

## Pooling Guide for Equitable Services

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When distributing the equitable share, more than one local education agency (LEA) and/or more than one private school may agree to pool their equitable shares among all participants. Pooling can be agreed to in any [Title I-A](#) or Title VIII programs (Title VIII includes [Titles I-C](#), [II-A](#), [III-A](#) and [IV-A](#)), and this document will focus on pooling with the exchange of funds. In this document “district” is synonymous with LEA.

### Under what circumstances can pooling occur?

During consultation district(s) and private school(s) will determine whether or not Title funds should be pooled. Pooling may be created in any of the following variations:<sup>i</sup>

- Multiple districts pool their funds to provide equitable services to one private school; or
- Multiple private schools pool their equitable share from one district; or
- Multiple districts and private schools pool the equitable share.

### Must a private school participate in pooling?

Because pooling is an alternative to how ESEA generally funds equitable services, if a district wants to pool and a private school does not, the district must defer to the private school’s decision not to pool. If the private school wants to pool and the district does not, the district must provide their decision in writing and include fact-based reasons for disagreeing.<sup>ii</sup> In an answer to questions from Ombuds, the United States Department of Education has communicated that reasons such as “the district has a new director who doesn’t want to pool until they understand the traditional model,” “the district administrator will be on administrative leave a portion of the school year and does not want to ask another staff member to oversee pooling,” or “the private school is new to accepting services and pooling might be too complex for them” are specious and inconsistent with the district’s responsibility to engage in timely and meaningful consultation with the goal of reaching agreement. Because pooling has the potential to make equitable services more educationally effective and efficient, a district must give reasons that specifically take only these factors into account.

### Pooling for [Title I-A](#)

Hypothetically, District A serves 100 students at Private School 1 and 50 students at Private School 2. District B serves 125 students at Private School 1 and 25 students at Private School 2.

Private School	District A Total (\$)	District A per Pupil (\$)	District B Total (\$)	District B per Pupil (\$)	Pooled Districts A&B Total (\$)	Pooled Districts A&B per Pupil (\$)
1	50,000	500	6,250	50	56,250	187.50
2	25,000	500	1,250	50	26,250	87.50
1&2	75,000	500	7,500	50	82,500	150

**No pooling:** the chart illustrates that when equitable services are provided by individual districts to individual private schools, eligible students in Private School 1 residing in District A will receive a much larger per pupil amount (\$500) for services than students residing in District B (\$50) with the same being true in private school 2. This would allow students enrolled in the same private school to receive vastly different amounts of services, depending only on the student’s residence.

Pooling across districts: the chart illustrates that when Districts A and B pool their funds to each private school, all eligible students at private school 1 will receive the same per pupil amount (\$187.50) regardless of the student’s residence, and the same is true for private school 2 (\$87.50). This would allow all students in the private school in which they are enrolled to receive the same level of service, irrespective of where they reside.

Pooling across districts and private schools: the chart illustrates that when Private Schools 1 and 2 and Districts A and B pool, all eligible students will receive the same per pupil amount for services (\$150) regardless of their residence in a particular district or enrollment in a particular private school.<sup>iii</sup>

### Pooling for Title VIII

In Title VIII equitable service programs (including Titles [I-C](#), [II-A](#), [III-A](#) and [IV-A](#)), the district serves all private schools located within their geographic boundaries regardless of the district of residence for the students enrolled in the private school. Because of this, a private school cannot receive Title VIII equitable services from more than one district, except in rare instances. This means that the per pupil amount is always the same for every student enrolled at the private school.

However, private schools may want to pool their Title VIII funds in some circumstances. For example, a private Montessori elementary school that is a feeder school to a private Montessori middle school located in another district may want to pool across districts in order to fund a comprehensive equitable service program accessible to both schools. Or, a large group of schools, such as the Archdiocese, may want to pool Title II-A funds in order to provide the same professional development to all of their math teachers grades K-12. Or a Jewish high school may choose to pool with a Jewish elementary school to “donate” some or all of their equitable share to the elementary school.

Hypothetically, private school 1 (enrolling 100 students) and private school 2 (enrolling 10 students) reside within the boundaries of District A. Also, private school 3 (enrolling 100 students) resides within the boundaries of District B.

Private School	District A Total (\$)	District A Per pupil (\$)	District B Total (\$)	District B Per pupil (\$)	Pooled Districts A&B Total (\$)	Pooled Districts A&B per pupil (\$)
1	50,000	500	N/A	N/A	N/A	N/A
2	5,000	500	N/A	N/A	N/A	N/A
1&2	55,000	500	N/A	N/A	N/A	N/A
3	N/A	N/A	25,000	250	N/A	N/A
1,2&3	N/A	N/A	N/A	N/A	80,000	381

No pooling: the chart illustrates that for Private Schools 1 and 2 in District A the per pupil amount (\$500) is more than the per pupil amount for Private School 3 in District B (\$250).

Pooling across private schools in the same district: the chart illustrates that that when Private Schools 1 and 2 pool, there is not a change in the per pupil amount (\$500) because they are both located in District A. However, administrative expenditures will most likely be lower if

services are streamlined; and Private School 1 will have access to a much larger pool of money (\$55,000) from which to receive services.

Pooling across private schools and district: this chart illustrates that when Private Schools 1, 2 and 3 and Districts A and B pool, the per pupil amount (\$381) is redistributed equally across all students, regardless of the private school's location in a particular district. Additionally, all private schools have access to a larger pool of money (\$85,000) for services.<sup>iv</sup>

## Pooling Participants

**Contributing District**: the district who allocates the Pooling Private School's equitable share to a Managing District to administer the equitable service program.

**Managing District**: the district who has agreed to accept the equitable share from a Contributing District. The Managing District will administer equitable services in participating Pooling Private Schools on behalf of the Contributing District. The Managing District is also a Contributing District and must fulfill all the duties of a Contributing District, for example collecting data. When pooling across private schools in one district, the Managing District is also the Contributing District.

**Pooling Private School**: any [non-profit](#) private elementary and/or secondary school serving one or more students in any grade K-12.

**Title I-A**: eligible students must reside in a Title I-A public school attendance area in a public school district and also must meet [Title I-A poverty criteria](#). While the equitable share is allocated on the basis of residency and poverty, services are provided on the basis of residency and academic need. Pooling does not equate to a "school wide model of delivery" in the private school.

**Title VIII**: eligible students must meet requirements as per each Title program.

**ODE**: the agency overseeing public education throughout the state, ensuring that federal and state education laws and regulations are followed, and that state and federal money appropriated for education is properly allocated to and used by local school systems. This includes the provision of Equitable Services under ESEA to private schools.

## STEP 1: Invitation to Consultation

**Contributing District**: must invite all private schools within their geographic boundaries to consultation to discuss participation in Equitable Services for the next school year.

**Title I-A only**: must also invite any private schools outside their boundaries who they have reason to believe enroll Title I-A eligible students.<sup>v</sup>

**Managing District**: must invite all private schools within their geographic boundaries to a meeting to discuss participation in Equitable Services for the next school year.

**Title I-A only**: must also invite any private schools outside their boundaries who they have reason to believe enroll Title I-A eligible students.<sup>vi</sup>

**Pooling Private School**: decides if they will "Accept" or "Decline" the invitations sent by Contributing/Managing Districts.

**ODE**: creates [documents and tools](#) to assist with inviting private schools to consultation.

## STEP 2: Initial Consultation for Pooling<sup>vii</sup>

**Contributing District:** attends the consultation meeting ensuring [all topics required by ESEA](#), including pooling, are discussed. If a private school indicates they are interested in pooling across districts, the contributing district will contact any other districts and/or private schools that would be included in the pool to continue consultation. At this point, joint consultation with other Contributing Districts, a Managing District and Private Schools is recommended to help streamline support and reduce administrative burden.

**Managing District:** is chosen after the private school indicates they want to participate in pooling across districts. Acts as both a Contributing District and Managing District and therefore must complete all duties assigned to both. They also coordinate all further joint consultation meetings between other Contributing Districts and the Private School to discuss pooling.

**Pooling Private School:** participates in all applicable consultation meetings to discuss program participation with the Managing District and Contributing Districts.

**ODE:** develops meeting materials, tools and documents for districts to reference when conducting consultation; provides relevant technical assistance; and attends consultation meetings at the request of a district or private school.

## STEP 3: Verifying Nonprofit Status<sup>viii</sup>

**Contributing District:** verifies each Pooling Private School within its district boundaries has [nonprofit](#) status and provides documentation to the Managing District, if requested.

**Managing District:** requests, as applicable, proof of nonprofit status from the Contributing Districts so that equitable service programs are only provided to nonprofit private schools.

**Pooling Private School:** attests to [nonprofit](#) status and, if requested, provides documentation.

**ODE:** assists with any questions around verification of [nonprofit](#) status.

## STEP 4: Eligibility Data Verification<sup>ix</sup>

**Contributing District:** verifies eligibility as per the Title program for each Pooling Private School within their district. In consultation, deadlines are set for when a Pooling Private School must submit eligibility data.

**Title I-A:** verifies student resides in a Title I-A attendance area and consults with the Pooling Private School as to [which method](#) will be used to determine income eligibility.

**Title I-C:** verifies students meet eligibility definitions of migrant.

**Title III-A:** consults with private school to determine the ELP assessment and how it will be administered.

**Managing District:** reviews, as needed, data provided by Contributing Districts.

**Pooling Private School:** works in partnership with the Contributing Districts to identify and collect data by the agreed upon deadlines.

**Title I-A:** provides to each Contributing District the name, grade, and residence of each student enrolled from their district.

**Title I-C:** assists the Contributing District in identifying eligible students.

**Title III-A:** assists the Contributing District in determining the ELP assessment and how it will be administered.

**ODE:** assists with any questions or concerns about verifying data.

#### STEP 5: Affirmation of Consultation<sup>x</sup>

**Contributing District:** reviews and completes the [Affirmation of Consultation](#) with each Pooling Private School. Discusses reasonable deadlines for data and documents. All participating Districts and the Pooling Private School may sign one Affirmation.

**Managing District:** [submits](#) the Affirmation to the [Evidence of Consultation form](#). All participating Districts and the Pooling Private School may sign one Affirmation.

**Pooling Private School:** reviews and completes the [Affirmation of Consultation](#) with each participating District and provides data and documents by the agreed upon deadlines. All participating Districts and the Pooling Private School may sign one Affirmation.

**ODE:** reviews all Affirmations for completeness as they are submitted. Provides technical support and assistance to districts and Pooling Private Schools.

#### Additional pooling topics to consider during consultation<sup>xi</sup>

- How and when will Title program information and documentation be provided to the Contributing District(s)?
- Which district will provide any required parent and family engagement activities for Title I-A, and how will it be documented?
- If the pooled funds are not obligated by the end of the federal fiscal year, will unobligated funds be carried over into the pool?
- What happens if a contributing district joins a pool during consultation in the spring before the school year in which services will be provided, but after students are ranked and served in the fall of the school year in which services will be provided, they do not have any students receiving services?
- If a contributing district has carryover from the previously un-pooled year, will those funds be carried over into the pool?
- Pooling requires communication among several parties. What internal controls will ensure information is communicated in a timely manner so that all parties remain informed and ongoing consultation continues?
- Review the Managing District's Business Office contact information and procurement guidelines.

#### STEP 6: Equitable Share Calculations<sup>xii</sup>

**Contributing District:** must input Pooling Private School enrollment numbers for their district into their Continuous Improvement Plan (CIP) Budget Narrative (BN). It is permissible to first [calculate an "preliminary" or "initial" equitable share](#) based on the previous year's information and then re-calculate it as current data becomes available. For more information on calculating the equitable share, see [Module 3](#).

Each Contributing District must indicate the equitable share for each participating private school, including Pooling Private Schools, on the appropriate page of the CIP BN. They must also provide the Managing District with their equitable share amount for the pool.

**Managing District:** calculates the Pooled Equitable Share by adding together each participating district's Equitable Share for the Pooling Private School. Indicates the total pool on the appropriate page of the CIP BN.

**Pooling Private School:** provides each Contributing District with the data required to determine equitable share calculations by the agreed upon deadlines.

**ODE:** reviews all calculations for the equitable share in CIP BN and provides technical assistance.

#### STEP 7: Administrative and Indirect Costs – Title I-A<sup>xiii</sup>

**Contributing District:** cannot take [administrative and/or indirect costs](#) from pooled equitable shares as they do not administer the program.

**Managing District:** can take [administrative and/or indirect costs](#) from the pooled equitable shares to administer the program and must discuss costs reserved for the administration of equitable services with the Contributing Districts and the Pooling Private School. The Managing District identifies the percent and/or amount on the CIP BN and the [pooling Memorandum of Understanding](#) (MOU).

**Pooling Private School:** discusses [administrative and/or indirect costs](#) that will be taken from the pooled equitable share with the participating Districts.

**ODE:** reviews all administrative and indirect costs reported on the CIP BN.

#### STEP 7: Administrative and Indirect Costs – Title VIII<sup>xiv</sup>

**Contributing District:** [administrative and/or indirect costs](#) are taken off the top of the district's total allocation and additional administrative or indirect costs cannot be taken from the equitable share. Administrative and indirect costs can be shared, on a proportionate basis, with the Managing District of the pool, if agreed to during consultation. The amount of indirect costs cannot exceed the district's approved indirect rate that has been negotiated with the ODE or any administrative cap that is specific to a Title program. The Contributing District must identify the percentage or amount on the CIP BN.

**Managing District:** can receive a proportionate amount of [administrative and/or indirect costs](#) from Contributing Districts if agreed to during consultation. The Managing District identifies the percent or amount on the CIP BN and the [pooling MOU](#).

**Pooling Private School:** discusses [administrative and/or indirect costs](#) that will be taken off the top of the Contributing District's total allocation. Consults on whether a proportionate amount of administrative and indirect costs will be given to the Managing District.

**ODE:** reviews all administrative and indirect costs reported on the CIP BN.



## STEP 8: Ongoing Consultation<sup>xv</sup>

**Contributing District:** participates as requested by the Managing District and/or Pooling Private School. Contributing Districts must have a general understanding of the implementation of equitable services provided through a pool.

**Managing District:** continues consultation with the Pooling Private School prior to, during, and after implementation of services.

**Pooling Private School:** participates in all consultation meetings to discuss the program planning and program implementation with the Managing District.

**ODE:** is available for technical assistance, allowability inquiries and other support.

## STEP 9: [Establishing Student Needs](#)<sup>xvi</sup>

**Contributing District:** defers to the Managing District and Pooling Private School.

**Managing District:** consults with Pooling Private School to [establish student needs](#). This process should occur prior to program implementation.

**Title I-A:** academic needs must be focused on individual Title I-A eligible students and not the entire population of the private school. Title I-A eligibility for services is based on the student's residence in a Title I-A public school attendance area and academic need. The Managing District and Pooling Private School will need to rank order all eligible students. Students from each Contributing District may be combined in one list to rank order. Services are contingent on the pool of funds available and not on the portion contributed by a Contributing District. The services provided to the Pooling Private School must be described in the CIP BN.

**Title VIII:** must be focused on the [specific need\(s\)](#) of the Pooling Private School students, educators and/or families and not the private school's general needs. Services are contingent on the pool of funds available at large and not on the portion contributed by a Contributing District. The services provided to the Pooling Private School must be described in the CIP BN.

**Pooling Private School:** academic needs should be student (not school) focused and discussed in consultation. This process should occur prior to program implementation. Services are contingent on the pool of funds available at large and not on the portion contributed by a Contributing District.

**ODE:** verifies during the CIP BN approval process that proposed expenditures appear to be allowable under the scope of the grant and focus on student needs. Reviews selected needs assessments during [ESEA Consolidated Monitoring](#).

## STEP 10: Program Design and Delivery of Services<sup>xvii</sup>

**Contributing District:** defers to the Managing District for the delivery of services.

**Managing District:** consults with the Pooling Private School to design the instructional program and delivers the agreed upon services. All services must hold reasonable promise that the academic performance of private school participants will improve.<sup>xviii</sup>

**Pooling Private School:** consults with the Managing District to design the instructional program.



**ODE:** reviews program design and delivery during Consolidated Monitoring.

#### STEP 11: Creating and Signing a Memorandum of Understanding (MOU)

**Contributing District:** signs the [pooling MOU](#). If the Contributing District [calculates a “preliminary” or “initial” equitable share](#), they must update the pooling MOU with the final equitable share via an addendum when it is known.

**Managing District:** collects signatures from the Pooling Private School Official. Uploads the signed [pooling MOU](#) to the [Evidence of Consultation Form](#).

**Pooling Private School:** signs the [pooling MOU](#).

**ODE:** creates sample [pooling MOUs](#) and reviews submissions for completeness.

#### STEP 12: Providing Services When Enrollment from a Contributing District Declines

**Contributing District:** often, the [equitable share is initially calculated](#) by using information from the previous school year while services are granted to eligible students in the current school year. When the final equitable share is calculated, a Contributing District does not necessarily need to halt services to eligible students in the pool if they have few or no students participating. The Contributing District must discuss next steps during consultation.

**Managing District:** continues to use pooled funds to serve eligible private school students from the Contributing Districts.

**Pooling Private School:** keeps the Managing District apprised of enrollment changes that may impact which students are eligible to receive services.

**ODE:** assists in technical assistance and allowability inquiries.

#### STEP 13: [Titles I-A, I-C, II-A, III-A, and/or IV-A Budgeting](#)<sup>xix</sup>

**Contributing District:** defers to the Managing District to budget pooled funds. Contributing Districts must include in the CIP BN: 1) a statement that pooling is occurring and a list of participants in the pool; 2) a brief description of the services provided by the pool; and 3) the amount they contributed to the pool. If the Contributing District does not have a brief description when they are ready to submit their CIP BN, they may state this, and then update the CIP BN when information is available.

**Managing District:** budgets all funds pooled for equitable services in the CIP BN. Contributing Districts must include in the CIP BN: 1) a statement that pooling is occurring and a list of participants in the pool; and 2) a detailed description of the services provided by the pool; 3) The total pooled budget.

**Pooling Private School:** consults with the Managing District to budget the equitable share.

**ODE:** Reviews narratives in the CIP BN. Reviews expenditure reports for equitable services during [ESEA Consolidated Monitoring](#).

#### STEP 14: [Inventory](#)<sup>xx</sup>

**Contributing District:** defers to the Managing District for [inventory](#) of materials and equipment purchased with pooled equitable share.

**Managing District:** maintains [inventory](#) for materials or equipment purchased with pooled funds in accordance with [Federal regulations](#) and local policies.

**Pooling Private School:** takes reasonable steps to safeguard materials and equipment in their care and facilitates the Managing District’s annual inventory review.

**ODE:** conducts inventory reviews during Consolidated Monitoring.

### STEP 15: Drawdowns

**Contributing District:** receives invoices from the Managing District based on the percentage they contributed to the pool. Must pay invoices as agreed to in the [pooling MOU](#).

**Managing District:** collects all program expenditures and pays all original invoices. Then invoices each Contributing District based on the percentage they contributed to the pool.

**Pooling Private School:** Federal law and regulations require that control of federal funds remain in control of a public agency.<sup>xxi</sup> The Pooling Private School cannot draw down funds.

**ODE:** approve drawdown requests in a manner similar to other federal programs.

### Invoicing pooled funds to the Contributing District

ESEA does not give guidance on this issue. However, the easiest method of invoicing pooled funds may be to do the following:

1. Each Contributing District will [calculate the equitable share](#) for their eligible students (see [STEP 7](#)). The Managing District will determine the total amount of pooled funds and calculate the percentage each district is responsible for paying.
2. The Managing District, Contributing District(s) and Pooling Private School will draft and sign a [pooling MOU](#) for the pooled funds.
3. The Managing District invoices each Contributing District for an amount equal to each district’s percentage calculated in step 2.

District	Equitable Share	Fraction	Percentage Billed	Bill for \$500 Service Charge
Contributing A	\$1,000	1,000/10,000	10%	\$50
Contributing B	\$3,000	3,000/10,000	30%	\$150
Managing	\$6,000	6,000/10,000	60%	\$300
Pool	\$10,000	N/A	N/A	N/A

For example: if the Managing District receives a bill for a \$500 service charge, they would invoice 10%, or \$50, to Contributing District A, 30%, or \$150, to Contributing District B and 60%, or \$300, to themselves.

### STEP 16: [Carryover & Consultation](#)<sup>xxii</sup>

**Contributing District:** [carries-over funds](#) if services have not been fully provided due to a circumstance beyond the district’s or pooling private school’s control. Contributing Districts must consult with the Managing District and Pooling Private School on the use of carry-over and whether or not it will remain in the pool for the next year.

**Managing District:** implements program planning so that funds are fully obligated in the year in which they are made available. The Managing District initiates consultation if the equitable share has not been fully obligated by the end of the federal fiscal year.

**Pooling Private School:** helps implement program planning so that funds are fully obligated in the year in which they are made available. If services have not been fully provided due to a circumstance beyond the district or pooling private school's control, funds must be [carried over](#). If there are funds carried over, Pooling Private School officials must consult with the Managing and Contributing Districts to determine whether services were fully received and if funds should be carried over into the next fiscal year.

**ODE:** verifies carryover amounts available for all Coordinating and Managing District's budget amendments. Districts and non-pooling and Pooling Private Schools with excessive carryover may be provided additional technical assistance.

## STEP 17: Evaluating Effectiveness of Equitable Services<sup>xxiii</sup>

**Contributing District:** participates in consultation with the Managing District and Pooling Private School on the [effectiveness of services](#). All participating districts and the Pooling Private School may consult together.

**Managing District:** leads consultation with the Contributing District and Pooling Private School on how services will be [academically evaluated](#) and how the results of that evaluation will be used to improve those services.

**Pooling Private School:** consults with all participating Districts on how services will be [academically evaluated](#) and how the results of that evaluation will be used to improve those services.

**ODE:** reviews selected evaluations of service documents during Consolidated Monitoring.

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<sup>i</sup> [Title I-A Equitable Services NRG](#) (2023) B-8 [ESEA](#) section 1117(b)(1)(J), [Title VIII Equitable Services NRG](#) (2023) B-4 [ESEA](#) section 8501(c)(1)(H)

<sup>ii</sup> [Title I-A Equitable Services NRG](#) (2023) B-9 [ESEA](#) section 1117(b)(1)(J)(I), (ii), [34 CFR § 200.62](#), [200.64\(b\)\(4\)](#), [Title VIII Equitable Services NRG](#) (2023) B-5 [ESEA](#) section 8501(c)(1)(H)(i), (ii), [34 CFR § 299.7\(b\)\(3\)](#)

<sup>iii</sup> [Title I-A Equitable Services NRG](#) (2023) B-8 [ESEA](#) section 1117(b)(1)(J)

<sup>iv</sup> [Title VIII Equitable Services NRG](#) (2023) B-4 [ESEA](#) section 8501(c)(1)(H)

<sup>v</sup> [Title I-A Equitable Services NRG](#) (2023) A-5

<sup>vi</sup> [Title VIII Equitable Services NRG](#) (2023) A-7

<sup>vii</sup> [Title I-A Equitable Services NRG](#) (2023) A-9, [ESEA](#) section 1117(b)(1), [34 CFR § 200.63](#), [Title VIII Equitable Services NRG](#) (2023) A-11, [ESEA](#) section 8501(c)(1)

<sup>viii</sup> [ESEA](#) section 8101 (19), (45)

<sup>ix</sup> [Title I-A Equitable Services NRG](#) (2023) B-11, [ESEA](#) section 1117, [Title VIII Equitable Services NRG](#) (2023) B-1

<sup>x</sup> [Title I-A Equitable Services NRG](#) (2023) A-11, [ESEA](#) section 1117(b)(5), [Title VIII Equitable Services NRG](#) (2023) A-13, [ESEA](#) section 8501(c)(5)

<sup>xi</sup> [Title I-A Equitable Services NRG](#) (2023) A-9, [ESEA](#) section 1117(b)(1), [34 CFR § 200.63](#), [Title VIII Equitable Services NRG](#) (2023) A-11, [ESEA](#) section 8501(c)(1)

<sup>xii</sup> [Title I-A Equitable Services NRG](#) (2023) B-2, [ESEA](#) section 1117(a)(4)(A), [34 CFR § 200.64\(a\)\(1\)-\(2\)](#), [Title VIII Equitable Services NRG](#) (2023) B-1, [ESEA](#) section 8501(a)(4)(A), [34 CFR § 299.7\(a\)](#)

<sup>xiii</sup> [Title I-A Equitable Services NRG](#) (2023) B-36, [ESEA](#) section 1117(b)(1)(E), [2 CFR § 200.403\(a\)](#), [200.404](#), [Title VIII Equitable Services NRG](#) (2023) B-8, [34 CFR § 299.7\(a\)\(2\)](#), [2 CFR Part 200, subpart E](#)

<sup>xiv</sup> [Title I-A Equitable Services NRG](#) (2023) B-40, [ESEA](#) section 1117(b)(1)(E), [Title VIII Equitable Services NRG](#) (2023) B-8, [34 CFR § 299.7\(a\)\(2\)](#), [2 CFR Part 200, subpart E](#)

<sup>xv</sup> [Title I-A Equitable Services NRG](#) (2023) A-7, [ESEA](#) section 1117(b)(3), [Title VIII Equitable Services NRG](#) (2023) A-9, [ESEA](#) section 8501(c)(3)

<sup>xvi</sup> [Title I-A Equitable Services NRG](#) (2023) C-7, [ESEA](#) section 1117(a)(1)(A), [34 CFR § 299.64\(b\)\(2\)\(i\)](#), [Title VIII Equitable Services NRG](#) (2023) C-10, [ESEA](#) section 8501(c)(1)(B), (a)(2)

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- <sup>xvii</sup> [Title I-A Equitable Services NRG](#) (2023) C-7, [ESEA](#) section 1117(a)(1)(A), [34 CFR § 200.64\(b\)\(2\)\(i\)](#), [Title VIII Equitable Services NRG](#) (2023) C-10, [ESEA](#) section 8501(c)(1)(B), (a)(2)
- <sup>xviii</sup> [Title I-A Equitable Services NRG](#) (2023) C-7, [34 C.F.R. § 200.64\(b\)\(2\)\(ii\)\(B\)](#), [Title VIII Equitable Services NRG](#) (2023) C10, [ESEA](#) section 8501(c)(1)(B)
- <sup>xix</sup> [Title I-A Equitable Services NRG](#) (2023) C-12, [ESEA](#) section 1117(a)(1)(A), [34 CFR § 200.64\(b\)\(4\)](#), [Title VIII Equitable Services NRG](#) (2023) C10, C-16, [34 CFR § 299.9\(c\)](#), [ESEA](#) section 8501(d)(1)
- <sup>xx</sup> [Title I-A Equitable Services NRG](#) (2023) C-26, [ESEA](#) section 1117(d)(1), [Title VIII Equitable Services NRG](#) (2023) C-16, [ESEA](#) section 8501(d)(1)
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- <sup>xxii</sup> [Title I-A Equitable Services NRG](#) (2023) B-27, [ESEA](#) 1117(a)(4)(B), [Title VIII Equitable Services NRG](#) (2023) B-10, [ESEA](#) section 8501(a)(4)(B)
- <sup>xxiii</sup> [Title I-A Equitable Services NRG](#) (2023) D-1, [ESEA](#) section 1117(a)(1)(A), (b)(1)(D), [Title VIII Equitable Services NRG](#) (2023) A-9, [ESEA](#) section 8501(c)(1)(B)