THE ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA)
AS AMENDED BY
THE EVERY STUDENT SUCCEEDS ACT (ESSA)
CHANGES TO THE
EQUITABLE SERVICES REQUIREMENTS

Office of Non-Public Education (ONPE)
U.S. Department of Education
Objectives

Participants will gain:

- Understanding of new and changed provisions under the *Elementary and Secondary Education Act* (ESEA), as amended by the *Every Student Succeeds Act* (ESSA), as they apply to equitable services for private school students and teachers.

- Knowledge of resources to assist you in understanding current and new provisions that need to be implemented, monitored, and enforced.

Agenda

- Overview of the U.S. Department’s Office of Non-Public Education
- New and changed provisions under the ESEA, as amended by the ESSA that apply to both Titles I, Part A and Title VIII (*Title IX under NCLB*)
- New and changed provisions under the ESEA, as amended by the ESSA *specific* to Title I, Part A and Title VIII
- Questions

Office of Non-Public Education (ONPE)

Mission

To facilitate maximum participation of private school students and teachers in federal education programs and initiatives.

Office of Non-Public Education

The roles and activities of the Office of Non-Public Education (ONPE) fall into two major categories: leadership and outreach. ONPE represents the interests, activities, and needs of the private elementary and secondary school community, and also consults with the private school community on the participation of students and teachers in programs and initiatives at the U.S. Department of Education.

Our Mission
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.

Information About Non-Public Education

- Equitable Services Implementation Plan
- FAQs – General Issues Related to Nonpublic Education
- Federal Education Laws and Programs Affecting Nonpublic Education
  - Elementary and Secondary Education Act (ESEA)
  - As Reauthorized by the No Child Left Behind Act of 2001
  - As Reauthorized by the Every Student Succeeds Act of 2015
  - Individuals with Disabilities Education Improvement Act (IDEA)
  - Blue Ribbon Schools and Green Ribbon Schools
- Policy Letters
- NonPublic Education Organizations
- Non-Public Education Publications
- Non-Public Education Statistics
- Other Federal Agency Laws and Programs
- Other Department of Education Programs and Resources
- Interactive Map for State Regulation of Private Home Schools
- Search for Private Schools

QUESTIONS

1. WHAT DO YOU KNOW ABOUT ESSA?
2. WHAT DO YOU WANT TO LEARN ABOUT ESSA?

Elementary and Secondary Education Act (ESEA)

Since the passage of the ESEA in 1965, local educational agencies (LEAs) have been required to provide equitable services to private school students, teachers, and, in some cases, other education personnel and parents under a number of the ESEA programs.

The Every Student Succeeds Act (ESSA)

The Every Student Succeeds Act amending the Elementary and Secondary Education Act of 1965 (ESEA) was signed into law on December 10, 2015.

ESSA strengthens and enhances the equitable services provisions and provides for more State and district-level accountability.

<table>
<thead>
<tr>
<th>No Child Left Behind Act</th>
<th>ESSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remains in effect through 2016-2017 school year.</td>
<td>ESSA equitable services provisions go into effect in 2017-2018 school year.</td>
</tr>
<tr>
<td>Equitable Services provisions found in Section 1120</td>
<td>Equitable Services provisions found in Section 1117</td>
</tr>
<tr>
<td>Title IX (Uniform Provisions) found under Sections 9501-9504</td>
<td>Equitable services provisions found under Sections 8501-8504 (Title VIII Uniform Provisions)</td>
</tr>
</tbody>
</table>

Non-Regulatory Guidance

- The Department issued non-regulatory guidance on *Fiscal Changes and Equitable Services Requirements* under ESSA, on November 21, 2016.
- Except as otherwise provided in that guidance, the existing guidance documents remain applicable:
  - *Title I Services to Eligible Private School Children*, issued on Oct. 17, 2003, and available at: [http://www2.ed.gov/programs/titleiparta/psguidance.doc](http://www2.ed.gov/programs/titleiparta/psguidance.doc); and
COMMON EQUITABLE SERVICES REQUIREMENTS UNDER TITLE I, PART A AND TITLE VIII, PART F

To help ensure that private school children, teachers, and other educational personnel receive services equitable to those in public schools, State educational agencies (SEAs) must designate an ombudsman to monitor and enforce Title I and Title VIII equitable services requirements.

*ESEA sections 1117(a)(3)(B) and 8501(a)(3)(B)*

*FAQs N-1 through N-5*
The ombudsman should:

- Serve as an SEA’s primary point of contact for addressing questions and concerns from private school officials and LEAs regarding the provision of equitable services under Titles I and VIII.
- Monitor and enforce the equitable services requirements under Titles I and VIII and, thus, should have a significant role in the State’s monitoring process.
- Ensure that private school officials know how to contact the ombudsman.
Ombudsman
Guidance - Monitoring and Enforcement

- The primary responsibilities of an ombudsman are to monitor and enforce the equitable services requirements in Titles I and VIII.
- An ombudsman should work with SEA staff administering Title I and programs covered under Title VIII to develop monitoring protocols applicable to the provision of equitable services under each program.
- The ombudsman should also serve as the primary point of contact for responding to and resolving any complaints regarding equitable services that the SEA receives under its ESEA complaint procedures.
Ombudsman
Guidance - Qualifications

- An SEA has discretion in determining who to designate as an ombudsman.
- In determining the relevant qualifications of the ombudsman position, an SEA should consult with appropriate private school officials.
- An SEA should consider the following factors in determining who will serve as an ombudsman:
  - Knowledge
  - Capacity
  - Impartiality
Ombudsman
Guidance - Funds to Support

- If an SEA consolidates State administrative funds under the ESEA section 8201, it may support its ombudsman using those funds.
- If an SEA does not consolidate State administrative funds, it nonetheless may support its ombudsman using funds reserved for State administration under Title I and the covered programs under the ESEA section 8501(b).
- Under these circumstances, however, the SEA must ensure that the ombudsman’s salary is charged to each program based on the relative benefit received. (2 CFR § 200.405(a).)
An LEA must consult with private school officials to plan for the 2017–2018 school year before it makes any decision that affects the opportunity of eligible private school children, their teachers, and their families to participate in Title I or covered programs under Title VIII.

An SEA should designate an ombudsman in sufficient time to be of assistance as LEAs and private school officials begin the consultation process for the 2017–2018 school year, which would generally occur in the late winter/early spring of 2017.
Obligation of Funds
Statute - New Requirement

Funds allocated to an LEA for educational services and other benefits to eligible private school children, teachers and other educational personnel, and families must be obligated in the fiscal year for which the funds are received by the LEA.

_ESEA sections 1117(a)(4)(B) and 8501(a)(4)(B)_
_FAQs N-6 through N-7_
Obligation of funds
Guidance - Purpose

- This provision helps to ensure that an LEA uses the funds available under Title I or a program covered under Title VIII to provide equitable services in the fiscal year for which the funds were appropriated so that eligible students, teachers and other educational personnel, and families receive the services to which they are entitled in a timely manner.

- This provision reinforces the requirement that an LEA conduct timely consultation with private school officials to design appropriate equitable services so that those services can begin at the beginning of the school year for which the funds are appropriated.
In general, an LEA must obligate the funds allocated for equitable services under all applicable programs in the year for which they are appropriated.

There may be extenuating circumstances in which an LEA is unable to obligate all funds within this timeframe in a responsible manner.

Under these circumstances, the funds may remain available for the provision of equitable services under the respective program during the subsequent school year.

In determining how such carryover funds will be used, the LEA must consult with appropriate private school officials.

Notice of Allocation
Statute - New Requirement

An SEA must provide notice in a timely manner to appropriate private school officials in the State of the allocation of funds for educational services and other benefits under each ESEA program that an LEA has determined are available for eligible private school children, teachers and other educational personnel, and families.

ESEA sections 1117(a)(4)(C) and 8501(a)(4)(C)
FAQs N-8 through N-10

Notice of Allocation
Guidance – Notice to Private School officials

- An SEA must annually provide information on the amount of funds, by program, allocated for equitable services that each LEA responsible for providing equitable services has determined are available for eligible private school students, teachers and other educational personnel, and families.

- This applies to Title I (including the amount for parental involvement) and each covered program under the ESEA section 8501(b).

- Such documentation should indicate how the allocation was determined.
Notice of Allocation
Guidance - How to Disseminate Notice of Allocation

- An SEA should consult with appropriate private school officials to determine an effective manner for disseminating the notice of allocation to appropriate private school officials, which may include notification through the ombudsman.

- An SEA may consider methods such as publicly posting this information on the SEA’s website, using an email distribution list of private school officials, or other methods that will ensure that this information is available to appropriate private school officials.

An SEA should consult with LEAs and appropriate private school officials to determine a reasonable timeline for providing the notice of allocation.

In general, an SEA should ensure that the notice is provided prior to the beginning of the school year.
Compliance - State Services
Statute - New Requirement

An SEA must provide equitable services directly or through contracts with public or private agencies, organizations, or institutions, if appropriate private school officials have —

- Requested that the SEA provide such services directly; and
- Demonstrated that an LEA has not met applicable equitable services requirements in accordance with the procedures for making such a request, as prescribed by the SEA.

_ESEA sections 1117(b)(6)(C) and 8501(c)(6)(C)
FAQs N-11 and N-12_
An SEA should consult with appropriate private school officials in developing procedures under which private school officials may request the SEA to provide equitable services in lieu of an LEA.

Most instances of non-compliance with equitable services requirements likely can be corrected with minimal intervention by the SEA.

An SEA might develop procedures that require private school officials to demonstrate that an LEA has substantially failed or is unwilling to provide equitable services before the SEA intervenes.

An SEA should make available a standard template for requests and have transparent procedures for evaluating such requests.
Consultation
Statute - New Requirement

The goal of consultation is agreement between the LEA and appropriate private school officials on how to provide equitable and effective programs for eligible private school children.

ESEA sections 1117(b)(1) and 8501(c)(1)
FAQ N-13
QUESTION

WHAT DO YOU THINK CAN ASSIST PUBLIC AND PRIVATE SCHOOL OFFICIALS IN REACHING AGREEMENT?

School Choice

Participation in a Federal or State private school choice program does not affect a private school student’s eligibility for equitable services under an ESEA program. Regardless of the source of funds paying a private school student’s tuition, a student is eligible for equitable services under the ESEA if the student meets the eligibility requirements of the respective program.

EQUITABLE SERVICES REQUIREMENTS UNDER TITLE I

IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

Title I, Part A

Statute

Purpose
To provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.

ESEA section 1001

Allocating funds for Title I equitable services
Statute - change to existing requirement

Expenditures for equitable services to eligible private school children, teachers and other educational personnel, and families must be equal to the proportion of funds allocated to participating public school attendance areas based on the number of children from low-income families who reside in those attendance areas and attend private schools. An LEA must determine the proportionate share of Title I funds available for equitable services based on the total amount of Title I funds received by the LEA prior to any allowable expenditures or transfers of funds.

*Section 1117(a)(4)(A)*

*FAQs O-1 to O-5*

Allocating funds for Title I equitable services

Guidance - Reservations

An LEA must determine the amount of funds available for providing equitable services prior to any expenditures or transfers of funds. This includes all reservations previously taken “off the top” of an LEA’s Title I allocation, including reservations for administration, parental involvement, and district-wide initiatives.
Allocating funds for Title I equitable services

An LEA would determine the proportionate share of Title I funds available for equitable services as follows:

1. Determine the total number of children from low-income families residing in each participating public school attendance area who attend public and private schools.

2. Determine the overall proportion of these children who attend private schools.

3. Based on this proportion, determine the amount of funds available for equitable services based on that proportion of the LEA’s total Title I allocation.
Allocating funds for equitable services

Guidance –proportionate share

<table>
<thead>
<tr>
<th>Public School Attendance Area</th>
<th>Number of Public School Low-Income Children</th>
<th>Number of Private School Low-Income Children</th>
<th>Total Number of Low-Income Children</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>500</td>
<td>120</td>
<td>620</td>
</tr>
<tr>
<td>B</td>
<td>300</td>
<td>9</td>
<td>309</td>
</tr>
<tr>
<td>C</td>
<td>200</td>
<td>6</td>
<td>206</td>
</tr>
<tr>
<td>D</td>
<td>350</td>
<td>15</td>
<td>365</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>1,350</strong></td>
<td><strong>150</strong></td>
<td><strong>1,500</strong></td>
</tr>
</tbody>
</table>

**PROPORTIONATE SHARE**

<table>
<thead>
<tr>
<th></th>
<th><strong>90%</strong></th>
<th><strong>10%</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>$900,000</strong></td>
<td><strong>$100,000</strong></td>
<td></td>
</tr>
</tbody>
</table>
Allocating funds for equitable services

Guidance – administering equitable services

- From the proportionate share of Title I funds available to provide equitable services, an LEA may reserve an amount that is reasonable and necessary to administer equitable services.

- An LEA determines this amount separately from the funds needed to administer the Title I program for students in public schools.

- The LEA should discuss administrative costs for implementing equitable services during consultation with appropriate private school officials.
Allocating funds for equitable services

Guidance – parental and family engagement funds

- An LEA must reserve and spend at least 1 percent of its Title I allocation for parent and family engagement activities if the LEA’s Title I allocation exceeds $500,000.

- To determine this amount, an LEA must calculate 1 percent of its total Title I allocation.

- The LEA then applies the proportionate share percentage for services to private school students to determine how much it must spend for parent and family engagement activities for the families and parents of eligible private school students.

- The LEA must then spend that amount from the proportion of its Title I allocation available for equitable services for private school students.
## Allocating funds for equitable services

Guidance – parental and family engagement funds

| EXAMPLE OF EQUITABLE SERVICES FOR PARENTS AND FAMILIES OF ELIGIBLE PRIVATE SCHOOL CHILDREN |
|---------------------------------|---------------------------------|---------------------------------|---------------------------------|
| LEA’s Title I allocation        | 1% for parent and family engagement | Proportionate share for equitable services for parents and families (based on example under question O-4) | Source of funds for equitable services for parents and families (proportionate share under question O-4 = $100,000) |
| $1,000,000                      | $10,000                          | $1,000 ($10,000 x 10%)           | $100,000-$1,000=$99,000 remaining for instruction and professional development |

Title I Funding Example

LEA’s Title I total allocation: $1,000,000 (90%/$900,000 for public school program; and 10%/$100,000 for equitable services)

Total number of low-income students: 1,500 (1,350 public school students (90%); and 150 private school students (10%)

Allocation for parent and family engagement: $10,000 (1% of total LEA allocation)

Public School Title I Program
$900,000 (90% of total)
• Administrative costs
• Parent and family engagement ($9,000)
• Instructional services for students
• Professional development for teachers
• District reservations and initiatives

Private School Title I Program
$100,000 (10% of total)
• Administrative costs
• Parent and family engagement ($1,000)
• Instructional services for students
• Professional development for teachers

Transmitting agreement on consultation to the ombudsman
Statute and Guidance – New requirement

- The results of agreement following consultation must be transmitted to the SEA’s equitable services ombudsman.

- The ombudsman should establish a process for receiving documentation of agreement from each LEA.

- For example, the ombudsman may direct an LEA to document agreement on the same form the LEA uses to document affirmation of consultation and submit that form to the ombudsman.

Section 1117(b)(1)
FAQ O-5
Consultation
Statute – changes to existing requirements

The list of consultation topics has been expanded to include:

- How the proportionate share of funds is determined;
- Whether services will be provided directly or through a separate government agency, consortium, entity, or third-party contractor;
- Whether to pool funds for equitable services;
- When, including the approximate time of day, services will be provided; and
- Whether to consolidate Title I equitable services funds with funds available for services to private school children under other ESEA programs.

Section 1117(b)(1)
FAQs O-6 and O-7

Consultation
Statute – changes to existing requirements

Other changes related to consultation:

- The written affirmation that consultation has occurred must provide the option for private school officials to indicate that such officials’ belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children.

Section 1117(b)(1)
FAQs O-6 and O-7
Consultation

Guidance – options for providing Title I equitable services

- The option to either pool funds for multiple private schools or provide services on a school-by-school basis is unchanged.
- The only change is that the statute now specifies that an LEA must consult with private school officials regarding these options.
Consultation
Guidance – Consolidating and using funds in coordination with other programs

- As part of consultation, an LEA must consider whether to consolidate and use Title I funds to provide equitable services under Title I in coordination with funds for equitable services from programs covered under Title VII.

- For example, through coordination, an LEA with limited available funds might use Title I funds to provide instructional services to Title I-eligible private school students; use Title II funds to provide professional development to those students’ teachers (as opposed to all teachers in a given school); use Title III funds to improve the English proficiency of English learners among the participating students; and use Title IV funds to provide necessary counseling services to the most-at-risk eligible students.

Consultation
Guidance – Consolidating and using funds in coordination with other programs

- In coordinating Title I equitable services with other programs, funds would continue to be used for allowable activities under each program, but the coordinated services would allow the LEA to better serve the needs of the most at-risk students in a comprehensive manner.
- Coordination between programs will eliminate the silo approach through which an LEA consults with private school officials on a program-by-program basis.

EQUITABLE SERVICES REQUIREMENTS UNDER TITLE VIII
Covered programs
Statute- change to existing requirement

The ESSA updated the covered programs to include the following:

- Title I, Part C – Education of migratory children
- Title II, Part A - Supporting Effective Instruction
- Title III, Part A - English Language Acquisition, Language Enhancement, and Academic Achievement
- Title IV, Part A - Student Support and Academic Enrichment Grants
- Title IV, Part B - 21st Century Community Learning Centers

ESEA section 8501(b)
Complaint process
Statute- change to existing requirement

The timeframe that an SEA has for responding to a complaint from parents, teachers, or other individuals concerning violations of the ESEA section 8501 regarding the participation by private school children and teachers is 45 days. In addition, the Secretary must investigate and resolve an appeal of an SEA’s resolution of a complaint within 90 days.

ESEA section 8503

Consultation
Statute- changes to existing requirement

In addition to the topics currently subject to consultation under NCLB, topics have been expanded to include the following:

- How the proportionate share of funds is determined;
- Whether services will be provided directly or through a separate government agency, consortium, entity or third-party contractor; and
- Whether to provide equitable services by pooling or on a school-by-school basis.

LEAs now are also required to maintain and provide to the SEA a written affirmation that consultation has occurred signed by private school representatives.

ESEA section 8501(c)
FAQ P-1

CONSULTATION - Title VIII

Timely and meaningful consultation must continue throughout the implementation and assessment of services and shall occur before the local education agency makes any decision that affects the opportunities to participate of eligible private school students, teachers, and other education personnel.

Consultation
Guidance – options for providing equitable services

- An LEA may still expend funds for equitable services on a school-by-school basis or by pooling.*

- The statute now specifically requires an LEA to consult with private school officials regarding these options.

*See the previous Title IX Uniform Provisions Non-regulatory guidance, FAQ F-10, for an explanation of pooling.
Removed: The provisions in section 9501(b)(3) of the ESEA, as amended by NCLB, that limit the equitable services requirements that apply to LEAs’ use of Title II, Part A funds to those funds used by the LEA to provide professional development to teachers and others.

ESEA section 8501(b)
FAQs P-2 through P-4
Title II, Part A Allocation
Guidance – calculating the equitable services allocation

- The equitable services allocation for Title II, Part A must be calculated on the basis of the LEA’s total Title II, Part A allocation.
- Administrative costs are still taken “off the top”.
- The LEA’s equitable services allocation is determined by first calculating the amount of Title II, part A funds available on a per-pupil basis, based on the total of all public and private school students (enrolled in participating private elementary and secondary schools), in areas served by the LEA- regardless of a student’s residency. This amount is then multiplied by the number of students enrolled in participating private schools.
# Title II, Part A Allocation

Guidance - calculating the equitable services allocation

## EXAMPLE OF FORMULA TO DETERMINE AMOUNT FOR TITLE II, PART A EQUITABLE EXPENDITURES

<table>
<thead>
<tr>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Number of Students</strong></td>
<td></td>
</tr>
<tr>
<td>A1: LEA Enrollment</td>
<td>900</td>
</tr>
<tr>
<td>A2: Participating Private Schools Enrollment</td>
<td>100</td>
</tr>
<tr>
<td><strong>A3: Total Enrollment</strong> = A1 + A2</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>B. Title II, Part A Allocation</strong></td>
<td></td>
</tr>
<tr>
<td>B1: Total LEA Allocation</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>B2: Administrative Costs (for public and private school programs)</td>
<td>$50,000</td>
</tr>
<tr>
<td>B3: LEA Allocation Minus Admin Costs = B1-B2</td>
<td>$950,000</td>
</tr>
<tr>
<td><strong>C. Per Pupil Rate</strong></td>
<td></td>
</tr>
<tr>
<td>C1: B3 divided by A3</td>
<td>$950</td>
</tr>
<tr>
<td><strong>D. Equitable Services</strong></td>
<td></td>
</tr>
<tr>
<td>Amount LEA must reserve for equitable services for private school teachers and other educational personnel = A2 x C1</td>
<td>$95,000</td>
</tr>
</tbody>
</table>
Title II, Part A Activities
Guidance – permissible uses of funds for equitable services

- Title II, Part A funds may still be used for professional development activities for teachers, instructional leadership teams, principals, and other school leaders to address the specific needs of their students and is in accordance with the purposes of Title II.

- Equitable services under Title II, Part A may still not be used for class-size reduction in a private school because a private school’s contracts for its teachers and staff would be inconsistent with the requirements in ESEA section 8501(d) regarding public control of funds and the supervision and control of employees or contractors.
Title II, Part A Activities
Guidance – permissible uses of funds for equitable services

There may now be other permissible uses of funds. All services provided for the benefit of private school participants must:

- Be an allowable use of funds under the statute (ESEA section 2103(b)(3));
- Meet the specific needs of students enrolled in the private school, not the school itself (34 Code of Federal Regulations 76.658);
- Must be provided by either an employee of the public agency or through a contract by the public agency with an individual, association, agency, or organization who must be independent of the private school and any religious organization. All contracts must be under control and supervision of the public agency (ESEA section 8501(d)(2)); and
- All funds must remain in control of the public agency responsible for providing equitable services (ESEA section 8501(d)(1)).
Title II, Part A State Activities
Guidance – calculation of funds for state-level activities

- The SEA has the responsibility to implement equitable services to the extent that it reserves any funds under ESEA section 2101(c)(1) for State-level activities authorized found in sections 2101(c)(3)-(4).

- The amount of an SEA must reserve for equitable services is calculated on the basis of the per-pupil amount of Title II, Part A funds the SEA reserves for all of its State-level activities, taking into consideration all public and private school students in the area of the State to be served (ESEA section 8501(a)(4)(A)).

- State-level activities in which private school teachers may participate must be determined in consultation between the SEA and appropriate private school representatives.
COVERED PROGRAMS UNDER TITLE VIII

Title I, Part C
Education of Migratory Children

Purposes

- Assist States in supporting high quality and comprehensive educational programs and services that address the needs of migratory children;
- Ensure that migratory children are not penalized by disparities among States in curriculum, graduation requirements, and State academic standards;
- Ensure that migratory children receive full and appropriate opportunities to meet State academic standards;
- Help migratory children overcome educational disruption, cultural and language barriers, social isolation, health-related problems, and other factors that inhibit their success in school; and
- Help migratory children benefit from State and local systemic reforms.

ESEA section 1301
Title II, Part A
Supporting Effective Instruction

Purpose

- Increase student achievement;
- Improve quality and effectiveness of teachers, principals, and other school leaders;
- Increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement; and
- Provide low-income and minority students greater access to effective teachers, principals, and other school leaders.

ESEA section 2001

Title II, Part A Activities

The programs and activities described in Section 2103(b)(3) of the ESEA, may include, among other programs and activities –

- Providing high-quality, personalized professional development that is evidence-based, to the extent the State (in consultation with LEAs) determines that such evidence is reasonably available, for teachers, instructional leadership teams, principals, or other school leaders, that is focused on improving teaching and student learning and achievement...

_ESEA section 2103(b)(3)_
Title III, Part A  
English Language Acquisition, Language Enhancement, and Academic Achievement

Purpose

- To help ensure that English learners attain English proficiency and develop high levels of academic achievement in English and high levels in academic subjects;
- To assist teachers, principals, other school leaders and SEAs and LEAs and schools in implementing effective language instruction educational programs to assist in teaching English learners;
- To assist teachers, principals, other school leaders and SEAs and LEAs to develop and enhance capacity to provide effective instructional programs to prepare English learners to enter all-English instructional settings; and
- Promote parental, family and community participation in language instruction educational programs for the parents, families, and communities of English learners.

ESEA section 3102

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

Required Use of Title III Funds

- To increase English language proficiency of English learners by providing effective language instruction educational programs;
- To provide effective professional development to classroom teachers, principals, other school leaders and administrators and other school or community-based organizational personnel; and
- To provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for English learners.

ESEA section 3115
Title IV, Part A
Student Support and Academic Enrichment

Purpose
Intended to improve students’ academic achievement by increasing the capacity of SEAs, LEAs, and local communities to:

- provide all students with access to a well-rounded education;
- improve school conditions for student learning; and
- improve the use of technology in order to improve the academic achievement and digital literacy of all students.

ESEA section 4101

Title IV, Part A
Funding Allocations

LEAs or a consortium of LEAs must prioritize the distribution of funds to schools based on one or more of several factors, including schools that:

- are among those with the greatest needs, as determined by the LEA;
- have the highest numbers of students from low-income families;
- are identified for comprehensive support and improvement under Title I, Part A of the ESEA;
- are implementing targeted support and improvement plans under Title I, Part A of the ESEA; and/or
- are identified as a persistently dangerous public school under section 8532 of the ESEA.
An LEA that receives at least $30,000 in SSAE program funds must conduct a comprehensive needs assessment that includes, at a minimum, a focus on three content areas:

- Well-rounded educational opportunities;
- Safe and healthy students; and
- Effective use of technology

The needs assessment must occur at least once every three years.

_ESEA section 4106(d)_

Title IV, Part B

21\textsuperscript{st} Century Community Learning Centers

Purpose

Provide opportunities for communities to establish or expand activities in community learning centers that:

- Provide opportunities for \textit{academic enrichment} to help students, particularly students who attend low-performing schools, to meet challenging State academic standards;
- Offer students a \textit{broad array of additional services, programs, and activities} to reinforce and complement the regular academic program of participating students; and
- Offer \textit{families of students} served by community learning centers opportunities for active and meaningful engagement in their children’s education.

\textit{ESEA section 4201}

Resources

ESSA Guidance

- Non-Regulatory Guidance: **Fiscal Changes and Equitable Services Requirements**

- Non-Regulatory Guidance for **Title II, Part A**: Building Systems of Support for Excellent Teaching and Leading

- Non-Regulatory Guidance: **English Learners and Title III** of the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act

- Non-Regulatory Guidance **Student Support and Academic Enrichment Grants (Title IV, Part A)**

- Visit the ESSA website for more information: [www.ed.gov/essa](http://www.ed.gov/essa)

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ONPE Contact Information

For more information on equitable services and other Federal programs available to private school students and teachers:

- See our website: http://innovation.ed.gov/what-we-do/non-public-education/
- Email: ONPE@ed.gov
- Call: 202-401-1365
- Write: U.S. Department of Education
  400 Maryland Ave SW
  Washington DC 20202
QUESTION

WHAT DID I LEARN ABOUT ESSA?

Questions?