

OFFICE OF FEDERAL AND STATE ACCOUNTABILITY

Allowable Use of Funds Guidance For Elementary and Secondary Education Act (ESEA) Programs

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Allowable Use of Funds

The Office of Federal and State Accountability must diligently work with LEA programmatic and fiscal offices to ensure that federal funds are utilized in accordance to the Elementary and Secondary Education Act (ESEA).

All federally funded activities must meet 1) program specific requirements and guidance, 2) the US Office of Management and Budget Uniform Administrative Regulations, Cost Principles, and Audit Requirements for Federal Awards, and 3) South Carolina specific requirements and guidance.

In determining allowability of cost, federal program coordinators must apply the basic cost considerations as outlined by the Uniform Grant Guidance §200.400. Coordinators must ensure that all activities included in federal program applications meet the following criteria:

- Necessary and Reasonable
- Allocable
- Conform to EDGAR
- Follow Terms and Conditions of the GAN
- Consistent with South Carolina or local policies
- Provide consistent treatment
- Be adequately documented
- Be supplemental
- Be incurred during approved budget period [NEW]

Allowability

§200.403 Factors affecting allowability of costs.

Except where otherwise authorized by statute, costs must meet the following general criteria in order to be allowable under Federal awards:

- (a) Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
- (b) Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.
- (c) Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-Federal entity.
- (d) Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
- (e) Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this part.
- (f) Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period. See also §200.306 Cost sharing or matching paragraph (b).
- (g) Be adequately documented. See also §200.300 Statutory and national policy requirements through §200.309 Period of performance of this part.

(h) Cost must be incurred during the approved budget period. The Federal awarding agency is authorized to carry forward unobligated balances to subsequent budget periods pursuant to \$200.308(e)(3).

§200.404 Reasonable costs.

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. The question of reasonableness is particularly important when the non-Federal entity is predominantly federally-funded. In determining reasonableness of a given cost, consideration must be given to:

- (a) Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the non-Federal entity or the proper and efficient performance of the Federal award.
- (b) The restraints or requirements imposed by such factors as: sound business practices; arm's-length bargaining; Federal, state, local, tribal, and other laws, and regulations; and terms and conditions of the Federal award.
- (c) Market prices for comparable goods or services for the geographic area.
- (d) Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the non-Federal entity, its employees, where applicable its students or membership, the public at large, and the Federal Government.
- (e) Whether the non-Federal entity significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the Federal award's cost.

§200.405 Allocable costs.

- (a) A cost is allocable to a particular Federal award or other cost objective if the goods or services involved are chargeable or assignable to that Federal award or cost objective in accordance with relative benefits received. This standard is met if the cost:
 - (1) Is incurred specifically for the Federal award;
 - (2) Benefits both the Federal award and other work of the non-Federal entity and can be distributed in proportions that may be approximated using reasonable methods; and
 - (3) Is necessary to the overall operation of the non-Federal entity and is assignable in part to the Federal award in accordance with the principles in this subpart.
- (b) All activities which benefit from the non-Federal entity's indirect (F&A) cost, including unallowable activities and donated services by the non-Federal entity or third parties, will receive an appropriate allocation of indirect costs.
- (c) Any cost allocable to a particular Federal award under the principles provided for in this part may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are

allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

- (d) Direct cost allocation principles. If a cost benefits two or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit. If a cost benefits two or more projects or activities in proportions that cannot be determined because of the interrelationship of the work involved, then, notwithstanding paragraph (c) of this section, the costs may be allocated or transferred to benefitted projects on any reasonable documented basis. Where the purchase of equipment or other capital asset is specifically authorized under a Federal award, the costs are assignable to the Federal award regardless of the use that may be made of the equipment or other capital asset involved when no longer needed for the purpose for which it was originally required. See also §200.310 Insurance coverage through §200.316 Property trust relationship and §200.439 Equipment and other capital expenditures.
- (e) If the contract is subject to CAS, costs must be allocated to the contract pursuant to the Cost Accounting Standards. To the extent that CAS is applicable, the allocation of costs in accordance with CAS takes precedence over the allocation provisions in this part.

§ 76.730 Records related to grant funds.

- A State and a subgrantee shall keep records that fully show:
- (a) The amount of funds under the grant or subgrant;
- (b) How the State or subgrantee uses the funds;
- (c) The total cost of the project;
- (d) The share of that cost provided from other sources; and
- (e) Other records to facilitate an effective audit.

The OFSA does not publish an exhaustive list of allowable costs. However, the *Allowable Use of Funds Guidance for Elementary and Secondary Education Act (ESEA) Programs is* provided to LEAs to assist in their planning.

Title I, Part A Cost Reference Guide-Examples

Allowable Activities/Expenditures

LEAs must determine the Homeless, and Neglected and Delinquent set-asides based on its total allocation prior to any other allowable expenditure or transfers of funds.

Activities for district set-asides:

- LEA Administration: Used for funding administrative staff, supplies, equipment, travel, etc. at the district level for Title I administrative purposes.
- District wide staff to work at Title I schools
- Supplemental nurses/social workers
- District interventions at Title I schools that are CSI and TSI.
- Job Embedded PD (Instructional Coaches for example) at Title I schools or subset of Title I schools with identified needs.
- Extended learning time for Title I schools.
- Other Summer school, pre-school programs, intersession programs, additional professional development, school improvement, etc.).
- Activities must be in Title I schools only, except pre-school programs.
- McKinney-Vento liaison salary and expenditures
- Excess cost of School of Origin transportation for students experiencing homelessness.

Note: More flexibility if funding is in the Schoolwide Plan

Non-Allowable Activities/Expenditures

- Use of federal funds in one or more schools to provide services that were provided in other similar schools with state and local dollars without determining a neutral methodology for Supplement Not Supplant.
 - Use of federal funds to provide services that the LEA was required to make available under federal, state, and local law.

Allowable Activities/Expenditures	Non-Allowable Activities/Expenditures	
Activities to support student incentives		
 Have clearly established school award 	Cash awards	
criteria in place	Gift cards	
Are reasonable and necessary to carry out	Incentives which advertise a product or	
the Title I program	brand	
Do not exceed 1% of school's Title I	• Items used as an incentive to participate in	
allocation for the school year	a program	
Are supplemental in nature	Bookbags with school logo (if used as PR,	
 Are awarded for academic progress in 	item must be fully in line with a program)	
core subjects, attendance, and/or		
behavior		
 Non-monetary rewards of nominal 		
value		
o Books		
 Instructional supplies/materials 		
o Plaques		
Activities to support parent and family	Cash awards	
engagement:	Gift cards	
 Parent Involvement coordinators and 	 Incentives which advertise a product or 	
liaisons	brand	
 Assistance and training for parents 	Items used as an incentive to participate in	
 Parent literacy and education 	a program	
 Assistance for parents to work with their 		
children		
 Parent volunteers in classrooms 		
 Training for school staff to increase 		
collaboration with parents		
Activities to support homeless students:		
Due to the many and varied needs of students	Rent or temporary lodgings	
experiencing homelessness, the Title I, Part A	Class ring	
services provided to these students may need to be	Cost of drivers' test fees	
greater in scope and intensity, and/or different in	Extra-curricular activity fees	
nature than those normally provided to non-		
homeless students.		
The McKinney Vento liaison salary,		
benefits, stipends, and expenditures such as		
professional development;		
To defray the excess cost of School of Origin transportation:		
Origin transportation;		
Items of clothing, especially those necessary to meet a school's dress code;		
necessary to meet a school's dress code;		
Clothing and shoes necessary for participation in physical education classes:		
participation in physical education classes;		
Student fees that are necessary to participate in the general education		
program;Personal school supplies such as backpacks		
and notebooks;		
 The acquisition of birth certificates; 		
 Included a sequisition of birth certificates, Immunizations; 		
- Ininianizations,		

Allowable Activities/Expenditures	Non-Allowable Activities/Expenditures
• Food;	•
 Medical and dental services; 	
 Eyeglasses and hearing aids; 	
 Counseling services to address anxiety 	
related to homelessness that is impeding	
learning;	
 Outreach services to students living in 	
shelters, motels, and other temporary	
residences;	
Extended learning time (before and after Setundary alarms appropriate all)	
school, Saturday classes, summer school) to compensate for the lack of quiet time for	
homework in shelters or other overcrowded	
living conditions;	
 Tutoring services, especially in shelters or 	
other locations where homeless students	
are residing;	
 Parental involvement specifically oriented 	
to reaching out to parents of homeless	
students;	
 Fees for AP and IB testing (for student's 	
ineligible for any waivers);	
Fees for college entrance exams such as	
SAT/ACT testing (for student's ineligible	
for any waivers); and	
 GED testing for school-age students. 	
Activities to support staff salaries:	
 Hiring additional teachers to reduce class 	 Using Title I funds to pay for teacher,
size	guidance counselor, or paraprofessional
 Hiring additional teachers to serve as 	whose salary would normally be paid for
reading/math interventionists	with General Funds.
Substitute pay for these teachers when	
absent	
Supplemental instructional, curriculum,	
and data coaches	
Supplemental guidance counselors can be	
hired to provide supplemental guidance	
services Supplemental paraprofessionals	
to support instruction	
 Supplemental paraprofessionals to support instruction 	
instruction	
Activities to support teacher incentives:	
The purpose of these financial incentives	
and rewards must be to attract and retain	
qualified and effective teachers in those	
schools. (Supporting board policy should	
be in place.)	
Activities to support professional development:	 Professional development outside of
	education

Allowable Activities/Expenditures	Non-Allowable Activities/Expenditures
 Conferences including registration, room, meals, travel Consultants Stipends and/or substitute pay for educators attending professional development activities Professional development supplies and materials 	 Professional development for which the district is using General Funds to pay costs for non-Title I schools Food/Refreshments during staff development
Activities to support substitute teachers:	 Using Title I funds to pay for substitute teachers not provided for in the approved school plan Using Title I funds to pay for substitute teachers instead of using other funds given to the schools to pay for substitutes (Title I funds should be supplemental)
 Activities to support technology: Computer hardware to support student instruction, such as laptops, Smart boards, mobile computer labs Computer software to support student instruction Technology supplies such as flash drives, paper, ink 	 Hardware or software for which the district is using state or local funds to pay for in non-Title I schools Technology that is not tied to an allowable activity, program, or intervention
 Activities to support instruction: Funds used to increase the participation of low-achieving students in advance coursework. Summer school classes for low-achieving students Before, after, and/or Saturday school tutoring. Development and use of formative and interim assessments to track progress of low-achieving students Funds used to increase the participation of low-achieving students in advance coursework. Summer school classes for low-achieving students Before, after, and/or Saturday school tutoring. Development and use of formative and interim assessments to track progress of low-achieving students 	 Instructional costs for which the district is using General funds to pay costs for non-Title I schools Field trips which have no clear ties to classroom instruction

Title I, Part D Neglected and Delinquent Cost Reference Guide-Examples

Allowable Activities/Expenditures	Non-Allowable Activities/Expenditures	
 Tutoring (ELA/Reading and Math) Computer/Technology-Based Instruction Instructional Personnel (Teachers and/or Tutors, Transition Specialist) Computer Lab (Hardware and Software) Extended Day, Year, or Summer Services Credit Recovery GED Preparation Career Counseling and Mentoring Social-Emotional-Trauma-Justice Restorative Services Counseling/Assistance Parent/Family Engagement Supplemental Educational Materials Field Experiences Transportation Defray Costs for: Entrance Exams Placement Tests Dual Credit Enrollment Career and Technology Education Course Offerings (Not Already Offered by school/district) 	 Cash awards Gift cards Incentives which advertise a product or brand Instructional costs for which the district is using General funds to pay costs for non-Title I schools Field trips which have no clear ties to classroom instruction Food and refreshments, including working lunches 	

Neglected and Delinquent (N&D) Program Focus

- Reading/English-Language Arts
- Mathematics
- Transition:
 - 1. Back to regular school
 - 2. Back to the community
 - 3. Preparation for employment

Title II, Part A Cost Reference Guide-Examples

Non-Allowable Activities/Expenditures	
 Paid time to design, develop, align, map or revise curriculum or assessments Salary for out-of-field Class Size Reduction (CSR) teacher 	
Entire salary unless the coordinator's entire responsibility is professional development	
 Stipends or salaries for paraprofessionals Stipends for tutors Stipends for evaluators 	
Not allowable for non-public personnel	
 Substitutes for teachers not attending Title II funded professional development Consultants for first aid training 	

 Consultants to improve student behavior in the classroom and identifying early and appropriate interventions to help students with special needs Consultants to provide training to improve content knowledge or classroom practice of paraprofessionals Substitutes for teachers, principals, or other school leaders to attend Title II funded professional development 	
Activities to support supplies and materials: Supplies or materials to be used strictly for professional development such as books or instructional resources Professional development activity supplies, such as chart paper, pens, binders, easels Printing or copying for professional development activities	 Supplies to be used in the classroom or by students Anything not directly connected to Title II funded professional development activity Books, software, instructional technology for private schools
Activities to support travel (registration):	Any direct reimbursement to a private school
Activities to support other costs:	 Any materials, travel expenses, or supplies that are not directly connected to Title II funded professional development Cost of National Board candidate or assessment fees Food and refreshments, including working lunches
Activities to support equipment: • Portion of software or digital content used as part of a Title II funded professional development activity	 Equipment (hardware, computers, or other devices) Hardware or software for student use

Title III Cost Reference Guide-Examples

Allowable Activities/Expenditures

- Upgrading program objectives and effective instructional strategies.
- Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures.
- Providing to English learners—
 - tutorials and academic or career and technical education; and
 - intensified instruction, which may include materials in a language that the student can understand, interpreters, and translators.
- Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services.
- Improving the English language proficiency and academic achievement of English learners.
- Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families
 - o to improve the English language skills of English learners; and
 - to assist parents and families in helping their children to improve their academic achievement and becoming active participants in the education of their children.
- Improving the instruction of English learners, which may include English learners with a disability, by providing for—
 - the acquisition or development of educational technology or instructional materials;
 - access to, and participation in, electronic networks for materials, training, and communication; and
 - o incorporation of the resources described in subparagraphs (A) and (B) into curricula and programs, such as those funded under this subpart.

Non-Allowable Activities/Expenditures

- Translation or interpretation that is required under the Office of Civil Rights statutes may not be paid for with Title III funds (from the OCR May 25, 1970 Memorandum). OCR statutes are precedents that pertain directly to Title III and multilingual learners.
- Title I translation or interpretation cannot be paid with Title III funds due to Supplement, Not Supplant [Sec.3115 (g)].
- Administration of the ELP assessment. Per Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974, LEAs have an obligation to identify and assess all potential multilingual learners.
- Purchase of teacher manuals and/or textbooks for the current core curricula.
 Title III funds must be supplemental [Sec.3115 (g)]
- Site administrators funded 100% by Title III funds. Any part of their salary charged to Title III for supplemental administrative duties must be beyond the scope of the contractual duties, calendar, and job description and must not exceed the two percent cap on direct administrative costs [Sec. 3115(b)].

- Offering early college high school or dual or concurrent enrollment programs or courses designed to help English learners achieve success in postsecondary education.
- Carrying out other activities that are consistent with the purposes of this section.

Title III Immigrant Children and Youth Cost Reference Guide-Examples

Allowable Activities/Expenditures

- Family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children;
- Recruitment of, and support for, personnel, including teachers and paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth;
- Provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;
- Identification, development, and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with awarded funds;
- Basic instructional services that are directly attributable to the presence of immigrant children and youth in the local educational agency involved, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instructional services:
- Other instructional services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education;
- Activities, coordinated with communitybased organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services.

• Supplemental educational software focused on English proficiency for immigrant students when such funds are also being used to purchase the same educational software for MLs that are *not* immigrants. Title III Immigrant funds should supplement, not supplant, Title III ML funds in cases where a student is entitled to both ML and Immigrant funds.

Allowable Activities/Expenditures

General allowable expenditures:

- Salaries of personnel to carry out identified programs and services
- Supplemental educational resources and equipment
- Direct services for students
- Equitable services for eligible private school students and teachers

Activities to support well-rounded education:

- Improving access to foreign language instruction, arts, and music education
- Supporting college and career counseling, including providing information on opportunities for financial aid through the early FAFSA
- Providing programming to improve instruction and student engagement in science, technology, engineering, and mathematics(STEM), including computer science, and increasing access to these subjects for underrepresented groups
- Promoting access to accelerated learning opportunities including Advanced Placement (AP) and International Baccalaureate (IB)programs, dual or concurrent enrollment programs and early college high schools
- Strengthening instruction in American history, civics, economics, geography, government education, and environmental education

Activities to support safe and healthy students:

- Promoting community and parent involvement in schools
- Providing school-based mental health services and counseling
- Promoting supportive school climates to reduce the use of exclusionary discipline and promoting supportive school discipline
- Establishing or improving dropout prevention
- Supporting re-entry programs and transition services for justice-involved youth
- Implementing programs that support a healthy, active lifestyle(nutritional and physical education)
- Implementing systems and practices to prevent bullying and harassment

Non- Allowable Activities/Expenditures

- o Administrative costs that exceed 2%
- Technology infrastructure costs that exceed 15% of funds allocated for Effective Use of Technology. These include: devices, equipment, software applications, platforms, digital instructional resources and/or other one-time IT purchases.
- Costs for activities that supplant and are not supplemental.
- Costs associated with purchase of firearms, storage, and training.

- Developing relationship building skills to help improve safety through the recognition and prevention of coercion, violence, or abuse
- Establishing community partnerships

Activities to support effective use of technology:

- Supporting high-quality professional development for educators, school leaders, and administrators to personalize learning and improve academic achievement
- Building technological capacity and infrastructure
- Carrying out innovative blended learning projects
- Providing students in rural, remote, and underserved areas with the resources to benefit from high-quality digital learning opportunities
- Delivering specialized or rigorous academic courses and curricula using technology, including digital learning technologies and assistive technology

Title V REAP Cost Reference Guide-Examples

Allowable Activities/Expenditures

REAP funds can be used to supplement activities as outline in other ESEA titled programs.

Title I, Part A (Improving Basic Programs Operated by LEAs)

- The use of signing bonuses and other financial incentives:
- Teacher professional development, including programs that train teachers to use technology to improve teaching and that train teachers of students with special needs;
- Parental involvement activities:

Example: A school district develops a monthly PLO to teach teachers the most effective instructional uses of technology in the classroom.

Title II, Part A (Supporting Effective Instruction)

Example: A school district pays the stipend for an effective teacher to mentor another teacher for a full academic year.

Title Ill, (Language Instruction for Limited English Proficient and Immigrant Students)

Example: A school district offers an afterschool enrichment program for English Learners.

Rural Education Title V funds can be to:

- Pay for classes to certify a teacher in EL
- Recruit teachers
- Provide parent involvement
- Provide professional development
- Increase school safety
- Provide a parent liaison.

Title IV, Parts A and B (Student Support and Academic Enrichment)

Example: A school district purchases bully prevention materials for all schools.

• Parental Involvement

Example: A school district encourages parental involvement through PTO meetings, volunteer to assist in school, newsletters, etc.

Non- Allowable Activities/Expenditures

- Use of federal funds to provide services that the LEA was required to make available under federal, state, and local law.
- Cash awards
- Gift cards
- Incentives which advertise a product or brand