



# TITLE II, PART A HANDBOOK

SUPPORTING EFFECTIVE INSTRUCTION



**OKLAHOMA**  
**Education**

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## **Introduction**

The purpose of Elementary and Secondary Education Act (ESEA), as reauthorized by the Every Student Succeeds Act (ESSA), is to strengthen and improve educational quality and educational opportunities in elementary and secondary schools. Title II, Part A is a section of ESEA that provides grants to state educational agencies (SEAs) and subgrants to local educational agencies (LEAs) to:

1. increase student achievement consistent with the challenging state academic standards;
2. improve the quality and effectiveness of teachers, principals, and other school leaders;
3. increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and
4. provide low-income and minority students greater access to effective teachers, principals, and other school leaders. [ESEA Section 2001](#)

The Title II, Part A program is designed, among other things, to provide low-income and minority students and their families with greater access to effective teachers, principals, and other school leaders. The program allows LEAs to attract, support, and retain effective educators. It is vital that LEAs reflect on how to use Title II, Part A funds in efficient ways, re-visit traditional uses of these funds, and consider new, innovative, evidence-based strategies.

The Oklahoma State Department of Education (OSDE) is issuing this guidance to provide LEAs with information that will assist them in meeting their obligations under the provisions of Title II, Part A. This guidance does not create or impose new legal requirements but outlines existing state and federal regulations in order to increase LEAs' awareness of their obligations as subgrantees.

## **Chapter 1: Local Education Agency (LEA) Grant Allocations**

### **1.1 Allocation Calculations**

Title II, Part A is a formula grant. Grant allocations are calculated using poverty and population census data provided by the United States Department of Education (USDE). The Elementary and Secondary Education Act (ESEA) requires USDE to allocate Title II, Part A funds to states. OSDE awards Title II, Part A funds to eligible LEAs based on formula counts used for Title I, Part A allocations. Ninety-five percent of the Title II, Part A allocation is distributed to LEAs on a formula basis and 5% of the funds are reserved for state administration and state level activities. Twenty percent is based on census population and 80% on census poverty amounts. After all calculations have been applied, the LEA receives the net allocation that is entered into the Grants Management System (GMS).

Title II, Part A funds are not usually allocated at the school level. However, if the LEA decides to allocate at the school level it must prioritize schools that are implementing comprehensive support and improvement (CSI) activities and targeted support and improvement (TSI) activities

and that have the highest percentage of children in poverty. LEAs without TSI/CSI schools who allocate at the school level must prioritize in accordance with Title II, Part A intents and purposes. Specifically, LEAs should prioritize funds to increase student achievement and provide low-income and minority students greater access to effective teachers. In Oklahoma, LEAs that choose to allocate at the school level, must demonstrate this prioritization.

## **1.2 Consultation**

An LEA or consortium of such agencies, shall develop its application through consultation with parents, teachers, principals, other school leaders, specialized instructional support personnel, students, community-based organizations, local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency), Indian tribes or tribal organizations that may be located in the region served by the local educational agency (where applicable), charter school teachers, principals, and other school leaders (if such agency or consortium of such agencies supports charter schools), and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of Title II, Part A.

The LEA shall engage in continuous consultation with the entities previously described to improve the local activities to meet the purpose Title II, Part A and to coordinate such implementation with other related strategies, programs, and activities being conducted in the community. Evidence of consultation is required even if the LEA or consortium transfers all Title II, Part A funds to another Title program. Evidence of consultation must be uploaded to the Title II, Part A area of the Consolidated Application. [ESEA Section 4106\(c\)](#)

## **Chapter 2: Equitable Services to Nonpublic Schools**

### **2.1 Equitable Services Requirement**

Educational services and other benefits for students attending a nonpublic school shall be equitable in comparison to services and other benefits for students attending a public school participating in Title II, Part A services, and shall be provided in a timely manner. [ESEA Section 8501\(3\)\(A\)](#)

The public LEA shall contact all nonpublic schools located within the district's boundaries with an invitation to participate in services offered through the Title II, Part A program. If the nonpublic school agrees to participate both the LEA representatives and the nonpublic school representatives must engage in timely and meaningful consultation. The equitable share of funds shall be determined based on the total amount of funds received by the LEA, prior to any allowable expenditures or transfers. [ESEA Section 8501\(4\)\(A\)](#)

## **2.2 Obligating the Equitable Share and Carryover**

Funds allocated to an LEA for equitable services and other benefits to eligible nonpublic schools shall be obligated in the fiscal year for which the funds are received by the agency. [ESEA Section 8501\(4\)\(B\)](#)

The purpose of this requirement is to ensure that an LEA obligates the funds available under Title II, Part A to provide equitable services in the fiscal year for which the funds are appropriated, so that eligible students, teachers and other educational personnel, and families receive the services to which they are entitled in a timely manner. This provision reinforces the requirement that an LEA conduct timely consultation with nonpublic school representatives to design appropriate equitable services so that those services can begin at the beginning of the school year for which the funds are appropriated.

There may be extenuating circumstances in which a LEA is unable to obligate all funds within this timeframe in a responsible manner. The Oklahoma State Department of Education's (OSDE) Office of Title Services (OTS) will request that LEAs and their nonpublic school representatives complete a request to carryover funds at the end of the fiscal year.

## **2.4 Transferability and Equitable Share Funds**

The ESEA allows Title II, Part A funds to be transferred to Title I, Part A; Title I, Part, D; Title III, Part A; Title V, Part B. [ESEA Section 5103\(b\)](#)

If, after timely and meaningful consultation, an LEA transfers Title II, Part A funds into another program authorized under the transferability provision, then Title II, Part A funds are subject to the rules and requirements applicable under that specific program, including the equitable share necessary to provide services to nonpublic schools.

An LEA may not transfer Title II, Part A funds to another program authorized under the transferability provision solely to provide equitable services, nor may it retain funds in Title II, Part A solely for this purpose. For example, if an LEA chooses to transfer its Title II, Part A to Title I, Part A, the LEA may not retain a portion of those funds solely to provide equitable services under Title II, Part A. Rather, it must provide services to public and private school students, their teachers, and their families in accordance with all Title I requirements. With respect to the transferred funds, the LEA must provide nonpublic school students and teachers equitable services under the program(s) to which, and from which, the funds are transferred, based on the total amount of funds available to each program after the transfer. [ESEA Section 5103\(e\)\(1\)](#)

## **Chapter 3: Fiscal Requirements**

### **3.1 Carryover and Transferability**

There is no amount limitation regarding the carryover of Title II, Part A funds from one fiscal year to another. LEAs may carryover any unexpended funds which are available for obligation and expenditure in the year succeeding the fiscal year for which they are appropriated. However, LEAs should keep in mind that, under Section 421(b) of the General Education Provisions Act (GEPA), LEAs must obligate funds during the 27 months extending from July 1 of the fiscal year for which the funds were appropriated through September 30 of the second succeeding fiscal year. This maximum period includes a 15-month period of initial availability plus a 12 month period for carryover.

### **3.2 Supplement, Not Supplant**

Title II, Part A funds are only to be used to supplement, and not supplant, non-federal funds that would otherwise be used for activities. Title II, Part A funds may be used only to supplement educational program activities provided with state and local funds. The LEA may not use Title II, Part A funds to pay for activities that, in the absence of these funds, would be provided with state and local funds. Title II, Part A funds may be used to fund only the professional development activities that supplement those mandated locally or by the state and can supplement those discretionary professional development activities that the LEA would fund in the absence of other local and/or state funding sources. In the following instances, it is presumed that supplanting has occurred if:

1. The LEA used Title II, Part A funds to provide services that were required under other Federal, state or local laws.
2. The LEA used Title II, Part A funds to provide services that were provided with non-Federal funds in the prior year.
3. The LEA used Title II, Part funds to provide services for some teachers, principals or other school leaders, while other teachers, principals or other school leaders received the same services provided with non-federal funds. [ESEA Section 2103](#)

### **3.3 Maintenance of Effort (MOE)**

The ESEA addresses the LEA's responsibility to maintain local funding. If an LEA fails to maintain fiscal effort, the SEA may be required to reduce LEA's Title II, Part A current year allocation. While the district should have procedures in place to ensure local and state effort is maintained no less than 90 percent, MOE calculations are completed at the state level in compliance with federal requirements each year. ESEA Section 1118(a) and [ESEA 8521\(a\)](#)

If an LEA fails to maintain effort by falling below 90 percent of both the combined fiscal effort per student and aggregate expenditures (using the measure most favorable to the LEA), the SEA must reduce the LEA's allocation under Title I, Part A, Title I, Part D, Title II, Part A, Title III, Part A, Title IV, Part B, 21st Century Community Learning Centers, Title V, Part B, Subpart 2, RLIS, and Title VI, Part A, Subpart 1, Indian Education in the exact proportion by which the

LEA failed to maintain effort, if the LEA fails to maintain effort in a given fiscal year and also failed to maintain effort for one or more of the five immediately preceding fiscal years. [ESEA Section 8521\(b\)](#)

USDE may waive the maintenance of effort requirement for an LEA if it determines that a waiver would be equitable due to:

1. exceptional or uncontrollable circumstances; or
2. a precipitous decline in the financial resources of the LEA.

If the LEA's failure to meet MOE was due to one of the above exceptions, the LEA can request and be granted a one-year MOE waiver from the United States Department of Education (USDE). The LEA must address the letter of request to the Secretary of Education, along with documentation to support the reason for failure to meet MOE and send it to the Office of Title Services, who will then forward the waiver request to USDE. For additional information regarding the Maintenance of Effort appeal process, contact the Office of Title Services at (405) 521-6850.

### **3.4 Time Distribution Records (TDRs)**

Employees that are paid a salary with federal funds from single or multiple funding sources are required to document their time and effort by maintaining time distribution records (formerly known as time and effort records). The purpose of TDR records is to ensure that each funding source is being charged appropriately for the work the employee is performing. For additional information regarding the TDR requirements, please refer to the [ESEA Resource Toolkit](#) located on the [Office of Title Services \(OTS\) webpage](#).

## **Chapter 4: Professional Development (PD)**

### **4.1 Definition of PD**

According to the ESEA, professional development are activities that –

- A. 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
- B. are sustained (not stand-alone, 1-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused. [ESEA Section 8101\(42\)](#)

Stand-alone, 1-day, or short-term workshops are not allowed from Title II, Part A funds, but intensive, collaborative, job-embedded series of workshops that will lay the groundwork of a larger, systemic, professional development plan are allowable. An example of such workshops is a presenter who is contracted by an LEA using federal funds, for one-day only, or a teacher who goes to a one-day conference, but there are follow-up sessions to that one-day event. In this case,

the professional development page in the respective application in the Grants Management System (GMS) must describe the follow-up sessions, when they will occur, and who will benefit from these sessions. The LEA may choose to also upload a professional development plan in GMS, on the supportive documentation page of the Consolidated Application, which will explain in more detail the sequence of all planned professional development activities for the entire school year.

All professional development activities must be allowable under the respective federal program. Motivational presentations are not considered allowable professional development activities under federal programs.

#### **4.2 Allowable Personnel to Be Paid with Title II, Part A Funds to Attend PD Activities**

Title II, Part A may be used to fund PD activities for teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals. Title II, Part A funds may be used for PD travel expenses such as registration, airfare, lodging, meals, and stipends (if the PD activity is outside the contracted hours.) Title II, Part A funds may not necessarily be used to fund professional development activities for all district level personnel. ESEA indicated that other school leaders are defined as an individual who is -

- A. 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
- B. responsible for the daily instructional leadership and managerial operations in the elementary school or secondary school building. [ESEA Section 8101\(44\)](#)

#### **4.3 Evidence – Based Strategies**

As with other ESEA programs, Title II, Part A funded professional development must be high quality, personalized professional development that is evidence-based. Evidence-based is defined as an activity, strategy, or intervention that –

1. demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on –
  - a. strong evidence from a least one well-designed and well-implemented experimental study,
  - b. moderate evidence from at least one well-designed and well-implemented quasi-experimental study, or
  - c. promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias; or
2. 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
3. includes ongoing efforts to examine the effects of such activity, strategy, or intervention.

Additional information is provided on the [Office of Title Services \(OTS\) webpage](#) under the title titled Evidence-Based Practice.

#### **4.4 Travel for PD Activities**

Each LEA is required to have written travel procedures that meet the requirements found in [2 C.F.R. §200.475](#). Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of the LEA. Such costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not to selected days of the trip, and results in charges consistent with those normally allowed in similar circumstances in the LEA's non-federally funded activities. The LEA should identify how travel is requested, reviewed, and approved. All costs should be reasonable and necessary and applied consistently to expenditures made with federal and non-federal funds. LEAs must use their written travel policy in the provision of equitable services.

### **Chapter 5: Uses of Funds**

ESEA requires that LEAs receiving federal funds administer and implement programs in compliance with the Uniform Grant Guidance (UGG) and the Education Department General Administrative Regulations (EDGAR). LEAs often want specific examples or lists of allowable costs for the use of ESEA funds. However, allowability is determined by the circumstances surrounding the potential expenditure.

The following questions should be considered when determining allowability of an expenditure

1. Is the expenditure "reasonable and necessary" to carry out the intent of the program?
2. How is the expenditure related to a high-need, core student achievement areas identified in the comprehensive needs assessment and specifically described in the district or school plan?
3. If the expenditure is for professional development, is it aligned to student need and delineated in the district or school plan?
4. If the expenditure is for family engagement, does it increase the understanding of families in how to support their student(s) and is it included in the district or school plan?
5. If the expenditure is questionable, is there a more appropriate funding source to use?

#### **5.1 Administrative costs**

For the purpose of administering Title II, Part A program, LEAs may use these funds for administrative costs, which will be those incurred by the LEAs to carry out the administration, evaluation and technical assistance associated with this grant. Administrative costs will be coded under function code 2330, and may encompass Title II administrative personnel's salaries (Title II director/coordinator, Title II secretary/claims clerk), Title II administrators' travel expenses to Title II related conferences, subscription to federal publications, etc.

Oklahoma allows administrative costs to be charged by LEAs in the amount of 5, 7 or 8% of their state allocation, and are calculated based on the LEA’s student Average Daily Attendance (ADA) as follows:

ADA less than 500 students	8%
ADA between 500-1500 students	7%
ADA greater than 1500 students	5%

### **5.2 Compensation Allowable from Title II, Part A Funds**

Title II, Part A funds may be used to provide stipends to allowable participants to attend allowable professional activities in alignment with LEA’s stipend policy, applied consistently to federal and non-federal situations. Additional compensation may be provided to LEA staff who provide allowable professional learning and/or mentoring above and beyond contractual obligations to allowable participants. The [Non-Regulatory Guidance for Title II, Part A Building Systems of Support for Excellent Teaching and Leading, 2016](#) provides some suggestions as to how LEAs might provide compensation to support LEA authorized use of funds like mentoring for retention and professional growth opportunities. Additional compensation may be provided as a recruitment or retention incentive, given the LEA is targeting effective educators, particularly in high needs areas and for high needs schools. Criteria should be developed, put in writing, and applied consistently.

### **5.3 Class-size Reduction**

LEAs may use Title II, Part A funds for reducing class size to a level that is evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, to improve student achievement through the recruiting and hiring of additional effective teachers. [ESEA Section 2103\(b\)\(3\)\(D\)](#)

### **Oklahoma Class Size Standards**

#### **210:35-5-41. Early childhood staffing and class size**

The number of children in an early childhood education class shall not exceed 20. The child: adult ratio shall not exceed 10:1. Any enrollment that exceeds 10 shall require the employment of a teacher assistant.

#### **210:35-5-42. Elementary School Class Size**

##### **(a) Kindergarten**

For the purpose of computing and paying state appropriated funds, children in kindergarten shall not be assigned to a teacher or class that includes more than 20 students. If the creation of an additional class would cause the class to have fewer than 10 students, class size limitations shall not apply if a teacher’s assistant is employed to serve full-time with each class which exceeds the class size limitation.

##### **(b) Grades One, Two, and Three**

For the purpose of computing and paying state-appropriated funds, children in Grades 1, 2, and 3 shall not be assigned to a teacher or class that includes more than 20 students. If the creation of an additional class would cause the class to have fewer than 10 students, class size limitations shall not apply if a teacher's assistant is employed to serve full-time with each class which exceeds the class size limitation.

**(c) Grades Four, Five, and Six**

For the purpose of computing and paying state-appropriated funds, children in Grades 4, 5, and 6 shall not be assigned to a teacher of a class that includes more than 20 students. If the creation of an additional class would cause the class to have fewer than 16 students, the class size penalty shall not apply. 70 O.S. § 18-113.1 (B)

For the purpose of computing and paying state-appropriated funds, if a school district groups its grades as Grades 1 through 5, Grades 6 through 8, and Grades 9 through 12, then as to such district the class size provisions of (c) (1) of this section shall apply to Grades 4 and 5 rather than Grades 4 through 6 and the class size provisions of (d) (1) of this section shall apply to Grades 6 through 8 rather than Grades 7 through 9. 70 O.S. § 18-113.1 (D-E)

**(d) Grades Seven and Eight**

No teacher who is counted in class size computation for Grades 7 and 8 shall be responsible for the instruction of more than 140 students on any given 6-hour school day. 70 O.S. § 18-113.3 (C)

**(e) Physical Education, Chorus, Band, Orchestra, other similar Music classes.** Classes in Physical Education, Chorus, Band, Orchestra, and other similar music classes shall not be subject to the class size limitations. 70 O.S. § 18-113.1 (C)

**(f) Minimum scheduled time for planning and/or preparation and consultation.** A minimum of 200 minutes of scheduled time shall be provided each week for each classroom teacher for individual planning and/or preparation and consultation.

**5.4 Incentives**

Title II, Part A funds may be used for “developing and implementing initiatives to assist in recruiting, hiring, and retaining effective teachers, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards, to improve within-district equity in the distribution of teachers, consistent with section 1111(g)(1)(B), such as initiatives that provide 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.” [ESEA Section 2103\(b\)\(3\)\(B\)](#)

Therefore, Title II, Part A funds may be used to pay incentives in low income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards, and only for teachers who teach high-need academic subject areas and have proof of being highly effective teachers.

To ensure that federal funds are used according to the law above, the incentives are equitably offered to all eligible employees, and all employees have knowledge about these incentives, LEAs seeking to use Title II, Part A funds for incentives shall provide the Office of Title Services (OTS) the following:

1. A copy of the district's policy regarding financial incentives that outlines:
  - a. the eligibility requirements;
  - b. how the policy is not discriminatory in its eligibility requirements;
  - c. indicate the amount that employees may receive during a school year;
  - d. how this policy is publicized to all employees who are eligible to participate.
2. If the incentives are paid to hire teachers to teach in high-need academic subject areas, the LEA must provide proof (such as repeated ads that have dates of posting) that will indicate that the position was on the job market for a long time, and it was difficult for the LEA to find a State certified teacher to fill that position.
3. If the incentives are paid to retain teachers who have a record of success in helping low achieving students improve their academic achievement, the LEA must provide proof (such as student test scores for a couple of years) that will indicate that the teacher is highly effective, and he/she made a positive impact on improving student achievement. A performance-based pay system may be also submitted.

### **5.5 Instructional Coaches**

The salary of instructional coaches/facilitators is allowable from Title II, Part A funds. These individuals would not be providing instruction to students but would work directly with teachers in the classroom to provide daily resources, modeling lessons, and leading data meetings to determine instructional needs of students. Instructional coaches MUST hold a teaching certificate in the State of Oklahoma, with any teaching certification area codes, in any core or non-core subject areas.

Note: There are licensure certification areas that personnel must have in order to work in a school, in specific instructional support positions, such as: physical therapist (7003), school nurse (7005), school psychologist (0517), school psychometrists (0519), ROTC (8015), speech pathologist (0521) etc. However, these are licensure certification area codes for instructional support personnel, not teaching certification area codes for instructional personnel. Teacher trainers (job code 211) will NOT validate on the Personnel page of the Consolidated Application if they are instructional support personnel and only have licensure certification area codes. Title II, Part A also pays for instructional coaches' PD expenses, as they fall under "other school leader" definition under ESEA.

## 5.6 National Board Certification

For the initial National Board Certification there is a state scholarship offered. Therefore, Title II, Part A funds cannot be used, as a matter of supplanting. Federal funds may not be used for the re-take or re-certification as there is no professional development component to the renewal.

## 5.7 Principal Supervisors

The [Non-Regulatory Guidance for Title II, Part A Building Systems of Support for Excellent Teaching and Leading, 2016](#) encourages SEAs and LEAs “to extend Title II, Part A-funded services to principal supervisors to the extent that those individuals actively and frequently take responsibility for helping principals with instructional leadership and the school’s managerial operations.”

The salary of principal supervisors is allowable from Title II, Part A funds. Principal supervisors will provide adequate and individualized support for principals by actively mentoring and supporting them, and by doing so, are themselves responsible for the school’s daily instructional leadership and managerial operations. They conduct classroom walkthroughs to observe strengths and areas for growth, provide timely and meaningful feedback to principals, and help developing solutions to challenges. [Non-Regulatory Guidance for Title II, Part A Building Systems of Support for Excellent Teaching and Leading, 2016](#)

## 5.8 Recruitment

Title II, Part A funds may be used for “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.” [ESEA Section 2103\(b\)\(3\)\(C\)](#)

## 5.9 Substitutes

Based on the reasonable and necessary provision in [2 C.F.R. 200.404](#), Title II, Part A funds may be used to pay for substitute teachers if –

- a. those regular classroom teachers they are replacing were hired with Title II, Part A funds to reduce class size, or
- b. the teachers are participating in Title II - funded programs and activities that are designed to improve the quality of the teacher force, such as...innovative professional development programs... described in [ESEA Section 2103\(b\)](#). LEAs also must ensure that the hiring of these substitutes’ supplements, and does not supplant, the use of local and state funds they would otherwise be spending for such substitutes.

Substitutes for teachers attending in-house Professional Learning Communities (PLCs) are allowable, as long as the PLCs align with the allowable activities under [ESEA Section 2103\(b\)](#). Substitutes for paraprofessionals or for administrators may not be paid with Title II, Part A funds.

### 5.10 Testing Fees for Certification

Teacher certification testing fees paid with Title II, Part A funds are allowed only for currently state certified teachers to add endorsements in academic subject areas by passing the appropriate Oklahoma Subject Area Test (OSAT), but not for the Oklahoma Professional Teaching Exam (OPTE). Testing fees are allowable to be paid from Title II, Part A funds only if the test taker successfully passes the exam. Title II, Part A funds may not be used to pay for testing fees for paraprofessional credentials. The funds may be used for testing fees for existing paraprofessionals to become certified or licensed teachers.

Testing fees for principal certification for “aspiring principals” are not allowable from Title II, Part A funds. Individuals must be existing principals to receive benefits under Title II, Part A.

### 5.11 Teacher Leader Effectiveness Evaluation System (TLE)

Oklahoma State Law §70-6-101.16 regarding Teacher Leader Effectiveness Evaluation System (TLE) was enacted in December 2011. A summary of the law is as follows:

- For each leader framework, the law requires initial training (hours vary from each vendor) for each participant responsible for evaluating leaders (the Superintendents);
- For each teacher framework, the law requires initial training (hours vary from each vendor) for each participant responsible for evaluating teachers (the principals);
- Superintendents and Principals must participate in mandatory re-certification training, which will lead to certification for life. Each vendor had different requirements for recertification, but most were one-day sessions;
- Basic Leader and Teacher Framework training (15 hours for Superintendents, 20 hours for principals), re-certification hours (at least one-day), VAM, SLO/SOO training provided by the approved providers are considered supplanting, if paid with federal funds.

TLE components	Approved Vendors for Training
<b>1. Qualitative (50%)</b>	
<b>a. Leader Framework</b>	
McREL’s Principal Evaluation Systems	CCOSA (Cooperative Council for Oklahoma School Administration)
Reeves' Leadership Performance Matrix	Houghton Mifflin Harcourt, in partnership with The Leadership and Learning Center
Marzano School Leadership Model	LSI (Learning Sciences International, Inc.) (***IObservation is a division of LSI)
<b>b. Teacher Framework</b>	
TAP Framework	NIET (National Institute for Effective Teachers)
Marzano’s Causal Teacher Evaluation Model	LSI (Learning Sciences International, Inc.) (***IObservation is a division of LSI)
Tulsa’s TLE Observation and Evaluation System	CCOSA

<b>2. Quantitative - Student Academic Growth (35%)</b>	
VAM (Value Added Model)	UPD (Urban Policy Development) via OSDE-one-half day training
SLO (Student Learning Objectives)	AIR (American Institutes for Research) via OSDE – 2-day training
SOO (Student Outcome Objectives)	AIR (American Institutes for Research) via OSDE – 2-day training
<b>3. Quantitative – OAM (Other Academic Measurements)-15%</b>	N/A

As they are required by an Oklahoma, none of the TLE framework trainings listed in the chart above are allowable from federal funds. The training entities listed in the above chart may offer other trainings; therefore, OSDE reviewers examine applications and claims carefully to ensure that none of framework trainings listed in this document are included on applications or claims. Supplemental professional development opportunities related to TLE but not directly required by the state law or Oklahoma State Board of Education (SBOE) policy are allowable (i.e, trainings from other entities that address TLE, training to teaching staff or non-evaluative personnel).

### 5.12 Tuition Reimbursement

The [Non-Regulatory Guidance for Title II, Part A Building Systems of Support for Excellent Teaching and Leading, 2016](#) stipulates that Title II, Part A funds may pay for programs that carry-out teacher advancement initiatives and promote professional growth. Therefore, OSDE allows college tuition reimbursement from Title II, Part A funds as a strategy to improve teacher and principal quality, and to promote their professional growth. The use of federal funds for college credits requires a written agreement with the employee or a LEA plan. Tuition should be reimbursed to the teacher/principal after the course has been successfully completed and passed, and the transcript is submitted along with the claim, as supportive documentation.

To ensure that federal funds are used according to the law above, the incentives are equitably offered to all eligible employees, and all employees have knowledge about these incentives, LEAs seeking to use Title II, Part A funds for incentives shall provide the Office of Title Services (OTS) with the following:

1. A copy of the district’s policy regarding financial incentives that outlines:
  - a. the eligibility requirements;
  - b. how the policy is not discriminatory in its eligibility requirements;
  - c. indicate the amount that employees may receive during a school year;
  - d. how this policy is publicized to all employees who are eligible to participate;
  - e. how incentive rates are consistently applied to both federal and non-federal activities.
2. If the incentives are not paid as tuition reimbursement but are paid *to hire* teachers to teach in high-need academic subject areas, the LEA must provide proof (such as repeated

ads that have dates of posting) that will indicate that the position was on the job market, and it was difficult for the LEA to find a state certified teacher to fill that position.

3. If the incentives are not paid as tuition reimbursement but are paid *to retain* teachers who have a record of success in helping low achieving students improve their academic achievement, the LEA must provide proof (such as student test scores for a couple of years) that will indicate that the teacher is highly effective, and he/she made a positive impact on improving student achievement. A performance-based pay system may be also submitted.

## Chapter 6: Frequently Asked Questions (FAQs)

### Class-Size Requirements

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| 1. <b>Question:</b> Why is the class-size ratio checked by the Office of Title Services? Hasn't the class-size requirement been removed? |
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<b>Answer:</b> No. The class-size requirement was and still is in effect, but the <i>penalty</i> for not meeting this requirement was removed (under certain conditions), in 2014. State Bill 193 approved by the governor in May 2019 stipulates that - starting with July 1, 2021 and based on the Oklahoma State Board of Education appropriation for that fiscal year - a financial penalty <u>shall be assessed</u> against any school districts that do not comply with the class size limitations for kindergarten and first grade
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| 2. <b>Question:</b> Can I pay a paraprofessional with Title II, Part A funds to meet the class-size requirement? |
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<b>Answer:</b> No. If the teacher student ratio exceeds 1:20, then a paraprofessional paid with state and local funds should have been placed in the classroom for the purpose of meeting the class-size requirement mandated by the state law. Using any federal funds to pay a paraprofessional to meet the class size requirement is not allowable due to supplanting (unless using Title I, Part A funds under schoolwide flexibility, where this is not a supplanting matter anymore).
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| 3. <b>Question:</b> Can I pay a paraprofessional working in a special education program with Title II, Part A funds to meet the class-size requirement? |
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<b>Answer:</b> No. A paraprofessional working in a special education program to meet specific provisions under IDEA may not be paid out of Title II, Part A
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| 4. <b>Question:</b> What are some ways in which LEAs may use teachers hired with Title II, Part A funds to reduce class size? |
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<b>Answer:</b> LEAs may reduce class sizes by creating additional classes in a particular grade or subject and placing teachers hired with program funds in those classes. However, because of space constraints and other concerns, this is not always feasible. There are other methods of reducing class size that are effective in assisting students in increasing their level of achievement. For instance, the benefits of smaller class size can be provided by the creation of smaller instructional groups served by teachers for sustained blocks of time on a regular basis.
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Some examples of how LEAs might use this approach to reduce class size include but are not limited to:

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

5. **Question:** Can Title II, Part A be used to reimburse the professional development costs associated with National Board Certification?

**Answer:** Yes, National Board Certification is a rigorous certification/professional development process, available in 25 certificate areas spanning disciplines from Pre-K through 12th grade, that has been shown to improve student performance<sup>8,9</sup>. The National Board Certification process requires teachers to demonstrate standards-based evidence of the positive effect they have on student learning; exhibit a deep understanding of their students, content knowledge, use of data and assessments and teaching practice; and show that they participate in learning communities and provide evidence of ongoing reflection and continuous learning.

6. **Question:** Under ESEA section 5103(b), after timely and meaningful consultation, may an LEA transfer Title II, Part A funds into the Title I, Part A program solely to provide services for private school students?

**Answer:** No. The ESEA does not authorize an LEA to transfer to the Title I program only the portion of funds available for services for private school students from one or more of the programs whose funds may be transferred. If an LEA decides to transfer funds, it must provide services to public and private school students and teachers in accordance with all of the requirements of the program(s) to which the funds are transferred. ESEA Section 5103(e)(1)

## Paraprofessionals

7. **Question:** Can paraprofessionals' salary be paid from Title II, Part A funds?

**Answer:** No. There is no provision in Title II, Part A law or the non-regulatory guidance that allows an LEA to fund the salaries of paraprofessionals. "Title II, Part A funds can be used **only** to pay the salaries of state certified teachers hired for the purpose of reducing class size."

## Principals

8. **Question:** What can Title II, Part A funds be used for school principals?

**Answer:** Title II, Part A funds cannot be used to pay for principals' salary, but they can be used to pay for principals' professional development (as they are instructional personnel leaders).

## Teacher Leader Effectiveness (TLE) training

9. **Question:** Is there an approved TLE vendor for OAM (Other Academic Measurements)?

**Answer:** No. OAMs are completely developed at the local level and teachers may select any assessment/measure that is on the approved list, but there would not be any training on OAM from the approved list. There may be training on how to use the assessment/measure, but not on OAMs. For example, Tulsa Public Schools is using two different student surveys. They may need training on how to administer and analyze the results of the two different surveys. This would not appear as training on OAMs, but as training on the surveys. Since they are not required to use the surveys (it is one of many options), it would be considered an optional training on best practices of student assessment.

## Resources

- [Elementary and Secondary Education Act \(ESEA\) as reauthorized by the Every Student Succeeds Act \(ESSA\)](#)
- [Non-Regulatory Guidance for Title II, Part A Building Systems of Support for Excellent Teaching and Leading, 2016](#)
- [Education Department General Administrative Regulations \(EDGAR\)](#)
- [Oklahoma Statute, Title 70](#)
- [2 Code of Federal Regulations \(CFR\), Part 200](#)
- [34 Code of Federal Regulations \(CFR\), Part 200](#)
- [Oklahoma Administrative Code \(OAC\) Title 210 – State Department of Education](#)
- [Title I, Part A: Providing Equitable Services to Eligible Private School Children, Teachers, and Families. May 2023](#)
- [Title VIII, Part F: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel, July 2023](#)