TITLE IV, PART A, SUBPART 1: STUDENT SUPPORT AND ACADEMIC ENRICHMENT PROGRAM GUIDE

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Change History

Version	Release Date	Summary of Changes	Affected Page Number(s)
2.0	09/2021	Addition of *specialized instructional support personnel* definition – Title VIII, Part A, Section 8101 (47) (i-ii).	3
2.0	09/2021	Addition of *Internet Safety Requirements*– Title IV, Part A, Subpart 2, Section 4121	4
2.0	09/2021	Addition of *Nonsmoking Policy for Children's Services* – ESSA, Title VIII, Part F, Subpart 5, Section 8573	4
2.0	09/2021	Addition of *Statewide Use of Funds Data* section – Title IV, Part A, Section 4104(a)(2)	14
2.0	09/2021	Revised *Unallowable Activities and Use of Funds section* – Title IV, Part A, Sections 4001(b-c) and 8526.	15-16
2.0	09/2021	All Program Guide *Frequently Asked Questions* (FAQs) moved to the Title IV, Part A FAQs	

I. Program Overview

Unless otherwise noted, the Section numbers cited in this guidance document refer to the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA).

Intent and Purpose

Title IV, Part A, Subpart 1, Student Support and Academic Enrichment grants are designed to improve the academic achievement of all students by increasing the capacity of LEAs, schools, and communities to:

(1)   provide all students with access to a well-rounded education,

(2)   improve school conditions for student learning, and

(3)   improve technology in order to enhance academic outcomes and digital literacy of students.

This program guide contains basic program information, as well as direct links to related information and resources available on the Texas Education Agency web site. This resource provides general program information and should not be perceived as an all-inclusive listing of all statutory requirements. Upon certification and submission of the ESSA Consolidated Federal Grant Application, LEAs certify that they will comply with all requirements noted in statute.

All statutory requirements can be found in the Program-Specific Provisions and Assurances posted on the TEA Grant Opportunities Page. For a link to the Program-Specific Provisions and Assurances, search by the grant application name and review the information located in the Application and Support Information section.

Additionally, please note that any sample language provided in sections of this guide are examples of what LEAs and/or campuses could use as a guide. It is not meant for an LEA to copy and paste verbatim, as LEA policies and procedures may be different than what is provided as sample language.

State Plan

Each State that receives ESSA funds is required to submit a plan to the United States Department of Education (USDE). The preliminary Texas Consolidated State Plan was submitted to the USDE by the Texas Education Agency (TEA) on September 25, 2017. The final Texas Consolidated State Plan was submitted on March 6, 2018. This final plan reflected the results of a series of public hearings, review by the Governor's Office, and review by the State Board of Education, in addition to input from a peer review process and feedback from the USDE. The plan can be viewed through the following link: ESSA State Plan.

Allocation of Funds to Local Educational Agencies (LEAs)

Allocations to individual LEAs are determined based on statutory formulas. Several factors affect LEA eligibility for the funding, including Census updates, hold-harmless amounts, and set-asides for state activities, state-level administration, and charter school funding.

The process of determining LEA allocations is detailed in the "ESSA Funding Formulas Reference Manual" that is available in the Handbooks and Other Guidance section of TEA's Finance and Grants web page.

Entitlement amounts for the current school year for these and other grants are available on the Grants Administration Division web page. Entitlements can be found in the ESSA Consolidated Application entitlements section of the web page.

LEA Plan and Application

Local education agencies (LEAs) may apply for funding through the ESSA Consolidated Federal Grant Application that is available in the eGrants system. Information on accessing the eGrants system are detailed on the TEA Secure Applications web page. General information and a sample application are available at the TEA Grant Opportunities web page. For detailed information search by the grant application name.

The ESSA Consolidated Federal Grant Application incorporates the LEA Plan required by Federal statute into the annual application for funding. The ESSA Consolidated Federal Grant Application serves as a Consolidated LEA Plan and Application for the following Federal programs:

- ❑ Title I, Part A—Improving Basic Programs Operated by LEAs
- ❑ Title I, Part C—Education of Migratory Children
- ❑ Title I, Part D—Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk of Dropping Out
- ❑ Title II, Part A—Supporting Effective Instruction
- ❑ Title III, Part A—English Language Acquisition, Language Enhancement, and Academic Achievement
- ❑ Title IV, Part A—Student Support and Academic Enrichment Grants

Required Consultation and Stakeholders

During the design and development of the Title IV, Part A, Subpart 1 program, an LEA or consortium of LEAs must engage in consultation with stakeholders in the area served by the LEA. (ESEA section 4106(c)(1)).

Such stakeholders *must* include, but are not limited to, the following:

- Parents   • Specialized instructional support personnel

- Teachers   • Local government representatives

- Principals   • Others with relevant and demonstrated expertise

- Students   • Community-based organizations

- School leaders   • Indian tribes or tribal organizations, when applicable

- Charter school teachers, principals, and other school leaders, when applicable

An LEA or consortium of LEAs must continue to consult with the stakeholders identified above to improve the activities it conducts and coordinate implementation with other related activities conducted in the community. (ESEA section 4106(c)(2))

ESSA, Title VIII, Subpart A, Section 8101 (47)(A)(i-ii) defines *specialized instructional support personnel* as:

> (i) school counselors, school social workers, and school psychologists; and

> (ii) other qualified professional personnel, such as school nurses, speech language pathologists, and school librarians, involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services (including related services as that term is defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)) as part of a comprehensive program to meet student needs.

LEAs must also consult with private school officials to identify the needs of eligible private school students and teachers consistent with the requirements in section 8501 of the ESEA.

Prioritization of Services

In accordance with ESEA section 4106(e) (2) and (f), an LEA or consortium of LEAs must assure in its application that it will:

Prioritize the distribution of funds to schools served by the LEA based on one or more of the following criteria—
- Are among the schools with the greatest needs;
- Have the highest percentages or numbers of children counted under section 1124(c) (i.e., children counted for purposes of basic grants to LEAs under Title I, Part A of the ESEA);
- Are identified for comprehensive support and improvement under section 1111(c)(4)(D)(i) (i.e., are among the lowest-achieving schools);
- Are implementing targeted support and improvement plans as described in section 1111(d)(2) (i.e., have consistently underperforming student subgroups); or
- Are identified as a persistently dangerous public elementary school or secondary school under section 8532. (ESEA section 4106(e)(2)(A))

Internet Safety Requirements – Title IV, Part A, Subpart 2

An LEA receiving Title I, Part A – Improving Basic Programs Operated by Local Educational Agencies, Subpart 1 – Basic Program Requirements funds shall also adhere to all internet safety requirements of the ESSA Title IV, Part A, Subpart 2, Section 4121 Internet Safety (20 U.S.C. 7131) statute.

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 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:

a. **policy of internet safety for minors** that includes the operation of a technology protection measure with respect to any of its computers with internet access that protects against access through such computers to visual depictions that are obscene, are 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

b. **policy of internet safety that includes the operation of a technology protection measure** with respect 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 is enforcing 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.

Non-Smoking Policy for Children's Services

In the *Program-Specific and ESSA Provisions and Assurances*, an LEA must certify, submit, and assure it meets compliance for 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 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 that is 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].

Web Resources

Program Overview – One Pager

ESSA State Plan

ESSA Funding Formulas Reference Manual

Entitlements

eGrants Access

TEA Grant Opportunities Page

II. Program Description

This section provides program specific requirements and information related to the Title IV, Part A, Subpart 1 program.

General Program Requirements

Each LEA that receives Title IV, Part A, Subpart 1 funds must meet the following program requirements:

1. Engage in timely and meaningful consultation with a broad range of required stakeholders in the area served by the LEA to identify relevant, evidence-based activities to carry out the goals of the grant program. An LEA must continue to consult with stakeholders to improve the activities it conducts under Title IV, Part A, Subpart 1 and coordinate with other related strategies, programs, and activities.

2. For an LEA that receives at least $30,000, conduct a comprehensive needs assessment prior to submitting its application and subsequent needs assessments at least once every three years. The comprehensive needs assessment must examine the LEA's needs for improvement of each of the following program content areas:

   - Access to, and opportunities for, a well-rounded education for all students
   - School conditions for student learning to create an environment that supports healthy and safe students
   - Access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.

3. Please note that an LEA that receives an allocation in an amount less than $30,000 is not required to conduct a comprehensive needs assessment. However, it is best practice for identifying district priorities.

4. All LEAs are required to prioritize the distribution of funds to schools served by the LEA based on one or more of the following:

    - Are among the schools with the greatest needs as determined by the LEA;
    - Have the highest percentages or numbers of students from low-income families (as counted for purposes of the LEA's Title I, Part A, Subpart 1 grant);
    - Are identified for comprehensive support and improvement under Title I, Part A;
    - Are implementing targeted support and improvement plans under Title I, Part A; and/or
    - Are identified as a persistently dangerous public elementary school or secondary school.

5. For an LEA that receives at least $30,000, use no less than 20 percent of funds to develop and implement programs and activities that support access to a well-rounded education and that—

    - are coordinated with other schools and community-based services and programs;
    - may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities; and
    - may include one or more activities or programs that provide well-rounded educational opportunities to all students.

6. For an LEA that receives at least $30,000, use no less than 20 percent of funds to develop, implement, and evaluate comprehensive programs and activities that—

    - are coordinated with other schools and community-based services and programs; and
    - may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities described in this section;
    - promote the involvement of parents in the activity or program; and
    - may include one or more activities or programs that foster safe, healthy, drug-free, and supportive school environments that promote student academic achievement.

7. For an LEA that receives at least $30,000, use some portion of the remaining funds to improve the use of technology, to improve the academic achievement, academic growth, and digital literacy of all students, by meeting the needs of the LEA that are identified in the required comprehensive needs assessment. An LEA -

- may provide educators, school leaders, and administrators with professional learning tools, devices, content, and resources;
- may use technology effectively in the classroom, including by administering computer-based assessments and blended learning strategies; and
- may implement and support school-and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning.

SPECIAL RULE: An LEA may not use more than 15 percent of the portion of funds identified for the effective use of technology to purchase technology infrastructure, including the purchase of—

- devices, equipment, and software applications to address academic readiness shortfalls;
- blended learning technology software and platforms;
- digital instructional resources;
- initial professional development activities; and
- one-time information technology purchases.

Purchases for technology infrastructure may not include significant construction or the renovation of facilities. **The remaining 85% of the funds for this content area be used for professional development in the use of technology and data.**

SPECIAL RULE: An LEA receiving an allocation in an amount less than $30,000 is required to provide only one of the assurances described in (5), (6), and (7) above. [Section 4106 (F)]

8. The LEA will increase opportunities and access for all students through grade 12 who are members of groups underrepresented, such as female students, minority students, English learners, children with disabilities, economically disadvantaged students, and students in rural, remote, and underserved areas.

9. Provide a description of the funded programs and activities related to supporting a well-rounded education, safe and healthy students, the effective use of technology in schools, and the program objectives and intended outcomes for those activities.

10. Periodically evaluate the effectiveness of the activities carried out to support the program objectives and intended outcomes.

11. Annually submit a report (i.e., ESSA Compliance Report) regarding how funds for the Title IV, Part A, Subpart 1 Student Support and Academic Enrichment Program, are being used to meet the distribution requirements above.

Allowable Activities and Use of Funds

Each LEA must be able to respond appropriately to and maintain documentation for each of the following questions to determine whether an expenditure would be allowable:

1. How is the expenditure reasonable and necessary to carry out the intent and purpose of the program?

2. What need, as identified in the comprehensive needs assessment, does the expenditure address? Explain how the expenditure addresses this need.

3. How will the expenditure be evaluated to measure a positive impact on student achievement?

4. How is the expenditure supplemental to other nonfederal programs?

Three Content Areas

The Title IV, Part A, Subpart 1 statute specifically authorizes the following types of activities in each of the three program content areas.

Well-Rounded Education

1. College and career guidance, counseling programs, such as postsecondary education and career awareness, and exploration activities, training counselors to effectively use labor market information in assisting students with postsecondary education and career planning, and financial literacy and federal financial aid awareness activities;

2. 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;

3. Programming and activities to improve instruction and student engagement in science, technology, engineering, and mathematics (STEM) subject areas, including computer science. Such activities may include the following:

   - Increasing access to high-quality STEM courses for students who are members of groups, such as female students, minority students, English language learners, students with disabilities, and economically disadvantaged students, who are underrepresented in STEM fields;
   - Supporting the participation of low-income students in nonprofit competitions related to STEM subjects such as robotics, science research, invention, mathematics, computer science, and technology competitions;
   - Providing hands-on learning and exposure to STEM subjects and supporting the use of field-based or service learning to enhance the students' understanding of STEM subjects;
   - Supporting the creation and enhancement of STEM-focused specialty schools;

- Facilitating collaboration among school, after-school program, and informal program personnel to improve the integration of programming and instruction in STEM subject areas; and
- Integrating other academic subjects, including the arts, into STEM programs to increase participation in STEM courses and activities, improve attainment of skills related to STEM, and promote a well-rounded education.

4. Efforts to raise student academic achievement through accelerated learning programs. Accelerated learning programs are defined as programs that offer postsecondary-level courses accepted for credit at institutions of higher education (including dual credit or concurrent enrollment programs and Early College High Schools) or postsecondary-level instruction and examinations that are accepted for credit at institutions of higher education (including Advanced Placement and International Baccalaureate programs). Examples of accelerated learning program activities include—

- Reimbursing low-income students to cover part or all the costs of accelerated learning exam fees if the students are enrolled in accelerated learning course(s) and plan to take corresponding exam(s), including exams taken by low-income students during the school year; and
- Increasing the availability of, and enrollment in, accelerated learning courses and exams, dual or concurrent credit programs, and Early College High School courses.

5. Activities to promote the development, implementation, and strengthening of programs to teach traditional U.S. history, civics, economics, geography, or government education;

6. Instruction, programs, or activities in languages other than English or environmental education;

7. Programs and activities that promote volunteerism and community involvement;

8. Programs and activities that support educational programs that integrate multiple disciplines, such as programs that combine arts and mathematics; and

9. Other activities and programs to support student access to, and success in, a variety of well-rounded education experiences.

Safe and Healthy Students

1. Evidence-based drug and violence prevention activities and programs, including—
   - Programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and e-cigarettes; and
   - 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, related to drug and violence prevention.

2. 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-based mental health services partnership programs conducted in partnership with a public or private mental health entity or health care entity that provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school; and
   - evidence-based trauma-informed practices that are coordinated with early intervening services provided under the Individuals with Disabilities Education Act (IDEA) and provided by mental and behavioral professionals who are qualified, certified, or licensed to practice within their area of expertise.

3. Programs or activities that—
   - integrate health and safety practices into school or athletic programs;
   - 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;
   - help prevent bullying and harassment;
   - improve instructional practices for developing relationship-building skills, such as effective communication, and improve safety through the recognition and prevention of coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment;
   - provide mentoring and school counseling to all students, including children, who are at risk of academic failure, dropping out of school, involvement in criminal or delinquent activities, or drug use and abuse;
   - establish or improve school dropout and re-entry programs; or
   - establish learning environments and enhance students' effective learning skills that are essential for school readiness and academic success, such as by providing integrated systems of student and family supports.

4. High-quality training for school personnel, including specialized instructional support personnel, related to—
   - suicide prevention;
   - effective and trauma-informed practices in classroom management;
   - crisis management and conflict resolution techniques;
   - human trafficking;
   - school-based violence prevention strategies;
   - drug abuse prevention, including educating children facing substance abuse at home; and
   - bullying and harassment prevention.

5. Child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide age- and developmentally-appropriate instruction for students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to safely report child sexual abuse; and information to parents and guardians of students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child.

6. Designing and implementing a locally tailored plan to reduce exclusionary discipline practices in elementary and secondary schools, is consistent with best practices and includes evidence-based strategies and is aligned with the long-term goal of prison.

7. Implementation of school-wide positive behavioral interventions and supports, including through coordination with similar activities carried out under the Individuals with Disabilities Education Act (IDEA), to improve academic outcomes and school conditions for student learning.

8. Designating a site resource coordinator at a school or LEA to provide a variety of services such as—
    - establishing partnerships within the community to provide resources and support for schools;
    - ensuring that all service and community partners are aligned with the academic expectations of a community school to improve student success; and
    - strengthening relationships between schools and communities.

Effective Use of Technology

1. Providing educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—
    - use data and technology to improve instruction;
    - personalize learning to improve student academic achievement;
    - discover, adapt, and share relevant high-quality educational resources;
    - use technology effectively in the classroom, including by administering computer-assessments and blended learning strategies; and
    - implement and support school- and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning.

2. Building technological capacity and infrastructure, which may include procuring content and ensuring content quality and purchasing devices, equipment, and software applications in order to address readiness shortfalls.

3. Developing or using effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula using technology, including digital learning technologies and assistive technology.

4. Carrying out blended learning projects, which must include planning activities or ongoing professional development designed to support the implementation and academic success of the project aimed at teachers, principals, other school leaders or personnel. Planning activities may include—
   - development of new instructional models, including blended learning technology software and platforms;
   - purchase of digital instructional resources;
   - initial professional development activities; and
   - one-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities.

5. Providing professional development in the use of technology to enable teachers and instructional leaders to increase student achievement in STEM subjects, including computer science.

6. Providing 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.

Regarding Special Rule in [Section 4109 (4)(b)](#), an LEA may not use more than 15 percent of the funds identified to support the effective use of technology for the purchase of technology infrastructure, which includes constructing facilities, and the renovation and repair of a facility.

Field Trips

Field trips may be funded under the grant program. A field trip may be funded under 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 an LEA plans on using grant funds for field trips, it will be required to complete the appropriate TEA justification form(s) on the [Grants Administration Forms for Prior Approval, Disclosure, and Justification](#) web page and retain documentation at the local level. The LEA

must keep and maintain this form so that it may be provided to an independent auditor or TEA monitors if selected for a review.

Travel for Competitions

Travel costs to and from specific and allowable Title IV, Part A, Subpart 1 activities, such as a robotics competition or other nonprofit competitions related to STEM subjects, are not prohibited, and will be evaluated in accordance with federal and state guidance. If an LEA plans to use grant funds for travel to competitions, it will be required to keep documentation at the local level.

LEA must keep and maintain documentation so that it may be provided to an independent auditor or to TEA monitors if the LEA is selected for a review.

Out-of-State Travel

Out-of-state travel costs are allowable. Out-of-state travel costs should be minimal. 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.

If an LEA plans on using grant funds for out-of-state travel for competitions, it will be required to keep documentation at the local level. LEA must keep and maintain documentation so that it may be provided to independent auditor or to TEA monitors if selected for a review.

See the Allowable Cost and Budgeting Guidance section of the [Administering a Grant](#) webpage for general guidance on allowable activities and use of funds.

III. Parent and Family Engagement

Requirement of Consultation

The LEA shall design and develop its Title IV, Part A, Subpart 1 program through required [stakeholder consultation](#), which must include parents [ESSA, [Section 4106(c)(1)](#)].

Web Resources

[Title I, Part A Parent and Family Engagement Statewide Initiative](#)

[ESC 16 Parent and Family Engagement Statewide Initiative: Title IV, Part A](#)

IV. Fiscal Requirements

Supplement, Not Supplant

Title IV, Part A, Subpart 1 funds must supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this section [ESSA, Section 4110].

Web Resources

For detailed information about Supplement, Not Supplant, see the TEA Supplement, Not Supplant Handbook.

V. Use of Funds

This section provides information related to the Use of Funds associated with the Title IV, Part A, Subpart 1 program.

Statewide Use of Funds Data

Section 4104(a)(2) requires TEA public reporting on how Title IV, Part A funds are being expended by local educational agencies. The table below provides the most current LEA data available prior to the Title IV, Part A Program Guide publishing date. Additional data may be viewed on TEA's Title IV, Part A webpage.

2019-2020

Content Area	Number of LEAs	Amount Expended
Well-Rounded Education	397	$24,161,218
Safe and Healthy Students	456	$28,207,819
Effective Use of Technology	312	$11,889,963

Recommended Use of Funds for School Safety

The federal grant has many allowable uses that fall within the broad categories of:

1. well-rounded education opportunities;
2. safe and healthy students; and

3. effective use of technology.

TEA has previously awarded Title IV, Part A, Subpart 1 grants to local educational agencies (LEAs) for many purposes that meet the LEA's identified needs, including school safety. Any increase in federal grant funds should be prioritized to immediately implement school safety improvements on campuses, including counseling and mental health programs, addressing ways to integrate health and safety practices into school or athletic programs, and disseminating best practices and evaluating program outcomes relating to any LEA activities to promote student safety and violence prevention.

A safe learning environment for all students is crucial to advancing the purposes of the SSAE program. TEA further requests LEAs to submit SSAE applications that prioritize increased spending on allowable school safety training and activities.

Unallowable Activities and Use of Funds

Title IV, Part A, Subpart 1 programs, activities, and services which are also mandated by state law, rule, and regulation, the State Board of Education (SBOE) rule, or local board policy cannot be funded with Title IV, Part A grant funds.

Unallowable Activities

Section 4001(c) prohibits mandatory medication:
- Prohibition on Mandatory Medication. - No child shall be required to obtain a prescription for a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802) as a condition of—
  - o (1) receiving an evaluation or other service described under this title; or
  - o (2) attending a school receiving assistance under this title. – Section 4001(c)

Unallowable Use of Funds

In general, refer to the Budgeting Cost Guidance Handbook on the Training and Other Resources page for unallowable costs.

The ESSA Statute specifically lists two unallowable uses of funds for this grant program:

- Prohibited Uses of Funds - Construction, renovation, or repair of any school facility - Section 8526
- Prohibited Use of Funds - Medical services or drug treatment or rehabilitation, except for integrated student supports, specialized instructional support services, or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs. - Section 4001 (b)

The Supplement, Not Supplant provision prohibits LEAs from using Title IV, Part A funds for any

programs, activities, and services mandated in state law, rule, and regulation, the State Board of Education (SBOE) rule, or local board policy.

Unallowable use of funds for this grant program includes, *but are not limited to*, the following:

- Suicide prevention training for personnel and specialized support personnel;
- Mental health first aid training to fulfill required continuing education of personnel;
- Well-rounded activities and competitions that are University Interscholastic League events; and
- Nursing continuing education to fulfill yearly license renewal.

Web Resources

[TEA Budgeting Costs Guidance Handbook](#)

VI. Carryover of Funds

As per ESSA, Title IV, Part A, Subpart 1 funds remaining at the end of a grant period are made available to grant recipients through a carryover process. This allows grant recipients to use unobligated balances from the prior fiscal year in the current grant year. TEA grant staff calculate carryover amounts after the grant has closed and made the funds available to eligible grant recipients through their current approved applications. There is no percent threshold for carryover for the Title IV, Part A, Subpart 1 funds. An LEA has 27 months to expend the funds.

VII. Private School Equitable Services

To the extent consistent with the number of eligible children identified in the school district served by the LEA who are enrolled in private nonprofit (PNP) elementary and secondary schools, the LEA shall—
- Provide timely and meaningful consultation with appropriate private school officials, on an equitable basis and individually or in combination, as requested by the officials to best meet the needs of such children through -
  - instructional services (including evaluations to determine the progress being made in meeting such students' academic needs),
  - counseling,
  - mentoring,
  - one-on-one tutoring,
  - special educational services,
  - or other benefits (such as dual or concurrent enrollment, educational radio and television, computer equipment and materials, other technology, and mobile educational services and equipment) that address their needs; and
- Ensure that teachers and families of these children participate, on an equitable basis, in services and parent and family engagement activities.

Please note that the educational services or other benefits, including materials and equipment, shall be secular, neutral, and nonideological. Educational services and other benefits for eligible private school children shall be equitable in comparison to service and other benefits for public school children participating under Title IV, Part A and shall be provided in a timely manner. The LEA may provide services directly or through third-party contracts with public and private agencies, organizations, and institutions.

The provision of services shall be provided—
- By employees of a public agency; or
- Through third-party contract by such public agency with an individual, association, agency, or organization.

In the provision of such services, such employee, individual, association, agency, or organization shall be independent of the private school and of any religious organization, and such employment or contract shall be under the control and supervision of such public agency.

Funding Requirements

Expenditures for educational services and other benefits to eligible PNP school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the total number of eligible children who attend private schools in participating school attendance areas. The proportional share of funds shall be determined based on the total amount of funds received by the LEA, prior to any allowable expenditures or transfers by the LEA. Funds allocated to the LEA for educational services and other benefits to eligible PNP school children shall be obligated in the fiscal year for which the funds are received by the LEA. The LEA may determine the equitable share each year or every two years.

The control of funds and title to materials, equipment, and property belong to the LEA; all materials, equipment, and property should be on the LEA's inventory list and labeled prior to private school use.

Meaningful Consultation Requirements

To ensure timely and meaningful consultation, the LEA shall consult with appropriate PNP school officials during the design and development of the LEA's Title IV, Part A, Subpart 1 program. The LEA and PNP school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible PNP school children. This consultation shall include such issues as—

- How the children's needs will be identified;
- What services will be offered;
- How, where, and by whom the services will be provided;

- How the services will be academically assessed and how the results of that assessment will be used to improve those services;
- The size and scope of the equitable services to be provided to the eligible private school children, the proportion of funds that is allocated for such services, and how that proportion of funds is determined;
- How and when the LEA will make decisions about the delivery of services to such children, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers;
- Whether the LEA shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor;
- Whether to provide equitable services to eligible private school children—
    o By creating a pool or pools of funds with all the funds allocated based on all the children from low-income families in a participating school attendance area who attend PNP schools; or
    o In the LEA's participating school attendance area who attend private schools with the proportion of funds allocated based on the number of children from low-income families who attend private schools;

If the LEA disagrees with the views of PNP school officials with respect to an issue regarding the meaningful consultation requirements, above, the LEA shall provide in writing to the PNP school officials the reasons why the LEA disagrees. The LEA assures such consultation shall include meetings of the LEA and PNP school officials and shall occur before the LEA makes any decision that affects the opportunities of eligible PNP school children to participate in this program. Such meetings shall continue throughout implementation and assessment of services. The LEA assures that such consultation shall include a discussion of service delivery mechanisms to eligible PNP school children.

The LEA shall maintain in the district's records and provide to TEA a written affirmation signed by officials of each participating private school that the meaningful consultation required has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children.

In addition, LEA and PNP school officials shall sign a written affirmation indicating that *during* consultation of applicable programs, equitable services carryover requirements were discussed.

If such private school officials do not sign such affirmation within a reasonable period, the LEA shall keep documentation on file. If requested, the LEA shall forward to TEA the documentation that such private school meaningful consultation has or attempts at such have taken place.

If a private school official files a complaint to TEA stating that the LEA did not comply with the meaningful consultation requirements, the LEA shall forward to TEA any appropriate documentation.

PS3099 Private School Equitable Services Schedule

PS3099 Schedule

The PS3099 form is the Private School Equitable Services schedule located in the ESSA Consolidated Application in eGrants. The PS3099 incorporates the formula for determining private school equitable services in the ESSA. All LEAs must submit the PS3099. This schedule calculates participating PNP equitable allocations for services.

The PS3099 must be revised after the LEA receives final amounts from TEA to reflect the revised calculation of equitable services for PNP schools. Final amounts are typically available in late Fall. PNP schools must be notified of the revised equitable services amount within a reasonable period. The LEA must keep record of the consultation meeting to discuss the revised equitable services allocation.

Web Resource

ESSA Private School Equitable Services
[ESSA Private School Equitable Services](#)

The [General and Fiscal Guidelines: Applicable to Grants Published On or After July 1, 2021](#) provides additional equitable services details.

VIII. Compliance Monitoring

Upon certification and submission of the ESSA Consolidated Federal Grant Application, LEAs certify that they will comply with all requirements noted in statute. All requirements can be found in the Program-Specific Provisions and Assurances posted on the [TEA Grant Opportunities Page](#). For a link to the Program-Specific Provisions and Assurances, search by the grant application name and review the information located in the Application and Support Information section.

The Federal Program Compliance Division monitors the program requirements through random validations and compliance reporting. The Federal Fiscal Monitoring Division monitors the fiscal requirements as noted.

Program Compliance Random Validations

To monitor the compliance of each eligible entity receiving ESSA funds, the State conducts an annual validation process for LEAs. The annual validation process for LEAs addresses selected statutory requirements based on program implementation and effectiveness for the current grant year. During the annual validation process, the State randomly selects LEAs to submit documentation for the program compliance requirements.

The State reviews the documentation to determine if the subgrantee met the statutory requirements as noted in the validation guidance documents. LEAs that submit insufficient documentation will be offered technical assistance by their regional Education Service Centers (ESCs). These LEAs will be required to submit compliance documentation for the subsequent application year to ensure full compliance of program requirements.

For validation specific information, see the TEA webpage on [Federal Program Compliance Random Validations](#).

Program Compliance Reporting

The ESSA Consolidated Compliance Report is completed by LEAs annually to document that LEAs complied with the program-specific provisions and assurances in the preceding application year. LEAs are responsible for indicating the sources of documentation used to establish compliance. The documentation is to remain on file at the LEA. However, it must be readily available upon request from the Texas Education Agency for audit and/or validation monitoring purposes. The ESSA Consolidation Compliance Report will assess specific statutory requirements.

General Samples of Compliance Reports, instructions for completing the Compliance Reports and the Guide to the Program Implementation Questions are available at the [TEA Grant Opportunities](#) web page. For the detailed information search by the grant application name and review the information located in the Application and Support Information section.

Federal Fiscal Compliance Monitoring

The Federal Fiscal Monitoring Division is responsible for monitoring the expenditures of federal grant subrecipients to ensure federal funds are used for authorized purposes in compliance with federal statutes, regulations, and the terms and conditions of federal awards.

For additional information on the federal fiscal monitoring processes and procedures, see the TEA webpage on [Federal Fiscal Monitoring](#).

Web Resources

[Federal Program Compliance Random Validation Monitoring](#)
[TEA Grant Opportunities Page](#)
[Federal Fiscal Monitoring](#)

IX. Ed-Flex

By taking advantage of Ed-Flex, LEAs can design and implement programs in ways that best meet the needs of their students and communities. Texas has been approved as an Ed-Flex State under the Every Student Succeeds Act of 2015 (ESSA). The state's Ed-Flex authority is

currently effective through the 2023-2024 school year. There are three types of waivers as described below.

Statewide Administrative Waivers

Statewide administrative Ed-Flex waivers address regulations governing applications for funds and certain record-keeping provisions. These administrative waivers are automatically granted to LEAs applying for federal funds covered by Ed-Flex.

Statewide Programmatic Waivers

Statewide programmatic waivers address design and delivery of federal programs covered under Ed-Flex. Statewide programmatic waivers must be applied for through the Local Education Agency's original ESSA Consolidated Application for Federal Funds.

Individual Programmatic Waivers

Individual programmatic waivers may be requested by an LEA for the district as a whole or for an individual campus. The application forms and information concerning deadlines and start dates are posted annually on TEA's Ed-Flex web page.

State Performance Reports

The Ed-Flex State Performance Reports give information to the U.S. Department of Education or interested parties on local educational agencies (LEAs) that have been granted flexibility under the Ed-Flex Partnership Act.

Web Resource

Ed-Flex Waivers

X. Web Resources

This section provides web resources that are related to the Title IV, Part A, Subpart 1 program.

[Title IV, Part A Statute](#)

[TEA Title IV, Part A](#)

[TEA Mental Heath and Behavioral Health](#)

[Region 14 Title IV, Part A School Safety State Initiative](#)

[USDE Student Support and Academic Enrichment Program](#)

[USDE Office of Safe and Supportive Schools](#)

[USDE Office of Elementary and Secondary Education](#)

[USDE Title IV, Part A *Sample* Needs Assessment Tool](#)

[USDE Title IV, Part A Technical Assistance Center (T4PA)](#)

[USDE *Building Technology Infrastructure for Learning* Guidebook](#)

[USDE National Education Technology Plan](#)

[National Center on Safe Supportive Learning Environments (NCSSLE)](#)