



Equitable Services to Private Schools Every Student Succeeds Act Title IIA

General Information

With passage of the Every Student Succeeds Act (ESSA) of 2015, the opportunity for participation by private school students and teachers increased. The Oregon Department of Education (ODE) is providing clear guidelines for both districts and private schools in order to ensure that these resources are proportionately shared and utilized as intended under the federal statute. There are many changes under the reauthorized statute. The purpose of this resource document is to communicate changes to the law. The objective of ODE is to support both public and private schools as they collaborate in the services provided to students and teachers in private schools.

Consultation

The goal of consultation is agreement between the LEA and appropriate private school officials on how to provide equitable and effective programs for eligible private school children. If private school officials want their teachers to participate, the district must involve the participating private school officials during all phases of the development and design of the program through ongoing communication between appropriate parties (consultation).

Districts must **annually** contact private school officials in the district's attendance area to determine if they want their teachers to receive services. Such initial contact may be carried out through a variety of communication forms, including documented phone calls, certified letters, fax, email, or meetings with the private school officials. [Section 9501] Ideally consultations should take place in late winter (February) or early spring (March).

Districts are required to provide evidence that consultation has taken place. This is accomplished by completing the *Verification of Annual Private School Consultation* form through [TransAct](#).

Ombudsman

States are required to appoint a Private School Ombudsman for the purpose of ensuring the private school regulations are implemented. Specifically, the duty of the Ombudsman is to:

- Monitor and enforce equitable services under Titles I and VIII
- Serve as a general resource for both private schools and public school districts (LEA)
- Provide technical assistance to private schools and public school districts
- Collect and archive documentation from public school districts regarding consultation meetings



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- Ensure a timely and meaningful consultation has occurred and equitable services are provided to private school students, staff and families
- Participate in Oregon’s Title I Committee of Practitioners
- Participate in consultation meetings between private schools and public school districts as requested by either party
- Mediate disagreements between private schools and public school districts

The Ombudsman is a resource for both public and private schools in providing technical assistance and guidance. The Ombudsman will also receive required documentation about the consultation process from school districts.

The Oregon Private School Ombudsman is **Janette Newton**. If you have questions about consultation or any of the other roles described above you may reach her at janette.newton@ode.oregon.gov or by phone at (503) 947-5638.

Allocations and Spending

The amount an LEA must reserve to provide equitable services for private school teachers and other educational personnel for Title II, Part A services is based on the LEA’s total Title II, Part A allocation, less administrative costs. This amount cannot exceed the district’s negotiated indirect rate. The LEA determines the amount of funds available for private school teachers and other educational personnel by calculating, on a per-pupil basis, the amount available for all public and private school students enrolled in participating private elementary and secondary schools in areas served by the LEA (regardless of a student’s residency) taking into consideration the number and needs of the children, their teachers and other educational personnel to be served.

Districts should be aware that Title IIA funds cannot be used to pay for the salary or benefits of private school teachers, nor for substitutes replacing private school teachers who attend professional development. Additionally, **IIA funds are never provided directly to the private school.** Rather the district serves as the fiscal agent for the private school, reimbursing providers for their services.

IMPORTANT NOTE: *Beginning in 2017-18 funds allocated for eligible non-public students must be obligated in the fiscal year for which the funds are received (July 1 – September 30 of the following year). This means that **starting with the 2017-18 allocation private schools may no longer “carry over” funds.***

Application Requirements for Private Schools

The activities undertaken by the private school should be matched to the needs of their students, teachers and principals. Federal regulations in 34CFR 299.7(c) **require a district to examine particular**



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needs of private school teachers and not simply make available to private school teachers the kinds of services it makes available to public school teachers.

For private schools that choose to participate, the district must complete the following in their online budget narrative application:

1. Create a separate line item indicating the name of the school and date of first contact,
2. Indicate the prioritized need of the private school.
3. Insert the description provided by the private school of each strategy/activity following the *What, Who, How* pattern provided in the [Title IIA Budget Narrative Instructions](#).
4. Use Function Code 3300 for all private school allocations.

The district is responsible for ensuring that all private school strategies meet the requirements of IIA. If the private school has not notified the district of their IIA aligned strategies by the time the district is ready to submit its application, the district application can be submitted as long as a line item for the private school is included along with its equitable service amount.

A Note on Conferences

Many public and private schools find benefit in sending staff to conferences and workshops both in and out of state. These gatherings can be extremely valuable, providing participants the opportunity to access nationally acclaimed experts as well as connect with job/content alike colleagues. With the reauthorization of ESEA under ESSA, the USED is emphasizing the definition of professional learning as "... high quality, sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom and not 1-day or short-term workshops or conferences." [ESEA Section 8101(42)]

This means that **conferences and workshops are approvable when they are included as part of larger strategy**, not as an end in themselves. Private schools considering including conference attendance as an activity should articulate:

- **How the conference is part of a sustained, job-embedded plan for professional learning** - What additional activities/training/collaboration is taking place that build on the learning gained from conference attendance?
- **The plan for delivering the content to other school staff so that the learning extends beyond those who attended** – What method will your school use to spread the learning received at conferences (e.g.; PLCs, staff meetings, an "un-conference", EdCamp, etc.)

For questions regarding Title IIA application requirements and allocations, please contact Sarah Martin at sarah.martin@state.or.us or by phone at (503) 947-5668.