

# Allowable Uses of Title II, Part A Funds for Private Schools

Since the passage of the Elementary and Secondary Act (ESEA) in 1965, school districts have been required to provide equitable services to private school students, teachers, and in some cases, other educational personnel, and parents under several federal programs. Title II, Part A issues this information to provide guidance for private school and district participation in ESSA federal programs.<sup>1</sup> In general, Title II, Part A funds are provided to state education departments which then subgrant to school districts to strengthen the quality and effectiveness of teachers, principals, and other school leaders.

## Private School Responsibilities

To participate in any federal program, a private school must notify the Office of Superintendent of Public Instruction (OSPI) and the local school district of their intent to participate each year. Private schools must complete their intent to participate via the *Private Participation in Federal Programs* application in the Education Data System (EDS). The application opens March 15 and is due April 15 each year.

## School District Responsibilities

School districts must make initial contact with all private schools located in their boundaries to ensure they complete the Private Participation in Federal Programs application in EDS. Districts must provide “timely and meaningful” consultation with appropriate private school officials.<sup>2</sup> It is not sufficient to invite private schools to participate in the LEA’s professional learning.

## Purpose of Title II, Part A

- Increase student achievement consistent with challenging the state academic standards.
- Improve the quality and effectiveness of teachers, principals, and other school leaders.
- Increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools.
- Provide students from low-income families and students of color greater access to effective teachers, principals, and other school leaders.

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<sup>1</sup> [ESSA Section 8501](#)

<sup>2</sup> [ESSA Section 1117\(a\)\(1\)\(A\) and \(b\)](#) and [ESSA Section 8501\(c\)\(1\)](#)



## Allowable Uses of Title II, Part A Funds for Private Schools

No matter what choice is made about how services and materials should be delivered, the district remains in charge of the funds:

- District monitors teachers and providers who deliver services.
- District maintains administrative control over services.
- Districts do not distribute public funds to private schools.

Services for private schools begin at the same time as services begin in public schools. Funds allocated to a private school must be obligated in the same fiscal year the school district received the funds. See below for carryover requirements.

## Carryover

The LEA must engage in meaningful consultation with the private school throughout the school year. Ideally the LEA will spend all the equitable services on the private school needs during the year. If funds are left over, the private school may have carryover for one year, **unless the LEA has documentation of:**

- The private school informed the LEA that they have no unmet professional learning needs, or
- The private school was unresponsive to multiple consultation attempts (email, phone, certified letter).

If the private school is not entitled to the carryover, the funds return to the general fund to be distributed to all eligible private schools and the LEA equally. The LEA is responsible for maintaining accurate records.

## Supplement Not Supplant

Title II, Part A funds are designed to supplement or expand on professional development a private school or LEA would normally have. [Title II, Part A Supplement Not Supplant](#)

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*Ask yourself, "If I didn't have Title II funds, would I still have to conduct these activities? Are these activities required by law?" If the answer is yes, this is supplanting. However, Title II, Part A funds can be used to add on or supplement local funding.*

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Supplanting is presumed if a private school uses Title II-A for an activity if the private school:

- Is legally required to carry out (contracted, state, or federal requirements), or
- Funded with state or local money during the previous year.

## Allowable Activities

Professional development funded by Title IIA must be sustained (not stand-alone, 1-day or short-term workshops), intensive, collaborative, job-embedded, data-driven and classroom focused.<sup>3</sup>

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<sup>3</sup> [ESSA Section 8101 \(42\)](#)

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Line Item	Eligible Activities and Expenditures	Non-Eligible Activities and Expenditures
Salaries	<ul style="list-style-type: none"> <li>Salaries for certified teachers hired by the school district to offer services to the private school (hiring must be based on the needs of the private school)</li> </ul>	<ul style="list-style-type: none"> <li>Private school teacher's salary</li> <li>Substitute teacher's salary</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>Not allowable</li> </ul>	<ul style="list-style-type: none"> <li>Funds are not allowable for non-public personnel's benefits</li> </ul>
Stipends	<ul style="list-style-type: none"> <li>Stipends if reasonable and necessary to the grant</li> <li>Stipends may be used for professional development offered after school or during the summer to compensate teachers</li> </ul>	<ul style="list-style-type: none"> <li>Stipends must not be paid to the private school or be for the benefit of the private school</li> </ul>
Substitutes	<ul style="list-style-type: none"> <li>Not allowable</li> </ul>	<ul style="list-style-type: none"> <li>Funds are not allowable for substitute teachers</li> </ul>
Supplies/Materials	<ul style="list-style-type: none"> <li>The school district ensures services, materials, and equipment are secular, neutral, and non-ideological<sup>4</sup></li> <li>Supplies or materials are to be used strictly for professional development such as books or instructional resources</li> </ul>	<ul style="list-style-type: none"> <li>Supplies to be used in the classroom by students</li> <li>Materials must be supplemental and must not supplant what the private school would otherwise provide in the absence of federal funds</li> <li>The school district must collect the supplies/materials when the private school no longer needs the items</li> </ul>
Equipment	<ul style="list-style-type: none"> <li>The school district may place equipment in a private school for the period needed for the program and only for that program</li> </ul>	<ul style="list-style-type: none"> <li>Equipment must be returned to the school district when no longer needed</li> </ul>

<sup>4</sup> [ESSA Section 1117 \(a\)\(2\)](#), [ESSA Section 8501\(a\)\(2\)](#)

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<b>Line Item</b>	<b>Eligible Activities and Expenditures</b>	<b>Non-Eligible Activities and Expenditures</b>
Workshops, classes, conference registrations	<ul style="list-style-type: none"> <li>• Professional learning must be sustained (not stand-alone, 1-day, or short-term workshops), intensive, collaborative, job-embedded, data driven, and classroom focused</li> <li>• Professional Learning must be high quality, evidence-based, and focused on improving teaching and student learning and achievement. Evidence-based means it has a demonstrated statistically significant positive impact on students as shown by a well-designed study or a rational based on high quality research findings</li> <li>• School district professional development activities may be open to private school staff</li> <li>• Tuition for courses in a state-approved teacher or state-approved principal preparation program</li> <li>• Tuition for courses in a state-approved add-on endorsement program</li> <li>• Fees for endorsement testing</li> <li>• Consultants to provide professional learning to improve content knowledge or classroom practice of teachers and/or principals</li> </ul>	<ul style="list-style-type: none"> <li>• Funds for faith-based trainings are not allowed; see the row below for details</li> <li>• Online professional development subscriptions that are not fully secular</li> <li>• Short term or stand-alone conferences or workshops not part of a larger ongoing professional learning plan</li> </ul>
Faith-based trainings	<ul style="list-style-type: none"> <li>• Title II, Part A funds may be expended to pay for the portion of the costs of a conference that, as determined by the school district, represents the secular professional development in which the teacher participates</li> </ul>	<ul style="list-style-type: none"> <li>• A percentage of faith-based offerings may be determined and subtracted from the costs of the conference</li> <li>• Registrations must be pre-approved by the school district to determine the faith-based percentage</li> </ul>

Line Item	Eligible Activities and Expenditures	Non-Eligible Activities and Expenditures
Travel	<ul style="list-style-type: none"> <li>Expenses for transportation, per diem, and lodging if the costs align with the district travel rates and policies and are necessary while in travel status.</li> <li>Conference registration is paid through the school district’s regular process.<sup>5</sup></li> </ul>	<ul style="list-style-type: none"> <li>Federal funds may never be paid directly to a private school</li> <li>Only the school district may obligate and expend federal funds on behalf of private school students and teachers</li> <li>Federal funds may never be used for food or refreshments (including working lunches)</li> <li>Reimbursing meals per receipt</li> </ul>

## Resources

- [Private School Participation in Federal Programs](#)
- [Title VIII, Part F of the Elementary and Secondary Education Act Equitable Services Non-Regulatory Guidance 2023 \(PDF\)](#) – July 2023
- [Non-Regulatory Guidance, Title IX, Part E](#) –March 2009
- [Title VIII, Part F of the Elementary and Secondary Education Act Equitable Services Non-Regulatory Guidance 2023 \(PDF\)](#)
- [Non-Regulatory Guidance: Fiscal Changes and Equitable Services Requirements](#) – November 2016
- [Title II, Part A Supplement Not Supplant](#) – August 2023

## Contacts

- [Title II, Part A](#), 360-725-6340
- OSPI [Private School Ombuds](#), 360-726-6100

<sup>5</sup> [Non-Regulatory Guidance 2023](#) Section H-9