



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

Office of State Support (OSS)
and Office of Non-Public Education (ONPE)
U.S. Department of Education



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

Daphne Kaplan, Education Program Specialist, OSS

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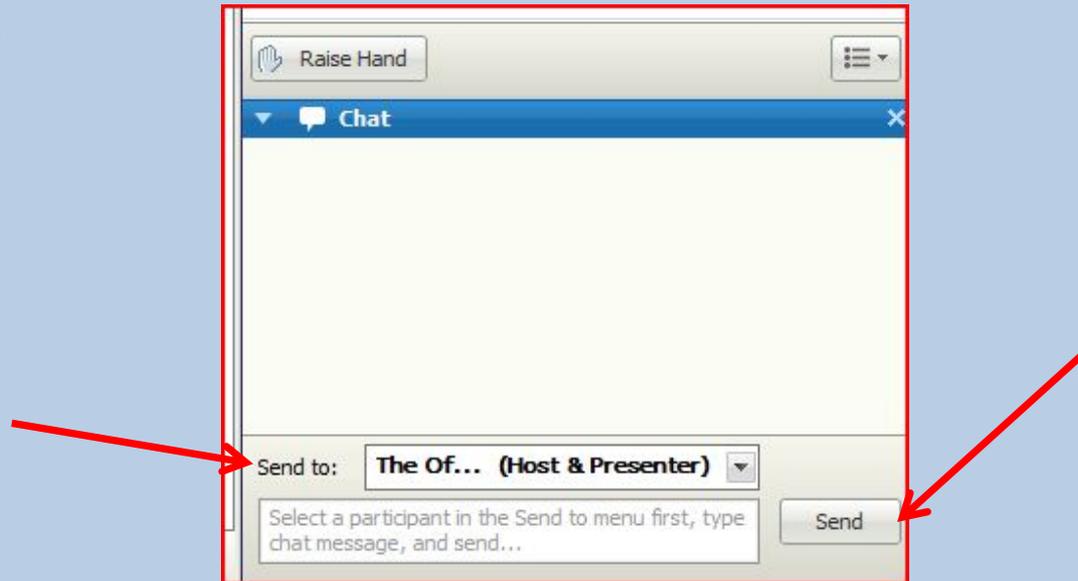
Jane Ross, Title II, Part A for Private School Teachers, California Department of Education (CDE)





Webinar Tools

Chat: How to Make a Comment or Ask a Question



Note: Today's webinar is being recorded.





Agenda

- Brief Overview of ONPE and OSS
- *ESEA* Equitable Services Requirements
- *ESEA* Consultation Requirements
- Title II, Part A
- Title II, Part A, State-level Activities
- Questions from Webinar Participants





ONPE

Student Loans	Grants	Laws	Data
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Office of Non-Public Education

Liaison to the nonpublic school community for the U.S. Department of Education

ONPE Mission and Activities

ONPE fosters maximum participation of nonpublic 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 nonpublic school community;
- Offering advice and guidance within the Department on all matters affecting nonpublic education;
- Communicating with national, state and local education agencies and associations on nonpublic education topics;
- Communicating the interests and concerns of the nonpublic 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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PROGRAMS

IMPROVING TEACHER QUALITY STATE GRANTS

Purpose	Funding Status
Eligibility	Laws, Regs, & Guidance
Applicant Info	Resources
Awards	FAQs
Performance	Contacts

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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.

Additional Information

In exchange for receiving funds, agencies are held accountable to the public for improvements in academic achievement. Title II, Part A provides these agencies the flexibility to use these funds creatively to address challenges to teacher quality, whether they concern teacher preparation and qualifications of new teachers, recruitment and hiring, induction, professional development, teacher retention, or the need for more capable principals and assistant principals to serve as effective school leaders.

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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

(continued)

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

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 students' and teachers' **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 and teachers;

(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.

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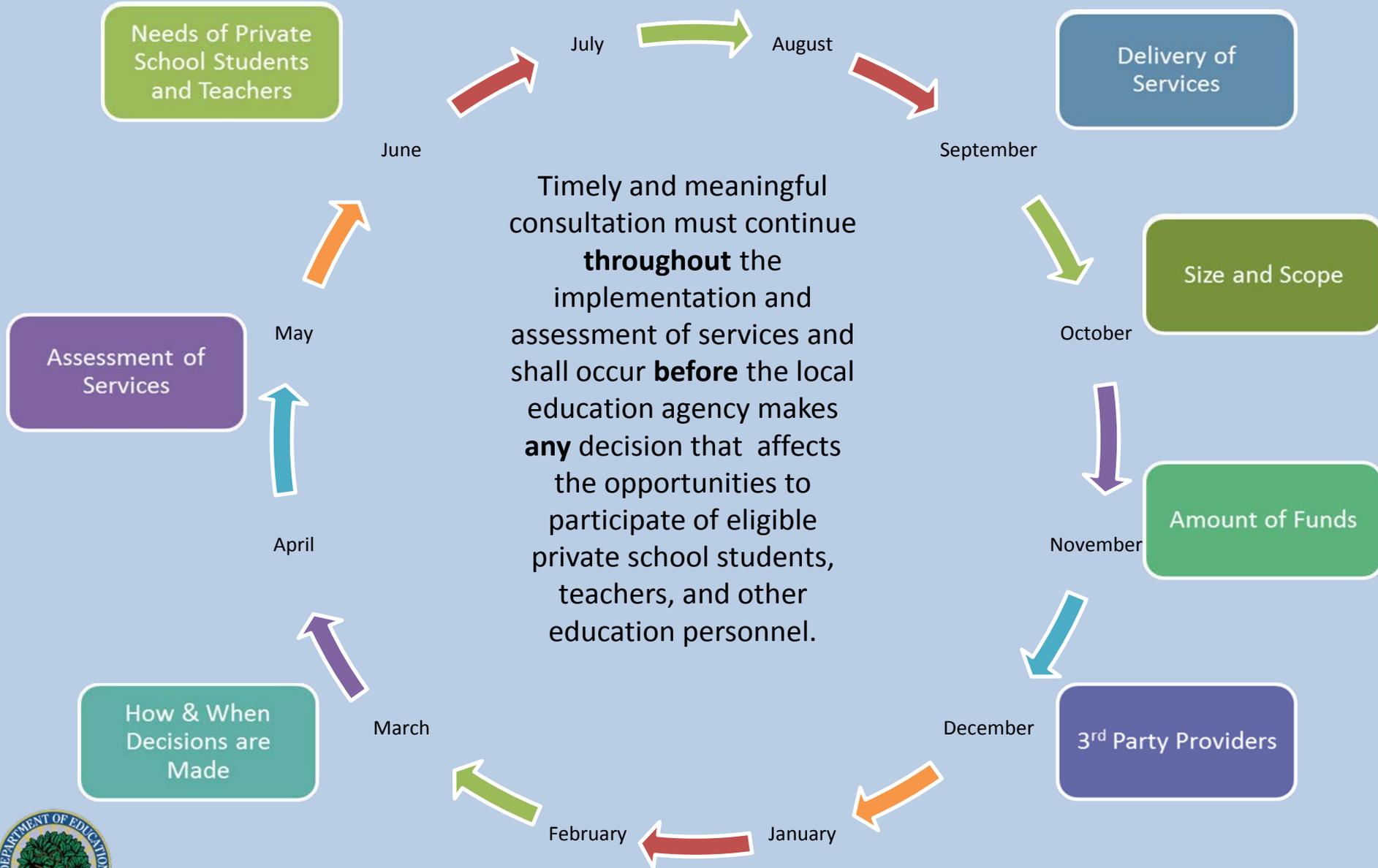


Consultation (continued)

- 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.



Consultation





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.





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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What Is Professional Development for Purposes of the Calculation?

- In determining what is professional development for purposes of the calculation, LEAs should consider the following: The costs of providing Title II, Part A-funded professional development, whether through LEA staff or others, including cost of equipment and supplies needed for this professional development. Examples may include:
 - Salaries of professional development coaches, mentor teachers who provide professional development to new teachers, special education mentors and instructional coaches;
 - Staff development in core content areas, teacher leadership programs, and professional learning communities programs; and
- The cost of administering Title II, Part-A funded professional development activities for private school teachers is not included in the equitable services calculation.



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 x D1)	\$1,600	\$4,000





Title II, A State-level Activities

- 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 Agencies for Higher Education (SAHE) 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, A State-level Activities

- SEAs must consult with appropriate private school officials on the design and development of its State-level activities, including identification of the needs of private school teachers and how, where, and by whom services will be provided.
- Based on these consultations, the State determines the uses of funds that are most appropriate to the State as a whole. Within the broad array of allowable activities and the amount of funding available, the SEA determines on the basis of consultation the methods by which services to meet the identified needs of private school teachers can best be met.
- The SEA determines the amount of Title II, Part A funds that it must reserve for equitable services to private school teaches by calculating, on a per-pupil basis, the amount available for all public and private children in the area served, taking into consideration the number and needs of the children, and their teachers.





California: Implementing ESEA Title II

Part A

Equitable Services at State Level

- California Private School Advisory Committee (CPSAC)
 - Statewide Leaders of ESEA-eligible Private Schools (PS)
 - Represents PS in State-level PS Consultation
- Private School Work Group (PSWG)
 - Ad hoc, Issue-specific Group of Public and Private School Representatives



California Private School Advisory Committee

- Created in 1986 to represent California's nonprofit PS
- Under ESEA, this body participates with CDE in mandated State level PS consultation process.
- Comprised of 9 statewide and regional PS associations and organizations
- Represents broadly inclusive needs, interests of > 85% of California's nonprofit PS

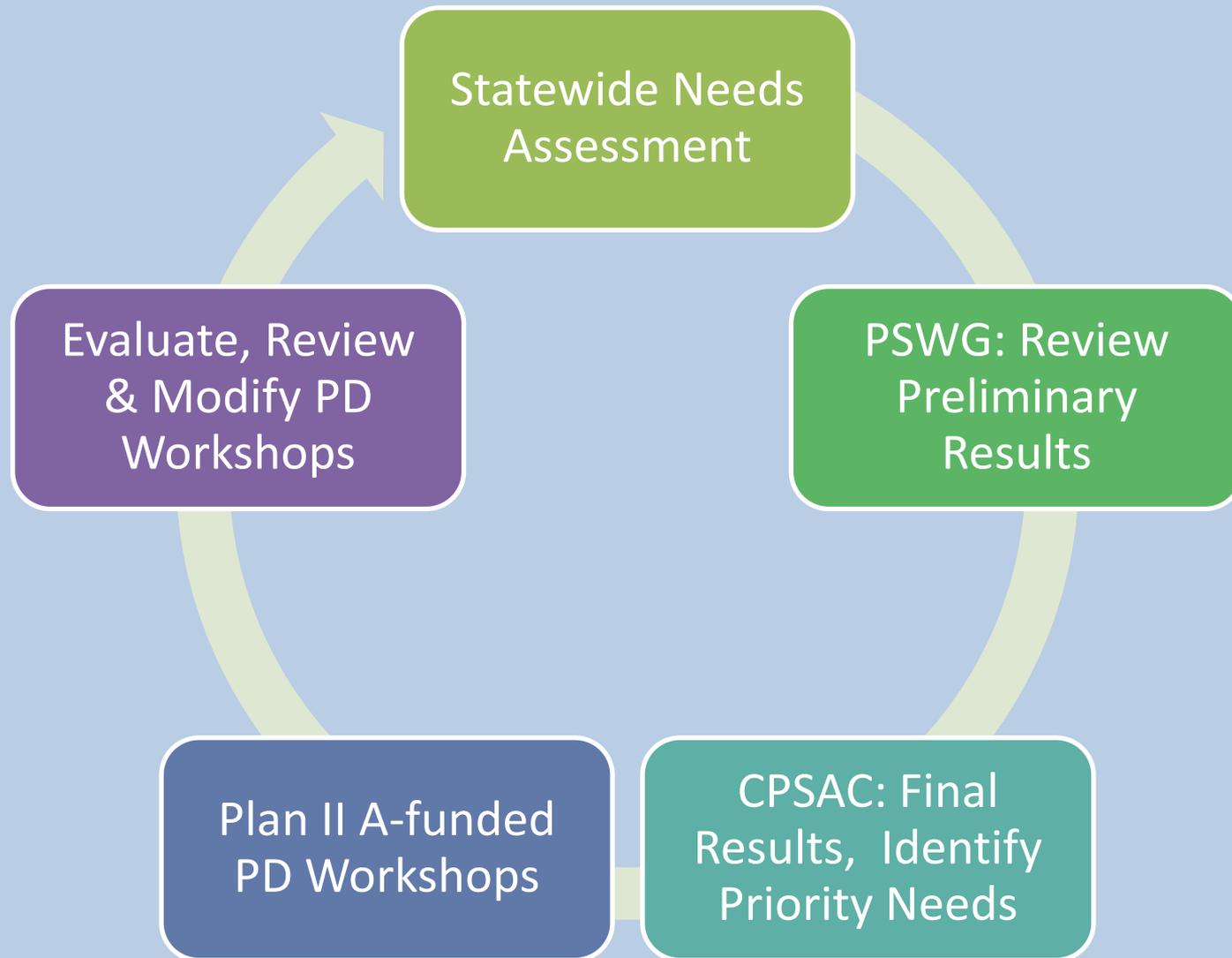


California Private School Work Group

- Small group representing a subset of CPSAC and public school representatives from LEAs and/or CDE
- Convened by CDE on an ad hoc basis to support the CDE and CPSAC in collaborative discussions, problem solving, and work addressing specific tasks and issues
- Issues: ESEA Reauthorization, Title II A Needs Assessment Results/Recommendations, etc.



CDE and CPSAC: Collaborative Process





Recommended Practices

- Create a PS advisory committee, inviting representatives from PS organizations that represent the majority of eligible PS.
- Collaborate in all decisions affecting ESEA equitable services.
- Establish and nurture relationships!
- Learn and share the pertinent statutes, formulas.
- Work on meaningful projects; e.g., FAQs, guidance documents; best practices for compliance with ESEA/reauthorization, etc.

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): <https://connected.ed.gov/SitePages/Default.aspx>.
- U.S. Department of Education *Title IX Guidance on Equitable Services to Eligible Private School Students and Teachers*:
<http://www2.ed.gov/about/offices/list/oii/nonpublic/nclbinfo.html>.
- ONPE listserv for announcements about upcoming webinars on ESEA equitable services: <http://www2.ed.gov/about/offices/list/oii/nonpublic/onpesignup.html>.
- Title II, Part A webpage: <http://www2.ed.gov/programs/teacherqual/index.html>.
- Office of Management and Budget, 2 CFR Chapter 1, Chapter II, Part 200, et al. *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Rewards (Federal Register, December 26, 2013)*:
<http://www.gpo.gov/fdsys/pkg/FR-2013-12-26/pdf/2013-30465.pdf>.





Questions from Participants





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. 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.





Contact Us!

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