



**SOUTH CAROLINA**  
**STATE DEPARTMENT**  
**OF EDUCATION**

# TITLE II, PART A RULES AND REGULATIONS HANDBOOK

2017

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## Purpose of Handbook

This handbook is provided as a resource for South Carolina Local Education Agencies (LEAs) administering the Title II, Part A Improving Teacher Quality State Grants. It is intended to provide coordinators with uniform practices to govern professional activities and implementation of this Federal program. This handbook is not intended to replace the legislation or USDE Non-Regulatory Guidance. Therefore, it is highly recommended that coordinators consult the appropriate resources available online for complete guidance and regulations. In addition, all LEAs and coordinators responsible for implementing this Federal program must abide by current laws, regulations, and administrative procedures, U. S. Department of Education (USDE) guidance, and the Education Department General Administrative Regulations (EDGAR). This handbook is considered a working draft and is reviewed and updated as policies and procedures change and, at a minimum, is reviewed yearly. For more information, contact the Title II, Part A State Coordinator at (803) 734-4040.

# Program Administration Overview and Resources

## Federal Award Identification Information

Grant identifying information can be found on the SEA and LEA Grant Award Notification, also known as the GAN. It includes:

- Catalog of Federal Domestic Assistance (CFDA): Title II, Part A (84.367A)
- FY17 Federal Award Identification Number (FAIN) - S367A160038

## Overview of Title II, Part A

Title II, Part A Improving Educator Quality State Grants originally authorized as Eisenhower Professional Development and the Class Size Reduction programs under the Elementary and Secondary Education Act (ESEA) of 1965, was reauthorized in 2001 by the No Child Left Behind Act (NCLB) and in 2015 by the Every Student Succeeds Act (ESSA). While ESEA/ESSA was authorized in December of 2015, the Consolidated Appropriations Act of 2016 extended the date by which certain parts of the Act would be effective. Further guidance has been provided by USDE in the form of Dear Colleague Letters and FAQs. In 2012 USDE allowed SEAs to submit Flexibility Waivers, per these FAQs all flexibility requests are null and void as of August 1, 2016.

Improving Teacher Quality State Grant funds are obtained by a State on the basis of the United States Department of Education's (USDE) approval of either (1) an individual State plan as provided in ESEA/NCLB Sec. 2112 (20 USC §2112) or (2) a consolidated application that includes the program, in accordance with ESEA/NCLB Sec. 9302 (20 USC §7842). Through the program, state and local educational agencies (SEAs and LEAs) receive funds using a USDE provided formula based on poverty and population. This formula will be adjusted annually from July 2017 – July 2021.

The purpose of the Title II, Part A grant is

- to increase student achievement consistent with challenging State academic standards,
- to improve the quality and effectiveness of teachers and principals,
- to increase the number of teachers and principals who are effective in improving student academic achievement in schools, and
- to provide low-income and minority students greater access to effective teachers and principals.

Reporting requirements ask SEAs, and thereby LEAs, to report their progress in meeting the purpose of Title II, in improving equity for low-income and minority students, and reporting on teacher and leader effectiveness and retention.

The South Carolina Department of Education (SCDE) is the state educational agency recognized by the USDE as the granting agency for funds. The SCDE oversees the

administrative responsibilities of the State and its sub-grantees. It is responsible for determining the Title II, Part A LEA grant allocations. The SCDE supervises the administration of innovative projects, develops guidance on effective strategies for improving Teacher and Leader Effectiveness, interprets Federal law, develops a formal statement of state priorities based on a needs assessment, provides technical assistance and formal training, monitors fiscal control of grant awards, disseminates information about successful programs and practices, guides fund accounting procedures, oversees monitoring and reporting of program performance, ensures compliance with Federal regulations, and assures instructional delivery is being utilized with at-risk populations. This handbook only addresses Title II, Part A.

## **LEA Eligibility**

A Local Educational Agency (LEA) is a local school system pursuant to local board of education control and management. In South Carolina, this applies to traditional school LEAs, state and commission approved charter schools, and, by South Carolina special statutes, the Department of Juvenile Justice and the Department of Corrections. LEA eligibility outside the aforementioned entities is handled on case-by-case basis by the SCDE Title II, Part A Program Office, the SCDE Legal Counsel and Guidance from USDE.

## **Determining Allocations for LEAs**

During the summer, the SCDE receives notification of its current fiscal year SEA allocation. Under No Child Left Behind (NCLB), the allocation for LEAs was based on a federal formula grant that calculated a hold harmless amount which consisted of an Eisenhower Math and Science allocation and Class Size Reduction allocation. The Eisenhower Math and Science allocation was based on Title I, Part A allocations and total population count. The Class Size Reduction allocation was based on both poverty and total population counts. The remaining total above and beyond the hold harmless amount was allocated by poverty count (80%) and total population count (20%). Poverty and 5-17 population data was and continues to be provided by USDE. Under NCLB, in any year in which there was insufficient funds to provide the LEAs with their hold harmless amount, the SEA would ratably reduce each LEA allocation. ESEA/ESSA outlines changes in the SEA and LEA allocation formulas over five years beginning in the 2017-2018 school year.



	<b>SEA % of 2001 Hold Harmless</b>	<b>SEA Population</b>	<b>SEA Poverty</b>	<b>LEA Population</b>	<b>LEA Poverty</b>
<b>2016-17</b>	No Change 100%	No Change	No Change	No Change 20%	No Change 80%
<b>2017-18</b>	85.71%	35%	65%	20%	80%
<b>2018-19</b>	71.42%	30%	70%	20%	80%
<b>2019-20</b>	57.13%	25%	75%	20%	80%
<b>2020-21</b>	42.84%	20%	80%	20%	80%
<b>2021-22</b>	28.55%	20%	80%	20%	80%
<b>2022-23</b>	14.26%	20%	80%	20%	80%
<b>2023-24</b>	0%	20%	80%	20%	80%

For FY18: The SEA reserves 5% of total funds for State Activities. Of that 5%, 1% is reserved for Title II, Part A administration and up to 2% may be reserved for leadership academies. Of the remaining 95%, up to 3% may be reserved for State-level leadership support and the remaining funds are allocated to the LEAs. These percentages are pre-determined by USDE.

## Maintenance of Effort

Maintenance of Effort (MOE) is a fiscal calculation for two consecutive years to demonstrate that school district expenditures from state and local funds meet or exceed the required amount. The procedure ensures that Federal funds are used by the district to provide educational services that are additional to the regular services provided through local and state funds.

As documentation of the district's maintenance of fiscal effort, a worksheet must be completed for each of the two years in the comparison. The school district's annual Audit report, normally housed in the school district's business office, is the source data. There is also a requirement that a report be generated from the district's accounting software that will summarize, for the two fiscal years, capital outlay expenditures. This report will be used as supporting documentation along with the district's MOE worksheet.

### **Do maintenance of effort requirements apply to the *Title II, Part A* program?**

Yes. LEAs are required to maintain fiscal effort in order to receive their full allocation of *Title II, Part A* funds for any fiscal year. An LEA has maintained effort when either the combined fiscal effort per student, or the aggregate expenditures of the LEA and the State with respect to the provision of free public education for the preceding fiscal year, was not less than 90 percent of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year. "Preceding fiscal year" means either the Federal fiscal

year or the twelve-month fiscal period most commonly used in a State for official reporting purposes prior to the beginning of the Federal fiscal year in which funds are available.

Both State and local expenditures for free public education within the State must be considered in determining whether a State has maintained effort under *Title II, Part A*. “Aggregate expenditures for free public education” includes expenditures such as those for administration, instruction, attendance, health services, pupil transportation, plant operation and maintenance, fixed charges, and net expenditures to cover deficits for food service and student body activities. States may include in the maintenance of effort calculation expenditures of Federal funds for which no accountability to the Federal government is required. (Note: there are no accountability requirements for some Impact Aid program funds; however, certain Impact Aid funds, such as those received for children with disabilities, do have accountability provisions.) States must be consistent in the manner in which they calculate maintenance of effort from year to year in order to ensure that the annual comparisons are on the same basis (e.g., calculations must from year to year consistently either include or exclude expenditures of Federal funds for which accountability to the Federal government is not required). Moreover, States that choose to include expenditures of Federal funds for which accountability to the Federal government is not required must do so with the understanding that future years' maintenance of effort calculations may be affected by fluctuating Federal appropriations over which neither the Department, nor a State, has any control. Finally, expenditures not to be considered in determining maintenance of effort are those for community services, capital outlay, debt service, or any expenditures of Federal funds for which accountability to the Federal government is required.

### **What happens if the LEA fails to meet the requirements for maintenance of effort?**

If the LEA fails to meet the requirements for maintenance of effort, the SEA reduces the LEA's allocation of *Title II, Part A* funds in any fiscal year in the exact proportion by which an LEA fails to meet the 90 percent test mentioned in the preceding answer, using the measure most favorable to the LEA.

The Secretary of Education may waive the MOE requirement in the cases of:

- Exceptional or uncontrollable circumstances such as a change in the organizational structure of the LEA; or
- A precipitous decline in the financial resources of the LEA.

Below is a list of examples for what a change in the organizational structure of an LEA might mean.

- An LEA changes its configuration. For example:
  - The LEA merges with another LEA.
  - The LEA divides into two or more LEAs.

- The LEA eliminates grade levels (e.g., previously served grades K-12 and now serves grades K-8)
- An LEA changes its management or operations structure to create economies of scale to be more efficient. For example, each school in the LEA employs budget and fiscal management staff. The LEA makes the decision to consolidate budget and fiscal management staff into a single team located in the central office.

A waiver of MOE is for one year.

SCDE Title I, Part A staff is available to assist districts with the MOE calculation and application for waivers with USDE when applicable.

## **Funding Availability: Period of Performance**

Funds remain available for obligation, whether they are available to the State or the LEAs for a period of 27 months after July 1. This 27-month period includes an initial 15-month period of performance and an automatic 12-month extension permitted under the “Tydings Amendment” (explained in 1.7

When the period of performance for obligation ends, grantees may not incur any further obligation. In South Carolina, LEAs are given until August 15<sup>th</sup> to claim expenditures through June 30<sup>th</sup>. This timeframe allows the SCDE to complete the reporting necessary for the Federal government. Period of performance is programmed into the Grants Accounting Processing System (GAPS) and exceptions cannot be made for missed deadlines

## **Carryover and the Tydings Amendment**

Congress adopted the Tydings Amendment as incorporated in the *General Education Provisions Act*. The amendment provides education agencies additional time to spend the Federal funds they receive. Based on the Tydings Amendment, the Education Department General Administrative Regulations (EDGAR) allows grantees to carryover for one additional year any Federal education funds that were not obligated in the period for which they were appropriated. For grants that are forward-funded, grantees can have up to 27 months to obligate appropriated funds beginning as early as July 1 of the Federal fiscal year.

## Grant Closeout

The SCDE requires each local educational agency (LEA) receiving grant funds to submit a final claim no later than August 15th for the expiring grant. Expenditure claims must be processed through the online Grants Accounting Processing System (GAPS).

Title II, Part A Coordinators should work with their finance department to ensure that final expenditure claims are submitted in a timely manner.

## Risk Assessment Overview

A risk assessment is a systematic process of evaluating the potential risks that may be involved in a projected activity or undertaking. The annual Title II, Part A risk assessment process (including the risk assessment instrument, risk elements, strategies, consequences, etc.), is required by Federal law and conducted by the SCDE Title II, Part A State Coordinator, SCDE Finance Office and SCDE Office of Auditing Services. LEAs are assigned points based on fiscal and program implementation risk elements. LEAs receive a rating of Low, Medium, or High Risk. The results of the assessment rating may impact technical assistance and monitoring.

Risk assessment elements fall into the following general categories:

- LEA Personnel Experience
  - o Program Coordinator, Superintendent, Finance Director
- Allocation Size
- Program Implementation
  - o Fiscal: Drawdown, Audit Findings
  - o Program: Monitoring Findings, Repeat Findings, Deadline Adherence

## High Risk Rating

**High Risk Rating:** A LEA that accumulates a high number of points based on a combination of risk elements that show

- the potential for fiscal and/ or programmatic noncompliance, OR
- actual evidence of fiscal and/ or programmatic noncompliance, OR
- a combination of the potential and actual fiscal and/ or programmatic noncompliance.

## Risk Intervention Strategies

Once a LEA's risk is assessed, the Title II, Part A State Coordinator will monitor the LEA based on the risk intervention strategies listed below:

<b>HIGH</b>	LEAs designated <i>high risk</i> may be subject to: <ul style="list-style-type: none"><li>• Annual Monitoring<ul style="list-style-type: none"><li>○ Cross Functional or Program Onsite/ Desk Monitoring</li></ul></li><li>• Written Reporting<ul style="list-style-type: none"><li>○ Program Implementation</li><li>○ Corrective Action</li></ul></li><li>• Increased Technical Assistance<ul style="list-style-type: none"><li>○ Onsite Technical Assistance</li><li>○ Required Attendance at Trainings</li><li>○ Invoice Review Prior to Drawdown of Funds</li></ul></li></ul>
<b>MEDIUM</b>	LEAs designated <i>medium risk</i> may be subject to: <ul style="list-style-type: none"><li>• Monitoring<ul style="list-style-type: none"><li>○ Interim Program Onsite or Desk Monitoring</li></ul></li><li>• Written Reporting<ul style="list-style-type: none"><li>○ Program Implementation</li></ul></li><li>• Increased Technical Assistance<ul style="list-style-type: none"><li>○ Required Attendance at Trainings</li><li>○ Onsite Technical Assistance</li></ul></li></ul>
<b>LOW</b>	LEAs designated <i>low risk</i> may be subject to: <ul style="list-style-type: none"><li>• Monitoring<ul style="list-style-type: none"><li>○ As Designated by monitoring cycle</li></ul></li></ul>

## How SCDE Monitors LEA Implementation of Title II, Part A

In keeping with the provisions of ESEA/NCLB, the SCDE provides monitoring and technical assistance service to South Carolina's Local Education Agencies (LEAs) for Title II, Part A. It monitors the Title II, Part A program in local education agencies (LEAs) for implementation of program requirements and expenditure of Federal Title II, Part A funds.

1. LEA Equity Action Plan (ESEA/ESSA Sec. 2103(b)(3)(B), USDE Transitioning to ESSA FAQs C-8, C-8A (May 4, 2016))

ESEA/ESSA requires all students have equitable access to academic instruction by effective educators. In South Carolina, in compliance with the State Equity Plan, LEAs are required annually to complete a needs assessment and use this assessment to identify prioritized needs, equity gaps, corresponding equity interventions and a plan for addressing the identified equity gaps.

2. LEA Needs Assessment and Professional Development Plan (ESEA/NCLB Sec. 9302)

ESEA/NCLB requires LEAs to complete an annual needs assessment for the local Title II, Part A program. The results of the needs assessment are reported in the annual Online Application. The Title II, Part A State Coordinator reviews the application to ensure that needs assessment and planning requirements have been met.

3. LEA Allowable Use of Funding (ESEA/NCLB Sec. 2103, 2 CFR §200)

The Title II, Part A State Coordinator reviews the LEA Title II, Part A budget to ensure strategies and activities budgeted align with the LEA's prioritized LEA needs and corresponding equity interventions. All planned activities must meet 1) Title II, Part A Federal program specific requirements and guidance, 2) Title II, Part A South Carolina program specific requirements and guidance, and 3) the US Office of Management and Budget (OMB) *Uniform Administrative Regulations, Cost Principles, and Audit Requirements for Federal Awards* for fiscal compliance. Once budgets are approved, the State Coordinator monitors LEA drawdown of funds to ensure that LEAs are using funds in a timely manner in order to achieve the most immediate impact on teacher and leader quality and, as a result, student achievement.

4. On-Site Monitoring (2 CFR §200.331)

The Title II, Part A State Coordinator visits LEAs to review the criteria included in the annual LEA Monitoring Form. LEAs are monitored based both on risk and a monitoring cycle. Approximately one-third of South Carolina LEAs are monitored on-site, each year. Program staff may conduct independent on-site monitoring as needed.

Helpful hints:

- Document Title II meetings (agenda, sign-in sheet, and minutes)
- Retain signed mail receipts from private schools
- Use an online survey for teachers' professional development needs; keep a copy of the results on file

- Make sure charges are for approved activities in your district plan
- Ensure the district and school websites are up to date

#### 5. Desk Monitoring (2 CFR C 200.331)

LEAs who are not subject to on-site program monitoring may be subject to desk monitoring to ensure program compliance. Usually desk monitoring is the result of program risk assessment and/ or high monitoring findings for the previous fiscal year. Requested information is submitted electronically for review.

#### 6. Single Audit (2 CFR §200.501)

An audit is a formal or official examination of records and accounts with the intention to verify that proper accounts have been utilized, proper procedures have been followed, and attending documentation has been maintained. If a LEA receives grants that total more than the threshold identified by the governing audit circular, a LEA is required to be audited annually. If an auditor is unable to verify a program's accounts, procedures, and documentation, the LEA and SCDE will be notified of an exception or audit finding(s). The Title II, Part A State Coordinator will work with the LEA to resolve any Title II, Part A audit findings.

## **Remedies for Non-Compliance**

The SCDE works with state LEAs to achieve voluntary compliance before applying enforcement options. If it is determined that a LEA has failed to comply with program requirements, as the fiscal agent and in compliance with the Federal Grant Award Notification (GAN), the SEA may take the following actions:

- Order the LEA to cease and desist
- Enter into a compliance agreement, also known as a corrective action plan
- Disallow (deny both use of funds and matching credit) for all or part of the cost of the activity or action not in compliance
- Recover funds for all or part of the cost of the activity or action not in compliance
- Temporarily withhold cash payments pending correction of the deficiency by the recipient or subrecipient or more severe enforcement action by the awarding agency
- Wholly or partly suspend or terminate the current Federal Award
- Withhold further awards for the program
- Designate the LEA as high risk at the state or Federal level
- Initiate suspension or debarment proceedings (2 CFR §180)
- Take other remedies that may be legally available. (Grant Back – 34 CFR §81)

In all instances a LEA is expected to comply with processes and procedures outlined in a corrective action plan and/ or notification.

#### Remedies for Repeated Noncompliance

- Increased risk rating on SEA risk assessment tool
- Tiered corrective action requirements following monitoring
- Designation of High Risk LEA with the possibility of being placed on invoice review
- Targeted collaborative technical assistance completed in conjunction with monitoring

## **Complaint Resolution**

#### Initiation of Complaint

- Authority – The SCDE, pursuant to the *Every Student Succeeds Act of 2015* has the authority to hear complaints and appeals regarding the federal programs administered by the Office of Federal and State Accountability.
- Direct Complaints – Organizations or individuals may file a complaint alleging the state or school district or consortium of districts is violating a federal statute or regulation that applies to Title II, Part A.
- Appeals of Local School District (LEA) or Consortium Decisions – Organizations or individuals may appeal a decision by a LEA or consortium of districts regarding an alleged violation of a federal statute or regulation that applies to the above listed program within thirty days of receiving the decision by the LEA or consortium.
- Private School Complaints – Private school officials have the right to formally complain to the SCDE if they believe a district did not engage in consultation that was meaningful and timely, or if the district did not give due consideration to the views of the private school officials. Complaints regarding poverty data on private school students may also be addressed to the SCDE. Any private school complaints from private school officials, parents, teachers or other individuals or organizations will be resolved as other complaints listed herein including the right to appeal any decision by the SCDE to the Secretary of the U.S. Department of Education.
- Complaint and Appeal Procedures - Complaints and appeals must be in writing containing the following information:



- a statement that the state or subgrantee has violated a requirement of a federal statute or regulation that concerns a covered program;
- the facts on which the statement is based;
- the specific requirement of law or regulation allegedly violated; and
- the letter must be signed and dated by the complaint
- Complaints and appeals must be filed with the Director of the Office of Federal and State Accountability at the S.C. Department of Education, 511-D Rutledge, 1429 Senate Street, Columbia, South Carolina 29201.

### Resolution of Complaint or Appeal

- Investigation of Complaint - Upon receiving the complaint, the SCDE will conduct an investigation to determine the merits of the complaint. That investigation may include an on-site investigation, as determined by the SCDE.
- Timeline
  1. Notification of Receipt of Complaint - The SCDE will send a letter confirming receipt of the complaint within ten business days of receiving the complaint. This notification may also include a request for additional information from the complainant.
  2. Final Determination - The SCDE will make a final decision regarding the complaint within 60 days, except under exceptional circumstances that warrant an extension. In such case, the SCDE will notify the complainant that an extension of time has been issued. The Deputy Superintendent of Education will make this determination.
- Final Decision - The Director of the Office of Federal and State Accountability will issue a final decision on the matter, within the timeframe set forth above. The final decision will include a summary of findings and the nature of corrective action, if any, to be taken including applicable timelines.

### Appeals of SCDE Decision

Organizations and individuals may appeal the final decision of the SCDE to the Secretary of the U.S. Department of Education not later than 30 days after the SCDE resolves the complaint or resolve the complaint within a reasonable period of time. The appeal shall be accompanied by a copy of the SCDE resolution, and a complete

statement of the reasons supporting the appeal. The Secretary shall investigate and resolve the appeal not later than 120 days after receipt of the appeal.

## Title II, Part A Implementation Calendar

### July

- The complete online Title II application is due **by July 31**. Scan and send copies of private school documentation to the Title II office by July 31. Do not submit by “superintendent” until everything is approved by the Title II office.
- Results of the internal review are sent by email to the LEA contact. Reply to any questions, requests for clarifications, or revisions by the requested deadline. The application should be submitted by the “superintendent” only after being notified that everything is in order.
- After approval, grant awards are sent electronically to superintendents.
- The endorsement page must be signed and returned to the Title II-A office.
- Enter current year’s approved budget into GAPS (if the process has not been automated).
- Submit expenditure claims through GAPS at least quarterly.
- Expend older funds first.
- Review the expenditure detail report, implementation plan and budget for the previous year’s plan. Revise and amend as necessary.
- Using the previous year’s plan, review the effectiveness of Title II, Part A funded activities from the previous fiscal year.
- Upon the opening of school, distribute the Parent’s Right to Know notification. The notification must be in compliance with Federal and State laws and guidance.

## August

- Results of the internal review are sent by email to the LEA contact. Reply to any questions, requests for clarifications, or revisions by the requested deadline. The application should be submitted by the “superintendent” only after being notified that everything is in order.
- After approval, grant awards are sent electronically to superintendents.
- The endorsement page must be signed and returned to the Title II-A office.
- Enter current year’s approved budget into GAPS (if the process has not been automated.)
- Expend older funds first. Ensure that expenditures through June 30<sup>th</sup> are submitted in GAPS for payment by August 15<sup>th</sup>.
- Review the expenditure detail report, implementation plan and budget for the previous year’s plan. Revise and amend as necessary.
- Using the previous year’s plan, review the effectiveness of Title II, Part A funded activities from the previous fiscal year.
- Upon the opening of school, distribute the Parent’s Right to Know notification. The notification must be in compliance with Federal and State laws and guidance.

## September

- Results of the internal review are sent by email to the LEA contact. Reply to any questions, requests for clarifications, or revisions by the requested deadline. The application should be submitted by the “superintendent” only after being notified that everything is in order.
- After approval, grant awards are sent electronically to superintendents.
- The endorsement page must be signed and returned to the Title II-A office.
- Enter current year’s approved budget into GAPS (if the process has not been automated).
- Submit expenditure claims through GAPS at least quarterly.
- Expend older funds first.
- Review the expenditure detail report, implementation plan and budget for the previous year’s plan. Revise and amend as necessary.
- Using the previous year’s plan, review the effectiveness of Title II, Part A funded activities from the previous fiscal year.

## October

- Review current fiscal year Title II, Part A payroll report to ensure staff paid with Title II, Part A funds aligns with staff in approved budget.
- Begin to document the effectiveness of Title II, Part A funded activities for the current grant.
- Submit expenditure claims through GAPS at least quarterly.
- Ensure that the older balances are obligated no later than June 30.
- Submit budget amendments, as needed, through GAPS.

## November

- Review current fiscal year Title II, Part A payroll report to ensure staff paid with Title II, Part A funds aligns with staff in approved budget.
- Begin to document the effectiveness of Title II, Part A funded activities for the current grant.
- Submit expenditure claims through GAPS at least quarterly.
- Ensure that the older TQ balances are obligated no later than June 30.
- Submit budget amendments as needed through GAPS.

## December

- Continue to document the effectiveness of Title II, Part A funded activities.
- Submit expenditure claims through GAPS at least quarterly.
- Ensure that the older TQ balances are obligated no later than June 30.
- Submit budget amendments as needed through GAPS.

# January

- Continue to document the effectiveness of Title II, Part A funded activities.
- Implement needs assessment process.
- Include and document participation of required stakeholders.
- Survey teachers about their needs for professional development.
- Collect and analyze other relevant data such as student achievement results, vacant positions, teachers who are not properly certified, and equitable distribution.
- Notify private schools within the LEA's geographic boundaries of their eligibility to participate in planning Title II, Part A professional learning activities for the upcoming school year. Send notification by certified mail and retain certified mail receipt(s) with the Title II, Part A records. Also retain acceptance or declination letters with the Title II, Part A records.
- If applicable, collect and file semi-annual certifications (completed after the fact) for Title II, Part A funded positions.
- Submit expenditure claims through GAPS at least quarterly.
- Review both years' grant balances.
- Submit budget amendments as needed through GAPS.

# February

- Continue to document the effectiveness of Title II, Part A funded activities.
- Implement needs assessment process.
- Include and document participation of required stakeholders.
- Survey teachers about their needs for professional development.
- Collect and analyze other relevant data such as student achievement results, vacant positions, teachers who are not properly certified, and equitable distribution.
- Notify private schools within the LEA's geographic boundaries of their eligibility to participate in planning Title II, Part A professional learning activities for the upcoming school year. Send notification by certified mail and retain certified mail receipt(s) with the Title II, Part A records. Also retain acceptance or declination letters with the Title II, Part A records.
- Submit expenditure claims through GAPS at least quarterly.
- Review both years' grant balances.
- Submit budget amendments as needed through GAPS.

## March

- Continue to document the effectiveness of Title II, Part A funded activities.
- Implement needs assessment process.
- Include and document participation of required stakeholders.
- Survey teachers about their needs for professional development.
- Collect and analyze other relevant data such as student achievement results, vacant positions, teachers who are not properly certified, and equitable distribution.
- Consult with private schools (within the LEA's geographic boundaries) who have requested to participate in the Title II, Part A program and build relationships that are ongoing.
- Submit expenditure claims through GAPS at least quarterly.
- Review both years' grant balances.
- Submit budget amendments, as needed, through GAPS.

## April

- Continue to document the effectiveness of Title II, Part A funded activities.
- Continue needs assessment meetings as needed.
- Identify strategies and activities to meet goals through evidence based professional development, class size reduction teachers, and recruitment and retention of properly certified teachers.
- Plan steps to ensure equitable distribution of effective teachers.
- Submit expenditure claims through GAPS at least quarterly.
- Ensure that the older grant balances are obligated no later than June 30.
- Submit budget amendments as needed through GAPS.

## May

- Continue to document the effectiveness of Title II, Part A funded activities.
- Continue needs assessment meetings as needed.
- Identify strategies and activities to meet goals through evidence based professional development, class size reduction teachers, and recruitment and retention of properly certified teachers.
- Plan steps to ensure equitable distribution of effective teachers.
- Submit expenditure claims through GAPS at least quarterly.
- Ensure that the older grant balances are obligated no later than June 30.
- Submit budget amendments as needed through GAPS.

## June

- Continue to document the effectiveness of Title II, Part A funded activities.
- Continue needs assessment meetings, as needed.
- Identify strategies and activities to meet goals through evidence based professional development, class size reduction teachers, and recruitment and retention of properly certified teachers.
- Plan steps to ensure equitable distribution of effective teachers.
- If applicable, collect and file semi-annual certifications (completed after the fact) for Title II, Part A funded positions.
- Allocations are determined in late June, based on USDE federal allocations to the states. LEAs are notified by the Title II office of their allocations.
- Amendments to the expiring grant must be submitted by June 5.
- Submit expenditure claims through GAPS at least quarterly.
- Ensure that the older grant balances are obligated no later than June 30.
- Submit budget amendments as needed through GAPS.

## Glossary of Acronyms and Terms

CFDA	Code of Federal Domestic Assistance - Number assigned to the grant included on the grant allocation notification.
CFR	Code of Federal Regulations - The codification of the general and permanent rules and regulations published in the Federal Register by the executive departments and agencies of the federal government of the United States.
2 CFR Part 200/ UAR/ UGG	The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (sometimes referred to as the Uniform Grants Guidance) – see also CFR – applies to Title II, Part A
34 CFR Part 76	State-Administered Programs – see also CFR – applies to Title II, Part A
CNA	Comprehensive Needs Assessment
CSR	Class Size Reduction - A support strategy where LEAs employ a supplemental teacher in order to improve teacher effectiveness and student achievement.
EDGAR	Education Department General Administrative Regulations - Collection of regulations from various sources governing the use of federal grant funds.
ESEA/NCLB/ESSA	Elementary and Secondary Education Act originally published in 1965 and later reauthorized as No Child Left Behind Act (NCLB) of 2001 and Every Student Succeeds Act (ESSA) of 2015
FAIN	Federal Award Identification Number - Also known as the PR/ Award Number found on the grant allocation notification. The number should appear on LEA inventory records.
FERPA	Family Educational Rights and Provisions Act of 1974 - Legislation found under the General Provisions Act of United States Code.
Focus Schools	Schools identified by the SEA as needing additional support.
FTE	Full-Time Equivalent - A measure of instructional workload used for state budgeting, facilities planning, and local resource allocation decisions. FTE enrollment is a statement about how many students taking full study loads would generate a given number of measured or anticipated student credit hours.



FY	Fiscal Year
GaDOE	Georgia Department of Education - The State Education Agency designated for the administration of federal programs in Georgia.
GAN	Grant Allocation Notification - Notification from the SEA informing LEAs of their current fiscal year allocation.
GAPS	Grants Accounting Processing System - Online financial system in Member Center used for grant budgeting and drawdowns.
GEPA	General Education Provisions Act - A federal statute that address the out-of-the ordinary problems such as withholding of funds provision and cease and desist orders.
IDEA	The Individuals with Disabilities Education Act - A law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to eligible infants, toddlers, children and youth with disabilities.
LEA	Local Education Agency - A local school system pursuant to local board of education control and management – includes traditional city and county school districts, state authorized charter school LEAs, and agencies designated LEA by the Official Code of South Carolina.
MOE	Maintenance of Effort - LEAs must maintain a level of funding of at least 90-percent of the preceding fiscal year of the aggregate expenditures of state and local funds or the combined state and local funds per full-time equivalent (FTE).
OFSA	Office of Federal and State Accountability- The office that administers the Title II, Part A program in South Carolina. It is in the SCDE Division of Federal, State and Community Resources.
OMB	Office of Management and Budget
PAR	Personnel Activity Report - A time and effort method capturing the breakdown of activities conducted by employees carrying out multiple cost objectives and possibly funded by multiple funding sources.
Priority Schools	Schools identified by SEA as needing additional support.

SAHE/ IHE	State Agency of Higher Education/ Institution of Higher Education
SBE	State Board of Education
SCDE	South Carolina Department of Education- The State Education Agency designated for the administration of federal programs in South Carolina.
SEA	State Education Agency
SNAP	Supplemental Nutrition Assistance Program - A program that offers nutrition assistance to eligible, low-income individuals and families. Families that receive SNAP are considered directly certified for the free-reduced meal status.
SNP	School Nutrition Program
TANF	Temporary Assistance for Needy Families - The monthly cash assistance program with an Employment Services component for low-income families with children ages 18 and under who attend school full-time.
USC	United States Code
USDE	United States Department of Education
WHEO	White House Executive Order

# Planning

## Title II, Part A: Planning

### Needs Assessment

- Establish a timeline for conducting the LEA Needs Assessment and Prioritizing Needs.
- Determine the roles stakeholders will have in gathering and analyzing data and prioritizing needs. Identify exactly where in the process this should be done. Consider using existing opportunities for gathering this input (i.e. school councils, leadership teams), focus groups, surveys, school meetings, etc.
- Gather data around all mandatory components.
- Summarize and analyze data to identify strengths and areas for growth.
- The needs assessment is likely to reflect a wide array of needs, not all of which the LEA may be able to address with limited fiscal and non-fiscal resources. Rather than try to address all of these identified needs, the LEA must prioritize its uses of Title II, Part A funds in those ways most likely to produce positive results in teaching practice and the achievement of all LEA students.
- Brainstorm possible actions to address identified needs. Consider implications and impacts of each possible action.

### Title II, Part A Online Application

- Based on needs assessment and allocation awarded, develop a Title II, Part A plan to guide LEA Title II, Part A program implementation.
- Follow guidance from USED and SCDE for developing the Title II, Part A plan.

## Needs Assessment: Definition

- Assessing needs comprehensively means getting the full *breadth* of information for *depth* of understanding. It is a process that collects and examines information about LEA/schoolwide issues and then utilizes that data in structured decision making that will determine priority goals, inform LEA plans, and allocate often limited funds and resources.
- It is a systematic effort to acquire an accurate, thorough picture of the strengths and areas for improvement of a school community that can be used in response to the academic needs of all students for improving student achievement and meeting challenging academic standards.
- It is a way to determine what is happening that is impacting learning and hypothesize on what the root causes might be.

- In South Carolina, the needs assessment is conducted in order to meet Federal Title II, Part A requirements. The Title II, Part A program office recommends that the needs assessment components required for Title II, Part A are addressed in conjunction with needs assessment components required by other titles of ESEA/ESSA.

## **Needs Assessment: Purpose**

The purpose of the Title II, Part A LEA annual needs assessment is to determine the needs of the LEA as it relates to the grant requirements in order to maintain an annual action plan of improvement. The LEA must assure that information is gathered concerning the needs of its teaching force and school leaders in order to support all students in meeting challenging State content and academic achievement standards. The needs assessment process can be completed as a component of a comprehensive needs assessment or at the program level.

## **Needs Assessment: Stakeholder Involvement**

While the law requires stakeholder involvement and lists specific stakeholders to include, how the stakeholders are included is at the discretion of the LEA (e.g., through surveys, focus groups, meeting and other means of collecting data).

Consultation must include:

1) Teachers, 2) Principals, 3) Other School Leaders, 4) Paraprofessionals (including organizations representing such individuals), 5) Specialized Instructional Support Personnel, 6) Charter School Leaders (in an LEA that has charter schools), 7) Private School Administrators

## Needs Assessment: Required Components

LEAs must explicitly address their findings (strengths and areas of growth) for each of the following components:

- **Professional Learning** (Paraprofessionals, Teachers, Assistant Principals, Principals, and Superintendents and Equity of Meeting the Needs of Diverse Student Learners)
- **Personnel** (Recruitment, Retention and Equity of Teacher Quality and Experience)
- **Factors that Impact the Learning and Work Environment** (Class Size Reduction)
- **Title II, Part A Administration** (Prioritizing Funds Equitably)

## Needs Assessment: Suggested Data Sources

The law does not require that the needs assessment process include particular types of data. The data sources listed below are suggestions from the *Title II, Part A Non-Regulatory Guidance* and the South Carolina Title II, Part A State Coordinator.

- **Student Achievement:** Local Assessments, National Assessments, State Assessments
- **Professional Learning:** Teacher Surveys, Demographic Data, Equity Data Profile, PD Course Schedule, PD Evaluations, PD Participation, Student Achievement Data, Student Attendance, Student Discipline
- **Personnel:** Equity Data Profile, Exit Surveys, HR Feedback, Induction Feedback, Staff Attendance, Teacher Surveys
- **Factors that Impact the Learning and Work Environments:** Attendance Data, Demographic Data, Discipline Data, Program Data, Teacher Surveys
- **Title II, Part A Administration:** Audit Reports, Effectiveness Data, Equity Data Profile, Internal Controls, Monitoring Reports, Program Data, School Data, School Improvement School List, Teacher Surveys

# Professional Qualifications

## Highly Qualified Transitions to Professional Qualifications

With the reauthorization of ESEA/NCLB as ESEA/ESSA, highly qualified requirements that existed under NCLB have been removed from law and states have begun transitioning to identifying the professional qualifications required for ESEA/ESSA. At this time it is recommended that LEAs continue to hire teachers with demonstrated content area expertise (certification, major or coursework, assessments) in the fields in which they are assigned. In FY18, the State will begin reporting 1) inexperienced teachers, principals and other school leaders, 2) teachers teaching with emergency or provisional credentials, 3) teachers who are not teaching in the subject or field for which the teacher is certified or licensed (ESEA/ESSA Sec. 1111(h)(1)&(5)).

## Required Notification: Parent's Right to Know

### Parent's Right to Request a Teacher's and a Paraprofessional's Qualifications

By law, LEAs are required to notify parents that they may request information regarding the teacher's or the paraprofessional's professional qualifications, including the following:

- Whether the teacher/paraprofessional has met the South Carolina certification requirements for the grade level and subject area(s) in which the teacher provides instruction;
- Whether the teacher is teaching under an emergency or other provisional status through which South Carolina qualifications or certification criteria have been waived;
- The college major and any graduate certification or degree held by the teacher;
- Whether the student is provided services by paraprofessionals, and if so, their qualifications.

LEAs must:

- Notify parents in a format that is understandable and will ensure that all parents have the opportunity to receive the information. To the extent practicable, the notification should be provided in a language that parents may understand. This may include, but is not limited to a LEA or school handbook, a letter mailed home, inclusion in a newsletter, posting on a website, and/ or a school-wide email.
- Ensure the notification or document that contains the notification must include the principal's contact information, the school or LEA name, the date/ month and year of notification.



- Maintain records that document the dissemination of the right to know in multiple forms to the parents of all students.

## ESEA Professional Requirements for Paraprofessionals

ESEA requires that all paraprofessionals who work in a program supported by Title I, Part A funds (Schoolwide Program or Targeted Assistance Program) meet certain professional requirements. These paraprofessional requirements do not apply to those working in pre-kindergarten classrooms unless the position is funded by Title I, Part A. South Carolina requires **all** paraprofessionals to meet these same requirements.

### Requirements for Paraprofessionals

All paraprofessionals must have:

- Completed at least 2 years of study at an institution of higher education; or
- Obtained an associate's (or higher) degree; or
- Have taken an approved state or local academic assessment that measures the paraprofessional's knowledge of and ability to assist in instruction of the following subjects at the appropriate level:
  - To meet this assessment requirement, paraprofessionals may choose one of the following state approved tests:
    - ParaPro Assessment (ETS.org): The minimum passing score on this test is 456.
    - WorkKeys (ACT.org): The following four areas are required with minimum scores as follows:
      - Applied Mathematics – 4
      - Reading for Information – 4
      - Writing or Business Writing – 3
      - Instructional Support Inventory – 3

### Paraprofessionals – Definition

A paraprofessional is an individual with instructional duties. Individuals who work solely in non-instructional roles, such as aides, food service, cafeteria or playground supervision, personal care services, and non-instructional computer assistance are not considered to be paraprofessionals for Title I purposes. The requirements do not apply to individuals who work with special education students performing non-instructional duties, such as assisting with mobility and bodily functions. The requirements do not apply to individuals with: (a) primary duties to act as a translator or (b) duties consisting

solely of conducting Parental Involvement Activities. (See Title I, Part A, Section 1119 c-g.)

## Frequently Asked Questions

### A-4b. Are there any NCLB requirements with which a State or LEA need not comply during the 2016-2017 school year?

Yes. In order to ensure an orderly transition from ESEA requirements under the NCLB to those under the ESSA, ED has identified the following provisions, related to Title II, Part A, with which a State or LEA need not comply during the 2016-2017 school year because those provisions are not continued under ESSA:

1. Section 1111(h)(6)(B)(ii) of the ESEA, as amended by NCLB, which requires a school to notify parents when their child has been assigned to, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified;
2. Section 1119 of the ESEA, as amended by NCLB, which requires that each LEA hire highly qualified teachers; that each State and LEA report on progress toward all teachers being highly qualified; and that each LEA ensure that paraprofessionals meet certain qualifications and perform certain duties;
3. Section 2141 of the ESEA, as amended by NCLB, which requires an LEA not making progress toward all teachers being highly qualified to create and implement an improvement plan and requires the State to provide technical assistance to such LEA;

As ED continues to analyze the ESSA, it may update this list as necessary. Please note, however, that any requirements not explicitly excluded through this document, or forthcoming guidance, remain required.

### C-7. Must a State and its LEAs continue to comply with the requirements in section 1119 of the ESEA, as amended by NCLB, which describe certain requirements for teachers and paraprofessionals?

A State and its LEAs must continue to comply with section 1119 of the ESEA, as amended by NCLB, through the 2015-2016 school year, including the requirement that a State and LEA report information related to highly qualified teachers based on the 2014–2015 and 2015–2016 school years. For the reasons described in A-4b, ED is not

requiring States to comply with the requirements in section 1119 of the ESEA, as amended by NCLB, beginning in the 2016-2017 school year, which set forth requirements for highly qualified teachers, and use of funds to support compliance with the highly qualified teacher requirements.

D-1a. Must a State ensure that special education teachers are “highly qualified,” as defined in section 9101 of the ESEA, as amended by NCLB, in the 2016-2017 school year?

No. The ESSA amended the Individuals with Disabilities Education Act (IDEA) by removing the definition of “highly qualified” in section 602(10) and the requirement in section 612(a)(14)(C) that special education teachers be “highly qualified” by the deadline established in section 1119(a)(2) of the ESEA, as amended by NCLB. Accordingly, a State is not required to ensure that special education teachers are “highly qualified” as defined in the ESEA beginning with the 2016-2017 school year but must ensure that they meet the requirements described in D-1b.

D-1b. If the definition of “highly qualified” is no longer applicable to special education teachers, what are the federal requirements related to the professional qualifications of those teachers?

Section 9214(d)(2) of the ESSA amended section 612(a)(14)(C) of the IDEA by incorporating the requirement previously in section 602(10)(B) that a person employed as a special education teacher in elementary school, middle school, or secondary school must: 1) have obtained full certification as a special education teacher (including certification obtained through alternative routes to certification), or passed the State special education teacher licensing examination and hold a license to teach in the State as a special education teacher, except that a special education teacher teaching in a public charter school must meet the requirements set forth in the State’s public charter school law; 2) not have had special education certification or licensure requirements waived on an emergency, temporary, or provisional basis; and 3) hold at least a bachelor’s degree. Each State must continue to comply with these certification requirements during the 2016-2017 school year.

D-2. Must a State continue to comply with the requirements in section 2141 of the ESEA, as amended by NCLB, under which the State must ensure that LEAs take certain actions if they do not make progress toward all teachers being highly qualified and do not make AYP?

Each State must continue to comply with section 2141 through the 2015-2016 school year. For the reasons described in A-4b, ED is not requiring States to comply with the requirements in section 2141 of the ESEA, as amended by NCLB, in the 2016-2017 school year. Specifically, section 2141 of the ESEA, as amended by NCLB, requires an LEA to take certain actions if it does not make progress toward all teachers being highly qualified and does not make AYP, including developing an improvement plan. Thus, beginning in the 2016-2017 school year, an LEA is not required to develop an improvement plan or restrict the use of Federal education funds pursuant to such a plan, and a State is not required to provide the LEA the technical assistance that would be required to develop such a plan. Additionally, the State is not required to enter into the agreement required by section 2141(c) of the ESEA, as amended by NCLB, with an LEA. In addition, an LEA is no longer restricted in its use of Title I, Part A funds for hiring paraprofessionals.

D-3. Must a school continue to comply with section 1111(h)(6)(B)(ii) of the ESEA, as amended by NCLB, which requires a school to notify parents when their child has been assigned to, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified?

No. For the reasons described in A-4b, ED is not requiring States to comply with the requirements in section 1111(h)(6)(B)(ii) of the ESEA, as amended by NCLB. Schools will no longer be required to provide notice to parents related to the highly qualified status of their child's teacher. **Please note that LEAs are required to continue with section 1111(h)(6)(A) of the ESEA, as amended by NCLB, which requires an LEA to notify parents that they may request and the LEA will provide certain information regarding the professional qualifications of the student's teachers and paraprofessionals, as appropriate.**

# Fiscal Management

## Resources

All LEAs are required to adhere to Federal, State and local laws, regulations and guidance.

- STATUTE: *Elementary and Secondary Education Act of 1965 (ESEA)/ No Child Left Behind Act of 2001 (NCLB)/ General Education Provisions Act (GEPA); 20 USC 31*
- FEDERAL LAW: Education Department General Administrative Regulations (EDGAR)
  - 34 CFR §76 State-Administered Programs
  - 2 CFR §200 Office of Management and Budget (OMB) *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*
- FEDERAL GUIDANCE: U.S. Department of Education (USDE)
  - *Title II, Part A Non-Regulatory Guidance*
  - *Title IX, Part E Non-Regulatory Guidance (Private Schools)*
  - Policy Letters & FAQs
- STATE GUIDANCE:
  - SCDE LEA Title II, Part A Handbook and Subsequent Resources and Guidance
  - SCDE Title II, Part A State Coordinator Technical Assistance

## Federal and State Title II, Part A Assurances

As a condition of receiving the state and Federal funds for which application is made in the SCDE Online Application, the LEA applicant's local board of education (Applicant) agrees to certain general and program specific assurances including, but not limited to compliance with all associated Federal and state plans, statutes, regulations, etc. governing the terms of the grant. This grant is governed by Statute, Non-Regulatory Guidance, 34 CFR §76 and 2 CFR §200.

Notification of allocations to SEAs includes a mandate to communicate to subgrantees that SEAs and LEAs will manage the grant in compliance with USDE cash management policies for grants, in accordance with the Federal Funding Accountability and Transparency Act, in accordance with the special conditions for disclosing Federal funding in public announcements as found in the *Consolidated Appropriations Act of 2014* and in compliance with CFR single audit requirements.

In accordance with the conditions of *Executive Order 13513*, "Federal Leadership on Reducing Text Messaging While Driving" (2009) grant recipients, sub recipients and

grant personnel are prohibited from text messaging while driving a government owned vehicle, or while driving their own privately owned vehicle during official grant business, or from using government supplied electronic equipment to text message or email when driving. In addition, the grant condition specified in 2 CFR §175.15(b) is incorporated into this grant with two changes as determined by USDE.

## Internal Controls

LEAs MUST establish and maintain effective fiscal control and fund accounting procedures (internal controls) over the Federal award that provide reasonable assurance that the LEA is compliantly managing the Federal award. *Internal controls* can be defined as a process, implemented by a LEA designed to provide reasonable assurance regarding the achievement of objectives in the following categories: effectiveness and efficiency in operations, reliability of reporting for internal and external use, and compliance with applicable laws and regulations (2 CFR §200.61). The goal of internal controls is to reduce fraud, waste and abuse in the use of Federal funds. LEAs must adequately safeguard all assets and assure that they are used solely for authorized purposes.

Some internal controls are captured in LEA board policies, and some are informal and maintained by a LEA's Federal programs division or grant coordinator. Processes and procedures governing the LEA implementation of the Title II, Part A grant should be reviewed routinely and revised as needed. If in the course of monitoring and audits, a revision of internal controls is required, LEAs must take prompt action.

A quick guide outlining required written internal controls is available on the Title II, Part A Resources page of the SCDE website.

## Records Retention

- All financial and programmatic records and supporting documents must be kept for six years after the expiration of the grant.
- If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the 6-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular 6-year period, whichever is later.

- Title II, Part A Coordinator should follow the Records Retention Schedule for his/her LEA as long as that schedule includes, at a minimum, the Federal requirements.
- When original records are electronic and cannot be altered, there is no need to create and retain paper copies. LEAs must ensure electronic media is subject to periodic quality reviews, must provide reasonable safeguards against alteration and remain readable. As technology improves, if keeping electronic records, LEAs must ensure records are accessible and readable.

## Period of Performance: Obligations

Period of performance means the time during which the non-Federal entity (LEA) may incur new obligations to carry out the work authorized under the Federal award (Title II, Part A). For Title II, Part A the period of performance is July 1 of the current fiscal year through June 30 of the following year (12 months). A non-Federal entity (LEA) may charge to the Federal award (Title II, Part A) only allowable costs incurred during the period of performance. LEAs are encouraged to expend funds early in the grant cycle so as to benefit from the impact of funds during the period of performance.

Type of Obligation	When Obligation Occurs
Personal Services by Employee	When services are performed
Personal Services by Contractor	Date of binding written commitment
Licensing Contract	Date of binding written commitment
Travel	When travel is taken

### Contracts and Period of Performance (2 CFR §200.318(b))

While contracts obligated during the period of performance may have services that extend beyond the period of performance; in South Carolina, payments (in part or in whole) for contracts should not be made prior to the completion of corresponding services. It is recommended that LEAs develop contracts in such a way that they adhere to the period of performance. Failure to do so may result in findings and remittance of funds.

### Licensing and Renewal and Period of Performance (34 CFR §76.707)

It is recommended that A) LEAs set up initial licensing in accordance with the grant period of performance or B) LEAs temporarily prorate licensing until the start of the grant period of performance and then license for a year. LEAs may choose to exercise a multi-year licensing; however, in South Carolina, this is only allowable to the extent that



payments are not made for services that extend beyond the grant period of performance. In addition, it is recommended that any multi-year agreement incorporate a contingency clause that addresses continuation assuming availability of funds and continued allowability.

## Supplement Not Supplant Provision

Federal law states that, “Funds received under this subpart shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this subpart.”

To clarify, Title II, Part A funds may be used only to supplement educational program activities provided with state and local funds. The LEA may not use Title II, Part A funds to pay for activities that, in the absence of these funds, would be provided with state and local funds. Title II, Part A funds may be used to fund only the professional development activities that supplement those mandated locally or by the state, and can supplement those discretionary professional development activities that the LEA would fund in the absence of other local and/or state funding sources.

In the following instances, it is presumed that supplanting has occurred if:

- The LEA used Federal funds to provide services that were required under other Federal, state or local laws.

*Note: The rule is that all available local, state, or non- Federal funds must be spent to provide a service required under other Federal, state, or local laws before funds may be used to provide that service. For example, suppose that a state law requires and funds professional development to improve teacher knowledge of core academic subjects, which is an allowed local use of Title II, Part A funds under ESEA/NCLB Sec. 2123(a)(3)(A). LEAs would be expected to expend all of the state funds first, after which they could use funds for additional professional development of this sort – which is supplementing. Otherwise, if Title II, Part A funds were used while state funds were still available, the USDE would presume that the Title II, Part A funds were being used to free up the state funds for other uses – which is supplanting.*

- The LEA used Federal funds to provide services that were provided with non-Federal funds in the prior year.

*Note: Rebuttal is particularly plausible at a time when state and local education budgets are being cut nationwide. If, however, a LEA wishes to show that it used funds to provide a service that was provided last year with state or local funds, the LEA must prove its case with documentation (e.g., budget information, board action,*

*planning documents or other materials specific to the program or grade level at which the funds are being applied).*

These presumptions are rebuttable if the LEA can demonstrate that it would not have provided the services in question with non-Federal funds had the Federal funds not been available.

### **Precipitous Decline: Documenting the LEA is Supplementing and Not Supplanting Funds**

Review existing documents such as the LEA's past fiscal year and current fiscal annual state budgets and local revenues. The LEA's finance department should consult with the SCDE if it is faced with precipitous decline. On a program level, if it appears that there is a question as to whether or not the LEA is supplanting in a case of precipitous decline, the Title II, Part A Program Office recommends that LEAs write a narrative explaining how funds will be used to supplement the current fiscal year budget that has been reduced since the previous year. Place these items, along with other supporting documentation, in a file that would be available in the event of an audit.

Coordinators should discuss the local circumstances with the Title II, Part A State Coordinator to determine if supplementing with Title II, Part A funds is viable in the event of fund reductions from other sources.

## **Expenditures: Authorization, Segregation of Duties, Cost Allowability, Reconciliation**

### **Authorization**

Prior to charging the Title II, Part A grant, all Title II, Part A expenditures must receive written approval by the LEA designated Title II, Part A Coordinator who should have current fiscal year knowledge of the grant expectations. All expenditures charged to the grant should be reviewed for adherence to Federal and State laws, regulations and guidance.

### **Segregation of Duties**

Written controls must outline how LEA management divides or segregates key duties and responsibilities among different people to reduce the risk of error, misuse, or fraud. This includes separating the responsibilities for authorizing transactions, processing and recording them, reviewing the transactions, and handling any related assets so that no one individual controls all key aspects of a transaction or event.

### Cost Allowability

Costs must meet the following general criteria:

- Conform to Title II, Part A regulations and guidance.
- Be consistent with written internal controls (policies and procedures) that apply uniformly to both federally funded and non-Federally funded LEA activities. (Travel and stipends for staff providing or receiving professional learning)
- Be necessary, reasonable and allocable to the performance of Title II, Part A.
  - Reasonable means costs should 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 cost should be in the LEA plan; should reflect sound business practices; and should reflect market prices for comparable goods and services for the geographic area.
  - Allocable means able to be charged to Title II, Part A. Costs must be incurred specifically for Title II, Part A; must benefit both the grant and LEA work; must be necessary to the operation of the LEA and distinguishable as a Title II, Part A asset.
- Be adequately documented. (see *Source Documentation*)

When determining the allowability of expenditures consider these questions:

- How does the action/item support the LEA's Title II, Part A prioritized needs and selected equity interventions?
- Does the LEA have a viable plan (plan/timeline/person(s) responsible for monitoring implementation and results) to determine the effectiveness of this action/item in meeting desired outcomes?
- Is this action/item required by any local, state, or Federal (other than Title II, Part A) policy or procedure? (If so, this is supplanting.) Would the LEA provide this action/item in the absence of Title II, Part A Program funds? (If so, this is supplanting.)
- What is the research base and evidence of effectiveness of this action/item?
- What is the plan for sustainability/future costs to support the action/item?

### Reconciliation of Accounting Records

The LEA should have written procedures for regularly monitoring program budgets and actual expenditures to ensure accuracy and the reconciliation of discrepancies.

## **Coordination and Proration of Funds**

Many of the central objectives of the Title II, Part A program are shared with other Federal and state programs. This commonly applies to providing professional learning.

As a LEA budgets for district prioritized needs, the LEA may consider coordinating Title II, Part A funds with other Federal, state, and local funds to address the professional learning needs of the LEA. When coordinating, the LEA should consider the allowability of expenditures and ensure that it is using the funds in a way that is supplementing rather than supplanting.

LEAs are responsible for planning for and ensuring that expenditures that are not fully Title II, Part A allowable and/ or do not fully align with the LEA's prioritized needs are appropriately prorated. Commonly this applies to

- Software whose audience or content extends beyond that which is allowable;
- Salaries in which duties and responsibilities extend beyond the scope of what is allowable or where compensation is funded by multiple funding sources;
- Contracted services that include unallowable administrative fees or activities and/ or deliverables that extend beyond the scope of the Title II, Part A grant program;
- Conferences and/ or workshops where content extends beyond what is allowable and aligns with prioritized needs (includes associated travel or material expenses).

In instances where expenditures must be prorated, LEAs must maintain documentation of how the proration was determined.

## Source Documentation

LEAs are required to keep source documentation on file for each expenditure. Documentation must be made available during audits and program monitoring. Documentation will vary from LEA to LEA and expenditure to expenditure. However, all documentation should be sufficient to determine that expenditures are allowable and used according to Federal, state and local statutes, regulations, policies, guidance and procedures, and terms and conditions of the Federal Award and are reasonable and necessary, supplemental to non-Federal funds, and align with the Title II, Part A budget. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation. Common source documentation includes: purchase orders, detailed invoices, travel expense statements, agendas from conferences, contracts for services, attendance rosters and leave forms, etc. A Title II, Part A quick guide outlining appropriate source documentation for common program expenditures is available on the Title II, Part A Resources page of the SCDE website.

As a reminder, 2 CFR §200.415 (citing 18 USC §1001) requires that LEAs assert that they understand that submitting any false, fictitious, or fraudulent information, or the omission of any material fact(s), may subject the LEA employee(s) to criminal, civil, or administrative penalties for fraud, false statements, false claims or otherwise.

## Indirect Costs

LEAs may choose to budget indirect costs incurred by LEAs in support of implementing Title II, Part A. The restricted rate must be used as provided by the SCDE. All funds must be expended for activities related to the approved application. LEA staff desiring to apply the indirect cost rate should work with their business office to calculate the amount.

## Transferability of Title II, Part A Funds to Other Federal Programs

### ESEA/ NCLB Transferability Regulations

Under ESEA/ESSA, an LEA is authorized to transfer up to 100 percent of certain other funds into its *Title II, Part A* allocation and to transfer up to 100 percent of its *Title II, Part A* allocation into certain other programs.

### Guidelines on Transferability

- The funds you transfer into *Title I, Part A* become *Title I, Part A* funds subject to all rules and regulations for *Title I, Part A*.
- LEAs should think about how the transfer of funds will impact any of their required set-asides. The transferred funds may impact the required set-asides including those for parental involvement and private schools.

The *Title II, Part A* State Coordinator must be notified in writing (email) about the district's intent to transfer *Title II, Part A* funds to *Title I, Part A* prior to submitting the *Title II, Part A* budget for approval. This is for notification NOT approval.

## Developing and Monitoring a Title II, Part A Budget

The following guidance outlines a process for planning and managing Title II, Part A budget implementation to ensure continuous program improvement.

<b>Planning</b>	<ul style="list-style-type: none"><li>• The Title II, Part A LEA Needs Assessment and Online Application <b>MUST</b> guide the development of the LEAs Title II, Part A budget.</li><li>• LEAs are charged with expending funds in the year in which they are allocated to effectively implement the Title II, Part A program.</li><li>• In their second year, grants must be expended completely.</li></ul>
<b>Entry</b>	<ul style="list-style-type: none"><li>• Enter the budget line items by function and object in accordance with the SCDE Financial Accounting Handbook.</li><li>• Compose descriptions that align to program requirements, succinctly capture intent of expenditures and provide sufficient detail to determine allowability under Title II, Part A. If applicable, budget items that are prorated (for example: contracts, equipment and software) must include percent funded by Title II, Part A in the description. LEAs should also include the content/focus of training and intended participants when describing professional learning activities. Avoid acronyms.</li><li>• Budget Report: This is a summary review of the LEA budget. It draws from the budget codes used in the Online Application.</li></ul>

<b>Approval</b>	<ul style="list-style-type: none"> <li>• All Title II, Part A Coordinators require access to the SCDE Online Application. Access is administered at the LEA level.</li> <li>• LEA Designated Title II, Part A Coordinator submits Online Application. Reminder: All LEA Staff administering the Title II, Part A Grant MUST have current (annual) knowledge of program requirements.</li> <li>• SCDE Title II, Part A State Coordinator reviews and approves application or requests revision(s).</li> <li>• LEA Superintendent reviews and approves application or requests revision(s).</li> <li>• LEA Coordinator submits approved budget into Grants Accounting Processing System (GAPS).</li> <li>• LEA Finance office reviews and approves budget in GAPS.</li> <li>• SCDE Title II, Part A office approves budget.</li> </ul>
<b>Implementation</b>	<ul style="list-style-type: none"> <li>• Implement budget and expenditures as planned.</li> <li>• LEAs should submit expenditure claims AT LEAST quarterly.</li> </ul>
<b>Monitoring</b>	<p><u>Monitor the Progress of the Effectiveness Plan</u></p> <ul style="list-style-type: none"> <li>• Periodically review the Title II, Part A application, then consult with person(s) responsible for implementing activities and strategies in the plan and determine implementation status of each activity/strategy (in progress, completed, to begin on (date), cancelled).</li> </ul> <p><u>Monitor Detailed Expenditure and Payroll Reports</u></p> <ul style="list-style-type: none"> <li>• Ensure all actual expenditures align to the Title II, Part A application and funds budgeted.</li> <li>• Ensure alignment between staff paid with Title II, Part A funds and positions in the approved budget.</li> <li>• If one or more salaries (not stipends) are partially paid by Title II, Part A, ensure the percentage of salary paid from Title II, Part A reflects the percentage budgeted. In addition, ensure that appropriate and corresponding time and effort is documented and on file.</li> <li>• Ensure payments for substitute teachers are</li> </ul>

	<p>accurately and completely recorded for Title II, Part A CSR teachers and teachers engaging in Title II, Part A funded professional development activities.</p> <p><u>Monitor Expenditure Source Documentation</u></p> <ul style="list-style-type: none"> <li>• Ensure all charges to the grants are authorized by the Title II, Part A coordinator.</li> <li>• Ensure all payments or reimbursements for travel and/or registration costs are supported by documentation (i.e., conference/professional learning agendas with sessions attended highlighted) that indicates the activity is allowable under Title II, Part A and aligns with the Title II, Part A budget and prioritized needs.</li> </ul>
<b>Reconciliation</b>	<ul style="list-style-type: none"> <li>• Discuss any questions about payment details with the Finance Director or other appropriate personnel in the finance office.</li> <li>• Check to see if there have been changes in salary or benefits since the original budget that need to be reflected in the budget.</li> <li>• Compare expenditures recorded for each activity/strategy in the Title II, Part A Plan to funds budgeted. If planned activities or purchases are canceled, adjustments may need to be made to the budget.</li> <li>• Check for unauthorized or unallowable payments and payments that should have been made by Title II, Part A. If found, ensure journal entries are made to transfer funds to an appropriate funding source. Keep explanatory documentation.</li> </ul>



<p><b>Amendments</b> (Adjustment of the Plan and Budget)</p>	<ul style="list-style-type: none"> <li>• Budget amendments are required for the Title II, Part A Program any time there is an increase or decrease in the total grant, a change in the scope of the grant, or a change at the function/object level. The last day to submit a budget amendment is June 5<sup>th</sup>, unless otherwise specified.</li> <li>• Add new activities/strategies to the plan and budget as additional funds become available either through additional allocations or as a result of planned activities being cancelled. Identify 1) the timeline for implementation, 2) the documentation required to show implementation and effectiveness of the strategy/ activity, and 3) the timeline for implementation.</li> <li>• Remove activities/strategies from the plan and budget that will not be implemented.</li> <li>• LEAs are encouraged to work with the Title II, Part A State Coordinator to plan for amendments. Grants in their second year of availability must be expended completely.</li> </ul>
<p><b>Drawdown of Funds</b> <b>2 CFR §200.305(b)</b></p>	<ul style="list-style-type: none"> <li>• In South Carolina, Title II, Part A is administered through a reimbursement payment process. This means that after preparing a budget and having it approved, LEAs must obligate and complete payment prior to the drawdown of funds. Drawing down funds prior to payment constitutes a cash advance process which is subject to different laws.</li> <li>• LEAs are expected to encumber and draw down the Title II, Part A funds available to them in a timely manner. In an effort to assist LEAs in complying with timely drawdown of funds, the Title II, Part A State Coordinator will periodically review the drawdown of funds documented in the SCDE Grants Accounting Processing System (GAPS).</li> <li>• To minimize the time elapsing between drawdown and disbursement and ensure accurate accounting records the LEA should have written internal controls.</li> </ul>

<b>Reporting</b> <b>2 CFR §200.302</b>	<ul style="list-style-type: none"> <li>LEAs must report accurate, current, and complete disclosure of the financial results of Federal award in accordance with the reporting requirements. The Final Expenditure Claim for each fiscal year must be submitted in GAPS by August 15<sup>th</sup>.</li> </ul>
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## LEA Authorized Use of Funds

LEAs are allowed the flexibility to design and implement a number of different activities that can result in a teaching staff that is qualified and able to help all students, regardless of individual learning needs, achieve challenging state content and academic achievement standards. The funds may also be used to provide school principals with the knowledge and skills necessary to lead their schools' efforts to increase student academic achievement.

Section 2123 of the statute specifically authorizes the following types of activities:

<b>Authorized Use of Funds #1</b>
(1) Developing and implementing mechanisms to assist schools in effectively recruiting and retaining highly effective teachers, including specialists in core academic subjects, principals, and assistant principals.
<b>Authorized Use of Funds #2</b>
(2) Developing and implementing initiatives to assist in recruiting highly effective teachers (particularly initiatives that have proven effective in retaining teachers), and hiring highly effective teachers, who will be assigned teaching positions within their fields, including — <ul style="list-style-type: none"> <li>(A) providing scholarships, signing bonuses, or other financial incentives, such as differential pay, for teachers to teach — <ul style="list-style-type: none"> <li>(i) in academic subjects in which there exists a shortage of highly effective teachers within a school or within the local educational agency; and</li> <li>(ii) in schools in which there exists a shortage of highly effective teachers;</li> </ul> </li> <li>(B) recruiting and hiring highly effective teachers to reduce class size, particularly in the early grades; and</li> <li>(C) establishing programs that — <ul style="list-style-type: none"> <li>(i) train and hire regular and special education teachers (which may include hiring special education teachers to team-teach in classrooms that contain both children with disabilities and nondisabled children);</li> </ul> </li> </ul>

- (ii) train and hire highly effective teachers of special needs children, as well as teaching specialists in core academic subjects who will provide increased individualized instruction to students;
- (iii) recruit qualified professionals from other fields, including highly qualified paraprofessionals, and provide such professionals with alternative routes to teacher certification, including developing and implementing hiring policies that ensure comprehensive recruitment efforts as a way to expand the applicant pool, such as through identifying teachers certified through alternative routes, and using a system of intensive screening designed to hire the most qualified applicants; and
- (iv) provide increased opportunities for minorities, individuals with disabilities, and other individuals underrepresented in the teaching profession.

### **Authorized Use of Funds #3**

- (3) Providing professional development activities--
  - (A) that improve the knowledge of teachers and principals and, in appropriate cases, paraprofessionals, concerning--
    - (i) one or more of the core academic subjects that the teachers teach; and
    - (ii) effective instructional strategies, methods, and skills, and use of challenging State academic content standards and student academic achievement standards, and State assessments, to improve teaching practices and student academic achievement; and
  - (B) that improve the knowledge of teachers and principals and, in appropriate cases, paraprofessionals, concerning effective instructional practices and that--
    - (i) involve collaborative groups of teachers and administrators;
    - (ii) provide training in how to teach and address the needs of students with different learning styles, particularly students with disabilities, students with special learning needs (including students who are gifted and talented), and students with limited English proficiency;
    - (iii) provide training in methods of—
      - (I) improving student behavior in the classroom; and
      - (II) identifying early and appropriate interventions to help students described in clause (ii) learn;
    - (iv) provide training to enable teachers and principals to involve parents in their child's education, especially parents of limited English proficient and immigrant children; and
    - (v) provide training on how to understand and use data and assessments to improve classroom practice and student learning.

#### **Authorized Use of Funds #4**

(4) Developing and implementing initiatives to promote retention of highly effective teachers and principals, particularly within elementary schools and secondary schools with a high percentage of low-achieving students, including programs that provide--

- (A) teacher mentoring from exemplary teachers, principals, or superintendents;
- (B) induction and support for teachers and principals during their first 3 years of employment as teachers or principals, respectively;
- (C) incentives, including financial incentives, to retain teachers who have a record of success in helping low-achieving students improve their academic achievement; or
- (D) incentives, including financial incentives, to principals who have a record of improving the academic achievement of all students, but particularly students from economically disadvantaged families, students from racial and ethnic minority groups, and students with disabilities.

#### **Authorized Use of Funds #5**

(5) Carrying out programs and activities that are designed to improve the quality of the teacher force, such as--

- (A) innovative professional development programs (which may be provided through partnerships including institutions of higher education), including programs that train teachers and principals to integrate technology into curricula and instruction to improve teaching, learning, and technology literacy, are consistent with the requirements of section 9101, and are coordinated with activities carried out under part D;
- (B) development and use of proven, cost-effective strategies for the implementation of professional development activities, such as through the use of technology and distance learning;
- (C) merit pay programs; and
- (D) testing of elementary school and secondary school teachers in the academic subjects that the teachers teach.

#### **Authorized Use of Funds #6**

(6) Carrying out professional development activities designed to improve the quality of principals and superintendents, including the development and support of academies to help talented aspiring or current principals and superintendents become outstanding managers and educational leaders.

#### **Authorized Use of Funds #7**

(7) Hiring highly effective teachers, including teachers who become properly certified through State and local alternative routes to certification, and special education teachers, in order to reduce class size, particularly in the early grades.

<b>Authorized Use of Funds #8</b>
(8) Carrying out teacher advancement initiatives that promote professional growth and emphasize multiple career paths (such as paths to becoming a career teacher, mentor teacher, or exemplary teacher) and pay differentiation.
<b>Authorized Use of Funds #9</b>
(9) Carrying out programs and activities related to exemplary teachers.

## Personnel: Class Size Reduction

*The LEA CSR Worksheet and a CSR Quick Guide are available for reference on the SCDE Title II, Part A website.*

**\*\*Title I, Part A and Title II, Part A requirements for funding class size reduction teachers may vary depending on the circumstance.\*\***

LEAs may reduce class sizes by creating additional classes in a particular grade or subject/course and placing qualified teachers hired with program funds in those classes. However, because of space constraints and other concerns, this is not always feasible. There are other methods of reducing class size that are effective in assisting students in increasing their level of achievement. For instance, the benefits of smaller class size can be provided by the creation of smaller instructional groups, served by qualified teachers, for sustained blocks of time on a regular basis. Some examples of how LEAs might use this strategy to reduce class size include but are not limited to:

- Having two qualified teachers team teach in a single classroom for either part of the school day or the entire day;
- Hiring an additional qualified teacher for a grade level (e.g., providing three teachers for two 3rd grade classes) and dividing the students among the teachers for sustained periods of instruction each day in core academic subjects, such as reading and math;
- Hiring an additional qualified teacher who works with half the students in a class for reading or math instruction, while the other half remains with the regular classroom teacher.

LEAs have the flexibility to explore these and other alternatives for reducing class sizes, provided that qualified teachers are used. Generally, the manner in which LEA's reduce class size should result in a meaningful reduction for all of the students in the class on a regular basis. Research shows that "pull-out" programs involving reducing class size by only a handful of students, or sporadic reduction of class size, are less likely than other methods of class size reduction to result in increased achievement for students.

Therefore, the law only permits a LEA to pay teacher salaries when needed for "class size reduction." That is, the reduction of the size of a class must occur on a full-time

basis, not a reduction in the size of a class during times when a portion of the class is removed for special group instruction.

Other considerations for LEAs in using funds for class size reduction:

- Qualified class size teachers must teach in positions that exist to reduce class size. Federal funds cannot be used to meet state or local class size requirements.
- Class size reductions must be applied to the extent for success to be realistic. Reducing present class size by only one or two students is not supported by the research.
- The school and grade level at which the class size reduction is being applied must be in the greater need category for the LEA.
- LEAs must be mindful that “class size reduction” supported with Title II, Part A funds must be listed as a strategy to meet prioritized needs as assessed by the annual needs assessment and listed in the online application.
- Class Size Reduction funds cannot be used to reduce class size for the purpose of serving students in EIP, REP, gifted, or special education programs. Where reduced class size is the delivery model used to implement special programs (EIP, REP, Gifted), state/ local funds must **FIRST** be used to reduce class size to comply with SCDE class size guidance. **AFTER** an LEA has reduced class size to meet the special program requirements, Title II, Part A funds may be used to further reduce class size.

## Test for Supplanting

Although maximum class sizes have been suspended by the Legislature, whether there is a concern for supplanting can be determined by using the process that follows.

The state's required maximum number of students (based on State Board Regulations R 43-231, R 43-232, and R 43-234) per class for each grade level (and in some cases subject areas) are as follows:

<b>Grade Level</b>	<b>State required maximum number students in a class</b>
Kindergarten	30:1
1	30:1
2	30:1
3	30:1
4 and 5 ELA and math	30:1
4 and 5 Other subjects	35:1
6 ELA and math	30:1 with teacher load not to exceed 150 students daily
6 Other subjects	35:1 with teacher load not to exceed 150 students daily
7 and 8	35:1 with teacher load not to exceed 150 students daily
9-12	35:1 with teacher load not to exceed 150 students daily

Each type of class size reduction has a different way to check to ensure that the school activity is supplemental and does not supplant:

*Class Size Reduction in a self-contained setting or when students change classes among the grade level teachers*

To verify that a school's class size reduction activity is supplemental and does not supplant, follow the steps below.

1. Run a PowerSchool report for the grade in the school which has a class size reduction activity in the application. PowerSchool will report the number of students in the grade and the number of classroom teachers assigned to that grade level (do not include music, art, physical education or other supplemental teachers that work with students at this grade level).
2. Subtract the federally funded (Title I and Title II) teachers for that grade level from the total number of classroom teachers for that grade level.
3. Divide the number of students at the grade level by the number of non-Title II teachers assigned to that grade level.
4. If the figure determined in #3 is **at or below** the state required maximum number of students per class in that grade level, then the school's activity is supplemental.
5. If the figure in step #3 is **above** the state required maximum number of students per class in that grade level, then the school's activity is not supplemental and **may be considered supplanting**.

**EXAMPLE**

Implement class size reduction in grade 2 with 1 teacher @ 1.0 FTE and grade 4 with 1 teacher @ 1.0 FTE to provide more individual and small group academic instruction in all subjects.

Grade 2: Before reduction 1:25

After reduction 1:21

Grade 4: Before reduction 1: 31

After reduction 1:26.5

See actual calculations below for these samples.



## Grade 2:

Number of second grade students = 150

Number of second grade teachers without federal funds = 6

Number of second grade teachers with federal funds = 7

State required maximum class size for second grade = 30

**Before reduction:** 150 divided by 6 = 25 students per class to 1 teacher (without a Title II funded teacher). **This is under the state required maximum class size for second grade, which means that this activity is supplemental.**

**After reduction:** 150 divided by 7 = 21 students per class to 1 teacher (with a Title II funded teacher)

## Grade 4:

Number of fourth grade students = 186

Number of fourth grade teachers without Title II funds = 6

Number of fourth grade teachers with Title II funds = 7

State required maximum class size for fourth grade = 30

**Before reduction:** 186 divided by 6 = 31 students per class to 1 teacher (without a Title II funded teacher). **This is over the state required maximum class size for fourth grade, which means that this activity is supplanting.**

**After reduction:** 186 divided by 7 = 26.5 students per class to 1 teacher (with a Title II funded teacher). **The school should not use a Title II teacher to meet the state required maximum class size for fourth grade.**

### Class Size Reduction in a Departmentalized Setting

To verify that a school's class size reduction activity for a particular subject is supplemental and does not supplant, follow the steps below.

1. Run a PowerSchool report to indicate the school's enrollment.
2. Using the master schedule, count the total number of classes for the identified subject. Then count the number of classes for the identified subject taught by teachers funded by Title II.
3. To determine if this activity is supplemental or if it supplants, divide the number of students by the number of classes in that subject minus the Title II funded teachers' classes for that subject. If the class size is **at or below** the state required maximum number of students per class in that grade level/subject area, then the school's activity is supplemental.

\_\_\_\_\_ (total number of students) divided by \_\_\_\_\_ (the total number of classes minus the number of classes taught by Title II funded teachers for that subject) = \_\_\_\_\_ (class size which must be under the state maximum number of students)

4. To determine what the class size is after reducing class size with a Title II teacher(s), divide the number of total students by the total number of classes for that subject.

\_\_\_\_\_ (total number of students) divided by \_\_\_\_\_ (total number of subject area classes, including Title II funded teacher) = \_\_\_\_\_

### **EXAMPLE**

Implement class size reduction for math with 1 teacher @ 1.0 FTE to provide more individual and small group academic instruction in math in grades 6, 7, and 8.

Math Class Size:	Before reduction	1: 28.75
	After reduction	1: 19.16

See actual calculations below for this sample.

**Before Title II funds were used for class size reduction: 230** (total number of students in grades 6, 7, and 8) divided by **8** (number of math classes minus the number of math classes taught by Title II teacher) = **28.75** (a class size 28.75 is under the state maximum number of students of 30 for these grade levels)

**After Title II funds were used for class size reduction: 230** (total number of students in grades 6, 7, and 8) divided by **12** (total number of math classes, including the number of math classes taught by Title II funded teacher)=**19.16**

**Please note that every scenario for class size reduction is not included in the samples above and that the samples do not address the current state suspension\* of the class size reduction requirements. The Office of Federal and State Accountability may need to be contacted to develop a test for supplement, not supplant for class size reduction situations that do not apply to the samples above.**

LEAs will need to be very cautious when applying funds to reduce class size by retaining classroom teacher positions that have been previously funded by state or local funds. It can be done but the LEA must maintain documentation supporting the reduction of funds from the previous fiscal year at the program level equal to the amount or greater than the amount of funds being applied to reduce class size at that program level. The LEA can generate the need for retaining a position by calculating the class size averages if the position were eliminated compared to the class average if the position is retained. The calculated class size averages still must be above the LEA average in order to apply funds.

#### Title II, Part A CSR Required Documentation

*Documentation should be kept in the grant file for audit purposes.*

- Class Size Reduction Worksheet
- School master schedule in chart format for each school in which a class size reduction teacher is placed; both first and second semesters if applicable
- Daily schedules of teachers grouped by grade level or content area (i.e., all first grade teachers followed by second grade teachers, etc. or all math teachers followed by science teachers etc.);
  - Self-contained classes:
    - Grade level
    - Total number of students in each class
  - Departmentalized classes:
    - Course name for each class
    - Total number of students in each class

### Professional Development vs. Class-Size Reduction Activities

While LEAs have flexibility to determine how best to use their Title II, Part A funds to secure a high-quality teaching force with the knowledge and skills to enable all students to achieve academically, the law requires that the LEA describe how it is meeting the professional development needs of its teachers and principals with the funds it receives. *Therefore, the law anticipates that unless a LEA can demonstrate that its teachers and principals have no professional development needs, the LEA will include professional development in whatever mix of activities it decides to support with funds.*

## **Personnel: Other Personnel**

A LEA may fund other personnel if each position:

- Directly supports the implementation of the LEA's Title II, Part A prioritized needs;
- Is allowable under the auspices of the Title II, Part A program;
- Supplements rather than supplants required state positions;
- Has a written job description that has been approved by the Title II, Part A State Coordinator. The portion of the job funded by Title II, Part A should correspond proportionally with Title II, Part A allowable duties and responsibilities. LEAs must include the percent of each position funded in the online application.

## **Personnel: Additional Compensation (Supplements and Stipends)**

- Additional Compensation: Supplements: These are funds received for providing services above and beyond salary. This is commonly used for funding mentors and paying teachers to provide professional learning.
- Additional Compensation: Stipends: Stipend – funds awarded by an LEA to certified personnel and paraprofessionals for having successfully completed learning opportunities that have occurred at any time during the fiscal year outside of the employee's normal contract/work hours.

If a LEA uses Title II, Part A funds for personnel, all expenditures should: 1) be reasonable and necessary, 2) be distributed as a result of a Title II, Part A allowable, district identified need, 3) be tied to a specified and documented 'deliverable' event or activity, and 4) must be offered at a rate that can be documented, justified and is comparable to funding offered through the use of local funds and/ or other Federal or state funding sources. LEAs must consider these requirements when developing policies that apply to stipends.

All LEAs must have a policy regarding the payment of stipends. Stipends may be awarded only if the following conditions exist:

- (i) There is evidence that the knowledge, skills, practices, and dispositions gained from the professional learning activity are aligned to an approved application; and
- (ii) There is evidence that the knowledge, skills, practices, and dispositions developed through participation in or facilitation of professional learning have been implemented/demonstrated in the classroom/work setting; and
- (iii) Participation occurs beyond regular contract hours, days, or school year.

## Personnel: Time and Effort

Time and effort reporting is required when any part of an individual's salary and wages is charged to a Federal program. Written internal controls are required to govern expenditures associated with time and effort. LEAs must keep careful documentation that proves time for which an individual is paid was spent in accordance with the purpose of the Title II, Part A grant.

### Time and Effort: Title II, Part A Salaried Positions

Each LEA choosing to spend Title II, Part A funds on personnel *beyond class size reduction teachers* are required to have a job description approved annually by the Title II, Part A State Coordinator prior to application approval. Any job description that includes language asserting the employee may be required to complete other duties without clarifying that these duties will be Title II, Part A allowable may be required to complete a PAR because other duties may not be Title II, Part A allowable and may entail multiple cost objectives. Please consult Title II, Part A staff with any questions.

*Semi-annual Certifications* may be used for personnel who are fully funded by a particular Federal program or partially funded by the Federal program and whose total job is allowable under the Federal program (single cost objective). Individuals submit an assurance every six months (at a minimum) documenting the amount of time they worked for each particular Federal or non-Federal program.

*Personnel Activity Reports (PARs)*, completed monthly, are used for individuals who work less than 100% for a particular Federal program and whose total job responsibilities are not allowable under the Federal program (multiple cost objectives). All time and effort reporting must:

- Be completed and dated after the fact (after the work has been completed);
- Be signed by the employee or, in the absence of the employee, a supervisor having direct knowledge of the employee's work;
- Account for the total activity for which the employee is compensated and supports the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works for more than one federal award or a federal award and non-federal award;
- Coincide with one or more pay periods; and
- Be supported by documentation that indicates the charges are accurate, allowable, and properly allocated.

The charges for an employee's salary/benefits may be supported by the employee's daily schedule if:

- There is a fixed daily schedule for the employee;
- There is an indication on the schedule which portion of the day is worked for each funding source;
- The schedule is signed monthly by the employee and the employee's supervisor;
- Questions about when daily schedules may be used in lieu of time logs should be addressed to the Title II, Part A State Coordinator.

#### Time and Effort: Financial Incentives for Recruitment and Retention

Local education agencies budgeting and expending grant money on recruitment and retention financial incentives must meet the requirements of the statute (ESEA/NCLB - Sec. 2123. (a)(2)(A)(i-ii)...(a)(4)(B-D) and non-regulatory guidance (*Title II, Part A Non-Regulatory Guidance E-1*). Recipients of recruitment and retention financial incentives are not required to complete any work related to the grant in order to receive these incentives, thus this expenditure is not subject to Federal time and effort documentation requirements, but must be documented in compliance with Federal grant and local state guidance. A sample form for documenting this expenditure is available on the Title II, Part A website.

If districts choose to create and format their own documentation, it must, at a minimum, include: 1) budget line item, 2) documentation of allowability in the form of law and/ or non-regulatory guidance (ESEA/NCLB Sec. 2123 and *Title II, Part A Non-Regulatory Guidance E-1*), 3) a note explaining why this expenditure is exempt from Federal time and effort documentation requirements, and 4) justification for this expenditure to address local allowability.

Additional guidance on semi-annual certification, personnel activity reports and documenting financial incentives can be found on the Title II, Part A website.

## Time and Effort: Contracted Employees (Substitutes and Class-Size Reduction Teachers)

If a LEA pays a contractor to provide substitutes and the contractor directly pays the salary of the substitute, the LEA is not required to keep (but may keep) personnel activity reports (PARs) for the employees. However, LEAs must still prove that the costs are allowable under law. For contracted substitutes, the LEA must link the substitute to the absent teacher and the activity to determine allowability.

## **Recruitment and Retention: Recruiting Costs**

Allowable Recruitment Costs include:

- “Help Wanted” advertising for qualified core academic content teachers and principals allowable by Title II, Part A
- Registration fees for recruitment fairs
- Travel associated with recruitment

*In accordance with 2 CFR §200.421(e)(2)(i)&(3), unallowable advertising and public relations costs include: costs of displays and exhibits and costs of promotional items and memorabilia, including gifts and souvenirs.*

## **Recruitment and Retention: Financial Incentives**

LEAs that experience difficulty recruiting and retaining qualified and highly effective core academic content teachers may choose to fund financial incentives. If a LEA chooses to fund financial incentives, the LEA should document 1) the need for the expenditure, 2) the criteria for selection and 3) the rationale for the amount awarded.

There is no Federal requirement for the use of a competitive process in selecting individual teachers for such awards. However, in keeping with the purpose of Title II, Part A and ESEA/NCLB as a whole, a LEA should consider developing and using a method for selection that is linked to a teacher’s or principal’s ability to demonstrate measurable increases in student academic achievement. The LEA might consider, however, having the teacher or principal sign a binding contractual agreement to repay

all or part of the funds the LEA has provided in the event that the teacher or principal does not maintain employment in the LEA for a specified period of time.

## **Recruitment and Retention: Teacher Advancement Initiatives**

The statute provides that a LEA may use funds to carry out “teacher advancement initiatives that promote professional growth and emphasize multiple career paths such as paths to becoming a career teacher, mentor teacher, or exemplary teacher”. In some cases, the only real career advancement option for teachers is to become school principals or LEA administrators. This leaves fewer excellent, experienced teachers working directly with children in the classroom.

Multiple career paths for teachers provide professional opportunities to advance their careers without having to leave the classroom. For example, a LEA could establish a system whereby teachers could opt to pursue one of a variety of career paths, such as (1) a career teacher, staying in the classroom with traditional instructional duties, (2) a mentor teacher, staying in the classroom but taking on additional duties such as mentoring first-year teachers and receiving additional pay for these duties, or (3) an exemplary teacher, one who has a distinguished record of increasing student academic achievement, taking on additional duties of training other teachers to do the same, and receiving additional pay for these duties. LEAs are free to develop other approaches that fit their needs. The bottom line is to find ways to encourage teachers to advance their careers as teachers, rather than by becoming school principals or LEA administrators.

## **Recruitment and Retention: Staffing Services**

Many LEAs make use of staffing services to meet their needs in securing qualified substitutes. It is the LEA’s responsibility to ensure that any contracts or payments funded by Title II, Part A, in part or in whole, are allowable, reasonable and necessary and comply with all Federal regulations. For example, administrative fees are not considered a Title II, Part A allowable expense.



## **Recruitment and Retention: New Teacher Relocation**

Paying out-of-area recruitment costs and moving expenses may be needed in order to recruit and relocate new teachers. There are circumstances under which the use of funds to pay out-of-area travel and relocation costs would be reasonable and necessary in order to recruit individuals that the LEA would want to hire to meet their teacher shortage needs. To the extent that out-of-area recruitment itself is reasonable and necessary, relocation costs may be paid as a stipend or financial incentive if, as with any cost the program would assume, they themselves are reasonable and necessary.

## **Professional Qualifications: PRAXIS Testing**

A LEA may use funds both to (1) pay the costs of tests required of new and veteran teachers to determine whether they have core academic content competence, and (2) to assist them in meeting state certification requirements. However, Title II, Part A funds may not be used to pay required state certification fees.

## **Professional Qualifications: Endorsements**

Title II, Part A funds focus on providing professional learning opportunities that support teacher preparation for meeting the diverse needs of student learners. It is allowable to fund individual courses to the extent that they align with prioritized needs supported by source documentation. The primary focus should be professional learning rather than the acquisition of an endorsement. In addition, Title II, Part A funds may not be used to pay required state certification fees.

## **Professional Qualifications: Alternative Certification Programs**

Title II, Part A funds may be used to support teachers in alternative certification programs in order to become fully certified. A LEA may use funds both to (1) pay the

costs of courses required of new and veteran teachers to verify core academic content and/ or pedagogical knowledge and skills, and (2) to assist them in meeting state certification requirements. However, Title II, Part A funds may not be used to pay required state certification fees.

## **Professional Qualifications: Advanced Degrees**

Title II, Part A funds may be used to support teachers or principals in acquiring advanced degrees to the extent that doing so is consistent with the LEA's needs assessment and local plan and as long as paying these costs the LEA would not be supplanting non-Federal funds that would otherwise be available to pay for them. The funds must enable the teacher to provide more effective instruction in core academic subjects, or assist a principal to be a more effective manager and leader of efforts to improve student academic achievement.

Presumably, in choosing to use Title II, Part A funds, the LEA would want (1) the degree sought to be in the academic content area that a teacher is or will be teaching (or in a field that a principal would need to study), (2) to have confidence that the academic content courses to be taken complement state academic and student achievement standards, and (3) to know that any methods courses the teacher or principal take would help the teacher or principal become more effective in improving student academic achievement and, in the case of a current or aspiring principal, to become an effective instructional and school leader. The LEA might consider, however, having the teacher or principal sign a binding contractual agreement to repay all or part of the funds the LEA has provided in the event that the teacher or principal does not maintain employment in the LEA for a specified period of time.

## **Professional Development: ESEA/ESSA Definition**

The term "professional development" -

1. Includes activities that:

- a. Improve and increase teachers' knowledge of the academic subjects the teachers teach;
- b. Are an integral part of broad schoolwide and LEA-wide educational improvement plans;

- c. Give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging state academic content standards and student academic achievement standards;
  - d. Improve classroom management skills;
  - e. Are high quality, sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom and are not one-day or short-term workshops or conferences;
  - f. Support the recruiting, hiring, and training of highly effective teachers, including teachers who become certified through alternate routes to certification;
  - g. Advance teacher understanding of effective instructional strategies that are:
    - i. Based on scientifically based research; and
    - ii. Strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers; and
  - h. Are aligned with and directly related to:
    - i. State academic content standards, student academic achievement standards, and assessments; and
    - ii. The curricula and programs tied to the standards ;
  - i. Are developed with extensive participation of teachers, principals, and administrators of schools to be served under this program;
  - j. Are designed to give teachers of limited English proficient children, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;
  - k. To the extent appropriate, provide training for teachers and principals in the use of technology so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula;
  - l. As a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;
  - m. Provide instruction in methods of teaching children with special needs;
  - n. Include instruction in the use of data and assessments to inform and instruct classroom practice; and
  - o. Include instruction in ways that teachers, principals, and school administrators may work more effectively with parents; and
2. May include activities that:
- a. Involve the forming of partnerships with institutions of higher education to establish school-based teacher training programs that provide prospective teachers and beginning teachers with an opportunity to work under the guidance of experienced teachers and college faculty;

- b. Create programs to enable paraprofessionals (assisting teachers employed by a LEA receiving assistance under Part A of Title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers; and
- c. Provide follow-up training to teachers who have participated in activities described in subparagraph (A) or another clause of this subparagraph that is designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom.

## **Professional Development: Evidence Based Research**

The LEAs are required to connect all Title II, Part A funded activities to a review of scientifically-based research. “High quality professional development” must include activities “that advance teacher understanding of effective instructional strategies that are based on scientifically based research.”

In 2017-2018 ESEA/ ESSA will move from requiring that professional learning be supported by scientifically-based research to providing professional learning that is evidence-based.

## **Professional Development: Registration, Travel and Materials**

The costs of training and education provided for employee development including associated travel and material expenses are allowable to the extent that costs are:

- o Aligned with Title II, Part A prioritized needs.
- o Necessary and reasonable for the performance of the grant and allowable under the Title II, Part A program.
- o Prorated where content extends beyond what is allowable and aligns with prioritized needs.
- o Consistent with LEA policies for travel and other Federal, State and Local laws, regulations and guidance.
- o Appropriately supported by source documentation.
- o Incurred on behalf of allowable participants: teachers, paraprofessionals, principals, assistant principals, and superintendents.

LEAs may use Title II, Part A funds to support Title II, Part A allowable personnel attending professional learning, but may not be used to pay for that personnel to present at the professional learning activity.

## **Professional Development: On-Site PD and Materials**

When hosting professional learning activities using Title II, Part A funds, LEAs must exercise discretion and judgment in ensuring that professional learning costs are appropriate, necessary, and managed in a manner that minimize costs to the Title II, Part A grant. The costs of hosting professional learning for employee development may include:

- Speaker's fees and other necessary associated costs
  - LEAs should adhere to local procurement procedures.
- Materials to support on-site professional learning
  - See Handbook Section on Supplies
- Stipends
  - See Handbook Section on Stipends
- Substitutes for core academic content teachers attending Title II, Part A allowable professional learning
  - The LEA is responsible for linking substitute to date, school, teacher and the professional development activity in which the teacher participated.

All of the above costs should be

- Aligned with Title II, Part A prioritized needs.
- Necessary and reasonable for the performance of the grant and allowable under the Title II, Part A program.
- Prorated where content and/ or participants extend beyond what is allowable and aligns with prioritized needs. Allowable participants include: teachers, paraprofessionals, principals, assistant principals, and, in some cases, superintendents.
- Adequately supported by source documentation.

Consider the following questions when budgeting for Professional Learning:

- How does the agenda/scope of service support the goals of the Title II, Part A program?
- Is the total cost funded by Title II, Part A or are other funds being used as well?
- Could equitable training/service be provided for less cost?
- What is the plan for sustainability/future costs to support the event/service?

- Does the event/service align with the LEA's prioritized needs and/ or selected equity interventions?
- How will the effectiveness of the event/ service be determined?
- How and why will the LEA select the delivery model to be used for this professional learning? Is the selected delivery model the most effective for the targeted audience?
- Who, in terms of position, in the LEA will be participating in/attending the event/service?
- What knowledge and/or skills are the participants expected to demonstrate as a result of participating in the professional learning?
- What is the research base for this professional learning?
- Will the location and number of participants create a negative impression during challenging economic times?

## **Professional Development: Contracts and Partnerships**

LEAs are authorized to partner with both for-profit and non-profit entities to carry out authorized activities through grants or contracts with those entities. LEA's are encouraged to form partnerships with institutions of higher education and other educational and community agencies to carry out their local plans.

Source Documentation for contracts funded (in whole or part) by Title II, Part A must include

- A detailed purchase order and/ or invoice and check
- A contract/ agreement with deliverables, timeline, etc.
- Documentation of compliance with Federal purchasing requirements
- Proof of Title II, Part A Coordinator authorization

All documentation should be sufficient to determine that expenditures are allowable under applicable laws and regulations, reasonable and necessary, supplemental to non-Federal funds, and align with the Title II, Part A budget. Payment (in whole or in part) should not be authorized until corresponding services are complete and documentation is verified. LEAs must maintain oversight to ensure that contractors perform in accordance with the terms, conditions and specifications of their contracts or purchase orders.

## Professional Development: Supplies

Title II, Part A funds may be used to purchase professional development supplies only if the expenditures, like any costs paid for by Federal program funds, are reasonable and necessary to carry out these activities. Supplies should be purchased within the period of performance of the fiscal year to support only those activities that occur during the corresponding fiscal year. Funds may be used to purchase materials and supplies used in professional development activities, including the materials that a teacher will need in order to apply the professional development in a classroom setting. Title II, Part A may not be used to purchase classroom supplies or materials for students.

- Example: Professional learning books MAY be purchased to support a book study on a topic that aligns with a LEA's prioritized needs. Books MAY NOT be purchased to stock a professional learning reference library.
- Example: Fifteen graphing calculators MAY be purchased for a group of 15 teachers to use during professional learning on high school math content and instructional strategies. Classroom sets of the calculators MAY NOT be purchased for the teachers to implement these strategies.

## Professional Development: Paraprofessionals

The law allows LEAs to use Title II, Part A funds to provide professional development activities "that improve the knowledge of teachers and principals, and, in appropriate cases, paraprofessionals". In general, paraprofessionals may participate in professional learning that builds their capacity to support teachers and students (especially students with special learning needs) in content area knowledge and effective instructional and behavioral strategies, methods, and skills. For a more detailed description, please reference ESEA/NCLB, Title II, Part A, Sec. 2123 LEA Use of Funds #3.

# Private Schools



## Private Schools: Provision of Equitable Services

Under the *Title II, Part A* program, private school teachers, principals, and assistant principals are eligible to participate to the extent that the LEA uses funds to provide for professional development for teachers and other school personnel. Funds awarded to SEAs and LEAs under *Title II, Part A* are subject to the uniform provisions of ESEA/ESSA (*Participation by Private School Children and Teachers*). The statute requires LEAs to provide private school children, their teachers, and other educational personnel with educational services on an equitable basis and in a timely manner. Private Schools must hold non-profit status in order to be eligible to receive funds.

## Private Schools: Notification Requirements

- The Elementary and Secondary Education Act requires that public LEAs contact appropriate officials of all private schools within the geographic boundaries of the LEA annually to determine if they want their teachers to participate in the Improving Teacher Quality State Grants program, regardless of whether or not those officials have recently indicated any interest in program participation. Letters should be for involvement in the next fiscal year, but should be mailed in the Spring of the current fiscal year in order to allow the participants the opportunity to take part in the annual needs assessment before the allocations are made available. The LEA must include private schools that wish to participate in the Title II, Part A program in the assessment, planning, and participation of professional learning activities. Visit the Title II, Part A Website for sample letters.
- Title II, Part A coordinators should work in collaboration with other appropriate Federal program coordinators in their LEA in sending invitations to private schools for a consultation meeting regarding their participation in the Title II, Part A program as well as other Federal programs. Mail receipts should be kept and available for each program served.
- Notification, at a minimum, should include: LEA name, program for which the private school is being invited to participate, the current date, the fiscal year for which the private school is being invited to participate, the name and contact information of someone in the LEA that can assist the private school.

## Private Schools: Consultation and Planning

To ensure timely and meaningful consultation, a LEA must consult with appropriate private school officials during the design and development of the proposed programs. It is important that attention be given to the timing of the consultation so that decisions that affect the opportunities of eligible private school teachers to participate in *Title II, Part A* program activities are made only after discussions have taken place. The quality of the consultative process will likely have an effect on the quality of services to private school.

To meet its general record-keeping responsibility, a LEA should document that: (a) representatives of private schools were informed of the availability of Improving Teacher Quality State Grants services; (b) the needs of private and public school teachers were identified as part of a LEA-wide needs assessment; (c) private school officials were consulted and provided an opportunity for input into the planning of the LEA's program activities; and (d) the LEA approved a budget that permitted equitable participation for private schools.

LEAs must consult with appropriate private school officials during the design, development, and implementation of the professional development program on topics including:

- “How the children’s needs will be identified” and how students’ needs inform the professional learning needs of teachers and principals;
- “What services will be offered”;
- “How, where, and by whom the services will be provided”;
- “How the services will be assessed and how the results of the assessment will be used to improve those services” – LEAs are responsible for ensuring private schools measure effectiveness of funded activities;
- “The size and scope of the equitable services to be provided to ...eligible teachers... and the amount of funds available for those services”; and
- How and when the LEA will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers.

The SCDE Title II, Part A Office encourages LEAs to consult with private school officials and provide guidance and/ or copies of applicable policies/ written procedures, such as travel, stipends, and source documentation required to determine allowability. ESEA/ ESSA requires LEAs to provide services to private school teachers and principals that are equitable to those provided to teachers and principals in the LEA. In addition, 2 CFR §200.403 requires costs to be uniformly consistent with policies and procedures.

## Private Schools: Determining Allocations

The amount an LEA must reserve to provide equitable services for private school teachers and other educational personnel for Title II, Part A services is based on the LEA's total Title II, Part A allocation, less administrative costs. The LEA determines the amount of funds available for Title II, Part A equitable services for private school teachers and other educational personnel by calculating, on a per-pupil basis, the amount available for all public and private school students enrolled in participating private elementary and secondary schools in areas served by the LEA (regardless of a student's residency), taking into consideration the number and needs of the children, their teachers and other educational personnel to be served.

### Title II Equitable Services Worksheet

(used to determine equitable services for participating private schools)

Formula to Determine Amount for Equitable Services		
	Example	Example
A. Number of Students	A	B
<sup>A1</sup> District student enrollment	9,800	5,798
<sup>A2</sup> Participating private school enrollment	464	540
<sup>A3</sup> Total number of students (A1 + A2)	10,264	6,338
B. Total Title II Part A Allocation	306,141	284,508
C. Per Pupil Rate	\$29.83	\$44.89
D. Equitable Services		
<sup>D</sup> Amount district must reserve for equitable services for participating private schools (A2 x C). For more than one private school, multiply the per pupil rate by the individual school enrollment from A2.	13,840	24,240

*Note: This is not an official U.S. Department of Education document. The form is for sample purposes only.*

*\*The residency of the private school student is not a factor in determining the number of children enrolled in the participating private school.*

## Private Schools: Eligible Activities

As with any activity that the LEA carries out for public school teachers, activities

supported with *Title II, Part A* funds that benefit private school teachers must meet the requirements of the statute. For example, activities to be carried out for private school personnel must be based on a review of evidence-based research and must be expected to improve student academic achievement. Professional development activities may include:

- Improving the knowledge of teachers, principals, and other educational personnel in one or more subjects and in effective instructional teaching strategies, methods, and skills;
- Training in effectively integrating technology into curricula and instruction;
- Training in how to teach students with different needs, including students with disabilities or limited English proficiency, and gifted and talented students;
- Training in methods of improving student behavior, identifying early and appropriate interventions, and involving parents more effectively in their children's education;
- Leadership development and management training to improve the quality of principals and superintendents; and
- Training in the use of data and assessments to improve instruction and student outcomes.

To the extent that a teacher's attendance at a conference sponsored or conducted by a faith-based organization is part of a sustained and comprehensive secular professional development plan, Title II, Part A funds may be expended to pay for the portion of the costs of the conference that, as determined by the LEA, represent the secular professional development in which the teacher participated. By law, use of Federal funds to support religion is prohibited.

Equitable services under Title II, Part A may not be used for class-size reduction (ESEA section 2103(b)(3)(D)) in a private school because contracts for private school teachers and staff would be inconsistent with the requirements in ESEA section 8501(d) regarding public control of funds and the supervision and control of employees or contractors.

## **Private Schools: Reimbursement**

LEAs are not allowed to reimburse to private schools directly for professional learning costs. Only the LEA may obligate and expend federal funds on behalf of private school teachers and principals. The LEA must purchase materials or procure services on behalf of the private school. A LEA may use federal funds to reimburse an individual private school teacher or principal for professional development that the LEA has pre-approved and that meets the reasonable and necessary cost principles of 2 CFR Part 200.

LEAs must not reimburse for unallowable activities.

## **Private Schools: Record Keeping**

While a LEA may not overburden a private school in paperwork, as the agency fiscally responsible for the management of funds, a LEA may require the private school to submit enough documentation to determine that the expense is allowable, reasonable, defensible and necessary in accordance with any and all Federal requirements. This may include, but is not limited to, a participant's name and position, an agenda and receipts.

LEAs who serve private schools expend funds on behalf of the private school, thus all private school expenditures must also comply with LEA procurement procedures. LEAs entering into contracts on behalf of private schools must adhere to LEA procedures and have the primary responsibility for maintaining documentation.

## **Private Schools: FAQs**

*Who has control of the program funds?*

The LEA must always maintain control of the program funds. Given the fiscal responsibility of the district, to the extent that it does not put undue burden on the private school(s), the LEA should require source documentation for expenditures sufficient to determine that all activities are allowable, reasonable and necessary and that fund recipients are eligible under Title II, Part A guidance. By law, LEAs must abide by applicable statutes, regulations, and shall use Federal funds in accordance with those statutes, regulations, plan and applications including supervision, fiscal control and fund accounting procedures. Use of funds for religion is prohibited.

*May Title II, Part A funds be used to pay for a private school teacher's attendance at a professional conference sponsored or conducted by a faith-based organization?*

Yes. To the extent that the conference is part of a sustained and comprehensive secular professional development plan for the teacher, then *Title II, Part A* funds may be expended to pay for the portion of the costs of the conference that, as determined by the LEA, represent the secular professional development in which the teacher participated. In this case, the LEA would pay or reimburse the teacher for attendance at the conference.

Note: If the conference contains both secular and non-secular events, the attending teacher must provide the LEA with information clearly delineating secular and non-secular activities prior to attending the conference. The LEA will determine the percentage of the conference representing secular professional development in which the teacher participated. The LEA should consider all expenses related to attending the conference (airplane ticket, hotel registration, etc.) to determine the amount to reimburse the teacher for attending at the conference. 34 CFR §76.532(a)(1-2)

*May a LEA reimburse a private school for materials it has purchased or services it has procured to implement an ESEA/ESSA program?*

No. Only the LEA may obligate and expend Federal funds on behalf of private school students and teachers. Thus, the LEA must purchase materials or procure services on behalf of the private school students and teachers. However, a LEA may use Federal funds to reimburse an individual private school teacher, administrator, or other educational personnel for professional development that the LEA has pre-approved and that meets the reasonable and necessary cost principles of the Office of Management and Budget (OMB) 2 CFR Part 200.

*May a LEA use funds to provide stipends to private school teachers?*

Yes. As with any other costs, the use of funds for stipends must be allowable under the program and reasonable and necessary for the proper operation of the grant program. For example, if a professional development program is conducted during after-school hours or during the summer, stipends may be needed to compensate teachers for their participation outside their regular employment hours. In addition, stipends for private school teachers must be available on the same basis as for public school teachers, and the stipends must be paid to private school teachers for their own use. However, the stipends must not be paid to the private school or be for the benefit of the private school.

# Title II and Charter Schools

Charter schools in South Carolina are public schools. These charter schools may either be a public school in the district in which the school is geographically located or are a public school in the statewide charter school district. Charter schools qualify for Title II funds as any other participating public school in either district.

### **Qualifications for Teachers in Charter Schools**

The law provides that a teacher who teaches core academic subjects in a charter school meets the certification requirement if he or she meets the requirements set forth in a state's charter school law regarding certification or licensure. Thus, a teacher in a charter school does not have to be licensed or certified by the state if the state's charter law does not require such licensure or certification.

South Carolina allows up to 25% of the teachers in charter schools to exempt full state certification in start-up charters. Up to 10% of teachers in conversion charters are allowed to exempt full state certification requirements. All teachers of core academic subjects must have at least a bachelor's degree and documentation of content knowledge for the core academic subjects they instruct.



# Organizing the Title II, Part A Online Application

## Organizing the Title II, Part A Online Application

The LEA's Title II application will be submitted annually on July 31<sup>st</sup>. If July 31<sup>st</sup> falls on a weekend, the Title II, Part A State Coordinator will contact the LEA Coordinator via email with a revised submission deadline.

The Title II online application can be found within the Member Center of the SCDE website ([www.ed.sc.gov](http://www.ed.sc.gov)). Click "View/Manage Plans" from the Main Menu. Then, click "New Application or Revision", choose the appropriate year and choose to pull information forward from the previous application. The application is now ready for use.

### Order of Pages for Online Submission

Page 1	<b>SEA Application Page</b> – South Carolina Department of Education Application for Grant to increase the academic achievement of all students by helping schools and districts improve teacher and principal quality and ensure that all teachers are properly certified.
Page 2	<b>Activities</b> – Each LEA will provide a description of how elements of Title II, Part A are being addressed.
Page 3	<b>Budget Report</b> - This page will populate itself based on the activities input on Page 2. Completed by each LEA to reflect the total amount being requested on Page 1 (SEA Application Page).
Page 4	<b>Needs Assessment Participants</b> - Each LEA will provide a list of the persons required to be on the district Title II planning team.
Page 5	<b>Needs Assessment</b>
Page 6	<b>Title II Assurances</b>
Page 7	<b>Terms and Conditions</b>
Page 8	<b>Print Plan</b>

## Specifics Regarding Completion of the Title II Application

### Page 1 SEA APPLICATION PAGE

- Section I*
1. Your project number will prepopulate.
  2. Do not enter any information here. This box self populates.
  3. Your district's allocation will prepopulate.
  4. Do not enter any information here. The Title II staff will populate this box.

*Section II*

Enter the date on which the LEA received authorization from the district's Board of Education to file the application using the mm/dd/yyyy format. Information for the district listed below the date box cannot be edited online. Please notify the Title II program staff if there is an error.

**Page 2**

**Activities** – Click “New Activity” to add an activity to the application. Use the dropdown menu to select a component of Title II that supports the activity. Next, type into the “Activity” box the details of your activity (ie, consultant names, days of training, subject to be covered, travel destinations). For “Evaluation” click on “Other” for a text box to appear. Enter how the district plans to evaluate the effectiveness of the activity at improving teacher quality and increasing the academic achievement of students. Click “Save and Continue”.

A “Use of Funds and Cost” box will appear. Click “Add new.” Use the dropdown menu to complete the Use of Funds, Function Code, Object Code and Activity Cost. **Do not use dollar signs or commas when inputting activity costs.** Click “Save.” The Use of Funds and Cost box goes away. Click “Save” again.

Click “New Activity” each time you want to add an additional activity to your application. Please add activity numbers if there are more than three.

When funding Class Size Reduction (CSR) teachers with Title II, be sure to follow the prompts and complete the requested information. The teacher's name, certificate ID (CID) number, school and grade will be needed. Also, provide the number of students in the grade level and the number of teachers that you would be allotted by the state. Then, input the resulting class size with the addition of one extra teacher.

- Page 3**      **Budget Report** - This page will populate itself based on the activities input on Page 2. Any changes to the budget page will only happen when the Activities page is changed. The project budget page must reflect the allocation figure on Page 1, Section I, Number 3. All available Title II funds must be budgeted. Populate the following fields: Business Official Signature, Date, Contact Person Signature and Date.
- Page 4**      **Needs Assessment Participants** – List of the names of the persons that serve on the district Title II planning team. This is required. Click “New Needs Assessment Participant” and populate the required information in the first column(Name, School Name, Position). Click “Submit”. Populate the required information in the second column and click “Submit”. To add a third and fourth person you will have to clear the information out of the text boxes in the first and second columns and input your new information. Always click “Submit” to add the participant to your list. Continue this process for the number of participants you have.
- Pages 5**      **Needs Assessment** – This portion of the application provides the justification for the district’s activities through data and research. Click on “New Needs Assessment”. Be sure to populate all fields: identified need, data on which the need is based, activities and research citations. Click “Submit”. Repeat this process until each activity in your plan is tied to an identified need with data and research. Be sure to click “submit” each time. Do not leave any section blank.
- Page 6**      **Title II Assurances** – The assurance page must be completed. The LEA representative who is authorized to request funding (the district superintendent or his/her designee) will enter his/her name in the box beside “Signature of Authorized Official”, enter the date and click “Submit”.
- Page 7**      **Terms and Conditions** – The terms and conditions page must be completed. The LEA representative who is authorized to request funding (the district superintendent or his/her designee) will enter his/her name in the box beside “Signature of Authorized Official” and also populate the date boxes and the “Signature of Authorized Financial Official” box. Click “Submit”.
- Page 8**      **Print Plan** – Clicking on this link will allow you to print a paper copy of the district’s application. This is not necessary, just merely provided as a convenience. Districts will be able to access every submitted application on file through the online application.

