001. GENERAL PROVISIONS. (a) PARENTAL CONSENT.— (1) IN GENERAL.— (A) INFORMED WRITTEN CONSENT.—A State, local educational agency, or other entity receiving funds under this title shall 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 under this title and conducted in connection with an elementary school or secondary school under this title. (B) CONTENTS.—Before obtaining the consent described in subparagraph (A), the entity shall provide the parent written notice describing in detail such 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 (C) LIMITATION.— 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)*

General Use of Funds

Q. Can we purchase PBIS rewards or Token Economy rewards?

- A.** Title IV, Part A funds can be used for PBIS rewards is items of nominal value or school-related rewards/items with an educational focus (e.g. school supplies, books, etc.) are allowable (federal cost principles still apply). The items must be reasonable in cost, tied to educational/behavioral achievement, and provided after the fact (not in advance). Funds cannot be used for food, gift cards, school t-shirts, wristbands, water bottles, book bags, or other items that would be of monetary value. Districts are encouraged to look into free or inexpensive rewards options before using federal funds for incentives.

Q. Can we purchase T-shirts with Title IV funds?

- A.** T-Shirts and other promotional items fit in the category of “advertising and public relations,” which are generally not allowable per 2 CFR 200.421. Items that are purely about publicity and promotion of a club or organization would not be an allowable use of funds.

Q. Can food be purchased with Title IV-A 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. Can we purchase security cameras with Title IV-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 previously)

** Construction is not authorized under Title IV-A. Thus, allowable activities regarding the condition of a school building must fall into the definition of “minor remodeling” to be considered allowable. See 34 CFR 77.1(b). The installation of security cameras would generally constitute a minor alteration in a previously completed building and therefore would be allowable under the definition of minor remodeling.*

Q. Can Title IV-A funds be used to purchase drones? The drones would be part of the LEA’s STEM program and activities for students.

- A.** In general, the purchase of drones would need to support at least one of the three purposes of the Title IV-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 in fact charged to the grant. If the program has a supplanting prohibition, which the Title IV-A program.

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. 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.

Evaluation

In accordance with the Elementary and Secondary Education Act (ESEA) §4104(a)(2) each State that receives an allotment under ESEA §4103 for a fiscal year shall report on how funds made available under this subpart are being expended by local educational agencies (LEAs), including the degree to which the LEAs have made progress towards meeting the objectives and outcomes of the Title IV-A funded activities and/programming as described in ESEA §4106(e)(1)€.

LEAs can determine if they wish to establish objectives and outcomes for each activity, for a group of activities, or for the application as a whole. We recommend that the development of objectives and outcomes be driven by the LEA's identified needs. The detailed planned activities or programs outlined in the LEA application should also be aligned with their priorities outlined in their strategy map and the state's K-12 Strategic Plan.

A Status Report: *Progress Reported for Title IV-A* will be assigned to each District who has received a Title IV grant award. LEA's will determine progress for Title IV-A program or activity objectives and outcomes in the three broad areas: Safe and Healthy, Well-Rounded, and Effective Use of Technology.

Progress Reported for Title IV-A program or activity objectives and outcomes for FY 2021-2022 is as follows:

- Select the option that best describes the degree to which the LEA made progress toward meeting the objectives and outcomes described in the LEA application for **Well-Rounded Education** in FY 2020-21.
- Select the option that best describes the degree to which the LEA made progress toward meeting the objectives and outcomes described in the LEA application for **Safe and Healthy Students** in FY 2020-21.
- Select the option that best describes the degree to which the LEA made progress toward meeting the objectives and outcomes described in the LEA application for the **Effective Use of Technology** in FY 2020-21.

They will select their level of progress for each area from the following three categories:

- Some measurable progress was made
- Substantial measurable progress was made
- All objectives and outcomes were completed

If districts wish to submit a more detailed plan with objectives and outcomes, they may add attachments along with the required Status Report.