

# Title II, Part A Supplement Not Supplant

The Every Student Succeeds Act (ESSA) requires Local Educational Agencies (LEAs) to supplement, and not supplant, the state and local funds they would otherwise spend on education. An LEA must be able to operate its schools and its core foundation programs without any federal funds.

## Overview

Supplanting is presumed if an LEA uses Title II-A for an activity the LEA:

- Is legally required to carry out, or
- Funded with state or local money during the previous year.

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*ESSER funds are federal funds, and therefore, do not have a supplant issue.  
However, the activity must still be [Title II-A allowable](#).*

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An LEA may overcome the second presumption of supplanting if it can demonstrate it cannot continue to support an activity with state or local funds because of state or local funding reductions. This means an LEA must be able to operate its schools and its core foundation programs without any federal funds.

- Federal grant funds may be used only to supplement the educational programs generally offered with state and local funds.
- They may be used only to provide supplemental services that would not have been provided had the federal grant funds not been available.

## Key Questions to Consider

### 1. If I didn't have federal funds available to conduct this activity, would I still conduct it with state or local funds anyway?

If the answer is yes, you are most likely supplanting because it is no longer a supplementary activity. You must be able to demonstrate that you could not conduct the activity if it weren't for the federal funds. For example, any activities, stipends and/or salaries required by the LEA's collective bargaining agreement (CBA) may not be funded by Title II-A.

### 2. Is the activity required by state or local law?

If the answer is yes, you are supplanting because the activity is required and not supplemental.

### 3. Were state or local funds used to pay for the activity in prior years?

If the answer is yes, you are likely supplanting because federal funds are being used to replace local funds and not to provide new opportunities.

