

Out-of-State Teacher Participation

Query – 08.26.2008

<p>Query: I was wondering if there were any rules/regulations regarding the participation of teachers from one state in a project funded by another state. I have a project in the northern part of the state that has received a request from a teacher in Iowa to participate and I am trying to give them an accurate response.</p>	
<p>From: Missouri</p>	
<p>Responses:</p>	
Utah	I would wonder why this person is not being served by the existing monies for that state. Probably finding out about that would be a first step. If this person cannot be served and can be included, then do so. The more teachers we reach the better.
Kentucky	I do not believe this is allowed, but don't know for sure.
Oklahoma	Oklahoma Panhandle State University (OPSU) has a project in a small town which literally is divided by the Oklahoma/Texas state border. Elementary school is in one state and the high school is in another. We had a ruling from USDE that OPSU could fund teachers who teach and or live in the Texas side of that town. Lisa Holder will have the e-mail that give the response from USDE.
USDOE	<p>I sent your question to Richard.</p> <p>We are assuming that the Oklahoma LEA, which would be the official high-need LEA partner in the grant, meets the high-need requirements. We are also assuming that the school in Texas is actually part of another LEA, given that it's in a different State (even if it's not a separate LEA, I don't think Richard's answer would change). Given that additional LEAs may always participate in one of these grants, as long as the official partner LEA met the necessary requirements, as we saw it, the question here is whether or not that additional LEA had to be in the same State.</p> <p>Here's Richard's response:</p> <p>I see no legal barrier.</p> <p>First, as a textual matter while an SEA must allocate Title II-A funds by formula "to each [LEA] in the State..." (section 2121(a)(2) of the ESEA), the provisions governing eligibility for a SAHE's award of Title II-A funds (section 2131) contain no similar language.</p> <p>So the issue is whether including teaches working in the TX school is a reasonable interpretation of the statute. In the context that Kyle describes, I think it certainly is. The overall purpose of the subgrant, of course, is to-</p> <p>"(1) increase student academic achievement through strategies such as improving teacher and principal quality and increasing the number of</p>

	<p>highly qualified teachers in the classroom and highly qualified principals and assistant principals in schools; and</p> <p>"(2) hold local educational agencies and schools accountable for improvements in student academic achievement."</p> <p>See section 2101. Isn't this the same purpose the SAHE would have for providing subgrant services to the TX teachers, to help the students who will be attending school in OK increase their student achievement, and thereby help the OK schools to better be held accountable for the achievement of the students once they move on to enroll in them?</p> <p>Certainly the OK SAHE would be justified to limit participation in its subgrant activities to teachers working in the State's schools. But I see no reason why it must limit participation to those teachers where the SAHE has determined it would be addressing either issues related to interstate student mobility generally, or specific interstate feeder schools in particular.</p> <p>He then added the following in a later email:</p> <p>I probably should have added one fairly basic and obvious point. If the OK SAHE's project does provide PD to the TX school teachers, the project should also coordinate with the school principal and TX LEA to ensure that the PD complements what the TX teachers need for their own classrooms.</p> <p>So, in short, I think the answer to your original question (Can Oklahoma Title II-A funds support professional development for Texas teachers?) is, "yes." Please let me know if this doesn't satisfy.</p>
Maryland	<p>Maryland is a small state with a significant population living in Pennsylvania, Delaware and Virginia commuting to Maryland for work and vice versa. We have allowed teachers from other states to participate in Maryland programs on the grounds that this is a FEDERAL or "national" grant if you will. The number however is very small.</p>
Minnesota	<p>The Title II funds are awarded for each state to address state activities. See Sec.2113. State use of funds.</p> <p>I have had teachers who teach in Minnesota but live in Wisconsin and the Dakotas participate, but they are truly Minnesota teachers who need to be up-to-date on Minnesota Academic Standards, the targeted core academic areas for MN students.</p> <p>In the past I have had border institutions, Minnesota State University-Moorhead apply and receive a grant for a project with Minnesota teachers and Valley City State University applied for and received a grant from North Dakota for North Dakota teachers and the two project directors held their projects together to maximize use of TQ funds. This required a good bit of coordination on the part of the project directors, but it worked well until the MSU-Moorhead person took a position at another institution.</p>

	So, it may be convenient for the Iowa person to cross the border, but how is that person's participation helping Missouri's students or enhancing the qualifications of teachers in Missouri?
Nebraska	It was good hear that the Department approved the Tex-Okla situation. I have allowed teachers who live out-of-state to participate if they teach within the state, since the professional development will ultimately benefit our students. I have also allowed teachers who live out-of-state to participate if they are not bumping out an in-state teacher and if they pay for any individual costs (materials, meals, travel, etc.).