

TITLE II, PART A PRIVATE EQUITABLE SERVICES

School districts must set aside and spend a proportional share of their Title II, Part A funds to provide equitable services to participating private schools.

Any use of Title II, Part A funds for the benefit of private school participants must:

- be an allowable local use of Title II, Part A funds under the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA) [Section 2103(b)(3)];
- meet the specific needs of students enrolled in a private school and not the school itself. [34 CFR 76.658]; and
- ensure that the public agency (e.g., school district) responsible for providing equitable services retains control of the funds used to provide such services. Equitable services 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 independent of the private school and any religious organization. [ESEA Section 8501(d)]

Equitable services under Title II, Part A **may not be used for class-size reduction** in a private school because contracts for private school 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.

Private schools must obligate their Title II, Part A allocation within the year it is awarded, unless there are extenuating circumstances.

Federal non-regulatory guidance on the equitable services requirements under ESEA can be found at: <https://www2.ed.gov/policy/elsec/leg/essa/essaguidance160477.pdf>

Allowable Use of Funds

As with any activity that the school district carries out for public school teachers, activities supported with Title II, Part A funds that benefit private school teachers must meet the requirements of the statute. For example, activities to be carried out for private school personnel must be based on a review of evidence-based research and must be expected to improve student academic achievement. Professional development activities may include:

- improving the knowledge of teachers, principals, and other educational personnel in one or more subjects and in effective instructional teaching strategies, methods, and skills;
- training in effectively integrating technology into curricula and instruction;
- training in how to teach students with different needs, including students with disabilities or English learners, and gifted and talented students;
- training in methods of improving student behavior, identifying early and appropriate interventions, and involving parents more effectively in their children's education;
- leadership development and management training to improve the quality of principals and superintendents; and
- training in the use of data and assessments to improve instruction and student outcomes.

To the extent that a teacher's attendance at a conference sponsored or conducted by a faith-based organization is part of a sustained and comprehensive secular professional development plan,

Title II, Part A funds may be expended to pay for the portion of the costs of the conference that, as determined by the school district, represent the secular professional development in which the teacher participated. By law, use of federal funds to support religion is prohibited.