DELAWARE DEPARTMENT OF EDUCATION

2021-2022 TITLE IV, PART A HOW FUNDS CAN BE USED

Delaware Department of Education

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Introduction to Title IV, Part A, Subpart 1

The purpose of Title IV, Part A, Subpart 1, also known as the Student Support and Academic Enrichment (SSAE) program, is to improve students' academic achievement by increasing the capacity of state educational agencies (SEAs), local educational agencies (LEAs), schools, and local communities to:

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

LEAs are welcome to contact the Delaware Department of Education (DDOE) for more information about this guidance; Title IV, Part A in general; or to request individualized technical assistance. Please contact Eric Stancell at 302-857-3333 or email to eric.stancell@doe.k12.de.us.

Planning To Spend Title IV, Part A Funds to Meet Local Needs

The SSAE program provides SEAs, LEAs, and schools the flexibility to tailor investments based on the needs of their unique student populations. Where possible, the DDOE encourages coordination and integration of the SSAE program with activities authorized under other sections of the law as well as other federal programs to improve outcomes for students.

Stakeholder Engagement

During the design and development of its application, an LEA or consortium of LEAs must engage in meaningful consultation with stakeholders in the area(s) served by the LEA [ESSA 4106(c) (1)]. Such stakeholders must include, but are not limited to, the following:

- Parents
- Teachers
- Principals and other school leaders
- Specialized instructional support personnel
- Students
- Community-based organizations
- Local government representatives
- Indian tribes or tribal organizations, when applicable
- Charter school teachers, principals, and other school leaders, when applicable
- Others with relevant and demonstrated expertise

LEAs must also engage in continuing consultation with stakeholders to improve SSAE activities and to coordinate SSAE activities with other activities conducted in the community.

Prioritized Schools and Subgroups

LEAs must prioritize the distribution of SSAE funds to schools that:
- Have the greatest needs as determined by the LEA;
- Have the highest percentages or numbers of low-income students (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 ESEA 1111(c)(4)(D)(i) (i.e., are among the lowest-achieving schools);
- Are implementing targeted support and improvement plans as described in ESEA 1111(d)(2) (i.e., have consistently underperforming student subgroups); or
- Are identified as a persistently dangerous public elementary school or secondary school under ESEA 5532(a).

Needs Assessment and Spending Rules Worksheet

An LEA receiving $30,000 or more in SSAE funds must conduct a comprehensive needs assessment examining needs for improvement of the following areas [ESEA 4106(d)]:
- Access to and opportunities for a well-rounded education for all students;
- School conditions for learning in order to create a healthy and safe school environment; and
- Access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.

The needs assessment must be conducted during the initial plan development, and every three years thereafter [ESEA section 4106(d) (3)].

Although LEAs that receive less than $30,000 in SSAE funds do not have to conduct a formal needs assessment, DDOE encourages such LEAs to consider their needs when deciding how to spend SSAE funds [ESEA 4106(d)(2)].

In direct correlation with the comprehensive needs assessment, LEA's receiving $30,000 or more in funds must also annually complete the Spending Rules Worksheet to assist with budgeting and strategic planning. Use of this document will provide a user-friendly guide for maintaining the Title IV, Part A spending rules as detailed in the *Spending Floors and Ceilings* section of this document. LEA's that transfer their funds to another eligible Title program are required to complete this worksheet.

Evaluation of Objectives and Outcomes
LEAs must develop objectives for their SSAE programs and intended outcomes for SSAE-funded activities. LEAs must use these objectives and outcomes to periodically evaluate the effectiveness of SSAE-funded activities.

Spending Floors and Ceilings

LEAs that receive $30,000 or more in SSAE funds must spend [ESEA 4106(e) (2)]:

- At least 20% of funds for activities to support well-rounded educational opportunities (ESEA section 4107); and
- At least 20% of funds for activities to support safe and healthy students (ESEA 4108); and
- A portion of funds for activities to support effective use of technology—please note there is a cap on how much LEAs may spend to purchase technology infrastructure. See below for more information (ESEA 4109).

LEAs that receive less than $30,000 in SSAE funds must spend SSAE funds in at least one of the above areas, i.e., spend at least 20% on activities to support a well-rounded education **or** at least 20% on activities to support safe and healthy students **or** at least some funds for activities to support the effective use of technology [ESEA 4106(f)].

LEAs may not:

- Spend more than 2% of their SSAE funds on direct administrative costs. [ESEA 4105(c)].
- Spend more than 15% of their SSAE funds on technology infrastructure—such as devices, equipment, software applications, platforms, digital instructional resources, and/or other one-time information technology (IT) purchases [ESEA 4109(b)]. (Title IV, Part A Non-Regulatory Guidance)

Permissible Activities and Spending Scenarios

What follows is an overview of LEA SSAE spending options under the law. LEAs should spend SSAE funds consistent with the above described stakeholder input, needs assessment (where required), and required spending floors and ceilings. The examples of allowable SSAE program activities are not an exhaustive list, but rather describe a range of practices that are illustrative of the possibilities and flexibilities under the law.

Activities to Support Well-Rounded Educational Opportunities

LEAs may, and in some cases must, spend funds on activities that promote access to a well-rounded education. Well-rounded education means courses, activities, and programming in subjects such as English, reading or language arts, writing, science, technology, engineering, mathematics, foreign language, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, physical education, and any other subject, as determined by the SEA or LEA, with the purpose of providing all students access to an enriched curriculum and educational experience.

These activities must be coordinated with other schools and community-based services and programs. These activities may also be conducted in partnership with an institute of higher education (IHE), business, nonprofit organization, community-based, or other entity with a demonstrated record of success.

Activities may include:

- College and career guidance and 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.
- Programs and activities using music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution.
- Programming and activities to improve instruction and student engagement in Science, Technology, Engineering, and Mathematics (STEM), including computer science, such as [ESEA 4107(a)]:
  - Increasing access for students who are members of underrepresented groups to high-quality courses;
  - Supporting low-income students in nonprofit STEM competitions;
  - Providing hands-on learning and exposure to STEM and/or field-based or service learning in STEM areas;
  - Supporting the creation or enhancement of STEM-focused specialty schools;

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

- Efforts to raise student academic achievement through accelerated learning programs, such as reimbursing low-income students enrolled in advanced learning courses for examination fees and increasing the availability of accelerated courses, exams, or dual/concurrent enrollment courses.

- Activities to promote the development, implementation, and strengthening of programs to teach traditional American history, civics, economics, geography, or government education.

- Foreign language instruction.

- Environmental education.

- Programs and activities to promote volunteerism and community involvement.

- Programs and activities that support educational programs integrating multiple disciplines, such as combining the arts and mathematics.

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

Below are two scenarios from non-regulatory guidance of what Title IV spending to support well-rounded educational opportunities might look like in practice.

Scenario #1: Arts Integration for Underserved Subgroups

During its needs assessment process, an LEA identified a longstanding "arts opportunity gap" among its schools as a root cause issue. The LEA decided to focus on one of its schools that had 80% students of color and 90% low income. This elementary school was already providing some visual arts and music, but the LEA wanted to increase these offerings, since prior studies had indicated that increased arts exposure had improved academic performance in schools similar to theirs.

With the help of the LEA, the school began adding arts disciplines by engaging in partnerships and hiring additional arts teachers. Arts integration collaborations between arts specialists and classroom teachers focused on making content connections across the curriculum. Partnerships were set up with local arts institutions that broadened students' artistic horizons and deepened their learning.

Scenario #2: Support for Humanities Instruction

During its needs assessment, an LEA determines a need for increased critical thinking across content areas, especially humanities. It learns that a study published in April 2014 shows that "Facing History," a program designed to help humanities teachers integrate civic education into their courses, helps students develop critical-thinking skills and fosters both academic and civic growth, while also promoting teacher self-efficacy and professional satisfaction. The LEA decides to adopt this curriculum and plans complete feedback loops for all associated training and implementation activities.

Activities to Support Safe and Healthy Students

LEAs receiving allocations under Title IV, Part A may, and in some cases must, use a portion of 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 student academic achievement;

- Promote parental involvement in the activity and program;

- May be conducted in partnership with an IHE, business, nonprofit organization, community-based, or other entity with a demonstrated record of success.

These activities may include, among other programs and activities:

- 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; and bullying and harassment prevention.

- Improve instructional practices for developing relationship-building skills, such as effective communication, and improve safety through recognition and prevention of coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment.

- Help prevent bullying and harassment.

- Provide mentoring and school counseling to all students, including those 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.

- 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.

- Child sexual abuse awareness and prevention programs or activities, such as those 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 safely report it, and information to parents and guardians about child sexual abuse awareness and prevention;

- Designing and implementing a locally tailored plan to reduce exclusionary discipline practices that is consistent with best practices, includes strategies that are evidence-based, and is aligned with the long-term goal of prison reduction through opportunities, mentoring, intervention, support, and other educational services referred to as a "youth PROMISE plan."

- Evidence-based drug and violence prevention activities and programs including student education against use of alcohol, tobacco, marijuana, and e-cigarettes, and professional development for schools 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.

- 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.

- 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.

- School-based mental health services partnership programs that are conducted in partnership with a public or private mental health entity or healthcare 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:
  - 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 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.

- Implementation of schoolwide positive behavioral interventions and supports, including through coordination with similar activities carried out under IDEA in order to improve academic outcomes and school conditions for student learning.

- 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 in order to improve student success; and

- Strengthening relationships between schools and communities or pay for success initiatives aligned with the purposes of the SSAE, safe and healthy students program.

Below is a scenario from non-regulatory guidance of what Title IV spending to support safe and healthy students might look like in practice.

> **Scenario: Restorative Practices**
>
> An LEA needs assessment indicated increased disciplinary action that removes students from class, such as suspension and expulsion. Based on studies in schools with similar context and demographics, district leadership learned that Restorative Practices had been largely successful in decreasing this form of discipline and enhancing school climate. Therefore, the LEA chose to implement a Restorative Practices pilot in its highest-needs secondary school.

Activities to Support the Effective Use of Technology

Each LEA that receives an allocation under this section may, and in some cases must, use a portion of such funds to improve the use of technology to enhance the academic achievement, academic growth, and digital literacy of all students.

This may include:

- Providing educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to:
- 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;
- Implement and support school and LEA-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning.
- Building technological capacity and infrastructure, which may include procuring content and ensuring quality, and purchasing devices, equipment, and software applications in order to address readiness shortfalls.
- 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.
- Carrying out blended-learning projects that must include:
  - Planning activities—such as developing new instructional models (including blended-learning technology software and platforms), purchasing digital instructional resources, initial professional development activities, and one-time IT purchases that do not include significant construction or renovation of facilities.
  - 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.
- Providing 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, including computer science.
- 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.

Below is a scenario from non-regulatory guidance of what Title IV spending to support technology might look like in practice.

Prohibitions in ESEA, Title IV, Part A and Title VIII

- No funds made available to an LEA for an elementary or secondary school that does not receive E-Rate funds may be used to purchase computers used to access the Internet, or to pay direct costs associated with accessing the Internet, for such a school unless the school, school board,

- LEA, or other authority responsible for the administration of the school has in place a policy of Internet safety as outlined in ESEA Section 4121.

- No funds may be used for 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. [1]

- No child shall be required to obtain a prescription for a controlled substance, as defined in section 102 of the Controlled Substance Act (21 U.S.C. 802) as a condition of – [2]
  - receiving an evaluation or other service described under this title;
  - attending a school receiving assistance under this title.

- No funds may be used – [3]
  - for construction, renovation, or repair of any school facility, expect as authorized under this Act;
  - for transportation unless otherwise authorized under this Act;
  - to develop or distribute materials, or operate programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual;
  - to distribute or aid in the distribution by any organization of legally obscene materials to minors on school grounds; to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or
  - to operate a program of contraceptive distribution in schools.

Supplement Not Supplant

LEAs that receive SSAE funds must comply with a supplement not supplant provision (ESEA section 4110). Supplanting is typically presumed when:

- An LEA uses SSAE funds to provide services the LEA is required to make available under other federal, state, or local laws.
- An LEA uses SSAE funds to provide services the LEA provided with state or local funds in the prior year.

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 SSAE program funds.

Maintenance of Effort

LEAs that receive SSAE funds must comply with a maintenance of effort requirement.[4] In short, maintenance of effort requires LEAs to maintain a consistent floor of state and local funding for free public education from year to year.

Equitable Services

SSAE funds are subject to an equitable services requirement. This means districts must reserve funds to provide SSAE services to eligible private school children and teachers.

1 ESEA Section 4001(b).
2 ESEA Section 4001(b).
3 ESEA Section 8526.
4 ESEA Section 8521.

Transferability

An LEA may transfer to certain other programs its SSAE fund regardless of the size of the allocation received, consistent with the transferability provisions in ESEA Section 5103(b). Funds may also be transferred to the SSAE program from other programs.

LEAs may transfer up to 100% of its Title IV, Part A funds to:

- Title I, Part A, Improving Basic Programs (note – funds cannot be transferred out of Title I)
- Title II, Part A, Supporting Effective Instruction
- Title III, Part A, English Language Acquisition
- Title III, Immigrant

Title IV, Part A Resources

- U.S. Department of Education ESSA Laws and Guidance Webpage: https://www2.ed.gov/policy/elsec/leg/essa/legislation/index.html
- U.S. Department of Education, Title IV, Part A Non-Regulatory Guidance: Student Support and Academic Enrichment Grants[5]: https://www2.ed.gov/policy/elsec/leg/essa/essassaegrantguid10212016.pdf
- U.S. Department of Education, Non-Regulatory Guidance: Fiscal Changes and Equitable Services Requirements: https://www2.ed.gov/policy/elsec/leg/essa/essaguidance160477.pdf
- National Center on Safe Supportive Learning Environments (safe and supportive schools): https://safesupportivelearning.ed.gov/
- National Technical Assistance Center on Positive Behavior Interventions and Supports: http://www.pbis.org/
- Office of Educational Technology Webpage: https://tech.ed.gov/
- STEM Education: https://www.ed.gov/stem
- A.V.I.D – Closing the Achievement Gap in Education: https://www.avid.org
- Trauma-Informed Practices: https://traumainformedpractices.com
- Adverse Childhood Experiences (ACE's) – Center for Disease Control and Prevention: https://www.cdc.gov/violenceprevention/childabuseandneglect/acestudy/index.html

[5] Non-regulatory guidance is non-binding and does not create or impose legal requirements. The information is provided to offer examples that reviewers may find helpful and use at their discretion.