

Equitable Services to Private
Schools
Webinar Series
Affirmation of Consultation –
Webinar 3 of 4
January 2014



In review – First Consultation – Intent to Participate

- Timely and meaningful consultations –annually contact private school officials from private schools that have students who reside in the LEA (regardless of whether the school is located in the LEA).
- Thoroughly explain intent and purpose of all the Federal programs for which the LEA participates.
- Provide “a genuine opportunity for all parties to ask questions and express their views and to have those views considered.
- Obtain an Intent to Participate form from each private school official.



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.
- All consultations must be completed prior to the LEA planning the Consolidated Federal and State Grant Application (CFSGA).
- An Affirmation of Consultation form is signed and dated and kept on file at the LEA.



Important Title I points for today's webinar

1. Consultations, including planning and design, of the Title I program take place the year before services begin.
2. Spring of current school year – funds are reserved for services the next fall based on low-income counts (use March 1 counts).
3. Fall of next school year – services are provided to students based on need as demonstrated through multiple educational objective criteria.



Determining the fund allocation for equitable expenditures

- In the CFSGA, the LEA calculates the per-pupil allocation (PPA) for each participating public school attendance area
 - 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.



Equitable expenditures: Setting-Aside funds for services

- Obtain a count (using March 1st data) of children from low-income families who attend private schools. There are five options:
 1. Use the same poverty data the LEA uses to count public school children (free/reduced lunch data);
 2. Use comparable poverty data from a survey of families (low income determination form):
 - Extrapolate data from the survey based on a representative sample if actual data are unavailable
 - The 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;



Equitable expenditures: Setting-Aside funds for services

- Obtain a count of children from low-income families who attend private schools –
 3. Use comparable poverty data from a different source, i.e. scholarship applications;
 4. Apply the low-income percentage of each participating public school attendance area to the number of private school children who reside in that school attendance area;



Equitable expenditures: Setting-Aside funds for services

- Obtain a count of children from low-income families who attend private schools –
 5. Use an equated measure of low-income correlated with the measure of low income used to count public school children.
- NOTE: An LEA may count private school children from low-income families every year or every two years.
 - Make a note in the CFSGA if using counts from previous year.



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.
- **Some children are automatically eligible based on their status.**



Offering equitable services

- Instructional program that supplements and is well coordinated with instruction from the regular classroom:
 1. Provided by a highly qualified teacher from the LEA; or
 2. Third-party contractor.



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.



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 – 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

- LEA consults with private school officials regarding Title I program service options.
- LEA is responsible for planning, designing, and implementing the Title I program services that meet the needs of private school participants.
- Services for private school participants must begin at the same time that Title I services begin for public school participants at the beginning of the year.



Offering equitable services

- Title I services may be provided at various locations:
 - Private school location (Agostini v. Felton) if space is available;
 - Neutral site;
 - Public school.



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



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

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:

1. $50/2000 = .025 =$ proportion of reserve

If the LEA's parent involvement set-aside was \$1000, the LEA would then multiply:

2. $.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.



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, which are
 - 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:

1. $50/2000 = .025 =$ proportion of reserve

If the LEA's parent involvement set-aside was \$10,000, the LEA would then multiply:

2. $.025 \times \$10,000 = \$250 =$ 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?



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.
- No Federal funds may ever be paid to the private school.



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.



Assessing program services

- LEA must *annually* assess the progress of the Title I program toward meeting agreed upon standards for private school Title I participants.
 - If the private school participants do not make the expected annual progress, the LEA must annually make modifications to the Title I program.



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.
- http://www.sde.idaho.gov/site/title_one/ for a sample complaint procedure.



Migrant Education Program

- Student(s) must meet all eligibility criteria or have an active Certificate of Eligibility (COE) on file
- Provide information regarding supplementary migrant services provided by LEA and professional development opportunities
- Determine identification and recruitment support by the LEA. How much time will the LEA allot for this?
- Discuss support services provided to migrant parents and students. How will the LEA assist with this?



Affirmation of Consultation Form

- Collect signed and dated Affirmation of Consultation form from each private school official.
- Keep form on file and email to SDE when requested.



**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.

Equitable Services to Private Schools

October (for LEAs currently providing equitable services to private school students)

- Review the implementation of the program for the first month.
- Discuss the changes in roster of eligible children and the possibility of adding children to the program, as needed, depending on space and time.
- Review the process for coordinating Title I program with classroom teachers.
- Review implementation of the professional development program.
- Review implementation of the parental involvement program

November – December

- LEA contacts officials of private schools with children who reside in the LEA, regardless of whether the private school they attend is located in the LEA boundaries.
- LEA extends an invitation to officials of the private schools and convenes a meeting to explain the intent of each of the Federal programs for which the LEA participates and the roles of public and private school officials. (It is not adequate consultation to send a letter explaining the intent of each of the Federal Programs.)
- After first consultation, the LEA must complete the Intent to Participate form and send to the Idaho Department of Education. (This requires a signature from the private school official). Please send Intent to Participate forms to Lisa Paul at lpaul@sde.idaho.gov.

January – March

- Schedule a second consultation with the private school officials who indicated Intent to Participate in the district's Federal programs.
- For Title I-A, review poverty data collected and estimate the amount of funds available for services. Decide if pooling option will be used.
- For Title II-A, review the Title II-A calculation for providing professional development funds to private schools.
- For Title I-A, determine the multiple, educationally related and objective criteria that will be used to select eligible children who reside in Title I public school attendance areas.
- For Title I, review the options for service providers.
- Discuss how the Title I program will be evaluated: What standards and assessments will be used? What will be annual progress, and what percentage of participants must meet that progress in order for the program to be effective?
- Establish the date that Title I Services will start.

- Discuss the professional development needs of the private school teachers of Title I participants based on the most recent student assessment data. Discuss the professional development needs of private school teachers and principals eligible to participate in the Title II-A program.
- Discuss the needs of the parents of participants: How can parents better support their children's instruction?

****Consultations must be completed prior to writing the Consolidated Federal and State Grant Application (CFSGA)**

April – May

- Finalize the design of the Title I programs - ensure materials have been ordered, LEA personnel who are providing Title I services are in place, and service start date is firm.
- Finalize professional development programs and activities for private school teachers. Establish a calendar for the next year's activities.
- Finalize parent involvement programs and activities for parents of participants. Establish a calendar for next year.
- Review current year's assessment data for current year participants to determine if any adjustments to instruction should be made.
- Provide Affirmation of Consultation forms for signature and send to Lisa Paul at lpaul@sde.idaho.gov
This concludes consultation for this cycle.

Title II-A Info./Reminders

- Consultation must be completed prior to the writing of the Consolidated Federal and State Grant Application (CFSGA)
- Discuss the professional development needs of the private school teachers and principals eligible to participate in the Title II-A program.



Title II-A – Unique for II-A

- **Must an LEA count all the students in participating private schools even if some of the students enrolled in the private schools reside in other districts?**
 - Yes. The LEA must provide equitable services based on the number of students who are enrolled in participating private school in the geographical area served by the school district.



Implementation of the Professional Development Plan – Title II-A

- **May an LEA place a blanket restriction on allowable Title II, Part A activities for private school teachers, such as not allowing graduate courses or out-of-State professional development?**
 - **No.**
 - While an LEA or SEA may choose to set restrictions on otherwise allowable Title II, Part A activities for **public** school teachers, it can't determine that for private school teachers.
 - Professional development must be allowable, reasonable and necessary in meeting the needs of private school teachers.



Title II-A Cont.

- **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 Equitable Services 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: Indirects and Administration	- \$130,000	- \$50,000
B3: Amount District is Using for Professional Development (B1 - B2)	<u>=\$20,000</u>	<u>=\$100,000</u>
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)	$40 \times \$40 = \$1,600$	$40 \times \$100 = \$4,000$



Title II-A Cont.

- **What resources are available to help me understand the Title II, Part A equitable services requirements?**
 - U.S. Department of Education *Improving Teacher Quality State Grants, ESEA Title II, Part A, Non-Regulatory Guidance, Revised October 5, 2006* (see section G, pages 47-55).
 - U.S. Department of Education *Title IX Guidance on Equitable Services to Eligible Private School Students and Teachers.*



Providing Services to LEP Students in Private Schools under Title III



Title III

Timely and Meaningful Consultation

Consultation and coordination between LEA and private school officials are essential to ensure a high-quality program that meets the needs of the LEP students being served to assist them in attaining English proficiency.



In review – First Consultation – Intent to Participate

- Explain student identification
- Services to be offered
 - How, when, and by whom the services will be provided
 - How the services will be evaluated and how the results of the evaluation will be used to improve those services
 - What amount of funds available for those services will be
- A plan between the LEA and private school should be developed as a result of initial consultation and address these items. Subsequent meetings should be scheduled between the LEA and private school to assess services and determine areas and plans for improvement.



Second consultation – Affirmation of Consultation

- Specific topics must be included in this consultation meeting. Some topics include:
 - Annual IELE Assessment and Score Reports
 - Review Exiting criteria for students
 - Evaluate/Reflect on Student identification, Services offered, professional development, and expenditures.
- All consultations must be completed prior to the LEA planning the Consolidated Federal and State Grant Application (CFSGA).
- An Affirmation of Consultation form is signed and dated and kept on file at the LEA.



Contact Information

- Title I-A: ESEA College and Career Ready
 - Karen Seay, Coordinator
 - kseay@sde.idaho.gov
 - 208.332.6978
- Title I-C: Migrant Education Programs
 - Mary Lou Wells, Coordinator
 - mlwells@sde.idaho.gov
 - 208.332.6958
- Title II-A: Teacher and Administrator Quality and Professional Development
 - Teresa A. Burgess, Coordinator
 - tburgess@sde.idaho.gov
 - 208.332.6891
- Title III: Language Instruction for Limited English Proficient & Immigrant Students
 - Christina Nava, Coordinator
 - cnava@sde.idaho.gov
 - 208.332.6905



Questions?

Please e-mail your questions to:

Teresa A. Burgess at

tburgess@sde.idaho.gov

These questions will be forwarded to the appropriate program coordinator to be answered individually, AND the questions will be featured at the beginning of webinar 3 of 4.

