

Equitable Services to Private Schools 2016-17

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September 21, 2016

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Today's Topics

- Consultation
- Allocating Funds
- Determining Who is Eligible for Services
- Delivery of Instructional Services
- Parent Involvement
- Professional Development
- Standards, Assessment, and Program Modification



Consultation



Contacting private school officials

Which private schools should be contacted?

- Those private schools serving students who live in the LEA's Title I attendance zones
- In some cases, private schools located outside the LEA must also be invited

Title I requires services for eligible private school students residing in the district regardless of where the private school is located – within the LEA's Title I attendance zone or in neighboring school districts.

Title II-A funds serve only those private schools within the LEA's attendance zone.



Consultation – a definition

LEA requirement to conduct annual “timely and meaningful” consultation:

- Series of face-to-face meetings
- Provide “a genuine opportunity for all parties to express their views and to have those views considered”
- Occur before the LEA makes any decision that affects the opportunity for eligible private school children, their teachers, and their families to participate in Titles I and II-A
- Completed prior to planning and submitting the Consolidated Federal and State Grant Application (CFSGA)



Contacting Private School Officials

Send a letter to the officials of the private schools within and outside the LEA inviting them to a meeting to learn about Federal programs.

- Provides a meeting date, place and time, as well as LEA contact information.
- It is not adequate consultation to just send a letter explaining each Federal program

Consultation can be a group meeting or individual meetings with each private school.



Agenda Items for the First Consultation...

NOTE: There will be additional requirements with ESSA

1. Purpose: provide basic information about each of the Federal programs
2. Questions: encourage questions so private school leaders can make informed decisions about participating
3. Roles: explain/review the roles of the LEA and the private school leaders

Providing equitable services is the LEA's responsibility, and the LEA is the final decision maker in providing services



Agenda Items for the First Consultation...

4. Process and timeline: review plan in order for services to begin in the fall
5. Intent to Participate: obtain signed form from each private school official indicating participation in or non-participation in each of the Federal programs
6. All consultations must be completed prior to the LEA completing the CFSGA Title I-A and II-A application in the spring



Roles of the LEA officials:

- Organizes consultations with private school officials
- Determines the method or the sources of data to determine the fund allocation for equitable services
- Identifies the needs of eligible private school children
- Determines how and when the LEA will make decisions about the delivery of services
- Determines the size and scope of the equitable services the LEA will provide



Roles of the private school officials:

- Identifies who should be included in the consultation process and their roles and authority;
- Attends consultations and ask questions to ensure understanding;
- Participates in discussion topics such as:
 - how children’s needs will be identified,
 - how to count low-income students residing in participating LEA attendance areas,
 - how to select students to participate,
 - which service delivery method should be used, and
 - how results will be assessed for Title I-A;

LEA officials must give full consideration to the views and perspectives of private school officials, but in the end, **the LEA is responsible for making all final decisions about the most effective way to raise the academic performance of participating students.**



Partnership between LEA and Private School

LEA officials must give full consideration to the views and perspectives of private school officials, but in the end, the LEA is responsible for making all final decisions about the most effective way to raise the academic performance of participating students.



Before the first consultation meeting ends or sometime soon after...

- The LEA obtains a signature from each private school official of the private school's intent to participate in any or none of the Federal programs
- The LEA will invite all private school officials that signed an intent to participate in one or more of the Federal programs to a second meeting after the first of the year



SAMPLE
Intent to Participate and Private School Enrollment Form
For Allocating Funds for School Year 2015-2016
(To be completed by each private school)

Private School Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

_____ **We do not wish to arrange to participate in federal Title programs shown below.** If this box is checked, please sign below and return to the local LEA.

_____ **We would like to participate.** If this box is checked, please complete the information below and place a check next to all programs in which you would like your students and teachers to take part.

Administrator's Signature: _____ Date Signed: _____

Private School Administrator: _____

Phone: _____ Fax: _____ E-mail: _____

Federal Education Programs Contact: _____

Phone: _____ Fax: _____ E-mail: _____

Enrollment: Pre-K _____ K _____ 1 _____ 2 _____ 3 _____ 4 _____ 5 _____ 6 _____
7 _____ 8 _____ 9 _____ 10 _____ 11 _____ 12 _____

Total enrollment: _____

School Status: (Check appropriate designation) NON-PROFIT _____ FOR PROFIT _____

Below is a brief description of each federal Title program. (Private school students and teachers may receive benefits, services, and materials from these programs. Private schools do not receive direct funding from these programs. The LEA always maintains control of the funds.)

_____ **Title I, Part A - Improving Basic Programs Operated by LEAs (Regular & American Recovery & Reinvestment Act Funds)**

Title I, Part A, provides supplementary instruction by public school teachers or through a third-party contractor to students who are educationally disadvantaged and failing or most at risk of failing to meet high academic standards and who live in participating public school attendance areas.

RETURN THIS FORM TO YOUR LOCAL SCHOOL DISTRICT OFFICE

SAMPLE
Intent to Participate and Private School Enrollment Form
For Allocating Funds for School Year 2015-2016
(To be completed by each private school)

_____ **Title I, Part C – Migrant Education**

Migrant Education provides financial assistance to improve education for migrant children.

_____ **Title II, Part A – Preparing, Training and Recruiting High Quality Teachers and Principals**

The Teacher and Principal Training and Recruiting Fund provides assistance for preparing, training, recruiting and retaining high quality teachers. Private school teachers, principals, and other educational personnel are eligible to participate in professional development activities to the extent that the LEA uses funds to provide for professional development, but at least to the FY 2001 levels for private school teachers' professional development.

_____ **Title II, Part B – Mathematics and Science Partnerships**

The Mathematics and Science Partnerships program provides funds to improve mathematics and science teaching through a variety of activities.

_____ **Title III, Part A – Language Instruction for Limited English Proficient and Immigrant Students**

The Language Instruction for Limited English Proficient (LEP) and Immigrant Students program provides funds for helping LEP students attain English proficiency and meet the same challenging State academic standards required of all students.

If Title III, Part A is selected, please indicate the number of eligible ESL Students _____.

_____ **Title IV, Part B – 21st Century Community Learning Centers**

The 21st Century Community Learning Centers (21st CCLC) program provides before- and after-school services to children and their families that include academic enrichment activities, particularly for students who attend low-performing schools, to help them meet State and local student performance standards in core academic subjects.

Note: Some of the programs listed above are discretionary programs and the LEA may not necessarily participate in them.

A copy of the Intent to Participate form is available at <http://www.sde.idaho.gov/federal-programs/basic/index.html>. It is important that this form is revised to reflect the specific programs for which your district participates.

RETURN THIS FORM TO YOUR LOCAL SCHOOL DISTRICT OFFICE

Second consultation: Affirmation of Consultation

- Private school officials who indicated an intent to participate from the first consultation are invited to another consultation meeting.
- Specific topics must be included in this consultation meeting.
- An Affirmation of Consultation form is signed and dated and kept on file at the LEA.
- All consultations must be completed prior to the LEA planning the Consolidated Federal and State Grant Application (CFSGA).



**AFFIRMATION OF CONSULTATION
WITH PRIVATE SCHOOL OFFICIALS**
SAMPLE FORM for USE by LEAs *

Title IX, Part E, Section 9501 (c) and Title I, Part A, Section 1120(b) and regulation §200.63 of the No Child Left Behind Act require that timely and meaningful consultation occur between the local education agency (LEA) and private school officials prior to any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate in programs under this Act, and shall continue throughout the implementation and assessment of activities under this section.

The following topics must be discussed during the ongoing consultation process:

- How the LEA will identify the needs of eligible private school children.
- What services the LEA will offer to eligible private school children.
- How and when the LEA will make decisions about the delivery of services.
- How, where and by whom the LEA will provide services to eligible private school children, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with a third-party provider.
- How the LEA will assess academically the services to eligible private school children in accordance with §200.10 and how the LEA will use the results of that assessment to improve Title I services.
- The size and scope of the equitable services that the LEA will provide to eligible private school children and, consistent with §200.64, the proportion of funds that will be allocated to provide these services.
- The method or sources of data that the LEA will use under §200.78 to determine the number of private school children from low income families residing in participating public school attendance areas, including whether the LEA will extrapolate data, if a survey is used.

- The equitable services the LEA will provide to teachers and families of participating private school children.
- If the LEA disagrees with the views of the private school officials on the provisions of services through a contract, the LEA must provide the private schools the reasons in writing why the LEA chooses not to use a contractor.

We agree that timely and meaningful consultation occurred before the LEA made any decision that affected the participation of eligible private school children in the Title I, Part A program.

Public School Official	Date	Private School Representative	Date
_____	_____	_____	_____
School District		Name of Private School Agency or School	

The LEA must maintain a copy of this form in its records and provide a copy to the SEA.

*This is not an official Department of Education document. It is provided only as an example.

A copy of the Intent to Participate form is available at <http://www.sde.idaho.gov/federal-programs/basic/index.html>.

Keep a copy of this form on file at the LEA.

Allocating Funds for Equitable Services



Generating Funds for Equitable Services – Title I-A

Title I funds are generated to provide equitable services to eligible private school students based on the number of private school students from low-income families who reside in participating public school attendance areas and not on the basis of all students in a private school



Poverty Data Collection – Title I-A

- It is an LEA's responsibility to identify the method it will use to determine the number of private school children from low-income families who reside in participating public school attendance areas.
- As part of the process for identifying a method, the LEA must consult with and consider the views of private school officials.



Poverty Data Collection Methods – Title I-A

1. Using the same poverty measure as used by the LEA to count public school students (e.g., NSLP data);
2. Using comparable poverty data from a survey of private school families and extrapolating the results from a representative sample if complete actual data are not available
 - survey must protect the identity of families of private school children; the LEA should not require that the private school officials give the names of low-income families;
3. Using comparable poverty data from a different source;
4. Applying the low-income percentage of each participating public school attendance area to the number of private school students who reside in each area (i.e., proportionality); and
5. Using an equated measure of low-income correlated with the measure of low income used to count public schools students.



Non-CEP Private School and CEP Public School for Title I-A

Note: This process may change

- Use the same poverty measure if available.
- Use a survey or comparable data from another source if the same poverty measure is not available.
- No matter the poverty measure used, an LEA should not require that the private school officials give the names of students or families



CEP Private School and Non-CEP Public School – Title I-A

If a private school participates in CEP and an LEA uses NSLP data to allocate Title I funds to public schools, but has no public CEP schools, the LEA would most likely calculate equitable services funding by multiplying the number of directly certified students who live in a participating public school attendance and are enrolled in the private school by the 1.6 multiplier.



Determining the fund allocation for equitable expenditures

Note: This process will be changing

- In the CFSGA, the LEA calculates the per-pupil allocation (PPA) for each participating public school attendance area for Title I-A
 - based on the total number of children from low income families residing in each participating attendance area attending either **public or private schools**.
 - From this count, the LEA reserves funds for services for the private school children.

Section B1: Public Schools

School	# Low Income Students / # Children in Attendance Area
Name: LINCOLN ELEMENTARY SCHOOL (0829) Grades: PK,KG,1,2,3,4,5,EC	Low Income Students: <input type="text" value="495"/> Children in Attendance Area: <input type="text" value="546"/> % Low Income: 90.66 %



Title II-A Funds

Note: This process will be changing

In calculating the Title II, Part A expenditures for services for private school teachers, what activities are considered professional development and subject to the equitable services provisions?

- The following are considered professional development and subject to the Title II, Part A equitable services provisions: salaries of professional development coaches, mentor teachers who provide professional development, special ED mentor coaches, staff development in core content areas, teacher leadership programs, and professional learning communities.



Title II-A Private School Calculation

A. Number of Students	Example A	Example B
A1. District Enrollment	960	960
A2. Participating Private School Enrollment	<u>+40</u>	<u>+40</u>
A3. Total Enrollment (A1 + A2)	=1000	=1000
B. Title II, Part A Allocation To Be Used for Professional Development		
B1: District Allocation	\$150,000	\$150,000
B2: Indirect and Administration	<u>- \$130,000</u>	<u>- \$50,000</u>
B3: Amount District is Using for Professional Development (B1 - B2)	=\$20,000	=\$100,000
C. Hold Harmless Amount		
C1: Based on FY2001 Eisenhower Professional Development + Federal Class Size Reduction used for Professional Development	\$40,000	\$40,000
D. Per Pupil Rate		
D1: Either use B3 or C1 – whichever is LARGER (÷ divide by A3) In Example A, C1 is larger than B3, for Example B, B3 is larger than C1	$\$40,000 \div 1000 = \40	$\$100,000 \div 1000 = \100
E. Equitable Services		
E1: Amount District must reserve for equitable services for participating private schools (A2 x D1)	$40 \times \$40 = \$1,600$	$40 \times \$100 = \$4,000$



Determining Who is Eligible for Services



Equitable Services: “Eligible” Private School Students

Eligible private school students are determined by

1. Residence: child must reside in a participating public school (Title I-A) attendance area AND
2. Educational need: Be failing or at risk of failing based on educational criteria
 - a. Criteria are determined based on multiple, educationally related, objective criteria;

NOTE: Poverty is not a criteria for determining who is eligible for services.



Equitable Services: Determining educational criteria

Criteria may include:

- Achievement tests;
- Teacher referrals and recommendations based on objective, educationally related criteria;
- Grades;
- Children from preschool – grade 2 are selected solely on the basis of criteria such as teacher judgment, parent interviews, and developmentally appropriate measures.

Automatic eligibility: Homeless children, Head Start or Title I preschool participant, Title I-C Migrant participant



Delivery of Instructional Services



Maintaining Fiscal and Administrative Control

- Private school officials are not authorized to obligate or receive Federal funds – ever.
- LEA must maintain control of Federal funds – always.
- The LEA provides a “targeted assistance-like” program for private school students.
- Equipment, materials purchased with federal funds remain property of the district



Title I-A Program Services

Title I-A Types of services:

- Instruction outside the regular classroom
- Extended learning time (before/after school and in the summer)
- Family literacy
- Early childhood
- Counseling
- Home tutoring
- Take home computers
- Computer-assisted instruction
- Professional development activities

Remember: Only providing the private school with instructional materials and supplies is NEVER an option. Doing so would violate the intent of implementing a Title I program and it does not meet the equitability requirement.



Offering Equitable Services – Making the most of a small program

When funds aren't sufficient to provide instructional services, other appropriate services may be provided:

- Staff development;
- Parent involvement;
- Counseling;
- Computer-assisted instruction

NOTE: LEA must measure the effect of services on the academic achievement of participating students.



Offering equitable services

- Instructional program that supplements and is well coordinated with instruction from the regular classroom:
 - Provided by a highly qualified teacher from the LEA; or
 - Third-party contractor.
- Title I-A services for private school students begin at the same time that services for students in the public school system begin.



Offering Equitable Services – Making the most of a small program

Pooling option: Funds from two or more private schools are combined and used to hire a part-time teacher or provide supplemental tutoring after school for private school children who have the greatest educational need and reside in a Title I attendance area.

NOTE: LEA may not spend its entire allocation on materials and supplies for the private school in lieu of direct instruction.



Offering equitable services – Third party contractor option

- If the LEA contracts with a third party provider, the provider must be independent of the private school and of any religious organization.
- The contract must be under the control and supervision of the LEA.
- If the private school official favors a third-party contractor, and the LEA disagrees, then the LEA must provide the private school the reasons in writing why it chooses not to use a contractor.



Title II-A Option

May private schools within the same district request that the LEA pool Title II, Part A funds?

- Yes.
- Funds generated by students in private schools in the same LEA can be pooled.
- Funds may **not** be pooled across LEAs.
- Funds generated for services for private school teachers in an LEA may only be expended for services for those private school teachers in that LEA.
- To accommodate the same professional development for teachers in different LEAs, a per-teacher cost could be used by an LEA or third party provider.



Offering equitable services

Titles I and Title II-A services may be provided at various locations:

- Private school location (Agostini v. Felton) if space is available
- Neutral site
- Public school



Parent Involvement



Setting Aside funds for Parent Involvement Services

- Parent involvement funds are set-aside off the top of the LEA's Title I allocation in the CFSGA
- Calculated based on the proportion of private school children from low-income families residing in participating public school attendance areas.

Less Set-Asides

	Title I-A
Homeless	\$10,000
Homeless Consolidated Appropriations Act (H.R. 830)	\$20,000
Neglected ()	\$0
Parent Involvement	\$20,143



Setting Aside funds for Parent Involvement Services - Example

1. Divide: ($\#$ of Title I eligible private school students) / (total number of Title I eligible students) = proportion of reserve
2. Multiply: (proportion of reserve) x (total amount of reserve) = equitable services share

Example: If 2000 Title I eligible students reside in an LEA's participating attendance areas, and 50 of those students attend a private school, the LEA would calculate:

$$50/2000 = .025 = \text{proportion of reserve}$$

3. If the LEA's parent involvement set-aside was \$1000, the LEA would then multiply:
 $.025 \times \$1000 = \25 for activities for private school parents = equitable services share for parent involvement in the private schools.



Providing Parent Involvement Services

- Activities must be planned and implemented after meaningful consultation with private school officials and parents.
- Activities should assist private school students in achieving high academic standards and address how parents can better support their children's instruction:
 - Written agreement between the LEA and parents of private school children regarding responsibilities of LEA and parents in Title I program;
 - Parent meetings;
 - Communication between Title I teacher and parents on student academics;
 - Parent education.



Professional Development



Setting Aside funds for Professional Development

IF the LEA set-asides funds for professional development under §1119 and §200.77 off the top of its Title I allocation in the CFSGA, then the LEA must provide equitable services to teachers of private school participants.

Calculated based on the proportion of private school children from low-income families residing in participating public school attendance areas.



Setting Aside funds for Professional Development - Example

1. Divide: ($\#$ of Title I eligible private school students) / (total number of Title I eligible students) = proportion of reserve
2. Multiply: (proportion of reserve) x (total amount of reserve) = equitable services share

Ex. If 2000 Title I eligible students reside in an LEA's participating attendance areas, and 50 of those students attend a private school, the LEA would calculate:

$$50/2000 = .025 = \text{proportion of reserve}$$

3. If the LEA's professional development set-aside was \$10,000, the LEA would then multiply:
 $.025 \times \$10,000 = \$250 = \text{equitable professional development activities for private school teachers.}$



Setting Aside funds for Professional Development

- Activities funded by Title I, must meet the needs of the teachers of private school participants.
- Activities for teachers of the private school participants must be planned and implemented with meaningful consultation with private school officials and teachers.
- Activities should address how teachers can serve Title I students better – What does the most recent student assessment data indicate are the greatest areas of need for professional development?



Implementing Title I-A Professional Development

- LEA also provides professional development activities to the Title I teacher who is employed by the LEA and is providing equitable services to private school students.
- This professional development is paid from the funds reserved for the professional development of the LEA's teachers and not from the funds required to provide equitable services to teachers of private school participants.
- Title I funds may be used to pay stipends to private school teachers of Title I participants
 - Must pass the “reasonable and necessary” rule
 - Stipends are available on the same basis as those for public school teachers
 - Stipends must be paid directly to the private school teachers for their own use and NEVER to the private school.



Standards, Assessment, and Program Evaluation and Modification



Assessing program services

LEA is required to *annually* assess the progress of the Title I program toward meeting agreed upon standards for private school Title I participants:

- State's standards;
- Alternative standards that measure how the services provided enable private school participants to achieve at high levels.
- If the private school participants do not make the expected annual progress, the LEA must annually make modifications to the Title I program.



Reviewing the current program in the private school

Assessment of services, materials, and equipment

- must be secular, neutral, non- ideological
- must be supplemental in nature, not supplanting what the private school would otherwise provide absent the Federal education services
- must be allowable, reasonable, and necessary in meeting the educational needs of Title I private school students and teachers



Right to Complain

- Private school officials have the right to complain to the SDE, if
 - LEA did not engage in timely and meaningful consultations;
 - LEA did not consider the private school official's views.
- LEA is required to have a complaint procedure and maintain records of its efforts to resolve complaints.

Sample complaint procedure:

<http://www.sde.idaho.gov/federal-programs/basic/index.html>



Resources for Equitable Services

Idaho Equitable Services for Private School Students

- <http://www.sde.idaho.gov/federal-programs/basic/>

US Department of Education Resources:

- [NCLB, Sec. 1120 Participation of Children Enrolled in Private Schools;](#)
- [§200.62; §200.63; §200.64; §200.65; §200.77; §200.78;](#)
- U.S. Department of Education [Title I Services to Eligible Private School Children, Non-Regulatory Guidance, October 17, 2003;](#)
- U.S. Department of Education [Title IX Guidance on Equitable Services to Eligible Private School Students and Teachers, Sec. 9101\(34\).](#)
- U.S. Department of Education [Ensuring Equitable Services to Private School Children: A Title I Resource Tool Kit](#)



Questions Contact Information

For questions or additional clarification please
contact me!

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