

DEPARTMENT OF EDUCATION**ASSISTANCE LISTING 84.367 SUPPORTING EFFECTIVE INSTRUCTION STATE GRANTS (formerly Improving Teacher Quality State Grants)****I. PROGRAM OBJECTIVES**

The objective of the Supporting Effective Instruction state grant program (formerly Improving Teacher Quality state grants program) in Title II, Part A of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the Every Student Succeeds Act (ESSA) (Pub. L. No. 114-95), is to provide funds to state educational agencies (SEAs), and 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.

II. PROGRAM PROCEDURES**A. Overview**

Funds are obtained by a state on the basis of the Department of Education's (ED) approval of either (1) an individual state plan as provided in Section 2101 of the ESEA (20 USC 6611) or (2) a consolidated application that includes the program, in accordance with Section 8302 of the ESEA (20 USC 7842).

B. Equitable Service

After timely and meaningful consultation with appropriate private school officials, SEAs and LEAs must provide services to teachers and other educational personnel in private schools on an equitable basis that address their needs under the program and are equitable to the level of services provided to teachers and other educational personnel in the SEA and LEA (see generally ESEA section 8501). For more information about equitable services for private school staff and when their participation is equitable, see *Non-Regulatory Guidance: Fiscal Changes and Equitable Services Requirements Under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA)* available at <https://www2.ed.gov/policy/elsec/leg/essa/essaguidance160477.pdf>. See also Section G of *Non-Regulatory Guidance: Improving Teacher Quality State Grants ESEA Title II, Part A* available at <https://www2.ed.gov/programs/teacherqual/guidance.pdf>.

Source of Governing Requirements

This program is authorized by Title II, Part A, of the ESEA, as amended by the ESEA sections 2101-2104 (which is 20 USC 6611-6614). The program purpose and definitions in ESEA Title II, sections 2101 and 2102 (20 USC 6601 and 6602) also apply to this program.

While there are no program regulations, general ESEA requirements in 34 CFR parts 76, 77, and 299 apply. See also Part 4, 84.000 ED Cross Cutting Section.

Availability of Other Program Information

1. Building Systems of Support for Excellent Teaching and Leading – Non-Regulatory Guidance (September 27, 2016)
<https://www2.ed.gov/policy/elsec/leg/essa/essatitleiipartaguidance.pdf>
2. Improving Teacher Quality State Grants – Non-Regulatory Guidance (October 5, 2006)
<https://www2.ed.gov/programs/teacherqual/guidance.pdf>
3. Non-Regulatory Guidance: Fiscal Changes and Equitable Services Requirements Under the Elementary and Secondary Education Act of 1965 (ESEA), as Amended by the Every Student Succeeds Act (ESSA) (November 21, 2016)
<https://www2.ed.gov/policy/elsec/leg/essa/essaguidance160477.pdf>

III. COMPLIANCE REQUIREMENTS

In developing the audit procedures to test compliance with the requirements for this federal program, the auditor must determine, from the following summary (also included in Part 2, “Matrix of Compliance Requirements”), which of the 12 types of compliance requirements have been identified as subject to the audit (noted with a “Y” in the summary matrix below), and then determine which of the compliance requirements that are subject to the audit are likely to have a direct and material effect on the federal program at the auditee. For each such compliance requirement subject to the audit, the auditor must use Part 3 (which includes generic details about each compliance requirement other than Special Tests and Provisions) and this program supplement (which includes any program-specific requirements) to perform the audit. When a compliance requirement is shown in the summary below as “N,” it has been identified as not being subject to the audit. Auditors are not expected to test requirements that have been noted with an “N.” See the Safe Harbor Status discussion in Part 1 for additional information.

A	B	C	E	F	G	H	I	J	L	M	N
Activities Allowed or Unallowed	Allowable Costs/Cost Principles	Cash Management	Eligibility	Equipment/Real Property Management	Matching, Level of Effort, Earmarking	Period Of Performance	Procurement Suspension & Debarment	Program Income	Reporting	Subrecipient Monitoring	Special Tests and Provisions
Y	Y	N	Y	N	Y	N	N	N	Y	Y	Y

A. Activities Allowed or Unallowed

See also Part 4, 84.000 ED Cross-Cutting Section.

Certain compliance requirements that apply to multiple ESEA programs are discussed once in the Department of Education (ED) Cross-Cutting Section of this Supplement (84.000) rather than being repeated in each individual program. When applicable, Section III references the Cross-Cutting Section for these requirements. Also, as discussed in the Cross-Cutting Section, SEAs and LEAs may have been granted waivers from certain compliance requirements.

1. *State Use of Funds*

- a. Subgrants from SEAs to LEAs (ESEA Section 2101(c) (20 USC 6613(c)).
 - (1) SEAs must reserve not less than 95 percent of their Title II allocation for subgrants to LEAs (Section 2101(c)(1) of the ESEA).
 - (2) Additionally, SEAs may reserve not more than 3 percent of the amount reserved for subgrants to LEAs under Section 2101(c)(1) for one or more of the activities for principals or other school leaders described in Section 2101(c)(4). For more information, about this additional SEA reservation of funds, please see Part 3 of the *Non-Regulatory Guidance for Title II, Part A: Building Systems of Support for Excellent Teaching and Learning*, available at <https://www2.ed.gov/policy/elsec/leg/essa/essatitleiipartaguidance.pdf> (ESEA Section 2101(c)(3)).
 - (3) Additionally, SEAs may reserve not more than 2 percent of the state's total Title II, Part A state allocation to establish or expand teacher, principal, or other school leader preparation academies to prepare teachers, principals, and other school leaders to serve in high-need schools. For more information, please see the guidance described in A.1.a.ii, above. (ESEA Section 2101(c)(4)(B)(xii))
- b. State Administration and Activities – SEAs have the authority to set aside 5 percent of a state's total allocation to carry out statewide activities related to improving educator quality. Within this 5 percent, SEAs may use not more than 1 percent of their total Title II allocation for state administration Allowable state-level activities are identified in Section 2101(c)(4) of the ESEA. While not an exhaustive list, examples of allowable activities include:

- (1) Carrying out programs that establish, expand, or improve alternative routes for state certification of teachers, principals, or other school leaders;
- (2) Carrying out activities that focus on ensuring teachers have the necessary subject-matter knowledge and teaching skills, as demonstrated through measures determined by the state, and principals or other school leaders have the instructional leadership skills to help teachers teach and to help students meet such challenging state academic standards;
- (3) Reforming and teacher, principal, or other school leader certification, recertification, licensing, or tenure systems or preparation program standards and approval processes to ensure that they are aligned with such challenging state standards;
- (4) Developing, or assisting local educational agencies in, developing career opportunities and advancement initiatives that promote professional growth and emphasize multiple career paths; and
- (5) Developing, or assisting local educational agencies in developing, strategies that provide differential pay, or other incentives, to recruit and retain teachers in high-need academic subjects and teachers, principals, or other school leaders, in low-income schools and school districts (Section ESEA 2101(c)(4) (20 USC 6611(c)(4))).

2. *LEA Use of Funds*

After conducting meaningful consultation, as required by ESEA Section 2102(b)(3), LEAs may use funds for a broad range of activities designed to improve educator effectiveness that are identified in ESEA Section 2103(b). While not an exhaustive list, examples of allowable activities include:

- a. Providing “professional development” (as the term is defined in ESEA Section 8101(42) (20 USC 7801(42))) to teachers, instructional leadership teams, principals, or other school leaders that is focused on improving teaching and student learning and achievement;
- b. Developing and implementing initiatives to recruit, hire, and retain teachers, principals, and other school leaders;
- c. Providing 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 carrying out initiatives that provide teacher, paraprofessional, principal, or other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths, and pay differentiation. LEAs also may use funds to hire teachers to reduce class size (ESEA sections 2103(b) (20 USC 6613(b))).

B. Allowable Costs/Cost Principles

(All grantees) See Part 4, 84.000 ED Cross-Cutting Section.

E. Eligibility

1. Eligibility for Individuals

Not Applicable

2. Eligibility for Group of Individuals or Area of Service Delivery

Not Applicable

3. Eligibility for Subrecipients

a. LEAs apply to the SEAs for program funds. The amount of each LEA's allocation that an SEA provides is based solely on the following formula:

- (1) Twenty percent of the funds must be distributed to LEAs based on the relative numbers of individuals ages 5 through 17 who reside in the area the LEA serves (based on the most recent Census data, as determined by the secretary); and
- (2) Eighty percent of the funds must be distributed to LEAs based on the relative numbers of individuals ages 5 through 17 who reside in the area the LEA serves and who are from families with incomes below the poverty line (based on the most recent Census data, as determined by the secretary) (ESEA Section 2102(a)).

G. Matching, Level of Effort, Earmarking

1. Matching (LEAs)

Not Applicable

2. Level of Effort

2.1 Level of Effort – *Maintenance of Effort*

(SEAs/LEAs) See also Part 4, 84.000 ED Cross-Cutting Section.

2.2 Level of Effort – *Supplement Not Supplant*

(SEAs/LEAs) See also Part 4, 84.000 ED Cross-Cutting Section.

3. Earmarking

See Part 4, 84.000 ED Cross-Cutting Section.

L. Reporting**1. Financial Reporting**

See Part 4, 84.000 ED Cross-Cutting Section.

2. Performance Reporting

Not Applicable

3. Special Reporting

Not Applicable

4. Special Reporting for Federal Funding Accountability and Transparency Act

See Part 3.L for audit guidance.

M. Subrecipient Monitoring

See Part 4, 84.000 ED Cross-Cutting Section.

N. Special Tests and Provisions**1. Participation of Private School Children (SEAs/LEAs)**

See also Part 4, 84.000 ED Cross-Cutting Section.

2. Access to Federal Funds for New or Significantly Expanded Charter Schools

See Part 4, 84.000 ED Cross-Cutting Section.

IV. OTHER INFORMATION

Funds under the Small, Rural School Achievement (SRSA) program (Assistance Listing 84.358A) may be used for activities allowed under other programs, including this program Title II, Part A.

Expenditures for allowable activities under Title II, Part A from funds awarded for the SRSA Funds Program should be included in the audit universe and total expenditures of Assistance Listing 84.358A (i.e., from the program from which they originated) for purposes of (1)

determining Type A programs and (2) completing the Schedule of Expenditures of Federal Awards (SEFA).