



TITLE II, PART A—SUPPORTING EFFECTIVE INSTRUCTION PROGRAM GUIDE

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Change History

| Version | Release Date | Summary of Changes | Affected Page Number(s) |
|---------|--------------|--|-------------------------|
| 2.0 | 09/2021 | Moved FAQs from Program Guide to separate FAQ document . | multiple |
| | | “Highly Recommended” added. | p. 23 |
| | | Link to PD definition added. | p. 23 |
| 2.1 | 11/2021 | Revised section on Prioritization of Funds | p. 19 |
| 2.2 | 7/2022 | Revised section on Prioritization of Funds to clarify statutory language | p. 19 |
| | | Added link to Supplement, Not Supplant Handbook | p. 23 |
| | | Revised bullet on Prioritization of Funds to clarify statutory language | p. 24 |
| | | Revised section on Program Compliance Reporting | p. 29 |
| | | Added link to ESSA Consolidated Compliance Report Resources | p. 30 |
| | | Formatting for clarity | Multiple |
| | | Updated links | Multiple |

COVID-19

As a result of the COVID-19 pandemic, additional flexibility in the administration of federal grant programs is likely to be issued by the U.S. Department of Education. Any additional flexibility for the Title I, Part A program that is available to LEAs related to COVID-19 will be provided on TEA's [COVID-19 Support: District Waivers, Finance & Grants](#) web page.

Web Resources

- TEA's [COVID-19 Support: District Waivers, Finance & Grants](#) web page

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I. Program Overview

Purpose

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.

This program guide contains basic program information as well as direct links to related information and resources available on the Texas Education Agency web site. This resource provides general program information and should not be perceived as an all-inclusive listing of all statutory requirements. Upon certification and submission of the ESSA Consolidated Federal Grant Application, LEAs certify that they will comply with all requirements noted in statute. All statutory requirements can be found in the Program-Specific Provisions and Assurances posted on the [TEA Grant Opportunities Page](#). For a link to the Program-Specific Provisions and Assurances, search by the grant application name and review the information located in the Application and Support Information section.

Additionally, please note that any sample language provided in sections of this guide are examples of what LEAs and/or campuses could use as a guide. It is not meant for an LEA to copy and paste verbatim as LEA policies and procedures may be different than what is provided as sample language.

State Plan

Each State that receives Title II, Part A funds is required to submit a plan to the United States Department of Education (USDE). The preliminary Texas Consolidated State Plan was submitted to the USDE by the Texas Education Agency (TEA) on September 25, 2017. The final Texas Consolidated State Plan was submitted on March 6, 2018. This final plan reflected the results of a series of public hearings, review by the Governor's Office, and review by the State Board of Education, in addition to input from a peer review process and feedback from the USDE. The Plan can be viewed on TEA's [Every Student Succeeds Act webpage](#).

Allocation of Funds to Local Educational Agencies (LEAs)

Allocations to individual LEAs are determined based on statutory formulas. Several factors affect LEA eligibility for the funding, including Census updates, hold-harmless amounts, and set-asides for state activities, state-level administration, and charter school funding.

The process of determining LEA allocations is detailed in the “**ESSA Funding Reference Manual**” that is available in the Handbooks and Other Guidance section of TEA’s [Finance and Grants web site](#).

[Entitlement amounts](#) for the current school year for these and other grants are available on the Grants Administration Division web page. Title II, Part A entitlements can be found in the ESSA Consolidated Application entitlements section of the web page.

LEA Plan and Application

Local education agencies (LEAs) may apply for funding through the ESSA Consolidated Federal Grant Application that is available on the eGrants system. Information on accessing the eGrants system are detailed on the [TEA Secure Applications web page](#). General information and a sample application are available at the [TEA Grant Opportunities web page](#). For detailed information search by the grant application name.

The ESSA Consolidated Federal Grant Application incorporates the LEA Plan required by Federal statute into the annual application for funding. The ESSA Consolidated Federal Grant Application serves as a Consolidated LEA Plan and Application for the following Federal programs:

- Title I, Part A—Improving Basic Programs Operated by LEAs
- Title I, Part C—Education of Migratory Children
- Title I, Part D—Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk of Dropping Out
- Title II, Part A—Supporting Effective Instruction
- Title III, Part A—English Language Acquisition, Language Enhancement, and Academic Achievement
- Title IV, Part A—Student Support and Academic Enrichment Grants

Web Resources

[ESSA State Plan](#)

[ESSA Funding Formulas Reference Manual](#)

[Entitlements](#)

[eGrants Access](#)

[TEA Grant Opportunities Page](#)

II. Program Description

This section provides program specific requirements and information related to the Title II, Part A program.

Areas of Focus

Title II, Part A allowable activities included in the ESSA statute and in the Non-Regulatory Guidance from the U.S. Department of Education (issued on September 27, 2016) have been categorized into three areas of focus.

- 1) Recruiting and Retaining Effective Teachers and Principals
- 2) Professional Development and Educator Growth
- 3) Other [Evidence-Based](#) Activities

1) Recruiting and Retaining Effective Teachers and Principals

Title II, Part A allowable activities in the area of recruiting and retaining effective teachers and principals include activities in the following categories:

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

Recruiting, Hiring, and Retaining Effective Teachers in High-Need Schools

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.

- ESSA supports developing and implementing initiatives to assist in recruiting, hiring, and retaining effective teachers, in [high-need schools](#), to improve within-district equity in the distribution of teachers, such as initiatives that provide—
 - ✓ expert help in screening candidates and enabling early hiring;

- ✓ differential and incentive pay for teachers, principals, or other [school leaders](#) in high-need academic subject areas and specialty areas, which may include performance-based pay systems;
- ✓ teacher, paraprofessional, principal, or other [school leader](#) advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths, and pay differentiation;
- ✓ new teacher, principal, or other [school leader](#) induction and mentoring programs that are designed to improve classroom instruction and student learning and achievement; and increase the retention of effective teachers, principals, or other [school leaders](#);
- ✓ the development and provision of training for [school leaders](#), instructional/leadership coaches, mentors, and evaluators on how accurately to differentiate performance, provide useful feedback, and use evaluation results to inform improvement strategies, and personnel decisions; and
- ✓ a system for auditing the quality of evaluation and support systems.

School Leader Defined

The ESSA statute refers to teachers, principals and other school leaders as intended program beneficiaries of the Title II, Part A program. For purposes of the Title II, Part A program, other “school leader” refers to a principal, assistant principal, or other individual who is...

- 1) An employee or officer of an elementary school or secondary school, local education agency, or other entity operating an elementary or secondary school; and
- 2) 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.’

The following allowable activities are referenced in the *Non-Regulatory Guidance for Title II, Part A from the U.S. Department of Education* issued on September 27, 2016.

Equity-Based Activities

- ☐ To realize the equity goals of the ESSA, Title II, Part A funds may be used by LEAs in [high-need schools](#) to:
 - ✓ Create incentives for effective educators to teach in [high-need schools](#), and ongoing incentives for such educators to remain and grow in such schools.
 - ✓ Develop and implement initiatives to assist in recruiting, hiring, and retaining effective teachers to improve within-district equity, particularly in districts that are not implementing districtwide reforms, such as initiatives targeted to [high-need schools](#) that provide:
 - Incentives for effective educators to receive additional certifications in high-need areas; or
 - Co-teaching of classes, especially co-teaching by an experienced effective teacher and a novice teacher.

- ✓ Create teams of educators for teachers in [high-need schools](#) who convene regularly to learn, problem solve, and look over student work together, or provide time during the school day for educators to observe one another and reflect on new teaching and leading practices.
- ✓ Provide “teacher time banks” or flexible time to allow effective teachers and [school leaders](#) in [high-need schools](#) to work together to identify and implement meaningful activities to support teaching and learning.
 - For example, when implementing teacher time banks, Title II, Part A funds may be used to pay the costs of additional responsibilities for teacher leaders, use of common planning time, use of teacher-led developmental experiences for other educators based on educators’ assessment of the highest leverage activities, and other professional learning opportunities (which may involve using substitute teachers to cover classes during the school day).

Educator Induction and Mentorship Programs

- Establishing and supporting high-quality educator induction and mentorship programs that, where possible, are [evidence-based](#) and are designed to improve classroom instruction and student learning and achievement, and increase the retention of effective teachers, principals, or other [school leaders](#)
- Supporting a mentoring and induction program by providing early release time for mentoring, compensation for mentors, and [evidence-based](#) professional development for novice educators and mentors

Teacher Leadership

- Compensating teachers for their increased leadership roles and responsibilities
- Full range of activities to better leverage and support teacher leadership, for example:
 - ✓ Career opportunities and advancement initiatives for effective teachers that promote professional growth and emphasize multiple career paths. This includes creating hybrid roles that allow instructional coaching of colleagues while remaining in the classroom, as well as assuming other responsibilities such as collaborating with administrators to develop and implement distributive leadership models and leading decision-making groups
 - ✓ Supporting peer-led, [evidence-based](#) professional development in LEAs and schools
 - ✓ Recruiting and retaining talented and effective educators, including mentoring new educators
 - ✓ Participating in community of learning opportunities and other professional development opportunities with diverse stakeholder groups such as parents, civil rights groups, and administrators, to positively impact student outcomes; for example, through a forum to discuss the implication of a policy or practice on a school community, or organizing a community-wide service learning project,

where teachers afterwards work together to imbed conclusions of these activities into their teaching

School Principal Support

- ❑ Supporting school principals, through a variety of strategies such as:
 - ✓ Partnering with organizations to provide leadership training and opportunities for principals and other [school leaders](#) to hone their craft and bring teams together to improve school structures
 - ✓ Offering community of learning opportunities where principals and other [school leaders](#) engage with their school teams to fully develop broad curriculum models
 - ✓ Developing opportunities for principals and other [school leaders](#) to collaborate, problem-solve, and share best practices

Educator Cultural Competence

- ❑ Improving the recruitment, placement, support, and retention of culturally competent and responsive educators, especially educators from underrepresented minority groups, to meet the needs of diverse student populations.
 - ✓ These efforts may include, but are not limited to:
 - Providing financial support to educator recruitment programs within the community to improve hiring and retention of a diverse workforce;
 - Offering career advancement opportunities for current staff members, such as paraprofessionals, who have worked in the community for an extended period of time, to support their efforts to gain the requisite credentials to become classroom instructors;
 - Partnering with preparation providers including local community colleges, Institutions of Higher Education (IHEs), Minority Serving Institutions, and alternative route providers, to build a pipeline of diverse candidates;
 - Providing ongoing professional development aimed at cultural competency and responsiveness and equity coaching, designed to improve conditions for all educators and students, including educators and students from underrepresented minority groups, diverse national origins, English language competencies, and varying genders and sexual orientations;
 - Providing time and space for differentiated support for all teachers, including affinity group support;
 - Supporting leadership and advancement programs aimed to improve career and retention outcomes for all educators, including educators from underrepresented minority groups; and
 - Developing and implementing other innovative strategies and systemic interventions designed to better attract, place, support, and retain culturally competent and culturally responsive effective educators, especially educators from underrepresented minority groups, such as having personnel or staff-time dedicated to recruiting diverse candidates

of high-quality who can best teach to the diversity of the student population.

- ✓ Although efforts to recruit a diverse workforce may not be limited on the basis of race, differentiation of supports for educators from diverse backgrounds is permissible.

Recruiting Qualified Individuals from Other Fields

- ❑ Recruiting qualified individuals from other fields to become teachers, principals, or other [school leaders](#), including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with records of academic distinction who demonstrate potential to become effective teachers, principals, or other [school leaders](#).

Improving School Working Conditions

- ❑ Developing feedback mechanisms to improve working conditions, including through periodically and publicly reporting results of educator support and working conditions feedback which may leverage teacher leadership and community partners.
- ❑ Improve working conditions for teachers through high-impact activities based on local needs, such as improving access to educational technology, reducing class size to a level that is evidence-based, and providing ongoing cultural proficiency training to support stronger school climate for educators and students.
- ❑ Providing ongoing professional development aimed at cultural competency and responsiveness and equity coaching, designed to improve conditions for all educators and students, including educators and students from underrepresented minority groups, diverse national origins, English language competencies, and varying genders and sexual orientations.
- ❑ Carry out in-service training for school personnel in addressing issues related to school conditions for student learning, such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism.

2) Professional Development and Educator Growth

Title II, Part A allowable activities in the area of professional development and educator growth include activities in the following categories.

- ❑ [Assessments and Data Analysis](#)
- ❑ [Career Readiness Education](#)
- ❑ [Child Sexual Abuse Prevention](#)
- ❑ [Early Childhood Instruction](#)
- ❑ [Effectively Teaching Children with Disabilities](#)
- ❑ [Effectively Teaching English Learners](#)
- ❑ [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 Defined

ESSA defines professional development (PD) as activities that are sustained, intensive, collaborative, job embedded, data-driven, personalized or based on information from an evaluation and support system, and classroom-focused rather than PD that stands alone and does not connect to a larger school-wide or individualized plan. The statutory definition for professional development follows.

Professional Development is defined in ESSA Section 8101(42) as activities that are...

- ❑ an integral part of school and local educational agency strategies for providing educators (including teachers, principals, other [school leaders](#), specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators) with the knowledge and skills necessary to enable students to succeed in a well-rounded education and to meet the challenging State academic standards; and
- ❑ are sustained (not stand-alone, 1-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused, and may include activities that:
 - ✓ improve and increase teachers':
 - knowledge of the academic subjects the teachers teach;
 - understanding of how students learn; and
 - the ability to analyze student work and achievement from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis;
 - ✓ are an integral part of broad schoolwide and districtwide educational improvement plans;
 - ✓ allow personalized plans for each educator to address the educator's specific needs identified in observation or other feedback;
 - ✓ improve classroom management skills;
 - ✓ support the recruitment, hiring, and training of effective teachers, including teachers who became certified through State and local alternative routes to certification;
 - ✓ advance teacher understanding of:
 - effective instructional strategies that are [evidence-based](#); and
 - strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers;
 - ✓ are aligned with, and directly related to, academic goals of the school or local educational agency;

- ✓ are developed with extensive participation of teachers, principals, other [school leaders](#), parents, representatives of Indian tribes (as applicable), and administrators of schools to be served;
- ✓ are designed to give teachers of English learners, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to English learners, including the appropriate use of curricula and assessments;
- ✓ to the extent appropriate, provide training for teachers, principals, and other [school leaders](#) in the use of technology (including education about the harms of copyright piracy), so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and academic subjects in which the teachers teach;
- ✓ 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;
- ✓ are designed to give teachers of children with disabilities or children with developmental delays, and other teachers and instructional staff, the knowledge and skills to provide instruction and academic support services, to children with disabilities or children with developmental delays, including positive behavioral interventions and supports, multi-tier system of supports, and use of accommodations;
- ✓ include instruction in the use of data and assessments to inform and instruct classroom practice;
- ✓ include instruction in ways that teachers, principals, other [school leaders](#), specialized instructional support personnel, and school administrators may work more effectively with parents and families;
- ✓ involve the forming of partnerships with institutions of higher education, including, as applicable, Tribal Colleges and Universities as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)), to establish school-based teacher, principal, and other [school leader](#) training programs that provide prospective teachers, novice teachers, principals, and other [school leaders](#) with an opportunity to work under the guidance of experienced teachers, principals, other [school leaders](#), and faculty of such institutions;
- ✓ create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under Title I, Part A) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers;
- ✓ provide follow-up training to teachers who have participated in activities that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom; and
- ✓ where practicable, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.

Assessments and Data Analysis

ESSA supports the training, technical assistance, and capacity-building in local educational agencies to assist teachers, principals, or other [school leaders](#) with selecting and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond.

Career Readiness Education

ESSA supports training teachers, principals, or other [school leaders](#) on strategies to integrate rigorous academic content and provide effective career/technical education and work-based learning (if appropriate), which may include providing common planning time to help prepare students for post-secondary education and the workforce.

Child Sexual Abuse Prevention

ESSA supports the provision of training for all school personnel, including teachers, principals, other [school leaders](#), specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse.

Early Childhood Instruction

ESSA promotes the development and use of programs and activities that may be geared toward increasing the knowledge base of teachers, principals, or other [school leaders](#) on instruction in the early grades and on strategies to measure whether young children are progressing. This may include increasing the ability of principals or other [school leaders](#) to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age eight, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school.

Effectively Teaching Children with Disabilities

ESSA supports the development of programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities. This may include the use of multi-tier systems of support and positive behavioral intervention and supports so that children with disabilities can meet the challenging State academic standards.

Effectively Teaching English Learners

ESSA supports the development of programs and activities that increase the ability of teachers to effectively teach English learners. This may include the use of multi-tier systems of support so that English learners can meet the challenging State academic standards.

Evaluation and Support Systems

ESSA supports the development or improvement of a rigorous, transparent, and fair evaluation and support system for teachers, principals, or other [school leaders](#) that is based on evidence of student achievement and may include student growth. It should also include multiple measures

of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other [school leaders](#).

Evidence-Based Professional Development

ESSA promotes the implementation of high-quality, personalized, [evidence-based](#) professional development for teachers, instructional leadership teams, principals, or other [school leaders](#), that is focused on improving teaching and student learning. Under ESSA, professional development should be sustained, personalized, and job-embedded initiatives that address identified needs rather than stand-alone, one-day, or short-term professional development. ESSA states this professional development may include training teachers, principals, or other [school leaders](#) to:

- Effectively integrate technology into curricula and instruction (including education about the harms of copyright piracy)
- Use data to improve student achievement (ensuring individual student privacy under FERPA)
- Effectively engage parents, families, and community partners and coordinate services between school and community
- Help all students develop the skills essential for learning readiness and academic success
- Develop policy with school, local educational agency, community, or State leaders
- Participate in opportunities for experiential learning through observation

The following allowable activities are referenced in the Non-Regulatory Guidance for Title II, Part A from the U.S. Department of Education issued on September 27, 2016.

- Support “time banks” or flexible time for collaborative planning, curriculum writing, peer observations, and leading trainings; which may involve using substitute teachers to cover classes during the school day.

Identification and Support of Gifted Students

ESSA supports the provision of training to identify students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as:

- Early entrance to kindergarten;
- Enrichment, acceleration, and curriculum compacting activities; and/or
- Dual or concurrent enrollment programs in secondary school and post-secondary education.

School Library Programs

ESSA supports professional development intended to support the instructional services provided by effective school library programs.

Supporting Students Affected by Trauma and/or Mental Illness

ESSA supports the provision of in-service training for school personnel in techniques and support related to identifying and supporting students affected by trauma or mental illness, including the use of referral mechanisms, partnerships with outside organizations, or addressing school conditions for learning such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism. Based on state legislation requiring training in this topic area, LEAs should exercise caution and reference the [Supplement, Not Supplant](#) requirements when determining whether the costs associated with such training are an allowable use of funds.

STEM-Focused Professional Development

ESSA supports the development and provision of professional development and other comprehensive systems of support for teachers, principals, or other [school leaders](#) to promote high-quality instruction and instructional leadership in science, technology, engineering, mathematics, and computer science.

3) Other Evidence-Based Activities

Title II, Part A other [evidence-based](#) allowable activities can be categorized into the following categories.

- Reducing Class Size
- Carrying Out Other [Evidence-Based](#) Activities

Evidence-Based Defined

Section 8101(21)(A) of the ESEA defines evidence-based as “...the term ‘evidence-based,’ when used with respect to a State, local educational agency, or school activity, means an activity, strategy, or intervention that –

- (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;
 - (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) *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.”

Reducing Class Size

ESSA supports reducing class size to a level that is [evidence-based](#) and used to improve student achievement through the recruiting and hiring of additional effective teachers. An LEA shall maintain documentation locally to document the use of Title II, Part A funds for reducing class size. The LEA may be required to provide evidence of class-size reduction to the degree intended (i.e. from 26 students to 22 students) and for the grade(s) and subject(s) intended (i.e., 6th grade math) to improve student outcomes.

Carrying Out Other [Evidence-Based](#) Activities

ESSA supports carrying out other activities that are [evidence-based](#), to the extent the State (in consultation with local education agencies in the State) determines that such evidence is reasonably available, and identified by the local educational agency that meet the purpose of Title II, Part A.

For detailed information and guidance on the definition of “Evidence-Based,” see Appendix A of the [United States Department of Education *Non-Regulatory Guidance for Title II, Part A: Building Systems of Support for Excellent Teaching and Leading* \(September 27, 2016\)](#).

Program Requirements

The following program requirements are noted in ESSA and LEAs shall ensure that they are able to document compliance of the program requirements.

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 activity documentation that can be used to establish compliance that the activity carried out under Title II, Part A was aligned with the challenging State academic standards. (see examples referenced in the table that follows)

| 6100 Payroll Costs | 6200 Professional and Contracted Services | 6300 Supplies and Materials | 6400 Other Operating Costs |
|--|--|--|--|
| Possible Activities: Extra duty pay for Title II, Part A professional development outside of the regular school day/week, Paraprofessional pay (evidence from research requirement), Incentive pay, Substitute pay | Possible Activities: Title II, Part A professional development, Title II, Part A program development | Possible Activities: Supplies and materials for Title II, Part A professional development, Educator recruitment materials | Possible Activities: Professional development conferences, Off-site professional development |
| Examples of Activity Documentation*: Training certificate, Sign-in sheet, Job description, Extra-duty pay request form, PD evaluation form/results, Training agenda, Training materials, Payroll documents | Examples of Activity Documentation*: Executed contract, Statement of work, Quote, Purchase requisition, Invoice, Receipt, Sign-in sheet, Training materials, Training agenda | Examples of Activity Documentation*: Purchase requisition, Purchase order, Quote, Invoice, Receipt, Sign-in sheet, Training materials, Training agenda, PD evaluation form/results | Examples of Activity Documentation*: Travel requisition, Training certificates, Training agenda, Training materials, Out-of-state justification form, PD evaluation form/results |

***Note:** All documentation must include relevant information to establish compliance including, but not limited to, a description of how the activity is aligned with the challenging State academic standards (for example, as noted in the District and/or Campus Improvement Plan). If the activity is related to a professional development opportunity that is not noted in the ESSA Statute and/or the USDE Non-Regulatory Guidance, it must also include whether it is sustained, intensive, collaborative, job embedded, data-driven, personalized or based on information from an evaluation and support system, and classroom-focused rather than PD that stands alone and does not connect to a larger school-wide or individualized plan.

2. Meaningful Consultation

Timely and meaningful stakeholder consultation is a critical requirement that can be found throughout the ESSA statute. It is important for LEAs to ensure that their processes and procedures include elements that document timely and meaningful stakeholder consultation in the processes associated with planning, implementing, and evaluating the Title II, Part A program. LEAs should use the following guiding questions when considering whether stakeholder consultation is timely and meaningful.

- Are stakeholders involved in the planning processes on an ongoing basis?
- Are the planning processes tailored to solicit meaningful input and feedback from all stakeholders?
- Are there outreach activities for stakeholder input and feedback?
- Do the planning activities include goal setting and development of ideas and activities rather than just one-way communication for information sharing purposes?
- Is stakeholder engagement sustained with stakeholders having the opportunity to participate in discussions at the decision-making, implementation, and evaluation stages of the processes?
- Are all the required stakeholders involved and in attendance at every step of the planning process?
- Does the process have enough time built in for meaningful consultation?
- Are the planning activities part of a process rather than an event?
- Are there opportunities built into the process for stakeholders to share their feedback in a comfortable setting?
- Has the LEA considered the barriers to greater participation by stakeholders in planning activities?
- Are the activities associated with the meaningful consultation of stakeholders held at a variety of times to ensure maximum stakeholder attendance and engagement?
- Does the process incorporate seeking out diverse perspectives?
- Are concerns identified during consultation and are plans revised, when appropriate, based on the concerns?

Required Stakeholders

The LEA is required to meaningfully consult with the following 9 groups of stakeholders as they plan for, implement, and evaluate their Title II, Part A program.

- Teachers
- Principals
- Other school leaders*
- Paraprofessionals (including organizations representing such individuals)
- Specialized instructional support personnel**
- Charter school leaders (in an independent school district (ISD) that has in-district charter schools)
- Parents
- Community partners
- Other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of Title II, Part A

* The term “school leader” means a principal, assistant principal, or other individual who is:

1. 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**
2. 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 do not meet the definition of a ‘school leader’.

** The term “specialized instructional support personnel” refers to the following school employees:

- school counselors,
- school language pathologists,
- school librarians,
- school nurses,
- school psychologists,
- school social workers, and
- 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.

Additional Meaningful Consultation Requirements

LEAs are required to...

- seek advice from the [required stakeholders](#) regarding how best to improve the LEA's activities to meet the purpose of Title II, Part A; and
- use data and ongoing consultation to continually update and improve Title II, Part A activities.

Recommended Strategies

LEAs should consider engaging in the following activities to help meet the consultation requirements described above and strengthen Title II, Part A planning and implementation.

- Conduct outreach to, and solicit input from, relevant stakeholders during the design and development of plans for Title II, Part A funds ensuring that there is a diverse representation of educators from across the LEA, especially those who work in [high-need schools](#) and in early education.
- Be flexible when consulting with stakeholders, especially educators, by holding meetings or conferences outside the hours of the school day or by using a variety of communications tools, such as electronic surveys.
- Seek out diverse perspectives within stakeholder groups, when possible, and ensure that consultation is representative of the LEA as much as possible.
- Make stakeholders aware of past and current uses of Title II, Part A funds, and research or analysis of the effectiveness of those uses, if available, as well as research or analysis of proposed new uses of funds, in order to consider the best uses for schools and districts to support teacher and [school leader](#) development.
- Consider the concerns identified during consultation, and revise uses of Title II, Part A funds when appropriate.

Source: [United States Department of Education *Non-Regulatory Guidance for Title II, Part A: Building Systems of Support for Excellent Teaching and Leading* \(September 27, 2016\)](#)

Establishing Program Requirement Compliance

- Include a statement in the District and/or Campus Improvement Plan or in the Comprehensive Needs Assessment written process that describes how the LEA will meaningfully consult with teachers, principals, other school leaders, paraprofessionals (including organizations representing such individuals), specialized instructional support personnel, charter school leaders (in an ISD that has in-district charter schools), parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of Title II, Part A; how the LEA will seek advice from the individuals and organizations described regarding how best to improve the LEA's activities to meet the purpose of Title II, Part A; and how the LEA will use data and ongoing consultation to continually update and improve activities supported under Title II, Part A.
- Retain consultation documentation such as: stakeholder meeting agendas and minutes; sign in sheets that clearly identify the role associated with each person in attendance to

document involvement of all stakeholders; materials used during consultation meetings/events; and/or surveys used to gather input/feedback and their results that clearly identifies the role associated with each survey respondent.

3. Coordination

Coordination is another critical requirement that can be found throughout the ESSA statute. In order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program, coordination of professional development activities is a critical requirement of Title II, Part A.

- LEAs are required to coordinate professional development activities authorized under Title II, Part A with professional development activities provided through other federal, state, and local programs.
- LEAs are required to coordinate activities authorized under Title II, Part A with other related strategies, programs, and activities being conducted in the community.

Establishing Program Requirement Compliance

- Include a statement in the District and/or Campus Improvement Plan or in the Comprehensive Needs Assessment written process that describes...
 - ✓ how the LEA will coordinate professional development activities authorized under Title II, Part A with professional development activities provided through other federal, state, and local programs and
 - ✓ how the LEA will coordinate activities authorized under Title II, Part A with other related strategies, programs, and activities being conducted in the community
- Identify the multiple fund sources for coordinated professional development activities in the District and/or Campus Improvement Plan.
- Retain coordination documentation such as: official promotional materials showing coordination through other federal, state, or local programs for applicable activities and showing coordination between the LEA and community partners for applicable activities; coordination meeting agendas and minutes; sign in sheets that clearly identify the programs (state, federal, local) associated with each person in attendance; materials used during coordination meetings/events; surveys used to gather input/feedback and their results that clearly identifies the program (state, federal, local) associated with each survey respondent; and/or documentation showing use of funds in coordination through other federal, state, and local programs and with applicable community activities.

4. Prioritization of Funds

LEAs are required to prioritize funds to schools identified for school improvement by TEA [i.e., at campuses that are implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d)] and that have the highest percentage of children counted under Title I, Part A.

To see if campuses in your LEA have been identified for school improvement, visit the [Texas Schools Report Card](#) web page.

For additional information related to the Identification of Schools for Improvement and the Texas Accountability Rating System, see the TEA webpage on the [Texas Accountability Rating System](#). The information referenced about identification of schools for improvement can be found in the Accountability Manual that is published yearly. To access the accountability manual, click on the year specific reference for the Accountability Ratings and the manual can be found in the resources section of the page for the specific year selected.

Establishing Program Requirement Compliance

- Include a statement in the District and/or Campus Improvement Plan or in the Comprehensive Needs Assessment written process that describes...
 - ✓ How the LEA prioritized Title II, Part A funds for use at Title I, Part A campuses identified for School Improvement [i.e., at campuses that are implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d)] and campuses serving the highest percentages of low-income students.
- Retain documentation that shows Title II, Part A activities and their costs for each campus within the LEA, demonstrating prioritization to those campuses.

5. System of Professional Growth and Improvement

LEAs are required to have a system of professional growth and improvement, such as induction for teachers, principals, or other school leaders and opportunities for building the capacity of teachers and opportunities to develop meaningful teacher leadership.

Establishing Program Requirement Compliance

- Include a statement in the District and/or Campus Improvement Plan that describes the system of professional growth and improvement.
- Retain documentation such as a locally developed professional development plan that includes a system of professional growth and improvement.

6. Private Nonprofit School Participation

LEAs are required to comply with the uniform provisions for providing equitable services to private schools as specified in Title XIII, Section 8501.

For additional information and for answers to frequently asked questions, see the TEA webpage on [ESSA Private School Equitable Services](#).

Establishing Program Requirement Compliance

- For information related to Private Nonprofit School Participation compliance, see the TEA webpage on [ESSA Private School Equitable Services](#).

Web Resources

[ESSA Private School Equitable Services](#)

[Texas Accountability Rating System](#)

[Texas Schools Report Cards](#)

III. Parent and Family Engagement

Although the Title II, Part A program does not specifically have parent and family engagement requirements it does support parent engagement in various ways.

Meaningful Consultation - Parents

Parents are one of the groups of required stakeholders in the meaningful consultation and planning processes associated with the use of Title II, Part A funds.

Title II, Part A Parent and Family Engagement Use of Funds

Title II, Part A funds could be used to provide professional development to teachers, principals and other school leaders aimed at parent engagement and involvement strategies if the professional development meets the [ESSA definition of professional development](#) referenced in this program guide. Although funds used to pay for professional development activities associated with parent engagement or involvement strategies are considered allowable under Title II, Part A, there are several steps and requirements for using Title II, Part A funds. “Allowable” under Title II, Part A is only one part of the required steps. Please reference the [Use of Funds](#) section of this program guide for the steps required to determine whether an LEA can use Title II, Part A funds for a particular expense.

Web Resource

[Title I, Part A Parent and Family Engagement Statewide Initiative](#)

IV. Fiscal Requirements

This section provides information related to the Fiscal Requirements associated with Title II, Part A program.

Supplement, Not Supplant

LEAs are to use Title II, Part A funds to supplement and not supplant nonfederal funds that would otherwise be used for allowable Title II, Part A program expenditures. The Title II, Part A program uses the traditional presumptions of supplanting. Preferably, the LEA would budget and expend federal dollars, so as to avoid any of the following three presumptions entirely:

- 1) Providing services required under state or local law;
- 2) Providing same services as those provided in prior school year with state or local funds;
- 3) Providing the same services in federal and non-federal programs.

For detailed information about Supplement, Not Supplant, see the TEA [Supplement, Not Supplant Handbook](#).

Web Resource

[Supplement, Not Supplant Handbook](#)

V. Use of Funds

This section provides information related to the Use of Funds associated with the Title II, Part A program.

Steps and Requirements for Use of Title II, Part A Funds

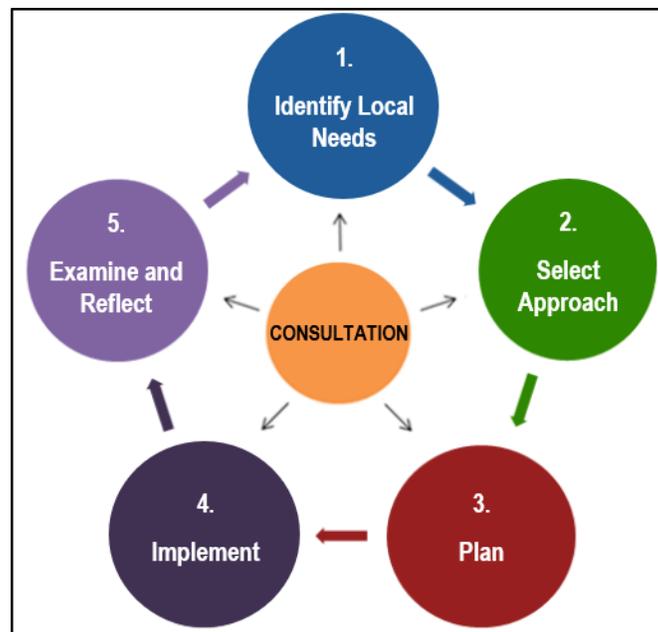
LEAs must use the following 5 steps and requirements to determine whether Title II, Part A funds can be used for any activity/resource.

1. Apply the traditional presumptions of Supplant to determine if the use of funds is supplemental (See [Supplement, Not Supplant Handbook](#)).
2. Ensure that the LEA has prioritized Title II, Part A funds for use at Title I, Part A campuses identified for School Improvement [i.e., at campuses that are implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d)] and campuses serving the highest percentages of low-income students.
3. Ensure that activities and/or resources address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and are:
 - Identified in the Comprehensive Needs Assessment [**Highly Recommended**];
 - Included in the District and/or Campus Improvement Plan;
 - The plan addresses how the activity/resource identified will be aligned with challenging State academic standards; and
 - The planning process for the Title II, Part A program meets the requirements for meaningful consultation of stakeholders and coordination
 - If a professional development activity, ensure that it meets the [ESSA definition of Professional Development](#);
 - Reasonable;
 - Necessary to carry out the intent and purpose of the Title II, Part A program;
 - Allocable; and
 - Allowable under Title II, Part A.
4. Ensure that the expenditure(s) meet all EDGAR requirements.

5. Ensure that all LEA policies and procedures were followed.

Maximizing the Use of Title II, Part A Funds

Cyclical Framework for Maximizing Investments



Title II, Part A interventions are more likely to result in sustained, improved outcomes for students if:

- 1) Chosen interventions align with **identified local needs**;
- 2) The **evidence base** and **the local capacity** are considered when **selecting a strategy**;
- 3) There is a robust **implementation plan**;
- 4) Adequate resources are provided so the **implementation** is well supported;
- 5) Information is gathered regularly to **examine** the strategy and to **reflect** on and **inform** next steps.

The framework is designed to help decision-makers make more effective Title II, Part A investments and to make the use of evidence, research, and data part of the decision-making process.

For an explanation of each step in detail and for a series of questions to consider when using this framework, please see pages 30-36 of the [United States Department of Education *Non-Regulatory Guidance for Title II, Part A: Building Systems of Support for Excellent Teaching and Learning* \(September 27, 2016\)](#)

Using Federal Grant Funds to Pay for Food

Reference: [BUDGETING COSTS GUIDANCE HANDBOOK](#)

When a subgrantee is hosting a meeting, the subgrantee may be able to use federal grant funds to pay for food, beverages, or snacks. However, there is a very high burden of proof to show that paying for food and beverages with federal funds is necessary to meet the goals and objectives of a federal grant. When a subgrantee is hosting a meeting, the subgrantee should structure the agenda for the meeting so that there is time for participants to purchase their own food, beverages, and snacks. In addition, when planning a meeting, subgrantees may want to consider a location in which participants have easy access to food and beverages.

While these determinations will be made on a case-by-case basis, and there may be some circumstances where the cost would be permissible, it is likely that those circumstances will be rare. Subgrantees, therefore, will have to make a compelling case that the unique circumstances they have identified would justify these costs as reasonable and necessary.

Receptions and Networking Sessions

In virtually all cases, using grant funds to pay for food and beverages for receptions and “networking” sessions is not justified because participation in such activities is rarely necessary to achieve the purpose of the meeting or conference.

Food Costs Included in Contracts with Hotels

Federal grant funds may only be used for expenses that are reasonable and necessary. In planning a conference or meeting and negotiating with vendors for meeting space and other relevant goods and services, subgrantees may only pay for allowable costs. If a hotel vendor embeds food and beverage costs into a hotel contract for meeting space, the subgrantee should work with the hotel to have the food and beverage costs identified and “backed out” of the contract, and have the price they are paying for meeting space appropriately adjusted to reflect the fact that food and beverages are not being purchased. The fact that food and beverages are embedded in a contract for meeting space does not mean that the food and beverages are being provided at no cost to the subgrantee.

Complimentary Beverages at Meeting Venues

If a hotel or other venue provides “complimentary” beverages (e.g., coffee, tea) and there is no charge to the subgrantee hosting the meeting, the subgrantee has an obligation, under these circumstances, to confirm that the beverages are truly complimentary and will not be reflected as a charge to the grant in another area. For example, many hotels provide complimentary beverages to all guests who attend a meeting at their facility without reflecting the costs of those beverages in other items that their guests or, in this case, the subgrantee purchases.

As noted above, it would not be acceptable for a vendor to embed the cost of beverages in other costs, such as meeting space.

Using Indirect Cost Funds to Pay for Food and Beverages

The cost of food and beverages, because they are easily associated with a specific cost objective, such as a USDE grant, are properly treated as direct costs, rather than indirect costs. As noted above, federal grant funds cannot be used to pay for food and beverages unless doing so is reasonable and necessary.

Using Federal Grant Funds to Pay for Alcoholic Beverages

Use of federal grant funds to pay for the cost of alcoholic beverages is strictly prohibited.

Boxed Lunches for Participants

Subgrantees may offer meeting participants the option of paying for food (such as lunch, breakfast, or snacks) and beverages, and arrange for these items to be available at the meeting.

Web Resources

[United States Department of Education *Non-Regulatory Guidance for Title II, Part A: Building Systems of Support for Excellent Teaching and Leading* \(September 27, 2016\)](#)

[Administering a Grant](#)

VI. Carryover of Funds

As per ESSA, Title II, Part A funds remaining at the end of a grant period are made available to grant recipients through a carryover process. This allows grant recipients to use unobligated balances from the prior fiscal year in the current grant year. TEA grant staff calculate carryover amounts after a grant has closed and make the funds available to eligible grant recipients through their current approved applications. There is no percent threshold for carryover of Title II, Part A funds. An LEA has 27 months to expend Title II, Part A funds.

VII. Private School Equitable Services

For the Title II, Part A program, LEAs are required to comply with Section 8501 regarding participation by teachers.

Please note that the educational services or other benefits, including materials and equipment, shall be secular, neutral, and nonideological. Educational services and other benefits for eligible private school teachers and other educational personnel shall be equitable in comparison to service and other benefits for public school teachers participating under Title II, Part A and shall be provided in a timely manner. The LEA may provide services directly or through third-party contracts with public and private agencies, organizations, and institutions.

The provision of services shall be provided—

- By employees of a public agency; or
- Through third-party contract by such public agency with an individual, association, agency, or organization.

In the provision of such services, such employee, individual, association, agency, or organization shall be independent of the private school and of any religious organization, and such employment or contract shall be under the control and supervision of such public agency.

The LEA is required to abide by all requirements for providing equitable services in the following programs: Title I, Part A; Title I, Part C; Title II, Part A; Title III, Part A; Title IV, Part A; and Title IV, Part B.

Funding Requirements

Expenditures for educational services and other benefits to eligible PNP school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools in such participating school attendance areas. The proportional share of funds shall be determined based on the total amount of funds received by the LEA, prior to any allowable expenditures or transfers by the LEA. Funds allocated to the LEA for educational services and other benefits to eligible PNP school children shall be obligated in the fiscal year for which the funds are received by the LEA. The LEA may determine the equitable share each year or every two years.

The control of funds, title to materials, equipment, and property belong to the LEA and should be on its inventory list and labeled prior to private school use.

Meaningful Consultation Requirements

To ensure timely and meaningful consultation, the LEA shall consult with appropriate PNP school officials during the design and development of the LEA's programs. The LEA and PNP school officials shall both have the goal of reaching agreement on how to provide equitable and

effective programs for eligible PNP school children. This consultation shall include such issue as—

- The size and scope of the equitable services to be provided to the eligible private school children, teachers, and other educational personnel, the proportion of funds that is allocated for such services, and how that proportion of funds is determined;

If the LEA disagrees with the views of PNP school officials with respect to an issue in regard to the meaningful consultation requirements, above, the LEA shall provide in writing to the PNP school officials the reasons why the LEA disagrees. The LEA assures such consultation shall include meetings of the LEA and PNP school officials and shall occur before the LEA makes any decision that affects the opportunities of eligible PNP school teachers to participate in this program. Such meetings shall continue throughout implementation and assessment of services. The LEA assures that such consultation shall include a discussion of service delivery mechanisms to eligible PNP school teachers.

The LEA shall maintain in the district's records and provide to TEA a written affirmation signed by officials of each participating private school that the meaningful consultation required has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children. If such private school officials do not sign such affirmation within a reasonable period, the LEA shall keep documentation on file. If requested, the LEA shall forward to TEA the documentation that such private school meaningful consultation has or attempts at such have taken place.

If a private school official files a complaint to TEA stating that the LEA did not comply with the meaningful consultation requirements, the LEA shall forward to TEA any appropriate documentation.

Web Resource

[ESSA Private School Equitable Services](#)

VIII. Compliance Monitoring

Upon certification and submission of the ESSA Consolidated Federal Grant Application, LEAs certify that they will comply with all requirements noted in statute. All requirements can be found in the Program-Specific Provisions and Assurances posted on the [TEA Grant Opportunities Page](#). For a link to the Program-Specific Provisions and Assurances, search by the grant application name and review the information located in the Application and Support Information section.

The Federal Program Compliance Division monitors the program requirements through random validations and compliance reporting. The Federal Fiscal Monitoring Division monitors the fiscal requirements as noted.

Program Compliance Random Validations

To monitor the compliance of each eligible entity receiving ESSA funds, the State conducts an annual validation process for LEAs. The annual validation process for LEAs addresses the statutory requirements based on program implementation and effectiveness for the current grant year. During the annual validation process, the State randomly selects LEAs to submit documentation for the program compliance requirements.

The State reviews the documentation to determine if the subgrantee met the statutory requirements as noted in the validation guidance documents. LEAs that submit insufficient documentation will be offered technical assistance by their regional Education Service Centers (ESCs). These LEAs will be required to submit compliance documentation for the subsequent application year to ensure full compliance of program requirements.

For validation specific information, see the TEA webpage on [Federal Program Compliance Random Validations](#).

Program Compliance Reporting

The ESSA Consolidated Compliance Report is completed by LEAs annually to document that LEAs complied with the program-specific provisions and assurances in the preceding application year. LEAs are responsible for indicating their compliance or non-compliance on the Program Compliance Self-Check. The documentation is to remain on file at the LEA. However, it must be readily available upon request from the Texas Education Agency for audit and/or validation monitoring purposes. For detailed information related to the ESSA Consolidated Compliance Report, including the Program Compliance Self-Check Guide, see the TEA webpage on [ESSA Consolidated Compliance Report Resources](#).

Federal Fiscal Compliance Monitoring

The Federal Fiscal Monitoring Division is responsible for monitoring the expenditures of federal grant subrecipients to ensure federal funds are used for authorized purposes in compliance with federal statutes, regulations, and the terms and conditions of federal awards.

For additional information on the federal fiscal monitoring processes and procedures, see the TEA webpage on [Federal Fiscal Monitoring](#).

Web Resources

[ESSA Consolidated Compliance Report Resources](#)

[Federal Program Compliance Random Validation Monitoring](#)

[TEA Grant Opportunities Page](#)

[Federal Fiscal Monitoring](#)

IX. Ed-Flex

By taking advantage of Ed-Flex, LEAs can design and implement programs in ways that best meet the needs of their students and communities. Texas has been approved as an Ed-Flex State under the Every Student Succeeds Act of 2015 (ESSA). The state's Ed-Flex authority has been renewed through the 2023-2024 school year.

There are three types of Ed-Flex waivers as described below.

Statewide Administrative Waivers

Statewide administrative Ed-Flex waivers address regulations governing applications for funds and certain record-keeping provisions. These administrative waivers are automatically granted to LEAs applying for federal funds covered by Ed-Flex.

Statewide Programmatic Waivers

Statewide programmatic waivers address design and delivery of federal programs covered under Ed-Flex. Statewide programmatic waivers must be applied for through the Local Education Agency's original ESSA Consolidated Application for Federal Funds. The two statewide programmatic waivers are:

- Threshold eligibility to implement Title I, Part A Schoolwide Programs
- Waiver of Title I, Part A 15% Roll Forward Limitation

Individual Programmatic Waivers

Individual programmatic waivers may be requested by an LEA for the district as a whole or for an individual campus. The application forms and information concerning deadlines and start dates are posted annually on [TEA's Ed-Flex web page](#).

Web Resource

[Ed-Flex Waivers](#)

A-Z Topic List

[Acronyms](#)

[Activities Alignment to the Challenging State Academic Standards](#)

[Areas of Focus](#)

[Compliance Report](#)

[Coordination](#)

[Ed-Flex](#)

[Evidence-Based Activities](#)

[ESSA State Plan](#)

[High-Need School Defined](#)

[Meaningful Consultation](#)

[Parent and Family Engagement](#)

[Prioritization of Funds](#)

[Private School Equitable Services](#)

[Professional Development – ESSA Definition](#)

[Program Requirements](#)

[School Leaders Defined](#)

[Specialized Instructional Support Personnel Defined](#)

[Supplement, Not Supplant](#)

[Use of Funds – Food](#)

[Use of Funds – General](#)