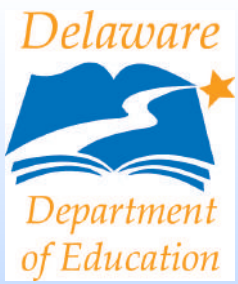




## **Title I Equitable Services to Private School Children**

Information and slides for this presentation are based on material presented at the SASA Technical Assistance Meeting held September 28-29, 2009 at the Washington Court Hotel Washington, DC



# WHY Do Private School Children Receive Services?

Federal programs are supported by tax dollars, so **all** children and teachers are eligible to access these programs



# Key Word is Services

No public funds are distributed to private schools, only services and materials



# Equitable Services Requirements

Section 1120 of ESEA requires participating Local Education Agencies (LEAs) to provide eligible private school students, their teachers and families with Title I services or other benefits that are equitable to those provided to eligible public school children, their teachers, and their families



# Equitable Services Requirements

An LEA must only use Title I funds to meet the needs of the Title I participants.

*Consequently*

- An LEA cannot use any Title I funds to meet the needs of the private school or the general needs of the private school children.
- Private schools cannot have schoolwide programs.



# Equitable Services Requirements

**In order to meet Equitable Services requirements an LEA must:**

1. Provide eligible private school children with an opportunity to participate;
2. Meet the equal expenditure requirements for instruction, professional development, and parental involvement;
3. Assess student needs and the effectiveness of the Title I program; and
4. Begin Title I programs at the same time as the Title I programs for public school children.



# Equitable Services Requirements

The LEA is responsible for designing and implementing Title I programs for its resident children who attend private schools, even those attending private schools located in other LEAs.

Private school officials have no authority to make any decision.



# Equitable Services Requirements

The LEA is required to develop and implement Title I programs that meet the needs of Title I participants and the LEA cannot delegate this responsibility to private school officials.

Note: Private school officials do not develop plans or make budget decisions. This is an LEA responsibility.

# District Allocations





# Supplement Not Supplant

Title I services must be in addition to and cannot replace or supplant services that would be provided by private schools to their private school participants

# Within District Allocations

An LEA may calculate the number of private school children who are from low-income families and live in participating public school attendance areas in several ways

- Use the same measure of poverty as for public school children
- Use comparable poverty data from a survey and must extrapolate results if actual data are unavailable
- Use comparable data from a different source
- Use an equated measure
- LEA must collect poverty data on their resident low-income children attending private schools in other LEAs

See Section 2 of the Title I Resource Toolkit



# Within District Allocations

- Low-income public and private school children residing in the same Title I attendance areas generate the same per-pupil amount (PPA);
- $\text{PPA} \times \text{the number of low-income private school children residing in participating public school attendance areas} = \text{instructional funds for the Title I programs for eligible private school children.}$

Note: LEAs must calculate using both Title I and Title I  
ARRA dollars

# Within District Allocations

Funds generated by  
low-income private  
school children who  
reside in Title I  
attendance areas  
must be used only for  
instructional services.





# Within District Allocations

LEAs must provide equitable services to private school teachers and families of participating private school children from funds reserved for professional development and parental involvement



# Within District Allocations

- The LEA must use these funds to provide equitable services to teachers and families of participants.
- There is no authority under Title I for an LEA to transfer these funds to instruction.
- If teachers or families of participating private school students do not have a need for equitable services, those funds are available to the LEA for other allowable uses.

# Services to Private School Children



# Interlocal Agreements

- Pooling is permitted using agreed upon criteria required under ESEA 1115(b), Non-Regulatory Guidance B-16
- Interlocal agreements should address rights, objectives, and responsibilities of the contracting parties including:
  - Duration
  - Purpose(s)

# Interlocal Agreements

- Interlocal Agreements should address:
  - How budgets will be established and maintained
  - Which LEA will serve as fiscal agent
  - How LEAs will be charged
  - When charges will occur
  - What accounting for funds will be provided and by whom
  - Timeframe for consultation and delivery of services

# Interlocal Agreements

## Interlocal Agreements should address:

- Method of termination of agreement and disposal of property
- Who will determine eligibility of students
- Who will assess the students and assessment tools to be used
- Where services will be provided
- How student performance will be measured
- Other agreed upon items



# Consultation

## Consultation must:

- occur during the design, development, and implementation of the Title I programs.
- include meetings
- occur prior to the LEA making any decision including how Title I ARRA funds will be used.

# Consultation

## **At minimum, consultation must address the following topics:**

- How the LEA will identify the needs of eligible children
- What services the LEA will offer
- How and when the LEA will make decisions including how ARRA funds will be used
- How, where, and by whom the LEA will provide services
- How the LEA will assess the Title I program and use the results to improve Title I services

# Consultation

## *Consultation Topics Continued*

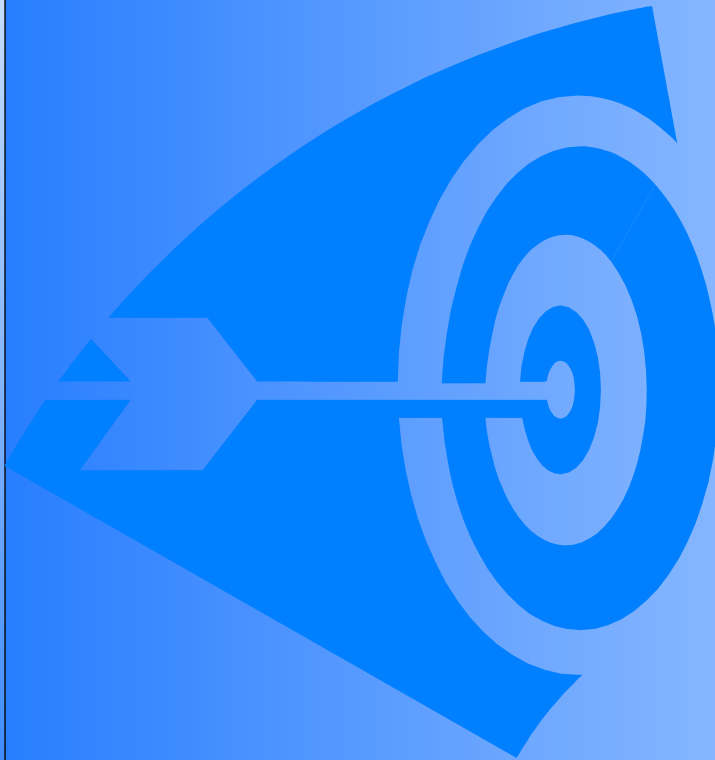
- The size and scope of the equitable services and the proportion of funds the LEA will allocate for services including Title I ARRA funds
- Method or sources of data the LEA will use to determine the number of low-income students
- Services the LEA will provide to teachers and families of participating children
- Discussion of service delivery mechanism the LEA can use
- A thorough consideration and analysis of the views of private school officials services through a contract with third-party provider.

# Consultation

LEAs must consult with private school officials when designing and implementing parental involvement activities that assist parents in helping their children achieve high academic standards



# Consultation



LEAs must also consult with private school officials prior to the LEA designing and implementing professional development activities that increase the private school teachers' skills and knowledge on how to better instruct their Title I children.



# Selection of Children

- Private school children who reside in Title I participating public school attendance areas and are failing or most at risk of failing to meet student academic achievement standards.
- Homeless children and children who in the 2 preceding years participated in any of the following programs: Head Start, Even Start, Early Reading First, Title I Preschool, Title I, Part C (Migrant Education) are eligible for Title I services
- Children are selected using multiple selection criteria
- Poverty is not a criterion for eligibility
- LEAs must ensure there is a process in place to meet the needs of eligible students who attend a private school outside the district



# Service Provider Requirements

- Provider of Title I services must be either an employee of the LEA or an employee of a third party under contract with the LEA
- Private school teachers may be employed by both the private school and the LEA; however, they must be independent of the private school during the time they are employed by the LEA to provide Title I services
- LEA teachers providing Title I services must meet HQT requirements



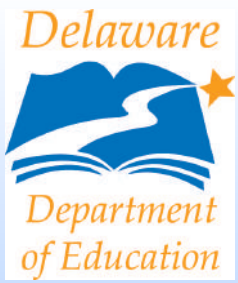
# Service Providers Requirements

- Paraprofessionals must meet the paraprofessional qualification requirements, provide instructional support, and be under the direct supervision of and in close and frequent proximity to a HQT public school teacher.
- Private school officials may not sign time and effort records.
- Private school officials cannot establish requirements for LEA employed teachers



# Service Provider Requirements-Third Party

- LEA must follow State procedures for procurement when contracting with a third party
- Contract must be detailed enough so LEA knows that the third party will comply with all Title I requirements
- Invoices from the third party must list administrative and instructional costs as would be required by an audit
- LEA must monitor third party's performance



# The Program- Types of Services

Types of services:

- Direct instruction outside the regular classroom (pull out model)
- Tutoring
- After or before school programs
- Saturday programs
- Summer school
- Counseling
- Computer Assisted Instruction (CAI)



# The Program- Types of Services

Title I services for private school children do not need to be in the same subject areas or the same grade levels as Title I services for public school children. Needs of private school participants determine what Title I services are appropriate. However; the Title I services must be in the same “grade span” as the Title I services for public school participants.



# Maintaining Control

## LEAs are responsible and accountable

- Title I funds may only be used to meet the needs of participating children
- Non-Title I private school children may not use materials purchased with Title I funds
- LEA must retain title to all materials purchased with Title I funds.
- All materials purchased with Title I funds must be labeled "Property of XYZ School District" and placed in a secured location when not in use
- Private school officials have no authority to obligate federal funds

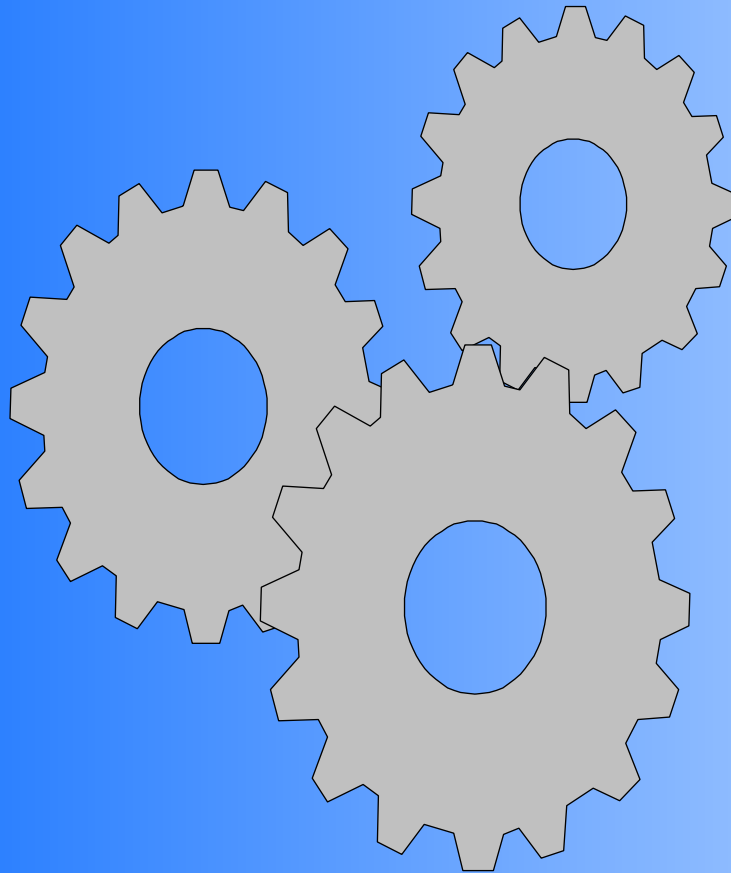


# LEAs Must Always Maintain Control of the Program

**The following are examples or red flags indicating an LEA is not maintaining control:**

- The private schools are required to develop Title I plans
- Private school officials supervise Title I staff.
- Materials and equipment that have been purchased with title I funds are labeled "Property of St. Mary's or Property of XYZ Services Company."
- Private school officials complete purchase orders for materials that they would like.

# Evaluation



After consulting with private school officials, LEA must establish standards it will use to measure the effectiveness of the Title I program as indicated by the academic achievement of its participants

# Evaluation

The LEA should use:

- Standards that are aligned with the curriculum of the private school.
- Depending on the number of private schools, there may be more than one standard.

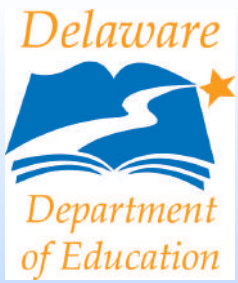
Note: The SEA cannot impose standards, achievement levels, or assessments

# Evaluation

- After consultation the LEA establishes the assessment it will use to measure the effectiveness against the agreed upon standards
- May use State assessment or another assessment that is aligned to the agreed upon standards, such as the assessment used in the private school
- All participants are assessed annually, including children receiving nonacademic services

# Evaluation

- Every year, the LEA, after consulting with private school officials, must determine what constitutes acceptable annual progress for the Title I program
- This decision must be made **before** Title I services begin
- It is not enough to just assess participants—LEA **must** determine the effectiveness of the total program in raising academic achievement



# Evaluation

If the expected annual progress is not met, the LEA after consultation, must review its program and determine modifications it should make in order to improve the effectiveness of the Title I program in raising the achievement of private school participants.

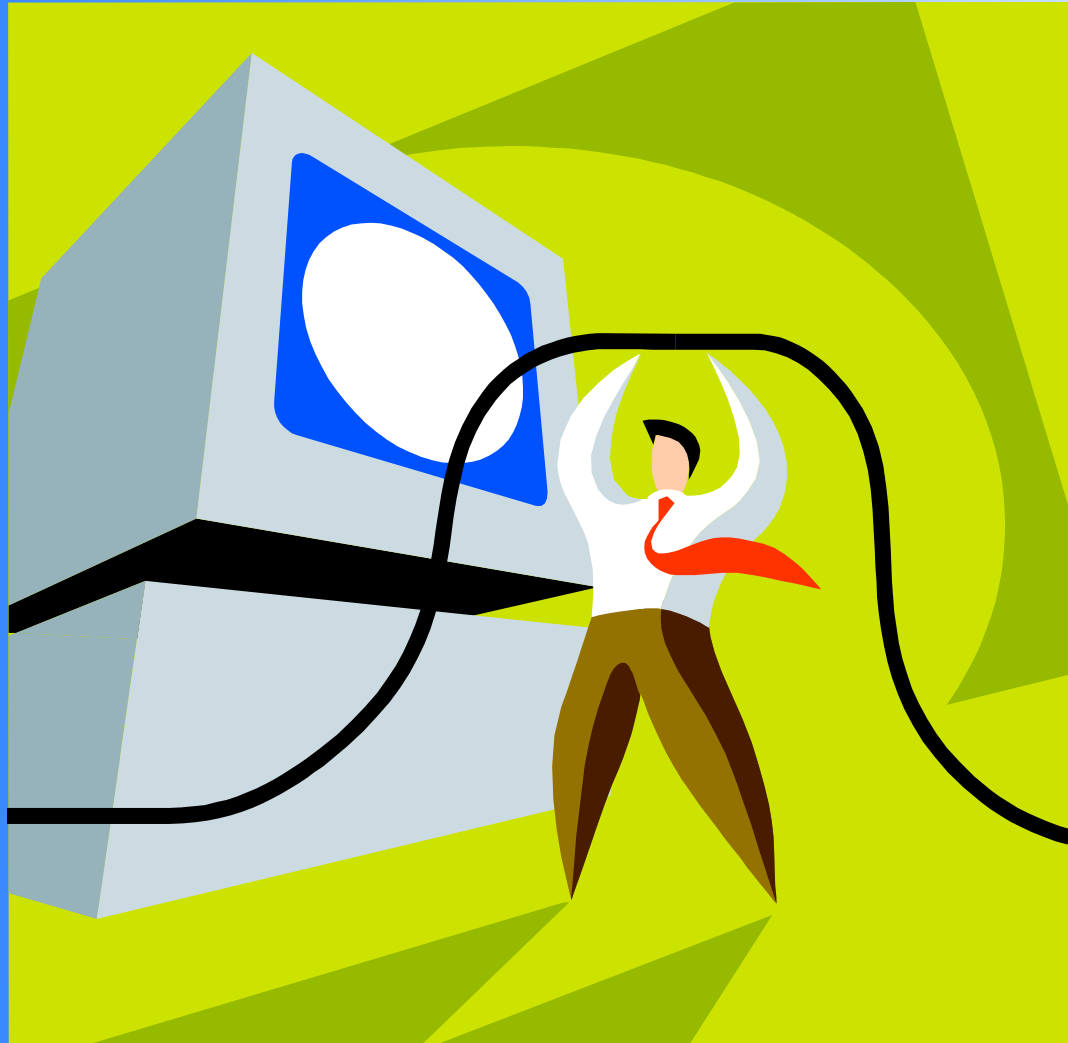


# Complaint Procedures

Private school officials have the right to complain to the SEA if the LEA did not engage in timely and meaningful consultation, did not give adequate consideration to the views of private school officials, or if they dispute the low-income data.

Note: The SEA resolves the complaint

# Compliance and Monitoring





# Compliance Issues

- LEA control of program
- Equitable services
- Correct computation of Title I funds for services
- Administration of the program for private school children
- Consultation requirements

# Monitoring

## Desk Audits:

- May- Selection of Private School Students for Title I
- June- Signed Affirmation and Consultation Forms; Private School contracts
- October- Private school invitations to participate

## **Consolidated Application**

- Table 3: private school set asides

## On-Site

### Monitoring:

On-site vendor visits



# DDOE Private School Participation Contact

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