



**Georgia Title II, Part A Guidance:**  
**Using Title II, Part A to Fund Alternative Certification Programs**  
*Developed by the Georgia Department of Education February 2018*

ESEA was reauthorized by ESSA in December 2015 with full implementation beginning July 2017. Part of this reauthorization included the removal of HiQ requirements and replaced it with a required assurance for SEAs and LEAs to ensure teachers meet state certification requirements, including requirements set forth in charter law [ESEA Sections 1111(g)(2)(J), 1112(c)(6)]. ESSA Section 1111(g)(2)(M) asks that SEAs and LEAs ensure that paraprofessionals meet qualifications that were in place on the day before the date of enactment of the Every Student Succeeds Act. In addition, under ESSA, Title II, Part A Section 2301 maintains a supplement not supplant requirement. For Title II, Part A presumptions of supplanting include 1) to determine if the expenditure is required to be made available under other federal, state or local laws and 2) whether the expenditure was provided with non-federal funds in the prior year. Essentially, a LEA must determine what would have happened in the absence of the federal funds, and, if the expenditure would still have occurred, the expenditure may be supplanting.

In support of local education agencies, Georgia promotes flexibility and local control through charter and strategic waiver laws and State Board of Education board rules, allowing LEAs to waive certification in content fields, ESOL, and gifted. Each LEA establishes professional qualification requirements for teachers other than special education teachers. In 2018, this means that Georgia, with 212 LEAs, has a number of unique requirements. As a result, LEAs are asked to establish professional qualification requirements and submit these requirements as a part of the LEAs' annual consolidated LEA improvement plan (CLIP). The requirements can be changed at any point in time, are consulted during budget approval, and are monitored during LEA monitoring.

In July of 2017, to further align with IDEA and support Georgia LEAs and students, the Georgia State Board of Education modified several board rules to restrict the ability of charter and strategic waiver LEAs to waive certification for special education teachers. Presently, all special education teachers providing services to special education students must meet Georgia Professional Standard requirements for special education teachers. Special education teachers who issue grades to students must meet Georgia Professional Standards Commission requirements for special education teachers and must demonstrate content area expertise through related content certification, or, if in a LEA that waives certification for content teachers, demonstrate expertise through equivalent qualifications outlined in the *GaDOE Professional Qualifications and ESSA In-Field Implementation Guide*.

Georgia LEAs have historically used Title II, Part A to fund teachers in alternative certification programs. Georgia believes that alternative certification, especially for teachers teaching in high needs areas and/or in high needs schools, is a valuable job-embedded professional learning opportunity that is both an investment in teachers and an investment in students. The Georgia Department of Education believes that funding alternative certification programs best aligns with Title II, Part A Authorized Use of Funds 2103 (B) and (E) and is fully aligned with the ESEA Title VIII Section 8101 definition of professional development. One Georgia LEA program coordinator stated

*"It seems clear that the intent of the United States Congress was that Title II, Part A be used to recruit and prepare educators through non-traditional means, especially for teachers of children with disabilities. Through alternative routes to State certification, LEAs may fill educator shortages, such as those for teachers of children with disabilities, English learners, or teachers of STEM subjects, by recruiting individuals who, though not trained in a traditional preparation program, have the potential to become effective teachers, principals, or other school leaders (ESEA section 2103(b)(3)(C)). These individuals may come from widely diverse backgrounds - for example, individuals who already have*

*Bachelor's or advanced degrees, mid-career professionals, paraprofessionals, former military personnel, and other recent IHE graduates with records of academic distinction."*

Because ESEA now defaults to state and, in Georgia, local requirements rather than federal requirements, in October 2017 Georgia Title II, Part A program staff reached out to the United States Department of Education Office of State Support to ensure that funding alternative certification programs for teachers who need to be certified would not be supplanting.

In January 2018 Pat Rattler, Program Officer from the USDE Office of State Support emailed the following response:

*"While you presented a couple of fact-specific scenarios, we wanted to provide you with an overview of a distinction within the supplement-not-supplant requirement in Title II as it relates to State-imposed requirements.*

*If the State imposes a requirement, such as professional development, on teachers and the LEA has not previously paid for these costs, the LEA may use its Title II Part A funds to pay for these costs. For example, if the State requires teachers to take a minimum number of hours of professional development on college- and career-ready standards for their educator evaluation requirements, the LEA may use Title II Part A funds to pay for this professional development, as long as the LEA has not previously paid for these costs, which would raise a presumption of supplanting.*

*However, if the State imposes a requirement on the LEA, such as to provide the professional development for its teachers, and the LEA has not previously paid for these costs, the LEA may not use Title II Part A funds to pay for this professional development. Under Title II, Part A's supplement not supplant provision, there is an assumption that the LEA will use its available resources to comply with State laws. However, if the LEA can demonstrate that it truly cannot pay for the resources using local or State funds, the LEA may use Title II Part A funds for this purpose.*

*As always, it is important that the LEA keep detailed documentation regarding any expenditure where there may be a presumption of supplanting in order to ensure that its auditors have contemporaneous records to review to support an allowable cost.*

*We hope this distinction helps as you determine whether certain uses of funds would constitute supplanting."*

Upon receiving this response, Georgia's Department of Education Federal Programs Staff, Special Education Staff and Title II, Part A Staff met to determine next steps. GaDOE reviewed the Official Code of Georgia Annotated, ESSA Title I required assurances and reporting requirements, IDEA application and implementation requirements and Georgia State Board of Education Board Rules related to this topic.

The GaDOE has determined that while certification in Georgia is often reliant on the employment relationship between LEAs and teachers, the role of LEAs is to support teachers in meeting certification requirements. Educators themselves are responsible for obtaining the credentials they need for the jobs for which they are applying or are assigned. LEAs may support LEAs in obtaining these credentials. **Because meeting state/LEA certification requirements is a teacher responsibility, LEAs may use Title II, Part A funds to support alternative certification programs for teachers as aligned with LEA needs, particularly in high needs areas and high needs schools.** LEAs must ensure that they do not use Title II, Part A funds when local funds have been used in prior years. If the LEA has supported alternative certification locally, however has experienced precipitous decline in funding, the LEA should contact Title II, Part A program staff. As a reminder, it is important that the LEA keep detailed documentation regarding any expenditure where there may be a presumption of supplanting to ensure that its auditors have appropriate source documentation to review to support an allowable cost.