



NONPUBLIC SCHOOLS HANDBOOK



OKLAHOMA
Education

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Introduction

Under the Elementary and Secondary Education Act (ESEA), as reauthorized by the Every Student Succeeds Act (ESSA), there are a number of programs that require the equitable participation of private school students, teachers, principals and other school leaders. The ESSA requires local education agencies (LEAs) to provide services to private school students, teachers, principals, and other school leaders that are equitable to those provided to students, teachers, principals, and other school leaders in the LEA.

Participating programs include:

- Title I, Part A – Improving the Academic Achievement of the Disadvantaged
- Title I, Part C – Education of Migratory Children
- Title II, Part A – Preparing, Training, and Recruiting High Quality Teachers, Principals, and Other School Leaders Supporting Effective Instruction
- Title III, Part A – English Language Acquisition and Language Enhancement
- Title IV, Part A – Student Support and Academic Enrichment Grant
- Title IV, Part B – 21st Century Community Learning Centers

Chapter 1: Elementary and Secondary Education Act (ESEA) Programs

1.1. Nonpublic School Eligibility for Participation in Equitable Services

Elementary and secondary nonpublic schools, including those in religiously affiliated schools, with nonprofit status are eligible to participate in many ESEA programs. As part of the process on the Grants Management System (GMS) each year the district commits to assurances related to participation of nonpublic schools.

1.2. ESEA Program Descriptions

Title I, Part A Improving the Academic Achievement of the Disadvantaged - The purpose of Title I, Part A funding is “to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.” Title I, Part A authorizes federal aid to LEAs for the education of disadvantaged children. Title I, Part A funding may provide supplementary educational and related services to low-achieving and other students attending elementary and secondary schools with relatively high concentrations of students from low-income families, as well as eligible students who live in the areas served by these public schools but attend private schools.

Title I, Part C Education of Migratory Children – The purpose of Title I, Part C funding is for the education of migratory children and youth. A migratory child or youth is one who made a qualifying move in the preceding thirty-six months as a migratory agricultural worker or migratory fisher or moved with or to join a parent or spouse who is a migratory agricultural worker or migratory fisher. Among other purposes, the program assists states in supporting high-quality, comprehensive educational programs and

services during the school year, summer, and intersession periods that address the unique needs of migratory children.

Title II, Part A Preparing, Training, and Recruiting High Quality Teachers, Principals, and Other School Leaders Supporting Effective Instruction – The purpose of Title II, Part A funding is for the preparation, training, recruitment, retention, and professional development of elementary and secondary education teachers and school leaders.

Title III, Part A English Language Acquisition, Language Enhancement, and Academic Achievement Act – The purpose of the Title III, Part A funding is for English learners (EL), including immigrant students, attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging state academic standards that all students are expected to meet.

Title IV, Part A Student Support and Academic Enrichment (SSAE) – The purpose of Title IV, Part A funding is to improve students' academic achievement by increasing the capacity of states, LEAs, schools, and local communities to (1) provide all students with access to a well-rounded education, (2) improve school conditions for student learning, and (3) improve the use of technology in order to increase the academic achievement and digital learning of all students.

Title IV, Part B 21st Century Community Learning Centers – The purpose of the Title IV, Part B funding is to support activities provided during non-school hours that offer learning opportunities for school-aged children. Local entities may use funds for activities that improve student academic achievement and support student success, such as academic enrichment learning programs, mentoring, tutoring, well-rounded education activities, programs to support a healthy and active lifestyle, technology education, expanded library service hours, parenting skills programs, drug and violence prevention programs, counseling programs, STEM programs, and programs that build career competencies and career readiness.

Chapter 2: Consultation

To ensure timely and meaningful consultation, an LEA must consult with appropriate nonpublic school officials during the design and development of the proposed programs. Meaningful consultation provides ample time and a genuine opportunity for all parties to express their views, to have their views seriously considered, and to discuss viable options for ensuring equitable participation of eligible nonpublic school students, teachers, and other education personnel, and families. It is important that attention be given to the timing of the consultation so that decisions that affect the opportunities of eligible nonpublic schools to participate in equitable services are made only after discussions have taken place. The quality of the consultative process will likely have an effect on the quality of services to nonpublic school. Consultation shall continue throughout the implementation and assessment of activities.

Consultation Topics

1. How the children's and/or school's needs will be identified;
2. What services will be offered;
3. How, where, and by whom the services will be provided, including those provided by other districts, if applicable;
4. How the services will be assessed and how the results of the assessment will be used to improve those services;
5. The size and scope of the equitable services to be provided to the eligible nonpublic school children, teachers, and other educational personnel, the amount of funds available for those services; and how that amount is determined;
6. As applicable for Title I, Part A, the method or sources of data that are used to determine the number of children from low-income families living in Title I-A participating school attendance areas who attend nonpublic schools, including whether the district will extrapolate data if a survey is used;
7. 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 nonpublic school officials on the provision of services through potential third-party providers;
8. When services will be provided;
9. How, if the LEA disagrees with the views of the nonpublic school officials on the provision of services through a contract, the district will provide in writing to such nonpublic school officials an analysis of the reasons why the district has chosen not to use a contractor;
10. Whether the agency shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor;
11. Administrative costs;
12. Method/sources of poverty data used; (Title I, Part A only)
13. Whether to provide equitable services to eligible nonpublic school children-
 - a. by creating a pool or pools of funds with all of the funds allocated under subsection (a)(4)(C) based on all the children from low-income families in a participating school attendance area who attend nonpublic schools; or
 - b. in the agency's participating school attendance area who attend nonpublic schools with the proportion of funds allocated under subsection (a)(4)(C) based on the number of children from low-income families who attend nonpublic schools (ESSA 8501 (c));
14. If the LEA plans to transfer funds from one program to another, the LEA must first consult with the nonpublic school. The LEA must then provide nonpublic school students and teachers equitable services under the program(s) to which, and from which, the funds are transferred, based on the total amount of transfer funds available to each program after the transfer (ESSA 5103(e)(2));
15. For Title I, Part A, whether to consolidate and use Title I, Part A funds provided in coordination with eligible funds available for services to nonpublic school children under applicable programs, as defined in section 8501(b)(1), to provide services to eligible nonpublic school children participating in programs.

2.1. Timeline for LEA Consultation with Nonpublic Schools

Month(s)	LEA Activity
August – September	<ul style="list-style-type: none"> • LEA will begin services and programs at the participating nonpublic schools • Consultation resumes with participating nonpublic officials regarding the programs and service implementation • Establish timelines • Facilitate procedure for nonpublic school student count • LEA will continue technical assistance as needed
October	<ul style="list-style-type: none"> • Continue consultation with participating nonpublic school(s) regarding current fiscal year programs and services • LEA will continue technical assistance as needed
November – December	<ul style="list-style-type: none"> • Continue consultation with participating nonpublic school(s) regarding current fiscal year programs and services • LEA should obtain and confirm a list of all nonpublic schools within the district attendance area • LEA will continue technical assistance as needed
January	<ul style="list-style-type: none"> • Continue consultation with participating nonpublic school(s) regarding current fiscal year programs and services • Each LEA will create the Equitable Services to Nonpublic Schools Application in the Grants Management System (GMS) and begin communicating with nonpublic schools located in the district’s attendance area (Title II, III, and IV) and area nonpublic schools with students residing in a participating school attendance area (Title I, Part A) • LEA should conduct consultation meetings with nonpublic school officials, providing a general overview of programs that will be available to their students and teachers for the next fiscal year • LEA will consult with nonpublic school officials to identify students’ and teachers’ needs, discuss services and estimated funding figures, design programs, and establish priorities for the next fiscal year
February – March	<ul style="list-style-type: none"> • Continue consultation with participating nonpublic school(s) regarding current fiscal year programs and services • LEA will submit completed Equitable Services to Nonpublic Schools Application in the Grants Management System (GMS) to the Office of Title Services by end of March

<p>April – June</p>	<ul style="list-style-type: none"> • Continue consultation with participating nonpublic school(s) regarding the next fiscal year programs and services • LEA and nonpublic official will evaluate programs and services for the current fiscal year and make suggestions for modifying programs that will be implemented for the next fiscal year • LEA and nonpublic school official will complete plans for programs and services and set dates for when they will begin the next fiscal year
<p>July – August</p>	<ul style="list-style-type: none"> • Continue consultation with participating nonpublic school(s) regarding the next fiscal year programs and services • LEA will inform and update the nonpublic school officials about programs and services for the upcoming school year • LEA will provide equitable share amounts to the nonpublic school for the upcoming school year • Confirm nonpublic status and administrative changes

Chapter 3: Fiscal Requirements

3.1 Determining Equitable Share

Under ESEA, each federal program has unique guidance for determining the equitable share. The equitable share is calculated using formulas provided by the United States Department of Education (USDE) using data provided by the LEA and nonpublic schools. When calculating the proportionate share of federal funding to serve nonpublic school students, their families, and teachers, the SEA will base that share on the total allocation the LEA receives prior to reserving any funds for specific public school uses. The SEA receives the federal funding, disperses it to the LEAs, and the LEA informs the nonpublic school officials of the amount of funding available to serve their students, their parents, and their teachers in each of the programs. The population data is sent from the United States Department of Education (USDE) that uses the Census Bureau Small Area Income and Poverty Estimate (SAIPE) report. Public school enrollment numbers are utilized from the data LEAs submit to OSDE in October in the year of consultation prior to the provision of services and from the private school enrollment on the same date. This ensures consistent use of official data and reduces the chances that students will be duplicated in enrollment numbers provided by public and private schools.

Title I, Part A – Improving Basic Programs Operated by State and Local Education Agencies

In ESEA the proportional share of Title I, Part A funds for private schools shall be determined based on the total amount of Title I, Part A funds received by the LEA prior to any allowable expenditures or transfers by the LEA. The steps to determine the **proportionate share formula** are calculated as follows:

- The LEA determines the participating public school attendance areas of Title I schools only.
- The LEA determines the number of children from **low-income families** residing in each participating area (Title I schools) who attend public and private schools.
- The LEA determines proportion of children from low-income families residing in each participating area (Title I schools) who attend private schools.
- The LEA applies the private school proportion to the LEA's total Title I allocation to determine the equitable services proportionate share.

The LEA may request documentation, as needed, from nonpublic school officials that enables the LEA to provide Title I services. Acceptable forms of documentation include information to identify nonpublic school students who generate funds for equitable services and identify students who are eligible for Title I equitable services. Nonpublic school officials would need to provide information for achievement of eligible nonpublic school students to determine their need for Title I services and, in consultation with nonpublic school officials, what services would be provided. Nonpublic school officials may also need to identify eligible students who reside in an LEA different from the one in which the nonpublic school is located and alert the relevant LEA of the students' eligibility.

Title I, Part C – Education of Migratory Children

Students who attend nonpublic school are eligible to receive MEP services if they: 1) meet the statutory and regulatory definition of a migrant child; 2) meet the priority for services criteria in Sec. 1304(d); and 3) have unique needs of migratory children identified through the state's comprehensive needs assessment and service delivery plan.

Title II, Part A – Preparing, Training, and Recruiting High Quality Teachers, Principals, and Other School Leaders Supporting Effective Instruction

The Title II equitable share amount is based on the total number of students within the district attendance area. The total student count will include public and nonpublic school students. Title II, Part A allocations are determined on a per pupil basis. First, during consultation, LEAs and private schools determine the amount to be set aside for administrative costs in support of the LEA and private schools. The remainder of the grant is subject to per pupil.

Title III, Part A – English Language Acquisition, Language Enhancement and Academic Achievement

The Title III district equitable share amount is based on the number of students who qualify as English learners (EL) based on a language assessment. The Title III equitable share amount is determined based on the number of EL students reported by the nonpublic school and verified by the public school on the Equitable Services to Nonpublic Schools Application, which is submitted to the Office of Title Services.

Title IV, Part A – Student Support and Academic Enrichment (SSAE)

The Office of Title Services (OTS) calculates the Title IV equitable share using the number of total students served within the district boundaries. This will include the

public school student count and the nonpublic school student count. The per-pupil amount is then multiplied by the number of nonpublic school students. Nonpublic schools are not obligated to use funds in all three content areas regardless of the Title IV equitable share amount. Nonpublic schools are not required to complete a needs assessment or specific allocations for safe and healthy students or well-rounded education; however, the fifteen percent technology spending cap is applicable.

Title IV, Part B – 21st Century Community Learning Centers (CCLC)

Equitable participation of nonpublic school students applies to eligible students who attend nonpublic schools that reside within the district attendance area of the targeted school identified by the eligible organization submitting a grant application. The purpose of the 21st CCLC program is to assist and support students academically by providing them with academic enrichment activities and a broad array of other activities during non-school hours or periods when school is not in session. Any public or private organization is eligible to apply for a 21st CCLC grant. Applicants may request funds based on need and proposed services to the target population.

3.2 Equitable Share Carryover

In general, to ensure equitable services are provided in a timely manner, an LEA must obligate the funds allocated for equitable services under all applicable programs in the year for which they are appropriated. ESEA Sections [1117\(a\)\(4\)\(B\)](#) and [8501\(a\)\(4\)\(B\)](#)

There may be extenuating circumstances, however, in which an LEA is unable to obligate all funds within this time frame in a responsible manner. Under these extenuating circumstances, the funds may remain available for the provision of equitable services under the respective program(s) during the subsequent school year. In determining how such carryover funds will be used, the LEA must consult with appropriate nonpublic school officials. ESEA Sections [1117\(b\)](#) and [8501\(c\)](#) The public and nonpublic school representative(s) must complete the Nonpublic Equitable Services Carryover Form; if after consultation, both representatives decide there are extenuating circumstances. The Oklahoma State Department of Education's (OSDE) Office of Title Services (OTS) will review and notify the public school district regarding the determination. If there are no extenuating circumstances, carryover funds become part of the general pool of funds available for expenditures for programs for public schools and participating private school children and educators for the next year. In the case that there is an extenuating circumstance, the carryover must be used in the following year to provide equitable services to children and educators in the affected private school in addition to the equitable share for that year. [Title VIII, Part F of the Elementary and Secondary Education Act of 1965: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel Non-Regulatory Guidance 2023](#)

3.3 LEA Responsibilities

The following is a list of LEA responsibilities when it comes to administering the program on behalf of the nonpublic school -

- The LEA must purchase materials or procure services on behalf of the nonpublic school.
- LEAs providing equitable services retain control of the federal funds. All services must be provided either by an employee of the LEA or by third-party contract.
- The LEA must maintain control of funds and title to materials, equipment, and property purchased on behalf of the nonpublic school with federal funds.
- The LEA is required to remove any equipment and supplies purchased for the equitable services at the nonpublic school if the nonpublic school no longer needs these items to provide services. [34 C.F.R. §76.661](#)
- All employment, contracts, and services shall be under the control and supervision of the LEA. LEAs are not allowed to reimburse the nonpublic schools. The LEA may only obligate and expend federal funds on behalf of nonpublic schools.
- LEAs may use federal funds to reimburse an individual nonpublic school teacher or principal for costs associated with professional development activities the LEA has pre-approved, that meets the reasonable and necessary cost principles, and is in compliance with the program statute, UGG, and EDGAR.
- LEAs must not reimburse for unallowable activities. Educational services or other benefits including materials and equipment shall be secular, neutral, and non-ideological. In some scenarios, nonpublic schools and LEAs may determine that the proration of costs is necessary to meet this requirement.

Chapter 4: Eligible ESEA Program Activities

Eligible Activities

As with any activity that the LEA carries out for public schools, activities supported with ESEA funds that benefit nonpublic school students and teachers must meet the requirements of the statute, Uniform Grant Guidance (UGG), and the Education Department General Administrative Regulations (EDGAR). The needs should be identified during the consultation process and monitored during ongoing consultation that coincides with implementation. Educational services or other benefits, including materials and equipment, shall be secular, neutral, and non-ideological. Services must benefit eligible students, their teachers, and families and not the nonpublic school. [34 C.F.R. §76.658](#)

LEAs often want specific examples or lists of allowable costs for the use of ESEA funds. However, allowability is determined by the circumstances surrounding the potential expenditure.

The following questions should be considered when determining allowability of an expenditure –

1. Is the expenditure "reasonable and necessary" to carry out the intent of the program?

2. How is the expenditure related to a high-need, core student achievement areas identified in the comprehensive needs assessment and specifically described in the district or school plan?
3. If the expenditure is for professional development, is it aligned to student need and delineated in the district or school plan?
4. If the expenditure is for family engagement, does it increase the understanding of families in how to support their student(s) and is it included in the district or school plan?
5. If the expenditure is questionable, is there a more appropriate funding source to use?

Allowable Cost

An allowable cost must meet the following criteria -

1. Be necessary and reasonable for the performance of the grant,
 - a. A cost is “necessary” if it meets an important program objective. The cost must address an identified need.
 - b. A cost is considered “reasonable” if, in its nature and amount, it does not exceed that which would be incurred by a prudent person.
2. Conform to any limitations or exclusions,
3. Be consistent with policies and procedures,
4. Be accorded consistent treatment,
5. Be determined in accordance with generally accepted accounting principles,
6. Not be included as a cost or used to meet cost sharing or matching requirements,
7. Be adequately documented, and
8. Costs must be incurred during the approved budget period. [2 C.F.R. §200.403](#)

Allocable Cost

A cost is allocable to a particular federal award if the goods or services involved are assignable to that federal award in accordance with relative benefits received. [2 C.F.R. §200.405\(a\)](#)

1. To what extent are the expenditures charged to a particular grant program benefiting the program?

Needs Assessment

When determining activities, the LEA and nonpublic school representative(s) must take into consideration the need and goal of the activity. The LEA and nonpublic school representative(s) must consider data measured through the implementation of the activity, the performance measure, and the expected outcome. ESEA requires the use of funds to be driven by data, to ensure the subrecipient is utilizing the funds in a way that will benefit the needs of the students. [ESEA 1114\(b\)\(6\)](#), [ESEA Section 4106\(d\)](#)

Supplement, Not Supplant

In general, ESEA funds must be used to supplement state and local funds available. Each ESEA program has specific supplement, not supplant requirements that need to

be followed. [ESEA Section 1118\(b\)\(1\)](#), [ESEA Section 2301](#), [ESEA Section 4110](#), [ESEA, Section 5232](#), [34 C.F.R. §200.29\(b\)\(2\)\(viii\)](#), [34 C.F.R. §200.25\(d\)](#)

Evidence Based Interventions

Evidence-based interventions are practices or programs that have evidence to show they are effective at producing results and improving outcomes when implemented. [ESEA Section 8101\(21\)](#)

4.1 Allowable and Unallowable Expenditures

Title I, Part A	
Allowable	Unallowable
<p>Supports for Students:</p> <ul style="list-style-type: none"> • Supplemental teachers and paraprofessionals (LEA employee only) • Proportional benefits for Title I, Part A salaries • Counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve students’ skills outside the academic subject areas • Pre-kindergarten, summer, and extended day programs • Transportation for Title I, Part A programs if not otherwise available • Field trips aligned with academic content • Preparation for and awareness of opportunities for postsecondary education and the workforce. This may include career and technical education programs and broadening secondary school students’ access to coursework to earn postsecondary credit while still in high school (such as Advanced Placement, International Baccalaureate, dual or concurrent enrollment, or early college high schools) 	<p>Supports for Students:</p> <ul style="list-style-type: none"> • Proportional salary for time not spent on working on Title I, Part A activities • Salary for any positions that are required under state law • Everyday student transportation • Base pay for principals (contract hours) • Superintendents and other district level personnel with districtwide responsibilities • Base pay for teachers • Costs/services not related to eligible Title I, Part A students
<p>Support Staff:</p> <ul style="list-style-type: none"> • Administrative reservation for Title I (LEA employees) • Stipends for principals or teachers outside of contract hours 	<p>Support Staff:</p> <ul style="list-style-type: none"> • General administrators • School year nurses • Data Management for the entire school

	<ul style="list-style-type: none"> • Special Education services (OT, PT, Speech) • Costs/Services not related to Title I, Part A
<p>Supplies and Materials:</p> <ul style="list-style-type: none"> • Instructional materials for Title I programs • Instructional software or licenses for Title I programs • Diagnostic and progress monitoring materials for Title I programs • Title I data management software 	<p>Supplies and Materials:</p> <ul style="list-style-type: none"> • Curriculum for the general classroom and core courses • Food and refreshments for staff activities, including working lunches • Furniture and office equipment is generally not allowable unless it is necessary for a Title I, Part A room/program • Incentives to reward students for participation in a Title I, Part A program, such as monetary awards or rewards with monetary value such as passes to amusement parks or gift certificates • Any costs related to entertainment, amusement, or diversion • Core instructional materials to private schools • Direct reimbursement to nonpublic schools • Field trips for entertainment or recreational purposes only • Construction, remodeling, or renovation projects
<p>Parent and Family Engagement:</p> <ul style="list-style-type: none"> • Parent liaison or coordinator (LEA employee only) • Family engagement consultants • Stipends for staff to plan for or participate in Title I activities outside contract hours • Costs for activities including materials, transportation and childcare 	<p>Parent and Family Engagement:</p> <ul style="list-style-type: none"> • Non-educational based parent and family activities • Costs of entertainment, including amusement, diversion, and social activities and any associated costs (such as gifts), are unallowable unless they have a specific and direct programmatic purpose and are included in the federal award • Costs of prizes or challenges are allowable if they have a specific and direct programmatic purpose and are included in the federal award

<p>Professional Development:</p> <ul style="list-style-type: none"> • Stipends and/or substitutes for staff (LEA employee only) • Professional development directly related to the needs of participating Title I students • Educational consultants • Reasonable supplies and materials for professional development • Travel costs are allowable if they relate to the grant program activities. NOTE: The nonpublic school employees must follow the LEA travel policy and procedures. The policy should cover mileage, air fare, lodging, meals and/or per diem rates. Hotel rates for conferences or trainings must be reasonable. 	<p>Professional Development:</p> <ul style="list-style-type: none"> • Professional development activities that do not meet the definition of ESEA 8101(42) • Professional development activities for individuals that do not meet the definition of personnel found in ESEA 8101(42) and 8101(44) • Any professional development for instructors not working directly with the eligible Title I, Part A students
<p>Other:</p>	<p>Other:</p> <ul style="list-style-type: none"> • Direct reimbursement to nonpublic schools • Construction - major building construction, structural alterations to buildings, modifications, improvements, building maintenance, or repairs • Advertising and public relations • Awards and ceremonies • Incentives and prizes • Costs of entertainment, including amusement, diversion, and social activities and any associated costs (such as gifts), are unallowable unless they have a specific and direct programmatic purpose and are included in the federal award • Costs of prizes or challenges are allowable if they have a specific and direct programmatic purpose and are included in the federal award • Gift cards • Fundraising • Food • Non-educational games, devices, and field trips • Social Events • Alcoholic Beverages
<p>Title II, Part A</p>	

Allowable	Unallowable
<p>Staff Salaries</p> <ul style="list-style-type: none"> • Program Administrator/Grant Manager/Professional Development Coordinator - portion of the salary dedicated to administration of the Title II, Part A program (LEA employee only) • District Mentoring and/or Induction Administrator (LEA employee only) • Academic/Instructional Coaches for any subject (LEA employee only) 	<p>Staff Salaries</p> <ul style="list-style-type: none"> • Entire salary unless the manager's entire responsibility is Title II, Part A • Salaries for classroom teachers • Stipends for tutors • Substitutes for teachers not attending TIIA funded professional development • Professional development activities that do not meet the definition of 8101(42) • Professional development for individuals that do not meet the definition of personnel found in 8101(42) and 8101(44)
<p>Supplies and Materials</p> <ul style="list-style-type: none"> • Supplies to be used strictly for PD such as books, software, instructional technology • Meeting supplies such as chart paper, pens, binders, easels 	<p>Supplies and Materials</p> <ul style="list-style-type: none"> • Supplies to be used in the classroom or by students • Anything not directly connected to educators' professional development activities
<p>Contractual services</p> <ul style="list-style-type: none"> • Consultants to improve content knowledge and/or classroom practice for any subject • Consultants to provide training to enable educators to involve parents in their children's education room • Consultants to improve classroom management • Substitutes for teachers attending Title II, Part A funded professional development activities • Professional development activities focused on social and emotional learning, school climate, inclusive practice, behavioral health, and other issues related to school conditions for student learning • Consultants for private school equitable participation 	<p>Contractual Services</p> <ul style="list-style-type: none"> • Contractual services not approved in the budget
<p>Travel (Conference)</p> <ul style="list-style-type: none"> • Travel costs are allowable if they relate to the grant program activities. NOTE: The nonpublic school employees must follow the LEA travel policy and procedures. The 	<p>Travel</p> <ul style="list-style-type: none"> • Meals for school/district professional development meetings

<p>policy should cover mileage, air fare, lodging, meals and/or per diem rates. Hotel rates for conferences or trainings must be reasonable.</p>	
<p>Other:</p> <ul style="list-style-type: none"> • Membership/subscription for professional development activities • Costs to improve the recruitment, placement, support, and retention of culturally competent and responsive educators, especially educators from underrepresented minority groups, to meet the needs of diverse student populations • Printing/copying for professional development • Space rental for professional development 	<p>Other:</p> <ul style="list-style-type: none"> • Costs of entertainment, including amusement, diversion, and social activities and any associated costs (such as gifts), are unallowable unless they have a specific and direct programmatic purpose and are included in the federal award • Costs of prizes or challenges are allowable if they have a specific and direct programmatic purpose and are included in the federal award
Title III, Part A	
Allowable	Unallowable
<p>Staff Salaries:</p> <ul style="list-style-type: none"> • Extra duty pay is allowable only if the activity is Title III specific and supplemental (during, before or after school) 	<p>Staff Salaries:</p> <ul style="list-style-type: none"> • Salaries for certified bilingual and ESL teachers • Stipends • One time hiring bonuses
<p>Supplemental Staff Expenses:</p> <ul style="list-style-type: none"> • Salaries for bilingual/ESL instructional coaches (LEA employees only) • Support personnel, including paraprofessionals to provide services to immigrant children and youth (LEA employees only) • Family, literacy, and parent outreach liaison (LEA employees only) 	<p>Supplemental Staff Expenses:</p> <ul style="list-style-type: none"> • Salaries for Bilingual and/or ESL Administrators/Coordinators
<p>Professional Development:</p> <ul style="list-style-type: none"> • Effective professional development for classroom teachers, principals, administrators, and other school or community based organizational personnel • Supplemental training opportunities to enhance the ability to understand and implement curricula, assessment practices and measures, and instructional strategies • Conferences that offer effective professional development 	<p>Professional Development:</p> <ul style="list-style-type: none"> • Training associated with any state required training • Professional development for teachers to get appropriately certified • Professional development that does not meet the definition of ESEA 8101(42) • Professional development for individuals that do not meet the definition of personnel found in ESEA 8101(42) and 8101(44)

<p>opportunities to improve the instruction and assessment of English learners</p>	
<p>Assessment/Instructional Materials and Equipment:</p> <ul style="list-style-type: none"> • Educational technology/software or instructional materials • Access to, and participation in, electronic networks for materials and trainings 	<p>Assessment/Instructional Materials and Equipment:</p> <ul style="list-style-type: none"> • LEAs may not use Title III funds for purposes related to identification and reclassification of English learners
<p>Supplemental Program Services:</p> <ul style="list-style-type: none"> • Upgrading program objectives and effective instructional strategies • Providing the following: Tutorials and academic or career and technical education for English Learners; and Intensified instruction which may include materials in a language that the student can understand • Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services • Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families to do the following: <ul style="list-style-type: none"> o Improve the English Language skills of English learners; and o Assist parents and families in helping their children to improve their academic achievement by becoming active participants in the education of their children • Improving the instruction of English learners which may include English learners with disabilities • Offer early college high school or dual or concurrent enrollment programs or courses designed to help English learners achieve success in postsecondary education • Foreign transcript evaluations for immigrant students 	<p>Supplemental Program Services:</p> <ul style="list-style-type: none"> • Translation and interpretation services that are required under Title VI of the Civil Rights Act may not be paid with Title III funds • Adult ESL classes for parents and families of non-English learners
<p>Other Activities:</p>	<p>Other Activities:</p>

<ul style="list-style-type: none"> • Technology equipment and electronic devices for the purpose of instruction 	<ul style="list-style-type: none"> • Direct reimbursement to nonpublic schools • Instructional materials for general education classrooms • Meals for parents or students • Door prizes • Costs of entertainment, including amusement, diversion, and social activities and any associated costs (such as gifts), are unallowable unless they have a specific and direct programmatic purpose and are included in the federal award • Costs of prizes or challenges are allowable if they have a specific and direct programmatic purpose and are included in the federal award
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Title IV, Part A

Allowable	Unallowable
<p>Well Rounded Educational Opportunities:</p> <ul style="list-style-type: none"> • Improve access to foreign language instruction, arts, and music education • Support college and career counseling, including providing information on opportunities for financial aid through the early FAFSA • Provide programming to improve instruction and student engagement in science, technology, engineering and mathematics (STEM), including computer science, and increasing access to these subjects for underrepresented groups • Promote access to accelerated learning opportunities including Advanced Placement (AP) and International Baccalaureate (IB) programs, dual or concurrent enrollment programs and early college high schools • Strengthen instruction in American history, civics, economics, geography, government education, and environmental education • Offer educational opportunities that integrate multiple disciplines, such as 	<p>Well Rounded Educational Opportunities:</p> <ul style="list-style-type: none"> • Textbooks (must exhaust all other means of funding prior to utilizing federal grant funds) • Direct reimbursement to nonpublic schools • Base pay for principals (contract hours) and district staff that are employed to benefit the district as a whole (Superintendent, Assistant Superintendent, Business Manager, Accountant) • Construction - major building construction, structural alterations to buildings, modifications, improvements, building maintenance, or repairs • Transportation costs (for staff or students) to or from school • Advertising and public relations • Awards and ceremonies • Costs of entertainment, including amusement, diversion, and social activities and any associated costs (such as gifts), are unallowable unless they have a specific and direct programmatic purpose and are included in the federal award

<p>programs that combine literacy and history or art and mathematics</p> <ul style="list-style-type: none"> • Develop or enhance service-learning activities that promote volunteerism and community involvement • Transportation to/from educational field trips 	<ul style="list-style-type: none"> • Costs of prizes or challenges are allowable if they have a specific and direct programmatic purpose and are included in the federal award • Incentives and prizes • Gift cards • Fundraising • Non-educational games, devices, and field trips • Alcoholic beverages • Professional development activities that do not meet the definition of ESEA 8101(42) • Professional development activities for individuals that do not meet the definition of personnel found in ESEA 8101(42) and 8101(44)
<p>Safe and Healthy Schools:</p> <ul style="list-style-type: none"> • Bullying prevention • Relationship building skills • Dropout prevention • Re-entry programs and transition services for justice-involved youth • School readiness and academic success • Child sexual abuse awareness and prevention • Reducing use of exclusionary discipline practices and promoting supportive school discipline • Suicide prevention • Drug and violence prevention • Health and safety practices in school athletic programs • School-based health and mental health services • Healthy, active lifestyle services • Nutritional education • Physical activities • Trauma-informed classroom management • Preventing use of alcohol, tobacco, smokeless tobacco, electronic cigarettes • Chronic disease management • Mentoring activities 	<p>Safe and Healthy Schools:</p> <ul style="list-style-type: none"> • Textbooks (must exhaust all other means of funding prior to utilizing Federal grant funds) • Base pay for principals (contract hours) and district staff that are employed to benefit the district (Superintendent, Assistant Superintendent, Business Manager, Accountant) • Direct reimbursement to nonpublic schools • Construction - major building construction, structural alterations to buildings, modifications, improvements, building maintenance, or repairs • Transportation costs (for staff or students) to/from school for activities • Advertising and public relations • Awards and ceremonies • Costs of entertainment, including amusement, diversion, and social activities and any associated costs (such as gifts), are unallowable unless they have a specific and direct programmatic purpose and are included in the federal award • Costs of prizes or challenges are allowable if they have a specific and

<ul style="list-style-type: none"> • School counseling activities (supplemental to state requirements) • Schoolwide Positive Behavioral Interventions and Supports • Pay for Success Initiatives 	<p>direct programmatic purpose and are included in the federal award</p> <ul style="list-style-type: none"> • Incentives and prizes • Gift cards • Fundraising • Food • Non-educational games, devices, and field trips • Alcoholic beverages • Professional development activities that do not meet the definition of ESEA 8101(42) • Professional development activities for individuals that do not meet the definition of personnel found in ESEA 8101(42) and 8101(44)
<p>Effective Use of Technology:</p> <ul style="list-style-type: none"> • Support high-quality professional development for educators, school leaders, and administrators to personalize learning and improve academic achievement • Build technological capacity and infrastructure • Carry out innovative blended learning projects • Provide students in rural, remote, and underserved areas with the resources to benefit from high-quality digital learning opportunities • Deliver specialized or rigorous academic courses and curricula using technology, including digital learning technologies 	<p>Effective Use of Technology:</p> <ul style="list-style-type: none"> • Technology purchases over 15% of the funds devoted to effective use of technology • Major infrastructure enhancement • Cell phones for personal use • Direct reimbursement to nonpublic schools • Base pay for principals (contract hours) and district staff that are employed to benefit the district as a whole (Superintendent, Assistant Superintendent, Business Manager, Accountant) • Construction - major building construction, structural alterations to buildings, modifications, improvements, building maintenance, or repairs • Transportation costs (for staff or students) to/from the school • Textbooks (unless supplemental to core instruction and not needed to access the school's core curriculum) • Advertising and public relations • Awards and ceremonies • Costs of entertainment, including amusement, diversion, and social activities and any associated costs (such as gifts), are unallowable unless they have a specific and direct

	<p>programmatic purpose and are included in the federal award</p> <ul style="list-style-type: none"> • Costs of prizes or challenges are allowable if they have a specific and direct programmatic purpose and are included in the federal award • Incentives and prizes • Gift cards • Fundraising • Food • Non-educational games, devices, and field trips • Alcoholic beverages • Professional development activities that do not meet the definition of ESEA 8101(42) • Professional development activities for individuals that do not meet the definition of personnel found in ESEA 8101(42) and 8101(44)
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Chapter 5: Frequently Asked Questions (FAQs)

1. What is consultation?
<p>Consultation between LEAs and nonpublic school officials should be timely, meaningful, and continue throughout the school year. Open discussion should be conducted between the LEA and the nonpublic school official involving key issues that affect the ability of eligible nonpublic school students to participate in receiving equitable services. Successful consultation should establish a positive and productive working relationship and ensure that services are provided to nonpublic school students effectively and meets the needs of the students and teachers. Final decisions should be made by the LEA after discussing key issues relating to the provision of services.</p> <p>Nonpublic School officials should provide the LEA with list of addresses and grades of low-income families (if participating in Title I), program ideas, and suggestions, etc.</p> <p>It is the responsibility of the LEA to reach out to nonpublic school officials and initiate the consultation process.</p>

2. What process should be used to identify eligible EL students in nonpublic schools?
<p>The Oklahoma State Department of Education (OSDE) recommends that nonpublic schools make an agreement with the LEA to use procedures similar to those used by public schools to identify nonpublic school students eligible for Title III services. The LEA is responsible for the oversight and costs of initial identification. The process is as follows: The nonpublic school should identify those pupils being considered for</p>

participation in the Title III program and administer a Home Language Survey (HLS) that is to be completed by the parent or guardian of selected private school students. Nonpublic schools should use the same version of the HLS used by the LEA. If a language other than English is indicated on the HLS, the LEA is required to administer an initial, approved language assessment (the Kindergarten W-APT or Kindergarten MODEL Placement Test) to those students. Nonpublic schools may wish to further assess identified EL students in their primary language to diagnose needs and determine the best strategies to assist students in furthering their English language proficiency

3. Are immigrant students in nonpublic schools eligible to receive Title III Immigrant programs, services, and products?

Yes, when meaningful and timely consultation has occurred between the LEA and the eligible nonpublic school, immigrant students in the nonpublic school may receive Title III immigrant programs and services. Nonpublic schools may not receive Title III funds directly.

4. How are LEAs held accountable for meaningful and timely consultation with nonpublic schools that request to participate in Title III programs and services?

As a part of the Oklahoma State Department of Education (OSDE) ESEA Consolidated Application and the ESEA Grant Performance Review processes, LEAs must provide evidence that all legal requirements of ESEA, UGG, and EDGAR have been met. Evidence must demonstrate that personnel representing the LEA have engaged in timely and meaningful consultation with nonpublic school officials in their geographic area and have offered to assist the schools with the identification of ELs and the provision of services to eligible students, teachers, and families of ELs.

5. Must nonpublic school EL students be assessed annually?

Yes. English proficiency of private school EL students must be assessed annually to determine their continued eligibility for Title III services

6. Must a Title III program design be the same for both public and nonpublic schools?

No. If the needs of the nonpublic school are different from those of the public school, the LEA, in consultation with nonpublic school officials, must develop a separate program design that is appropriate for the nonpublic school students. Consultation and coordination between LEA and nonpublic school officials are essential to ensure a high-quality program that meets the needs of the students being served and assists those students in attaining English proficiency and meeting the same challenging standards as all students.

7. Is the LEA responsible for the transportation of nonpublic school students to be served at another site in order to be served with equitable services?

If the nonpublic school student(s) is eligible to receive services and requires transportation from their nonpublic school to another site in order to receive these services, the LEA is responsible for providing services.

8. How are Title I students at the nonpublic school identified?

In consultation with the nonpublic school officials, the LEA will identify multiple, educationally related, objective criteria for identifying eligible nonpublic Title I students.

Although the LEA has the final authority to decide which option the LEA will use to calculate the number of Title I students attending nonpublic schools, the following are options that the LEA may choose to utilize in order to identify Title I students:

- a. Using the same measure of poverty used to count public school students;
- b. Using comparable poverty data from a survey and allowing such survey results to be extrapolated if complete actual data are unavailable;
- c. Using comparable poverty data from a different source;
- d. Using proportionality;
- e. Using an equated measure.

An LEA may use more than one method to collect poverty data on children in different nonpublic schools.

9. When a Title I eligible nonpublic school student(s) resides in a Title I attendance area of one LEA but attends nonpublic school in the district attendance area of another LEA, which LEA is responsible for serving the student(s)?

The LEA in which the student(s) resides is responsible for providing services to the student(s). The LEA in which the student(s) resides may arrange to have services provided by the LEA in which the nonpublic school is located and reimburse that LEA for costs.

10. Must teachers hired by an LEA to deliver Title I services at nonpublic schools meet any qualification requirements?

ESEA requires that written notification be sent to parents/guardians if a teacher working in Title I programs does not meet the applicable certification and licensure requirements.

11. Must paraprofessionals hired by an LEA to deliver Title I services at nonpublic schools meet any qualification requirements?

Yes, any paraprofessionals hired by an LEA to provide services at a nonpublic school must meet one of the following requirements –

- a. ParaPro Assessment (score 455+)
- b. WorkKeys Assessment (bronze +)
- c. Associates degree or higher
- d. 48 credit hours completed at an accredited institution of higher education

12. May additional Title I funds be used for parental engagement if the 1% set aside is insufficient?

An LEA must ensure that the parents of eligible nonpublic school students participate, on an equitable basis, in services and activities developed pursuant ESEA. An LEA may utilize more than the designated 1% required to be set aside for parent and family engagement activities.

13. When an LEA elects not to serve an eligible public school attendance area, what are the procedures for serving the nonpublic school students who reside in that attendance area?

An LEA may elect to not serve an eligible public school attendance area. The LEA must determine which school attendance areas would receive Title I funds, including students from low-income families who reside in these attendance areas and attend nonpublic school while calculating the proportional share under ESEA section 1117(a)(4)(A). From the proportional share, the LEA will then determine the amount of these funds that are available for nonpublic school students residing in not served attendance areas. If the LEA does not serve one or more higher-ranked school attendance areas, thus enabling the LEA to use Title I funds to serve a public school with lower poverty percentage than the school that is not served, ESEA section 1117(b)(1)(E) requires an LEA to consult with nonpublic school officials about whether eligible nonpublic school children residing in the additional served attendance area will receive services

14. If an LEA receives more than a \$30,000 Title IV, Part A allocation, is the nonpublic school required to use a certain percentage of funds for each of the three content areas as well?

No. The nonpublic school(s) may choose to use their funds for one (or more) of the three content areas. The three content areas are 1) well-rounded education, 2) supporting safe and healthy students, and 3) supporting effective use of technology.

No more than 15% of funds for activities to support the effective use of technology may be used 'for purchasing technology infrastructure as described in subsection (a)(2)(B), which includes technology infrastructure purchased for activities under subsection (a)(4)(A)'. The 15% limitation on technology infrastructure applies to the total amount of funds that the LEA uses for the effective use of technology content area, inclusive of funds used in that area for both public and nonpublic school students.

15. Can the nonpublic school file a complaint with the Oklahoma State Department of Education?

A nonpublic school official has the right to file a complaint with the OSDE when the official deems that the LEA has not engaged in consultation in a timely and meaningful manner, the LEA has not given due consideration to the views of the

nonpublic school, or the decision made by the LEA does not treat nonpublic students equitably.

The following items must be included with the formal written complaint:

- a. A statement that an SEA or LEA has violated a requirement of a federal statute or regulation that applies to a program requiring equitable participation;
- b. The facts on which the statement is based, and the specific statutory or regulatory requirement allegedly violated; and
- c. The signature of the complainant. [34 C.F.R. §299.12](#)

Resources

- [Elementary and Secondary Education Act \(ESEA\), as reauthorized by the Every Student Succeeds Act \(ESSA\) 2015](#)
- [Title I, Part A of the Elementary and Secondary Education Act of 1965: Providing Equitable Services to Eligible Private School Children, Teachers, and Families Non-Regulatory Guidance 2023](#)
- [Title VIII, Part F of the Elementary and Secondary Education Act of 1965: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel Non-Regulatory Guidance 2023](#)
- [United States Department of Education, Office of Non-Public Education \(ONPE\)](#)
- [Office of Non-Public Education: Frequently Asked Questions 2019](#)
- [Oklahoma State Department of Education \(OSDE\) Office of Title Services \(OTS\)](#)
- [State Regulation of Private Schools](#)

Appendices

Appendix A: Nonpublic School Formal Complaint Form

[District Name] Nonpublic Formal Complaint Form

Name of Nonpublic School	
Complainant:	
Nonpublic School Name:	
Street Address:	
City/State/Zip:	
Nonpublic School Phone Number:	
Nonpublic School Email:	

Please describe the problem. (If more space is needed, please use additional paper.)

Please describe the solution or the action you feel would resolve this problem. (If more space is needed, please use additional paper.)

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Are you willing to participate in the mediation process to try and resolve your concerns?
<input type="checkbox"/> YES <input type="checkbox"/> NO
Signature of Nonpublic Complainant: _____ Date: _____

This form must be signed and submitted to the [District Name] Public Schools.
[District Name] [District Address] [District Phone]
Signature of Nonpublic Complainant: _____ Date: _____

Appendix B: Nonpublic School Programs and Services Evaluation Form
Programs and Services

Program	Area of Need (Circle One)	Description of Program/Services/Activity	Where and By Whom Will The Services Be Offered?	How the Program/Service/ Activity will Contribute To Improving Student Academic Achievement
Title I, Part A	Academic			
	Professional Development			
	Parental Involvement			
Title I, Part C	Academic			
	Professional Development			
	Parental Involvement			

SAMPLE

Program	Area of Need (Circle One)	Description of Program/Services/Activity	Where and By Whom Will The Services Be Offered?	How the Program/Service/ Activity will Contribute To Improving Student Academic Achievement
Title II, Part A	Academic			
	Professional Development			
	Parental Involvement			
Title III, Part A	Academic			
	Professional Development			
	Parental Involvement			

SAMPLE

Program	Area of Need (Circle One)	Description of Program/Services/Activity	Where and By Whom Will The Services Be Offered?	How the Program/Service/ Activity will Contribute To Improving Student Academic Achievement
Title IV, Part A	Academic			
	Professional Development			
	Parental Involvement			
Title IV, Part B	Academic			
	Professional Development			
	Parental Involvement			

SAMPLE

LEA signature: _____

Date: _____

Nonpublic School Official signature: _____

Date: _____