



# PRIVATE SCHOOL PARTICIPATION IN FEDERAL PROGRAMS

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1. Title I
2. Title II
3. Title III
4. Title IV
5. Equitable Share
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# AGENDA

- The Ombudsman is a requirement under the ESSA
- Role is to work on behalf of the private schools to make sure that high-quality services are provided
- Assists private schools if they are not being treated fairly

# OMBUDSMAN

- Title I is the largest, federally funded educational program developed under the Elementary and Secondary Education Act of 1965
- Present law is called the Every Student Succeeds Act-ESSA
- Established to give supplemental educational services to at-risk students for them to catch up to their peers
- All services must be in addition to regular classroom instruction
- All services, materials, professional development, etc. must be in addition to, not in replacement of the regular educational program both in programmatic and fiscal components

## WHAT IS TITLE I?



- Under Title I, LEA's must provide services to eligible private school students if requested
- In Montana, homeschools are considered private schools
- Services must be to eligible elementary and secondary students, their teachers, and their families
- "Equitable share"
- Services must be equitable to those provided to eligible public school children, teachers, and families
- Services must be secular, neutral, and nonideological

# ESEA/ESSA SEC. 1117



- Each spring the OPI sends out an email to public schools to begin the process of notifying private/non-public schools of their right to participate in federal programs
- The district must then contact each private/non-public school to determine if that entity wants to participate (2 weeks minimum)
- The public school is required to keep track of all contact
- This must be reported to the OPI
- All completed through the web app:  
<https://apps.opi.mt.gov/nonpublicschool/frmLogin.aspx>

# CONTACTING PRIVATE SCHOOLS



- Discussions must be held between the LEA and private schools on the key issues related to Title I services
- This gives both groups an opportunity to express their views about the services
- Helps to foster productive working relationships between the groups to better impact student achievement

# CONSULTATION



- Ways the LEA will identify eligible students
- Services to be provided
- How and when the LEA will make decisions about the delivery of services
- How, where, and by whom the LEA will provide services
- The method and sources of data the LEA will use to identify eligible students


# CONSULTATION REQUIREMENTS





- Services the LEA will provide to teachers and families of eligible students
- Discussion of the delivery mechanisms the LEA will use to provide services
- If a third-party contractor should be used
  - MOU
  - LOA
  - Other contract

## MORE REQUIREMENTS

- 
- LEA must keep records related to the consultations-Montana Open Meetings Law
  - Signed affirmations from private school
  - Consultation should be on-going-at least 3 during the year
  - Private schools have the right to complain
  - Title I application (Egrants) must be available to the private school

## GENERAL CONSULTATION INFORMATION

- Decide on the instructional plan based upon the Needs Assessment.
- Discuss what supplies will be needed by the public school and private to run the program (Third-party provider)
- What types of professional development will be needed
- How, when, and what types of assessments will be used to determine progress
- Exiting criteria
- Program evaluation

## STEPS IN THE PLAN



- Program should be assessed for effectiveness at the end of the year
- Students should be assessed before program entry, during the program, and at the end of the year (progress/benchmark testing)
- Next steps should be discussed with the private school
- Prepare for the next year

# PROGRAM ASSESSMENT





- There are six main sources to determine poverty data:
  - Census count
  - Free and reduced lunch
  - Temporary Assistance for Needy Families (TANF)
  - Medicaid assistance
  - Proportionality
  - Community Eligibility Provision (CEP)
- These processes may be difficult in a private school, but it can be done every two years

# ALLOCATING FUNDS

- Equitable services funds must be primarily for a Title I program
- May not just be for professional development and supplies
- General rule of thumb-85% of the funds should be for salaries and benefits; the remainder for PD and supplies
- If there is no educational program, then there is no need for PD and supplies to support it
- The public school owns all instructional materials and supplies!

## USES OF FUNDS



- Child must reside in a participating public school attendance area
- Must meet the requirements to be served under Title I
- LEA must work with the private school to determine eligibility

# ELIGIBLE CHILDREN

**District A**

**Private School**

**Public Title I School A1**

**Public Title I School A2**

**Public Non-Title I School A3**

**District B**

**Public Title I School B1**

**Public Non-Title I School B2**

**District C**

**Public Title I School C1**

**Public Title I School C2**

**Public Title I School C3**

**Public Non-Title I School C4**

**Public Non-Title I School C5**

**District D**

**Public Title I School D1**

# ELIGIBLE CHILDREN, CONT.





# AA DISTRICTS

- AA districts have three options with participating private, non-public schools that have students from out-laying districts:
  - 1. Provide services without cost from the sending district
  - 2. Provide services with sending districts paying the equitable share to the serving district
  - 3. Require the sending district to serve and pay for its own students
- <https://opi.mt.gov/Leadership/Academic-Success/Federal-Programs/Private-Schools#9951511201-consultation-forms>



- To avoid the previous scenario, the OPI uses another format to allocate funds to some public/private schools
- Can only be used if there are 20,000 people or fewer in a district
- Enrollment numbers for students and students on free/reduced lunch are combined between the public and private schools
- Districts must have an agreement for one entity to supply services for another-interlocal agreement

# ALTERNATIVE FORMULA




- LEA designs the Title I program with input from the private school
- Must supplement and be well coordinated with the regular program
- Service types: instructional services, extended day, family literacy, counseling, computer-aided instruction, home tutoring, etc.
- Must be secular, neutral, and nonideological
- However, the LEA runs the Title I program

## TYPES OF SERVICES

- Title I services to private school students must be set up like a TAS program
- Students must be identified for services based upon multiple, educationally-related criteria (K-2: subjective/objective, 3-12: objective)
- Services can be in any subject area, not just reading or math
- Must develop a prioritized list of eligible students
- Materials and supplies purchased must supplement the regular educational program at the private school
- All materials and supplies purchased must be necessary to run the Title I program
- The PNP does not order nor request materials and supplies.

# TARGETED ASSISTANCE SERVICES


- 
- Teachers and paraprofessionals who are employed by the LEA must meet the licensed/certified rules under the ESSA
  - Third-party providers
  - Third-party providers do not have to meet the licensed/certified rules
  - Hires outside of existing contracts with LEA/private school
  - All staff paid for with Title I funds are employees of the public school during Title I instructional time

# QUALIFICATIONS



- If the district receives \$500,000 or more in Title I funds, it must set aside 1% for parent and family engagement and a portion of this must be used for activities for private school parents.
- This amount is usually small.

# PARENT AND FAMILY ENGAGEMENT

- 
- Should assist public and private school staff
  - Must have meaningful consultation
  - Services must be equitable and paid for by the public school
  - Can share PD opportunities.
  - Must only be for private school teaching staff directly working with identified Title I students-which is just about everyone!
  - Must be secular, neutral, and nonideological

# PROFESSIONAL DEVELOPMENT



- Reasonable amounts may be set aside to run the program at the public and private school
- Third-party administrative costs are allowable
- Expenses: furniture, purchase or lease of property, insurance and maintenance costs, transportation, etc.
- Cannot be used to renovate the private school site

# ADMINISTRATIVE COSTS





- The public school buys airline tickets, makes reservations, pays all fees
- No funds can go to the private school!!!
- Other reimbursements can go to employees: per diem, parking fees, etc.
- All need to be agreed to in the consultation process-there should be no surprises!
- All requisitions must be done on the public school's forms
- The private school should never turn in a requisition nor ask for supplies.
- Employees of the private school may turn in a requisition.

# PURCHASING PROCESS

## Supporting Effective Instruction

- Based upon a school needs assessment and teacher growth plans
- Private school staff may also participate in Title II, Part A
- Private school equitable share funds may only be used for professional development activities
- Private school is required to complete a needs assessment for school PD needs, and it should also look at teacher professional growth plans
- District may invite private school staff to its own PD activities, and a portion of those costs may come out of the equitable share set aside
- Private schools may use a portion of the equitable share funds to attend PD like the National Catholic Schools conference
- District may not reimburse the private school but may directly pay staff members
- Christy Hendricks, Title II coordinator, [Christy.Hendricks@mt.gov](mailto:Christy.Hendricks@mt.gov) or 406-444-0794

# TITLE II

- Title III assists ELs, including immigrant children and youth, to develop English proficiency and to meet the same challenging state academic standards that other children are expected to meet.
- Schools must use Title III funds to implement language instruction educational programs that are keyed to the overall standards. SEAs, districts, and schools must report the English proficiency and core academic content knowledge of ELs.
- Title III has a dual purpose: to help ELs meet the same state academic achievement standards applicable to all students, and that they develop proficiency in the English language. These goals are closely related but distinct.

## TITLE III

### Title III: Supplement vs. Supplant

Title III is for:	Title III is not for:
<ul style="list-style-type: none"> <li>✓ <b>Language Instruction</b> Provide an effective program to increase English Proficiency and core academic achievement for English learners (EL). The program(s) may make use of both English and the student's native language.</li> <li>✓ <b>Professional Development</b> Of sufficient intensity and duration to improve teachers' abilities to understand and use curricula, assessment, and instructional strategies for EL students.</li> <li>✓ <b>Academic Achievement</b> Supplemental activities and materials to improve the core academic achievement of EL students.</li> <li>✓ <b>Community Programs</b> Provide community participation programs, family literacy services, and parent outreach and training activities to EL children and families.</li> <li>✓ <b>Materials</b> Acquire educational materials for EL students and instructional materials for teachers to develop English language proficiency for EL students.</li> <li>✓ <b>Technology</b> Acquisition of technology and software to carry out the activities consistent with the other authorized activities for LEP students.</li> <li>✓ <b>Administrative Expenses</b></li> </ul>	<ul style="list-style-type: none"> <li>✗ <b>Core EL program</b> Lau required (1974) core EL program must be provided by a licensed staff member trained to carry out the program <b>paid with local and state funds only</b></li> <li>✗ <b>General Activities</b> Activities without specific focus on developing English proficiency or paying for EL students and teachers portion of the general activity must be <b>paid with local and state funds only</b></li> <li>✗ <b>Interpretation/Translation Services</b> Title VI of OCR 1964 requires meaningful language access for parents with limited English proficiency. Activities to ensure regular school communication in an understandable format and/or language must be <b>paid with local and state funds only</b>.</li> <li>✗ <b>Federal/State Mandated Assessments</b> Time and effort of administering federal and state mandated assessments, including ACCESS 2.0 and Smarter Balanced must be <b>paid with local and state funds only</b>.</li> <li>✗ <b>Paraprofessionals without Direct Supervision of a Certified Teacher</b> Licensed and trained staff members are responsible for delivering core EL program services. Federally funded noncertified paraprofessionals must be under the direct supervision of a licensed teacher.</li> <li>✗ <b>Fluent or Native English Speakers</b> Services, materials, activities, equipment, and technology must only benefit EL students. Items that will benefit all students,</li> </ul>

Questions?  
 Contact:  
 Destin Markland  
 444-0044  
 Destin.markland@mt.gov

# WHAT CAN THE FUNDS BE USED FOR?



Title IV Part A is also known as **Student Support and Academic Enrichment (SSAE)**. The SSAE program is intended to improve students' academic achievement by increasing the capacity to provide all students with:

- **Access to a well-rounded education**
- **Improve school conditions for student learning, safe and healthy students**
- **Improve the use of technology to improve the academic achievement and digital literacy of all students**

The LEA should consult with its private school(s) prior to making any decisions to transfer Title IV-A funds. If the public school determines, based on their needs assessment, that a transfer will occur, the private school students will receive their equitable share of services based upon the program to which the funds are transferred.

# TITLE IV-A

<b>Safe and Healthy Students</b>	<b>Well-Rounded Education Programs</b>	<b>Effective Use of Technology</b>
<p><b>Supporting safe and healthy students with:</b></p> <ul style="list-style-type: none"> <li>• comprehensive school mental health</li> <li>• drug and violence prevention</li> <li>• training on trauma-informed practices</li> <li>• bullying prevention</li> <li>• dropout prevention, re-entry programs &amp; transition services</li> <li>• child sexual abuse awareness &amp; prevention</li> <li>• promoting supportive school discipline</li> <li>• suicide prevention</li> <li>• health &amp; physical education</li> <li>• mentoring &amp; school counseling</li> <li>• schoolwide positive behavioral interventions &amp; supports</li> </ul>	<p><b>Supporting students with well-rounded educational opportunities including:</b></p> <ul style="list-style-type: none"> <li>• foreign languages, arts, and music education</li> <li>• STEM programming: science, technology, engineering, mathematics, and computer science instruction and activities</li> <li>• American history, civics, economics, geography, government, and environmental education instruction</li> <li>• programming in career and technical education, health, physical education, and any other subject with the purpose of providing all students access to an enriched curriculum and educational experience</li> <li>• improving access to AP courses or Dual enrollment opportunities</li> </ul>	<p><b>Supporting the effective use of technology by:</b></p> <ul style="list-style-type: none"> <li>• high quality professional development in utilizing technology</li> <li>• carrying out innovative blended learning projects</li> <li>• delivering specialized or rigorous courses using technology</li> <li>• providing students in rural, remote, or underserved areas with technology resources</li> <li>• building technological capacity and infrastructure (max 15% of EUT funds for devices/infrastructure)</li> </ul>

# TITLE IV-A

For more information contact: Paige Sedahl, [paige.sedahl@mt.gov](mailto:paige.sedahl@mt.gov), (406) 422-2821



- The equitable share is determined before district level set asides
- All funds must be expended in the year they were allocated-there is no more carryover of equitable share dollars unless there was some unforeseen situation-shown on Targeting Step 4 in Egrants
- District must manually calculate the amount of available funds for each private/non-public school in Egrants under the Private School participation tab

## EQUITABLE SHARE SET ASIDES

- After consultation, and even if the non-public objects, the district can move funds from one federal program to another, even if this removes all federal funds from a program.
- For example, the district moves Title II, III, and IV funds to Title I. This means that there would be no equitable share funds for the private school in those programs as the fund balance would be zero. However, there would be an increase in the equitable share dollars for Title I.
- Funds may not be left behind in a federal program just for equitable share.
- The equitable share for this situation would be based upon any amount left behind.

# TRANSFER ORDER



- Consultation, final equitable share agreement, and interlocal agreement forms, if necessary, are due to the OPI no later than July 31, of each year
- The ombudsman must review all the agreements
- Extensions can be granted when requested
- Agreements need to be established before the Egrant application is submitted

# TIMELINES

- Egrants is the online federal funds application system used by MT districts.
- It does not need any special software; you just need the ability to connect to the Internet
- The program calculates the equitable share, and districts will budget set aside funds within the program
- Private/non-public tab shows how much each non-public gets
- The budget pages show where the funds are being used
- <https://egrants.opi.mt.gov/opigmsweb/logon.aspx>

# EGRANTS

Affirmation of Consultation form:

<https://opi.mt.gov/LinkClick.aspx?fileticket=2IzRAiWKv8s%3d&portalid=182>

Equitable Service Agreement form:

[https://opi.mt.gov/LinkClick.aspx?fileticket=psY\\_qnFrc0g%3d&portalid=182](https://opi.mt.gov/LinkClick.aspx?fileticket=psY_qnFrc0g%3d&portalid=182)

Interlocal form:

<https://opi.mt.gov/LinkClick.aspx?fileticket=SgRhGyy3w4w%3d&portalid=182>

# FORMS



Jack O'Connor, Ombudsman & Federal Grants Unit Director

- Phone: 406-444-3083
- Email: [joconnor2@mt.gov](mailto:joconnor2@mt.gov)

# CONTACT INFORMATION

