



Office of School Improvement
Field Services Unit

Technical Assistance Packet
Working with Private Schools



GENERAL INFORMATION

Working with Private Schools

Complete Packets are available for the following Funding Sources:

- Title I, Part A Improving the Academic Achievement of the Disadvantaged
- Title I, Part C Migrant Education
- Title II, Part A Teacher and Principal Training and Recruiting
- Title II, Part D Enhancing Education Through Technology
- Title III, Part A Language Instruction for Limited English Proficient and Immigrant Students
- Title V, Part A Innovative Programs

Each Packet contains the following sections:

1. Overview: Services, Consultation, Documentation, Allocation, Resources
2. Appendix (worksheets)
3. Resources (legislation, regulations, provisions and guidance)

**THE NO CHILD LEFT BEHIND ACT OF 2001
BENEFITS TO PRIVATE SCHOOL STUDENTS AND TEACHERS**

**U.S. Department of Education
Office of Non-Public Education
August 2002**

The No Child Left Behind Act of 2001

The Elementary and Secondary Education Act (ESEA), as reauthorized by the *No Child Left Behind Act of 2001*, provides benefits to private school students, teachers and other education personnel, including those in religiously affiliated schools. These services are considered to be assistance to students and teachers and not to private schools. The reauthorized ESEA requires the equitable participation of private school students, teachers and other education personnel in some of its major programs. Following are explanations of some of the law's provisions and brief summaries of relevant ESEA programs.

What does *equitable participation* by private school students and teachers mean?

The participation of private school students, teachers and other education personnel in the ESEA programs providing services to this population is governed by the Uniform Provisions in Title IX of ESEA, sections 9501-9504. Three of these programs contain their own provisions for the equitable participation of private school students and teachers, which differ, in some respects, from the Uniform Provisions. These are: Title I, Part A, Improving the Academic Achievement of the Disadvantaged; Title V, Part A, Innovative Programs; and Title V, Part D, Subpart 6, Gifted and Talented Students.

Under the Uniform Provisions, local education agencies (LEAs) or other entities receiving federal financial assistance are required to provide services to eligible private school children, teachers and other personnel consistent with the number of eligible children enrolled in private elementary and secondary schools in the LEA, or in the geographic area served by another entity receiving federal financial assistance. These services and other benefits must be comparable to the services and other benefits provided to public school children and teachers participating in the program and they must be provided in a timely manner.

To ensure equitable participation, the LEA or other entity receiving federal financial assistance must assess, address and evaluate the needs of private school students and teachers; spend an equal amount of funds per student to provide services; provide private school students and teachers with an opportunity to participate in activities equivalent to the opportunity provided public school students and teachers; and offer services that are secular, neutral and non-ideological.

What *consultation* is required under the equitable participation provision?

The Uniform Provisions contain requirements for timely and meaningful consultation between appropriate public and private school officials. The goal of the consultation process is to design and implement a program that will provide equitable services and meet the needs of eligible private school students and/or teachers and other education personnel. Consultation between the entity receiving federal financial assistance and private school officials must occur before any decision is made that could affect the ability of private school students, teachers and other education personnel to receive benefits under ESEA and must continue throughout the implementation and assessment of activities. Consultation generally must include discussion on such issues as: how children's needs will be identified; what services will be offered; how and where the services will be provided; who will provide the services; how the services will be assessed and how the results of assessment will be used to improve those services; the amount of funds available for services; the size and scope of the services to be provided; and how and when decisions about the delivery of services will be made.

In addition, a thorough consideration of the views of private school officials on the provision of contract services through potential third-party providers must take place, and, where the entity receiving assistance disagrees with the views of the private school officials on the provision of services through a contract, the entity must provide a written explanation of the reasons why the entity has chosen not to use a contractor.

What *programs in the No Child Left Behind Act* require equitable participation by private school students and teachers?

Title I—Improving the Academic Achievement of the Disadvantaged

- ***Title I, Part A—Improving Basic Programs Operated by LEAs***

Title I, Part A, provides supplementary instruction by public school teachers or through a third-party contractor to students who are educationally disadvantaged and failing or most at risk of failing to meet high academic standards, and who live in areas of high poverty. Instruction may take place during the school day, before or after school, or in the summer. Title I services may be provided on site at the private school, including religiously affiliated schools, or at other locations. (See Guidance on the Supreme Court's Decision in *Agostini v. Felton* and Title I (Part A) of ESEA at www.ed.gov/legislation/ESEA/feltguid.html.) Funds are generated on the basis of the number of children from low-income families who reside in participating public school attendance areas and attend private schools. Private school students who reside within a Title I attendance area and who are failing or most at risk of failing to meet high academic standards are eligible for services.

Services may include a targeted, assisted pullout model, supplementary instruction, direct instruction, computer-assisted instruction, tutoring, counseling, family literacy and early childhood programs. In addition, the law

requires equitable participation of private school teachers of Title I students in professional development activities and of parents of Title I students in parent involvement activities. Title I is not governed by the Uniform Provisions; it has its own requirements. Under Title I, LEAs are required to maintain a written affirmation signed by an official for each participating private school that the required consultation has occurred.

- ***Title I, Part B—Reading First***

Reading First provides funding to implement comprehensive reading instruction for children in kindergarten through third grade. Funds must be used for reading programs; instructional materials; professional development; administering screening, diagnostic and classroom-based reading assessments; collecting and reporting data; and promoting reading and library programs. Reading First is governed by the Uniform Provisions, and private school children in the areas served by public schools receiving Reading First funds are eligible for services.

- ***Title I, Part B, Subpart 3—Even Start Family Literacy***

Even Start Family Literacy provides funding to partnerships of LEAs and other public and private entities to support family literacy programs that integrate early childhood education, adult education, parenting education, and literacy activities for low-income families and their children from birth through age seven. The Even Start Family Literacy program is governed by the Uniform Provisions, and grant applicants are required to consult in a timely and meaningful manner with private schools in designing and implementing a program for school-aged students.

- ***Title I, Part C—Migrant Education***

Migrant Education provides financial assistance to improve the education for migrant children. State education agencies (SEAs) provide services and activities either directly or through subgrants to local operating agencies (LOAs), which can be either an LEA or a public or nonprofit private agency. The Migrant Education program is governed by the Uniform Provisions and requires the equitable participation of private school migrant students and their teachers, and other education personnel in schools located in targeted areas.

Title II—Preparing, Training, and Recruiting High Quality Teachers and Principals

- ***Title II, Part A—Teacher and Principal Training and Recruiting Fund***

The Teacher and Principal Training and Recruiting Fund provides assistance for preparing, training, recruiting and retaining high-quality teachers. This program is governed by the Uniform Provisions, but the amount of funding available for services to private school personnel is governed by Section 9501 (b) (3), which

requires equitable participation of private school teachers and other education personnel to the extent that the LEA uses its funds for professional development. For the purposes of determining the amount of program funds to be made available for services to private school teachers, the law "imputes" a minimum amount of program funds devoted to professional development as the total amount spent in fiscal year 2001 for professional development under the predecessor Eisenhower Professional Development Program and the Class Size Reduction Program. Activities may include improving teachers' knowledge in the core academic subjects and effective instructional teaching strategies; technology integration training; teaching students with different learning styles; using assessments to improve instruction and student outcomes; involving parents more effectively; and educational leadership development.

- ***Title II, Part B—Mathematics and Science Partnerships***

The Mathematics and Science Partnerships program provides funds to improve mathematics and science teaching through a variety of activities. At the current appropriations level, partnerships must include an SEA; an engineering, math or science department of an institution of higher education (IHE); and a high-need LEA. Private schools may be members of these partnerships. Activities include professional development; stipends and scholarships for advanced coursework in mathematics, science or engineering; and programs to bring math and science teachers into contact with working scientists, mathematicians and engineers. This program is administered jointly with the National Science Foundation. The Mathematics and Science Partnerships program is governed by the Uniform Provisions and requires the equitable participation of teachers who teach in private schools located in school districts where grants are awarded.

- ***Title II, Part D—Enhancing Education Through Technology***

The Enhancing Education Through Technology program provides funds for innovative initiatives to support the integration of educational technology into classrooms to improve teaching and learning. Activities include professional development in technology integration and the use of the Internet; distance learning initiatives; acquiring educational technology; and using technology to enhance parental involvement. This program is governed by the Uniform Provisions and requires the equitable participation of students and teachers in private schools located in school districts where grants are awarded.

Title III—Language Instruction for Limited English Proficient and Immigrant Students

- ***Title III, Part A—English Language Acquisition, Language Enhancement and Academic Achievement***

The English Language Acquisition, Language Enhancement and Academic Achievement program provides funds for helping limited English proficient (LEP) children attain English proficiency and meet the same challenging state

academic standards as all children are expected to meet. Funds must be used for increasing the English proficiency of LEP children by providing high-quality language instruction and high-quality professional development. Private school students and teachers whose schools are located within an LEA that receives a subgrant from the state are eligible to participate in this program, as required by the Uniform Provisions.

Title IV—21st Century Schools

- ***Title IV, Part A—Safe and Drug-Free Schools and Communities***

The Safe and Drug-Free Schools and Communities Act supports programs that foster a safe and drug-free learning environment. Authorized activities include drug, violence and suicide prevention programs; professional development and training; developing school security plans; conflict resolution, community service and character education programs; family involvement activities; counseling; mentoring; and emergency intervention services. The Uniform Provisions for the equitable participation of private school students apply to the Safe and Drug-Free Schools program, including the competitive grant programs awarded directly by the Department (National Coordinator program, Community Service Grant, Grants to Reduce Alcohol Abuse, and Mentoring programs).

- ***Title IV, Part B—21st Century Community Learning Centers***

The 21st Century Community Learning Centers (21st CCLC) program provides before-and after-school (including summer) services to children and their families that include academic enrichment activities, particularly for students who attend low-performing schools, to help them meet state and local student performance standards in core academic subjects. Activities may include remedial education, academic enrichment, art, music, tutoring, mentoring, recreation, technology, drug and violence prevention, counseling, character education and family literacy. The Uniform Provisions apply to the 21st CCLC program and require the equitable participation of private school students, teachers and other education personnel who are part of the target population.

Title V—Promoting Informed Parental Choice and Innovative Programs

- ***Title V, Part A—Innovative Programs***

Innovative Programs support education reform and innovative school improvement programs to improve school, student and teacher performance. Private school students, teachers and other education personnel may receive professional development, library materials, educational equipment, and repair and minor remodeling or construction of school facilities. Other activities may include community service programs; consumer education; purchase of computer hardware and software; programs to hire and support school nurses; school-based mental health services; programs for cardiopulmonary resuscitation training in schools; and parent and community involvement. The

program has its own provisions for the equitable participation of private school students, teachers and other education personnel (section 5142).

- ***Title V, Part D, Subpart 6—Gifted and Talented Students***

The Gifted and Talented Students program provides funding for demonstration projects in activities designed to enhance the ability of schools to meet the special education needs of gifted and talented students (including economically disadvantaged individuals, individuals with limited English proficiency, and individuals with disabilities). Activities include training of personnel in the education of gifted and talented students and, where appropriate, in the use of gifted and talented services, materials and methods for all students. The program has its own provisions for the equitable participation of private school students, teachers and other education personnel. They require the Secretary to ensure, where appropriate, that provision is made for the equitable participation of students and teacher in private schools, including the participation of teachers and other personnel in professional development programs serving such students.

Note:

For several programs discussed above and a few other programs, community and faith-based organizations, including private schools, may apply directly for a grant. For information on those programs, please visit the Faith-Based and Community Initiatives Web site at www.ed.gov/about/inits/list/fbci/index.html.

Further Information

For additional information on the *No Child Left Behind Act of 2001*, other federal programs affecting private schools, private school statistics, publications, Internet links to the private school community and other resources, visit the Office of Non-Public Education Web site at <http://www.ed.gov/print/about/offices/list/oii/nonpublic/index.html>.

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U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-3600

Phone: (202) 401-1365

Fax: (202) 401-1368

E-mail: OIIANon-PublicEducation@ed.gov

Web Site: <http://www.ed.gov/print/about/offices/list/oii/nonpublic/index.html>

For inquiries or comments, e-mail: [Office of Non-Public Education](mailto:OIIANon-PublicEducation@ed.gov)

**General Information for Districts to Establish Private School Programs
Under the Provisions of: Title I, Part A; Title I, Part C; Title II, Part A;
Title II, Part D; Title III, (LEP); and Title V, Part A of the
No Child Left Behind Act of 2001**

The *No Child Left Behind Act* (NCLB), signed into law by President Bush in January 2001, reauthorized the Elementary and Secondary Education Act (ESEA) passed by Congress in 1965. The purpose of the reauthorized ESEA is to improve teaching and learning for all children to enable them to meet challenging academic content and student performance standards. Since the passage of ESEA in 1965, local educational agencies (LEAs) have been required to provide equitable educational services to eligible private school students, teachers, parents and other personnel. Equitable services applies to all Federal programs not just Title I. Private schools receive no direct funds from these programs. Program funds are granted to the public authorities, usually a local education agency, that is in turn responsible for serving eligible students, teachers, parents, and other personnel, whether they attend public or private school. The formula, requirements, and procedures vary by program, but the principle of the public authority's responsibility for all eligible students within its jurisdiction remain constant.

General Requirements

NCLB defines private schools to be only private **nonprofit** schools. In previous reauthorizations, these schools were referred to as "non-public" schools or "private nonprofit" schools.

Annually notify, in writing, all private schools of available services

- Specify criteria for participation, needed demographic information and due date.

Joint Planning/Consultation

- Consultation involves the initial contact with enough flexible scheduling opportunities to ensure participation by representatives of the private schools.
- Private school administrators and other persons are provided adequate opportunity to participate in the planning of the services to be provided.
- The ultimate decision rests with the public school, based on the most effective use of funds.

Equity

- Educational services or other benefits for private school children shall be equitable in comparison to services and other benefits for public school children participating under this part, and shall be provided in a timely manner.

Suggested Time Line*

Consultation shall include meetings of the district and private school officials and shall occur before the local educational agency makes any decision that affects the opportunities of eligible private school children to participate in programs under this part. Such meetings shall continue throughout implementation and assessment of services provided under this section.

* NOTE: Title I, Part C Summer Migrant Program has a separate timeline, Refer to Title I, Part C packet.

Example of a Timeline for LEA Consultation With Private School Officials*

Month	LEA Activity	Legal Basis**
November/December in preparation for the next school year	<p>Obtain complete list of all private schools with students who are residents of the LEA.</p> <p>Meet with private school officials to review timeline and consultation process. Establish a consultation calendar and procedures for collecting poverty data (i.e. data on low-income families).</p>	<p>LEA uses list to ask all private school officials if they want their eligible students to participate in Title I the next school year.</p> <p>See §1120(a) of the <i>Elementary and Secondary School Act</i>.</p>
December through February in preparation for the next school year	<p>Obtain from principals or a central office serving a group of private schools the following poverty data (as appropriate) on private school students:</p> <ul style="list-style-type: none"> • Same poverty measure used to count public school students, which is usually free and reduced-priced lunch; • Survey of private school parents asking for income data, address, and grade level of children from which the LEA must extrapolate these data (see Section 2); • Alternative poverty data such as scholarships, Temporary Aid to Needy Families, Medicaid, etc. <p>~or~</p> <ul style="list-style-type: none"> • Decide through consultation to use proportionality (see Section 2). 	<p>Private school students from low-income families who live in Title I participating public school attendance areas generate funds for instructional services.</p> <p>See §1120(c)(1) & §200.78(a)(2) of the Title I regulations.</p>
February/March in preparation for the next school year	<p>Match addresses of private school students from low-income families to participating public school attendance areas.</p> <p>Estimate the amount of funds generated for instruction using the same estimated per-pupil amount as that used for public school students in participating public school attendance areas.</p> <p>Meet with private school officials to discuss poverty data collected, amount of estimated instructional funds generated, and determine if funds will be pooled, not pooled, or a combination of both options.</p>	<p>See §1120(b)(1)(f) & (2) and §200.64(a).</p>

* In this example, multiple meetings will be required to cover each LEA activity.

** This column references Title I, Sec. 1120 and 34 *CFR* 200.

Month	LEA Activity	Legal Basis
<p>March/April in preparation for the next school year</p>	<p>Determine the multiple, educationally related, objective criteria to be used to select eligible students (educationally needy students who reside in Title I attendance areas) in consultation with private school officials.</p> <p>Obtain from private school officials lists of names, addresses, and grades of private school students who meet the criteria.</p> <p>From these lists, select for Title I services those students most at-risk of failing, as decided in consultation.</p> <p>Discuss with private school officials the needs of selected students, appropriate Title I services to serve those needs, and location of services.</p> <p>Design services that meet participants' needs based on consultation, using the estimated amount of funds generated by private school students from low-income families, and the equitable share of funds reserved for districtwide instructional activities.</p> <p>Determine with private school officials the standards and annual assessments for measuring progress of the Title I program.</p> <p>Define annual progress. Determine criteria for making program modifications when annual progress is not achieved.</p> <p>Assess the achievement of current year's program using the standards previously agreed upon last year.</p> <p>After appropriate consultation, make modifications to next year's Title I program, if annual progress has not been met.</p>	<p>Multiple, educationally related, objective criteria required under §1115(b). See §200.62(b).</p> <p>See §1120(b).</p> <p>See §200.62(b)(2).</p> <p>See §1120(b)(1) and §200.63(a) and (b).</p> <p>See §200.64.</p> <p>LEA must assess quality and effectiveness of Title I program each year. LEA modifies the design of services if annual progress is not met.</p> <p>See §1120(b)(1)(D) and §200.63(b)(5).</p>

Month	LEA Activity	Legal Basis
<p>April/June in preparation for the next school year</p>	<p>Determine in consultation with private school officials the professional development and parent involvement needs of private school teachers and families of private school participants.</p> <p>Design activities that LEA will implement the next school year (independently or in conjunction with LEA activities) for teachers and families of participants.</p> <p>Inform private school officials of tentative program designs, service delivery models, number of Title I participants, allocations, location of services, and estimated costs. Provide opportunities for private school officials to comment.</p> <p>Update private school officials if there are any changes. Generate a list of students who will receive Title I services beginning in September of the next school year.</p> <p>Obtain written affirmation from private school officials or their representatives that timely and meaningful consultation has occurred. Consultation must be ongoing, however, and should continue throughout the school year.</p> <p>Complete all necessary reports, contract negotiations, ordering of materials, hiring of teachers, etc. Consultation should be completed for the next school year prior to LEA submitting its Title I application to the SEA.</p>	<p>Equitable services for teachers and families of participants apply to funds reserved under §§1118 and 1119. See §1120(a) and §200.65.</p> <p>LEAs must provide opportunities for consultation with private school officials if program is modified or private school officials request more discussion. See §1120(b) and §200.63.</p> <p>See §1120(b)(4) and §200.63(e).</p> <p>These actions ensure that programs will begin at the start of the school year. See §1120(a)(3) and §200.62(a)(1).</p>
<p>August in preparation for the beginning of school year</p>	<p>Report on readiness of Title I program for private school participants to private school officials.</p>	<p>Private school officials should be aware how LEA will implement the program in September, including staffing, number of students to be served, location, etc. See §1120(b)(2) and §200.63(c).</p>

Month	LEA Activity	Legal Basis
September of school year	<p>LEA begins Title I services for students identified the previous spring as participants and provides private school officials with their names, services to be provided, and names of Title I teachers.</p> <p>Obtain a list of newly enrolled students who meet eligibility criteria. Consult with private school officials on how new students might be accommodated in the program.</p> <p>Initiate professional development and parent involvement activities based on previous spring's consultation.</p>	<p>See §1120(a)(1) and §200.62(a)(1).</p> <p>See §200.65.</p>
October of school year	<p>LEA provides information about possible adjustments and program changes to private school officials.</p> <p>Start planning for the next school year's consultation cycle.</p>	<p>See §1120(b)(2) and §200.63(c).</p>

Key issues relating to the provision of Title I services are discussed during consultation, which provides an opportunity for the both the public and private school officials to express their views and to have those views considered. Ultimately, the LEA is responsible for planning, designing, and implementing the Title I program and may not delegate that responsibility to the private schools or their officials.

As a result, private school officials who want services for their eligible students should be aware of their roles in the consultation process to ensure that Title I programs designed by the LEA effectively meet the needs of their participating children, their teachers, and their families. Roles for the private school officials are:

- Participating in consultation;
- Providing lists of addresses and grades of low-income families;
- Providing lists of names, addresses, and grade levels of children who meet the multiple, educationally related, objective criteria for participation eligibility;
- Suggesting ideas, program designs, and modifications that meet the needs of their eligible children, their teachers, and their families; and
- Providing a dedicated space, if appropriate.

NOTE: SUGGESTED LETTER TO BE SENT TO PRIVATE SCHOOLS LOCATED WITHIN PUBLIC SCHOOL DISTRICT'S BOUNDARIES

Community Public Schools

123 Learning Avenue
Schooltime, Michigan 48899

[Date, usually spring of the year]

Administrator
Private Nonprofit School
School Address
School City, State, Zip

Dear [Administrator]:

Community Public Schools invites you to participate in the following federal programs during the 2006-2007 school year: *(list those programs that apply to your district's situation; Title I, Part A services should be offered to all private nonprofit schools with resident children enrolled; services for all other grant sources should be offered only to private nonprofit schools located within district boundaries; note that some private nonprofit schools receive their Title V services through the Intermediate School District).*

Title I, Part A, Improving Basic Programs, to provide supplementary instruction to students who are failing or most at risk of failing to meet your school's core academic curriculum.

Title I, Part C, Migrant Education, to provide supplementary educational and support services to migrant students through both regular school year and summer programs.

Title II, Part A, Teacher and Principal Training and Recruiting, to help support sustained and intensive professional development.

Title II, Part D, Enhancing Education Through Technology, to support the integration of educational technology into classrooms to improve teaching and learning.

Title III, Limited English Proficient, to provide instruction and professional development that help limited English proficient students in the speedy acquisition of English language proficiency to achieve in the core academic subjects. It also provides immigrant students with high quality instruction to meet challenging State standards, and assists the transition of immigrant children and youth into American society.

Title V, Innovative Programs, to support local educational reform efforts consistent with statewide reform or provide a source for continuing innovation and educational improvement, including support for library services and instructional media materials.

The level of services available to your school under Title I and Title III programs is based upon your documentation of student eligibility. The level of services available to your school under Title II and Title V programs is based on your school's total enrollment.

We encourage you to participate in the planning for these federal programs for the benefit of your students and staff. Please complete the attached form indicating your school's interest in participating in these federal programs in 2006-07. Upon receipt of this form, I will contact you to set up a planning meeting and discuss the purposes of each program and the policies that guide program implementation.

Sincerely,

Director of Federal Programs

Name of Private Nonprofit School: _____

Name of School Contact Person: _____

Title: _____

Phone Number: _____

____ Yes, our school plans to participate in the federally-funded program services during 2006-2007

____ No, our school does not wish to participate at this time

Signature: _____

Please return this completed form no later than _____ to:

Director of Federal Programs
Community Public Schools
123 Learning Avenue
Schooltime, Michigan 48899

NOTE: SUGGESTED LETTER TO BE SENT TO PRIVATE SCHOOLS LOCATED OUTSIDE PUBLIC SCHOOL DISTRICT'S BOUNDARIES

Community Public Schools

123 Learning Avenue
Schooltime, Michigan 48899

[Date, usually spring of the year]

Administrator
Private Nonprofit School
School Address
School City, State, Zip

Dear [Administrator]:

Although your school is outside of our district boundaries, resident children from our school district enrolled at your school may be eligible for academic services through the Title I, Part A program. Therefore, Community Public Schools invites you to participate in the following federal program during the 2006-2007 school year.

Title I, Part A, Improving Basic Programs, provides supplementary instruction to students who are failing or most at risk of failing to meet your school's core academic curriculum. The level of services available to your school under the Title I, Part A program is based upon your documentation of student eligibility.

We encourage you to participate in the planning of the Title I, Part A program for the benefit of your students and staff. Please complete the attached form indicating your school's interest in participating in this federal program in 2006-07. Upon receipt of this form, I will contact you to set up a planning meeting and discuss the purpose of this program and the policies that guide program implementation.

Sincerely,

Director of Federal Programs

Name of Private Nonprofit School: _____

Name of School Contact Person: _____

Title: _____

Phone Number: _____

____ Yes, our school plans to participate in the Title I, Part A program during
2006-2007

____ No, our school does not wish to participate at this time

Signature: _____

Please return this completed form no later than _____ to:

Director of Federal Programs
Community Public Schools
123 Learning Avenue
Schooltime, Michigan 48899

DOCUMENTATION OF PRIVATE SCHOOL CONSULTATION

P.L. 107-110 – The No Child Left Behind Act of 2001 (NCLB) requires that timely and meaningful consultation shall occur between the local education agency (LEA) and private school officials prior to any decision being made that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate in programs under this Act, and that the consultation shall continue throughout the implementation and assessment of activities under this section.

The following topics must be discussed during that consultation:

- Method/source of data used to determine the number of children from low income families in participating attendance areas who attend private school
- How the specific needs of eligible children will be identified
- Types of services that will be offered to meet those needs
- How, where and by whom services will be provided
- When and how often services will be provided
- How and when the decision will be made in regard to the delivery of services
- How services will be academically assessed
- How results from the assessment will improve services
- The proportion of funds that will be allocated to provide such services
- If the private school wants services provided through a contractor and the local education agency chooses not to use that contractor, the local education agency has provided the private school a written analysis of the reasons.
- Under Title I, the LEA must discuss the equitable services the LEA will provide to teachers and families of private school participating children

We agree that timely and meaningful consultation occurred before the local education agency made decisions that affected the participation of eligible private school children in the following Title program services for the next school year: Title I, Part A; Title I, Part C; Title II, Part A; Title II, Part D; Title III, Part A; and Title V, Part A.

Public School Official Date

Private School Official Date

School District

Private School Name

The LEA and the Private School must keep a copy of this document on file.

Allowable District Uses of Funds for Services to Private Schools

	Title I Part A	Title I Part C	Title II Part A	Title II Part D	Title III Part A	Title V Part A
Salaries for private school staff	No	No	No	No	No	No
Salaries of district staff who service private school	Yes	Yes	Yes, if providing professional development	Yes, if providing professional development	Yes	Yes
Substitutes for ANY reason	No	No	No	No	No	No
Stipends for private school staff *Professional Development in core, academic areas—secular content only *Reasonable & Necessary *Outside of school day *Paid directly to teacher by district	Yes	Yes	Yes	Yes	Yes	Yes
Purchase of Computers	Yes, if exclusively for use by Title I students	Yes, if exclusively for use by Migrant students	No	Yes	Yes, if exclusively for use by LEP students	Yes
Supplies	Yes, for Title I students	Yes, for Migrant students	Yes, for Professional Development	Yes, for Tech Support and Professional Development	Yes, for LEP students	Yes
Class Size Reduction	No	No	No	No	No	No
Professional Development	Yes, for assisting Title I students	Yes, for assisting Migrant students	Yes	Yes	Yes, for assisting LEP students	Yes

Sample Agendas for Consultation Meetings Throughout the School Year

Agenda for early winter meetings (typically in December or January) in preparation for the next school year

1. Welcome and introduction.
2. Overview of Title I program.
3. Options for service providers: the LEA or a third-party.
4. Discussion on the collection of poverty data: What is available from private schools? Is the survey with extrapolation a possibility? Should the LEA consider proportionality?
5. Discussion on possible program designs: Should it be a pullout program or a before or after school program? Which grade levels and what academic subjects should the Title I program encompass? Do the private school officials have space in their schools for the LEA to provide Title I services?

Agenda for late winter or early spring meetings (typically in February or March)

1. Review of poverty data collected and the estimated amount of funds available for services. Decide if pooling option will be used.
2. Determination of the multiple, educationally related and objective criteria used to select eligible children who reside in Title I public school attendance areas.
3. Review of options for service providers.
4. Plan a program design workshop for private school principals and LEA instructional specialists.
5. Discuss how the Title I program will be evaluated: What standards and assessment 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.
6. Establish the date that Title I services will start.
7. Discuss the professional development needs of the private school teachers of Title I participants based on the most recent student assessment data.
8. Discuss the needs of the parents of participants: How can parents better support their children's instruction?

Agenda for late spring meetings (typically in April or May)

1. Finalize the designs 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.
2. Finalize professional development programs and activities for private school teachers. Establish a calendar for the next year's activities.
3. Finalize parent involvement programs and activities for parents of participants. Establish a calendar for next year.
4. Review current year's assessment data for current year participants to determine if any adjustments to instruction should be made.
5. Provide affirmation forms for signature.

Agenda for meeting one month after program has begun (typically in the month of October)

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

Title I Program for Eligible Private School Students

Certification of Technology Equipment

Private School Name _____

Title I Teacher _____

By the signature below, the Title I teacher assigned to the program at this private school certifies that the technology equipment provided by the LEA (list attached) is located at this school site.

Beginning of
School Year _____

Teacher's Signature

Date

Midyear _____

Teacher's Signature

Date

End of
School Year _____

Teacher's Signature

Date

In the event an inventory update is needed, please check the box below indicating the month when you signed and submitted this form with the updated list.

___ Attached is a list of the *updated* inventory of equipment, materials, and property paid with Title I funds for the month of _____ for the LEA files. I have kept a copy for my files.

Title I Program for Eligible Private School Students

Certification of Instructional Materials

Private School Name _____

Title I Teacher _____

By the signature below, the Title I teacher assigned to the program at this private school certifies that the instructional materials are located at the school site as listed on the attached inventory form.

Instructional Materials

_____ Books
(Name of each book is on attached list.)

_____ Software

_____ Math Manipulatives

_____ Computers

_____ Other (please list):

Beginning of School Year _____

Teacher Signature

Date

Midyear _____

Teacher Signature

Date

End of School Year _____

Teacher Signature

Date

Worksheet

Determining Professional Development Activities For Private School Teachers Based on Needs Assessments

LEAs and private school officials can use this worksheet to develop effective professional development programs for private school teachers of Title I children. Using the worksheet during consultation, LEAs and private school officials can identify: the needs of the private school participants and their teacher; the teacher's strengths; the most appropriate professional development to meet the identified needs; and the estimated cost of the professional development activity. To follow is a sample completed worksheet.

Grade	Student Needs	Teacher Strengths	Teacher Areas of Need	Proposal for Professional Development	Estimated Cost
Grade 3	Reading for comprehension; Increasing time on task	Excellent classroom management; creative approach to learning	Reading in the content area for at-risk students	Local university course, "Applying New Reading Research to Instruction in Content Areas for Low-achieving Students"	\$1,150
Grade 2	Reading fluency	Reading in the content areas	Analysis of and correction of reading problems	Quarterly in-service training with LEA reading specialist to develop skills to analysis reading problems	\$800 per person (when there is a class of 10 individuals)
Grade 1	Letter recognition; Lack of phonic skills	Reading in the content areas	Phonics-based instruction	Quarterly in-service training with LEA reading specialist or 3-credit course at the local teachers college	\$800 \$900 for 3 credits

Sample: LEA Procedures for Using Title I Assessment Information to Develop a Program Evaluation Plan and Subsequent Program Modifications

Title I Program Assessment

- After the assessment and analysis of the appropriate data, priorities will be established that meet the needs of students.
- A program model and schedule will be aligned with the established priorities.
- An instructional program will be designed to **supplement** the private school's core curriculum.
- The private school uses _____ reading materials for the core curriculum.
- The private school uses _____ mathematics materials for the core curriculum.

Evaluation Plan

- LEA officials must assess annually the progress of the Title I program toward enabling private school participants to meet the agreed-upon standards. Student performance results will be reviewed annually. When the standardized test information is available, the Title I teacher(s) and the private school official(s) will meet to analyze the assessment results for the participating students. Their goal is to determine whether or not the level of student performance, as measured by the standardized test, has met or exceeded the desired outcomes agreed to in consultation.
- Based on consultation, the effectiveness of the Title I program at each private school will be measured through comparing the targeted percentage of students reaching the established performance-level standard and the agreed-upon year-end percentage of students achieving the performance level.
- In the event the Title I program fails to meet the annual progress target, consultation will occur to examine the student performance data to determine whether modifications are required.

Determining Annual Progress Measure

Agreed-upon performance levels (standards) used to determine the annual progress of the Title I program at the private school are:

Reading/Language Arts

	Instrument	Student Performance Level	Annual Progress Measure (Percentage of students achieving performance level)	Year-end Percentage Achieving
Grades K-2:	_____	_____	_____	_____
Grades 3-12:	_____	_____	_____	_____

Mathematics

	Instrument	Student Performance Level	Annual Progress Measure (Percentage of students achieving performance level)	Year-end Percentage Achieving
Grades K-2:	_____	_____	_____	_____
Grades 3-12:	_____	_____	_____	_____

Program Modifications

- If the program fails to meet the annual progress target, consultation will occur to examine the student performance data to determine needed modifications. To improve student achievement, the modifications will include, but will not be limited to:
 - Increased Title I teacher time;
 - Implementation of Title I services for extended day or extended year, or both;
 - Increased focus or time or both for specific grade level(s), if a need is demonstrated; and
 - Evaluation of supplemental materials for effectiveness in improving student academic achievement.
- Also, the consultation process will include a review of the performance standards for program evaluation in the following year.
- The standards and progress measures will be modified, as necessary.