

ESSA Quick Reference Guide: Purchasing Food with Federal Funds (Title I-A, Title II-A, Title I-C, Title I-D, Title III and Title IV-A)

Districts often find that the sharing of food is an integral part of successful engagement with families. Many districts question whether federal funds can be used to purchase food for these activities. Whether focused on ensuring that students do not go hungry, building the capacity of families to support their student's education or seeking input from community members at large, the purchase of food in service of district engagement goals can be an allowable expense. It is important to note, however, the parameters and guidelines around how and when the purchase of food is allowed.

This brief includes guidance for Title I-A, Title I-C, Title I-D, Title II-A, Title III and Title I-VA. Guidance on the purchase of food with Title IV, Part B funds can be found on the [Grants and Guidance webpage](#). In addition to consulting this brief, districts are encouraged to reach out to the appropriate program specialist with questions regarding the purchase of food.

What the Law Says

In order to provide food as part of a federally funded program districts must be able to demonstrate that the costs are **reasonable** – not exceeding the federal per diem rate, per meal, per person, and **necessary** - needed for the operation of the program. When considering whether to purchase food, it is important to consider the necessity of the activity before determining whether the cost is reasonable¹. While the purchase of food with federal funds is restricted, there are a number of circumstances under which it is allowable.

Family Engagement (Titles I-A, I-C, I-D, III and IV-A)

Federal grant funds may be used to pay for light refreshments to facilitate the attendance of family members at meetings to support student and school achievement, such as:

- Advisory councils
- Teacher conferences
- Capacity building activities for families
- Curriculum and assessment training for families

There may be cases in which the district feels there is a need to provide a meal, as opposed to light refreshments, in order to facilitate attendance and connection (e.g.; engagement activities that take place in the evening over the dinner hour). Because the overall **spending on food should be minimal in comparison to the programmatic activities for family engagement**, in these limited situations the per-person cost of a meal should not exceed \$10 and the total cost should not exceed 10% of the allocation. Additionally, federal grant funds may never be used to pay for alcohol². Districts are encouraged to reach out to grant managers with questions regarding the reasonableness of food purchases with grant funds.

Please note that due to supplement not supplant provisions, Title I-C and Title III funds can be used to support food costs only if no other funds are available, and only for eligible students and families.

¹ 2 C.F.R Part 200.404

² 2 C.F.R. § 200.423

ESSA Quick Reference Guide: Purchasing Food with Federal Funds (Title I-A, Title II-A, Title I-C, Title I-D, Title III and Title IV-A) Food for Students

Federal funds can also be used to support student learning, success and engagement. The following are examples of when purchasing food is reasonable and necessary.

Title I-A & Title IV-A

- Nutritional snacks for students in extended day (after-school) and summer programs
- Nutritional snacks for children in child care while parents are participating in capacity-building activities

Title I-A McKinney-Vento Set Aside

- Emergency food and bottled water for students experiencing houselessness purchased **after other funds** (e.g.; school and summer meal programs, SNAP, EBT, P-EBT) **are exhausted**. See ODE's [ESSA Quick Reference Guide on Store Cards](#) for more information on this topic.

Title I-C

Per the [Migrant Education Program \(MEP\) Questions & Answers](#) document, **if no other funds are available** Title I-C funds can be used for:

- Meals and snacks for migratory students during field trips
- Meals for students participating in I-C funded night school or summer school programs

Services such as the provision of food as a stop-gap measure for eligible migratory families **when other resources are not available** should be provided by non-MEP local programs such as a community food bank. If such programs are not available, however, the Office of Migrant Education (OME) suggests using the factors listed below to consider the possibility of using MEP funds to provide food for eligible migratory children only so long as other programs are not able to provide this service.

- The activity or service aligns with the results of the State's Comprehensive Needs Assessment (CNA) and the strategies outlined in the State's Service Delivery Plan (SDP).
- MEP funds are first used to meet the identified needs of migratory children that result from their migratory lifestyle, and to permit these children to participate effectively in school.
- The activity or service meets the needs of migratory children that are not addressed by services available from other Federal or non-Federal programs.
- MEP funds are used to supplement, rather than supplant, the use of non-Federal funds.
- The costs of the service or activity must align with the cost principles described in the Uniform Guidance (Subpart E of 2 Code of Federal Regulations (CFR) Part 200). The cost principles require, among other things, that costs of the service or activity be reasonable and necessary, and be allocable (or chargeable) to the MEP relative to the benefit received.

Title III

If no supplanting occurs (Federal, State, and local public funds³), no other funds are available, and only Title III eligible students are served, then in those instances, Title III funds could be used for:

- Meals and snacks for Title III funded after school programs
- Meals for students participating in Title III funded summer school programs

³ ESEA Section 3115(g)
Revised May 2023

ESSA Quick Reference Guide: Purchasing Food with Federal Funds (Title I-A, Title II-A, Title I-C, Title I-D, Title III and Title IV-A)



Professional Learning (Titles I-A, I-C, I-D, III and IV-A)

Federal grant funds should rarely, if ever, be used to pay for food for professional development. In general, the agenda should allow time for participants to purchase on-site food (e.g.; cafeteria, food trucks) or the time to travel to off-site restaurants.

If the professional learning is being held in a location that is a significant distance from for-purchase food options, consider offering meeting participants the option of paying for food and beverages, and arrange for these items to be available for purchase at the meeting.

Districts that wish to provide food for staff as part of professional development should leverage funding sources other than federal funds.

Recommendations for Practice

- **Honor culture.** Engaging with families over food is an excellent opportunity to explore and embrace the variety of cultures and traditions present in your school and district. Consider local organizations with which to partner to highlight culturally relevant food and customs.
- **Work with community partners.** Attempt to have all, or a portion of any food costs paid through alternative sources such as sponsorship or donation from:
 - Local businesses
 - Parent/Teacher organization
 - Restaurants
 - Food trucks
 - Supermarkets
- **Maintain documentation.** Because there is a high standard for using federal funds to provide food, districts should keep the following records and have them available for auditors:
 - Receipts for all food purchases;
 - Documentation of meetings and events; and
 - Program plans, such as Title I-A schoolwide plans, that justify the expense.

Resources

- [Oregon Federal Funds Guide](#) (ODE)
- [FAQ on Using Federal Funds for Conferences and Meetings](#) (USED)
- [Migrant Education Program Questions and Answers](#) (USED)
- [McKinney Vento Non-Regulatory Guidance](#) (USED)