

***Process for Out-of-District
Private School Students
Attending in the Public
School District's Boundaries***

Overview

Section 200.62(b)(1)(i) of the Title I regulations define Title I eligible private school students as those who reside in participating public school attendance areas of the district, regardless of whether the private school they attend is located in the district. Therefore, the public school district in which a private school student resides is responsible for offering Title I services to Title I eligible students, even if the private school is located outside the public school district boundaries. Parent permission is required. This provision also applies across state lines.

Scenarios

Due to the unique way North Dakota calculates each district's Title I allocations, the method used to meet Title I regulations will vary for each individual public school district's situation. Please reference the chart below that outlines various scenarios to determine which best meets your district's situation.

Private Student Resides	Private School Location	Public School District Obligation
*Large Public School District A	*Large Public School District B	<p>Public School District A generated funds for private school students residing in their attendance area. District A must work with the private school located in District B to offer eligible students with Title I services if requested by the private school students' parents.</p> <p>Ultimately, Public School District A is responsible for offering services.</p>
*Large Public School District A	**Small Public School District C	<p>Public School District A generated funds for private school students residing in their attendance area. District A must work with the private school located in District C to offer eligible students with Title I services.</p> <p>Ultimately, Public School District A is responsible for offering services.</p>
*Large Public School District A	Out-of-State District	<p>Public School District A generated funds for private school students residing in their attendance area. District A must work with the private school located out-of-state to offer eligible students with Title I services.</p> <p>Ultimately, Public School District A is responsible for offering services.</p>
**Small Public School District C	*Large Public School District A	<p>Neither Public School District C nor Public School District A generated funds to support Title I services. Public School District C's Title I allocation was generated through the district's free/reduced lunch data. The student's data is retained at the private school and was not reported on the resident district's free/reduced lunch count. Public School District A's Title I allocation was generated through census data. Since the student does not live in Public School District A, funds were not generated.</p> <p>Neither Public School District C nor Public School District A is responsible for offering services; however, Public School District A may offer services if the private school funds are pooled. An agreement must be developed, signed, and kept on file by each district. <i>See: Sample—Arrangement of Title I Services</i></p>
**Small Public School District C	**Small Public School District D	<p>Public School District D generated funds to support its private school students through the district's free/reduced lunch data. The student's data is retained at the private school (located in Public School District D) and taken into account when the Public School District D Title I allocation was generated. Since the free/reduced lunch data is not reported to Public School District C, funds were not generated by the resident district.</p> <p>Public School District D may offer services. An agreement must be developed, signed, and kept on file by each district. <i>See: Sample—Arrangement of Title I Services</i></p>

*Title I allocations generated through census data (over 20,000 resident population) including Bismarck, Fargo, Grand Forks, Mandan, Minot, West Fargo (2011-2012 allocations).

**Title I allocations generated through district's free/reduced lunch data.

North Dakota Department of Public Instruction

Title I Services to Out-of-District / Out-of-State Private School Students **Step-by-Step**

Step 1. Communication

District officials contact the officials of private schools regarding students who reside in the district regarding the Title I program. It is recommended that district officials also contact private schools in all neighboring districts.

- The first step in making consultation timely and meaningful is to send an informative letter explaining the unique situation between the district and private school.
- Private school officials should respond outlining the information necessary to determine which students are eligible to be considered for Title I services and include school contact information. The final decision regarding student services is left up to the parents' discretion.

See: Sample—LEA Letter to Out-of-District/Out-of-State Private School Officials and Sample—Private School Response Form and Documentation Form

Step 2. Consultation

Out-of-district/out-of-state private school officials who have families that have elected to have their students receive Title I services from the district of residence should be invited to consultation meetings. Districts may elect to hold separate consultation meetings for unique circumstances dealing with out-of-district/out-of-state issues.

Step 3. Program Design-Determination of Title I Services

District officials, in consultation with private school officials, must develop a program design that meets the educational needs of the out-of-district/out-of-state private school participants. Factors to take into account are the amount of funding generated by out-of-district/out-of-state private school students and current Title I services offered by the resident public school district.

The public school district officials consult with private school officials and parents to make a joint decision on the design of Title I services. The public school district is responsible for implementing these services, hiring staff, and paying for services. The district may not delegate these responsibilities to the private school officials.

When providing services to out-of-district/out-of-state private school students, the legislation strongly encourages public school districts to provide eligible private school Title I students with comparable services.

Step 4. Student Eligibility and Selection

District officials must determine eligibility of the out-of-district/out-of-state private school students.

To be eligible for Title I services, a private school student must reside in a participating Title I public school attendance area and must meet the requirements in Sec. 1115(b) of Title I, which states that students be identified as failing or at risk of failing on the basis of multiple, educationally related, objective criteria. District officials must collect a listing of private school students residing in Title I public school attendance areas.

The following steps should be considered:

- The district officials, in consultation with private school officials, must establish criteria for determining the students eligible for Title I services. This criteria must be multiple, educationally related, and objective.
- Once a pool of eligible students is established by the private school officials using the agreed-upon criteria required under Sec. 1115(b), the district officials, in consultation with private school officials, determine which students are the most at risk and, therefore, will be offered Title I services.
- Please note: Private school programs that pool their Title I funds are able to serve any eligible students, as funding permits. Private school programs that select to implement the school-by-school funding option are only able to serve students from families that participate in free/reduced lunch. If a student is determined eligible based on their home residence and selection criteria, but is not on free/reduced lunch, they may only be offered Title I services if other private school students from low-income families are residing in the district and have generated an allocation of instructional funds.

See: Sample—Documentation Form

Step 5. Parental Notification

After the public school district officials have identified the out-of-district/out-of-state private school Title I eligible students, and before any private school student is placed in the Title I program, the public school district must notify the student's parent(s), in writing, to introduce the Title I program and to offer their child the opportunity to participate.

Parents may or may not accept the Title I services offered. If a parent refuses to have their child participate, the public school district has no further obligations.

See: Sample—Letter to Parents Regarding Title I Services

Step 6. Begin Services

North Dakota Department of Public Instruction

Sample—LEA Letter to Out-of-District / Out-of-State Private School Officials

(This sample letter could be used for communication with officials of out-of-district/out-of-state private schools located outside the district's boundaries that may have eligible students whose home residence is within the public school district.)

Letterhead

[Insert Name]
[Insert Address]
[Insert City, State, Zip Code]

[Insert Date]

Dear [Insert Name]:

[Insert name of school district] is planning for its Title I program and needs your help to determine if there are any students who live in *our* school district and are attending *your* private school who may be eligible for Title I services. Title I, Part A, authorized under the *Elementary and Secondary Education Act*, provides services to students who:

- need extra educational help, and
- reside in Title I public school attendance areas.

Services can range from reading/mathematics instruction several times per week during the school day, to reading/mathematics instruction after school, to counseling services, to an instructional program during the summer. In addition to student services, Title I provides special activities for families of Title I students.

Under the Title I program, the number of private school students who qualify for free/reduced price lunch (they do not need to be participants) and reside in a Title I public school attendance area provide the basis for calculating the amount of funds used to implement the program. Students who need extra educational help and reside in a Title I public school attendance area are *eligible for services*.

In order to determine the amount of funds that may be available to support Title I services that could serve students with educational needs, please complete the enclosed forms. If you have any questions or would like to discuss the Title I program, please contact me at [insert phone number] or [insert email address].

Sincerely,

[Insert Name]
Title I Authorized Representative
[Insert Public School District Name]

Enclosures – Private School Response Form and Documentation Form

North Dakota Department of Public Instruction

Sample—Private School Response Form

(This sample response form would be used by the out-of-district/out-of-state private school officials to communicate their contact information and to identify the attendance area and poverty status of potentially eligible students.)

Name of Private School				
Private School Address				
City	State	Zip	Telephone Number	Fax Number
Name of Private School Official			Title of Private School Official	
Private School Official Email			Private School Official Telephone Number	
Name of Private School Contact (if different than above)			Title of Private School Contact	
Private School Contact Email			Private School Contact Telephone Number	

Please select which option applies:

- We have enclosed data regarding our students' names, grade levels, addresses, and qualification for free/reduced price lunch.
- We have no students attending our private school who reside in [insert name of public school district].

Please note, the final decision regarding student services is left to the parents' discretion.

Please return this form along with the Documentation of Form by [insert due date] to:

- [Insert name]
- [Insert school district name]
- [Insert address]
- [Insert phone and fax numbers]
- [Insert email address]

North Dakota Department of Public Instruction

Sample—Documentation Form

District officials must determine eligibility of the out-of-district/out-of-state private school students.

To be eligible for Title I services, a private school student must:

- Reside in a participating Title I public school attendance area, and
- Meet the requirements in Sec. 1115(b) of Title I, which states that students be identified as failing or at risk of failing based on multiple, educationally related, objective criteria.

In addition, the following must be taken into consideration:

- Private school programs that pool their Title I funds are able to serve any eligible students, as funding permits.
- Private school programs that select to implement the school-by-school funding option are only able to serve students from families that participate in free/reduced lunch. If a student is determined eligible based on their home residence and selection criteria, but is not on free/reduced lunch, they may only be offered Title I services if:
 - the private schools pool their funds, or
 - other private school students from low-income families are residing in the district and have generated an allocation of instructional funds.

Documentation, such as the chart below, must be kept and maintained by the public school district to document out-of-district/out-of-state private school student residence, level of educational need, and poverty.

Student Name	Student Grade Level	Residence Address	Residence Public School District	Residence Public School Attendance Area	Determined Educationally Eligible	Determined Eligible for Free/Reduced Lunch	Private School Funding Options
<small>completed by private school</small>	<small>completed by private school</small>	<small>completed by private school</small>	<small>completed by private school</small>	<small>completed by public school</small>	<small>completed by public school</small>	<small>completed by private school</small>	<small>completed by public school</small>
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> School-by-School Funds <input type="checkbox"/> Pool Funds

North Dakota Department of Public Instruction

Sample—Letter to Parents Regarding Title I Services

(This sample letter could be used to notify a student's parent(s,) in writing, to introduce the Title I program and to offer services to their child. Parents may or may not accept the Title I services offered. If a parent refuses to have their child participate, the public school district has no further obligations.)

Letterhead

[Insert date]

Dear Parents:

Title I is a federal program that provides supplemental educational services so that all children have a fair and equal opportunity to obtain a high-quality education. When a private school student attends a private school outside the public school district in which they live, federal law requires the public school district of residence to offer Title I services, if the student is determined eligible.

Your child, [insert child's name], has been selected to participate in the [insert name of public school district]'s Title I program. This program will help your child improve his or her proficiency in [insert reading, mathematics, or both] to help succeed in school.

Your child is welcome to participate in [explain the program design being offered by the public school district. Details such as dates, times, transportation options, etc., should be included.] Title I teachers will be working with your child to develop better skills in [insert reading, mathematics, or both].

Your child will have an opportunity to work in small groups where he or she will do many special activities. Your child will be provided instructional activities to help him or her in the areas that need strengthening. In some cases, your child will work on a computer.

During the year, your child will bring home materials that he or she will share with you. In addition, as a parent of a Title I student, you will receive [insert parent involvement practices: monthly calendars of daily activities, invitations to parent meetings, regular communication with parents, etc.]

If you are interested in having your child participate in the [insert name of public school district]'s Title I program, please sign for approval below, and have your child return it to the [insert name of private school] office. This demonstrates that you are aware of this letter's content and indicates whether or not you plan to have your child participate in this educational opportunity. This helps both the [insert name of public school district] and [insert name of private school] as we collaborate in providing educational opportunities for students.

Sincerely,

[Insert name]

Title I Authorized Representative

[Insert name of public school district]

Please return by [insert date].

- My child **will** participate in the services explained above through the [insert name of public school district]'s Title I program.
- My child **will not** participate in the services explained above through the [insert name of public school district]'s Title I program.

Child's Name	
Parent's Signature	Date

North Dakota Department of Public Instruction

Sample—Arrangement of Title I Services

School District 1 (resident district)	AND	School District 2 (attending district)	Private School
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I. Description

This document serves as evidence of an agreement between the [insert name of public school district 1] and the [insert name of public school district 2] relating to the Title I services provided at [insert name of private school]. For the [insert school year], [insert number] [insert name of private school] students who reside in the [insert name of public school district 1] are eligible to receive Title I services. Due to these unique circumstances, the student(s) did not generate funding in the resident district, as:

- [Insert name of public school district 1]’s Title I allocation was generated through the district’s free/reduced lunch data. The student’s free/reduced lunch data was retained at the private school and was not reported on the resident district’s free/reduced lunch count. [insert name of public school district 2]’s Title I allocation was generated through census data. Since the student does not live in [insert name of public school district 2], funds were not generated. [insert name of public school district 2] currently pools the Title I funds to provide services to private school students; therefore, any eligible [insert name of public school district 1] students attending [insert name of private school] will be served through the existing [insert name of public school district 2]’s Title I program.

- [Insert name of public school district 1]’s Title I allocation was generated through the district’s free/reduced lunch data. The student’s free/reduced lunch was retained at the [insert name of private school] and incorporated into the [insert name of public school district 2]’s data when the [insert name of public school district 2] Title I allocation was generated. Therefore, any eligible [insert name of public school district 1] students attending [insert name of private school] will be served through the existing [insert name of public school district 2]’s Title I program.

II. Duration of Agreement

This agreement starts [insert date/month/year] and ends on [insert date/month/year]. Any participating school district may withdraw from the agreement at the end of the agreement period.

III. Responsibilities and Agreements

- [Insert name of public school district 2] will provide Title I services.
- Funding from the resident district, [insert name of public school district 1], will not be provided.
- All schools agree to follow the policies of the Title I office of the North Dakota Department of Public Instruction.
- Provisions to this agreement may be added by agreement of the participating school districts, as long as the changes do not conflict with Title I regulations.

IV. Signatures

School District 1	Authorized Signature	Date
School District 2	Authorized Signature	Date
Private School	Authorized Signature	Date