



“CARE-Free” Equitable Services

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December 9, 2020



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Discussion

- Equitable Services Requirements: Similarities and Differences
- Calculating the Proportionate Share for Equitable Services
- Title I, Part A Data Collection
- Third Party Contracts



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Equitable Services Requirements

Similarities and differences in equitable services programs under ESEA, as amended by ESSA.

ESSA's Equitable Services Requirements

Section 1117:

- Title I Part A - Academic Achievement of At-Risk Students

Section 8501:

- Title I Part C - Education of Migratory Children
- Title II Part A - Supporting Effective Instruction
- Title III Part A - Language Instruction for Limited English Proficient and Immigrant Students
- Title IV Part A - Student Support and Academic Enrichment
- Title IV Part B - 21st Century Community Learning Centers (CCLC)

Similarities and Differences Across Programs

Similarities

- Timely and meaningful consultation
- Written Affirmation
- Disagreement process
- Non-profit private schools only
- Secular, neutral, and nonideological
- No reimbursement to private schools directly

Differences

- Method to determine proportionate share
- Program specific (i.e. allowable activities in each specific program)
- Which LEA is responsible for the provision of services
- Consultation topics may differ depending on the program
- Roll forward of unused funds

Consultation Topics Unique to Section 1117

- (F) the method or sources of data that are used under subsection (c) and section 1113(c)(1) to determine the number of children from low-income families in participating school attendance areas who attend private schools;
- (H) how, if the agency disagrees with the views of the private school officials on the provision of services through a contract, the local educational agency will provide in writing to such private school officials an analysis of the reasons why the local educational agency has chosen not to use a contractor;
- (K) when, including the approximate time of day, services will be provided; and
- (L) whether to consolidate and use funds provided under subsection (a)(4) in coordination with eligible funds available for services to private school children under applicable programs, as defined in section 8501(b)(1) to provide services to eligible private school children participating in programs.

Roll Forward Under Section 1117, ESEA

- Under the Title I equitable services requirements, equitable services roll forward funds must be added to the proportional share for equitable services in the subsequent fiscal year.
- Example: An LEA provides Title I equitable services to students in four private schools using a third-party contractor. The invoiced amount for services to students in one of the schools is \$1,000 less than anticipated. During consultation, officials of the private school decline additional services from those funds. This occurs late in the summer, the LEA is unable to responsibly obligate the funds prior to the end of the Federal fiscal year, so funds roll forward for the purpose of providing equitable services.

Roll Forward Under Section 8501, ESEA

- Under Section 8501, ESEA, if the LEA has met the private school students and teachers' needs, the funds become part of the overall pool of funds available to both public and private schools.
- Example: An LEA provides Title II equitable services to teachers in a private school. The services cost \$1,000 less than anticipated and, during consultation, private school officials indicate that their teachers' needs have been met. The LEA is not able to obligate the remaining funds for other purposes responsibly prior to the end of the Federal fiscal year, so the funds roll forward for the purpose of providing services to both public and private schools.



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Calculating Proportionate Share for Equitable Services

Determining equitable services set aside for programs under ESEA, as amended by ESSA.

Differences Across Programs

Title I Part A

- The proportional share must be determined based on an LEA's total Title I allocation prior to any allowable expenditures or transfers by the LEA.

Title I Part C, Title II Part A, Title III Part A, Title IV Part A

- An LEA must determine the proportional share after reserving funds to administer its public and private school programs.

Similarities Across Programs

- Sections 1117(a)(4)(A)(i), ESEA, requires that expenditures for educational services and other benefits to eligible private school children be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools.
- Section 8501(a)(4)(A), ESEA, requires that expenditures for educational services and other benefits provided for eligible private school children, their teachers, and other educational personnel serving those children shall be equal, taking into account the number and educational needs of the children to be served, to the expenditures for participating public school children.
- Consultation is required to determine proportionate share

Title I Part A, Data Collection

- Section 1117(a)(4)(D), ESEA as amended by ESSA, allows LEAs determine the number of children from low-income families who attend private schools each year or every 2 years.
- This should only be an option if it would be more feasible to collect data biennially to reduce burden of data collection.

More than one Method for Data Collection

- An LEA may use more than one method to collect poverty data from participating private schools, if not all private schools have the same data available.
- The method in which children from low income families that attend private schools and reside in a participating attendance zone will be identified is a required topic of consultation.

Allowable Methods to Collect Poverty Data

- The same measure of poverty used to count public school children:
- Comparable poverty data from a different source:

State Scholarship Data

Income-Based Scholarship Guidelines 2020-2021 School Year

<i>Household Size</i>	<i>PRIORITY Funding Annual Maximum Gross Income Cap</i>	<i>Florida Tax Credit Scholarship Annual Maximum Gross Income Cap</i>	<i>Family Empowerment Scholarship* Annual Maximum Gross Income Cap</i>
1	\$ 23,606	\$ 33,176	\$ 38,280
2	\$ 31,894	\$ 44,824	\$ 51,720
3	\$ 40,182	\$ 56,472	\$ 65,160
4	\$ 48,470	\$ 68,120	\$ 78,600
5	\$ 56,758	\$ 79,768	\$ 92,040
6	\$ 65,046	\$ 91,416	\$ 105,480
7	\$ 73,334	\$ 103,064	\$ 118,920
8	\$ 81,622	\$ 114,712	\$ 132,360
9	\$ 89,910	\$ 126,360	\$ 145,800
10	\$ 98,198	\$ 138,008	\$ 159,240
11	\$ 106,486	\$ 149,656	\$ 172,680
12	\$ 114,774	\$ 161,304	\$ 186,120
13	\$ 123,062	\$ 172,952	\$ 199,560
	Each additional member + \$8,288	Each additional member + \$11,648	Each additional member + \$13,440

Allowable Methods to Collect Poverty Data Continued...

- Poverty data from a parent survey:
 - Designed by LEA
 - Provided to families by private school administrator
 - Collects data that is comparable to what data is collected in public schools to determine if a child is from a low income family.

Allowable Methods to Collect Poverty Data continued...

- Proportionality:
 - Applying the proportion of the low-income students of each Title I public school attendance area to the number of private school children who reside in that attendance area.

Allowable Methods to Collect Poverty Data continued...

- Equated measure:
 - Correlates two sources of data
 - For Example, if the private school does not have FRPL data but both public and private schools have data on Temporary Assistance for Needy Families (TANF).

Title I, Part A Proportionate Share Example

Public School Title I Attendance Area	Children from Low Income Families attending Public School(s)	Children from Low Income Families attending Private School(s)	Total Count of Children From Low Income Families
A	500	120	620
B	300	9	309
C	200	6	206
D	350	15	365
Total	1,350	150	1,500
Proportion of Population	90%	10%	100%
Proportionate Share	\$900,000	\$100,000	\$1,000,000

Proportionate Share under Section 8501

- LEAs are required to ensure that its expenditures for equitable services under Section 8501, ESEA, programs (e.g., Title II, Part A and Title IV, Part A) are equal on a per-pupil basis to the expenditures for participating public school children and educators, taking into account the number and educational needs of those children and educators.

Title II, Part A and Title IV, Part A Proportionate Share Example

A. Number of Students

A1. LEA Enrollment	900
A2. Participating Private Schools Enrollment	100
A3. Total Enrollment = A1 + A2	1,000

B. Title II, Part A Allocation

B1. Total LEA Allocation	\$1,000,000
B2. Administrative Costs (for public and equitable service)	\$50,000
B3. LEA Allocation Minus Admin Costs = B1 – B2	\$950,000

C. Per Pupil Rate

C1. B3 divided by A3	\$950
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D. Equitable Services

D1. Amount LEA must reserve for equitable services for private school teachers and other educational personnel = A2 x C1	\$95,000
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Title I, Part C and Title III, Part A

- Uses the same method as Title II, Part A to determine the proportionate share but instead of using total enrollment, it uses the number of students attending participating private school(s) that meet the student eligibility criteria (e.g. English Language Learner for Title III Part A).



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Third Part Vendor Contracts

Qualifications of teachers employed by the third party contractor

Teachers and Paraprofessionals Requirements

- Section 1111(g)(2)(J), ESEA, requires that teachers working in a Title I program meet applicable State certification and licensure requirements. Thus, State law would govern whether teachers or paraprofessionals hired by a contractor to provide Title I equitable services must meet a State's certification and licensure requirements. An LEA would apply any qualification requirements to a contract for equitable services that it applies to a contract for services for public school students.



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Questions



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