

# ESSA Quick Reference Brief: Purchasing Food with Federal Funds

## (Titles I-A, I-C, II-A, II-A, & IV-A)



Districts often find that sharing food is an integral part of successful engagement with families, but 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. For questions regarding food purchases in Title IV-B, afterschool, and summer programs, please contact [ode.OR21stCCLC@ode.oregon.gov](mailto:ode.OR21stCCLC@ode.oregon.gov). 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

To provide food as part of a federally funded program districts must be able to demonstrate that the costs are **reasonable** and **necessary**. When considering whether to purchase food, it is important to consider the necessity of the activity before determining whether the cost is reasonable<sup>1</sup>. While the purchase of food with federal funds is restricted, there are several circumstances under which it is allowable. However, federal grant funds may never be used to pay for alcohol.<sup>2</sup>

### Family Engagement

Federal grant funds may be used to pay for light refreshments to facilitate family attendance 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

Light refreshments are defined to include, but not be limited to, coffee, tea, milk, juice, soft drinks, donuts, bagels, fruit, pretzels, cookies, chips, or muffins<sup>3</sup>. The Oregon Department of Education believes a single slice of pizza, or a culturally relevant equivalent, could be considered a light refreshment.

There may be cases in which a district feels there is a need to provide a meal, as opposed to light refreshments, to facilitate family 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 school's allocation. Please reach out to grant managers if you have 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 only be used to support food costs only if no other funds are available, and only for eligible students and families.**

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<sup>1</sup> 2 CFR 200.404

<sup>2</sup> 2 CFR 200.423

<sup>3</sup> 41 CFR 301-74.7

## Food for Students

Federal funds can also be used to support student learning, success, and engagement. The following are examples of when purchasing food with federal funds 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 childcare while parents are participating in capacity-building activities

**Lunches for field trips during the school day should not be paid for** with Title I-A or Title I-VA funds.

### *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 the costs of the service or activity be reasonable and necessary and be allocable (or chargeable) to the MEP relative to the benefit received.<sup>4</sup>

### *Title III*

**If no supplanting occurs (Federal, State, and local public funds<sup>5</sup>), no other funds are available, and only Title III eligible students are served**, then in those instances, Title III funds could be used for:

<sup>4</sup> MEP Policy Questions & Answers at Q138.

<sup>5</sup> ESEA Section 3115(g)

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

## Food for Staff

The use of federal funds to purchase food for staff is generally not considered allowable, however, an exception would be per diem expenses for staff participating in approved activities that require overnight travel including allowable conference costs.<sup>6</sup> Additionally, while costs for family engagement activities should be calculated based on projected family attendance only, staff should be welcome to join as part of the community building opportunity. Costs for food for staff celebrations are not considered an allowable use of federal funds and districts should look to other sources to pay for these activities.

## Professional Learning

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 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.

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

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<sup>6</sup> 2 CFR 200.432