

Federal Program Services

1

MICHELLE L. DOYLE
PRESENTED BY CATAPULT LEARNING

Equitable Participation

2

- Most programs require equitable participation of private school students
- Today's presentation will focus on Title I and Title IIA.
- Key to all: timely and meaningful consultation

What is Consultation?

3

- Consultation is the required, ongoing process of communication between private school officials and public school special education officials on a list of topics



Timely and Meaningful

4

- Before decisions are made, such as ordering materials or hiring staff
- Includes consultation during the design, development, and implementation of program
- Early enough to allow for maximum participation of private school students and teachers **by the start of the school year**



Consultation Should...

5

- Describe programs available and allowable activities
- Address the specific needs of private school students and teachers
- Provide opportunity for meaningful dialogue on program design

Consultation Topics

6

- How the children's needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How the services will be assessed and how the results of the assessment will be used to improve those services
- Size and scope of equitable services and the amount of funds available for those services

Topics (cont.)

7

- How and when the LEA will make decisions about the delivery of services
- Including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers

Insufficient Consultation

8

- An offer of services without an opportunity for private school officials to express their views
- An offer to participate in the LEA program without regard for the needs of private school students and teachers



Continued Examples

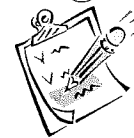
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- A unilateral offer of services, either at a meeting or by a letter
- A refusal to discuss the option of a third party provider
- Calling a consultation meeting without adequate notice for private school officials to attend



Safeguards

10



- Written explanation required of the LEA, giving analysis of the reasons they have for declining request for third party provider

Safeguards (cont.)

11

- Sign off (written assurance)—Title I and IDEA *only*
 - Timely and meaningful
 - Appropriate topics discussed
 - Views of private school heard
 - Reasonable expectation of equitable program
- Complaint procedure

Education for the Disadvantaged: Title IA

12



Title I Funding

13



Title I, Part A

14

- Low income children generate funds
- Educationally needy children may be served
- Both low income children and educationally needy children must reside in Title I attendance areas to be eligible

How Low-Income is Determined

15

- If same measures are available, same measures are used
- A survey can be conducted
- Proportionality can be used

Most Common: Surveys

16

- LEA responsibility
- Important for private school to be part of process—better returns
- Only address and grade level—no names
- LEA determines if low-income private school children reside in Title I attendance areas

Extrapolation

17

- If not all surveys are returned, LEA extrapolates to entire private school population
 - "When not all surveys collecting comparable poverty data...are returned, LEA officials must extrapolate the data received to the total number of surveys distributed." Education Department's Title I Toolkit
 - Total private school enrollment divided by total number of returned surveys times total number of low-income children on returned surveys = extrapolated number of students from low-income families

Determining Educational Need

18




- Multiple measures
- Educationally related
- Developmentally appropriate
- Objective criteria

Ways to Determine Educational Need

19

- Achievement tests
- Teacher referrals
- Interviews with parents
- Grades
- Portfolio



PD and PI Set Asides


20

- 5% set aside for professional development
 - Teachers of participating Title I students
 - Focused on helping at-risk students achieve
 - LEAs without all highly qualified teachers
- 1% set aside for parental involvement
 - Parents of participating Title I students

How is Funding Determined?

21

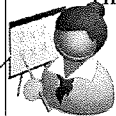
- Title I Professional Development and Parental Involvement funds are allocated in proportion to the number of low-income private school students.



Title IIA: Teacher Quality

22

PURPOSE OF TITLE IIA IS TO INCREASE STUDENT ACHIEVEMENT THROUGH IMPROVING TEACHER AND PRINCIPAL QUALITY



22

Title IIA

- Based on the needs of the students, provides training and professional development:
 - In core subjects,
 - For improving student behavior, and
 - To integrate technology into the curriculum

23 23

Teacher Quality

- Equitably serves private school teachers and principals—all schools can participate
- Provides high quality, sustained professional development in core subject areas-make a difference in the classroom
- Meets the needs of private school students through teacher and principal professional development

24 24

Determining P.D. Services

- Design of the PD program is determined through the consultation process
- It is not sufficient for the LEA to simply invite the private school teachers to participate in the LEA's PD program
- The program must be designed to meet the needs of the private school students

25

25

Professional Development

- Teacher and principal professional development
- Core subjects and classroom support
- Lead to high quality teaching in the classroom
- Equitable portion of PD funds (not necessarily all Title IIA funds)—“Hold harmless”

26

26

Resources

27

- Guidance citation:
www.ed.gov/programs/titleiparta/psguidance.doc
and
<http://www.ed.gov/policy/elsec/guid/equitableserguidance.doc>
- Title I Toolkit:
<http://www2.ed.gov/programs/titleiparta/ps/titleitoolkit.pdf>
- IDEA Policy Guidance and tools:
<http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CTopicalArea%2C5%2C>

Additional Resources (cont.)

28

- Council for American Private Education (CAPE)
◦ <http://www.capenet.org/pubs.html>
- United States Conference of Catholic Bishops NCLB Toolkit:
◦ <http://www.usccb.org/education/fedasst/nclb.shtml>
- National Catholic Educational Association
◦ <http://www.ncea.org/public/NoChildLeftBehind.asp>

Waivers

29

WHAT THEY ARE AND HOW COULD THEY
AFFECT PRIVATE SCHOOL FEDERAL
EDUCATION PROGRAMS

What Are These “Waivers?”

30

- U.S. Secretary of Education...
 - Waives certain Title I obligations under NCLB for states,
 - To provide more flexibility,
 - In exchange for adopting specific reforms through Title I



Waivers and Flexibility

31

- SEA would no longer need to follow current requirements for AYP, but still calculate.
- LEA would no longer need to comply with requirements for SINI.
- SEA would no longer need to comply with requirements for DINI
- Additional flexibility to rural schools
- Flexibility to use schoolwide option for lower than 40% poverty

Waivers and Flexibility (continued)

32

- Flexible allocation of school improvement dollars (not through funds that have equitable participation requirements)
- Ability to reward high performing schools
- Flexibility regarding HQT improvement plans
- Expanded transfer flexibility
- Flexibility to use SIG to support priority schools (SIG not subject to equitable participation requirements)
- (Optional) Flexible use of 21st Century funds

Requirements in lieu of NCLB

33

- Setting AMOs in reading/la and math for state, LEAs, schools, subgroups: ambitious and achievable.
- Identify at least 5% of the SEA's lowest performing schools as "priority" schools.
 - Title I schools, based on "all students"
 - Title I schools with less than 60% graduation rate over a number of years
 - Schools using SIG funds to implement turnaround model
- Identify at least 10% of the SEA's next lowest performing schools as "focus" schools.

Funds to Support Reforms

34

- SIG funds reserved by the SEA
- 20% previously reserved for SES and public school choice transportation
- LEA's regular Title I allocation
- Other federal funds, consistent with their intent and purpose
- Funds transferred into Title I
- State and local resources

Additional Flexibility

35

- Transferability
 - Transfer up to 100% of funds out of:
 - Title IIA (Teacher Quality), Title IID (Technology), 21st Century CLC
 - Transfer these funds to:
 - Title I
 - Title IIA
 - Title IID
- Schoolwide programs
 - Less than 40% poverty may implement schoolwide programs if priority or focus school

Private School Issues

36

- Consultation prior to the LEA making any decisions about the use of funds freed up through flexibility and transferability.
- Accounting of funds under flexibility and transferability to ensure equitable services.
- Possibility of additional services from freed up funds.



Guidance Relative to NPS

37

- May the Secretary waive the equitable participation of private school students?
 - No, ESEA specifically prohibits this.
- Are funds otherwise spent on SES, etc. subject to equitable participation?
 - Yes, to the same extent as regular Title I funds.
 - If being used generally for all public schools, subject to equitable participation
 - If being used for specific schools (i.e. priority and focus), not subject to equitable participation

Relevant Guidance (continued)

38

- Must an LEA consult with nps officials prior to deciding how freed up funds will be used?
 - Yes, consultation must occur during design and development of the program
 - Meetings must occur before the LEA makes any decision that effects the opportunity for equitable participation
 - Consultation must include use of freed up funds
- What are the responsibilities for equitable services under transferability?
 - Each program covered by transferability that requires equitable participation continues to require this.

Effective Strategies (1)

39

- If your State has not submitted their application:
 - Look for public notices (required)
 - Contact nps rep on Committee of Practitioners
 - Send letter to State
 - Send letter to LEAs
 - Determine best approach locally
 - Enlist assistance of state-wide private school organizations

Submitted Applications

40

- Access the application on line
- Connect with local private school leaders
- Collect data on the relative impact of freed up funds used for the public school program vs. the private school program
- Detail the unmet needs of your students and how they could be met by these additional funds
- Send a letter requesting a consultation meeting
- Present a “tight” case for additional funds
- Don’t give up!!

Resources

41

- ESEA applications filed, FAQs (3 documents), explanation of flexibility, new information: <http://www.ed.gov/esea/flexibility>
- Follow the blog! www.ask-michelle.com

Washington’s Flexibility Application

42

WASHINGTON’S APPLICATION HAS NOT YET BEEN ACCEPTED BY THE US DEPARTMENT OF EDUCATION

Current Set Asides

43

- Washington will no longer mandate public school choice (PSC) or supplemental educational services (SES) currently required under NCLB.
- Instead of requiring districts to set aside Title I, Part A funds for PSC and/or SES, this request proposes mandating districts with Focus and Priority Schools to reserve up to 20% of their Title I, Part A funds to address identified needs and ensure the school receives resources and supports aligned with the its improvement plan.

Other Supports for Low-Performing Schools

44

- Districts can receive guidance around differentiating their funds to support other consistently low-achieving schools to implement meaningful interventions. Districts will have the flexibility to develop these interventions and align their supports to the unique needs of their schools.

Implications for Private School Students

45

- Freed up 20% from SES and public school choice transportation probably not available for additional services to private school students.
- Additional flexibility could mean more Title I dollars are diverted to public school purposes.
- Current ED interpretation of law:
 - If the district allocates Title I funds across their Title I attendance areas, equitable services are provided.
 - If the district allocates Title I funds to particular Title I schools, equitable services are *not* provided.

Legislative Outlook

46

FISCAL ISSUES; STATUTORY POSSIBILITIES

The “new” ESEA

47

- Administration’s Blueprint: ESEA will in part mirror Stimulus Core Reforms and Race to the Top
 - Drive reform
 - Focus on charters as option
 - Growth models rather than single test score
 - Require achievement; hold states accountable
 - Flexibility in type of reform to achieve standards
 - Some programs become competitive

Key Private School Issue: Set Asides

48

- Proportional share of funds based on total allocation *prior* to set asides
 - Title I: prior to SES, public school choice, SINI, DINI
 - Title IIA: prior to class size reduction, teacher recruitment/retention



Shift in Focus

49

- 1994: Improving America's Schools Act
- 2002: No Child Left Behind
- Shift from services to students in critical national areas of concern
to
- Focus on public school reform

Effects of Set Asides on Title I Services

50

- Private school students lose between 20% and 50+% of the funds they generated
- Examples:
 - Camden, NJ: 45% set aside before "equitable" participation = \$535,000 loss to private school program
 - Milwaukee, WI: 30% set aside before "equitable" participation = \$5 million loss to private school program

Similar Issue: Title IIA

51

- Current law:
 - Public school uses:
 - Professional Development
 - Class-size Reduction
 - Teacher Recruitment and Retention
 - Private school students "equitable" participation:
 - Proportional share of professional development dollars only
 - Highest of "hold harmless" from 2001 Eisenhower or equitable share of PD funds

Proposal for ESEA

52

- Funds generated by private school students should be used to serve those students
 - Determine equitable services from total allocation to LEA
 - Funds used appropriately for each group of eligible student.



Thank you!!

53