



Title I

Private School Guidance

March 2012

Private School Guidance

Determine Allocation Amounts and Grade Level Services

Under §1113(a) of the Title I statute and §200.78 of the regulations, a district must allocate Title I funds to public school attendance areas, who are eligible and selected to participate, in rank order on the basis of the total number of children from low-income families residing in each area. If a low-income family resides in the public school district, but sends their children to a private school outside of district boundaries, the resident school district is still obligated to offer services to the children if they are deemed Title I eligible.

A public school attendance area is eligible if their poverty percent is at or above the district poverty percent. In other words, if a public elementary school receives Title I services, then private elementary students from the same attendance area would be eligible for services at the private school. A district can determine which grade levels (i.e., grades 1-5, grades 7-8, etc.) they want to serve with Title I funds. Private school services can only be provided in the same grade level as the public school. The question to consider when determining grade level services at the private school is, "If this child were deemed educationally eligible for Title I services in the public school in which they reside, would they be provided with these services?" If Title I services are only provided in elementary buildings for grades K-3, then Title I private school services can only be provided in elementary buildings for grades K-3.

A district may, if necessary, identify and rank its eligible school attendance areas based on the number of children from low-income families attending public schools only. Once the participating public school attendance areas have been established, a per-pupil allocation (PPA) is determined for each public school attendance area. Then, based on the total number of children from low-income families residing in each attendance area attending either public or private schools, the district calculates the total amount of funds for each area. From this amount, the district reserves an amount of funds for the private school children (equal to the PPA multiplied by the number of low-income private school students in the area) to provide equitable services to eligible private school participants. Low-income public and private school students residing in the same Title I attendance areas generate the same per-pupil amount.

In small districts that do not participate in the targeting process, the October free/reduced lunch count on file in the Child Nutrition and Food Distribution office is used to determine the private school allocation amounts.

Equitable Set-Asides

Section 200.64(a)(2)(i)(A) of the Title I regulations requires that, if a district reserves funds for instructional and related activities for public elementary or secondary school students at the district level, the district must also provide from these funds, as applicable, equitable services to eligible private school children. The amount of funds available to provide equitable services from the applicable reserved funds must be proportional to the number of private school children from low-income families residing in participating public school attendance areas.

The following instructional services are included in the equitable services provision off the top costs from the district's Title I allocation:

- Set-Asides for teacher quality (districts are no longer required to set funds aside for teacher quality)
- Professional development (excluding requirements for program improvement)
- Parental involvement
- Instructional services (i.e., preschool, summer school, or jumpstart programs)

Any funds used for these purposes would generate equitable set-asides. It does not matter whether the funding sources are the district's regular allocation or carryover funding. (See Appendix B for the sample worksheet.)

Title I Carryover Funds

Title I law requires school districts to provide eligible private school children with Title I educational services or other benefits that are equitable to those provided to eligible public school children.

Title I funds are allocated based on poverty. Services provided to private school students should reflect the allocation amount generated. When the public school district submits the Title I final financial report, if any Title I private school funds are remaining, the district must contact the private school to determine if the services outlined in the consolidated application were carried out sufficiently. If the private school determines that the outlined activities were not provided in full, then the district must issue the balance of the funds as carryover to the private school for the subsequent school year. This decision must be documented and acknowledged on the "Addendum to the Title I Final Financial Report for the Private School Services". (See Appendix B for the addendum.)

Including Additional Title I Funds into the Process

In some districts, there may be additional funds that are used to supplement Title I activities and expenditures. These funds include Title I reallocated dollars and other federal Title I funds that are REAPed or transferred into the Title I program.

Reallocated funds are the dollars generated from school districts that have an excess of Title I carryover. The reallocated funds are competitive dollars that require a school district to submit a budget revision on the STARS and describe in detail how the reallocated funds will be used during the current school year. If the reallocated funds will be used for district-level activities, then districts must calculate and include the equitable set-aside amount for the private schools within the district. (See Appendix B for a sample worksheet.)

Any funds transferred into the Title I program from other ESEA programs under the transferability or REAP authority are subject to the equitable services set-aside provisions for services to private school students. A district may not transfer funds into the Title I program solely to provide services for private school students. Any funds that the district receives due to being identified for program improvement are not subject to private school equitable series regulations.

Affirmation of Consultation Requirements

District consultation with officials from private schools is an essential requirement of an effective Title I program for eligible private school children, their teachers, and their families. Consultation involves discussion between public and private school officials on key issues that affect the ability of eligible private school students to participate equitably in Title I programs.

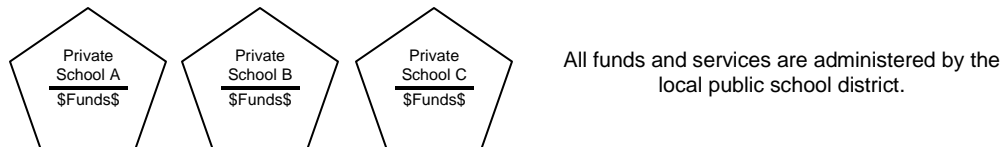
The requirements for consultation are in 1120(b) of the Title I statute of 200.63 of the Title I regulations. Consultation by a district must include meetings between the district and appropriate private school officials and must occur before the district makes any decision that affects the opportunity for eligible private school children, their teachers, and their families to participate in Title I programs. The meeting must occur and the consultation form must be signed in the spring or early summer before the consolidated application is submitted to the department. This form is due to the state Title I office by July 1, 2012.

Each school district must obtain a written affirmation, signed by officials of each private school with participating children or appropriate representatives of the private school officials that the required consultation has occurred. This must be submitted to the state Title I office annually, as well as, addressed on the STARS. (See Appendix C for an example of this form.)

Program Options

In consultation, the school district and private school officials may choose one or both of the following options for using the funds reserved for instructional services for eligible private school children. This decision should be made at the annual consultation meeting between the public and private school officials.

1. School-by-School Option: Provide equitable services to eligible children in each private school with the funds allocated for the children who reside in participating public school attendance areas and attend that private school. Under this option, the services provided to private school children are determined by the amount of funds generated by each private school building.



2. Pooling Option: Combine funds allocated for private school children in all participating areas to create a pool of funds for which the district provides equitable services to eligible private school children who are in the greatest educational need of those services and reside in participating public school attendance areas. Under this option, the services provided to eligible children attending a particular private school do not depend on the amount of funds allocated for children in that school, rather, the services focus on the neediest children throughout the entire private school system.



If there are no children attending the private school(s) from low-income families to warrant the allocation of instructional funds and the district is not pooling the funds, then children in that private school who meet the educational criteria will not receive Title I services because there are no funds available to provide services. If the district is pooling funds, then eligible low-achieving children who meet the educational criteria and attend private schools with no children from low-income families may receive Title I services. (See Appendix D for an example of each program option.)

Determining Services

The district, in consultation with appropriate private school officials, determines the appropriate Title I services based on the needs of the private school students. Title I services may focus on subject areas that are different from those provided to public school students, as long as these services are provided in the same grade-level as the services provided to public school children. Schoolwide programs may not be operated in private schools. Title I targeted assistance programming that follows Title I private school statute is allowable.

The district is responsible for planning, designing, and implementing the Title I program, and may not delegate that responsibility to the private schools or their officials. The district provides a Title I program to private school children by employing methods and instructional strategies for improving academic achievement that have been shown to be effective through scientifically based research. The district must also consider providing extended learning time to private school students. Based on the needs of children to be served, the district must provide an instructional program that not only supplements, but also is well coordinated with the instruction that the private school children are receiving in their regular classrooms. This program should complement classroom instruction and should not be a separate instructional program.

The Title I teacher may use the same textbooks and materials as used in the regular private school classroom so long as the textbooks and materials are secular, neutral, non-ideological, and the instructional services supplement and do not replace the instructional program in the students' regular classroom.

The U.S. Department of Education (USDE) believes that the constitutionality of Title I instructional services provided in a private school will depend on consideration of the program's safeguards viewed as a whole, not any one factor, such as whether or not there are religious symbols in the space used for that instruction. The USDE guidance states that a valid program must contain safeguards to ensure that public school employees do not promote religion in the course of carrying out their Title I services.

Title I services for private school participation may be provided at various locations, including the private school, neutral sites, or public schools. District officials must consult with private school officials before any decision is made about the location of Title I services. If appropriate space is available, the least disruptive, and least expensive location may be the private school in which the participating children attend.

After consultation with private school officials, a district may provide Title I services other than direct instruction if the provision of services are appropriate to assist those children identified as failing or most at-risk of failing to meet high student academic achievement standards. The district must measure the effect of services on the academic achievement of participating children. Additional services for participating private school children include, but are not limited to, the following:

- Instructional services provided by public school employees or third-party contractors
- Extended-day services
- Computer-assisted instruction (CAI)
- Family literacy programs
- Counseling programs
- Home tutoring
- Instruction using take-home computers

If services other than direct instruction are provided to private school students, it is important to note that all Title I private school regulations still apply (i.e., parent involvement, student selection, student eligibility, assessment, etc.). For Title I services, a district may not just provide a private school with instructional materials and supplies paid with Title I funds. Simply providing the private school with instructional materials and supplies is NOT an option available to the district. This practice is not considered a proper private school Title I program and it does not meet the equitability requirements outlined in NCLB.

Maintaining Fiscal Control

Private school officials have no authority to obligate or receive Title I funds. The statute clearly states the district must maintain control of Title I funds, materials, equipment, and property. No Title I funds may be paid to a private school.

Section B-41 of the USDE's guidance on providing Title I services to private school students further clarifies that a private school is not permitted to order supplies or materials for its Title I program and seek reimbursement from the district, since private school officials have no authority to obligate or receive Title I funds. Districts must retain all documentation showing how it spent Title I funds for private school students. Districts will need to document that any Title I-funded equipment or materials located at private schools are properly labeled as public school district property that was purchased with federal funds.

Staff Qualifications

Section 1120(d)(2) of the Title I statute requires that Title I services be provided by an employee of a public school district. These employees must be independent of the private school and any religious organization in the provision of those services and such employment or contract must be under the control and supervision of the district.

Teachers and paraprofessionals who provide Title I services to private school participants and are employees of a district must meet the highly qualified staff requirements. The highly qualified personnel requirements only apply to those teachers and paraprofessionals who are directly employed by the district.

A district may hire a private school teacher to provide Title I services to private school participants as long as the private school teacher meets the highly qualified teacher standards required in the Title I statute and is independent of the private school in the provision of Title I services. The private school teacher can only be employed for Title I purposes outside of the time he or she is employed by the private school, and the private school teacher must be under the direct supervision of the district with respect to all Title I activities.

Paraprofessionals providing instructional support within a Title I program must work under the direct supervision of a public school Title I teacher and meet the NCLB requirements for aides/paraprofessionals. In a private school setting, working under direct supervision translates to working in direct vision of the Title I teacher. A Title I private school program cannot be operated by an aide/paraprofessional alone.

If a district reserves funds off the top of its Title I allocation for assisting staff in becoming highly qualified, the district must also provide an equitable share to teachers of private school students from this set-aside amount. However, Title I funds cannot be used to get private school staff highly qualified. Therefore, if the district reserves funds off the top to get public school teachers highly qualified, the district must provide the private school with an equitable amount of funds to be used for professional development for private school staff reflective of the grade levels served. This professional development must focus on reading, math, or other areas that focus on helping at-risk students achieve.

Student Eligibility

Educational need is determined by whether or not the private school child meets the requirements of Title I targeted assistance programs, which requires the use of multiple, educationally related, objective criteria in selecting children to participate in the Title I program. Children from preschool through grade two (2) can be selected solely by subjective criteria such as teacher judgment, interviews with parents, and developmentally appropriate measures of educational need.

Student eligibility for Title I services for private school children is determined by:

1. Residence in a participating public school attendance area, and
2. Educational need.

Poverty is not a criterion. Criteria for services are determined in consultation with private school officials. The district must establish multiple, educationally related, objective criteria to determine which private school children are eligible for Title I services, and within the eligible group, which children will be served.

Title I, Part A funding may not be used to identify private school children who are eligible to participate. Title I, Part A funds may be used to select participants from among those who are eligible and to determine the needs of the students.

It is the district's responsibility to verify that the eligible private school children reside in participating public school attendance areas within the district. This verification process must be documented. (See Appendix E for the example form.) A separate eligibility process must be conducted for students whose home residence is outside the public school district.

When the number of eligible children within a private school is very small, the district should consider other options for services. They might adopt methods that are cost-effective for serving small numbers, such as take-home computer programs, individual tutoring programs, professional development activities with the classroom teacher of Title I participants, or other strategies. Even in a case where a small amount of funds is available, all Title I rules and regulations still apply.

Parental Involvement

Section 1118 of Title I requires a district with a Title I allocation of \$500,000 or greater to reserve funds off the top of its Title I allocation to carryout required Title I parental involvement activities. In addition, any parental involvement funds that a district reserves off the top of their allocation are also subject to the equitable set-aside provision for the private schools. Parents of eligible private school children must be served using a portion of the parental involvement set-aside. The district uses the number of private school students in each Title I attendance area to calculate the mandatory percentage of the set-aside needed for parents of eligible private school students.

A district must provide equitable services to parents of private school participants from the funds set-aside for this purpose. Activities for the parents of private school participants must be planned and implemented after meaningful consultation with private school officials and parents. Activities districts can provide parents should assist private school students in achieving high academic standards. This includes parent meetings, communication between the Title I teachers and parents on students' academic progress, parent-teacher conferences, and parent education.

Examples of Parental Involvement Activities:

1. During the consultation process, the district, private school officials, and parents discuss a number of options for parental involvement in the Title I program, including parent meetings, parent-teacher conferences, parent training activities, and reasonable access to Title I staff. After considering the needs and views of the private school parents and school officials, the district conducts an annual

meeting with parents and provides training for parents on how to work at home with their children in reading and math. The district also provides parents of each private school participant with an individual student report on the student's performance on the North Dakota State Assessment (NDSA) or on an appropriate alternative assessment and informs parents about how the student is achieving in the Title I program through monthly assessments and reports to parents.

2. One district encourages and enhances parental involvement through hands-on workshops and individual meetings to provide parents with strategies and techniques for improving their children's learning. For example, a joint agreement between the Title I teachers and the parents of Title I students outlines the shared responsibilities for improved student achievement under Title I using books and tapes in a read-aloud program. In addition, parents use a variety of teacher-made and commercially prepared activity kits, resource books, and guides to enhance their involvement in their children's education. Progress reports are distributed to parents twice a year, and a parent representative from each private school community is invited to the District-wide Private School Steering Committee Meeting to share ideas and recommendations regarding services to be implemented for private school participants, their teachers, and their families.

Please note, all public schools receiving Title I services must develop and disseminate a Title I parent involvement policy, which includes a parent/school compact. This requirement does not apply to private schools.

Professional Development

If a district reserves funds off the top of its Title I allocation for carrying out district Title I professional development activities, the district must provide equitable services to teachers of private school participants from this set-aside amount. A district calculates these equitable services from the reserved funds in proportion to the number of private school children from low-income families residing in participating public school attendance areas.

The district is required to provide professional development activities for Title I teachers who are employees of the district. The cost of this training should be paid from the funds reserved for the professional development of the district's teachers and not from the funds required to provide equitable services to teachers of private school participants.

The professional development activities for private school teachers should address how classroom teachers can better serve Title I students, such as by providing information on evidence-based reading and mathematics instruction. It is inappropriate to use these funds to upgrade the instructional program in the regular classroom of the private school.

Private school officials are not authorized to obligate or receive Title I funds. The statute clearly states that the district must maintain control of Title I funds. No Title I funds may be paid to the private school.

Title I funds may be used to pay for stipends for private school classroom teachers, if reasonable and necessary. For example, if the professional development activity is conducted during after-school hours or in the summer, stipends may be needed to compensate teachers for their participation outside their regular employment hours. Stipends for private school teachers must be available on the same basis as those for public school teachers and the stipends must be paid directly to the private school teachers for their own use and not to the private school.

After consultation, the district should offer professional development activities at a time and place that is convenient for the teachers of private school participants. Title I funds may not be used to hire substitute private school teachers.

Assessment

A district must annually assess the progress of the Title I program toward enabling private school Title I participants to meet the agreed-upon standards. The district may use the NDSA (under §1111(b)(3) of Title I) or other assessment measures that more accurately reflect the progress of the private school participating students toward meeting the standards that the district, in consultation with private school officials, have determined as appropriate. Every year, the district and private school officials must consult on what constitutes annual progress for the Title I program. In measuring annual progress, the district has the flexibility to group children in a manner that will provide the most accurate information about their progress. For example, the district may decide to group children by instructional method, grade level, school, or other appropriate basis. If the private school Title I program does not make the expected annual progress, the district must make modifications to the Title I program to address the identified needs on an annual basis.

While districts are required to assess progress of Title I students annually, they should also consult with private school officials/classroom teachers regularly about the progress the private school Title I students are making in their regular classrooms.

A district normally would assess private school children in the subjects in which the district provides Title I services to those children.

Title I funds may be used to assess private school children if the assessment is used only for Title I purposes. However, if an assessment is conducted system-wide for other purposes, it may not be paid for with Title I funds. If private school children, in general, are included in the NDSA or NWEA, Title I funds may not be used to pay for the assessment of those private school children participating in Title I.

Officials of the private schools may provide the district with the assessment data on Title I private school students that the private school has collected as part of its testing program. However, private school officials are not obligated to do this, and refusal by private school officials to provide these data does not release the district from its obligation to provide services and assess the progress of the private school participants in the Title I program.

Non-Applicable NCLB Provisions

There are certain key Title I provisions in the NCLB Act that are not applicable to private school students or schools. These would include:

- Assessment – Private schools are not required to give the NDSA to their students.
- Adequate Yearly Progress – The NDDPI does not generate an AYP reports for private schools.
- Program Improvement – Private schools cannot be identified for program improvement.
- School District Profiles/Report Cards – The NDDPI does not generate a report card or profile for private schools.
- Highly Qualified Staff Provision – NCLB only mandates that public school teachers meet the highly qualified requirements. However, ND aligned our state law to NCLB. Therefore, all teachers who are issued a ND teaching license must meet the highly qualified requirements.
- Aides/Paraprofessionals – NCLB only requires aides/paraprofessionals paid with Title I funds to meet the new requirements of NCLB. Therefore, any aide/paraprofessionals working in a Title I program in a private school and paid with Title I funds, would need to meet the provisions.
- Parents' Right to Know – The NCLB law incorporates a Parents' Right to Know Clause which requires that at the beginning of each school year, a school that receives Title I funds must notify all parents of all students that they may request information regarding the professional qualifications of teaching staff. This provision does not apply to private schools.
- Parent Involvement Policy/Parent School Compact – All public schools receiving Title I services must develop and disseminate a Title I parent involvement policy, which includes a parent/school compact. This requirement does not apply to private schools.

Dispute Procedures

Section A-10 of the USDE's guidance states that private school officials have a right to complain to the NDDPI if they feel that their district either has not engaged in timely and meaningful consultation, or has not considered the private school's views in planning for Title I services for its students. Public school districts need to have a copy of their district's and state's dispute resolution process in place and share it with private school officials. Documentation must be on file and available showing that these procedures are available to any private school officials who seek them as well as distributed to the parents of participating private school children. (See Appendix F for guidance on this regulation as well as the North Dakota Dispute Resolution Policy and Procedures.)


Signed Time Assurances

Districts that have federally funded personnel must complete an assurance, every six months (at a minimum), documenting the time that staff worked in a particular federal Title program. The individual and their public school district supervisor must both sign the assurance. The signed assurance for the public school personnel working at the private school should document only the time spent at the private school.

Title I Private School Guidance

Appendixes

A-F



Appendix A
Collection of Poverty Data
on Private School Children

Option 2: Document to Collect Poverty Data on Private School Children

Using comparable poverty data from a survey and allowing such survey results to be extrapolated if complete actual data are unavailable.

- a. In order to obtain the number of private school children from low-income families, a district may use a survey to obtain poverty data comparable to those used for public school students. To the extent possible, the survey must protect the identity of families of private school students. The only information necessary for a district to collect in a survey of private school children is:

- (1) Geographic information verifying residence in a participating public school attendance area;
- (2) Grade level of each child; and
- (3) Income level of parents.

A district should not require that the private school officials give the names of low-income families.

- b. After obtaining income data from a representative sample of families with children in private school, a district may extrapolate this data to the entire private school student population if complete actual data are unavailable. The district should take care to ensure that the data are truly representative of the private school students in the district.

Examples of Representative Sample and Extrapolation:

Column 1	Column 2	Column 3	Column 4	Column 5
Public school attendance area	# of resident private school children	# of private school children submitting surveys	# of low-income private school children from surveys	Extrapolated # of low-income private school children
A	150	115	100	130
B	20	10	4	8

Key:

Column 1. Public school attendance area

Column 2. Number (#) of resident private school children

Column 3. Number of private school children submitting surveys

Column 4. Number of low-income private school children from returned surveys

Column 5. Extrapolated number of low-income private school children

Calculations:

Column 5 (extrapolated number of low-income children) =

Column 4 (# of low-income private school children from surveys) multiplied by Column 2 (# of resident private school children)

Column 3 (total submitted surveys)

OR
$$\frac{100 \times 150}{115} = 130$$

$$\frac{4 \times 20}{10} = 8$$

Sample Form for Private School Officials to Submit to School Districts*

Private School Students Living in Poverty

Name of Private School _____

Public School District _____

Please provide the grades and geographic information verifying residence in a participating public school attendance area of those families that meet the poverty criteria of _____ [insert here the poverty criteria used—e.g., U.S. Department of Agriculture for the free/reduced price lunch program]. Do not provide the names of the families or students.

<i>Grades</i>	<i>Geographic Information</i>

*** This is not an official U.S. Department of Education document. It is provided only as an example.**

School District Sample Form for Use by Private School Officials*

The purpose of this survey is to collect data that will be used to determine the amount of funds available for the public school district to provide Title I services to eligible students in our private school. Determining the number of our students, by public school district of residence, who would qualify for free/reduced price lunches, accomplishes this. The information requested below is confidential. It is not necessary to provide family names.

- A. Find your family size and look at the annual gross income level listed beside it on the chart printed below.

(Chart information was obtained from the Income Eligibility Guidelines document provided by the NDDPI Child Nutrition and Food Distribution Programs available online at www.dpi.state.nd.us/child/snp/nslp/index.shtm.)

Family Size	Annual Gross Income For 2011-2012
One	\$14,157
Two	\$19,123
Three	\$24,089
Four	\$29,055
Five	\$34,021
Six	\$38,987
Seven	\$43,953
Eight	\$48,919

- For each additional family member over eight, add \$4,966 to your Annual Gross Income.
- If you are paid on a weekly or monthly basis, please multiply that amount by the number of weeks or months actually worked each year to determine your "Annual Gross Income."

- B. Is your family income less than the amount listed on the chart on the line beside your family size? yes no

-
- C. Is your family eligible for food stamps? yes no

-
- D. Are you receiving Temporary Assistance to Needy Families (TANF)? yes no
(Formerly AFDC or Public Assistance)


-
- E. Please provide the following information:

Address: _____

Public school district in which you reside: _____

Grade levels of your children: _____

*** This is not an official U.S. Department of Education document. It is provided only as an example.**



Appendix B
Private School
Fiscal Documents

North Dakota Department of Public Instruction

Addendum to the Title I Final Financial Report Private School Services

Title I law requires LEAs to provide eligible private school children with Title I educational services or other benefits that are equitable to those provided to eligible public school children. Services provided to private school students should reflect the minimum allocation amount generated. When the public school district submits the Title I Final Financial Report, if any Title I private school funds are remaining, the district must issue the balance of these funds as carryover funds for the subsequent school year if adequate services were not provided. Funds generated through equitable set-asides are not subject to the carryover provisions. Unless the programs pool funds, districts with more than one private school program must complete a separate addendum for each facility. **Please submit the program ledger(s) to verify amounts.**

School District	Private School	School Year
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Private School Allocation	+	Private School Carryover from Previous Year(s)	=	Private School Total
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Object Number	Category	Approved Budget	Total Expenditures for Fiscal Year-to-Date	Remaining Balance of Approved Amount
100	Salaries	110 Professional Salary		
		120 Non-professional Salary		
200	Benefits			
300	Purchased Professional and Technical Services			
430	Maintenance			
580	Travel			
600	Materials/Supplies			
730	Equipment			
800	Dues, Memberships, Registration			
900	Indirect Costs			
	Unobligated Set Asides			
Total				

Carryover Calculation:

Private School Total	-	Total Expenditures for Fiscal Year-to-Date	=	Carryover Amount
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To Be Completed by the Private School:

- The public school district provided timely, adequate services during the school year and therefore, we do not have a need for the private school carryover funds for the subsequent school year.
- The Title I services during the school year were not equitable in comparison to those provided to students served at the public school. Therefore, we request to utilize the carryover funds in the subsequent school year.

Certification:

I certify to the best of my knowledge and belief that this report is correct and that all expenditures are for the purposes set forth in the program application.

Signature of Authorized Representative	Date
Signature of Business Manager	Date
Signature of Private School Representative	Date

For Department Use Only	
Signature-Coordinator	Date
Signature-Director	Date

Worksheet

Title I Equitable Services

1. Instructional Program(s) Reservation (i.e., summer school)

In **participating** public school attendance areas:

# of Private School Low Income Children	# of District Low Income Children	Proportion of Reservation
_____	_____	_____
	÷	=
Proportion of Reservation	Total District Reservation	Equitable Set-Aside Amount
_____	_____	_____
	x	=

2. Parental Involvement Reservation

In **participating** public school attendance areas:

# of Private School Low Income Children	# of District Low Income Children	Proportion of Reservation
_____	_____	_____
	÷	=
Proportion of Reservation	Total District Reservation	Equitable Set-Aside Amount
_____	_____	_____
	x	=

3. Professional Development Reservation
(Excluding Professional Development requirements for program improvement)

In **participating** public school attendance areas:

# of Private School Low Income Children	# of District Low Income Children	Proportion of Reservation
_____	_____	_____
	÷	=
Proportion of Reservation	Total District Reservation	Equitable Set-Aside Amount
_____	_____	_____
	x	=

4. Set-Aside for Teacher Quality (i.e., professional development at private school)

In **participating** public school attendance areas:

# of Private School Low Income Children	# of District Low Income Children	Proportion of Reservation
_____	_____	_____
	÷	=
Proportion of Reservation	Total District Reservation	Equitable Set-Aside Amount
_____	_____	_____
	x	=

* This form may need to be revised throughout the school year as public schools record reallocated, REAP, transfer, or budget revisions. Any of the above district activity must provide the private school with an equitable share.



Appendix C

Affirmation of

Consultation

Affirmation of Consultation with Private School Officials

Section 1120(b) of the *No Child Left Behind* Act and §200.63 of the Title I regulations require that timely and meaningful consultation occur between the school district and private school officials prior to any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate in programs under this Act, and shall continue throughout the implementation and assessment of activities under this section.

Under §200.63 of the Title I regulations consultation must, at a minimum, address the following issues:

- How the district will identify the needs of eligible private school children.
- What services the district will offer to eligible private school children.
- How and when the district will make decisions about the delivery of services.
- How, where, and by whom the district will provide services to eligible private school children.
- How the district will assess academically the services to private school children in accordance with §200.10 of the Title I regulations, and how the district will use the results of that assessment to improve Title I services.
- The size and scope of the equitable services that the district will provide to eligible private school children and, consistent with §200.64 of the Title I regulations.
- The proportion of its Title I funds that the district will allocate for these services and the amount of funds that the district reserves from its Title I allocation for the purposes listed in §200.77 of the Title I regulations.
- The method, or the sources of data, that the district will use (under §200.78 of the Title I regulations) to determine the number of private school children from low-income families residing in participating public school attendance areas, including whether the district will extrapolate data if a survey is used.
- The services the district will provide to teachers and families of participating private school children.
- Discussion of service delivery mechanisms the district will use to provide services; and
- Through consideration and analysis of the views of the private school officials on whether the district should contract with a third-party provider. If the district disagrees with the views of the private school officials on the issue, the district must provide in writing to those officials the reasons why the district has chosen not to use a third-party contractor.

We agree that timely and meaningful consultation occurred before the district made any decision that affected the participation of eligible private school children in the Title I, Part A program.

Public School Official

Date

Private School Representative


Date

School District

Name of Private School Agency or School

The school district must maintain a copy of this form in its records.

A signed copy of this form must be submitted to the Department of Public Instruction by July 1, 2012.



Appendix D

Program Options

Program Options

After consultation with private school officials, the district determines which option it will use to fund the Title I programs for eligible private school children.

Public school attendance area	<u>Column A</u> Per Pupil allocation (PPA) by attendance area	<u>Column B</u> Number of public school low-income children by attendance area	<u>Column C</u> Number of private school low-income children by attendance area	<u>Column D</u> Total allocation for each public school (Col. A X Col. B)	<u>Column E</u> Amount available for Title I services to private school children (Col. A X Col. C)
School A	\$800	150	17	\$120,000	\$13,600
School B	\$800	130	8	\$104,000	\$6,400
School C	\$800	100	3	\$80,000	\$2,400
School D	\$0	200	7	0	0
School E	\$0	140	6	0	0

*Public schools D and E are not eligible for Title I services.

Option 1 – School-by-School Option – Use funds allocated for eligible private school children to provide Title I services on a school-by-school basis to eligible private school children residing in participating public school attendance areas.

Private School #1

17 Low Income Residing in A = \$13,600
 8 Low Income Residing in B = \$6,400
 7 Low Income Residing in D = \$0

Total for services to eligible children attending private school #1 = \$20,000

Private School #2

3 Low Income Residing in C = \$2,400
 6 Low Income Residing in E = \$0

Total for services to eligible children attending private school #2 = \$2,400

Option 2 – Pooling – Combine (pool) funds allocated for all eligible private school children to be used to provide Title I services to eligible children who reside in participating public school attendance areas and attend any private school.

	Private School #1 =	\$20,000
	Private School #2 =	\$2,400
	Total for services to the eligible children in all private schools =	<u>\$22,400</u>



Appendix E
Eligibility and
Attendance Area
Documentation



Appendix F
Dispute
Resolution Policy

North Dakota Department of Public Instruction
Dr. Wayne G. Sanstead, State Superintendent
600 E. Boulevard Avenue, Dept. 201
Bismarck, ND 58505-0440

Dispute Resolution Policy Requirements

Federal regulations require that each district adopt procedures for receiving and resolving disputes pertaining to the Title I program.

If a parent, school personnel or any interested person wishes to file a complaint, a policy must be established which outlines the following components:

Process: (Once received, the process that will occur. The process must define a reasonable time limit for responding to the complaint.)

Contact Information: (Who the complaint should be sent to)

Any complaint must include: (What complaint must include)

Reconsideration:

The policy must address the process, at the local level, if the complainant wants the district's decision reconsidered. It must state that they have the right to have their complaint reconsidered by the North Dakota Department of Public Instruction and the U.S. Department of Education.

State Superintendent
North Dakota Department of Public Instruction
600 E Boulevard Avenue, Dept 201
Bismarck, ND 58505-0440

The Secretary of Education
U.S. Department of Education
555 New Jersey Avenue NW
Washington, D.C. 20208

The following two pages include these documents, which may assist school personnel in creating their Dispute Resolution Policy.

- ▶ North Dakota Federal Title Programs Dispute Resolution Policy and Procedures
- ▶ Template – Public School District Dispute Resolution Policy

If you have any questions regarding the Dispute Resolution Policy and Procedures, please contact Laurie Matzke at lmatzke@nd.gov or 701-328-2284.

North Dakota Federal Title Programs Dispute Resolution Policy and Procedures

Federal regulations require that each state adopt procedures for receiving and resolving disputes pertaining to any of the federal Title programs. A complaint will include an investigation by Department of Public Instruction (DPI) staff that will result in a determination of findings of facts, conclusions, and reasons for a final decision.

If a parent, school personnel or any interested person wishes to file a complaint, the following process must be followed:

- The written complaint must be sent via mail or e-mail to:
[Director of Specific Title Program]
North Dakota Department of Public Instruction
600 E Boulevard Avenue, Dept 201
Bismarck, ND 58505-0440

Federal Title Directors

Consolidated Grants/REAP	Stephanie Gullickson	sgullickson@nd.gov
Title I Part A	Laurie Matzke	lmatzke@nd.gov
Title II Part A	Greg Gallagher	ggallagher@nd.gov
Title II Part D	Pat Laubach	plaubach@nd.gov
Title III Part A	Kerri Whipple	kwhipple@nd.gov
Title IV Part A	Valerie Fischer	vfischer@nd.gov

- Any complaint must include:
 - The date;
 - The name of the district, unit, or individual the complaint is against;
 - The name, address, and telephone number of the person making the complaint;
 - A detailed description of the complaint, including specific facts; and
 - The signature of the person making the complaint.

When a written complaint is filed, the appropriate DPI Title director will investigate and issue a written response within sixty (60) calendar days from the date the complaint is received.

Reconsideration

Once a response is received from DPI staff, the person making the complaint may submit a reconsideration request in writing to the State Superintendent within thirty (30) days of the date of the Title director's response. The State Superintendent will issue a final decision within thirty (30) days of the request for reconsideration. Once a response is received from the State Superintendent, the person making the complaint may submit a reconsideration request in writing to The Secretary of Education, U.S. Department of Education, 555 New Jersey Avenue, NW, Washington, D.C. 20208.

Other Formal Dispute Resolution Procedures

Rules regarding dispute resolution between a school district and DPI regarding state or federal funds are outlined in chapter 67-22-01 of the North Dakota Century Code.

TEMPLATE

Public School District

Dispute Resolution Policy

Federal regulations require that each district adopt procedures for receiving and resolving disputes pertaining to the Title I program.

If a parent, school personnel or any interested person wishes to file a complaint, a policy must be established which outlines the following components:

Process: (Once received, the process that will occur)

The process must define a reasonable time limit for responding to the complaint.

Contact Information: (Who the complaint should be sent to)

Any complaint must include: (What complainant must include)

Reconsideration:

The policy must address the process, at the local level, if the complainant wants the district's decision reconsidered. It must state that they have the right to have their complaint reconsidered by the North Dakota Department of Public Instruction and the U.S. Department of Education.

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