

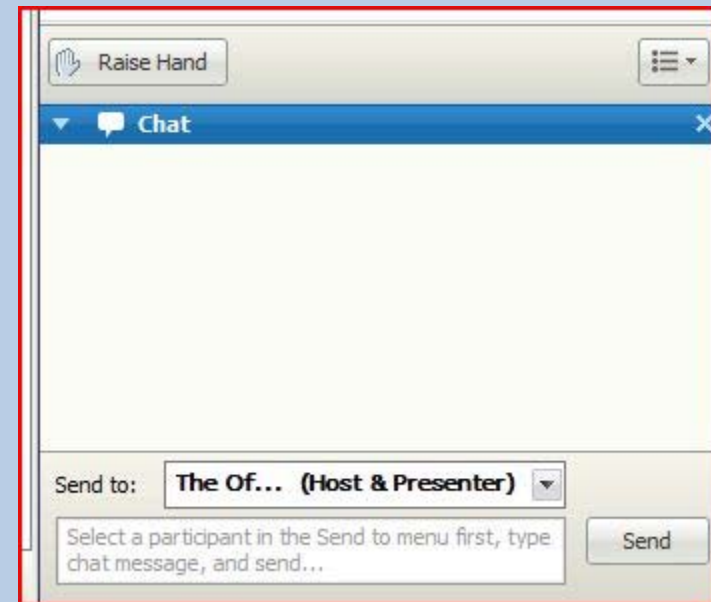


Title II, Part A of the Elementary and Secondary Education Act and Equitable Services to Private School Teachers

Office of Non-Public Education (ONPE) and
Academic Improvement & Teacher Quality Programs (AITQ)
U.S. Department of Education

Webinar Tools

- Print Materials
- Chat: How to Make a Comment or Ask a Question
- Polling Questions



Today's Webinar

The webinar will address the obligations of state and local educational agencies (SEAs/LEAs) in providing for the equitable participation of private school teachers in Title II, Part A of the *Elementary and Secondary Education Act (ESEA)*.

Presenters

Maureen Dowling, Director, ONPE

Amy Huber, Education Program Specialist, ONPE

Libby Witt, Team Leader, AITQ

Carol Manitaras, Education Program Specialist, AITQ



Agenda

- Overview of the Office of Non-Public Education (ONPE)
- Overview of Office of Academic Improvement & Teacher Quality Programs (AITQ)
- *ESEA* equitable services requirements
- *ESEA* consultation requirements
- Title II, Part A
- Frequently Asked Questions
- Questions from webinar participants



Equitable Services Implementation Plan

- The Equitable Services Implementation Plan (ESIP) is the U.S. Department of Education's plan to improve the implementation of equitable services requirements under the *ESEA* and *IDEA* for eligible students enrolled in nonprofit private elementary and secondary schools and, as applicable, their teachers and parents. The plan focuses on four major areas:
 - Outreach,
 - Promoting and Encouraging Promising Practices,
 - Technical Assistance , and
 - Monitoring.
- The Office of Non-Public Education will facilitate the ESIP in collaboration with other Department offices. Additional information about the ESIP will be provided through the ONPE listserv and correspondence with State and local educational agencies, Federal education program directors, and private school leaders.



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Office of Non-Public Education*Liaison to the non-public school community for the U.S. Department of Education***ONPE Mission and Activities**

ONPE fosters maximum participation of non-public school students and teachers in federal education programs and initiatives. Since the initial passage of the *Elementary and Secondary Education Act (ESEA)* in 1965, private school students and teachers have been eligible to participate in certain federal education programs. ONPE's activities reflect this mission and direction by:

- Representing the U.S. Department of Education to the non-public school community;
- Offering advice and guidance within the Department on all matters affecting non-public education;
- Communicating with national, state and local education agencies and associations on non-public education topics;
- Communicating the interests and concerns of the non-public school community to the Department;
- Providing parents with information regarding education options for their children; and
- Providing technical assistance, workshops and publications.

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Purpose

Program Office: [Academic Improvement and Teacher Quality Programs](#)

CFDA Number: 84.367

Program Type: Formula Grants

Also Known As: Title II, Part A

PROGRAM DESCRIPTION

The purpose of the program is to increase academic achievement by improving teacher and principal quality. This program is carried out by: increasing the number of highly qualified teachers in classrooms; increasing the number of highly qualified principals and assistant principals in schools; and increasing the effectiveness of teachers and principals by holding LEAs and schools accountable for improvements in student academic achievement.

TYPES OF PROJECTS

State-level activities include but are not limited to: (1) recruiting and retaining highly qualified teachers and principals; (2) increasing the number of highly qualified teachers in classrooms; and (3) reforming teacher and principal certification programs. They must be based on a needs assessment, and, among other things, be aligned with state academic content standards, student academic achievement standards, and state assessments (for formula grants). The SAHE works in conjunction with the SEA to make competitive subgrants to partnerships of IHEs, high-need LEAs, and other entities (for competitive grants) through specific activities that focus on professional development for teachers, highly qualified paraprofessionals, and, if appropriate, principals.

ED PROGRAMS

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WHAT'S NEW

The Title II Non-Regulatory Guidance is now available on the [legislation page](#) (Revised October 5, 2006).

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The Elementary and Secondary Education Act (ESEA)

The *ESEA* requires LEAs to provide for the equitable participation of private school students, teachers and, in some cases, parents and other education personnel in some of the *ESEA*'s major programs, including Title II, Part A, Teacher and Principal Training and Recruiting Fund.



Equitable Service Requirements

LEAs are required to:

- Engage in **timely** and **meaningful consultation** with private school officials;
- Provide private school students and teachers with an **opportunity** to participate in activities **equivalent** to the opportunity provided to public school students and teachers;



(continued)

Equitable Service Requirements

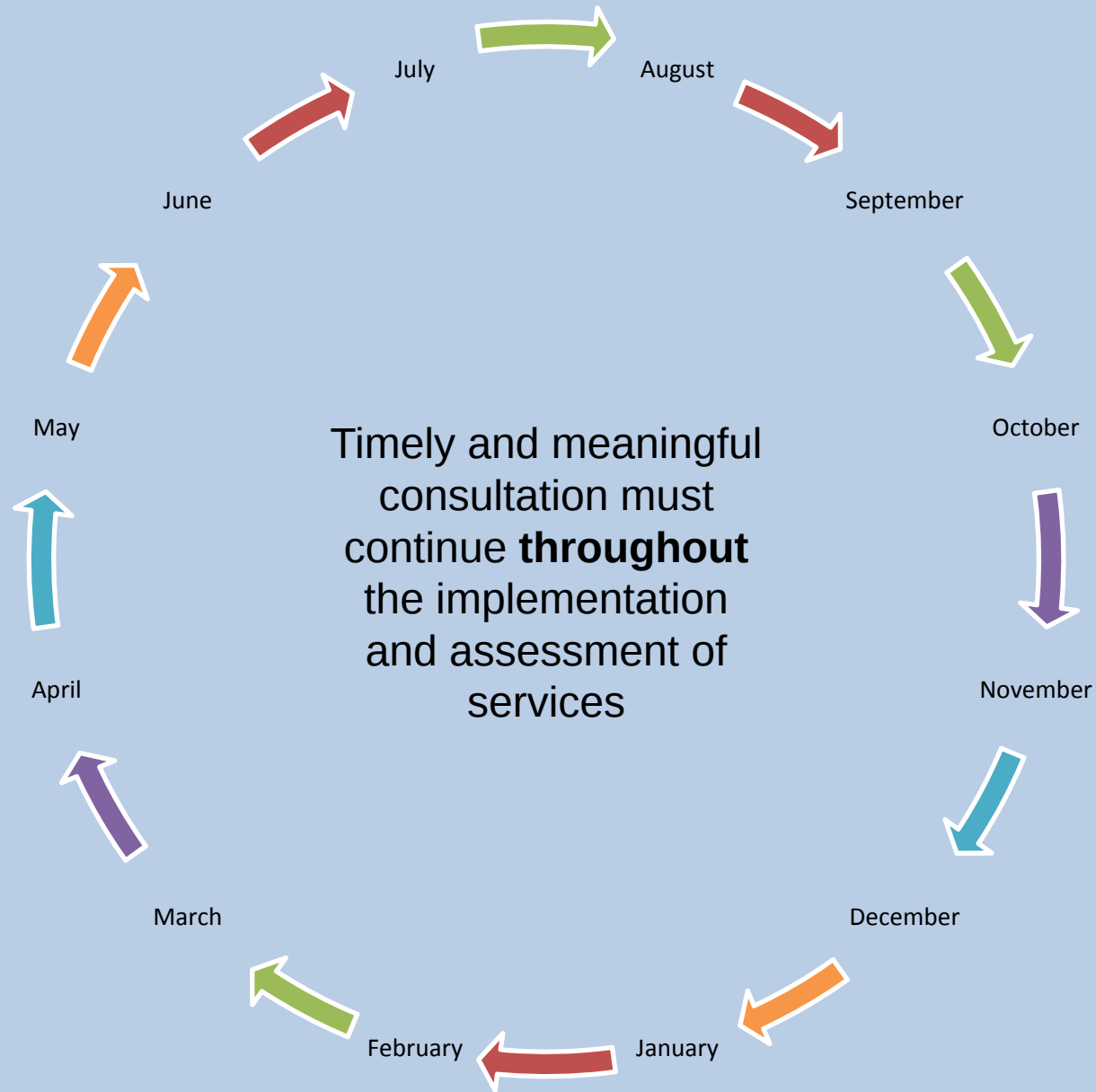
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LEAs are required to:

- **Assess and address** the needs of private school students and teachers;
- Provide benefits and services that **meet the needs** of private school students and teachers; and
- **Spend an equal amount** of funds per student to provide services.



Consultation



ONPE@ED.GOV

Consultation

Timely and meaningful consultation between the LEA and private school officials during the design and development of the services is required on such issues as:

- How the children's **needs** will be identified;
- What **services** will be offered;
- **How and where** the services will be provided;

(continued)



Consultation (continued)

- How the services will be **assessed** and how the results of the assessment will be used to improve those services;
- What **service delivery mechanisms** will be used to provide equitable services;
- Who will provide the services;
- The **amount of funds** available to serve private school students;

(continued)



Consultation (continued)

- The **size and scope** of the services to be provided;
- **How and when** the agency will make decisions about the delivery of services;
- Consideration of the views of the private school officials regarding use of **third-party providers**; and
- Where the LEA disagrees with the views of the private school officials on the provision of services through a contract, receiving from LEA the required **written explanation** of the reasons why the local education agency has chosen not to use a contractor.

(continued)



Consultation (continued)

- Consultation must continue **throughout** the implementation and assessment of services; and
- Such consultation shall occur **before** the local education agency makes **any** decision that affects the opportunities to participate of eligible private school children, teachers, and other education personnel.



Characteristics of Services

- Services, materials and equipment must be secular, neutral, nonideological and supplemental in nature, not supplanting what the private school would otherwise provide absent the federal education services.
- The services must be allowable, reasonable and necessary in meeting the needs of private school students and teachers.



Formal Complaint

A formal written complaint must include:

- A statement that the SEA, LEA, or other entity receiving federal financial assistance has violated a requirement of a federal statute or regulation that applies to a program requiring equitable participation;
- The facts on which the statement is based and the specific statutory or regulatory requirement allegedly violated; and
- The signature of the complainant.



Title II, Part A

- Provides funds for **professional development** for private school teachers and other educational personnel.
- LEAs may use Title II, Part A funds for a variety of teacher-quality activities that may or may not include professional development. However, services for private school teachers must be for professional development.

(continued)



Title II, Part A (continued)

- Title II, Part A services are for improving knowledge in core academic subjects and effective instructional teaching strategies; and
- Training in:
 - Effectively integrating technology;
 - Teaching students with different needs, disabilities, and limited English proficiency;
 - Methods of improving student behavior, identifying early interventions, and involving parents;
 - Leadership development and management; and
 - Use of data and assessments to improve instruction and student outcomes.



Title II, Part A

Expenditures

- Where an LEA chooses to spend little or no Title II, Part A funds for professional development, the law establishes a minimum it must set aside for professional development for private school staff. The LEA must assume that the amount it spends that year on all professional development (for public and private school teachers) is at least what it spent for professional development in 2000-01 under two prior federal programs. Equitable service and equal expenditure rules apply based on this “imputed” level of LEA expenditures for professional development.
- The **LEA remains in control of the federal funds** and maintains ownership of materials, equipment and property purchased with such funds.

(continued)

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Title II, Part A Expenditures (continued)

A. Number of Students	Example A	Example B
A1. District Enrollment	960	960
A2. Participating Private School Enrollment	40	40
A3. Total Enrollment ($A1 + A2$)	1,000	1,000
B. Title II, Part A Allocation To Be Used for Professional Development		
B1: District Allocation	\$150,000	\$150,000
B2: Indirects and Administration (for public and private programs) + Class Size Reduction + Recruitment Activities	\$130,000	\$50,000
B3: Amount District is Using for Professional Development ($B1 - B2$)	\$20,000	\$100,000
C. Hold Harmless Amount		
C1: Based on FY2001 Eisenhower Professional Development + Federal Class Size Reduction used for Professional Development	\$40,000	\$40,000
D. Per Pupil Rate		
D1: Either use B3 or C1 – whichever is LARGER (divide by A3)	\$40	\$100
E. Equitable Services		
E1: Amount District must reserve for equitable services for participating private schools ($A2 \times D1$)	\$1,600	\$4,000



Title II, Part A

Frequently Asked Question (FAQ)

Q. Does the professional development program for private school teachers have to be the same as the professional development program for public school teachers?

A. No. LEAs must assess the needs of private school teachers in designing the professional development program for private school teachers. If the professional development needs of the private school teachers are different from those of public school teachers, the LEA, in consultation with private school representatives, should develop a separate program.



Title II, Part A FAQ

Q. Is the SEA required to provide equitable services in State level Title II, Part A activities?

A. Yes. An SEA must provide equitable services to public and private school teachers and other educational personnel in professional development activities supported by funds reserved for State activities. In addition, the State and Higher Education funded grants to partnerships of institutes of higher education and high-need LEAs must ensure that services are offered on an equitable basis to public and private school teachers since the equitable services requirements apply to grants of “financial assistance” provided to an LEA “or another entity” [See Section 9501(b)(1) of the *ESEA*].



Title II, Part A FAQ

Q. May Title II, Part A funds be used to pay for a private school teacher's attendance at a professional conference sponsored or conducted by a faith-based organization?

A. Yes. To the extent that the conference is part of a sustained and comprehensive secular professional development plan for the teacher, then Title II, Part A funds may be expended to pay for the portion of the costs of the conference that, as determined by the LEA, represent the secular professional development in which the teacher participated. In this case, the LEA would pay or reimburse the teacher for attendance at the conference.



Title II, Part A

FAQ

Q. May an LEA use Title II, Part A funds to write a reimbursement check to a private school?

A. No. LEAs must administer and retain control over the funds and, therefore, may not provide program funds directly to private schools. An LEA may reimburse an individual private school teacher for professional development that the LEA has pre-approved to be paid for with Title II, Part A funds. At all times, the Federal funds must remain in the control of the LEA. Thus, the LEA expends the funds on behalf of the private school students and teachers.



Title II, Part A FAQ

Q. May private schools within the same district request that the LEA pool Title II, Part A funds?

A. Yes. Pooling (combining) Title II, Part A funds generated by private school students from a number of private schools located in the same LEA is allowable. If a group of private schools in an LEA requests that the LEA pool the Title II, Part A funds their students have generated, the LEA may pool these funds. Then, based on the professional development needs assessment of the teachers in these schools, the LEA could provide services to all or most of the teachers. However, Title II, Part A funds may **not** be pooled across LEAs. This is because the amount of funds generated for services to private school teachers in an LEA may only be expended for services for those private school teachers in that LEA.



Title II, Part A

FAQ

Q. Who serves as the private school official representing the private school in the consultation process?

A. Most often, the private school principal serves as the official representative of the students and teachers in the school. However, a principal may designate another individual to be her/his representative in the consultation process. A group of private school officials may also be represented by one private school official or a central office administrator. In this case, that individual should inform in writing the LEA superintendent that she/he will serve as the designated representative for such schools and provide a list of the private schools that she/he represents.



Title II, Part A FAQ

Q. May Title II, Part A funds be used to pay for professional development for private school principals and superintendents?

A. Yes. An LEA may use Title II, Part A funds to pay for professional development for private school principals and superintendents. Section 2123(a)(6) specifically permits an LEA to use Title II, Part A funds to carry out “professional development activities designed to improve the quality of principals and superintendents, including the development and support of academies to help talented aspiring or current principals and superintendents become outstanding managers and educational leaders.”



Title II, Part A FAQ

Q. May Title II, Part A funds be used to purchase equipment and materials?

Professional development supplies and materials may be purchased only if they are directly associated with carrying out a Title II, Part A, funded professional development program/activity and must be “reasonable and necessary” (per the Office of Management and Budget cost principles in OMB Circular A-87). Thus, to the extent that the purchase is necessary and reasonable to carry out the professional development activity and the professional development activity meets the professional development standard, it may be permissible.



Q. May Title II, Part A funds be used to purchase equipment and materials? (continued)

ALLOWABLE USES

- DVDs that are part of an allowable professional development program and that serve to reinforce the professional development provided.
- Reference books that are part of the provided professional development. However, if they are intended to be part of a general professional development library and are not part of the professional development itself, they would not be an allowable expenditure.

NON - ALLOWABLE USES

- Text books are **not** an allowable Title II, Part A expenditure.
- The purchase of technology, including computers, laptops and iPads, is **not** an allowable use of Title II, Part A funds.



Title II, Part A

Resources

- U.S. Department of Education *Improving Teacher Quality State Grants, ESEA Title II, Part A, Non-Regulatory Guidance, Revised October 5, 2006* (see section G, pages 47-55).
- U.S. Department of Education *Title IX Guidance on Equitable Services to Eligible Private School Students and Teachers*.
- *ONPE listserv for announcements about upcoming webinars on ESEA equitable services.*
- *Title II, Part A webpage,*
<http://www2.ed.gov/programs/teacherqual/index.html>



Upcoming Webinars

Topic: *Elementary and Secondary Education Act* and Equitable Services to Private School Students, Teachers and Families

Audience: National private school leaders, private school officials, SEA, and LEA staff

Date: Wednesday, July 10, 2013

Time: Noon (EDT)

Topic: Title I, Part A of the *Elementary and Secondary Education Act* and Equitable Services to Private School Students, Teachers and Families

Audience: National private school leaders, private school officials, SEA, and LEA staff

Date: Wednesday, August 14, 2013

Time: 1:30 p.m. (EDT)

Topic: Title III, Part A of the *Elementary and Secondary Education Act* and Equitable Services to Private School Students and Teachers

Audience: National private school leaders, private school officials, SEA, and LEA staff

Date: Wednesday, August 21, 2013

Time: 1:30 p.m. (EDT)

Questions from Participants





Contact Us!

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