

# Equitable Services for Private Schools Under Title II, Part A

Virginia Department of Education  
Coordinators' Academy  
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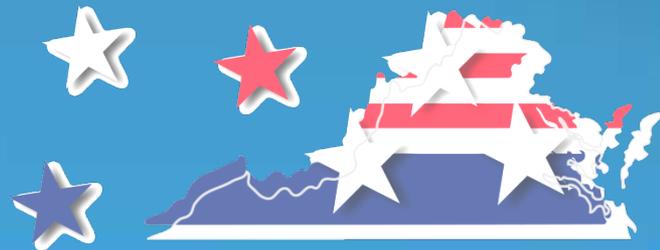




# Overview of Presentation

- Private schools overview
- Meaningful consultation
- How value of services is derived
- Working in application budget
- Examples of equitable services
- Allowable/unallowable activities

# Private School Participation





# Background

Title IX, Section 9501 of *Elementary and Secondary Education Act of 1965*(ESEA) guarantees equitable services from Title II, Part A, for private school teachers ***to the extent that a school division uses funds for professional development.***

*[Title IX Non-Regulatory Guidance, Section D]*



# Intent to Participate Survey

The school division must **annually** contact all private, **nonprofit** schools serving **K-12** students, located within the division's geographic boundaries, to inform them of their right to equitable services through Title II, Part A, and to ascertain their intent to participate.

*[Title IX Non-Regulatory Guidance, Section D]*



# Timely and Meaningful Consultation

The school division must engage in meaningful consultation with private school personnel to plan activities that allow equitable participation for private school teachers and educational personnel.

*ESEA, Section 9501 (c) (3)*

# Eligibility for Services Under Title II, Part A

**For Title II, Part A, the following staff members MAY be eligible for services, based on needs assessment:**

- **Teachers in federal core content areas\***
- **Teachers of special populations  
(special education, gifted, English language learners)**
- **Principals and/or other instructional leaders**
- **Paraprofessionals or other instructional personnel (consult with school division to ensure allowability)**

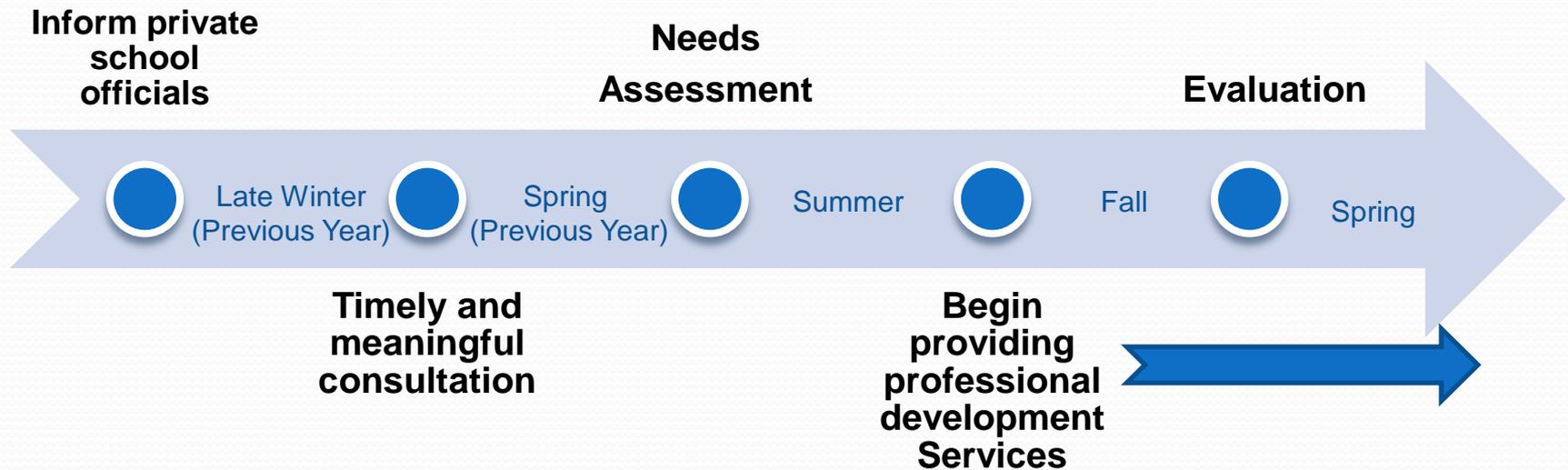
*\*Federal core content areas include the following: English/language arts/reading; mathematics; science; history, geography, civics, economics, government; foreign language; the arts.*



# Process

- Invite private schools to participate in discussions PRIOR to submission of application;
- Determine needs;
- Plan activities;
- Determine budget (through application); and
- Implement activities.

# Consultation Timeline





# Private School Guidelines for Activities Funded by Title II, Part A

- May only be used for professional development services
- No funding or “allocation” is provided directly TO a private school
- Services must be:
  - Based on **needs**;
  - Secular, neutral, and non-ideological; and
  - Research-based
- Must supplement, not supplant, current/required activities
- May not be used for salaries of private school teachers (or other staff members)

*[Title IX Non-Regulatory Guidance, Section G;  
Title II, Part A, Non-Regulatory Guidance, Section G]*

# Ensuring Productive Meaningful Consultation

## Topics to Cover:

What is the purpose of Title IIA, and how may it be used with private schools?

What types of services are available?

Which staff members may be able to receive services?

What kind of paperwork may be needed? (i.e., needs assessment, student enrollment) Private schools should NOT be asked to fill out purchase orders.

What is the process a private school should use for obtaining services?

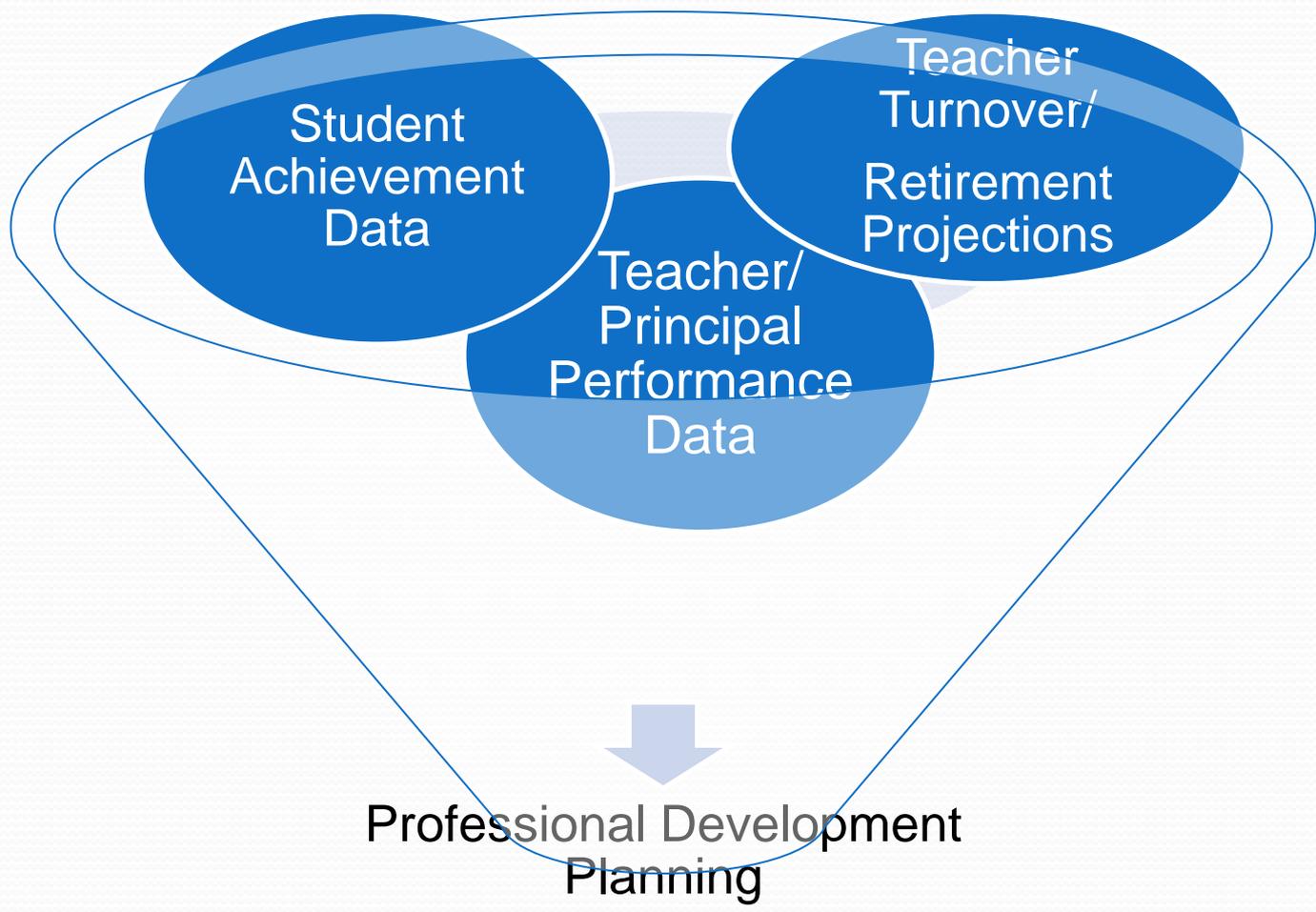
What is the timeline for services?

What is the estimated value of services that may be available?

How will activities be evaluated for effectiveness?



# Private School Needs Assessment



*[ESEA, Section 2122(c)]*

# Ensuring Productive Meaningful Consultation

## Possible Areas to Review

Student  
Achievement data

Professional  
Development  
survey responses/  
Teacher requests

Numbers of  
current/projected  
new teachers (0-3  
years)

Teacher/Principal  
Evaluation findings

Professional  
Development Plan  
(if applicable)

Names of possible  
vendors/service  
providers if  
available

School  
calendar/desired  
timeframe for  
services

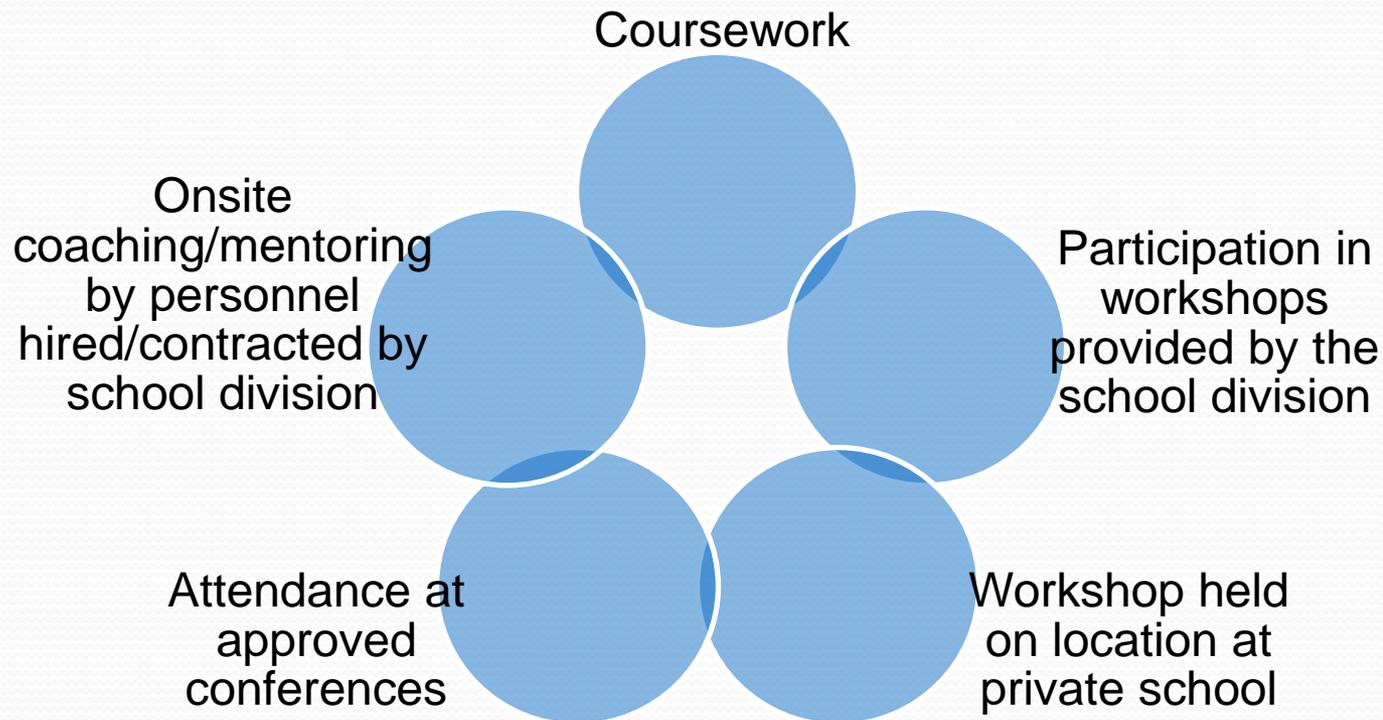
Student enrollment  
figures (K-12 for  
Title IIA)

# Example Needs Assessment

Grade	Student Needs	Teacher Strengths	Teacher Areas of Need	Proposal for Professional Development	Estimated Cost
<b>Grade 3</b>	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
<b>Grade 2</b>	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 analyze reading problems	\$800 per person (when there is a class of 10 individuals)
<b>Grade 1</b>	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 for local university course

# Providing Equitable Services

- Based on NEEDS, examples of possible equitable services could include:



# Examples of Professional Development Activities

Must be  
Secular, Neutral, Non-Ideological

Content-specific  
professional  
development (federal  
core content areas\*)

Instructional Teaching  
Strategies

Classroom  
Management/Improving  
Student Behavior

Working with Students  
with Different  
Needs/Differentiation  
Strategies

Instructional Leadership

Integrating Technology  
into the Curriculum/  
Data Analysis

*\*Federal core content areas include the following: English/language arts/reading; mathematics; science; history, geography, civics, economics, government; foreign language; the arts.*

# Possible Service Delivery Methods

Coursework  
(through accredited  
university)

Onsite/Off-site  
workshops; conferences

Virtual courses/PD  
activities

Onsite  
coaching/mentoring  
(Personnel may only be  
hired by public schools  
and under their direction)

All services must be tied to  
needs assessment

Public schools are responsible for  
providing/paying for services. Requests for  
services **MUST** be discussed in advance.

# Managing Expenditures on Behalf of Private Schools Under Title II, Part A

The school division remains in control of federal funds and maintains ownership of any materials or equipment purchased with such funds.

# Allowable Uses of Funds for Private Schools: Common Issues

- It is the responsibility of the public school to plan activities on behalf of private school teachers
- Activities must meet the needs of the private school.
- **Contractual agreements to be paid with federal funds may ONLY be initiated/entered into by the public schools.**
- Private school officials should NOT be requested to complete purchase orders.
- All activities MUST be discussed in advance.

# Allowable Uses of Funds for Private Schools: Common Issues

- Funds for services to private schools may ONLY be used for professional development
  - Professional development in federal core content areas (English/reading/language arts; mathematics; science; social studies; foreign language; art; music)
  - Classroom management; use of data; improving academic achievement for special populations; instructional strategies; professional development for principals and superintendents to become better instructional leaders

# Allowable Uses of Funds for Private Schools: Common Issues

- **Title IIA funds may NOT be used for:**
  - First Aid/CPR/defibrillator/Epi-Pen training
  - Crisis management; school safety training\*
  - Business, CTE, Physical Education, Stress Management
  - Nurses, secretarial staff, or other non-instructional staff

\* Contact Title IIA specialist at VDOE with specific questions if training is for a **school principal**

# Allowable Uses of Funds for Private Schools: Common Issues

- If training is hosted by a religious organization:
  - Payments may NOT be made directly to the organization; only reimbursements may be made to individuals for allowable activities
  - Only the secular, neutral, and non-ideological portion of activities may be allowed. Prorated reimbursements may be necessary. Consultation is CRITICAL!
- Online training
  - Only reimbursement for allowable activities may be provided. (If provider offers non-allowable content that teachers access, the reimbursement should be prorated accordingly)
  - How will online activities be monitored?
  - What are expectations?



# Determining Private School Set-Asides

## If Not Required to Recalculate Retroactively Or No Additional Services are Warranted based on Results of Recalculations:

- On private school page of application:
  - Enter names of private schools and participation status.
  - Enter K-12 enrollment of public and private schools.
  - The set-aside will automatically calculate.
- Enter the calculated amount on the appropriate budget breakdown page of the application and in column B of the budget summary page.

## If Required to Recalculate Retroactively AND Must Provide Additional Services

- On budget summary page, enter the value of additional services to be provided during 2014-2015 based on recalculations and consultation with private schools (in Column A)
- On private school page of application
  - Enter names of private schools and participation status.
  - Enter K-12 enrollment of public and private schools.
  - The set-aside for 2014-2015 will automatically calculate. Enter this amount in column B of the budget summary page and budget breakdown pages under the appropriate object codes.



## H. PRIVATE SCHOOL PARTICIPATION

Each year, the school division must contact all eligible private (nonprofit) schools and engage in meaningful consultation on the availability of equitable services funded by Title II, Part A. (ESEA Section 9501(c)(3) and Title III, Uniform Provisions, Part E, Subpart 1).

1. Are there private nonprofit schools in your school division's attendance area?

Yes (If yes, complete the remainder of this page.)  No (If no, it is not necessary to complete the rest of this page.)

2. Place an "X" in the appropriate block(s) to indicate how private schools in the division were notified on the availability of equitable services funded by Title II, Part A. (Copies of the notification must be kept on file for monitoring purposes.)

Regular Mail  Certified Mail  
 Telephone Calls  Meeting  
 Write to the Private School  Other (Please specify: \_\_\_\_\_)

3. What is the public school division's projected K-12 enrollment for the 2013-2014 school year? \_\_\_\_\_

4. Determining Set-Arside (These fields will calculate automatically once enrollment figures have been entered.)

a. Prepared Professional Development Budget	\$ 0.00
b. Previous Eisenhower 2001-2002 funds allocated for professional development	\$
c. Amount of funds allocated for professional development from 2001-2002 Class-Size Reduction funds	\$ 0.00
d. Larger amount to use for set-aside calculations	\$ <b>0 VALUE!</b>

5. Was the school division required to recalculate private school set-aside for the 2007-2008 through 2010-2011 award years?

Yes  No

6. If the division was required to recalculate private school set-aside for the 2007-2008 through 2010-2011 award years, complete the following:

a. What is the total value of additional services that were determined during recalculation?	\$ 10,000.00
b. What is the value of additional services that have been provided to date? (from 2011-2012 carryover, if applicable, and additional services set-aside in the 2012-2013 application)	\$ 0.00
c. What is the value of additional services that will be provided from the 2013-2014 award? (from Coll G6 on Summary Budget tab)	\$ 100.00
d. Balance of additional services that must be provided by 2016-2017	\$ <b>9,900.00</b>

7. Complete the chart below:

- In Column A, list all eligible private schools in the geographic boundaries of the school division.
- In column B, indicate the participation status of the listed private school(s) for the **2013-2014 award year**, as a result of consultation.
- In Column C, indicate whether additional services will be provided to the school as a result of private school recalculations from 2007-2010.
- In column D, enter the K-12 enrollment of private schools participating in services for the **2013-2014 award year**.
- Column E will automatically calculate the value of services for the **2013-2014 award year**.
- **For divisions that needed to recalculate and provide additional services:** In Column F, enter the mutually agreed upon additional value of services for each school from recalculations, as indicated from the template consultation agreements completed over the summer.
- The estimated total value of services to be provided for each school will calculate in Column G.
- In Column H, indicate the method of notification for each private school.

8. For the 2013-2014 award year, enter the estimated private school set-aside (Coll K109) onto the Summary Budget Tab under the "Budget for 2013-2014" column. The amount should be indicated as "Private School Set-Aside" for the appropriate subject codes. On the Budget Detail page, list the amounts in the appropriate subject codes in the "Private School Set-Aside for 2013-2014" line.

	Value of services for participating private schools - from 2013-2014 allocation only	Value of additional services to be provided from 2013-2014 funds, if applicable	Total Value of Services to be provided from 2013-2014 funds, (current + additional)				
	\$0.00	\$100.00	\$100.00				
A	B	C	D	E	F	G	H
Private Schools	Participation Status for 2013-2014 award year? (Yes/No)	Is school receiving additional services as a result of recalculations from 2007-2010? (Yes/No)	K-12 Enrollment	Estimated Value of Services from 2013-2014 allocation, per school [calculated \$/Sch]	Additional Value of Services to be provided per school, based on recalculated allocations (if applicable). Enter amount from consultation agreement	Total Value of Services to be provided from 2013-2014 funds, per school (current + additional)	Method of Notification (For non-participating schools only)
				0.00	0.00	0.00	
				0.00	0.00	0.00	
				0.00	0.00	0.00	
				0.00	0.00	0.00	

# Frequently Asked Questions

## Title II, Part A

1) How is the value of Title II, Part A, services calculated for each participating private school?

## Response

- The value of Title II, Part A, services for private schools is calculated on a per-pupil basis for each participating private school *to the extent that the school division uses its funds for professional development.*
- The per-pupil calculation is based on the number of K-12 students in both the public and participating private schools located *within the geographic boundaries* of the school division.

# Frequently Asked Questions

## Title II, Part A

2) 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?

## Response

- 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, an individual teacher would need to pay for attendance at the conference, submit documentation about sessions attended, and the LEA would pay or reimburse the teacher for attendance at the conference in the appropriate amount.

# Proration of Reimbursement

- Participation in activity must be discussed IN ADVANCE.
- Teachers should pre-pay for professional development activity.
- Submit requests for reimbursement, along with agenda identifying sessions attended.
- LEA determines percentage of time spent in secular, neutral, non-ideological activities.
- Reimbursement should be based on that percentage. (i.e., if 50 percent of time was spent in allowable activities, then reimbursement percentage applies to all expenses – registration, travel, etc.)

# Frequently Asked Questions

## Title II, Part A

3) If a private school official requests that certain services be delivered through a particular third party and the LEA chooses not to do so, what should the division include in the written explanation as to the reasons why it chose not to grant that request?

## Response

- ESEA requires a division to provide a “written explanation of the reasons” why it chose not to use a specific third party for services.
- An adequate explanation would address concerns expressed by private school officials about the division’s direct services and fully explain the reasons why the division chose not to use a third party.
- Alternatives should be offered to meet the needs.

# Frequently Asked Questions

## Title II, Part A

4) Who may serve as the private school official representing the private school in meaningful consultation meetings?

## Response

- Most often, the principal of the private school is the designated representative for consultation.
- The principal may designate another individual at the school.
- A group of principals may designate an individual to represent them.\*
- An official from a group of similarly-affiliated schools within a division may be designated. (i.e., a diocesan representative) \*

\*Note: if someone other than the principal will represent the school or a group of schools, notification should be sent in writing to the division's superintendent and Title II, Part A coordinator.

# Frequently Asked Questions

## Title II, Part A

5) May private schools within the same school division request that the school division “pool” funds for services?

## Response

- Yes, funds for schools within the same school division may be pooled.
- Funds may NOT be pooled across different school divisions.
- If some schools wish to pool funds and others do not wish to pool, that is acceptable.

# Frequently Asked Questions

## Title II, Part A

6) Does the professional development program for private school teachers have to be the same as the professional development program for public school teachers?

## Response

- No. School divisions 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 schools are different from those of the public school teachers, the school division, in consultation with private school representatives, should develop a separate program.

# Frequently Asked Questions

## Title II, Part A

7) May a school division place a blanket restriction on activities for private school teachers, such as not allowing graduate courses or out-of-state professional development?

## Response

- No. While a school division may choose to set restrictions on otherwise allowable Title II, part A, activities for public school teachers, it may not impose those same restrictions on private school teachers.
- Nevertheless, the professional development activity must be otherwise allowable, **reasonable, and necessary** in meeting the needs of private school teachers and principals.

# Frequently Asked Questions

## Title II, Part A

8) If a private school requests it, may a school division write a reimbursement check to a private school from Title II, Part A, funds?

## Response

- No. It is never permissible to reimburse a private school for services or materials it has purchased.
- Upon PRE-APPROVAL, a school division may reimburse an **individual** private school teacher or principal for participation in approved professional development activities.

# Scenarios: How would you handle these requests? (Activity)

- Request to attend out-of-state conference
- Request for online professional development with combination of allowable/unallowable content
- Request to send all teachers to retreat at a mountain lodge or beach house for professional development workshop.
- Request for i-pads for teachers
- Request to attend fundraising seminar for administrator(s)
- Request to organize professional development event involving private schools from neighboring school divisions



If, over the years, a private school has not indicated interest in participating in Title II, Part A, activities, is it acceptable to stop sending notifications?

YES

NO



If, over the years, a private school has not indicated interest in participating in Title II, Part A, activities, is it acceptable to stop sending notifications?

YES

NO

No, it is necessary to contact each private school annually.



A private school indicates during meaningful consultation that differentiated instruction is a need. They purchase a DVD entitled “Reaching All Students: Differentiating Instruction” and submit documentation to the division for reimbursement. Is this acceptable?

Yes

No



A private school indicates during meaningful consultation that differentiated instruction is a need. They purchase a DVD entitled “Reaching All Students: Differentiating Instruction” and submit documentation to the LEA for reimbursement. Is this acceptable?

Yes

No

No. Only the division may obligate and expend federal funds on behalf of private school students and teachers. Thus, the division must purchase the materials (or procure services) on behalf of the private school students and teachers. It is not acceptable to reimburse the private school for materials it has purchased. However, an individual teacher may be reimbursed WITH PRIOR APPROVAL.



A private school outlines a need for differentiation training in discussions with the public school. They move forward to conduct the professional development activity and pay the presenter in advance for services. May they submit a reimbursement request to the public school?

Yes

No



A private school outlines a need for differentiation training in discussions with the public school. They move forward to conduct the professional development activity and pay the presenter in advance for services. May they submit a reimbursement request to the public school?

Yes

No

Public schools may NOT reimburse a private school directly. They should arrange activities and pay the vendor on behalf of the private school.



# References

- Title II, Part A, Improving Teacher Quality Non-regulatory Guidance document (revised October, 2006) from the United States Department of Education may be found at:  
<http://www.ed.gov/programs/teacherqual/guidance.pdf>
- Title IX, Part E, Uniform Provisions: Private Schools Non-Regulatory Guidance  
<http://www.ed.gov/policy/elsec/guid/equitableserguidance.doc>
- Application Instructions and Guidelines – see Mechanics Module for additional details or visit  
<http://www.doe.virginia.gov/VDOE/Instruction/OCP/nclb-apps/ConsApplGuidelines.pdf>



# Resources

- Virginia Department of Education: Title IX, Equitable Services to Private Schools webpage:  
[http://www.doe.virginia.gov/federal\\_programs/esea/title9/index.shtml](http://www.doe.virginia.gov/federal_programs/esea/title9/index.shtml)



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