Equitable Participation Designed to Meet the Needs of Private School Students and Teachers



2015-16
276 Private Schools | 49,371 Total Enrollment





Equitable Services

Private School Students, Teachers and Students

ESEA | Elementary and Secondary Education Act

ESSA | Every Student Succeeds Act

Required by Federal Law Why?



Because public tax dollars support federal programs, non-profit, private school children and teachers are eligible to access the services these programs provide.



Law & Regulation

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Elementary and Secondary Education Act (ESEA)

<u>ESEA</u> index | Private school sections <u>5133</u> | <u>5142</u> <u>Office of Non-Public Education</u> - Liaison to the nonpublic school community

<u>Title programs with provisions for equitable services</u> (ED.gov Office of Innovation and improvement)

Guidance

<u>Uniform Provisions</u> (PDF): Title IX, Part E Equitable Services to Eligible Private School Students, Teachers, and Other Educational Personnel, revised March 2009 is the non-regulatory guidance that covers:

Education of Migrant Children Title I, Part C

<u>Teacher and Principal Quality</u> Title II, Part A

<u>ELL/Emergency Immigrants</u> Title III, Part A

Title I, Part A

Non-regulatory Guidance (MSWord)

Carl D. Perkins Career and Technical Education Act
Non-regulatory Guidance (PDF) | Carl D. Perkins CTE Act
(U.S. Dept. of Education)

Equitable Participation — The Basics

Equitable Services

Services should be equitable to the public school — not necessarily identical — designed to meet the needs of private school students and teachers.

Equal Expenditures on a Per-pupil Basis

Expenditures must be equal to the amount of funds expended for participating public school children. iGrants calculates this amount.

Same Start Date

Services for private school students should begin at the same time as services begin in public schools.



Key Word Is Services

Districts do not distribute public funds to private schools.

District staff provide services and materials only .

No reimbursement to private schools



Uniform & Other Provision Requirements

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Equitable Programs Under ESEA

Title I, Part A | Improving Basic Programs

Title I, Part C | Education of Migrant Children

Title II, Part A | Teacher and Principal Quality

Title III, Part A | ELL/Emergency Immigrants

Title IV, Part B | 21st Century Community Learning

Centers

Carl Perkins/Career and &Technical Education (CTE)

Programs governed by Uniform Provisions

Title I, Part A and CTE are governed by their own provision requirements.

Private School Participation @OSPI

Process for Private School Participation

Private schools must initiate approval through the Washington State Board o Education.	

Judy Jennings, Private School Representative, Washington State Board of Education

How and Why the State Board Approves Private Schools (video 2:33)



Process for Private School Participation

State Board of Education — Initial Approval

Complete the *Application for Private School Initial Approval* Renew approval annually

State Board of Education — Annual Approval

Annually — apply for approval from the state board Complete the P105 Enrollment Data Report



State Board Approval

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Washington State Board of Education Approves Private Schools

List of Approved Private Schools by Public School District | 2015-16 (Excel)

Questions? Contact the Private Education Office at OSPI | 360-725-6433 | PrivateSchools@k12.wa.us.

Law & Regulation

Minimum Standards for Private School Approval Chapter 28A.195 RCW | Chapter 180-90 WAC

Important! Make sure the information you enter is correct. Once entered, you cannot modify unless you contact the Federal Programs office at 360-725-6100.

Apply for State Board Approval

Download the Application Packet

Intent to Participate Form

- 1. Enter your Federal Tax ID number.
- 2. Choose *Participation* or *Nonparticipation*.
- 3. Check federal program boxes
 - 4. Enter enrollment data.
 - 5. Select all the public school districts where your students reside. Necessary for Title I, Part A.



State Board Approval

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Intent to Participate

Tips to Help You Complete the Form

If you have a school name change or have changed districts...

Contact OSPI Customer Support | 1-800-725-4311 Contact Laura Moore in our Private Education Office, 360-725-6433.

Submit this form even if the private school decides NOT to participate.

Be aware...when you submit this form, it goes to OSPI and the school district in which the private school is located.

Important! Make sure the information you enter is correct. Once entered, you cannot modify unless you contact the federal programs office at OSPI | 360-725-6100

District Process: Ensure Equitable Participation

Review the *Intent to Participate* form on EDS.

Contact the private schools that completed the form and begin the consultation process.

Contact private schools that have not filled out the form.

Required: document each contact attempt on the EDS Contact Log. Mandatory: 2 attempts by the district.



Let's Talk About Consultation



District Must Ensure Equitable Participation

Consult & Plan with Private Schools

Before decisions about services go into effect

Before the district submits annual federal grant applications

District maintains administrative control over services.

District monitors teachers and providers who deliver services.



Consultation: Topics for Discussion

How will the district identify student needs?

What services will the district offer?

How and when the district will provide services

How the district will assess these services

How the results of this assessment will improve future services



Consultation: 2 Key Topics for Discussion

Who will provide

the services?

How much funding is available to serve private school students, teachers, educational personnel, and in some cases, parents?



Consultation

3 Key Requirements

1. Communication must continue through implementation and assessment.

Title I, Part A requires school districts to submit a written Affirmation of Consultation for each participating private school.

Districts include this information in iGrants Form Package 201

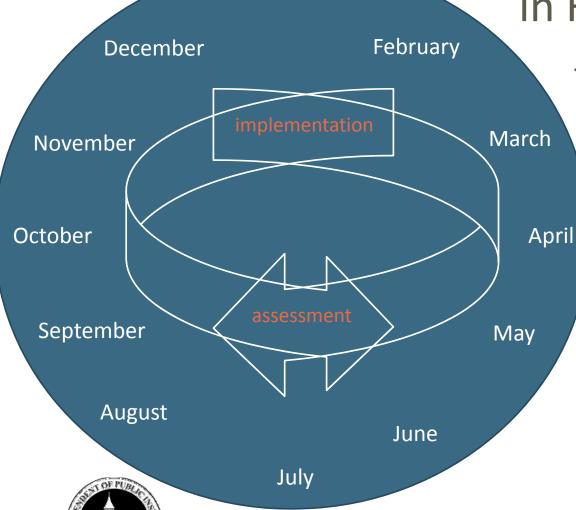
3. During consultation, districts must review the complaint process with private school officials.

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Timely, Meaningful Consultation...

...must continue
throughout the
implementation and
assessment of services



January

Complaint Resolution Local & Formal



Complaints: Try Local Resolution First

If the private school officials believe timely and meaningful consultation has not occurred...

OR...the district did not give due consideration to their views

The private school should contact the federal programs representative or superintendent at the school district to discuss these concerns.



Complaints: OSPI and the Formal Complaint

If the concern is not resolved satisfactorily, the private school has the right to contact the <u>Special Programs and Federal Accountability Office</u> at OSPI for resolution.

If the concern is not resolved, the private school has the right to file a <u>formal written complaint</u> with OSPI.

WAC 392-168



Technical

Complaints

Most Important

Elements

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Formal, Written Complaint

- 1. Statement that the district, or other educational agency, or in some cases OSPI, has violated a requirement of a federal statute or regulation that applies to a program requiring equitable participation.
 - 2. Specific requirement alleged to have been violated.
 - 3. Facts on which the complaint is based.
 - 4. Name and address of the complainant.
 - 5. Expected resolution of the alleged violation.
 - 6. Signature of the complainant.

Mail to Office of the Superintendent of Public Instruction

Attn: Title I/LAP and Consolidated Program Review P.O. Box 47200 Olympia, WA 98504-7200

Title I, Part A

Improving Basic Programs



Title I, Part A: Purpose

Supplemental educational services for eligible public and private school students to ensure all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging academic achievement standards and assessments.



Title I, Part A

Private School Participation

Special Programs and Federal Accountability January 2016

in Private Schools

Law and Regulation

Private School Participation

Non-regulatory Guidance, 2003 (MSWord) for the delivery of services to private schools funded through Title I, Part A.

Laws and Regulation

<u>Title I, Part A program requirements</u>
<u>Title I, Part A Requirements for Paraeducators</u>

Title I, Part A: Allocation

Funds generate based on the number of students from low-income families...

Reside in the participating public school attendance areas

And Attend private schools, whether the private schools are located within or outside district boundaries.



Title I, Part A: Eligible Students

Private school students...

Reside in the participating public school attendance areas

And Are failing or most at risk of failing — rank order — to meet state academic standards



Title I, Part A: Selection & Process

Poverty Is Not a

Criterion for

Services

Students are selected on the basis of multiple educationally-related, developmentally-appropriate criteria.

District chooses children from the list of eligible students the private school provides. District has a process to meet the needs of eligible students who attend a private school outside the district.



Title I, Part A: Supplemental Services

Methods and instructional strategies — based on scientific research — proven to increase academic achievement

Instructional program that not only supplements but is also well coordinated with the instruction private school children receive in their regular classrooms.



Title I, Part A Service Options

Service Options for **Students**

- Instructional services outside the regular classroom
- Extended learning time before/after
 school and through the summer
- Family literacy
- Academic counseling
- Early childhood learning support
- Home tutoring
- Computer-assisted instruction

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016



Title I, Part A Service Options

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Service Options for Teachers & Families

By law, equitable services extend to the teachers and parents of Title I-served students. Districts make decisions about these services through the consultation process.

Professional Development

 Should address how teachers can support academic achievement

Parent Involvement

 Conducted independently or in conjunction with the district's regular parent involvement program

Title I, Part A: Who Provides Services?

District Employee or Contractor

Individual | Association | Agency | Organization

Paraeducators must meet Title I,

Part A requirements.

Teachers must meet FSFA requirements for highly qualified

Employees must complete Time and Effort reports

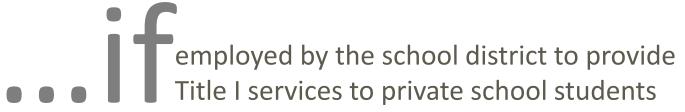


Title I, Part A: Who Provides Services?

Private School Teachers

Allowed to provide services outside time they are employed by the private school.

Must Meet ESEA Requirements for Highly Qualified...





Title I, Part A: Who Provides Services?

Paraprofessionals

Must work under the direct supervision

of a public school teacher or Title I coordinator.

What Is Direct Supervision?

Teacher-designed program, scheduled meetings, evaluation of services.



Title I, Part A

Out-of-District Services



Out-of-District Services: Communication Plan

Eligible students who attend a private schools outside the local school district can receive services.

Districts must develop a plan to communicate with their neighboring districts and private schools.



Technical Guide

Out-of-District Services

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Out-of-District Services

The Intent to Participate site on EDS includes information about the resident districts of private school students.

Federal program directors should use this data to communicate with private schools who have students from their districts.

Interlocal Agreements



Interlocal Agreements: Definition

Agreements between public school districts through which these districts agree to provide services for eligible students in private schools



Technical Guide

Interlocal Agreements

Law & Regulation

Pooling Is Permitted

Federal Law | Use criteria required under ESEA 1115(b) agreed to by the districts named in the Interlocal agreement.

More in Non-Regulatory Guidance B-16

State Law | Interlocal agreement should address "powers, rights, objectives, and responsibilities of contracting parties" in RCW 39.34.080. Include duration and purpose.

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Technical Guide

Interlocal Agreements

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Key Questions to Answer in an Interlocal Agreement

Funds, Fund Codes & Accounting

How will you finance services for private school students?

How will you develop and maintain the budget?

Which district will be the fiscal agent?

How will you charge for services?

How will code services for federal/state reporting?

How will the accounting work?

Which district(s) does the accounting?

Services, Timeframe & Termination

When will services begin?

What timeframe is in place for consultation and service delivery?

How will you terminate this interlocal agreement and dispose of any property associated with it?

Interlocal Agreements: Important Issues

Who determines student eligibility?

Who assesses the students? Which assessments?

Who provides the services?

Where will you provide these services?

How will you measure student performance?



Child Nutrition Programs



Child Nutrition @OSPI: Purpose

Child Nutrition assists school districts and other institutions in providing quality nutrition programs that promote life-long healthful living while providing nutritious meals each day that prepare children for learning.



Child Nutrition: Agreement & Eligibility

Annual Agreement and Renewal

Eligible Students
Any child enrolled



Child Nutrition: Reimbursement



Child Nutrition: Performance-based Reimbursement

Adds .06 cents to lunch reimbursement once certified



Child Nutrition: Special Milk Program

Annual agreement & renewal Eligible students: any child enrolled

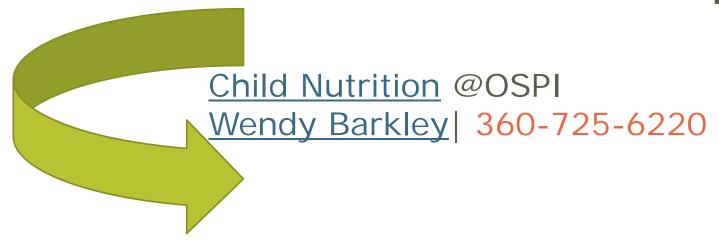
Reimbursement Depends on Price Paid

Pricing | Non-pricing
Collect free milk applications | Not collect free milk applications

Paid milk served to non-needy children reimbursed at \$0.20 per half-pint



Ask Questions. Get Help.



Title I, Part C Migrant Education



Migrant Education: Purpose

Improve education programs for migratory children.

States use their Title I, Part C funds to help migratory children succeed in a regular school program, meet state academic standards and graduate from high school.



Migrant Education: Equitable Participation

Applies only to migrant students in schools located in targeted areas that receive Title I, Part C funds



Migrant Education: Eligible Students

Private school students

Meet the statutory and regulatory

definition of a migrant child

And Meet the priority for services

criteria in ESEA Section 1304 (d)



Title III, Part A English Language Acquisition



English Language Acquisition: Purpose

Support for children as they develop

language proficiency that enables

meaningful access to grade level curricula

and instruction.



English Language Acquisition: Services

Professional development and materials for teachers working with children who need language acquisition support

Services for students and teachers in schools that are located within the district that receives Title III funds.



Carl Perkins Career & Technical (CTE) Education



Career & Technical Education: Equitable Services

On Written Request

Private school personnel can participate in pre-service and in-service CTE professional development programs.

Private school students can participate in CTE programs supported by the Carl Perkins Act.



More...contact CTE @OSPI

Title II, Part A Professional Development



Professional Development: Purpose

Provide PD opportunities for private school teachers and other educational personnel

Services must be based on the needs of private school staff.

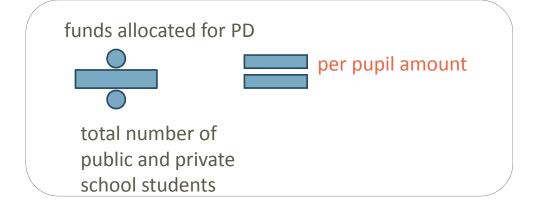


Technical Guide

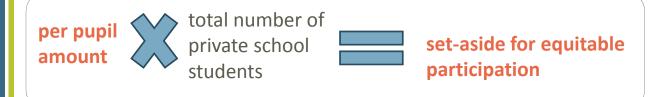
Title II A Professional Development

Set-aside for Equitable Participation

Step One



Step Two



Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

This set-aside is subject to the holdharmless clause of the <u>Eisenhower PD</u> <u>Program, 2001</u>. iGrants calculates the setaside automatically.

Professional Development: Allowable Activities

Participation in scheduled professional development at the school district.

Professional development provided by qualified school district staff

Third party services — attend conferences or PD led by a contracted trainer



Professional Development: Allowable Activities

- Improve the knowledge and skills of teachers and staff in core academic subjects
- + Effective instructional strategies, methods and skills
- Integrate technology into curricula
- Teaching students with different needs
- Methods to improve student behavior/classroom

management

There are many more.

Principal training

Training in the use of data and assessments to improve instruction



Technical Guide

Title II A Professional Development

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Important! Take Note.

Do not use Title II, Part A funds for student materials — professional development for teachers and staff only.

Professional development around core academic subjects can include participation in faith-based conferences.

Professional development must align to the needs of the private school educators.

Professional Development: State-level Activity Funds

PD Activities Provided by the State

Based on private school needs AND

in consultation with private school representatives

Notification Channels

WIFIS, ACIS, CIS, PNAIS, Diocese websites, PSAC AND through OSPI bulletins to private schools.



Professional Development: State-level Activity

Private Schools Conference

Reaching All Children
June & August 2016

Gonzaga University | Seattle Pacific University



Title IV, Part B 21st Century Learning Centers



Title IV 21 CCLC: Definition & Purpose

Competitive federal grant program that provides before- and after-school and summer services to students and their families.

Supports academic enrichment activities, particularly for students who attend low-performing schools, to help these students meet state and local standards in core academic subjects.



Title IV 21 CCLC: Eligibility

Eligible
Students
& Families

Served by schools eligible for schoolwide programs under ESEA section 1114.

Schools that serve a high percentage of students from low-income families <40% of FRL.



Title IV 21 CCLC: Eligibility

Eligible Grant Applicants

Local school districts/LEA's, city or county government agencies, faith- and community-based organizations, institutions of higher education, and for-profit corporations.



Title IV 21 CCLC: Equitable Participation

- Grantees must consult with private school officials in the area served by the grant during the design and development of the 21st CCLC program.
 - Communication must continue throughout the implementation and assessment of activities every year.



Title IV 21 CCLC: Allowable Activities

tutoring, academic enrichment, arts and music education, expanded library service hours, programs that promote parental involvement and family literacy

drug and alcohol prevention programs, counseling programs and character education programs



Title VI REAP Flexibility and Accountability Option



Title VI REAP— District Option Only

Consult with private schools before you make any decisions that could affect the ability of private schools to benefit from programs for which they are eligible.



Title VI REAP— District Option Only

If the district chooses REAP, private school students and teachers must receive equitable services under the programs funded through this Title VI program.



Consolidated Program Review



Consolidated Program Review: Equitable Services

OSPI staff monitor district activities for reasonable assurance that state and federal funds are administered in compliance with the requirements of law.



Consolidated Program Review (CPR)

Uniform Grants Guidance

2 CFR Part 200 Subpart E: Cost Principles (previously A-87)

2015 A-133 Compliance Supplement

More...Office of Management and Budget

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Consolidated Program Review: Monitoring

CPR staff look for equitable participation in districts that serve private school students and teachers.

CPR monitoring extends to private school visits and interviews.



Consolidated Program Review (CPR)

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Title I, Part A & CPR

@OSPI

Private Schools
Office of Private Education
Consolidated Program Review

Non-regulatory Guidance

Title I, Part A: <u>Services to Eligible Private School Students</u>

<u>Uniform Provisions</u> – *Equitable Services to Eligible Private School Students, Teachers, and Other Educational Personnel*

Title I, Part A Resource Toolkit

Ensuring Equitable Services to Private School Children

IDEA, Part B

Equitable Services for Children with Disabilities Enrolled by their Parents in Private Schools



IDEA, Part B: Right to Equitable Services

Parentally-placed private school children have the right to participate in the determination of equitable services

No entitlement to FAPE

Who Are These Children?

Enrolled by their parents voluntarily in private schools

NOT placed in private school by the school district to receive FAPE



IDEA, Part B: No Individual Right to Equitable Services

A parent cannot file a due process complaint based on the individual right to services...

BUT...can file a due process complaint on private school child find rights.



IDEA, Part B: No Individual Right to Equitable Services

A private school official cannot file a due process complaint based on the individual right to services..._

BUT...can file a special education citizen complaint related to consultation procedures.



Parentally-placed Private School Students Eligible for Special Education Services

Child Find Obligations	Residency	What Services Can the Student Access?
District in which the private school is located.	Student resides in the district where the private school is located.	Proportional share services—equitable services through a Service Plan (SP)—through the district in which the private school is located. OR students may enroll part time in the district in which they reside and receive services through an Individualized Education Program (IEP).
	Student does not reside in the district in which private school is located.	 Proportional share services (SP) through the district in which the private school is located. Students may part time enroll in the district in which they reside and receive services through an IEP.



OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTIO

IDEA, Part B

Timely and Meaningful Consultation E-CFR 300.134

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Private School Consultation Requirements

Timely and Meaningful Consultation

By Whom?

Private school representatives

Representatives of parents, whose children are eligible for special education and placed in a private school

About What?

Child find process

How can eligible children participate equitably?

How will parents, teachers and private school officials be informed of the process?

Proportionate share of Part B funds: how is this calculated? See IDEA regulations, <u>Appendix B to Part 300</u>

IDEA, Part B

Timely and Meaningful Consultation E-CFR 300.134

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Private School Consultation Requirements

Timely and Meaningful Consultation

More...About What?

Consultation Process

How it will work throughout year so that parentally-placed private school children with disabilities can participate meaningfully?

Special Education and Related Services

How, where, by whom?

Types of services: direct or alternative delivery mechanism

How are these services apportioned — if there are not sufficient funds for all?

How and when will the district make decisions?

School District Makes Final Decisions

Must provide notice to private schools

IDEA, Part B: Proportionate Share Set-aside

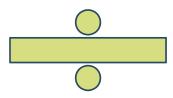
Districts must spend proportionate share of Part B subgrant funds on special education programming and related services.

PLUS ...any unused carryover from the previous year. IDEA, Part B, Section 300.133(a)(3)

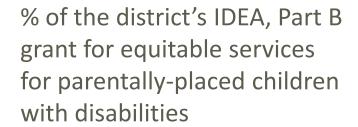


IDEA, Part B: Proportionate Share Set-aside

number of eligible parentallyplaced private school children with disabilities



total number of eligible children with disabilities in the school district — public and private





IDEA, Part B

Timely and Meaningful Consultation

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Proof of Consultation

Signed, written affirmation after consultation occurs – from representatives of participating private schools

If there is no affirmation of consultation after a <u>reasonable</u> period of time...

...districts should forward documentation related to the consultation process to OSPI through the appendix in iGrants Form Package 267.

IDEA, Part B: Complaint to OSPI

2 Bases for a Complaint

Similar to the *right of complaint* held by private schools under NCLB

1. Consultation was not timely and meaningful.

OR

2. School district did not give due consideration to the views of private school officials.



IDEA, Part B Training Disclaimer

Private School Participation in Private Schools

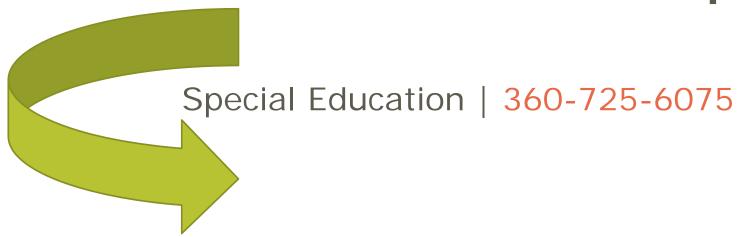
Special Programs and Federal Accountability January 2016

IDEA, Part B Slide Content Disclaimer

Training provided today is meant to supplement and not supplant reading bulletins and accompanying documents; guidance from the U.S. Department of Education; chapter 392-172A WAC; Part 300 of the federal regulations; and, the Individuals with Disabilities Act. This presentation and/or materials should be viewed and applied by users according to their specific needs. The presentation should be used as guidance and is not intended as legal advice.

—Douglas H. Gill, Ed.D., Director,Special Education, OSPI

Ask Questions. Get Help.





Resources & Information

Private School Participation in Private Schools

Special Programs and Federal Accountability January 2016

Learn More. Connect with the Resources You Need.

Private Schools @OSPI
Office of Private Education @ OSPI

Title I, Part A Non-regulatory Guidance: <u>Services</u> to Eligible Private School Students

Uniform Provisions Non-Regulatory Guidance: Equitable Services to Eligible Private School Students, Teachers, and Other Educational Personnel

Title I, Part A: Ensuring Equitable Services to
Private School Children: <u>A Title I Resource Tool Kit</u>

<u>Consolidated Program Review</u> @OSPI

Ask Questions. Get Help.

Special Programs and Federal Accountability | 360-725-6100

