

New Provisions for Private School Equitable Participation under ESSA

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Title I and School Support Team
Federal Funding Conference 2017



What's New

- Ombudsman
- Explicit complaint procedures
- Well-Rounded Education
- Calculations to derive a proportional share under each Title
- Notice of Allocation by DPI



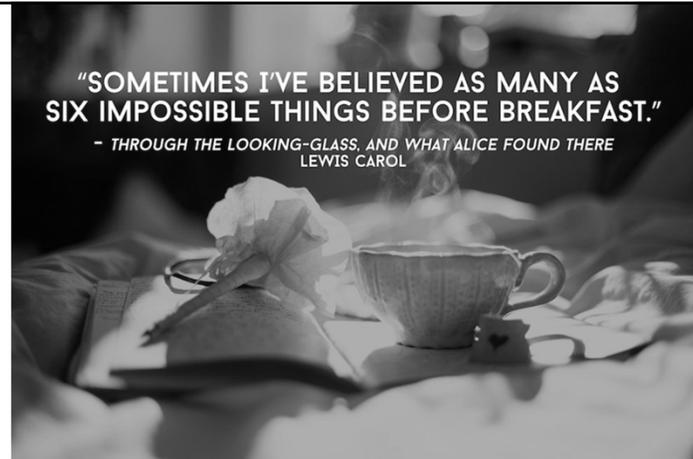
Regulations that did not Change

- Timely and meaningful consultation
- Services are secular, neutral, and nonideological and addresses the needs of the eligible private school students
- Evaluations and assessments
- Written affirmations that consultation occurred
- If there are disagreements during the consultation process, the LEA must provide in writing why they chose another course of action.
- Ability for private schools to pool funds
- Funds used for reservations under Title I, Part A, must be included in the calculation for equitable participation
- Ability for the private school to complain
- By-Pass Procedures



"SOMETIMES I'VE BELIEVED AS MANY AS SIX IMPOSSIBLE THINGS BEFORE BREAKFAST."

- THROUGH THE LOOKING-GLASS, AND WHAT ALICE FOUND THERE
LEWIS CAROL



ESSA Citations

Title I, Part A, Section 1117

- Title I, Part A

USDE Non-Regulatory Guidance: Fiscal Changes and Equitable Service Requirements under ESEA, as amended by ESSA, November 21, 2016

Title VIII, Part F, Subpart 1

- Title I, Part C
- Title II, Part A
- Title III, Part A
- Title IV, Parts A and B



Ombudsman



The results of the agreements between public and private school officials made during consultation shall be transmitted to the ombudsman.

Sections 1117(b)(1)



Ombudsman

DPI shall designate an ombudsman to **monitor and enforce** equitable participation for private school students and educational staff.

Sections 8501(a)(3)(B) and 1117(a)(3)(B)



Ombudsman

The new affirmation form will certify:

- that timely and meaningful consultation occurred;
- the program design is equitable with respect to private school students; and
- will ask for a summary of services under each Title.



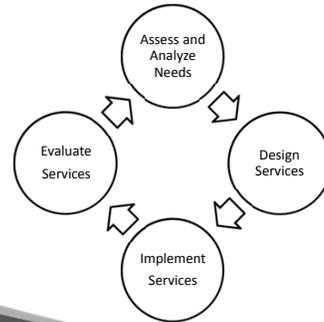
Sections 8501(c)(5) and 1117(b)(5)



What does this mean for LEAs?

LEAs should communicate:

Participation in ESSA services means participation in all stages.



Complaints

A private school may file a complaint to DPI if the LEA did not:

- Provide *timely and meaningful consultation* with the private school;
- Give due consideration to the views of private school officials; or
- Make a decision that treats the private school or its students equitably.



Sections 8501(c)(6)(A) and 1117(b)(6)(A)



What does this mean for LEAs?

- **Document everything:** This includes attempts for consultation, meeting minutes, agreements made, how decisions were made if there were disagreements between LEA and private schools, etc.



Complaints

To file a complaint, a private school shall provide the *appropriate officials*:

- the basis of the noncompliance and
- supporting documentation.

The LEA shall provide the *appropriate officials*:

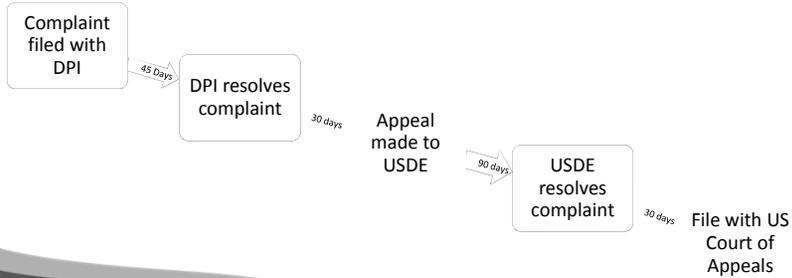
- supporting documentation.

Keep in mind: If the LEA and private school disagree on the services, the LEA must provide the reason why in writing to the private schools. (Sections 1117(b)(2) and 8501(c)(2))

Sections 8501(c)(6)(B) and 1117(b)(6)(B)



Complaints Timeline



Section 8503



*"Where you tend a rose, my lad, a thistle cannot grow."
- The Secret Garden, Frances Hodgson Burnett*

Substantiated Complaints

If the private school demonstrates that the LEA was not compliant, the private school may request that DPI provide the equitable services directly. And, if so, DPI shall do so.

Sections 8501(c)(6)(C) and 1117(b)(6)(C)



Notice of Allocation

DPI must provide notice in a **timely manner** to the appropriate private school officials of **the allocation of funds** for educational services and other benefits under ESSA that LEAs determined are available for eligible private school children.

Sections 8501(a)(4)(C) and 1117(a)(4)(C)



Notice of Allocation

Timely Manner

- DPI should ensure that the notice is provided prior to the beginning of the school year.

Section N-10, USDE Non-Regulatory Guidance November 21, 2016



What does this mean for LEAs?

- Submit your grant applications **As Soon As Possible**. Deadline TBD.
- DPI will change the deadline to align with private school requirements.



Notice of Allocation

How will DPI do this?

- Data will come from WISEgrants (or paper grant application)



Well-Rounded Education

Targeted Assistance Schools shall use resources under this part to help eligible children meet the challenging State academic standards, which may include programs, activities, and academic courses necessary to provide a **well-rounded education**.

Section 1115(b)(2)(A)



Well-Rounded Education

Includes, but is not limited to:

- English, reading or language arts, writing
- Science technology, engineering, mathematics
- Computer science
- Foreign languages
- Civics and government
- Economics;
- Arts, music
- History, geography,
- Career and technical educations
- Health, physical education, and
- Others designated by the state/LEA

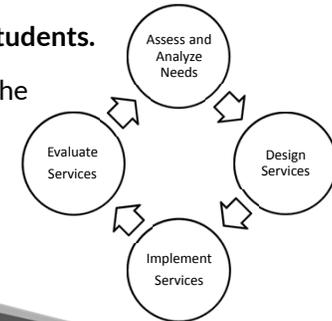
Section 8101(52)



What does this mean for LEAs?

Focus on the needs of students.

All services must meet the needs of the students.



Well-Rounded Education

At this time – The United States Department of Education has not provided specific guidance about how this applies to private schools.



Deriving a Proportional Share for Title I, Part A

NCLB: The proportional share must include a share of the reservations for professional development, parent involvement, and districtwide instructional costs.

ESSA: The proportional share must be calculated before any allowable expenditures and reservations by the LEA.

Section 1117(a)(4)



Deriving a Proportional Share for Title I, Part A

DPI created an Excel calculator to give LEAs an idea of the impact of this new language. It can be found here

<https://dpi.wi.gov/esea/transition>



Deriving a proportional share for Title II, Part A

DPI created an Excel calculator to give LEAs an idea of the impact of this new language. It can be found here

<https://dpi.wi.gov/esea/transition>



Deriving a proportional share for Title II, Part A

NCLB: LEAs must use the amount of Title II, Part A funds it is spending on professional development OR the amount it received for professional development under the FY2001 Eisenhower Professional Development Program – whichever is greater.

ESSA: The amount an LEA must reserve to provide equitable services for private school teachers and other educational personnel for Title II, Part A services is based on the LEA's total Title II, Part A allocation, less administrative costs.

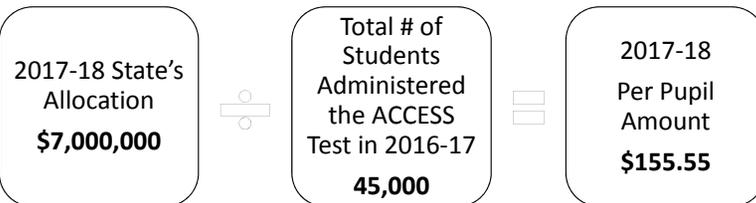


Deriving a proportional share for Title III

- **Calculation remains the same**
- **Reminder:** Only applies to private schools that elected to participate in Title III Services during consultation.



Step 1: Determine the Per Pupil Amount



Hypothetical Data



What does this mean for LEAs?

Likelihood of more Title I and Title II funds being allocated for services to support private school equitable participation.



Step 2: Calculate the Proportional Share

	Number of Students Administered the ACCESS Test in 2016-17	Per Pupil Amount for 2017-18	2017-18 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



"THE MOMENT YOU DOUBT WHETHER YOU CAN FLY,
YOU CEASE FOREVER TO BE ABLE TO DO IT."
- PETER PAN
J.M. BARRIE



Obligating Funds

Funds allocated for educational services and other benefits to eligible private school children, teacher and other educational personnel, and families shall be obligated in the fiscal year for which the funds are received by the LEA.

Section 8501(a)(4)(B) and 1117(a)(4)(B)



Contacts

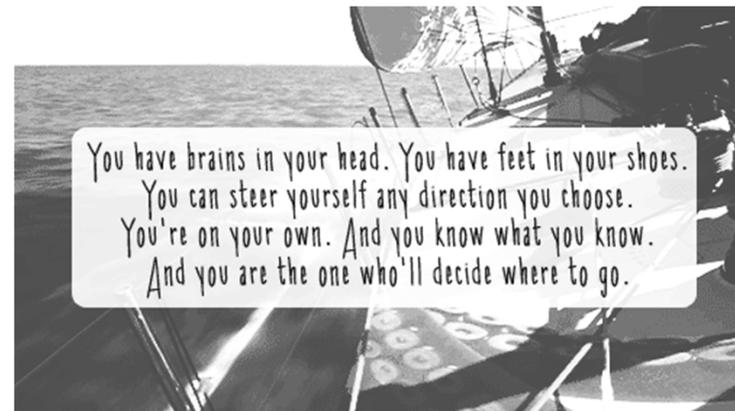
- Title I – Consultant Directory
<http://dpi.wi.gov/title-i/consultant-directory>
- Title II – Abdallah Bendada (608) 267-9270
- Title III – Audrey Lesondak (608) 266-7292
- Shelly Babler (608) 267-1067



What does this mean for LEAs?

- Reinforces the need for timely consultation so services can begin at the start of the school year.
- LEAs will file separate budgets and claims in WISEgrants
- Impacts carryover

Section 8501(a)(4)(B) and 1117(a)(4)(B)



You have brains in your head. You have feet in your shoes.
You can steer yourself any direction you choose.
You're on your own. And you know what you know.
And you are the one who'll decide where to go.

- Oh the Places You'll Go, Dr. Seuss