Use of Title II, Part A Funds to Pay for a Private School Teacher's Attendance at a Professional Conference Sponsored or Conducted by a Faith-based Organization

Improving Teacher Quality State Grants, ESEA Title II, Part A, Non-Regulatory Guidance, Revised October 5, 2006, U.S. Department of Education
(http://www.ed.gov/programs/teacherqual/guidance.doc)

Excerpt

G-12. May *Title II, Part A* funds be used to pay for a private school teacher's attendance at a professional conference sponsored or conducted by a faith-based organization?

Yes. To the extent that the conference is part of a sustained and comprehensive secular professional development plan for the teacher, then Title II, Part A funds may be expended to pay for the portion of the costs of the conference that, as determined by the LEA, represent the secular professional development in which the teacher participated. In this case, the LEA would pay or reimburse the teacher for attendance at the conference.

Additional Information the U.S. Department of Education has also provided (separate from the above non-regulatory guidance):

To the extent that the professional development services and programs provided meet the definition of "professional development" in Section 9101(34) of the Elementary and Secondary Education Act (ESEA), an LEA may use Title II, Part A funds for costs associated with the private school teacher's attendance at/participation in that portion of the program that is secular, neutral, nonideological and provides technical information on professional development or teacher quality.

In determining the costs associated with "the private school teacher's attendance at/participation in" such professional development, the U.S. Department of Education believes that the LEA would need to (1) determine the sessions of the program that a teacher may attend that reflect secular professional development in helping him/her either improve subject matter content or teaching strategies or techniques; (2) have the teacher document his/her attendance at/participation in such program sessions in such a way that the LEA may determine the percentage of the program time the teacher actually spent attending the sessions; and (3) apply that percentage of the teacher's time attending these particular secular professional development sessions against the overall costs of attending the program as a whole. In addition, as with all

Title II, Part A professional development, the costs must be "reasonable and necessary" (per the Office of Management and Budget, 2 CFR Chapter 1, Chapter II, Part 200, et al. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Federal Register, December 26, 2013).

The LEA, of course, would need to have some way of ensuring that the sessions to be paid for with Title II, Part A funds are in fact secular, neutral, nonideological and are reasonable and necessary to carry out these activities. For professional development attended, whether physically or via a virtual/online format, an LEA might require that the private school teacher provide both titles and descriptions of the sessions the teacher expected to attend, as well as some form of verification that he/she actually attended or, if virtual/online sessions, completed the sessions.

Example:

> A conference runs from 8:00 a.m. to 5:00 p.m. (with an hour for lunch). If for the 8 hours of work-time, the teacher spends 6 hours attending/participating in secular professional development or other secular sessions devoted to improving teacher quality, the LEA could use Title II, Part A funds to pay 75% of the registration and travel costs, since the teacher has spent 75% of the full-day conference time attending/participating in secular professional development.

For this kind of professional development, the LEA would reimburse the private school **teacher**, and **not** the faith-based organization.

It is important to note that any form of professional development to be provided by the LEA to private school teachers with Title II, Part A funds should be a topic of timely and meaningful consultation with private school officials. Such consultation must take place before the LEA makes any decision that will impact the participation of private school teachers in the Title II, Part A program. Thus, the LEA in consultation with private school officials would need to discuss the needs of the private school teachers as related to improving the academic performance of the students they teach. Based on the needs of the private school teachers, the LEA would then decide the kind of professional development that would serve to meet those needs. To the extent that some of the sessions provided at the conference sponsored by the faith-based entity are (1) secular, neutral and nonideological; (2) meet the *ESEA* definition of professional development; (3) serve to meet the needs of the private school teachers as identified through the consultation process; and (4) are supplemental in nature, not supplanting the professional development that the private school would otherwise provide absent the Title II, Part A services, an LEA may choose to expend Title II, Part A funds for such services for private school teachers.