

Overview of Private School Consultation and Equitable Services Benefits

Private school students, teachers, and families are eligible to receive benefits through equitable services provided under these ESEA programs, as amended by the Every Student Succeeds Act (ESSA):

- Title I, Part A – Improving the Academic Achievement of the Disadvantaged
- Title I, Part C – Education of Migratory Children
- Title II, Part A – Supporting Effective Instruction
- Title III, Part A – Language Instruction for English Learners and Immigrant Students
- Title IV, Part A – Student Support and Academic Enrichment
- Title IV, Part B – 21st Century Community Learning Centers

Districts, after timely and meaningful consultation with appropriate private school officials, must provide equitable services to private school students, teachers, and families for any of the programs in which a private school chooses to participate. While private school officials are not required to participate in the consultation or receive benefits from the federal programs, they are encouraged to consult with the district to understand the benefits and services that are available. A private school may choose to participate in any one or more of the programs.

Consultation

Districts must consult with officials of private schools located within the district boundaries during the design and development of the district’s plan for ESEA federal program funds. [Section 1117(b)(1)(A-L) and 8501-8506] Districts are responsible for including private schools when made aware of the opening of a private school within geographic boundaries or a private school outside geographic boundaries if students reside within the district’s attendance zone. New private schools should contact local districts and Alaska’s Private School Ombudsman to ensure the new private school is invited to participate in equitable services.

The consultation shall occur before a district makes any decision that affects the opportunities of eligible private school children. District and private school officials should meet with the goal of “reaching agreement” on how to provide equitable and effective programs under Title I-A for private school students who are failing, or at most risk of failing to meet the state’s academic standards, and for other Title programs for students or teachers who are eligible to be served by that Title program. Topics of consultation include:

- How the children’s and educators’ needs will be identified;
- What services will be offered;
- How, where, and by whom the services will be provided;
- How the services will be assessed and how the results of the assessment will be used to improve those services;
- The size and scope of the equitable services to be provided to eligible private school children and educators and the amount of funds available for those services, and how that amount is determined;
- How and when the LEA will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers;
- Whether the agency, consortium, or entity will provide services directly or through a separate government agency, consortium, or entity or through a third-party contractor; and
- Whether to provide equitable services to eligible private school children and educators (1) by creating a pool or pools of funds with all of the funds allocated under a program or (2) on a school-by-school basis

based on the equitable share of funds available to provide services in each school. (ESEA section 8501(c)(1)).

Other topics of consultation must include, as appropriate:

- Administrative costs, including indirect costs;
- Family engagement activities;
- Any funds available for carryover; and
- Transferring/REAPing funds from Title II, Part A and Title IV, Part A.

Provision of Services

The control of the funds used to provide services, and title to materials, equipment, and property purchased with those funds, shall be the district, and the district shall administer the funds and property.

The district employee, person, association, agency, organization, or other entity shall be independent of the private school and the employment or contract shall be under the control and supervision of the district.

Educational services or other benefits, including materials and equipment, shall be secular, neutral, and non-ideological.

Disagreements

If a district disagrees with the views of private school officials with respect to any topic of consultation or provision of services, the district must inform the private school, in writing, the reasons why the district disagrees.

Private School Ombudsman

The public/private school agreement on consultation and programming is to be sent to the ombudsman. [Section 1117(b)(1)]

The state ombudsman provides notice of district allocations to private school officials in the state

- Districts determine the allocations available for private schools and the documentation as to how the allocation was determined.
- Notification of allocations need to be made by the start of the school year.

Private school officials may contact the state's Private School Ombudsman regarding any concerns or disagreements that cannot be resolved directly with the district's private school contact.

Contact the ombudsman: private.school.ombudsman@alaska.gov

Additional Information

Guidance for services to private school students and teachers is available on the DEED website on the [ESEA Private Schools webpage](https://education.alaska.gov/esea/private-schools) (<https://education.alaska.gov/esea/private-schools>). For more information about specific programs, see the program page under the applicable link.

For a more detailed explanation, consult the sections of ESEA, as amended by the ESSA that provides for the participation of private school children and teachers - Title VIII General Provisions, Part F Uniform Provisions, Subpart 1 Private Schools (Section 8501) and Title I-A, Section 1117, and Title I-A regulations, Sections 200.62 and 200.63.

Overview of Program Eligibility and Services Available

Title I, Part A – Improving Basic Programs

Under Title I, Part A, equitable services are provided to students who are educationally disadvantaged and failing or most at risk of failing to meet high academic standards, and who live in the attendance area served by a Title I school. Title I, Part A funding eligibility is based on the enrollment of low-income students in a private school (regardless of its location) who reside in Title I school attendance areas. For Title I, Part A, private school students eligible for equitable services are those who reside in a participating Title I public school attendance area and who are failing, or are most at risk of failing, to meet challenging student academic achievement standards (same as targeted assistance school Sec. 1115(c) criteria). Supplementary instructional services are provided by public school teachers or through a third-party contractor. Instruction may take place during the school day, before or after school, or in the summer. Title I services may be provided on-site at the private school, including religiously affiliated schools, or at other locations. Services may include a targeted, assisted pullout model, supplementary instruction, direct instruction, computer-assisted instruction, tutoring, counseling, family literacy and early childhood programs. In addition, equitable services may be provided for professional development of teachers of students receiving Title I services and for parent engagement activities.

Title I, Part C – Education of Migratory Children (MEP)

Children who attend private school are eligible to receive MEP services if they: 1) meet the statutory and regulatory definition of a migrant child; 2) meet the priority for services criteria in Sec. 1304(d); and 3) have unique needs of migratory children identified through the State's comprehensive needs assessment and service delivery plan. The proportionate share for equitable services for private school students, teachers, or families is determined by number of migrant students enrolled in the private school. Expenditures for services on a per-pupil basis shall be equal to the expenditures for participating public school children, considering the number and education needs of the children to be served. The district determines the proportionate share for Title I-C based on the number of eligible students to be served and the amount necessary to provide equitable services to meet the needs of the eligible students.

Title II, Part A – Supporting Effective Instruction

Under the Title II, Part A Program private school teachers, principals, and other school leaders are eligible to participate in all district uses of Title II, Part A funds with the exception of funds used for class-size reduction. Title II, Part A funding eligibility is based on the proportionate share of district funds based on the number of students enrolled in private schools choosing to participate in equitable services compared to the number of students enrolled in all the public schools in the district. In general, this grant focuses on professional learning and the recruitment and retention of highly effective teachers and leaders, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet challenging state academic standards. This grant emphasizes the need to ensure that minority and low-income students have greater access to effective teachers, principals, and other school leaders.

Title III, Part A – Language Instruction for English Learners and Immigrant Students

Under the Title III, Part A program, students identified as English learners as well as teachers, principals and other school leaders are eligible to participate in Title III-funded initiatives. The use of funds must be to improve the English language proficiency of identified English learners, educators' professional knowledge related to working with English learners in their classroom and/or engagement with parents and families of English learners in the private school. Funds may also be directed toward costs related to the assessment of the quality of Title III services rendered to the private school(s). The proportionate share for equitable services for private school students, teachers, or families is determined by the number of English learners enrolled in the private school. Expenditures for services on a per-pupil basis shall be equal to the expenditures for participating public school

children, considering the number and education needs of the children to be served. The district determines the proportionate share for Title III-A based on the number of eligible students to be served and the amount necessary to provide equitable services to meet the needs of the eligible students.

Title IV, Part A – Student Support and Academic Enrichment

Under the Title IV, Part A program, all private school children, their teachers, and other educational personnel serving those children, are eligible to participate in grant-funded supports and activities under the Title IV, Part A Student Support and Academic Enrichment Grant. Title IV, Part A funding eligibility is based on the proportionate share of district funds based on the number of students enrolled in private schools choosing to participate in equitable services compared to the number of students enrolled in all the public schools in the district. The use of funds must be to address the purpose of the Title IV, Part A Grant, which is to expand well-rounded educational opportunities for students, to promote safe and healthy students, and to support the effective use of technology to better engage students and expand their access to and use of technology as a learning tool.

Title IV, Part B – 21st Century Community Learning Centers (CCLC)

Equitable participation by non-public and private school students applies only to an eligible student who attends a non-public or private school and resides within the attendance area of a “feeder school” that is proposed and approved for service in an eligible organization’s competitive 21st CCLC grant application for afterschool programming. Less than 10% of Alaska’s schools are selected to be 21st CCLC “feeder schools,” and within those schools, 21st CCLC-eligible students are typically the students with the greatest academic and economic need. The purpose of the 21st CCLC program is to assist and support students academically by providing them with academic intervention, academic enrichment activities, and a broad array of other activities during non-school hours or periods when school is not in session, such as after school and summer break. For more specific information about Title IV, Part B equitable services participation, see the [Alaska 21st CCLC Guidelines for Equitable Services for Private Schools](#).