

Identifying Eligible Students, Teachers and Services within Each Grant

DPI Guidelines for ESEA Equitable Services, Part 5

Overview

As discussed in *Part 4* of these *Guidelines*, private schools and districts should understand their respective roles and parameters governing all ESEA equitable service programs. The following sections address how each grant may be used for services to eligible students and teachers. During consultation and throughout implementation, district staff should be familiar with this information to ensure effective services.

Title I-A

Unlike students who generate Title I-A funding, students eligible to receive Title I-A services are not anonymous and are not necessarily from low-income families. *NOTE: The identification of eligible students discussed below should not be confused with the proportionate share calculations described in Part 6 of these Guidelines.*

Eligible students may be identified during the consultations or throughout the upcoming year. An eligible student is one who:

- would have attended one of the district's Title I-A served schools, based on residency, had they not attended the private school and
- is at-risk according to 1115(c)(1) of ESSA or meets one of the sub-group descriptors in 1115(c)(2)(B through E).

At-risk determination must be based on "multiple, educationally related, objective criteria" as described in ESEA 1115(c)(1). The agenda for consultations should provide time to spell out this requirement and for the private school to share appropriate criteria if they already have them in place. A school needing time after the initial consultation to develop these criteria should be advised to do so promptly, as a prerequisite to the implementation of services. This process may not be paid for with Title I-A funds, but districts are encouraged to offer suggestions to private schools if needed. Once the criteria are in place, Title I-A funds may be used to select participants from among students who are eligible and to determine the specific educational needs of those children. The list of served students may be adjusted throughout the year, depending on their academic performance as measured by the appropriate criteria.

Title I-A services may include remediation, counseling, mentoring, computer-assisted instruction and other benefits provided at school or at home, as described in ESEA 1117(a)(1). The district's plans must offer reasonable expectation to improve academic achievement and ensure success in school. While it is expected that Title I-A might focus on reading, language arts, math and science, other subjects may also be included if they are an essential part of the school's academic program.

It is important to remember that implementation of Title I-A at a private school is akin to a district's targeted assistance school. Therefore, PD provided with Title I-A, must be focused on the needs of identified students. Materials, equipment and supplies purchased with federal funds must be used in

support of allowable services the district provides to properly identified students, rather simply turned over to the private school staff for their use. Furthermore, hiring district staff and contracting with vendors must be done according to certain constraints. *Part 4* of these *Guidelines* explains more about these topics.

If the district's Title I-A allotment exceeds \$500,000, at least 1% of the Title I-A equitable services budget must be spent on activities to support parent and family engagement (PFE). This may include providing materials to share with parents of eligible students to inform them about the services or to increase their capacity to assist their children at home. Time spent by district-funded staff to participate in or help private school teachers prepare for conferences with parents of identified students could also be counted towards the PFE effort.

Title I-A funds may not be used to provide services that would otherwise be required by law to be made available, but they may supplement such services. For example, IDEA equitable services are made available to private schools for their students who have disabilities. Therefore, while Title I-A could be used to supplement those services, it may not be used as the primary source of funds to address disabilities, even if the private school or the parents refuse participation in IDEA.

Title II-A

During or shortly after the consultation meeting, private schools should be able to identify instructional needs that would be addressed through improvements in the quality of teaching or school leadership, typically through PD. The appropriate ways districts can provide PD, including the limited instances in which they may directly reimburse individuals who participate in PD, are explained in *Part 4*.

The areas in which staff may receive training are not restricted to certain academic subjects and include a variety of topics, as described in ESEA Section 2103(b)(3). Generally, services may be provided to teachers and school leaders, but training to prevent child sexual abuse may be offered to all school personnel, including paraprofessionals.

Some activities that are allowed for district programs are not allowed in equitable services. Class-size reduction, salary differentials and incentive pay are not allowed, because private school teachers are supervised by the school for implementation of its instructional program. Likewise, activities to support evaluation, recruitment and retention of staff may be difficult to implement without supplanting operational processes normally conducted by a school. In addition, such activities may be difficult to supervise and evaluate in the scope of equitable services implementation.

Title III-A

Title III-A is intended to address the needs of identified English learners (ELs) and immigrant students. Therefore, students eligible for Title III-A services may be identified during the initial consultation, but others may also be identified in the upcoming year during implementation.

PLEASE NOTE: The proportionate share calculation is dependent on the numbers of students identified during consultation, as explained in Part 6 of these Guidelines. Changes in the numbers of identified students during the implementation year will not affect the proportionate share calculation.

The district will use PRC 104 funds to serve ELs at private schools participating in Title III-A. Initial identification of these students may be based on the WIDA screener, which is available without additional cost to school districts in North Carolina. The results from this test are valid for one year, after which students may be re-tested (i.e., annually assessed) with the WIDA screener or the ACCESS assessment. However, the ACCESS assessment may not be aligned with standards used by the private school and will not yield results until June. Also, the costs for administering ACCESS would be counted as proportionate share expenditures. Alternatively, if the private school subscribes to a service of its own choosing, the district may agree to recognize those results for initial and/or annual identification of ELs.

PRC 111 will fund equitable services to private school *immigrant students* who are identified by the same [criteria used for public school students](#). This is different from identification of *migrant students* who are served by Title I-C, as described below.

Title III services may include tutoring, summer programs, PD and supplemental instructional materials and supplies. Anyone with questions about identifying or serving ELs and immigrant students may visit the [DPI English Learner web page](#) or contact Marshall.Foster@dpi.nc.gov or Susan.Walz@dpi.nc.gov.

Title I-C

Migrant students are identified by trained school district staff or by recruiters from the North Carolina Migrant Education Program. During consultations, district staff or the recruiters should be able to explain the [identification procedures and the types of services](#) available under Title I-C. More details can be found at [the DPI Migrant Education web page](#) or from DPI coordinators Heriberto.Corrall@dpi.nc.gov, Juan.Alvarez@dpi.nc.gov and Hunter.Ogletree@dpi.nc.gov.

Title IV-A

During consultation the private school should identify, using measurable terms, specific needs that may be addressed with the Student Support and Academic Enrichment grant (Title IV-A). [USED's Non-Regulatory Guidance](#) provides information about the types of activities that may be conducted in the following three areas:

- A. well-rounded educational opportunities
- B. safe and healthy students and
- C. effective use of technology.

For districts with allotments over \$30,000, the twenty percent minimums for areas A and B and the 15% maximums for area C apply to the entire PRC 108 budget, which includes the proportionate share. In other words, because all funds for equitable services are spent by the district (and none by private schools), the percentages are tallied without regard to which dollars are for equitable services and which are for the district's needs. Therefore, services provided at private schools may or may not include all three of the areas listed above.

Title IV-B

Districts participating in 21st Century Learning Center grants are required to reach out to certain private schools, as described in their approved application for Title IV-B funds. For more information, district staff should visit the [DPI 21st Century Community Learning Center web page](#) and contact the DPI program administrator assigned to their grant.

For additional information about equitable services under the Elementary and Secondary Education Act, contact Talbot Troy at 984-236-2797 or talbot.troy@dpi.nc.gov.