

IMPROVING TEACHER QUALITY GRANTS

Title II, Part A

Non-regulatory Guidance

STATE AGENCY FOR HIGHER EDUCATION (SAHE) PARTNERSHIPS

M. GENERAL ISSUES

M-1. What is the purpose of the SAHE component of *Improving Teacher Quality State Grants*?

The SAHE administers a portion of Title II, Part A funds used to make competitive subgrants to eligible partnerships comprised of at least institutions of higher education (IHEs) and high-need LEAs. (Also see question O-1.)

M-2. Section 9101(24) states that an “institution of higher education” is defined in Section 101(a) of Higher Education Act (HEA). What is that definition?

The Higher Education Act [*HEA, Section 101(a)*] defines an “institution of higher education” as an educational institution in any State that:

1. Admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;
2. Is legally authorized within such State to provide a program of education beyond secondary education;
3. Provides an educational program for which the institution awards a bachelor’s degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree;
4. Is a public or other nonprofit institution; and
5. Is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is a satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.

M-3. In the definition of a high-need LEA, one criterion is that less than 20 percent of the children served by the agency are from families with incomes below the poverty line. Where can the relevant poverty information be found?

The most recent data has been provided by the KSDE.

M-4. May a high-need charter school that is an LEA qualify as a high-need LEA partner for purposes of the partnership required for SAHE grants?

If, under State law, a public charter school is considered to be an LEA and otherwise meets the definition in section 2101 (3) of a “high-need LEA,” it is eligible to be the high-need LEA in a partnership that may receive SAHE funds. Otherwise, a public charter would need to be an additional member of an otherwise eligible partnership (or be a part of an LEA that is a component of the partnership).

M-5. May a SAHE use Title II, Part A funds reserved for partnership subgrants to support a separate evaluation of subgrantee projects?

No. Evaluation activities of this type may be supported by the Title II, Part A program only with funds retained for program administration. However, a SAHE could require partnerships applying for subgrants to include provisions for program assessment or evaluations and to include corresponding cost data in their proposed budget.

M-6. What kinds of records must the SEA, SAHE, LEAs, and partnerships keep under the *Improving Teacher Quality State Grants Program*?

Grantees and subgrantees must keep records that fully show:

1. The amount of funds under the grant or subgrant;
2. How the grantee or subgrantee uses the funds;
3. The total cost of project activities;
4. The share of the cost provided from other sources; and
5. Other records to facilitate an effective audit.

M-7. May a regional educational service agency, intermediate educational unit, or similar public agency that is established by the State to provide administrative and technical assistance and support to local school districts be considered eligible to participate in a partnership as a high-need LEA?

These agencies may be considered LEAs, as the term is defined in Section 9101(26), since the public authorities are “legally constituted within a State for either administrative control, or direction of, or to perform a service for, public [schools] in a city, county, township, school district, or other political subdivision of a state, or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public schools.” If such agencies have a high percentage of teachers who either teach out-of-field or hold emergency, provisional, or temporary certification, they may be considered to be high-need LEAs, and thus would qualify as a member of the SAHE partnership.

M-8. May a SAHE issue an RFP soliciting partnership applications that target specific needs, focus on particular grades or subject areas, or implement other State priorities?

Yes. A SAHE may solicit applications through the RFP that respond to defined areas of need. In designing its competitive subgrant procedures, consistent with State law, the SAHE also can propose to give additional weight to those applications that address the stated funding priorities, or reject any applications that do not address particular areas of focus.

M-9. Section 2132(c) (the “special rule”) states that “no single participant in an eligible partnership may use more than 50 percent of the Title II, Part A funds made available to the partnership....” In general, what does this provision mean?

The law requires that no single participant in an eligible partnership, (*i.e.*, no single high-need LEA, no single IHE and its division that prepares teachers and principals, no single school of arts and sciences, and no single other partner), may “use” more than 50 percent of the subgrant. The provision does not focus on which partner receives the funds, but which partner directly benefits from them.

Example: Correct Use of Funds

Jefferson University, its College of Education, and its College of Arts and Sciences partner with the Lincoln high-need school district to provide professional development in instructional leadership for 20 principals. Jefferson University’s Grants Office receives **100%** of the Title II, Part a funds for the partnership. The Grants Office gives:

- The College of Education **25%** of the funds to use to pay its faculty to deliver professional development in instructional leadership methodologies for 20 principals at Lincoln School District;
- The College of Arts and Sciences **25%** of the funds to use to pay its faculty to deliver professional development content knowledge in instructional leadership for 20 principals at Lincoln School District;
- Lincoln School District **50%** of the funds to use to pay stipends for its principals to participate in the professional development offered by faculty from the College of Education and College of Arts and Sciences at Jefferson University.

In this example, no partner uses more than 50% of the funds for its own benefit.

Example: Incorrect Use of Funds

Jefferson University, its College of Education, and its College of Arts and Sciences partner with the Lincoln high-need school district to provide professional development in instructional leadership for 20 principals. Jefferson University's Grants Office receives **100%** of the Title II, Part a funds for the partnership. The Grants Office gives:

- The College of Education **10%** of the funds to use to pay its faculty to deliver a professional development summer course in instructional leadership methodologies for 20 principals at Lincoln School District;
- The College of Arts and Sciences **10%** of the funds to use to pay its faculty to deliver a professional development summer course in instructional leadership content knowledge for 20 principals at Lincoln School District;
- A mentor principal **10%** of the funds to work with the 20 Lincoln School District principals, in their buildings, applying what they learned in the professional development summer courses;
- Lincoln School District **70%** of the funds to pay tuition for the 20 principals to attend the professional development summer courses offered by the faculty from the College of education and College of Arts and Sciences at Jefferson University.

In this example, one partner uses more than 50% of the funds for its own benefit.

M-10. May two IHE partners (School of Education and School of Liberal Arts and Sciences) each receive 50 percent of the subgrant funds?

Yes. However, under Section 2132(c), the issue is not the amount of funds that each partner "receives" but the amount of funds that each partner "uses." Hence, so long as each of the two divisions of the IHE "uses" 50 percent of the subgrant funds for activities over which it has responsibility (and so directly benefits from the subgrant funds) an IHE fiscal office would not actually need to disburse grant funds to each IHE division (unless, of course, this were the IHE's normal fiscal procedures).

M-11. If an IHE receives program funds that teachers would otherwise pay for IHE-sponsored professional development, would those funds figure in as part of the funds "used" by the IHE partner?

No. Since the tuition assistance is for a teacher's professional development, the funds may reasonably be attributable as being used by the LEA partner that employs the teacher.

Costs associated with developing professional development materials, IHE faculty time, and other expenses that the IHE incurs to conduct the professional development may be treated as funds used by the division of the IHE that bears these costs.

M-12. If IHE faculty are full-time employees of the IHE, but a percentage of their time and services go to an LEA, which partner is deemed to “use” Title II, Part A funds provided as payment of a portion of faculty salaries spent working for the LEA? If IHE faculty members receive “release time” to serve LEAs, are their salaries attributable to the IHE or to the LEA partner?

Because the Department has not issued regulations in this area, the subgrantee may attribute these salary costs to the partners in any manner that is reasonable. However, if the subgrant is paying for salary costs that otherwise would be paid by the IHE, it would seem to make sense to view the subgrant used to pay this salary as used by the division of the IHE in which the individuals are employed.

Moreover, while faculty release time (*i.e.*, a reduced IHE teaching load) may permit faculty members to provide services to the LEA and its teachers, program funds are still paying for a portion of faculty members’ salaries. Therefore, here too, it seems reasonable that these Title II, Part A funds are best attributable to the division of the IHE that employs the faculty.

M-13. If a full-time faculty member is on a 9- or 10-month contract, can a special summer faculty salary be attributed to the LEA partner, if the summer work is for the LEA?

Yes. The situation differs from those discussed in the preceding question because the IHE would not otherwise pay the faculty members a salary for these summer months. Hence, the benefit derived from this payment would not accrue to the IHE.

M-14. Are the salaries of teachers that a subgrantee’s project hires to work as mentors to other teachers attributable to the LEA? Or to the IHE, since the IHE pays their salaries?

While the IHE (should it be the partnership’s fiscal agent) may pay the salaries of these mentor teachers, these individuals presumably are working at, and for, the LEA. Therefore, the Title II, Part A funds used to pay these salaries may reasonably be considered to have been “used” by the LEA.

M-15. May reimbursements made to IHE employees for the costs of traveling to LEA sites be considered to be “used” by the LEA partner?

Yes.

M-16. Section 2132(b) requires the SAHE to ensure either that its subgrants are “equitably distributed by geographic area within a State” or that “eligible partnerships in all geographic areas within the State are served through the subgrants.” What do these phrases mean?

The meaning of these phrases is left to reasonable SAHE interpretation.

N. COMPETITIVE PROCESS68

N-1. Who is eligible to receive a competitive award from the SAHE?

Eligibility is limited to partnerships comprised at a minimum of (1) a private or State IHE and the division of the institution that prepares teachers and principals; (2) a school of arts and sciences; and (3) a high-need LEA (see below).

An eligible partnership also may include another LEA, a public charter school, an elementary school or secondary school, an educational service agency, a nonprofit educational organization, another IHE, a school of arts and sciences within that IHE, the division of that IHE that prepares teachers and principals, a nonprofit cultural organization, an entity carrying out a pre-kindergarten program a teacher organization, a principal organization, or a business.

A high-need LEA is defined as an LEA:

- (A)(i) that serves not fewer than 10,000 children from families with incomes below the poverty line; or
- (ii) for which not less than 20 percent of the children served by the agency are from families with incomes below the poverty line; and
- (B)(i) for which there is a high percentage of teachers not teaching in the academic subjects or grade levels that the teachers were trained to teach; or
- (ii) for which there is a high percentage of teachers with emergency, provisional, or temporary certification or licensing [Section 2102].

N-2. How does the SAHE determine its priorities for soliciting competitive subgrant applications?

Working in conjunction with the SEA, the SAHE identifies its priorities and criteria for funding applicants and then publishes what is commonly referred to as a “request for proposal” (RFP). The SAHE’s priorities are guided by the “State plan” developed under Section 2112 of the ESEA (see questions E-5 and E-6 of this guidance) that identifies Statewide professional development needs and priorities for developing, supporting, and retaining a high-quality teaching force. (See also Section II of this document.)

N-3. May teachers or principals in low-performing schools not located in a high-need LEA participate in a SAHE project?

Yes. The statutory requirement that a high-need LEA be a part of every partnership that receives a SAHE award ensures that all projects will focus on the needs of teachers, principals, and highly qualified paraprofessionals in high-need LEAs. This, a SAHE may require, through the RFP, that all funded activities focus on low-performing schools of those LEAs. However, so long as a high-need LEA is a principal partner, low-performing schools in districts that do not meet the definition of “high need” may be additional partners [Section 2131(1)(B)], and their teachers and principals may participate in the project.

N-4. May a SAHE limit funding to proposals with a math and/or science focus, or must the professional development activities that they support include other academic disciplines?

A SAHE determines requirements for the Title II, Part A subgrant competition and awards based on discussions with the SEA [Section 2132(a)]. These discussions presumably will center on how the SAHE can support projects that will have the greatest impact on helping LEAs – and particularly high-need LEAs – ensure that all teachers are highly qualified and have the knowledge and teaching skills they need to help all students achieve to high standards. Whether the SAHE, in conjunction with the SEA, decides that funding should focus only on professional development in mathematics and/or science is a State decision.

The focus of any SAHE-funded pre-service or in-service activities should be on the core academic areas: English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography [Title IX, Part A, Section 9101(11)].

N-5. May a SAHE devote some Title II, Part A funds to pre-service teacher training?

Yes, but only if the project creates:

1. School-based teacher training programs that provide prospective teachers and beginning teachers with an opportunity to work under the guidance of experienced teachers and college faculty [Title IX, Section 9101 (34)(B)(i)]; or
2. Programs to enable paraprofessionals to obtain the education necessary for those paraprofessionals to become certified and licensed teachers [Title IX, Section 9101 (34)(B)(ii)].

N-6. How else might a SAHE use Title II, Part A subgrants to influence improvement in preservice teacher training programs?

In addition to the permissible uses cited in N-12, a SAHE may exercise leadership in other ways, such as:

1. Conditioning a partnership’s receipt of a subgrant on its submission of specific information from the IHE’s administration to confirm that the school of education (or entity that administers the teacher preparation program) and the school of arts and sciences will embed the professional development into the curriculum the teacher preparation program offers, or
2. require partnerships applying for subgrants to offer a work plan and commitment of IHE funds (or provide a competitive preference to those that do) for improving specific aspects of the teacher preparation program – such as ensuring that teaching candidates demonstrate content knowledge of the subject(s) they intend to teach, as well as how such content knowledge supports the State’s academic content standards.

O. SAHE-FUNDED ACTIVITIES72

O-1. What activities may a SAHE fund with its share of *Improving Teacher Quality State Grants* funds?

Consistent with the priorities and criteria it has announced for selection of grant recipients, the SAHE must make awards of *Improving Teacher Quality State Grants* funds to support the following types of partnership activities to enhance student achievement in participating high-need LEAs:

1. Professional development activities in core academic subjects to ensure that:
 - a. Teachers and highly qualified paraprofessionals (and, when appropriate, principals) have subject matter knowledge in the academic subjects that the teachers teach (including knowledge of how to use computers and other technology to enhance student learning); and
 - b. Principals have the instructional leadership skills to help them work more effectively with teachers to help students master core academic subjects.
2. Development and provision of assistance to LEAs and to their teachers, highly qualified paraprofessionals, or school principals, in providing sustained, high-quality professional development activities that:

- a. Ensure that those individuals can use challenging State academic content standards, student academic achievement standards, and State assessments to improve instructional practices and student academic achievement;
- b. May include intensive programs designed to prepare individuals to provide instruction related to the professional development described in the preceding paragraph to others in their schools; and
- c. May include activities of partnerships between one or more LEAs' schools, and one or more IHEs for the purpose of improving teaching and learning at low-performing schools. (For the definition of "low performing school," see *APPENDIX A*.)

O-2. When the SAHE makes multi-year awards, is it responsible to determine annually whether the partnership's progress in carrying out its activities warrants issuance of annual continuation awards?

Yes. The SAHE is responsible for:

1. Ensuring that the recipient is effectively managing the day-to-day operations of subgrant-supported activities;
2. Monitoring subgrantees to ensure compliance with program requirements and that performance goals are being achieved; and
3. Providing fiscal control and fund accountability over all funds that it awards (or obligates itself) to ensure their proper use.

A SAHE that determines that a partnership/s Title II, Part A-supported activities are not complying either with the Title II program requirements or the IHE's approved application should take action either to (1) bring the project into compliance, or (2) terminate the project rather than issue a continuation award.

O-3. Do the ESEA Title IX requirements on services to private school teachers apply to activities that the IHE-LEA partnerships conduct under competitive awards they receive from the SAHE?

Yes. The IHE-LEA partnerships need to ensure that services are offered on an equitable basis to public and private school teachers since the requirements apply to grants of "financial assistance" provided to an LEA "or another entity" [*Section 9501(b)(1)*].

O-4. What role should scientifically based research play in SAHE-funded activities?

It is imperative that SAHEs demonstrate leadership in identifying scientifically based professional development that is effective in increasing student academic achievement. The thrust of SAHE partnerships should be the implementation of strategies based upon this body of research.

For example, the Department expects that reading instruction for prospective teachers will be based upon the scientifically based research identified for the Reading First program. (for more information, go to [http://www.ed.gov/offices/OESE/readingfirst/.](http://www.ed.gov/offices/OESE/readingfirst/))