Equitable Services for Students and Teachers in Private Schools

Tate Toedman, Private School Ombudsman
Equitable Services Requirements

• Engage in **timely** and **meaningful consultation** with private school officials;

• Provide private school students and teachers with an **opportunity** to participate in activities **equivalent** to the opportunity provided to public school students and teachers;

• **Assess, address and evaluate** the needs of private school students and teachers;

• Provide benefits and services that **meet the needs** of private school students and teachers; and

• **Spend an equal amount** of funds per student to provide services.
To help ensure that private school children, teachers, and other educational personnel receive services equitable to those in public schools, State educational agencies (SEAs) must designate an ombudsman to monitor and enforce Title I and Title VIII equitable services requirements.

*ESEA sections 1117(a)(3)(B) and 8501(a)(3)(B)*

*FAQs N-1 through N-5*
Ombudsman

- The primary responsibilities of an ombudsman are to monitor and enforce the equitable services requirements in Titles I and VIII.

- An ombudsman should work with SEA staff administering Title I and programs covered under Title VIII to develop monitoring protocols applicable to the provision of equitable services under each program.

- The ombudsman should also serve as the primary point of contact for responding to and resolving any complaints regarding equitable services that the SEA receives under its ESEA complaint procedures.
Consultation

The **goal of consultation is agreement** between the LEA and appropriate private school officials on how to provide equitable and effective programs for eligible private school children.

*ESEA sections 1117(b)(1) and 8501(c)(1) FAQ N-13*
Consultation
Consultation

IT’S ALL ABOUT RELATIONSHIPS
The list of consultation topics has been expanded to include:

• How the proportionate share of funds is determined;
• Whether services will be provided directly or through a separate government agency, consortium, entity, or third-party contractor;
• Whether to pool funds for equitable services;
• When, including the approximate time of day, services will be provided; and
• Whether to consolidate Title I equitable services funds with funds available for services to private school children under other ESEA programs.

Section 1117(b)(1) FAQs O-6 and O-7
Consultation

Other changes related to consultation:

The written affirmation that consultation has occurred must provide the option for private school officials to indicate that such officials’ belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children.

Section 1117(b)(1) FAQs O-6 and O-7
Equitable Services Provisions

Title I are in Section 1117

Title II-VIII are in Sections 8501-8504 (Title VIII Uniform Provisions)
Title VIII-Covered Programs

The ESSA updated the covered programs to include the following:

- Title I, Part C – Education of migratory children
- Title II, Part A - Supporting Effective Instruction
- Title III, Part A - English Language Acquisition, Language Enhancement, and Academic Achievement
- Title IV, Part A - Student Support and Academic Enrichment Grants
- Title IV, Part B - 21st Century Community Learning Centers

ESEA section 8501(b)
Consultation form

The new form for 2017-2018 school year will be available by the end of February
CONSULTATION

**Timely and meaningful consultation** must continue **throughout** the implementation and assessment of services and shall occur **before** the local education agency makes any decision that affects the opportunities to participate of eligible private school students, teachers, and other education personnel.
Characteristics of Services

Services, materials and equipment must be secular, neutral, non-ideological and supplemental in nature, not supplanting what the private school would otherwise provide absent the federal education services.
Obligations of Funds

Funds allocated to an LEA for educational services and other benefits to eligible private school children, teachers and other educational personnel, and families must be obligated in the fiscal year for which the funds are received by the LEA.

ESEA sections 1117(a)(4)(B) and 8501(a)(4)(B) FAQs N-6 through N-7
LCP Step 3

Enter all necessary set asides for your district and then click the "Calculate Distribution Amount" button.

Title I Allocation Funds Available: $22,134,446

<table>
<thead>
<tr>
<th>Set Asides</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration</td>
<td>366838</td>
</tr>
<tr>
<td>Preschool</td>
<td>600000</td>
</tr>
<tr>
<td>Homeless</td>
<td>145000</td>
</tr>
<tr>
<td>Professional Development</td>
<td>2213447</td>
</tr>
<tr>
<td>Indirect cost</td>
<td>0</td>
</tr>
<tr>
<td>Salary Differential</td>
<td>3318230</td>
</tr>
<tr>
<td>Neglected</td>
<td>387400</td>
</tr>
<tr>
<td>Summer School</td>
<td>0</td>
</tr>
<tr>
<td>Parent Involvement</td>
<td>270612</td>
</tr>
<tr>
<td>Transportation</td>
<td>0</td>
</tr>
</tbody>
</table>

Total Set Asides: 7301527

Calculate Distribution Amount

Total Distribution Amount: 14832919
### Example of Determining the Amount of Title I Funds for Equitable Services

<table>
<thead>
<tr>
<th>Public School Attendance Area</th>
<th>Number of Public School Low-Income Children</th>
<th>Number of Private School Low-Income Children</th>
<th>Total Number of Low-Income Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>500</td>
<td>120</td>
<td>620</td>
</tr>
<tr>
<td>B</td>
<td>300</td>
<td>9</td>
<td>309</td>
</tr>
<tr>
<td>C</td>
<td>200</td>
<td>6</td>
<td>206</td>
</tr>
<tr>
<td>D</td>
<td>350</td>
<td>15</td>
<td>365</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,350</strong></td>
<td><strong>150</strong></td>
<td><strong>1,500</strong></td>
</tr>
</tbody>
</table>

**Proportionate Share**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PROPORTIONATE SHARE</strong></td>
<td><strong>90%</strong></td>
<td><strong>10%</strong></td>
</tr>
<tr>
<td></td>
<td><strong>$900,000</strong></td>
<td><strong>$100,000</strong></td>
</tr>
</tbody>
</table>
The timeframe that an SEA has for responding to a complaint from parents, teachers, or other individuals concerning violations of the ESEA section 8501 regarding the participation by private school children and teachers is 45 days. In addition, the Secretary must investigate and resolve an appeal of an SEA’s resolution of a complaint within 90 days.

*ESEA section 8503*
Title Services for Non-Public Schools

Welcome to the KSDE Title Programs Non-Public Schools web page. The purpose of this page is to provide information on Title Services for non-public schools. If you have general questions about non-public schools in relationship to Title Programs, please contact Tate Toedman. For questions related to your local school district, please contact the Local Consolidated Plan (LCP) consultant for your district.

Link to District Consultant List (PDF)

State Resources:
Title Services for Non-Public Schools Fact Sheet (PDF)
Consulting with Non-Public Schools (AdobeConnect Webinar)

Consultation Forms:
Private School Consultation Documentation 2014-2015 (PDF)
Private School Consultation Form 2014-2015 (Word)

Federal Resources:
Federal Guidance for Private School Students (link)
• Title I Services to Eligible Private School Children Non-Regulatory Guidance (Word)
• Title IX, Part E, Subpart 1: Private Schools: Equitable Services to Eligible Private School Students, Teachers, and Other Educational Personnel (Word)
Benefits to Private School Students and Teachers (PDF)
Ensuring Equitable Services to Private School Children (PDF)

For Questions on Title Services for Non-Public Schools:
Tate Toedman
Education Program Consultant
785-296-6714
ttodoreman@ksde.org

Team Pages
Main Team Page
Early Childhood
Special Education
Title Services
Announcements
Reports and Collections
Fact Sheets
Kansas Integrated Accountability System (KIAS)
Kansas Multi-Tier System of Supports (MTSS) (external link)
Kansas’ Technical Assistance System Network (TASN) (external link)
Resources

Office of Non Public Education
https://www2.ed.gov/about/offices/list/oii/nonpublic/index.html listserv

Non-Regulatory Guidance

Except as amended, the following remain applicable:
Title I Services to Eligible Private School Children Guidance-add link 10/17/03
http://www2.ed.gov/programs/titleiparta/psguidance.doc

and Title IX, Part E Uniform Provisions, Subpart 1-Private Schools


KSDE Non Public resources available at http://www.ksde.org/Agency/Division-of-Learning-Services/Early-Childhood-Special-Education-and-Title-Services/Title-Services/Federal-Programs/Title-I-Part-A/Title-Services-for-Non-Public-Schools
Supplement Not Supplant
Update
Tate Toedman, Education Program Consultant
Recent changes

January 19, 2017
Secretary King removes proposed regulations for SNS
Kansas leads the world in the success of each student.

#KansansCan

KANSAS STATE DEPARTMENT OF EDUCATION  www.ksde.org