**Federal ESSER and ARP funds:**

DE Guidance for ARP funds states the following specific uses which directly relate to school improvement tools:

(K) Purchasing educational technology (including hardware, software, and connectivity) for students in regular and substantive educational interaction between students and their classroom instructors, including low-income students and children with disabilities, which may include assistive technology or adaptive equipment.

(M) Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, children with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care. ○

(N) Addressing learning loss among students, including low-income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency, including by—

(i) administering and using high-quality assessments that are valid and reliable, to accurately assess students' academic progress and assist educators in meeting students' academic needs, including through differentiating instruction; (*EdAssess, EdInsights, EdFolio and WriteToLearn*)

(ii) implementing evidence-based activities to meet the comprehensive needs of students; (*EdAssess, EdInsights, WriteToLearn*)

(iv) tracking student attendance and improving student engagement in distance education

(R) Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency (*all of the tools*)

**LEA funds must be used on evidence-based interventions.** The definition of “evidence-based” adopted by the ARP Act is the same as the definition under section 8101(21)(A) of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). The definition includes four tiers of support for the evidence-base of any activity or intervention, including interventions for students or professional development for educators. Iowa Department of Education guidance should be viewed as advisory unless it's specifically authorized by state statute, according to Iowa Code section 256.9A. This does not apply to administrative rules, declaratory orders, or materials required by federal law or courts. Evidence-based activities, strategies, or interventions are those that demonstrate a statistically significant effect on improving student outcomes or other relevant outcomes based on the following criteria. All tiers require ongoing efforts to examine the effects of such activity, strategy, or intervention. (*EdAssess, EdInsights, EdFolio and WriteToLearn*)

**PPEL/ State Penny** EdAssess, EdFolio, and EdInsights all fall into a category of technology (software license) that is non-instructional software. The Iowa Code requires that textbooks be paid out of the school general fund, through a textbook fee or with PD funds is PD is included with the textbooks or instructional software. (Remember, fees must be waived for students eligible for Free and Reduced Price Lunch). The PPEL Declaratory Ruling from 2011 distinguished that technology expenses, including software licenses for non-instructional software, were allowable Physical Plant and Equipment Levy expenditures (which also makes them state penny sales tax allowable expenditures if a district’s revenue purpose statement authorizes expenditures for Iowa Code 298.3 PPEL purposes).

Background information Textbook definition, PPEL FAQ considerations [Iowa Code 301.3](https://www.legis.iowa.gov/docs/code/301.pdf)

3. As used in subsection 2, “textbooks” means any of the following:

a. Books and loose-leaf or bound manuals, systems of reusable instructional materials or combinations of books and supplementary instructional materials which convey information to the student or otherwise contribute to the learning process.

b. Electronic textbooks, including but not limited to computer software, applications using computer-assisted instruction, interactive videodisc, and other computer courseware and magnetic media.

c. Laptop computers or other portable personal computing devices which are used for nonreligious instructional purposes only.

DE’s [PPEL FAQ](https://www.educateiowa.gov/sites/files/ed/documents/Physical%20Plant%20and%20Equipment%20FAQ.pdf) provides question/answer format and further distinguishes between instructional (textbook) and non-instructional software.

**Federal Funds:** EdAssess, EdFolio, EdInsights, and WriteToLearn are tools that provide information to use data and information about student learning to improve instruction. Federal ESSA regulates Title Federal Funds which may prove helpful:

Title 1 may be a good funding source if it is a building wide Title 1 program or a pilot project in several classrooms eligible for Title 1 funding. However, that may restrict your ability to provide the software in nontitle 1 programs paid with different funds. It's supposed to be for extra programs and services to meet the needs of children from low-income families, which are above and beyond the regular program. The training costs for using all of these programs, however, could be Title 1 eligible expense if the training includes how to use the data and information to disaggregate instruction for students and provide targeted instruction for low-income students to help close the learning gap. Let us know if you need the software costs distinguished from training costs on an invoice.

**Title IV Part A** - has three purposes, all of which can tie back to these particular student learning tools, but the third is particularly appropriate:

* From DE guidance: “The purpose of the SSAE program is to improve students’ academic achievement by increasing the capacity of the Iowa Department of Education (Department), school districts, and local communities to improve:
	+ 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 (safe and healthy students); and
	+ ***Access to personalized learning experiences supported by technology and professional development for the effective use of technology and data.”***
* Learn more here: [Title IV, Part A - Student Support and Academic Enrichment](https://educateiowa.gov/pk-12/every-student-succeeds-act/essa-guidance-and-allocations#Title_IV_Part_A_-_Student_Support_and_Academic_Enrichment)

**Professional Development Supplement per Pupil:** WriteToLearn™ is instructional software, but also provides information to teachers to improve instruction. It also includes professional development. EdAssess is an assessment, also mentioned in the PD supplement statute, if PD is included (and it is). Consider potential to use PD Supplement per Pupil to purchase either software license with PD funds. Iowa Code [284.6](https://www.legis.iowa.gov/docs/code/284.6.pdf)(8) lists the allowable uses of PD supplement:

“textbooks and curriculum materials used for classroom purposes if such textbooks and curriculum materials include professional development” or “administering assessments pursuant to section 256.7, subsection 21, paragraph “b”, subparagraphs (1) and (2), if such assessments include professional development” or “costs associated with implementing the individual professional development plans.”

Also, individual PD plans are focused on three things – district and attendance center plans/goals which might specifically relate to improving instruction, increasing opportunities for student writing, or increase use of technology in instruction. The individual teacher’s PD plan might also specify certain areas of improved instruction directly supported by these tools.

256.6(8) continues: “The use of the funds shall be balanced between school district, attendance center, and individual professional development plans, making every reasonable effort to provide equal access to all teachers.”

PD supplement is overseen locally by the teacher quality committee which determines the distribution of PD supplement funds. Contact Margaret Buckton at ISFIS margaret@iowaschoolfinance.com if you have questions about the TQ Committee.

**Teacher Leadership Supplement Per Pupil:** The district plan should include a budget and supports to teachers to improve instruction, and for resources for teacher leaders and teachers to work on improving instruction which could certainly include any of these school improvement tools (EdAssess, EdFolio, EdInsights, and WriteToLearn) Iowa Code [257.10](https://www.legis.iowa.gov/docs/code/257.10.pdf) Subsection 12 specifies all of the uses, from which we highlight the PD and costs associated with the framework:

“ For the budget year beginning July 1, 2014, and succeeding budget years, the use of the funds calculated under this subsection shall comply with the requirements of chapter 284 and shall be distributed to teachers pursuant to section 284.15. The funds shall be used only to . . . . .for professional development time to learn best practices associated with the career pathways leadership process; and for other costs associated with a framework or comparable system approved by the department of education under section 284.15 with the goals of improving instruction and elevating the quality of teaching and student learning.

The District’s plan for TLC implementation may already specify assessments or other data, which monitors implementation, or the plan may need to be amended to include such tools if not already encompassed in the existing plan language.

**Flex Account:** The Flex Account**,** enacted in the 2017 Session, allows the district to transfer ending balances from these categorical funds: professional development supplement, home school assistance, preschool and any discontinued fund. The school board must pass a resolution to expend the funds for a specific or any general fund purpose. Contact ISFIS for additional specifics on the process and sample board resolutions.

**At-risk/Dropout Prevention Funds:** 257.41 (2) (b) The professional development portion of EdAssess, EdFolio, and WriteToLearn could be paid from at-risk/dropout prevention if targeted instruction and use of data to monitor implementation is specific to teachers working with at-risk students. EdInsights would be a powerful tool to monitor interventions and instructional changes specific to at-risk students, too.

b. “Professional development for all teachers, counselors, and staff identified in paragraph “a” who are working with at-risk students under a program or an alternative school setting.

**Special Education Funds:** Special education weighting may be used for things specifically mentioned in student Individualized Education Plan (IEP), many of which require progress monitoring, intervention monitoring, communicating status with parents, etc., all of which EdInsights, EdAssess, ad WriteToLearn do exceptionally well. Similar to Title funding, if EdInsights becomes a building wide or district wide tool for all student monitoring, then the special education funds may not be applicable, but starting a pilot project in special education when appropriate for several student IEPs would be a nice way for staff to get experience with these tools.