

**Alaska Department of Education & Early Development**  
**No Child Left Behind Conference – January 20, 2006**  
**Private Schools Consultation, Funding, and Services**

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

Local education agencies (LEAs) or other entities receiving funds under NCLB 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, teachers and parents 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. Districts always control funds to provide services; allocations are never paid to private schools directly.

**Consultation Requirements [Section 1120(b)(1)(A-H)] and Uniform Provisions (Section 9501)**

Private schools must be consulted during the design and development of the district's plan for NCLB federal program funds regarding:

- 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 academically assessed and how the results will be used to improve services;
- Size and scope of the equitable services to be provided to the eligible private school children and the proportion of funds allocated;
- Method or sources of data used to determine the number of children from low-income families in participating Title I school attendance areas who attend private schools;
- How and when the district will make decisions about the delivery of services to such children, including a thorough consideration and analysis of views of private school officials on the provision of services through contracts with third-party providers;
- How, if the district disagrees with the views of the private school officials on the provision of services the a contract, the district will provide in writing an analysis of the reasons for not choosing to use a contractor for provision of services.

Such consultation shall occur before the LEA makes any decision (including program decisions on transferring or REAPing funds) that affects the opportunities of eligible private school children, teachers, parents and other educational personnel to participate.

Consultation must continue throughout the implementation and assessment of services.

**Programs Requiring Equitable Participation Within Their Own Titles**

- Title I, Part A– Improving the Academic Achievement of the Disadvantaged (Section 1120)
- Title II – Preparing, Training and Recruiting High Quality Teachers and Principals [Section 9501 (b) (3)]
- Title V, Part A and Part D, (6) – Promoting Informed Parental Choice and Innovative Programs (Section 5142)

## **Programs Requiring Equitable Participation Under the Uniform Provisions (Title IX, 9501)**

- Reading first (Title I, Part B, Subpart 1)
- Even Start Family Literacy (Title I, Part B, Subpart 3)
- Education of Migratory Children (Title I, Part C)
- Teacher and Principal Training and Recruiting Fund (Title II, Part A)
- Mathematics and Science Partnerships (Title II, Part B)
- Enhancing Education through technology (Title II, Part D)
- English Language Acquisition, Language Enhancement, & Academic Achievement (Title III, A)
- Safe and Drug-Free Schools and Communities (Part A)
- 21<sup>st</sup> Century Community Learning Centers (Part B)
- Flexibility and Accountability (Title VI)

## **Title I Specific Requirements (See section 1120)**

### Determining Poverty of Private School Students Under Title I, Part A

- Same measure of poverty as public schools.
- Results of a survey, and allowing extrapolation from a representative sample of actual data.
- Proportionality. Applying the low-income percentage of each participating public school attendance area to the number of private school children who reside in that school attendance area.
- Comparable data, using an equated measure of low income that can be correlated with the measure of low income used to count public school students.

### Generating Funds for Title I, Part A

- Per-pupil allocation  $\times$  the number of low-income private school students residing in Title I attendance areas = Funds. Private school funds may be pooled. (see sample Title I Site Eligibility form.)
- Funds generated by private school students must be used for instructional services.

### Identifying Children To Be Served Under Title I, Part A

- Must reside in participating public school Title I attendance area AND are failing or most at risk of failing to meet high standards.
- Selected on the basis of multiple, educationally-related, developmentally-appropriate criteria.
- Priority for Homeless, and students with 2 preceding years in Head Start, Even Start, Early Reading First, Title I Preschool or Title I, Part C. (Migrant Education)
- Poverty is NOT a criterion.
- District chooses children to be served from list of eligible students, provided by private school.

### Types of Services Under Title I, Part A

- Targeted assisted pullout model that's aligned with regular classroom instruction.
- Determined by needs assessment of participants.
- Can include direct instruction by teachers outside the regular classroom, extended learning time, counseling, family literacy, early childhood, tutoring, and computer-assisted instruction.
- Program must be assessed annually and modified if progress is not demonstrated.
- May be provided by district teachers or by a third-party who must be independent of the private school and of any religious organization. LEA has oversight responsibility.

**Additional Resources:** [www.ed.gov/about/offices/list/oii/nonpublic/index.html](http://www.ed.gov/about/offices/list/oii/nonpublic/index.html)

[http://www.eed.state.ak.us/Alaskam\\_Schools/Public/textfiles.cfm](http://www.eed.state.ak.us/Alaskam_Schools/Public/textfiles.cfm)

<http://www.eed.state.ak.us/nclb/KeyComponentsNCLB.html>