

# Title I Private School Services – Frequently Asked Questions

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## Collecting Information on Students Attending Private Schools

### **How should my district collect poverty data on private school children?**

Section 1120(c)(1) of the Title I statute and §200.78(2) of the regulations allow a district to calculate the number of children who are from low-income families and attend private schools in several ways. Descriptions of the different allowable methods can be found in the federal non-regulatory guidance . Using the same measure of poverty that is used by the district to gather low-income information for public school students is the most equitable approach. In most cases, that measurement is qualification for participation in the Free or Reduced-Price Lunch program.

### **How should eligible non-public schools be contacted and what should my district do if the private schools do not respond?**

On at least an annual basis, a district must contact officials of private schools serving children who reside in the district regardless of whether the private school those children attend is located in the district. The district may choose to extend an invitation to officials of the private schools and convene a meeting at which district officials explain the intent of Title I and the roles of public and private school officials, and to provide opportunities for private school officials to ask questions. Alternatively, a district may choose to send an offer of participation and consultation by return receipt mail. The return receipt can serve as evidence that a private school received an offer of participation in Title I services, and may thus facilitate a district's attempts to gather information from private schools within the established "reasonable deadline" for response.

### **If my district supports a Title I pre-school program, must we conduct outreach activities to private school students at this level?**

No. The equitable services requirement applies only to children who attend private elementary and secondary schools and does not apply to children attending private pre-school programs, unless the State considers pre-school to be part of elementary education. Massachusetts does not currently consider pre-school to be a required component of elementary education.

## Determining Eligibility for Private School Title I Services

### **Are private school children from low-income families the students who are eligible for Title I services?**

No. Although the number of low-income students attending private schools and residing in a public school attendance area is the source of funding for private school student Title I services, student eligibility for Title I services for private school children is determined by (1) residence in a participating public school attendance area, and (2) educational need. Poverty is not a criterion that can be used for selection of eligible students for participation in the Title I program.

### **How are private school children identified as residing in a participating public school attendance area if the district is operating under an open enrollment, desegregation, or magnet plan?**

If a district is unable to collect reliable data on non-public school children residing in public school attendance areas, a district may identify a public school as eligible solely on the basis of public school enrollment. If the district chooses to identify eligible schools in this way, the district must, in consultation with private school officials, determine an equitable way to identify eligible private school children. For example, the district may assign a private school child to the public school attendance area in which the child resides or to the public school that the child would have attended if not enrolled in a private school.

**When a child who is most at risk of failing resides in a Title I attendance area in one district and attends a private school in another district, which district is responsible for serving the child?**

Section 200.62(b)(1)(i) of the Title I regulations defines Title I-eligible private school children as those who reside in participating public school attendance areas of the district, regardless of whether the private school they attend is located in the district. Thus, the district in which the child resides is responsible for providing services to the child, but may arrange to have services provided by another district and reimburse that district for costs.

**How are out-of-district Special Education placements accounted for?**

Students who are out-placed for special education services are counted in the attendance area count of students in the school attendance area in which they reside and in the low-income count of that area, if applicable.

**What if a student who resides in my district attends a private school in another state?**

Neither the federal law, regulations nor guidance address this specific scenario. The Massachusetts Department of Elementary and Secondary Education recommends that if the private school is within a reasonable distance from your district that you offer participation and consult with private schools that may be located across state borders.

## **Providing Title I Services to Eligible Private School Students**

**Once participants are selected, how is it determined what Title I services are to be provided?**

A district, in consultation with appropriate private school officials, determines the appropriate Title I services based on the needs of the private school students. Title I services may be provided in subject areas or at grade levels that are different from those provided public school students, as long as these services are provided in the same grade-span as the services provided to public school children. These services must hold reasonable promise that the academic performance of private school participants will improve.

**What types of services are available for private school participants?**

Services for participating private school children include, but are not limited to, the following:

- Instructional services provided by public school employees or third-party contractors.
- Extended-day services.
- Family literacy programs.
- Counseling programs.
- Computer-assisted instruction (CAI).
- Home tutoring.
- Instruction using take-home computers.

**Is it allowable to have eligible private school students attend public school programs for the private school students' equitable Title I service?**

Yes. As long as such an arrangement was agreed upon between the district and the private school during consultation and services match student needs, then such an arrangement is allowable.

**May a district use the private school's assessment data to determine progress of the district's Title I program?**

Yes. Officials of the private schools may provide the district with the assessment data on Title I participants that the private school has collected as part of its testing program. However, private school officials are not obligated to do this, and refusal by private school officials to provide these data does not release the district from its obligation to provide services and assess the progress of the private school participants in the Title I program.

Every year the district and private school officials must consult on what constitutes annual progress for the Title I program. If the Title I program for the private school participants does not make the expected annual progress, the district must annually make modifications to the Title I program.

**Do private school service requirements exist for the other NCLB grants?**

Yes. Eligibility and participation requirements differ, however, from those of Title I. For non-Title I NCLB grants a district is obligated to offer equitable participation to all students enrolled in schools that are located within the district's boundaries only.