# Learning the Basics of Title II, Part A

Federal Program Compliance Division

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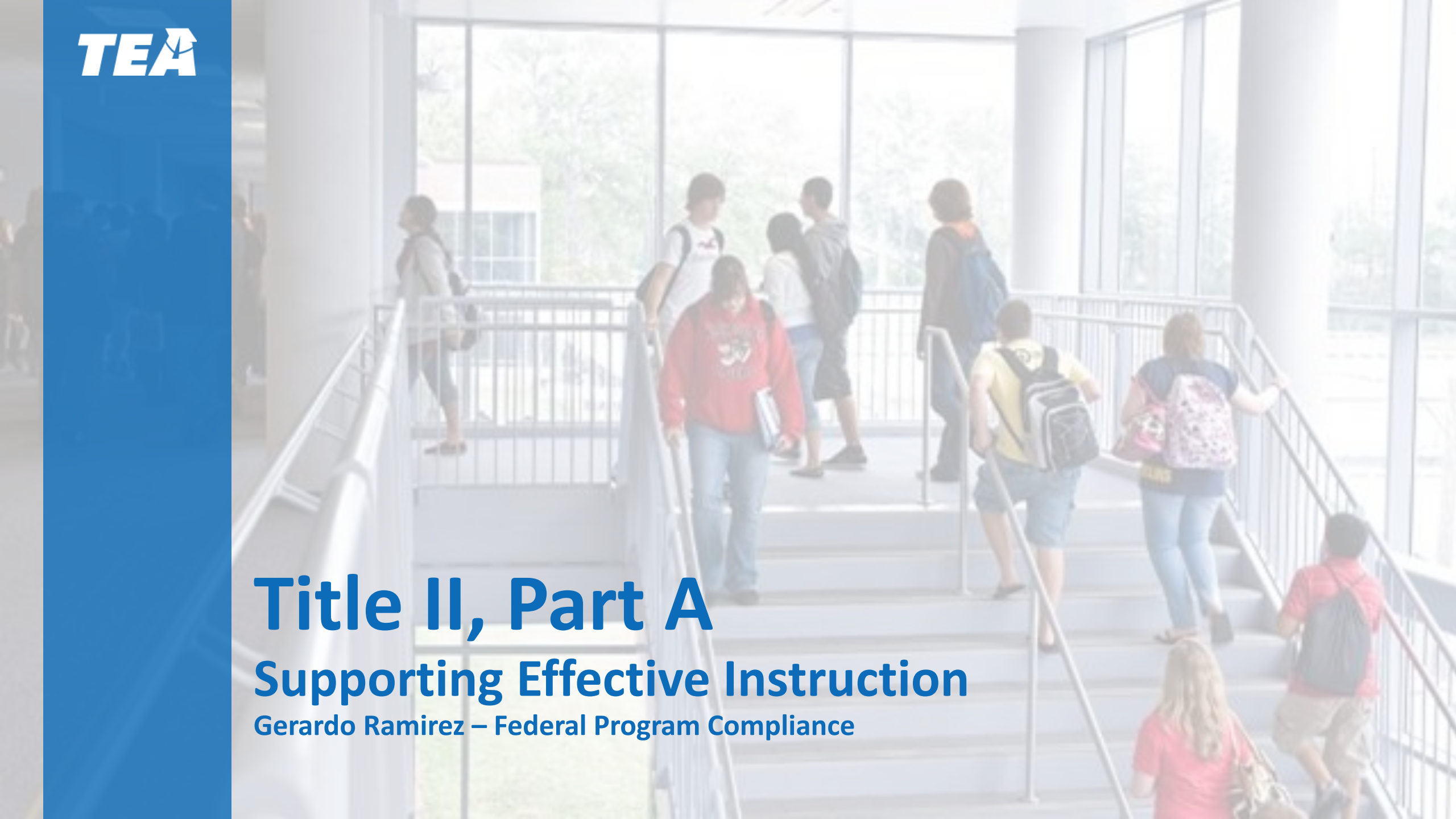


# Title II, Part A

## Supporting Effective Instruction

Gerardo Ramirez – Federal Program Compliance

# Participants will gain a better understanding of…

- Resources available;
- Program purpose;
- Focus areas;
- Allowable activities;
- Program compliance requirements;
- Documentation examples.

# Resources Available…

- Program-Specific Provisions and Assurances;
- Title II, Part A Program Guide;
- Frequently Asked Questions;
- Use of Funds One-pager.

# Purpose of Title II, Part A

- Authorized by the Elementary and Secondary Act (ESEA) as amended by the Every Student Succeeds Act (ESSA) of 2015. The purpose of Title II, Part A is to:
  - Increase Student Achievement
  - Improve Educator Quality and Effectiveness
  - Increase the Number of Effective Educators
  - Provide Low-Income and Minority Students Greater Access to Effective Educators

*Educator (s) = teachers, principles, and other school leaders*

# Intent of Funding

- To support educators in their work to…
  - improve the overall quality of instruction and
  - ensure equity of educational opportunity for all students

# Supplement, Not Supplant

ESSA Section 2301

"Funds made available under this title shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this title."

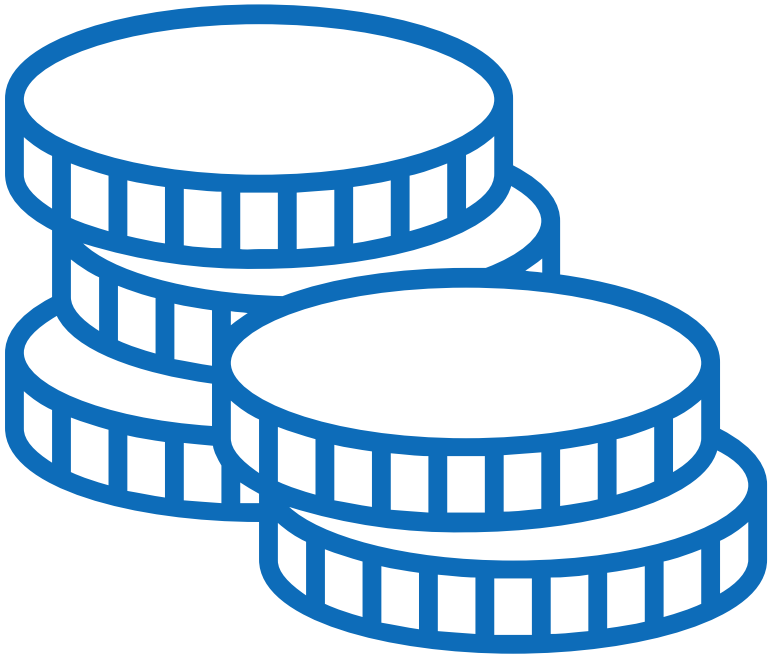
# Supplement, Not Supplant Cont'd

- In order to be supplemental…

- Program activities must enhance, expand, or extend required activities.

- *Resource: Supplement, Not Supplant Handbook (Pages 5-8)*

# Presumptions of Supplanting



- An auditor will presume that supplanting occurs if the federal funds—
  - Provide services required by State or local law;
  - Provide same services as those provided in prior school year with State or local funds;
  - Provide same services in Federal and non-Federal programs.
  - *Resource: Supplement, Not Supplant Handbook (Pages 5-8)*

# Rebutting the Presumption of Supplanting

- The LEA is responsible for providing documentation to rebut a presumption of supplanting.
  - Documentation of rescission of funds or budget reduction.
  - Documentation that prior fund source is no longer available.

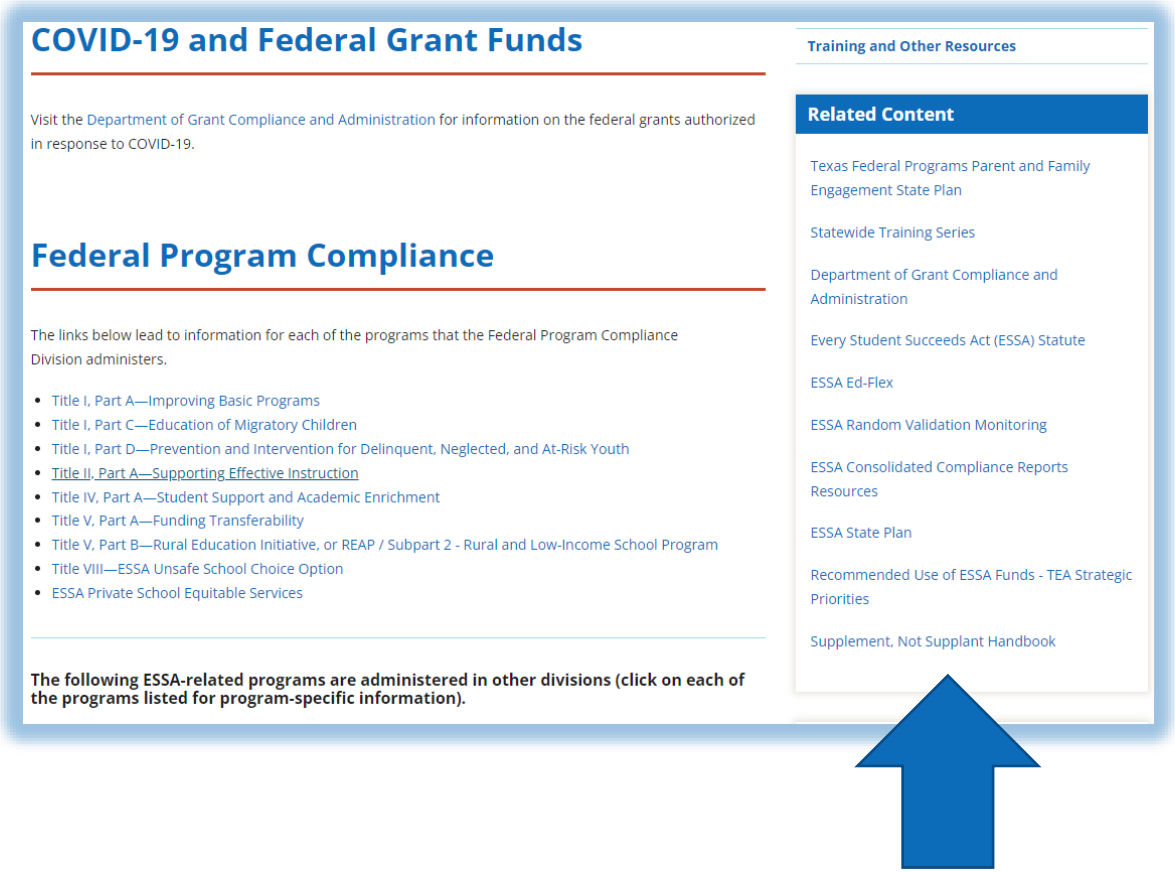
- *Resource: Supplement, Not Supplant Handbook*

# Traditional SNS Questions to Ask When Planning

- Is the activity/service required by state or local law?
- Did the LEA provide this activity/service in the prior year?
- What funds did the LEA use to provide the activity/service?
- Is the activity/service provided with federal funds to some recipients and with state/local funds to other recipients?
- *Resource: Supplement, Not Supplant Handbook*

# For more information…

- Please refer to the Supplement Not Supplant Handbook available in the Federal Program Compliance Division webpage



## COVID-19 and Federal Grant Funds

Visit the Department of Grant Compliance and Administration for information on the federal grants authorized in response to COVID-19.

## Federal Program Compliance

The links below lead to information for each of the programs that the Federal Program Compliance Division administers.

- Title I, Part A—Improving Basic Programs
- Title I, Part C—Education of Migratory Children
- Title I, Part D—Prevention and Intervention for Delinquent, Neglected, and At-Risk Youth
- Title II, Part A—Supporting Effective Instruction
- Title IV, Part A—Student Support and Academic Enrichment
- Title V, Part A—Funding Transferability
- Title V, Part B—Rural Education Initiative, or REAP / Subpart 2 - Rural and Low-Income School Program
- Title VIII—ESSA Unsafe School Choice Option
- ESSA Private School Equitable Services

**The following ESSA-related programs are administered in other divisions (click on each of the programs listed for program-specific information).**

Training and Other Resources

**Related Content**

- Texas Federal Programs Parent and Family Engagement State Plan
- Statewide Training Series
- Department of Grant Compliance and Administration
- Every Student Succeeds Act (ESSA) Statute
- ESSA Ed-Flex
- ESSA Random Validation Monitoring
- ESSA Consolidated Compliance Reports Resources
- ESSA State Plan
- Recommended Use of ESSA Funds - TEA Strategic Priorities
- Supplement, Not Supplant Handbook

# Let's focus on the focus areas

# Title II, Part A – Areas of Focus

- Recruit, Support, and Retain Effective Teachers and Principals;
- Professional Development/Growth;
- Other Evidence-Based Activities.

# Recruit, Support and Retain Effective Teachers and Principals

- Educator Induction and Mentorship Programs
- Teacher Leadership
- School Principal Support
- Educator Cultural Competence
- Recruiting Qualified Individuals from Other Fields
- Improving School Working Conditions
- Recruiting, Hiring, and Retaining Effective Teachers in High-Need Schools

**Not an all-inclusive list*

# High Need Schools Defined

- “High-need schools are low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards.”

# High-Need Schools Allowable Activities

- Assistance screening candidates;
- Differential and incentive pay;
- Advancement opportunities;
  - Leadership;
  - Multiple career paths;
  - Pay differentiation;
- Induction and mentoring programs;
- Performance evaluation training;
- Auditing the quality of evaluation and support systems;
- Equity-based activities;
  - Incentives;
  - Job-embedded opportunities;
  - Teacher time banks;

# Professional Development

- Sustained
- Intensive
- Collaborative
- Date Driven
- Personalized or based on information from an evaluation and support system and
- Classroom-Focused

**Not an all-inclusive list*

# Allowable Activities Professional Development/Growth

- Assessments and Data Analysis;
- Career Readiness Education;
- Child Sexual Abuse Prevention;
- Early Childhood Instruction;
- Effectively Teaching Children with Disabilities;
- Effectively Teaching English Learners;

# Professional Development/Growth Cont'd

- Evaluation and Support Systems;
- Evidence-Based Professional Development;
- Identification and Support of Gifted Students;
- School Library Programs;
- Supporting Students Affected by Trauma and/or Mental Illness;
- STEM-focused Professional Development;

# Professional Development/Growth

- Wide range of allowable PD topics
- Critical LEA determinations:
  - Activity must be supplemental
    - (i.e., not required by state/local law. Refer to 3 presumptions of supplanting)
  - Activity must meet the statutory PD definition

# Other Evidence-Based Activities

What is Evidence-Based?

# Title II, Part A- Areas of Focus Cont'd

Other Evidence-Based Activities

Sec 8101(21)(A)

i. demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on –
   - *i.* *strong evidence* from at least one well-designed and well-implemented experimental study; or
   - *ii.* *moderate evidence* from at least one well-designed and well-implemented quasi-experimental study; or
   - *iii.* *promising evidence* from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or ii.

ii. demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes; and

iii. includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

*(emphasis added)*

# Other Evidence-Based Activities

- As part of the planning process,
  - Document why the LEA expects the activity to have a positive effect.
  - Consider whether the LEA can replicate the results of the study.
  - Consider whether the LEA implementing the activity in appropriate context.

# Reducing Class Size

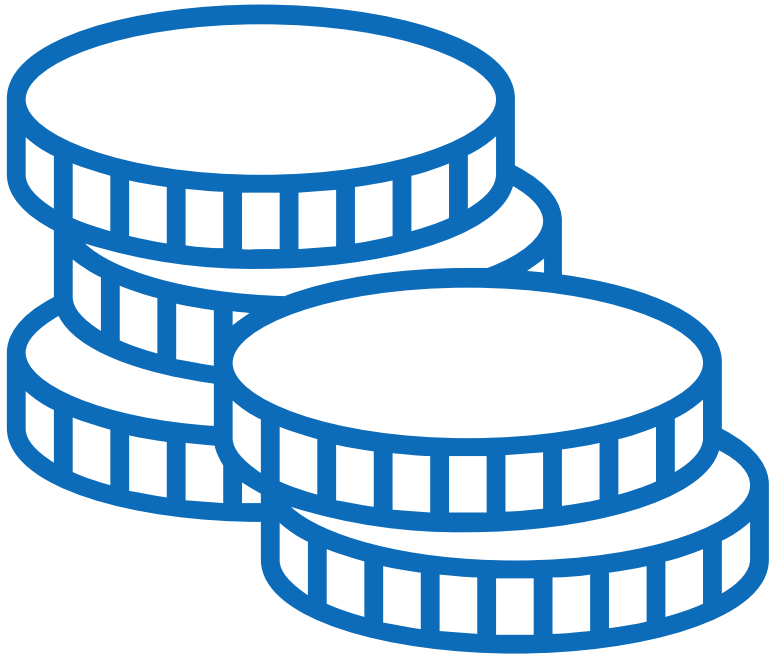
Is class-size reduction a Title II, Part A allowable use of funds and under what conditions?

It is allowable. **However**, the district must have evidence from research that shows that the class-size reduction for the grade, subject and number of students in question is actually effective.

# Use of funds

# Title II, Part A Use of Funds

1. Supplement, Not Supplant
2. Prioritization of funds for campuses in School Improvement and with high percentages of low-income students
3. Activities and/or Resources
    a. Comprehensive Needs Assessment (highly recommended!)
    b. District Improvement Plan
        i. Alignment with challenging State academic standards
        ii. Meaningful consultation and coordination
    c. Reasonable
    d. Necessary
    e. Allocable
    f. Allowable under Title II, Part A
4. EDGAR Requirements
5. LEA Policies and Procedures



# Program Requirements

# Title II, Part A Program Compliance Requirements

- Alignment of Activities to the Challenging State Academic Standards
- Meaningful Consultation
- Coordination
- Prioritization of Funds
- System of Professional Growth and Improvement
- Private Nonprofit School Participation

# 1. Alignment of Activities to the Challenging State Academic Standards

- Title II, Part A program activities are required to be aligned to the challenging State academic standards.
- Establishing Program Requirement Compliance
- Include a statement in the District Improvement Plan that describes how the LEA will ensure that the activities to be carried out under Title II, Part A will be aligned with the challenging State academic standards.
- Retain related activity documentation.

# 2. Meaningful Consultation

- Planning
- Implementation
- Evaluation

# Required Stakeholders

- Teachers,
- Principals,
- Other School Leaders,
- Paraprofessionals (including organizations representing such individuals),
- Specialized Instructional Support Personnel,
- Charter School Leaders (in an LEA that has charter schools),
- Parents,
- Community Partners, AND
- Other Organizations or Partners

# Other School Leaders [Sec. 8101(44)]

- The term ''school leader'' means a principal, assistant principal, or other individual who is:
  - an employee or officer of an elementary school or secondary school, local educational agency, or other entity operating an elementary school or secondary school; **AND**
  - responsible for the daily instructional leadership and managerial operations in the elementary school or secondary school building.

- For example, LEA central office staff meet the first part of the definition but may not meet the second part. As a result, they are not identified as a ‘school leader’.

## Specialized Instructional Support Personnel [Section 8101(47)(A)(i)]

- School Counselors
- School Social Workers
- School Psychologists
- School Nurses
- Speech Language Pathologists
- School Librarians
- Other qualified professional personnel involved in providing assessment; diagnosis; counseling; educational, therapeutic, and other necessary services (including related services) as part of a comprehensive program to meet student needs

# Meaningful Consultation Cont'd

- Seek our diverse perspectives within stakeholder groups
- Make stakeholders aware of past and current used of Title II, Part A funds
- Include analysis of effectiveness of current and proposed activities
- Are stakeholders involved in the planning processes on an ongoing basis?
- Are the activities associated with the meaningful consultation of stakeholders held at a variety of times to ensure attendance and engagement?
- Are the planning activities part of a process rather than an event?

# Be on the lookout for…

- Is this process laid out in your District Improvement Plan?
  - If so, can it be improved?
- LEAs are required to seek advice from the required stakeholders.
  - An invitation is not the same as getting their feedback.
- What avenues can you think of to gather feedback and advice?

# 3. Coordination

- **Coordination** with other federal, state, and local programs, and with other related strategies, programs, and activities being conducted in the community.
- **Benefits**:
  - Increase program effectiveness
  - Eliminate duplication
  - Reduce fragmentation of instructional program

# How do I document?

Coordination is about establishing relationships with others and preventing working in silos.

Are there other programs, entities, community organizations that can assist with such activity?

Example: Cloudy ISD has a child advocacy center within its boundaries. Yearly, the center provides professional development for the LEA staff. In this example, the LEA is coordinating with community organizations in order to provide quality professional development that is targeted to their community needs as identified in their needs assessment and their DIP.

What other federal and state programs/initiatives can you think of that you could coordinate efforts in the Title II, Part A umbrella?

# 4. Prioritization of Funds

- To schools identified for school improvement under Section 1111
- To schools that have the highest percentage of low-income children

- Include a statement in District plan that describes how the LEA prioritized its Title II, Part A funds.

# How do I document?

Is there a description of Prioritization of Funds in your District Improvement Plan?

“The LEA has two campuses identified for school improvement under Section 1111; however, because all the professional development needs of these campuses have been met through the Title I School Improvement Grant, the LEA has focused the use of its Title II, Part A funds at campuses with the highest percentages of low-income students.”

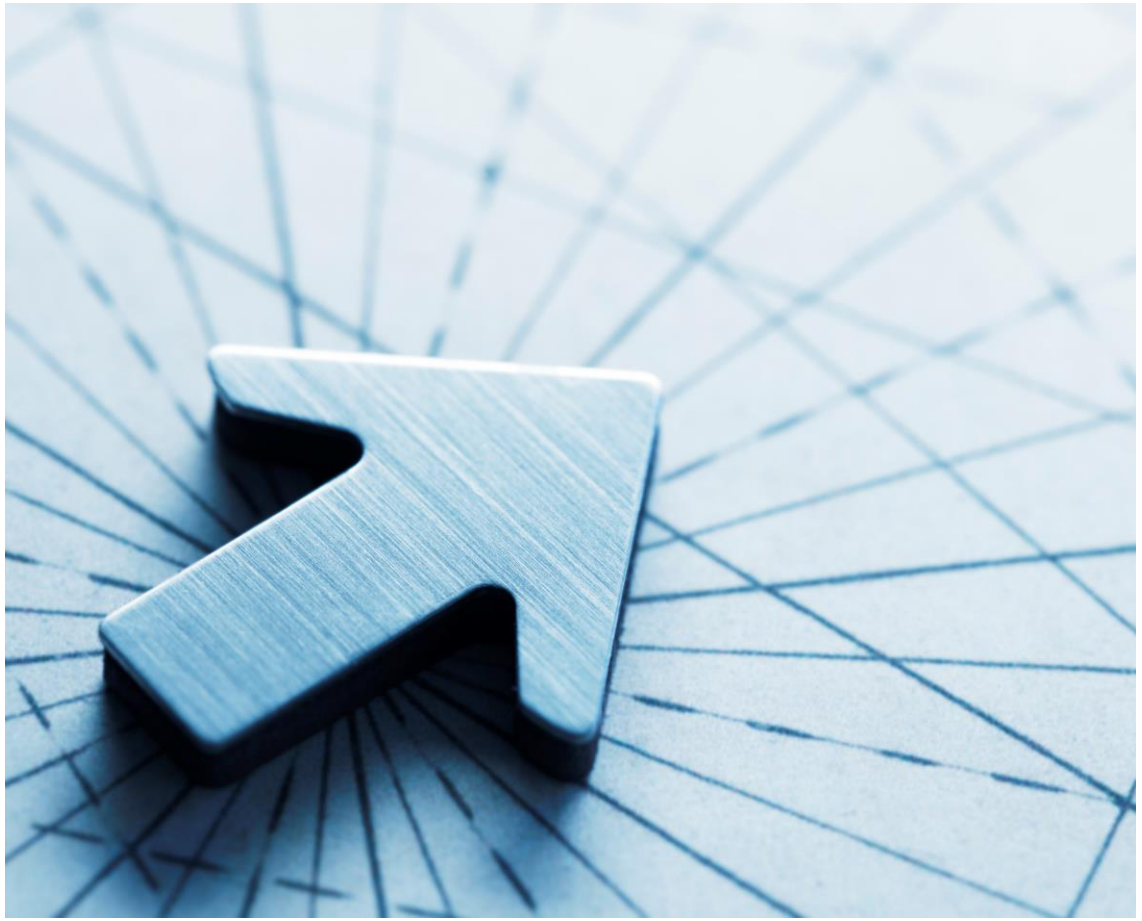
Things change. It is best practice to have a methodology developed in the event the LEA needs it and recognized in their District Improvement Plan.

# Sample of Supporting Documentation

| Campus Name | School Improvement (Y/N) | Poverty % | Title II, Part A |
|---|---|---|---|
| Campus A Elementary | N | 76% | $25,000 |
| Campus B Middle | Y | 70% | Needs met by SIG |
| Campus C Elementary | N | 50% | $25,000 |
| Campus D Middle | Y | 52% | Needs met by SIG |
| Campus E Elementary | N | 45% | $25,000 |
| Campus F High School | N | 42% | $20,000 |
| TOTAL | -- | -- | $95,000 |

# 5. System of Professional Growth and Improvement

- LEAs are required to have a system of professional growth & improvement such as –
  - induction for teachers, principals, or other school leaders;
  - opportunities to build capacity of teachers;
  - opportunities to develop meaningful teacher leadership.
- Include a statement in District or Campus plan that describes the system of professional growth and improvement.



# 6. Equitable Services to Private Non-Profit Schools

As specified in ESSA, Section 8501

# 6. Equitable Services to Private Non-Profit Schools Cont'd

## Federal Program Compliance

The links below lead to information for each of the programs that the Federal Program Compliance Division administers.

Title I, Part A—Improving Basic Programs

Title I, Part C—Education of Migratory Children

Title I, Part D—Prevention and Intervention for Delinquent, Neglected, and At-Risk Youth

Title II, Part A—Supporting Effective Instruction

Title IV, Part A—Student Support and Academic Enrichment

Title V, Part A—Funding Transferability

Title V, Part B—Rural Education Initiative, or REAP / Subpart 2 - Rural and Low-Income School Program

Title VIII—ESSA Unsafe School Choice Option

ESSA Private School Equitable Services

**The following ESSA-related programs are administered in other divisions** *(click on each of the programs listed for program-specific information).*

ESSA State Plan

Recommended Use of ESSA Funds - TEA Strategic Priorities

Supplement, Not Supplant Handbook (Version 4.0, posted 09/05/2019)

### Division Resources

ESSA Compliance Reports - Resources Updated 07/30/2020

Program Webinars and Program Guides Updated 05/22/2020

### Frequently Asked Questions (FAQ) Documents by Program

Title I, Part A *Updated* 02/26/2021

# Program Compliance Monitoring

# Compliance

- ESSA

- Uniform Guidance (Code of Federal Regulations, CFR)

- EDGAR

- Nonregulatory Guidance

# Program Compliance Monitoring Cont'd

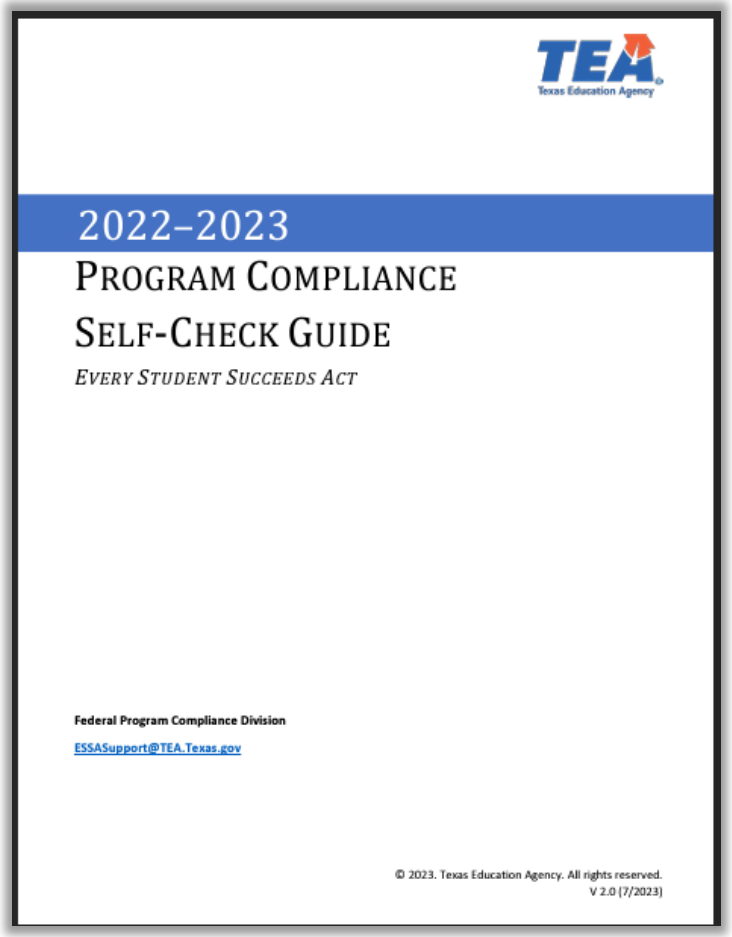
- ☑ Random Validations
- ☑ Compliance Report
- ☑ Program Compliance Self-Check

# What is good documentation?

- Clear
- Concise
- Useful
- Organic to the Process
- Contemporaneous

# Program Compliance Self-Check Guide

- Document to help with the ESSA Consolidated Compliance Report.
- Compliance items are organized by topic.



# What is meant by in compliance?

- Report lists “Strongest Documentation Recommended”
- LEA may have other documentation that potentially might show compliance
  - The LEA may have other documentation that potentially might show compliance. In the event of an audit, TEA or audit staff would make the final determination concerning whether the documentation is sufficient to demonstrate compliance with the program requirement.

# What is meant by Not in compliance?

- LEA is not meeting program requirement in the current reporting year.
- LEA describes the plan to meet compliance the following year.

# Program Compliance Self-Check

## Compliance Report
## PR3000 – Title II, Part A

### Part 4: Program Compliance Self-Check

**A. Alignment with the Challenging State Academic Standard**

1. The Title II, Part A activities carried out by the LEA are aligned with the challenging State academic standards. [Section 2102(b)(2)(A)]

   a. ○ In Compliance

   If in compliance, the LEA assures that it has documentation showing compliance readily available upon request. Strongest documentation recommended:

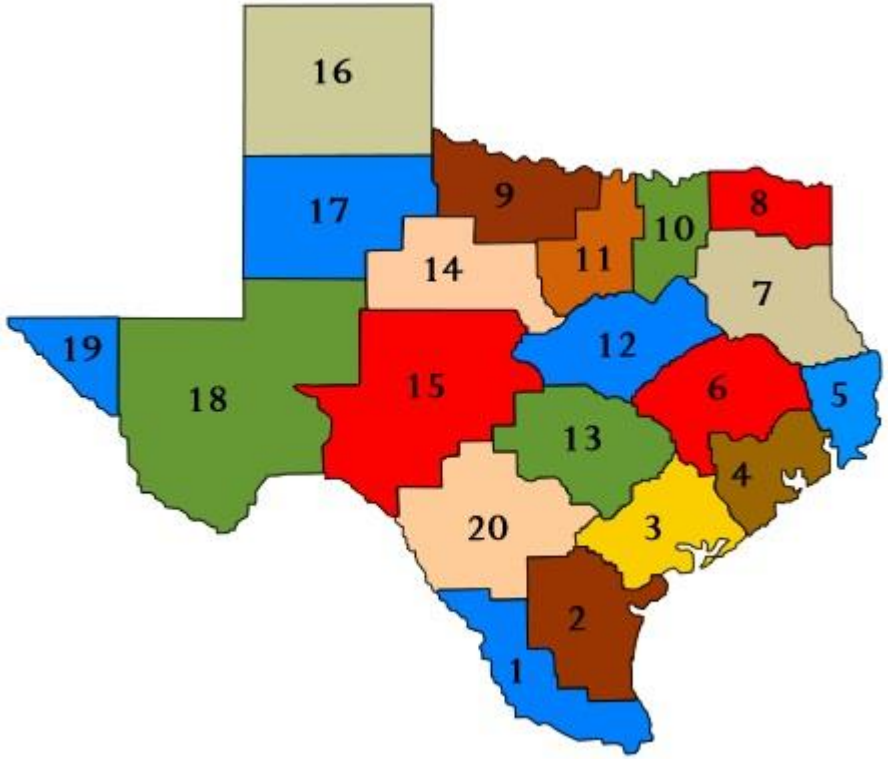
   - Relevant pages of the District Improvement Plan;
   - Activity documents for Title II, Part A activities (See Title II, Part A Program Guide for examples.)

   The LEA may have other documentation that potentially might show compliance. In the event of an audit, TEA or audit staff would make the final determination concerning whether the documentation is sufficient to demonstrate compliance with the program requirement.

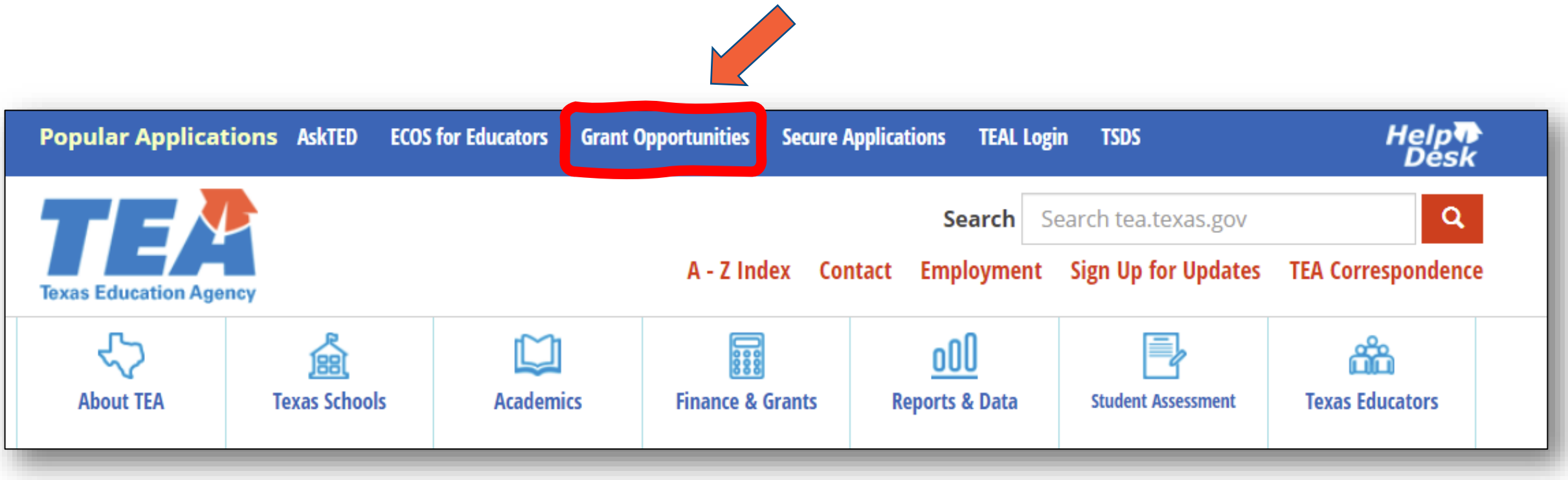
   b. ○ Not In Compliance

   If not in compliance, use the space below to describe how the LEA plans to meet compliance the following year.

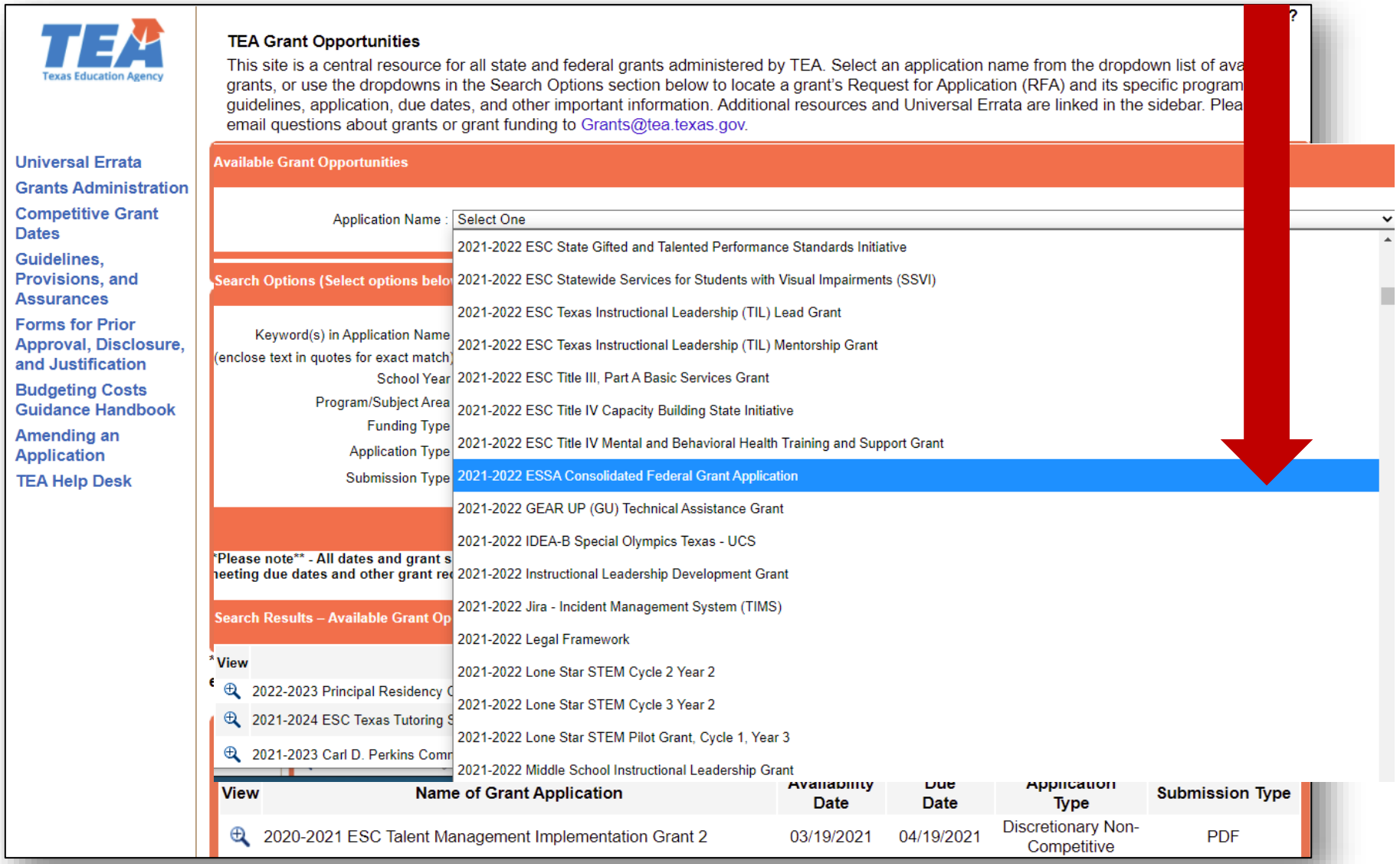
# Regional Education Service Centers



# From the Grant Opportunities Tab



# Select Name of Grant Application



# Scroll to “Application and Support Information” Section

**Application and Support Information**

**Please note** - This is ONLY a viewing copy of the application. If instruction above indicate that the application must be submitted electronically, the application will not be accepted by TEA via any other means.

- Errata 1
- General and Fiscal Guidelines
- General Provisions and Assurances
- Lobbying Certification
- Debarment and Suspension Certification
- ESSA Program Guidelines
- ESSA Program Specific
- PNP Equitable Svcs. Reservations
- Sample Application
- Schedule SC5000 Guidance
- Eligibility List for Section 5211--REAP
- Title I, Part A - Campus Listing by LEA
- Title I, Part A - Campus Listing by Region

# ESSA Program-Specific Provisions and Assurances


Title I, Part C ..... 21
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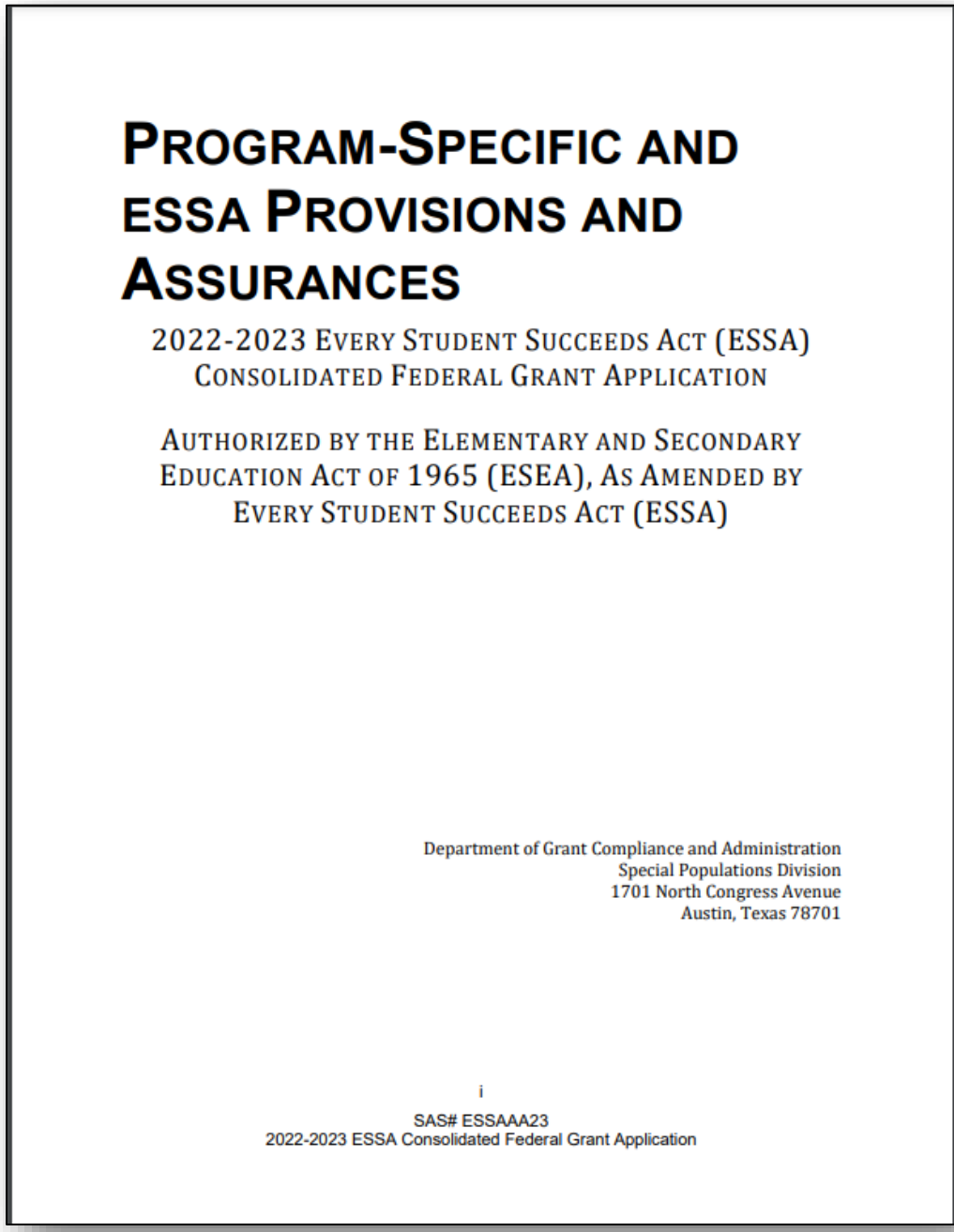

PROGRAM-SPECIFIC AND ESSA PROVISIONS AND ASSURANCES

2022-2023 EVERY STUDENT SUCCEEDS ACT (ESSA) CONSOLIDATED FEDERAL GRANT APPLICATION

AUTHORIZED BY THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 (ESEA), AS AMENDED BY EVERY STUDENT SUCCEEDS ACT (ESSA)

Department of Grant Compliance and Administration
Special Populations Division
1701 North Congress Avenue
Austin, Texas 78701

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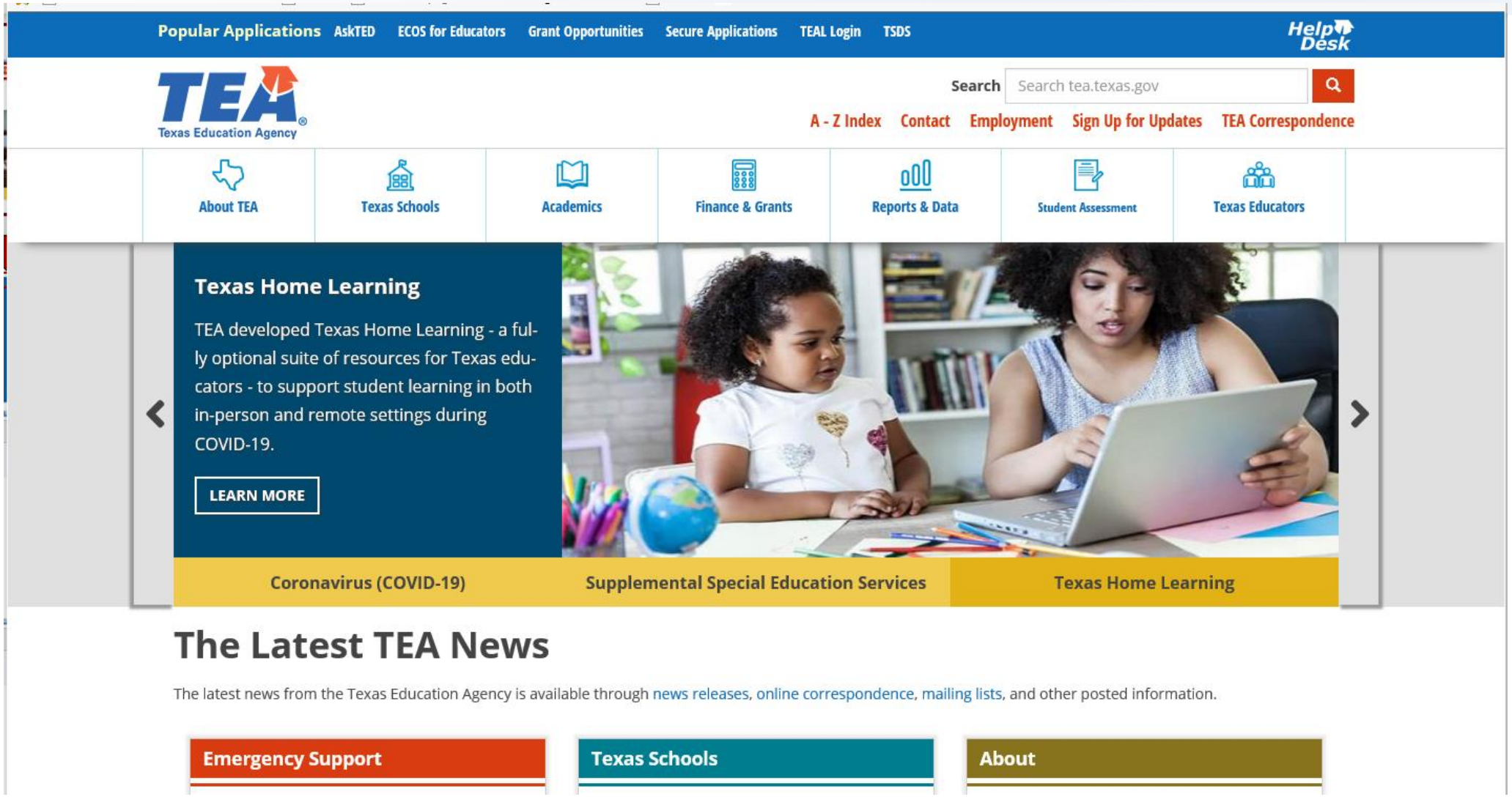
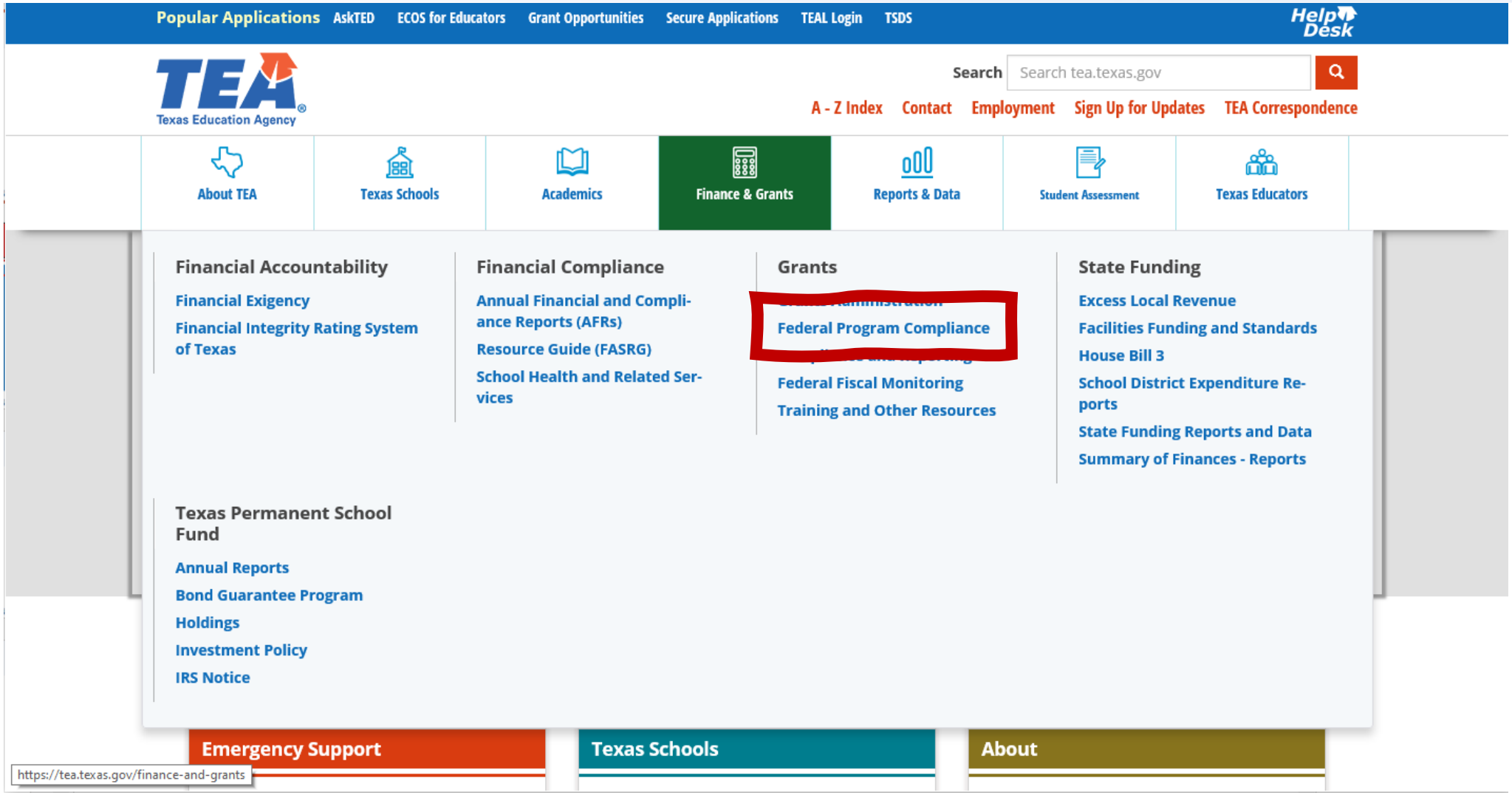
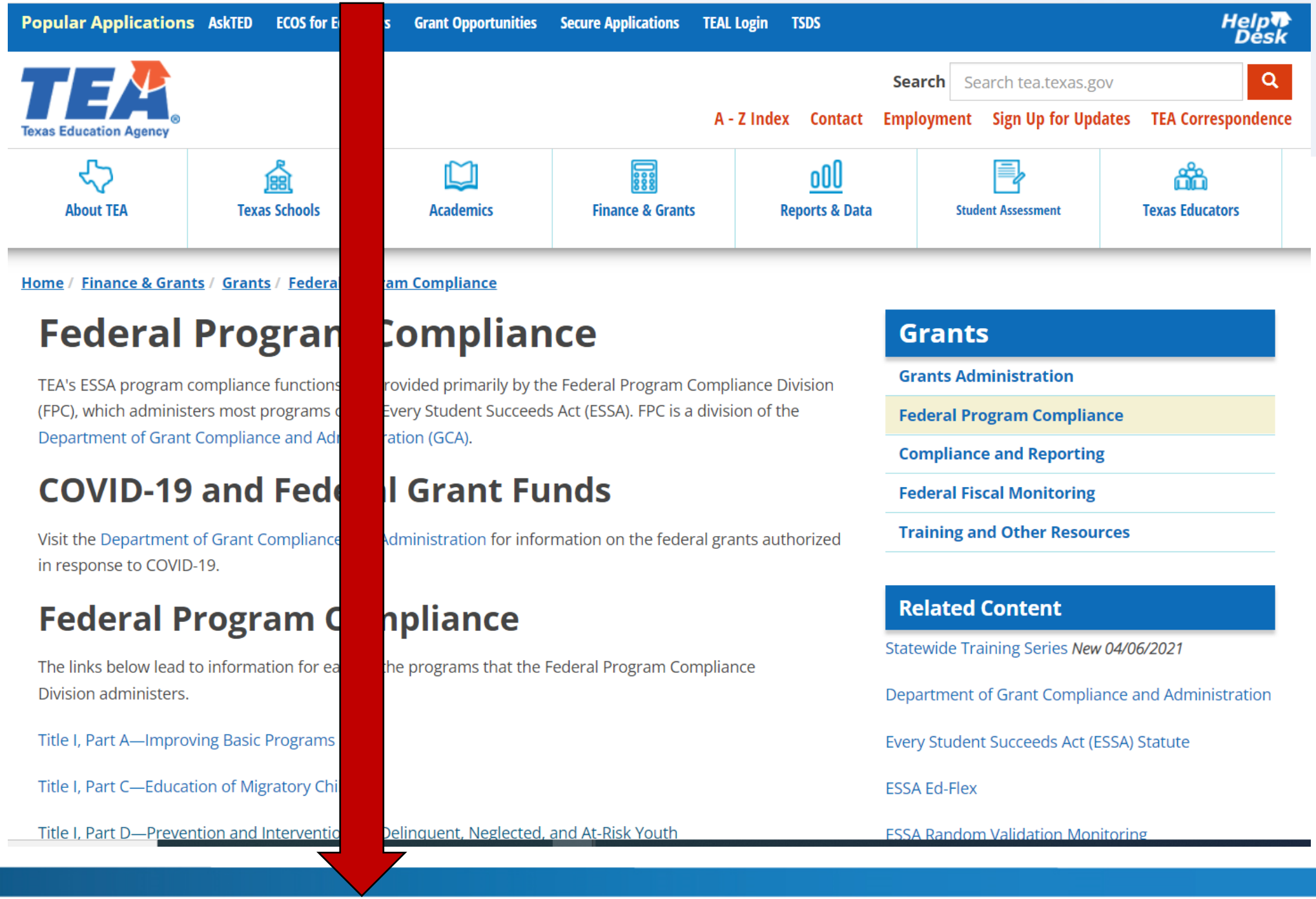
SAS# ESSAAA23
2022-2023 ESSA Consolidated Federal Grant Application

# Title II, Part A Resources



# Title II, Part A Resources




Popular Applications AskTED ECOS for E s Grant Opportunities Secure Applications TEAL Login TSDS
Help Desk
TEA
Texas Education Agency
Search
Search tea.texas.gov
A - Z Index Contact Employment Sign Up for Updates TEA Correspondence
About TEA
Texas Schools
Academics
Finance & Grants
Reports & Data
Student Assessment
Texas Educators
Home / Finance & Grants / Grants / Federa am Compliance
Federal Progra Compliance
TEA's ESSA program compliance functions rovided primarily by the Federal Program Compliance Division (FPC), which administers most programs Every Student Succeeds Act (ESSA). FPC is a division of the Department of Grant Compliance and Ad ration (GCA).
COVID-19 and Fed l Grant Funds
Visit the Department of Grant Compliance Administration for information on the federal grants authorized in response to COVID-19.
Federal Program C npliance
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Title I, Part C—Education of Migratory Chi
Title I, Part D—Prevention and Interventio Delinquent, Neglected, and At-Risk Youth
Grants
Grants Administration
Federal Program Compliance
Compliance and Reporting
Federal Fiscal Monitoring
Training and Other Resources
Related Content
Statewide Training Series New 04/06/2021
Department of Grant Compliance and Administration
Every Student Succeeds Act (ESSA) Statute
ESSA Ed-Flex
ESSA Random Validation Monitoring

# Title I, Part A link on Federal Program Compliance Webpage

## Federal Program Compliance

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Title I, Part A—Improving Basic Programs

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Title I, Part D—Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, Neglected, and At-Risk Youth

Title II, Part A—Supporting Effective Instruction

Title IV, Part A—Student Support and Academic Enrichment

Title V, Part A—Funding Transferability

Title V, Part B—Rural Education Initiative, or REAP / Subpart 2 - Rural and Low-Income School Program

Title VIII—ESSA Unsafe School Choice Option

ESSA Private School Equitable Services

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Title III, Part A—English Language Acquisition, Language Enhancement, and Academic Achievement Act

Teacher Equity Plans - Texas Equity Toolkit

### Related Content

Statewide Training Series *New 04/06/2021*

Department of Grant Compliance and Administration

Every Student Succeeds Act (ESSA) Statute

ESSA Ed-Flex

ESSA Random Validation Monitoring

ESSA State Plan

Recommended Use of ESSA Funds - TEA Strategic Priorities

Supplement, Not Supplant Handbook (Version 4.0, posted 09/05/2019)

### Division Resources

Division Resources *New 12/16/2021*

### Contact Information

Division Organization Chart

# Title II, Part A resources on web

## Title II, Part A-Supporting Effective Instruction

The purpose of Title II, Part A is to increase student achievement consistent with the challenging State academic standards; improve the quality and effectiveness of teachers, principals, and other school leaders; increase the number of effective teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and provide low-income and minority students greater access to effective teachers, principals, and other school leaders. The intent of the funding is to support educators in their work to improve the overall quality of instruction and ensure equity of educational opportunity for all students.

The Texas Equity Plan and Texas Equity Toolkit is administered in the Division of Educator Support.

Print

**Related Content**

Statewide Training Series N 06/2021

Department of Grant Comp and Administration

Federal Program Compliand sion

Every Student Succeeds Act ) Statute

ESSA Ed-Flex

ESSA Private School Equitab vices

ESSA Random Validation M ng

ESSA State Plan

ESSA Unsafe School Choice n

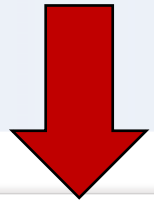
Recommended Use of ESSA s - TEA Strategic Priorities

Supplement, Not Supplant ook (Version 4.0, posted 09/05/2019)

**Resources**

Title II, Part A Frequently Asked Questions /*Updated* 10/29/2021

# Title II, Part A resource links



**Resources**

Title II, Part A Frequently Asked Questions */Updated* 10/29/2021

Title II, Part A Program Webinar 04/28/2020

Title II, Part A Program Guide 10/29/2021

Title II, Part A Use of Funds One Pager 10/29/2021

USDE Non-Regulatory Guidance on Title II, Part A

**Contact Information**

For questions or additional information, please contact the Federal Program Compliance Division at ESSASupport@tea.texas.gov.

# Federal Program Compliance Division

Gerardo Ramirez

Title II, Part A, Director

Gerardo.Ramirez@tea.texas.gov

(512) 463-9390

Division Phone Number

(512) 463-9499

Division Email Address:

ESSASupport@tea.texas.gov