



Title II, Part A of Elementary and Secondary Education Act (ESEA) and Equitable Services to Non-Public Schools

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Meeting Guide

▶ Overview

- Equitable service requirements – Title II A
 - Characteristics of Services
 - Professional Development
 - Consultation
 - Assessment of Needs
 - Expenditures
 - Formal Complaints
 - FAQs

ESEA

- ▶ LEAs are required to provide equitable participation of private school students, teachers, and in some cases, parents and other education personnel in some of the ESEA's major programs, including Title II, Part A, Teacher and Principal Training and Recruiting Fund.
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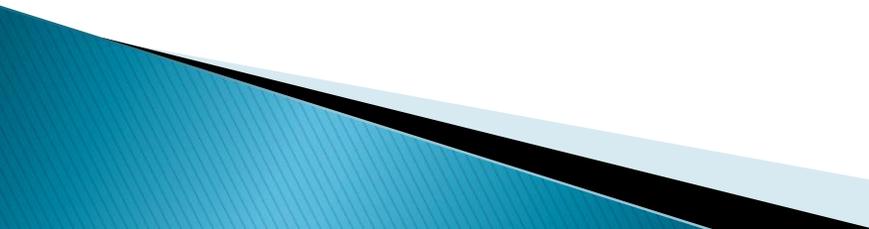
Characteristics of Services

- ▶ Title II A provides funds for **Professional Development** for Private School teachers and other Educational Personnel
- ▶ LEAs may use Title II, Part A funds for a variety of teacher-quality activities that may or may not include Professional Development. However, services for private school teachers must be for professional development
- ▶ www2.ed.gov/policy/elsec/guid/equitableserguidance.doc

High Quality Professional Development

- ▶ The term means PD that meets the criteria contained in the definition of professional development in *Title IX*, Section 9101(34) of ESEA. PD includes, but is not limited to, **activities** that:
 - Improve and increase teachers' knowledge of academic subjects and enable teachers to become highly qualified;
 - Are an integral part of broad schoolwide and districtwide educational improvement plans;
 - Give teachers and principals the knowledge and skills to help students meet challenging State academic standards;

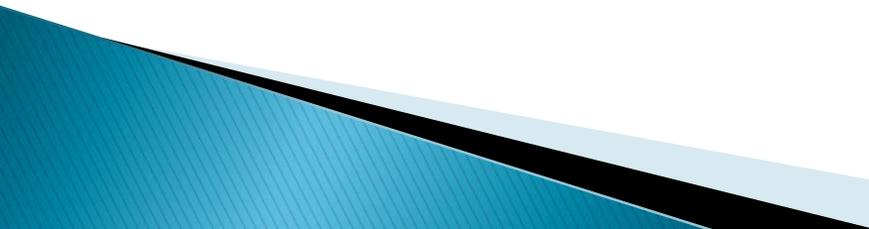
High Quality Professional Development, cont.

- Improve classroom management skills;
 - Are sustained, intensive, and classroom-focused and are not one-day or short-term workshops;
 - Advance teacher understanding of effective instruction strategies that are based on scientifically based research; and
 - Are developed with extensive participation of teachers, principals, parents, and administrators.
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Characteristics of Services

- ▶ Services must be
 - **Secular**
 - **Neutral**
 - **Non-ideological**
 - **Supplemental** in nature
 - **Not supplanting** what the private school would otherwise provide absent the federal education services
 - Services must be **allowable, reasonable, necessary**
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Title II, Part A services are for:

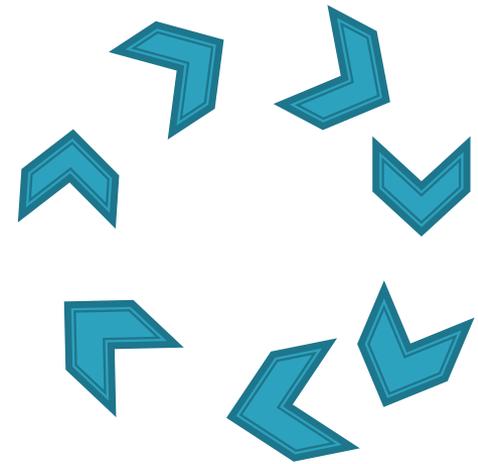
- ▶ Improving knowledge in core academic subject and effective instructional teaching strategies
 - ▶ Training in:
 - Effectively integrating technology
 - Teaching students with different needs, disabilities, and limited English proficiency
 - Methods of improving student behavior, identifying early interventions, and involving parents
 - Leadership development and management; and
 - Use of data and assessments to improve instruction and student outcomes.
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Consultation

- ▶ LEAs are required to engage in **timely and meaningful consultation** with private school officials;
 - ▶ Provide private school teachers and principals with an **opportunity** to participate in professional development activities **equivalent** to the opportunities provided to public school teachers.
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Consultation

- ▶ LEA initiates consultation
- ▶ LEAs inquire whether NPS would participate in LEAs PD
- ▶ LEAs and NPS assess (annually) and address the needs of private schools teachers
- ▶ Provide services that meet the needs of NPS teachers
- ▶ Spend an equal amount of funds per students to provide services (based on a formula).



Timely and Meaningful Consultation

- ▶ How the students' **needs** will be identified
 - ▶ What **services** will be provided (based on data)
 - ▶ **How and where** services will be provided
 - ▶ How **services** will be assessed (Data)
 - ▶ How the results of the assessment will be used to improve services (**supplement not supplant**)
 - ▶ What service delivery mechanisms will be used to provide equitable services
 - ▶ **Who** will provide services
 - ▶ **Amount of funds** available to serve private schools
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Timely and Meaningful Consultation

- ▶ Size and scope of the services
 - ▶ How and when services will be provided
 - ▶ Consideration of the views of the NPS regarding the use of third-party providers
 - ▶ Disagreement on contract services – written explanation.
 - ▶ Continuous consultation throughout the year
 - ▶ Consultation must occur before LEAs make any decision that may affect the opportunities to participate.
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Useful forms for Consultation

- ▶ **J-3. Sample General Consultation Timeline** Note: This is not an official U.S. Department of Education document. It is provided for sample purposes only and should not be considered as a required document when administering *ESEA programs*.
- ▶ **J-5. Sample Consultation Checklist For Local Education Agencies** . Note: This is not an official U.S. Department of Education document. Adapted with permission from *NCLB Private School Services, Local Education Agency Resource Guide, A Handbook for District Administrators, Orange County, Calif., Department of Education, 2006*.
- ▶ **J-6. Sample Consultation Meeting Attendance Sign-in Sheet** Note: This is not an official U.S. Department of Education document. It is provided for sample purposes only and should not be considered as a required document when administering *ESEA programs*.
- ▶ **J-7. Sample Private School Consultation Meeting Agenda** Note: This is not an official U.S. Department of Education document. Adapted with permission from *NCLB Private School Services, Local Education Agency Resource Guide, A Handbook for District Administrators, Orange County, Calif., Department of Education, 2006*.

Useful forms for Consultation

- ▶ **J-8. Sample Needs Assessment and Program Development Plan**
Note: This is not an official U.S. Department of Education document. The form is for sample purposes only and should not be considered as a required document when administering ESEA programs.
- ▶ **J-9. Sample Private School Consultation Meeting Log**
Note: This is not an official U.S. Department of Education document. Adapted with permission from *NCLB Private School Services, Local Education Agency Resource Guide, A Handbook for District Administrators, Orange County, Calif., Department of Education, 2006.*
- ▶ **J-10. Sample Private School Consultation Planning Sheet**
Note: This is not an official U.S. Department of Education document. Adapted with permission from *NCLB Private School Services, Local Education Agency Resource Guide, A Handbook for District Administrators, Orange County, Calif., Department of Education, 2006.*
- ▶ **J-11. Sample Intent to Participate Form**
Note: This is not an official U.S. Department of Education document. The form is for sample purposes only and should not be considered as a required document when administering *ESEA programs.*

Expenditure

- ▶ The law establishes a minimum must be set aside for professional development for private school staff. The LEA must assume that the amount it spends that year on all professional development is at least what it spent for professional development in 2000-01.
- ▶ **The LEA remains in control of the federal funds and maintains ownership of materials, equipment and property purchased with such funds.**

Formal Complaint

- ▶ **A formal written complaint to the IDE must include:**
 - A statement that the LEA, has not provided a meaningful consultation
 - The facts on which the statement is based and the specific statutory or regulatory requirement allegedly violated; and
 - The signature of the complainant.

FAQs

- ▶ **Q.** Does the professional development program for private school teachers have to be the same as the professional development program for public school teachers?
- ▶ **A. No.** LEAs must assess the needs of private school teachers in designing the professional development program for private school teachers. If the professional development needs of the private school teachers are different from those of public school teachers, the LEA, in consultation with private school representatives, should develop a separate program.

FAQs

- ▶ **Q. Is the SEA required to provide equitable services in State level Title II, Part A activities?**
- ▶ **A. Yes.** An SEA must provide equitable services to public and private school teachers and other educational personnel in professional development activities supported by funds reserved for State activities. In addition, the State and Higher Education funded grants to partnerships of institutes of higher education and high-need LEAs must ensure that services are offered on an equitable basis to public and private school teachers since the equitable services requirements apply to grants of “financial assistance” provided to an LEA “or another entity” [See Section 9501(b)(1) of the *ESEA*].

FAQs

- ▶ **Q. May Title II, Part A funds be used to pay for a private school teacher's attendance at a professional conference sponsored or conducted by a faith-based organization?**
- ▶ **A. Yes.** To the extent that the conference is part of a sustained and comprehensive secular professional development plan for the teacher, then Title II, Part A funds may be expended to pay for the portion of the costs of the conference that, as determined by the LEA, represent the secular professional development in which the teacher participated. In this case, the LEA would pay or reimburse the teacher for attendance at the conference.

FAQs

- ▶ **Q. May an LEA use Title II, Part A funds to write a reimbursement check to a private school?**
- ▶ **A. No.** LEAs must administer and retain control over the funds and, therefore, may not provide program funds directly to private schools. An LEA may reimburse an individual private school teacher for professional development that the LEA has pre-approved to be paid for with Title II, Part A funds. At all times, the Federal funds must remain in the control of the LEA. Thus, the LEA expends the funds on behalf of the private school students and teachers.

FAQs

- ▶ **Q. May private schools within the same district request that the LEA pool Title II, Part A funds?**
- ▶ **A. Yes.** Pooling (combining) Title II, Part A funds generated by private school students from a number of private schools located in the same LEA is allowable. If a group of private schools in an LEA requests that the LEA pool the Title II, Part A funds their students have generated, the LEA may pool these funds. Then, based on the professional development needs assessment of the teachers in these schools, the LEA could provide services to all or most of the teachers. However, Title II, Part A funds may **not** be pooled across LEAs. This is because the amount of funds generated for services to private school teachers in an LEA may only be expended for services for those private school teachers in that LEA.

FAQs

- ▶ **Q. Who serves as the private school official representing the private school in the consultation process?**
- ▶ **A.** Most often, the private school principal serves as the official representative of the students and teachers in the school. However, a principal may designate another individual to be her/his representative in the consultation process. A group of private school officials may also be represented by one private school official or a central office administrator. In this case, that individual should inform in writing the LEA superintendent that she/he will serve as the designated representative for such schools and provide a list of the private schools that she/he represents.

FAQs

- ▶ **Q. May Title II, Part A funds be used to pay for professional development for private school principals and superintendents?**
- ▶ **A. Yes.** An LEA may use Title II, Part A funds to pay for professional development for private school principals and superintendents. Section 2123(a)(6) specifically permits an LEA to use Title II, Part A funds to carry out “professional development activities designed to improve the quality of principals and superintendents, including the development and support of academies to help talented aspiring or current principals and superintendents become outstanding managers and educational leaders.”

FAQs

- ▶ **Q. May Title II, Part A funds be used to purchase equipment and materials?**
- ▶ **A. Professional development supplies and materials may be purchased only if they are directly associated with carrying out a Title II, Part A, funded professional development program/activity and must be “reasonable and necessary” (per the Office of Management and Budget cost principles in OMB Circular A-87). Thus, to the extent that the purchase is necessary and reasonable to carry out the professional development activity and the professional development activity meets the professional development standard, it may be permissible**

FAQs

- ▶ If a private school requires and annually provides, as part of its teacher contract, four days of professional development, may the LEA provide, on these same days, professional development supported by *Title II, Part A funds*?
- ▶ If the private school is legally bound by contract to provide a certain level of professional development, it would presumably provide those services regardless of whether Federal funds are available, and **it would be supplanting** to use Federal funds to provide professional development in place of those services..

FAQs

- ▶ **Q. May Title II, Part A funds be used to purchase equipment and materials? (continued)**

- ▶ **ALLOWABLE USES**
 - DVDs that are part of an allowable professional development program and that serve to reinforce the professional development provided.
 - Reference books that are part of the provided professional development. However, if they are intended to be part of a general professional development library and are not part of the professional development itself, they would not be an allowable expenditure.

- ▶ **NON - ALLOWABLE USES**
 - Text books are not an allowable Title II, Part A expenditure.
 - The purchase of technology, including computers, laptops and iPads, is not an allowable use of Title II, Part A funds.
 - Any item intended to be used by students.

Questions

Thanks

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