

# Title I Equitable Services for Private Nonprofit Schools Program Design and Planning Template

School Year \_\_\_\_\_

| LEA                  | Private School          |
|----------------------|-------------------------|
| Name of LEA:         | Name of Private School: |
| Official's Name:     | Official's Name:        |
| Contact Information: | Contact Information:    |

## 1. Introduction

Section 1117 of the [Elementary and Secondary Education Act \(ESEA\)](#) requires participating local educational agencies (LEAs), in consultation with applicable private nonprofit school officials, to provide eligible students, teachers, and in some instances, their families with services that are equitable (**fair, effective, and responsive** to needs, but **not necessarily identical**) to those provided to eligible public school students, teachers, and families.

## 2. Private Nonprofit Verification

To qualify for equitable services, a private school must **demonstrate it is a nonprofit organization**.

Evidence provided by the private school documenting its nonprofit status (Guide p. 1):

- |                                                             |                                                                   |
|-------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> State of Utah tax exemption number | <input type="checkbox"/> IRS Employer Identification Number (EIN) |
| <input type="checkbox"/> DUNS number                        | <input type="checkbox"/> Exempt Organization Determination Letter |

## 3. Proportionate Share Calculation

### Identification of Students

- Private schools must share addresses and grade levels** (no names) of students living within the boundaries of Title I schools.
- LEAs determine which method or sources of data** will be used to determine the number of students from low-income families in Title I school attendance areas who attend private schools.
  - Use the same measure of poverty as public schools (e.g., free/reduced price lunch data);
  - Use comparable poverty data from a survey or other source (e.g., tuition

- scholarship application, declaration of household income); or
- Use proportionality (apply the low-income percentage of each participating Title I-A public school attendance area to the number of private school students who reside in that attendance area).

Method/source of data used by the LEA to determine low-income student count:

## Estimated Proportionate Share for Upcoming School Year (Guide p. 7)

\$

Calculator included on final page of this planning template

**Note:** The LEA is required to maintain control of the federal funds. Any materials, equipment, and/or property purchased with such funds remain the property of the LEA and must be clearly labeled to reflect federal funding and ownership.

## 4. Program Design

### Consultation Must be Timely and Meaningful

**Timely** – Adequate notice is provided and participants have time to prepare and gather relevant data before any decisions are made.

**Meaningful** – All participants have an opportunity to share their views and to discuss viable options for ensuring equitable participation. Good faith effort and assuming best intent are keys to successful program design.

### Characteristics of Services

- Services, materials, and equipment must be **secular, neutral, and non-ideological**.
- Services must be **supplemental** in nature; they may not supplant what the private school would otherwise provide without the federal education services.
- The services must be **allowable** (under Title I, Part A), **reasonable**, and **necessary** in meeting the needs of private school students, teachers, and in some cases, parents.

### Students Eligible for Services

1. Students must reside in a participating **Title I public school attendance area**, and
2. Students are identified as meeting one or more of the following criteria:
  - **Low achieving** on the basis of **multiple, educationally related, objective criteria** (determined during the consultation process); or
  - Homeless, a migratory child, in a local institution/day program for neglected or delinquent children, in the prior two years participated in Head Start, a Title I preschool program, or a literacy program under Title II.
3. **Low-income status is NOT a criterion** for a student to receive Title I-A funded services.

## 5. Elements of Consultation and Equitable Services Plan

|                                                                                                                                                                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A. The following elements must be included in the plan:</b>                                                                                                                                                                                                                                       |
| <p><b>1. What are the needs of students who are failing or most at risk of failing? Which criteria will be used to select students for Title I-funded services?</b></p>                                                                                                                              |
| <p><b>2. What data have been collected to help identify students' needs? Are there other data that could provide additional insight into students' needs? How will the data be collected?</b></p>                                                                                                    |
| <p><b>3. What services will best address the identified student needs? (who, what, where, when, how, etc.) Will the services be provided directly by the district, through a separate government agency, consortium, or third-party provider? Include time of day and frequency of services.</b></p> |
| <p><b>4. How, if the LEA disagrees with the views of the private school officials on providing services through a contracted provider, the LEA will provide in writing an analysis of the reason(s) why the LEA has chosen not to use a contractor.</b></p>                                          |
| <p><b>5. What is the size and scope of the equitable services to be provided to eligible private school students, teachers, other educational personnel, parents/family members?</b></p>                                                                                                             |

**6. How will the effectiveness of these services be measured? How will the measurement results be used to improve the services?**

**7. How and when will decisions about delivery of services be made by the LEA? Such decisions will include consideration and analysis of the views of the private school officials.**

**B. The following fiscal elements must be discussed and agreed upon during consultation:**

**8. Whether to provide equitable services to eligible private school students**

- A. ☐ **By creating a pool or pools of funds** from the proportionate shares of multiple private schools within an LEA or across multiple LEAs, or
- B. ☐ **On a school-by-school basis.**

**9. Whether to coordinate Title I funds with other eligible ESEA programs that provide services to private school students** (i.e., Titles I-C, II-A, III-A, IV-A, and IV-B).

**10. What are decisions made by the LEA that may affect the private school's proportionate share?** (i.e., **required** administrative costs, indirect costs, family engagement, transferability of ESEA funds, etc.)

**11. Carryover procedures** (when funds are not obligated by the end of the fiscal year for which they were appropriated) **this should be rare and minimal.**



|                                                                                             |
|---------------------------------------------------------------------------------------------|
| <b>C. The following elements are not required but may be helpful:</b>                       |
| Are there policies and/or timelines that the LEA and/or private school need to be aware of? |
| What is the preferred method(s) of ongoing communication/consultation?                      |
| Other?                                                                                      |

| Signatures                                                                                                                                                                                                                                                                                     |                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| X<br>_____<br>LEA Official                                                                                                                                                                                                                                                                     | X<br>_____<br>Private School Official |
| Affirmation of Timely and Meaningful Consultation                                                                                                                                                                                                                                              |                                       |
| We agree: <ol style="list-style-type: none"> <li>1. Timely and meaningful consultation has occurred and is ongoing, and</li> <li>2. The drafted program design is equitable (<b>fair, effective, and responsive</b>) with respect to the needs of eligible private school students.</li> </ol> |                                       |

## 6. Formal Complaint

If the private school believes that timely and meaningful consultation has not occurred, the LEA did not give due consideration to the views of the private school, or that equitable services have not been provided, it has the right to file a formal complaint.

**Step 1:** Work with the LEA to resolve the concern(s).

**Step 2:** If it is not possible to resolve the issue at the LEA level, the private school can file a formal written complaint with the ombuds at the State Education Agency (SEA).

## 7. SEA Monitoring

The LEA must maintain on file:

1. A written **affirmation** that consultation occurred including whether **timely and meaningful consultation** has occurred.
2. The **results of consultation**—whether the agreed upon plan or the reasons for disagreement.

## ESEA Title I, Part A Equitable Services Proportionate Share Calculator\*

| Program Requirement                                                                                                                                                   | Calculation Information                                                                                                                                                                                                                                                                             | LEA Response<br><small>(Complete fields and check boxes)</small>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>A. Allocation for Equitable Service to Private School Students ESEA, 1117(c)(1)</p> <p>Refer to page 2, <b>Proportionate Share</b>.</p>                            | <p>Determines the percentage of <b>qualifying private school students living within the boundaries of Title I schools</b> and the corresponding proportionate share for equitable services.</p>                                                                                                     | <div style="margin-bottom: 10px;"> <div style="border: 1px solid black; width: 80px; height: 30px; display: inline-block;"></div> + <div style="border: 1px solid black; width: 80px; height: 30px; background-color: #92d050; display: inline-block;"></div> = <div style="border: 1px solid black; width: 80px; height: 30px; display: inline-block;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div style="text-align: center;">Total number of<br/>low-income<br/><b>public</b> students</div> <div style="text-align: center;">Total number of<br/>qualifying<br/><b>private</b> students</div> <div style="text-align: center;">Total low-income<br/>students within<br/>Title I boundaries</div> </div> <div style="margin-top: 10px;"> <div style="border: 1px solid black; width: 100px; height: 30px; display: inline-block;"></div> X <div style="border: 1px solid black; width: 60px; height: 30px; background-color: #92d050; display: inline-block;"></div> = <div style="border: 1px solid black; width: 100px; height: 30px; background-color: #92d050; display: inline-block;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div style="text-align: center;">Total Title I Funds</div> <div style="text-align: center;">% Private low-<br/>income students</div> <div style="text-align: center;">Total proportionate<br/>share <b>private</b> services</div> </div> |
| <p>B. Parent and Family Engagement set-aside</p> <p>Refer to page 4, <b>Item 5 of the Elements of Consultation and Equitable Services Plan</b>.</p>                   | <p>LEAs receiving \$500,000 or more: Of the total proportionate share (from step A), determine the amount the private school must <b>reserve and use for parent and family engagement (P&amp;FE)</b>.</p>                                                                                           | <p><b>Is the LEA's Title I allocation ≥ \$500,000?</b></p> <div style="text-align: center; margin: 10px 0;"> <input type="checkbox"/> Yes         </div> <p style="color: red; font-size: 0.9em;">If <b>no</b>, go to <b>section C</b>; if <b>yes</b>, note the following:</p> <div style="margin-bottom: 10px;"> <div style="border: 1px solid black; width: 100px; height: 30px; background-color: #92d050; display: inline-block;"></div> X <div style="border: 1px solid black; width: 60px; height: 30px; display: inline-block;"></div> = <div style="border: 1px solid black; width: 100px; height: 30px; background-color: #ff8c00; display: inline-block;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div style="text-align: center;">Total proportionate<br/>share</div> <div style="text-align: center;">1% Set-Aside</div> <div style="text-align: center;">Amount for<br/><b>private P&amp;FE</b><br/>services</div> </div> <div style="margin-top: 10px;"> <div style="border: 1px solid black; width: 120px; height: 30px; background-color: #fff9c4; display: inline-block;"></div> </div> <div style="text-align: center; font-size: 0.8em;">Total proportional<br/>share minus P&amp;FE</div>                                                                                                                                                                                                                        |
| <p>C. Other Costs<br/>Administrative Costs<br/>Indirect Costs</p> <p>Refer to page 5, <b>Item 10 of the Elements of Consultation and Equitable Services Plan</b>.</p> | <p><b>In consultation with the private school</b>, determine the amount of funds that will be reserved for LEA <b>administration</b> of the equitable services. This <b>reservation is required</b> and must be necessary and reasonable.<br/>Apply the LEA's indirect cost rate as applicable.</p> | <p><b>Determine the LEA administrative costs and if applicable, the indirect cost rate.</b></p> <div style="margin-bottom: 10px;"> <div style="border: 1px solid black; width: 100px; height: 30px; background-color: #92d050; display: inline-block;"></div> -- <div style="border: 1px solid black; width: 80px; height: 30px; background-color: #cccccc; display: inline-block;"></div> -- <div style="border: 1px solid black; width: 80px; height: 30px; background-color: #cccccc; display: inline-block;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div style="text-align: center;">Total proportionate<br/>share</div> <div style="text-align: center;">LEA admin<br/>costs</div> <div style="text-align: center;">Applicable<br/>indirect costs</div> </div> <div style="text-align: right; margin-top: 10px;">         = <div style="border: 1px solid black; width: 100px; height: 30px; background-color: #ffff00; display: inline-block;"></div> </div> <div style="text-align: right; font-size: 0.8em;">Total <b>private</b> share,<br/>after admin and<br/>indirect costs<br/><span style="color: red;">Including P&amp;FE</span></div>                                                                                                                                                                                                                                                                               |

\*Make sure JavaScript is enabled to complete the form fields

### LEAS MAY NEVER PROVIDE FEDERAL FUNDS DIRECTLY TO PRIVATE SCHOOLS OR REIMBURSE PRIVATE SCHOOLS

1. The LEA shall provide only allowable “services” or “goods” (i.e., personnel to provide instructional services, instructional materials, or technology necessary to provide services to the eligible students).
  2. For example, if the private school requests that supplemental tutoring, behavior support, or counseling be provided for eligible students, the district must contract directly with a qualified individual or a third-party provider to deliver the services. The LEA may not reimburse the private school for personnel costs or services.
  3. If the private school requests durable goods such as computers, electronic tablets, etc., the LEA must procure the device(s) and retain the title to the items.
  4. Simply providing a private school with instructional materials and supplies does not meet equitable services requirements because the focus must be on educational services.
- For additional guidance, please refer to