

Providing Equitable Services to Private Schools with ESEA Funds

Federal Funding Conference

March 2020



Session Objective

To provide participants with an in-depth look at the requirements regarding private school equitable participation by:

- Providing an overview consultation requirements;
- Discussing how proportional shares are calculated;
- Examining options for collecting private school data for Title I services;
- Reviewing service delivery options; and
- Discussing how funds are obligated and who's responsible for obligating funds.



Overview: Consultation

- **Must be timely and meaningful;**
- **The LEA and private school should reach agreement on how best to provide equitable and effective programs for eligible private school students;**
- **Agreement certified in Private School Affirmation Form; and**
- **Must be ongoing.**

ESEA section 1117(b)(3) and 8501(c)(1)



Consultation - Required Topics

- **Method or sources of data used to determine low-income status;**
- **How a student's needs will be identified;**
- **The size and scope of the equitable services, the proportion of funds that is allocated for such services, and how that proportion is determined;**
- **Pooling (school-by-school, within the LEA, across LEAs within a private school);**
- **Services to be provided; and**
 - How, when, where, and by whom?
 - How will the effectiveness of services be evaluated?
- **Coordination of funds across programs.**

ESEA section 1117(b)(1) and 8501(c)(1)

Consultation - Fiscal Topics

- Administrative and Indirect Costs
- Family Engagement
- Carryover
- Transferability of ESEA Funds
- LEA's Role and Responsibilities in Fiscal Management

ESEA section 1117(a)(4)(A)(ii), 1117(b)(1), and 8501(a)(1)



Title I Proportional Share Calculation

- The proportional share is calculated by determining the enrollment of eligible **low-income private school students** in proportion to the enrollment of low-income public school students residing in served Title I public attendance areas.
- An LEA's equitable proportional share is calculated in WISEgrants as part of the Title I-A application.

ESEA section 1117(a)(4)(A)



Private School Poverty Data

Determining **Low-income Private School Students** for Title I:

- Private schools must provide poverty data;
- If available, the same method for measuring poverty data should be used for both the LEA and private school;
- LEA has the final authority to determine the method used to calculate the number of children, ages 5-17, who are from low-income families and attend private schools;
- **Regardless of the method used, the poverty threshold for determining low-income status must be consistent across the LEA and private schools;**
- This can be completed every year or once every two years.

ESEA section 1117(a)(4)(D) and 1117(c)(1)



Private School Poverty Data

Option A	Option B	Option C	Option D	Option E
Same Measure of Poverty as LEA	Comparable Poverty Data from a Survey	Comparable Poverty Data from a Difference Source	Proportional Calculation	Equate Measure
Example: Both the LEA and private school use Free and Reduced Priced Lunch Data (185% or lower)	Survey can be created and administered by private school and/or the LEA.	Example: The private school as a tuition assistance program and the income threshold for the program has the same income threshold used to count public school students.	LEA applies the low-income percentage of each participating Title I public school attendance area to the number of private school student who reside in that attendance area	LEA uses what data they have available for private schools Example: LEA has TANF data and correlates sources of data to determine a proportional relationship.

ESEA Section 1117(c)(1)

Determining Eligibility for Title I Services

To be eligible for Title I services, students must:

- Reside in a participating Title I public school attendance area; and
- Be identified as low-achieving based on multiple, educationally-related, objective criteria.

ESEA sections 1115(a), 1115(c)(1)(B) and 1117(a)(3)(A)



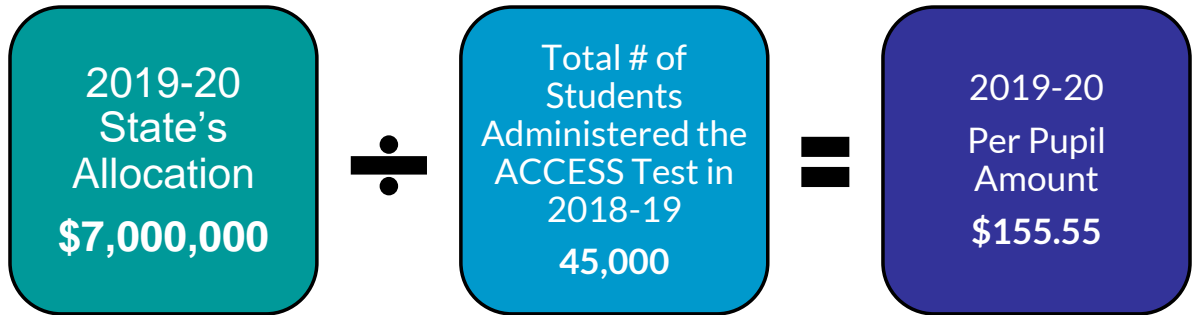
Title II and IV Proportional Share Calculation

[Title II-A Equitable Share Calculator](#)

[Title IV-A Equitable Share Calculator](#)



Title III Proportional Share Calculation



Hypothetical Data



Title III Proportional Share Calculation

	Number of Students Administered the ACCESS Test in 2018-19	Per Pupil Amount for 2019-20	2019-20 Allocation
Public School District	67	\$155.55	\$10,421.85
Participating Private School A	7	\$155.55	\$1,088.85
Participating Private School B	3	\$155.55	\$466.65

Planning for Services

- How are the needs of private school students addressed?
- What services will the LEA provide to students, staff, and families with ESEA funds?
- How, when, how often, and by whom will services be provided?
- How will services be evaluated to ensure effectiveness in meeting the needs of the students?

ESEA section 1117(a)(b) and 8501(c)
34 C.F.R. Part 76.658



Delivery of Services

LEA is responsible for ensuring that the agreed upon services are provided and that funds are obligated in the fiscal year in which they are received (Obligation of Funds).

ESEA section 1117(a)(4)(B)



Obligation of Funds

- Funds available for equitable services must be obligated in the fiscal year for which the funds are received by the LEA.
- LEA maintains all control of Title funds.
- Private schools may not obligate or receive Title funds, even as a reimbursement.

ESEA section 1117(a)(4)(B) and 1117(d)(1)
ESEA section 8501(a)(4)(B) and 8501(d)(1)



Corrective Action

- LEAs who did not claim any funds for private services in 2018-19 received corrective action for the 2019-20 school year;
- Terms and conditions were added to LEAs' subaward to ensure compliance; and
- Discussions between LEAs and ESSA Ombudsman/DPI staff have reinforced the need for meaningful technical assistance.



True or False

Consultation does not require any preparation by the LEA or private school.



False

Consultation cannot be effective without proper preparation from the LEA and the private school:

- Enrollment data
- Assessment data
- Fiscal information

Providing Equitable Services to Eligible Private School Children, Teachers, and Family Non-Regulatory Guidance, October 2019.



True or False

Consultation is ongoing throughout the school year; and does not end when the private school affirmation form is signed.



True

Consultation must be ongoing through the school year to ensure effective implementation, service delivery, and assessment of equitable services.



ESEA section 1117(b)(3)

True or False

The private school did not say what services they wanted or how the money should be spent; the LEA does not have the authority to do anything.



False

The LEA is responsible for:

- Developing services (in consultation) to meet the academic needs of the students;
- Discussing what needs the private school has to support the students (materials/supplies/equipment/software);
- Ensuring services are provided; and
- Evaluating those services to ensure effectiveness.

ESEA section 1117(a)(1)(A), (a)(3)(A), and (b)(A)



True of False

The private school students do not meet the public schools' "educational need criteria", therefore they do not have students to serve.



False

- An LEA, in consultation with the private school establishes the educational need criteria used to determine eligible private school students. The criteria does not need to be the same as what is used at the public school.
- The LEA is not required to use the same criteria for all participating private schools in their district. Each private school can have criteria that is unique to their school's academic program.



ESEA section 1115(a) and (c)(1)(B))

True or False

The private school did not identify any students as needing Title I services; services are not needed.



False

- To be eligible for Title I services, a private school child must be identified by the LEA as low achieving on the basis of multiple, educationally related, objective criteria;
- LEAs, in consultation with the private school, must establish a process based on these criteria;
- It is not the responsibility of the private school to determine eligibility for services.



ESEA sections 1115(a)(1), 1115(c)(1)(B), and 1117(a)(3)(A)

True or False

LEAs can enforce deadlines on private schools to meet equitable participation requirements.



True

At any point during ongoing consultation, program development, and/or implementation of services, an LEA may impose reasonable deadlines on private schools in order to meet equitable participation requirements.

Providing Equitable Services to Eligible Private School Children, Teachers, and Family Non-Regulatory Guidance, October 2019.



True or False

If an LEA has multiple private schools, the LEA can use different methods for determining low-income status within the different private schools.



True

- Private schools may not have all the same data available.
- LEA must consult with each private school to determine what data is available and the best method for measuring the data.
- Regardless of the method used, the LEA must ensure the poverty threshold for determining low-income is consistent across the LEA (public and private schools).



(ESEA section 1117(c)(1))

True or False

Allocations are not available for consultation, the LEA and private school cannot plan for the next school year.



False

There are several options for ongoing consultations between LEAs and private schools while preliminary and/or final allocations are unavailable:

- **Program planning can be based roughly off of the prior year's allocation;**
- **There are calculators available on the DPI website to generate your own allocation estimates; and**



False

- **Initial discussions may include topics other than funding, including:**
 - The private school's student needs;
 - Possible solutions to meeting those needs;
 - Exchanging data;
 - Discussing the effectiveness of the current year's programs;
 - Sharing possible professional development opportunities;
 - Answering questions the private school may have about the process; and,
 - Other consultations topics that do not rely on the availability of monetary information.



True or False

The LEA can use the private school's tuition assistance program to calculate low income for Title I services.



It depends...

If the LEA can ensure that the data is comparable to the poverty threshold being used by the LEA, private school tuition assistance data may be used to calculate low income.

- This is one example of “comparable poverty data from a different source.”

ESEA section 1117(c)(1)



True or False

The private school can submit receipts or payroll invoices to the LEA for reimbursement.



False

LEAs may not reimburse a private school.

- **ESEA requires the LEA to maintain control of the funds, materials, equipment, and property.**
- **Private school officials have no authority to obligate or receive ESEA funds.**

ESEA sections 1117(d) and 8501(d)



True or False

The ESSA Ombudsman should only be contacted if there is conflict with the private school.



False

- The purpose of the Ombudsman is to monitor and enforce equitable participation of private schools in federal education programs covered by the ESEA;
- To provide technical assistance to LEAs and private schools in consultation for the goal of reaching agreement; and
- To proactively engage public and private stakeholders in how best to support their relationships.



Equitable Participation Resources

- [Providing Equitable Services to Eligible Private School Children, Teachers, & Families Non-Regulatory Guidance \(Title I\)](#)
- [ESEA Equitable Participation Webpage](#)
- [Equitable Participation in Title I for Private School Students](#)
- [Title II, Part A Webpage](#)
- [English Learners in Private Schools \(Title III\)](#)
- [Title IV Equitable Participation Webpage](#)



Equitable Participation Resources

[Providing Services for Equitable Participation Under the Federal Every Student Succeeds Act \(ESSA\)](#)

NEW



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