

# Basic Private School Guide

## PRIVATE SCHOOL CONSULTATION GUIDE

Section 9501(c)(1) of ESEA requires that LEAs consult with appropriate private school officials on such issues as:

- how the children's 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 the eligible private school children, teachers, and other educational personnel and the amount of funds available for those services; and
- how and when the agency, consortium, or entity 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.

### \_\_\_ **Title I, Part A – *Improving Basic Programs Operated by LEAs***

Title I, Part A, provides supplementary instruction by public school teachers or through a third-party contractor to students who are educationally disadvantaged and failing or most at risk of failing to meet high academic standards and who live in participating public school attendance areas.

### \_\_\_ **Title I, Part B – *Reading First***

Reading First provides funding to implement comprehensive reading instruction based on scientifically based reading research for children in kindergarten through third grade.

### \_\_\_ **Title I, Part B, Subpart 3 – *Even Start Family Literacy***

Even Start Family Literacy provides funding to partnerships of LEAs and other public and private entities to support family literacy programs that integrate early childhood education, adult education, parenting education, and literacy activities for low-income families and their children from birth through age seven.

### \_\_\_ **Title I, Part C – *Migrant Education***

Migrant Education provides financial assistance to improve education for migrant children.

### \_\_\_ **Title II, Part A – *Preparing, Training and Recruiting High Quality Teachers and Principals***

The Teacher and Principal Training and Recruiting Fund provides assistance for preparing, training, recruiting and retaining high quality teachers. Private school teachers, principals, and other educational personnel are eligible to participate in professional development activities to the extent that the LEA uses funds to provide for professional development, but at least to the FY 2001 levels for private school teachers' professional development.

### \_\_\_ **Title II, Part B – *Mathematics and Science Partnerships***

The Mathematics and Science Partnerships program provides funds to improve mathematics and science teaching through a variety of activities.

### \_\_\_ **Title II, Part D – *Enhancing Education Through Technology***

The Enhancing Education through Technology program provides funds for innovative initiatives to support the integration of education technology into classrooms to improve teaching and learning.

\_\_\_ **Title III, Part A – *Language Instruction for Limited English Proficient and Immigrant Students***

The Language Instruction for Limited English Proficient (LEP) and Immigrant Students program provides funds for helping LEP students attain English proficiency and meet the same challenging State academic standards required of all students.

\_\_\_ **Title IV, Part A – *Safe and Drug-Free Schools and Communities***

The Safe and Drug-Free Schools and Communities Act supports programs that foster a safe and drug-free learning environment that supports academic achievement.

\_\_\_ **Title IV, Part B – *21<sup>st</sup> Century Community Learning Centers***

The 21<sup>st</sup> Century Community Learning Centers (21<sup>st</sup> CCLC) program provides before- and after-school services to children and their families that include academic enrichment activities, particularly for students who attend low-performing schools, to help them meet State and local student performance standards in core academic subjects

Note: Some of the programs listed above are discretionary programs and the school LEA may not necessarily participate in them.

DATE:

Dear :

The federal No Child Left Behind Act of 2001, Sec. 1120 (a) (1) requires that districts ensure that the benefits of Title I, II, III, IV, and Title V of this law extend to those who live in the district but do not attend the public schools. Districts have been asked to contact non-public, non-profit schools within our district boundaries for evidence of qualifying students' enrollment. This letter initiates that search for students. Please send us a list of qualifying students by *[insert date]*.

We are searching for children from (List ages of your district) years of age who are residents of (District name), who live in the attendance boundaries of our identified Title I schools, and who meet poverty criteria similar to ours, but who attend your school.

Once the poverty rankings are finalized in April, we will invite you to a meeting to discuss the program in greater detail. Then, after the entitlement amounts are known in the summer and the consultation is completed, services will be delivered to those identified (District name) students who are failing to meet grade level standards AND who live in the attendance areas of the district's Title I schools.

We are looking for all students in grades (List grades) enrolled in your school in October 2005 whose home addresses are in the (District name) attendance area (List district zip codes) and what families meet the poverty guidelines for Free and Reduced Lunch. ***Please send us a list with the students identified (your student number or initials are fine), the student's current age, grade level, poverty eligibility, and the family's address.*** You must retain on file the evidence that the child's family meets the income eligibility for Free and Reduced Lunch and resided at the address listed in October (2008).

We will then check each address to see if it is in the attendance area of one of our Title I schools: (List names of schools) We will send you a letter verifying the number of qualifying students and outlining the next steps for consultation. Thank you for your attention to this matter.

Please complete, sign, and return the enclosed "Affirmation of Consultation and Invitation to Participate" form and the students list/form in the enclosed stamped envelope (or fax to (Phone number) by (DATE).

Sincerely,

Director of Categorical Programs

## Affirmation of Consultation and Invitation to Participate

This is to confirm that as administrator of (Name of private school) School, a private non-profit school within (Name of District) boundaries, I have been invited to consult and participate in the following federally funded programs:

- Title I
- Title II
- Title III
- Title IV
- Title V

Our school has determined to:

- Participate in the above checked program(s), including determining the needs of staff, students, and parents; identifying use of funds for services, materials, equipment and professional development and parent involvement activities; identifying service providers; ongoing consultation throughout implementation and assessment of services; participating in mandated accountability processes; identifying biennially the numbers of poor children in our school; and complying with associated federal requirements of participation.
- NOT** participate in any of the programs.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
School

\_\_\_\_\_  
Phone number

*Please return this in the enclosed, stamped envelope no later than (DATE).*

*Please attach the list with the students identified (your student number or initials are fine), the student's current age, grade level, poverty eligibility, and the family's address (As requested in paragraph 4).*

*(Enclosed is a form to help you with this process)*

Even if your school is **not** interested in participating in any of these programs, federal law requires we seek a written affirmation that you have, at the very least, been invited to participate and further consult with our district about any of the funded programs and services. For that reason, I ask that you complete and return this sheet in the enclosed stamped envelope. Thank you.

### **Overview of Federal Title Programs Funded in Our District:**

**Title I** funds are intended to improve instruction by supporting educationally disadvantaged poor and minority students to meet State academic standards in reading, mathematics, and science (05/06). We invite your consultation on the use of funds for compensatory education program services, including materials and equipment, identification of student needs, provision of services, capital expenses, and program evaluation. Services, materials, and equipment (including library media and technology) provided must be secular, neutral, and non-ideological. Accountability, as measured by a rigorous, valid, and quantitative assessment, that shows academic achievement over time, and audits of expenditures are required. Services, materials, and equipment provided must be secular, neutral, and non-ideological.

**Title II, Improving Teacher Quality, Technology,...** and other Title II Parts, consolidated Eisenhower and Class Size Reduction programs. It requires local school districts to offer consultation opportunities to private and private nonprofit school staff for the design and development of professional development and class size reduction programs prior to decisions being made that affect teachers' participation. Professional development covers all areas of the curriculum content, instruction, assessment, technology, and materials and equipment. Some aspects of the funding are competitive. Services, materials, and equipment provided must be secular, neutral, and non-ideological.

**Title III, Language Instruction for Limited English Proficient and Immigrant Students** consolidates thirteen bilingual and immigrant education programs and requires annual assessments in limited English-speaking students as a means of showing student achievement and program effectiveness, and parent rights notifications.

## *District Letterhead*

[Insert Date]

Dear :

The federal No Child Left Behind Act of 2001, Sec. 1120 (a) (1) requires that districts ensure that the benefits of Title I of this law extend to those who live in the district but do not attend the public schools. Districts have been asked to contact non-public, non-profit schools "in the area" for evidence of qualifying students' enrollment. This letter initiates that search for students. Please send us a list of qualifying students by *[Insert date]*.

We are searching for children in grades K-12, ages 5-17 who are residents of [Insert your district], who live in the attendance boundaries of our identified Title I schools, and who meet poverty criteria similar to ours, but who attend your school.

Once the poverty rankings are finalized in [Insert month], we will invite you to a meeting to discuss the program in greater detail. Then, after the entitlement amounts are known in the summer and the consultation is completed, services will be delivered to those identified [Insert District] students who are failing to meet grade level standards AND who live in the attendance areas of the district's Title I schools.

We are searching for all students enrolled in your school in October [insert year – CBEDS] whose home addresses are within our [Insert District] attendance area (list zip codes) and what families meet the poverty guidelines for Free and Reduced Lunch. *Please send us a list with the students identified (your student number or initials are fine), the student's current age, grade level, poverty eligibility, and the family's address.* You must retain on file the evidence that the child's family meets the income eligibility for Free and Reduced Lunch and resided at the address listed in October [Insert year].

We will then check each address to see if it is in the attendance area of one of our Title I schools: We will send you a letter verifying the number of qualifying students and outlining the next steps for consultation. Thank you for your attention to this matter.

Please complete, sign, and return the enclosed "Affirmation of Consultation and Invitation to Participate" form and the student list/form in the enclosed stamped envelope (or fax to [insert phone number) by *[Insert Date at least 10 days]*.

Sincerely,

Director of Categorical Programs

### **Affirmation of Consultation and Invitation to Participate**

This is to confirm that as administrator of \_\_\_\_\_ School, a private, non-profit school within [Insert District name] boundaries, I have been invited to consult and participate in the Title I Program.:

Our school has determined to:

Participate in the Title I program, including determining the needs of staff, students, and parents; identifying use of funds for services, materials, equipment and professional development and parent involvement activities; identifying service providers; ongoing consultation throughout implementation and assessment of services; participating in mandated accountability processes; identifying biennially the numbers of poor children in our school; and complying with associated federal requirements of participation.

**NOT** participate in the Title I Program.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
School

\_\_\_\_\_  
Phone number

*Please return this in the enclosed, stamped envelope no later than **[Insert Date]**.*

*Please attach a list with the students identified (your student number or initials are fine), the student's current age, grade level, poverty eligibility and the family's address. (As requested in paragraph 4)  
**(Enclosed is a form to help you with this process)***

Even if your school is **not** interested in participating in any of these programs, federal law requires we seek a written affirmation that you have, at the very least, been invited to participate and further consult with our district about any of the funded programs and services. For that reason, I ask that you complete and return this sheet in the enclosed stamped envelope. Thank you.

### **Overview of the Federal Title I Program Funded in Our District:**

**Title I** funds are intended to improve instruction by supporting educationally disadvantaged poor and minority students to meet State academic standards in reading, mathematics, and science (06/07). We invite your consultation on the use of funds for compensatory education program services, including materials and equipment, identification of student needs, provision of services, capital expenses, and program evaluation. Services, materials, and equipment (including library media and technology) provided must be secular, neutral, and non-ideological. Accountability, as measured by a rigorous, valid, and quantitative assessment, that shows academic achievement over time, and audits of expenditures are required. Services, materials, and equipment provided must be secular, neutral, and non-ideological.

## **PRIVATE SCHOOL ALLOCATION FORMULAS**

### ***Title I, Part A:***

Use formula for determining all LEA schools as on Consolidate Application II.

### ***Title II, Part A, Title III,***

Add current year entitlement plus any carryover and divide that total by the enrollments of the LEA and private school students. This will provide the dollar per student amount for services. Multiply the number of private school students by the dollar per student amount and this will equal the dollar amount of services.

### **Administrative costs, Summer school, Professional Development, Assistance to Sites**

Use same formula as Title II, III, IV and Title V.

Tool 1.2–Consultation Timeline Between LEA and Private School Officials

### Example of a Timeline for LEA Consultation With Private School Officials\*

Month	LEA Activity	Legal Basis**
November/December in preparation for the next school year	<p>Obtain complete list of all private schools with students who are residents of the LEA.</p> <p>Meet with private school officials to review timeline and consultation process. Establish a consultation calendar and procedures for collecting poverty data (i.e. data on low-income families).</p>	<p>LEA uses list to ask all private school officials if they want their eligible students to participate in Title I the next school year.</p> <p>See §1120(a) of the <i>Elementary and Secondary School Act</i>.</p>
December through February in preparation for the next school year	<p>Obtain from principals or a central office serving a group of private schools the following poverty data (as appropriate) on private school students:</p> <ul style="list-style-type: none"> <li>• Same poverty measure used to count public school students, which is usually free and reduced-priced lunch;</li> <li>• Survey of private school parents asking for income data, address, and grade level of children from which the LEA must extrapolate these data (see Section 2);</li> <li>• Alternative poverty data such as scholarships, Temporary Aid to Needy Families, Medicaid, etc.</li> </ul> <p>~or~</p> <ul style="list-style-type: none"> <li>• Decide through consultation to use proportionality (see Section 2).</li> </ul>	<p>Private school students from low-income families who live in Title I participating public school attendance areas generate funds for instructional services.</p> <p>See §1120(c)(1) &amp; §200.78(a)(2) of the Title I regulations.</p>
February/March in preparation for the next school year	<p>Match addresses of private school students from low-income families to participating public school attendance areas.</p> <p>Estimate the amount of funds generated for instruction using the same estimated per-pupil amount as that used for public school students in participating public school attendance areas.</p> <p>Meet with private school officials to discuss poverty data collected, amount of estimated instructional funds generated, and determine if funds will be pooled, not pooled, or a combination of both options.</p>	<p>See §1120(b)(1)(f) &amp; (2) and §200.64(a).</p>

\* In this example, multiple meetings will be required to cover each LEA activity.

\*\* This column references Title I, Sec. 1120 and 34 *CFR* 200.

## Tool 1.2–Consultation Timeline Between LEA and Private School Officials (continued)

### Example of a Timeline for LEA Consultation With Private School Officials (Continued)

Month	LEA Activity	Legal Basis
<p><b>March/April</b> in preparation for the next school year</p>	<p>Determine the multiple, educationally related, objective criteria to be used to select eligible students (educationally needy students who reside in Title I attendance areas) in consultation with private school officials.</p> <p>Obtain from private school officials lists of names, addresses, and grades of private school students who meet the criteria.</p> <p>From these lists, select for Title I services those students most at-risk of failing, as decided in consultation.</p> <p>Discuss with private school officials the needs of selected students, appropriate Title I services to serve those needs, and location of services.</p> <p>Design services that meet participants' needs based on consultation, using the estimated amount of funds generated by private school students from low-income families, and the equitable share of funds reserved for districtwide instructional activities.</p> <p>Determine with private school officials the standards and annual assessments for measuring progress of the Title I program.</p> <p>Define annual progress. Determine criteria for making program modifications when annual progress is not achieved.</p> <p>Assess the achievement of <b>current year's</b> program using the standards previously agreed upon last year.</p> <p>After appropriate consultation, make modifications to next year's Title I program, if annual progress has not been met.</p>	<p>Multiple, educationally related, objective criteria required under §1115(b). See §200.62(b).</p> <p>See §1120(b).</p> <p>See §200.62(b)(2).</p> <p>See §1120(b)(1) and §200.63(a) and (b).</p> <p>See §200.64.</p> <p>LEA must assess quality and effectiveness of Title I program each year. LEA modifies the design of services if annual progress is not met.</p> <p>See §1120(b)(1)(D) and §200.63(b)(5).</p>

## Tool 1.2—Consultation Timeline Between LEA and Private School Officials (continued)

### Example of a Timeline for LEA Consultation With Private School Officials (Continued)

Month	LEA Activity	Legal Basis
<b>April/June in preparation for the next school year</b>	<p>Determine in consultation with private school officials the professional development and parent involvement needs of private school teachers and families of private school participants.</p> <p>Design activities that LEA will implement the next school year (independently or in conjunction with LEA activities) for teachers and families of participants.</p> <p>Inform private school officials of tentative program designs, service delivery models, number of Title I participants, allocations, location of services, and estimated costs. Provide opportunities for private school officials to comment.</p> <p>Update private school officials if there are any changes. Generate a list of students who will receive Title I services beginning in September of the next school year.</p> <p>Obtain written affirmation from private school officials or their representatives that timely and meaningful consultation has occurred. Consultation must be ongoing, however, and should continue throughout the school year.</p> <p>Complete all necessary reports, contract negotiations, ordering of materials, hiring of teachers, etc. Consultation should be completed for the next school year prior to LEA submitting its Title I application to the SEA.</p>	<p>Equitable services for teachers and families of participants apply to funds reserved under §§1118 and 1119. See §1120(a) and §200.65.</p> <p>LEAs must provide opportunities for consultation with private school officials if program is modified or private school officials request more discussion. See §1120(b) and §200.63.</p> <p>See §1120(b)(4) and §200.63(e).</p> <p>These actions ensure that programs will begin at the start of the school year. See §1120(a)(3) and §200.62(a)(1).</p>
<b>August in preparation for the beginning of school year</b>	<p>Report on readiness of Title I program for private school participants to private school officials.</p>	<p>Private school officials should be aware how LEA will implement the program in September, including staffing, number of students to be served, location, etc. See §1120(b)(2) and §200.63(c).</p>

## Tool 1.2—Consultation Timeline Between LEA and Private School Officials (continued)

### Example of a Timeline for LEA Consultation With Private School Officials (Continued)

Month	LEA Activity	Legal Basis
September of school year	LEA begins Title I services for students identified the previous spring as participants and provides private school officials with their names, services to be provided, and names of Title I teachers.	See §1120(a)(1) and §200.62(a)(1).
	Obtain a list of newly enrolled students who meet eligibility criteria. Consult with private school officials on how new students might be accommodated in the program.  Initiate professional development and parent involvement activities based on previous spring's consultation.	See §200.65.
October of school year	LEA provides information about possible adjustments and program changes to private school officials.  Start planning for the next school year's consultation cycle.	See §1120(b)(2) and §200.63(c).

Key issues relating to the provision of Title I services are discussed during consultation, which provides an opportunity for the both the public and private school officials to express their views and to have those views considered. Ultimately, the LEA is responsible for planning, designing, and implementing the Title I program and may not delegate that responsibility to the private schools or their officials.

As a result, private school officials who want services for their eligible students should be aware of their roles in the consultation process to ensure that Title I programs designed by the LEA effectively meet the needs of their participating children, their teachers, and their families. Roles for the private school officials are:

- Participating in consultation;
- Providing lists of addresses and grades of low-income families;
- Providing lists of names, addresses, and grade levels of children who meet the multiple, educationally related, objective criteria for participation eligibility;
- Suggesting ideas, program designs, and modifications that meet the needs of their eligible children, their teachers, and their families; and
- Providing a dedicated space, if appropriate.

## Tool 1.3—An SEA's Guidance to LEA Officials to Help Them With Consultation

## Services to Private School Children: Guidelines for Allowable Title I Expenditures

### Timely and Meaningful Consultation

Sec. 1120(b) of the *No Child Left Behind Act* and Sec. 200.63 of the Title I regulations require that timely and meaningful consultation occur between the local educational agency (LEA) and private school officials prior to any decision that affects the opportunities of eligible private school children, their teachers, and their families to participate in Title I programs, and shall continue throughout the implementation and assessment of activities.

### Allowable Program Expenditures

Title I funds are expended to implement academic research-based programs that help students improve their academic achievement in the regular private school classrooms (i.e., reading, mathematics, etc). Title I program expenditures can include the following:

1. Books, materials, and equipment necessary to implement the Title I program (The LEA retains title to the books, other materials, and equipment purchased with Title I funds. Materials, etc. purchased with Title I funds may be used only by Title I participants. Each item purchased with Title I funds must be labeled "Property of \_\_\_\_\_ School District." The labels should not be either easily erased or removable.);
2. Extended-day services;
3. Summer programs;
4. Saturday programs;
5. Counseling programs;
6. Computer-assisted instruction (CAI) with noninstructional computer technicians who supervise computer labs, maintain discipline, and escort students to and from class (Their salaries are an administrative cost under Sec 200.77(f) of the Title I regulations and may not be charged to funds generated by private school children from low-income families, which is for instruction.);
7. Home tutoring;
8. Computers and software products; and
9. Take-home computers (The LEA should ensure that families and students are properly trained in computer and software use.).

## Tool 1.3—An SEA’s Guidance to LEA Officials to Help Them With Consultation (continued)

**Services to Private School Children:  
Guidelines for Allowable Title I Expenditures (continued)****Allowable Expenditures for Service Providers**

These expenditures include:

1. Salaries and fringe benefits for highly qualified teachers directly hired by the LEA;
2. Salaries and fringe benefits for qualified paraprofessionals directly hired by the LEA and supervised by highly qualified public school teachers who are located in the same building;
3. LEA contracts with third-party providers (The contract should provide information that ensures the LEA that the Title I program contract will be administered in accordance with all requirements. The LEA must exercise oversight of the instructional program and administrative costs); and
4. LEA contracts with retired public or private school teachers to teach at the private school during the school day and before or after school.

**Location of Services and Equipment**

1. Title I services must be provided in a separate space that is under the LEA’s control when Title I services are being provided;
2. If the services are provided in a library or private school classroom, the space must be separate and partitioned off; and
3. Computer equipment and other supplies purchased with Title I funds may be used only by Title I students in the Title I program.

### Tool 1.5–Checklist of Consultation Topics

This list of consultation topics provides the LEA officials with the specific topics that must be covered in consultation meetings as required under Sec. 1120(b) of Title I and Sec. 200.63 of the Title I regulations. As LEA and private school officials address and complete discussions on each topic, the LEA officials may want to check-off each item as finished so to create a record for future reference should the need arise.

#### LEA Checklist of Consultation Topics

This list of consultation topics provides the LEA officials with the specific topics that must be covered in consultation meetings as required under Sec. 1120(b) of Title I and Sec. 200.63 of the Title I regulations. As LEA and private school officials address and complete discussions on each topic, the LEA officials may want to check-off each item as finished so to create a record for future reference should the need arise.

- How the LEA will identify the needs of eligible private school children;
- What services the LEA will offer to eligible private school children;
- How and when the LEA will make decisions about the delivery of services;
- How, where, and by whom the LEA will provide services to eligible private school children;
- How the LEA will assess academically the services to private school children in accordance with Sec. 200.10 of the Title I regulations and how the LEA will use the results of that assessment to improve Title I services;
- The size and scope of the equitable services that the LEA will provide to eligible private school children and, consistent with Sec. 200.64 of the Title I regulations, the proportion of its Title I funds that the LEA will allocate for these services;
- The method, or the sources of data, that the LEA will use under Sec. 200.78 of the Title I regulations to determine the number of private school children from low-income families residing in participating public school attendance areas, including extrapolation if a survey is used;
- The equitable services the LEA will provide to teachers and families of participating private school children;
- The service delivery mechanisms the LEA will use to provide services; and
- Consideration and analysis of the views of the private school officials on whether the LEA should contract with a third-party provider and provide in writing to those officials the reasons if the LEA decides not to use a third-party provider.

Tool 1.6-A Log to Document Contacts With the Private School Officials During the School Year

# Title I

## Log of LEA Contacts With Private School Officials

LEA \_\_\_\_\_

Title I Coordinator \_\_\_\_\_ Telephone Number \_\_\_\_\_

Title I Coordinator: Complete an entry for each conversation you had with private school officials to create an accurate log of contacts.

Private school	Telephone	Telephone contact: date/time/name	Purpose of contact

## Tool 1.11—Agendas for Consultation Meetings

## Sample Agendas for Consultation Meetings Throughout the School Year

### Agenda for early winter meetings (typically in December or January) in preparation for the next school year

1. Welcome and introduction.
2. Overview of Title I program.
3. Options for service providers: the LEA or a third-party.
4. Discussion on the collection of poverty data: What is available from private schools? Is the survey with extrapolation a possibility? Should the LEA consider proportionality?
5. Discussion on possible program designs: Should it be a pullout program or a before or after school program? Which grade levels and what academic subjects should the Title I program encompass? Do the private school officials have space in their schools for the LEA to provide Title I services?

### Agenda for late winter or early spring meetings (typically in February or March)

1. Review of poverty data collected and the estimated amount of funds available for services. Decide if pooling option will be used.
2. Determination of the multiple, educationally related and objective criteria used to select eligible children who reside in Title I public school attendance areas.
3. Review of options for service providers.
4. Plan a program design workshop for private school principals and LEA instructional specialists.
5. Discuss how the Title I program will be evaluated: What standards and assessment will be used? What will be annual progress and what percentage of participants must meet that progress in order for the program to be effective.
6. Establish the date that Title I services will start.
7. Discuss the professional development needs of the private school teachers of Title I participants based on the most recent student assessment data
8. Discuss the needs of the parents of participants: How can parents better support their children's instruction?

### Agenda for late spring meetings (typically in April or May)

1. Finalize the designs of the Title I programs—ensure materials have been ordered, LEA personnel who are providing Title I services are in place, and service start date is firm.
2. Finalize professional development programs and activities for private school teachers. Establish a calendar for the next year's activities.
3. Finalize parent involvement programs and activities for parents of participants. Establish a calendar for next year.
4. Review current year's assessment data for current year participants to determine if any adjustments to instruction should be made.
5. Provide affirmation forms for signature.

## Tool 1.11–Agendas for Consultation Meetings (continued)

## Sample Agendas for Consultation Meetings Throughout the School Year (continued)

### Agenda for meeting one month after program has begun (typically in the month of October)

1. Review the implementation of the program for the first month.
2. Discuss changes in roster of eligible children and the possibility of adding children to the program, as needed, depending on space and time.
3. Review process for coordinating Title I program with classroom teachers.
4. Review implementation of the professional development program.
5. Review implementation of the parental involvement program.

Tool 1.12A–Written Affirmation of Consultation With Private School Officials

## LEA Affirmation of Consultation With Private School Officials

Sec. 1120(b) of the *Elementary and Secondary Education Act* and Sec. 200.63 of the Title I regulations require that timely and meaningful consultation occur between the local education agency (LEA) and private school officials prior to any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate in programs under this act. Consultation shall continue throughout the implementation and assessment of activities under this section.

The following topics *must* be discussed during the ongoing consultation process:

- How the LEA will identify the needs of eligible private school children;
- What services the LEA will offer to eligible private school children;
- How and when the LEA will make decisions about the delivery of services;
- How, where and by whom the LEA will provide services to eligible private school children, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with a third-party provider;
- How the LEA will assess academically the services to eligible private school children in accordance with Sec. 200.10 of the Title I regulations and how the LEA will use the results of that assessment to improve Title I instructional services;
- The size and scope of the equitable services that the LEA will provide to eligible private school children and, consistent with §200.64, the proportion of funds that will be allocated to provide these services;
- The method or sources of data that the LEA will use under §200.78 to determine the number of private school children from low-income families residing in participating public school attendance areas, including whether the LEA will extrapolate data, if a survey is used;
- The equitable services the LEA will provide to teachers and families of participating private school children; and
- If the LEA disagrees with the views of the private school officials on the provisions of services through a contract, the LEA must provide the private schools the reasons in writing why the LEA chooses not to use a contractor.

We agree that timely and meaningful consultation occurred before the LEA made any decision that affected the participation of eligible private school children in the Title I, Part A, program.

\_\_\_\_\_  
Public School Official                      Date

\_\_\_\_\_  
Private School Representative              Date

\_\_\_\_\_  
School District

\_\_\_\_\_  
Name of Private School Agency or School

The LEA must maintain a copy of this form in its records and provide copies to the SEA.

**Tool 1.12B–Written Affirmation of Consultation With Private School Officials That Includes Student Selection Criteria**

**LEA Affirmation of Consultation With Private School Officials That Includes Student Selection Criteria**

Name of LEA \_\_\_\_\_

Name of Private School \_\_\_\_\_

To ensure timely and meaningful consultation during the design and development of the LEA’s programs under Title I, Part A, the LEA has consulted with private school officials on the following issues:

- Data sources to be used to identify children’s needs;
- Services to be offered;
- How, where, and by whom the services will be provided;
- How the services will be academically assessed and how the results of that assessment will be used to improve services;
- The size and scope of the equitable services to be provided to the eligible private school children, and the proportion of funds that is allocated for such services;
- The method or sources of data used to determine the number of children from low-income families in participating school attendance areas who attend private schools;
- The delivery of services to private school children;
- The needs of private school teachers who teach Title I students and the professional development program that will be designed to meet their needs;
- The needs of families of Title I children and the family involvement program that will be designed to meet their needs; and
- Disagreements regarding contract.

Consultation included meetings with private school officials before the LEA made any decision that affected the opportunities of eligible school children to participate in Title I, Part A, programs. Such meetings will continue throughout the implementation of the program and will include assessment of services provided.

The following multiple, educationally related, objective criteria are used to determine private school student eligibility for the Title I, Part A, program:

Grade level	Criteria	Method to determine greatest need

I affirm that the required consultation has occurred.

\_\_\_\_\_  
Signature of private school official                      Name of private school official      Date

\_\_\_\_\_  
Signature of public school official                      Name of public school official      Date

## Tool 1.13-The Complaint Process

## The Complaint Process for Private School Officials

Under Title I, a local education agency (LEA) is required to provide to eligible private school children, their teachers, and their families Title I services or other benefits that are equitable to those provided to eligible public school children, their teachers, and their families. Private school officials have recourse through the complaint process if they do not believe their eligible children, teachers, or families are receiving equitable services.

Aspects of the complaint process that the private school officials should know:

- A private school official has a right to complain to the state educational agency (SEA) that the LEA did not engage in a timely and meaningful consultation process or did not give due consideration to the views of the private school officials.
- Any dispute regarding the accuracy of low-income data for private school students also can be the subject of a complaint.
- The SEA is required to have complaint procedures in place as required by Sec. 34 *CFR* 299.10–12. Included in these procedures is a reasonable time by which the SEA must respond in writing to the complaint.
- No later than 30 days following the written response by the SEA, or in the event the SEA fails to resolve the complaint within a reasonable period of time, the private school official may appeal the decision of the SEA to the secretary of the U.S. Department of Education. Such appeal must be accompanied by a copy of the SEA's written response, if available, and a complete statement of the reasons supporting the appeal.
- The secretary must complete an investigation of the complaint and resolve the appeal within 120 days after receipt of the appeal.