

Title IV, Part A (Student Support and Academic Enrichment) Spending Guide

July 2017

Introduction

This spending guide is specific to Title IV, Part A under the federal *Elementary and Secondary Education Act* (ESEA) of 1965. Periodically, Congress makes amendments to ESEA. ESEA was most recently amended by the *Every Student Succeeds Act* (ESSA) in December 2015. Before ESSA, the *No Child Left Behind* (NCLB) Act was the amended version of ESEA. For simplicity, this document will refer to ESSA when citing the most recent version of ESEA and NCLB when citing the previous version of ESEA.

Annually, local educational agencies (LEAs), also known as traditional public school districts or charter schools, are eligible to receive certain ESEA formula grants. The main ESEA formula grant programs are:

- Title I, Part A (Improving Basic Programs);
- Title II, Part A (Supporting Effective Instruction);
- Title III, Part A (English Language Acquisition and Language Enhancement); and
- Title IV, Part A (Student Support and Academic Enrichment).

To receive these funds, the LEA must apply each year through the Ohio Department of Education's e-grant system known as the Comprehensive Continuous Improvement Plan (CCIP). [Access the CCIP](#) and [CCIP Technical Assistance Videos](#) for more information.

General Spending Requirements

There are three general issues that affect district spending under key ESEA formula programs.

1. **Necessary and Reasonable:** All costs charged to federal education grants must be necessary and reasonable considering the amount of money being spent and the needs of the program.¹ This requirement comes from a set of federal regulations known as the Uniform Grant Guidance (UGG), which applies to all federal grants, including U.S. Department of Education grants.²

What is in the UGG (Uniform Grant Guidance)?

- Lists of costs that may never be paid for with federal funds.¹ For example, federal funds can never pay for alcohol¹ and typically cannot pay for lobbying.¹
- Lists of general criteria all costs supported with federal funds must satisfy.¹ For example, federal funds can only pay for costs that are allocable to the relevant grant.¹
- Sets additional requirements for certain costs supported with federal funds.¹ For example, LEAs that use federal funds for employee salaries and benefits must keep records documenting how much time the employees spent on grant activities.¹
- Sets rules for how LEAs procure goods and services with federal funds,¹ how they track items paid for with federal funds¹ and the kinds of records they must keep about their grant spending.¹

¹ 2 CFR 200.403(a).

² The Uniform Grant Guidance (UGG) is contained in Part 200 of Title 2 of the Code of Federal Regulations available at http://www.ecfr.gov/cgi-bin/text-idx?SID=f3948247e9ceb83b01019746db896096&tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl. Federal guidance and other resources about the UGG are available at <http://www2.ed.gov/policy/fund/guid/uniform-guidance/index.html>.

- 2. Included in LEA Application:** Activities supported by Title IVA funds must be consistent with the LEA’s application for funds approved by the Ohio Department of Education, as required by federal law.³
- District applications are developed and submitted through the CCIP. The CCIP is a consolidated grants application and verification system that consists of two parts: the Planning Tool and the Funding Application. The Planning Tool contains the comprehensive needs assessment, goals, strategies, action steps and district funding levels for all grants in the CCIP. The Funding Application contains the budget, budget details, nonpublic services and other related pages. *The CCIP and information about the application process is available [here](#).*
- 3. Evidence-Based:** Some ESSA programs require LEAs to spend on activities that are supported by evidence, are demonstrated to be effective or that are consistent with a formal needs assessment. Even where this is not required, U.S. Department of Education grant spending has the most impact when LEAs spend federal funds on effective activities designed to meet program goals. To do this, LEAs are encouraged to:
- Carefully consider the needs of students, educators and other relevant stakeholders;
 - Determine which activities are most likely to effectively address those needs; and
 - Prioritize those activities when deciding what costs to support with ESSA funds (unless those activities are being paid for by other funding sources).

Definition of “Evidence-Based” in ESSA¹

Evidence-based means an activity, strategy or intervention that:

- i. Demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—
 - (I) Strong evidence from at least one well-designed and well-implemented experimental study;
 - (II) Moderate evidence from at least one well-designed and well-implemented quasi-experimental study; or
 - (III) Promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or
- ii. (I) Demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy or intervention is likely to improve student outcomes or other relevant outcomes; and
 (II) Includes ongoing efforts to examine the effects of such activity, strategy or intervention.

Special Note:

Ohio is in the process of developing several new resources for districts to leverage as they are making spending decisions, including Ohio’s Evidence-Based Clearinghouse, an online resource that will be designed to enable districts to easily identify evidence-based interventions, programs and practices relevant to their particular needs. In conjunction with developing the clearinghouse itself, the state will develop a process to review, evaluate and categorize interventions in terms of their supporting evidence of success, leveraging existing, appropriate resources where possible.

ESEA Formula Grant: Title IV, Part A

Title IV, Part A *Student Support and Academic Enrichment*

OVERVIEW

This section provides information about how LEAs and schools can spend Title IV, Part A funds. Title IVA is called *Student Support and Academic Enrichment*. The U.S. Department of Education awards Title IV, Part A funds to state educational agencies (SEAs), which then subgrant funds to LEAs.

For convenience, this section will refer to the program as either “Title IVA or SSAE.” For more information about Title IVA, please contact the Office of Federal Programs at (614) 466-4161.

³ 34 CFR § 76.700.

PURPOSE

The purpose of the Title IVA grant program is to improve students' academic achievement by increasing the capacity of states, LEAs, schools and local communities to:

1. Provide all students with access to a well-rounded education;
2. Improve school conditions for student learning; and
3. Improve the use of technology in order to improve the academic achievement and digital literacy of all students.⁴

Ohio's Title IVA/SSAE Program Funds

Title IVA is a new grant program. For school year 2017-2018, Ohio received approximately \$15 million. One percent of the award is reserved for state administration. Four percent of the award is reserved for state activities.

Using Title IVA/SSAE Funds to Support Students

LEAs must meaningfully consult with a wide array of stakeholders when designing their Title IVA programs.⁵ The stakeholder consultation must continue when improving Title IVA activities and coordinating with other activities in the community.⁶

A. Local Needs Assessment

LEAs that receive \$30,000 or more in Student Support and Academic Enrichment funds must, at least once every three years,⁷ conduct a comprehensive needs assessment of the following:

- Access to and opportunities for a well-rounded education for all students;
- School conditions for student learning to create a healthy and safe school environment;
- Access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.⁸

Special Note: LEAs that receive less than \$30,000 in Student Support and Academic Enrichment funds are not required to conduct a formal needs assessment but are encouraged to consider the needs when deciding how to spend Student Support and Academic Enrichment funds.

Ohio LEAs will be able to complete their Title IVA needs assessment in the Title IVA budget details section of the CCIP. LEAs that are required to complete a Title IVA needs assessment are encouraged to use and coordinate the information that they submitted in the Decision Framework.

⁴ ESSA, Section 4101. For federal non-regulatory guidance on the Student Support and Academic Enrichment program, please see U.S. Department of Education, Non-Regulatory Guidance: Student Support and *Academic Enrichment Grants* (October 2016), available at <http://www2.ed.gov/policy/elsec/leg/essa/essassaegrantguid10212016.pdf>. This guidance will be referred to as *ED 2016 SSAE Guidance* for the rest of this document.

⁵ Stakeholders include parents, teachers, principals, other school leaders, specialized instructional support personnel, students, community-based organizations, local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency), Indian tribes or tribal organizations that may be located in the region served by the local educational agency (where applicable), charter school teachers, principals, and other school leaders (if such agency or consortium of such agencies supports charter schools), and others with relevant and demonstrated expertise in programs and activities designed to meet Student Support and Academic Enrichment purposes. Section 4106(c)(1).

⁶ ESSA, Section 4106(c)(2).

⁷ ESSA, Section 4106(d)(3).

⁸ ESSA, Section 4106(d).

B. Prioritizing High-Need Schools

LEAs must prioritize Student Support and Academic Enrichment funds to schools that:

- Have the greatest needs as determined by the LEA;
- Have the highest percentages or numbers of low-income children;
- Are identified for comprehensive support and improvement under Title I;
- Are implementing targeted support and improvement plans under Title I; or
- Are identified as a persistently dangerous school under Section 8532.⁹

C. Objectives and Outcomes

LEAs must develop objectives for their Student Support and Academic Enrichment programs and intended outcomes for Student Support and Academic Enrichment-funded activities.¹⁰ LEAs must use these objectives and outcomes to periodically evaluate the effectiveness of these activities.¹¹ LEAs also must provide the SEA with information about their progress toward their objectives and outcomes so the SEA can satisfy its reporting requirements.¹²

D. Special Funding Rules

1. LEAs that receive \$30,000 or more in Student Support and Academic Enrichment funds must spend:
 - At least 20 percent on strategies/activities to support a well-rounded education;
 - At least 20 percent on strategies/activities to support safe and healthy students; and
 - At least some funds on strategies/activities to support the effective use of technology.¹³ Annually, LEAs *may not* spend more than 15 percent of the funds used for technology on technology infrastructure.¹⁴ Specifically, this means that LEAs may not spend more than 15 percent of their Student Support and Academic Enrichment technology funds on devices, equipment, software applications, platforms, digital instructional resources and/or other one-time IT purchases.¹⁵
2. LEAs that receive *less* than \$30,000 in Student Support and Academic Enrichment funds must meet at least one of the above requirements (that is, spend at least 20 percent on activities to support a well-rounded education *or* at least 20 percent on activities to support safe and healthy students *or* at least some funds for activities to support the effective use of technology).¹⁶ No more than 15 percent of the technology funds may be spent on technology infrastructure.
3. *Cap on Administrative Costs:* LEAs may not spend more than 2 percent of their Student Support and Academic Enrichment funds on direct administrative costs.¹⁷

Special Note: A single activity can satisfy more than one category of required costs.

Local SSAE Spending Options

The next several sections provide an overview of the LEA spending options for the Student Support and Academic Enrichment program. LEAs are encouraged to prioritize funding strategies and activities that are aligned to the unique and diverse needs of its students, informed by stakeholder input and that will have the greatest impact on academic achievement and student outcomes. LEAs are encouraged to consult the Department, the

⁹ ESSA, Section 4106(e)(2)(A). ESSA requires LEAs to prioritize the distribution of funds to high-need schools. ED's SSAE guidance clarifies that an LEA can provide district-wide services with SSAE funds, but must prioritize activities for high-need schools (pp.14-15).

¹⁰ ESSA, Section 4106(e)(1)(E).

¹¹ ESSA, Section 4106(e)(1)(E).

¹² ESSA, Section 4104(a)(2); see also ESSA, Section 4106(e)(2)(F).

¹³ ESSA, Section 4106(e)(2)(C)-(E).

¹⁴ ESSA, Section 4109(b).

¹⁵ *ED 2016 SSAE Guidance*, p. 32.

¹⁶ ESSA, Section 4106(f).

¹⁷ ESSA, Section 4105(c).

U.S. Department of Education and other resources to select evidence-based strategies and activities when considering the use of Title IVA funds for any allowable activity for the three categories below.

1. **Well-Rounded Education:** *Strategies and activities to support a well-rounded education.*

LEAs may (and in some cases must¹⁸) spend Student Support and Academic Enrichment funds to develop and implement programs and activities that support access to a well-rounded education.¹⁹ Activities should be coordinated with other schools and community-based services and programs.²⁰ They also can 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.²¹

Allowable activities are listed below.²²

Activity	Description
College and Career Guidance	LEAs may use Student Support and Academic Enrichment funds for college and career guidance and counseling programs like 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. ²³
Music and Arts to Support Student Success	LEAs may use Student Support and Academic Enrichment funds for 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. ²⁴
Science, Technology, Engineering and Mathematics (STEM)	LEAs may use funds for programs and activities to improve instruction and student engagement in STEM, including computer science. ²⁵ Examples include: <ul style="list-style-type: none"> • Increasing access to high-quality courses for underrepresented student groups such as female students, minority students, English learners, children with disabilities and economically disadvantaged students; • Supporting low-income students to participate in nonprofit competitions related to STEM subjects; • Providing hands-on learning and exposure to STEM and supporting the use of field-based or service learning to enhance student understanding; • 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; and • Integrating other academic subjects, including the arts, into STEM subject programs to increase participation in STEM subjects, improve attainment of skills related to STEM subjects and promote well-rounded education.²⁶
Accelerated Learning	LEAs may use funds to raise student academic achievement through accelerated learning programs that provide courses or instruction accepted for credit at institutions of higher education (like dual or concurrent enrollment courses, early college high school courses, Advanced Placement and International Baccalaureate). ²⁷

¹⁸ LEAs that receive \$30,000 or more in Student Support and Academic Enrichment funds must spend at least 20 percent of funds on activities to support a well-rounded education. Section 4106(e)(2)(C).

¹⁹ ESSA, Section 4107(a).

²⁰ ESSA, Section 4107(a)(1).

²¹ ESSA, Section 4107(a)(2).

²² For additional resources and tools to support LEAs in implementing these activities, see *U.S. Department of Education 2016 SSAE Guidance*, pp. 39-43.

²³ ESSA, Section 4107(a)(3)(A).

²⁴ ESSA, Section 4107(a)(3)(B).

²⁵ ESSA, Section 4107(a)(3)(C).

²⁶ ESSA, Section 4107(a)(3)(C)(i)-(vi).

²⁷ ESSA, Section 4107(a)(3)(D). See also ESSA, Section 4104(b)(3)(A)(i)(IV).

	<p>This can include reimbursing low-income students for part or all of the costs of accelerated learning examination fees, if the low-income students are enrolled in accelerated learning courses and plan to take accelerated learning exams.²⁸ (LEAs may use Student Support and Academic Enrichment funds to cover fees for exams taken in the 2016-2017 school year.²⁹)</p> <p>It also can include increasing the availability of, and enrollment in, accelerated learning courses, accelerated learning examinations, dual or concurrent enrollment programs, and early college high school courses.³⁰</p>
Other Instructional Opportunities	<p>LEAs may use Student Support and Academic Enrichment funds for:</p> <ul style="list-style-type: none"> • Activities to promote the development, implementation and strengthening of programs to teach traditional American history, civics, economics, geography or government education;³¹ • Foreign language instruction;³² and • Environmental education.³³
Volunteerism and Community Involvement	<p>LEAs may use Student Support and Academic Enrichment funds for programs and activities that promote volunteerism and community involvement.³⁴</p>
Integrating Multiple Disciplines	<p>LEAs may use Student Support and Academic Enrichment funds to support educational programs that integrate multiple disciplines, such as programs that combine arts and mathematics.³⁵</p>
Other Activities	<p>LEAs may use Student Support and Academic Enrichment for other activities and programs to support student access to, and success in, a variety of well-rounded education experiences.³⁶</p>

2. Safe and Healthy Students: Activities and strategies to support safe and healthy students.

LEAs may (and in some cases must³⁷) use Student Support and Academic Enrichment funds to develop, implement and evaluate comprehensive programs and activities that:

- Are coordinated with other schools and community based services and programs;
- Foster safe, healthy, supportive and drug-free environments that support academic achievement; and
- Promote parent involvement in activities or programs.³⁸

LEAs may conduct activities 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.³⁹

Allowable activities are listed below.⁴⁰

Activity	Description
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²⁸ ESSA, Section 4107(a)(3)(D)(i).

²⁹ ESSA, Section 4107(b).

³⁰ ESSA, Section 4107(a)(3)(D)(ii).

³¹ ESSA, Section 4107(a)(3)(E).

³² ESSA, Section 4107(a)(3)(F).

³³ ESSA, Section 4107(a)(3)(G).

³⁴ ESSA, Section 4107(a)(3)(H).

³⁵ ESSA, Section 4107(a)(3)(I).

³⁶ ESSA, Section 4107(a)(3)(J).

³⁷ LEAs that receive \$30,000 or more in SSAE funds must spend at least twenty percent of funds on activities to support safe and healthy students. Section 4106(e)(2)(D).

³⁸ ESSA, Section 4108(1)-(3).

³⁹ ESSA, Section 4108(4).

⁴⁰ For additional resources and tools to support LEAs in implementing these activities, see *ED 2016 SSAE Guidance*, pp. 43-45.

Evidence-Based Drug and Violence Prevention	<p>LEAs may spend Student Support and Academic Enrichment funds on drug and violence prevention activities and programs that are evidence-based, to the extent the state, in consultation with LEAs, determines that such evidence is reasonably available.⁴¹</p> <p>This can include:</p> <ul style="list-style-type: none"> • Programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products and electronic 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, as related to drug and violence prevention.⁴²
School-Based Mental Health Services	<p>LEAs may use Student Support and Academic Enrichment funds for 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.⁴³ LEAs also may use Student Support and Academic Enrichment funds for school-based mental health services partnership programs that are conducted in partnership with a public or private mental health entity or health care entity and provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are:</p> <ul style="list-style-type: none"> • Based on trauma-informed practices that are evidence-based (to the extent the state, in consultation with LEAs, determines that such evidence is reasonably available); • Coordinated (where appropriate) with early intervening services provided under the Individuals with Disabilities Education Act (IDEA); and • Provided by qualified mental and behavioral health professionals who are certified or licensed by the state and practicing within their area of expertise.⁴⁴ <p>LEAs <i>must obtain prior written consent</i> from the parent of each child under the age of 18 to participate in any mental health assessment or service funded with Student Support and Academic Enrichment program funds and conducted in connection with school.⁴⁵ Before obtaining consent, the LEA must provide the parent with written notice describing in detail:</p> <ul style="list-style-type: none"> • The mental health assessment or service; • The purpose for the assessment or service; • The provider of such assessment or service; • When the assessment or service will begin; and • How long such assessment or service may last.⁴⁶ <p>Providing this consent does not waive any rights or protections under Family Educational Rights and Privacy Act (FERPA).⁴⁷</p>

⁴¹ ESSA, Section 4108(5)(A).

⁴² ESSA, Section 4108(5)(A)(i)-(ii).

⁴³ ESSA, Section 4108(5)(A)(B)(i).

⁴⁴ ESSA, Section 4108(5)(A)(B)(ii).

⁴⁵ ESSA, Section 4001(a)(1)(A). Please note informed written consent is not required in an emergency where it is necessary to protect the immediate health and safety of the child, other children, or LEA personnel. Informed written consent is also not required when the LEA actively seeks parental consent but cannot reasonably obtain it, including when a parent does respond to notice from the LEA, or the child is at least 14 years old and is considered an “unaccompanied youth” under Section 725 of the McKinney Vento Homeless Education Act. Section 4001(a)(2).

⁴⁶ ESSA, Section 4001(a)(1)(B).

⁴⁷ ESSA, Section 4001(a)(1)(C).

Health and Safety Activities or Programs	<p>LEAs may use Student Support and Academic Enrichment funds for programs or activities that:</p> <ul style="list-style-type: none"> • 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 other appropriate specialists or professionals 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.⁴⁸
Addressing Trauma and Violence	<p>LEAs may use Student Support and Academic Enrichment funds for high-quality training for school personnel, including specialized instructional support personnel, related to:</p> <ul style="list-style-type: none"> • Suicide prevention; • Effective and trauma-informed practices in classroom management; • Crisis management and conflict resolution techniques; • Human trafficking;⁴⁹ • School-based violence prevention strategies; • Drug abuse prevention, including educating children facing substance abuse at home; and • Bullying and harassment prevention.⁵⁰
Addressing Sexual Abuse	<p>LEAs may use Student Support and Academic Enrichment funds for child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide:</p> <ul style="list-style-type: none"> • Age-appropriate 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.⁵¹
Reducing Exclusionary Discipline Practices	<p>LEAs may use Student Support and Academic Enrichment funds for designing and implementing a locally-tailored plan to reduce exclusionary discipline practices in elementary and secondary schools that:</p> <ul style="list-style-type: none"> • Is consistent with best practices; • Includes strategies that are evidence-based (to the extent the state, in consultation with LEAs, determines that such evidence is reasonably available); and • Is aligned with the long-term goal of prison reduction through opportunities, mentoring, intervention, support and other education services.⁵²
Positive	<p>LEAs may use Student Support and Academic Enrichment funds to implement</p>

⁴⁸ ESSA, Section 4108(5)(C).

⁴⁹ Defined as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102) available at <http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title22-section7102&num=0&edition=prelim>.

⁵⁰ ESSA, Section 4108(5)(D).

⁵¹ ESSA, Section 4108(5)(E).

⁵² ESSA, Section 4108(5)(F).

Behavioral Interventions and Supports	schoolwide positive behavioral interventions and supports. ⁵³ This can include coordinating with similar IDEA activities to improve academic outcomes and school conditions for student learning.
Resource Coordinator	LEAs can use Student Support and Academic Enrichment funds to designate a site resource coordinator to provide a variety of services such as: <ul style="list-style-type: none"> • 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 in order to improve student success; and • Strengthening relationships between schools and communities.⁵⁴
Pay for Success	LEAs may use pay for success initiatives aligned with the goal of supporting safe and healthy students. ⁵⁵ A pay for success initiative is a performance-based grant, contract or cooperative agreement awarded by a public entity in which a commitment is made to pay for improved outcomes that result in social benefit and direct cost savings or cost avoidance to the public sector. ⁵⁶

3. Effective Use of Technology: Activities and strategies to support the effective use of technology.

LEAs may (and in some cases must⁵⁷) use Student Support and Academic Enrichment funds to improve the use of technology to improve the academic achievement, academic growth and digital literacy of all students.⁵⁸ Of the amount an LEA chooses to spend on technology, only 15 percent may be used for technology infrastructure.

Allowable activities are listed below.⁵⁹

Activity	Description
Professional Learning	LEAs may use Student Support and Academic Enrichment funds to provide educators, school leaders and administrators with the professional learning tools, devices, content and resources to: <ul style="list-style-type: none"> • 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-based 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.⁶⁰
Technological Capacity and Infrastructure	LEAs may use Student Support and Academic Enrichment funds to build technological capacity and infrastructure, which may include: <ul style="list-style-type: none"> • Procuring content and ensuring content quality; and • Purchasing devices, equipment and software applications in order to address readiness shortfalls.⁶¹

⁵³ ESSA, Section 4108(5)(G).

⁵⁴ ESSA, Section 4108(5)(H).

⁵⁵ ESSA, Section 4108(5)(I).

⁵⁶ ESSA, Section 8101(40). More information about pay for success initiatives is available from ED at

<http://www2.ed.gov/about/inits/ed/pay-for-success/index.html>.

⁵⁷ LEAs that receive \$30,000 or more in SSAE funds must spend some SSAE funds on activities that support the effective use of technology. Section 4106(e)(2)(E).

⁵⁸ ESSA, Section 4109(a).

⁵⁹ For additional resources and tools to support LEAs in implementing these activities, see *ED 2016 SSAE Guidance*, pp. 46-47.

⁶⁰ ESSA, Section 4109(a)(1).

⁶¹ ESSA, Section 4109(a)(2).

	LEAs may not spend more than 15 percent of the Student Support and Academic Enrichment funds used for technology on technology infrastructure. ⁶²
Delivering Courses Through Technology	LEAs may use Student Support and Academic Enrichment funds to develop or use effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology. ⁶³
Blended Learning	LEAs may use Student Support and Academic Enrichment funds to carry out blended learning projects, which must include: <ul style="list-style-type: none"> • Planning activities such as developing new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases (that do not include significant construction or renovation of facilities.) (Please note, all technology infrastructure costs count toward the 15 percent cap noted above); or • Ongoing professional development for teachers, principals, other school leaders or other personnel involved in the project that is designed to support the implementation and academic success of the project.⁶⁴
Professional Development on Use of Technology in STEM Areas	LEAs may use Student Support and Academic Enrichment funds to provide professional development in the use of technology (which may be provided through partnerships with outside organizations) to enable teachers and instructional leaders to increase student achievement in STEM areas. ⁶⁵
Access to Digital Learning Experiences	LEAs may use Student Support and Academic Enrichment funds to provide 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. ⁶⁶

Other Spending Considerations and Fiscal

A. Maintenance of Effort

LEAs that receive Title IVA funds must comply with the maintenance of effort requirement.⁶⁷ In short, maintenance of effort requires districts to maintain a consistent floor of state and local funding for free public education from year-to-year. LEAs must ensure that local and state per-pupil spending remains at 90 percent or above what was spent in the preceding year.

B. Supplement not Supplant

LEAs that receive Title IVA funds must comply with a supplement not supplant requirement.⁶⁸ In general terms, this means that Title II funds should add to (supplement) and not replace (supplant) state and local funds.

For the Title IVA/ Student Support and Academic Enrichment program, supplanting is presumed when:

- An LEA uses Student Support and Academic Enrichment funds to pay for an activity that is required by federal, state or local law; or

Special Note: Under ESSA, the supplement not supplant compliance test in Title I *is not* the same in Title IVA.

⁶² ESSA, Section 4109(b).

⁶³ ESSA, Section 4109(a)(3).

⁶⁴ ESSA, Section 4109(a)(4).

⁶⁵ ESSA, Section 4109(a)(5).

⁶⁶ ESSA, Section 4109(a)(6).

⁶⁷ ESSA, Section 8521.

⁶⁸ ESSA, Section 4110.

- An LEA uses Student Support and Academic Enrichment funds to pay for an activity it supported with state or local funds the prior year.⁶⁹

An LEA may overcome a presumption of supplanting if it has written documentation (e.g., state or local legislative action, budget information or other materials) that it does not have the funds necessary to implement the activity and that the activity would not be carried out in the absence of the Student Support and Academic Enrichment program funds.⁷⁰

C. Equitable Services

Student Support and Academic Enrichment funds are subject to an equitable services requirement.⁷¹ In short, this means LEAs must reserve funds to provide Student Support and Academic Enrichment services to eligible private school children, teachers and other educational personnel in private schools.⁷²

⁶⁹ *ED 2016 SSAE Guidance*, p. 14.

⁷⁰ *ED 2016 SSAE Guidance*, p. 14

⁷¹ ESSA, Section 4106(e)(2)(b); ESSA, Section 8501(b)(1)(D).

⁷² *ED 2016 SSAE Guidance*, p. 13, in particular footnote 13. See also [ED 2016 Fiscal Changes Guidance](#), Section P.