



## January 2023 COP Special Equitable Services

### Questions & Answers

- ✓ **Do we need to document 3 attempts for the NIP if a private school does not respond by the reasonable deadline?**  
Yes, this procedure remains the same as previous years. Evidence of three good faith attempts need to be attached to the respective private school's NIP.
- ✓ **Will this update be shared with the private schools? The reason for this question is that we've already sent out and received signed Notice of Intent to Participate from each of our private schools.**  
Yes, the new procedure asks private schools to return the NIP with data. Secondly, this document will be uploaded in Title I Related documents and will be reviewed for grant approval.
- ✓ **Are NIPs required if a signed Affirmation of Consultation is uploaded?**  
Yes, the new procedure asks private schools to return the NIP with data. Secondly, this document will be uploaded in Title I Related documents and will be reviewed for grant approval. The Affirmation of Consultation has changed as well. The AOC will be the first document uploaded in EMAC for Equitable Services monitoring.
- ✓ **So do we need to send the NEW Notice of Intent to Participate and get a NEW signature?**  
Yes, the document has changed, and the private school response procedure has changed.
- ✓ **What if there are no private schools in our area?**  
The LEA must have policies and procedures in place regarding equitable services. One procedure is to determine if a new private school in the area has opened annually. Title I services are also provided to students who attend private schools outside the LEA's boundary. If after the LEA does their due diligence locating private schools in their boundary or outside the LEA's boundary where their students attend, then they are done with equitable services for the year. [I will use this as feedback and add a spot for the LEA to mark this on the NIP.]
- ✓ **Just to clarify, if they indicate on the NIP that they don't wish to participate or their data indicates they are not eligible, then the affirmation is not necessary later on, correct?**  
Correct



- ✓ **If an LEA has no private schools in its area, will there be a box indicating this on NIP and affirmation form?**  
One will be added, thank you.
- ✓ **So, the NIP replaces the two documents used previously?**  
No, the NIP used to be sent and kept at the LEA. The NIP is for all potential private schools. The AOC will only be sent to those that had verifiable data.
- ✓ **If we consult with our private schools throughout the year and you are asking for current data, are you referring to the data from the then preceding year that leads into the current grant year (i.e. getting 22-23 data for the 23-24 grant cycle) just seeking clarification.**  
The new procedure will be implemented for the FY24 funding. Data to determine if the private school will receive an allocation will be provided by the private school with the NIP and will be data from their 2022-2023 school year. The remainder of the consultation that occurs throughout the 2023-2024 school year will be based on need and location where the student lives. LEA's may only fund students who live within a Title I boundary in their district. Therefore, as students move in and out of the Title I program, the LEA will need to receive data from the private school which includes the student's two agreed upon assessments demonstrating need and the students address for verification.
- ✓ **We often do not have final allocations before 9/30. Do we have to formally update AOC's when allocations or carryover are finalized?**  
No, the AOC outlines yearlong topics for consultations. The LEA should keep record of all consultations as evidence with grant records for future reference and audit purposes.
- ✓ **Will the private schools need to do a needs assessment as they have in the past? They used this to develop their plan.**  
There is nothing in statute stating private schools must complete a needs assessment. Funding decisions must be based on need. Therefore, through consultation the LEA and private school official will work together to determine how needs are identified. Title I requires students be identified as low achieving on the basis of multiple, educationally related, objective criteria.
- ✓ **When will new FY24 NIP document be available? We will need to go back and have our private schools redo these and would prefer to get these completed as soon as possible. Thanks!**



The NIP will be posted for viewing for a few days and it will be published. The others will be published the following week.

- ✓ **We have several private schools who do not have benchmark or annual assessments. What is the recommendation for the "data" to be used to determine student eligibility?**

The LEA may provide assessments. Title I requires students be identified as low achieving on the basis of multiple, educationally related, objective criteria. The school may not have standardized assessments, but it is likely they have a measure of success. Equitable does not mean equal. Meaning if the school is not a traditional school, work with them to determine how they measure success. Please reach out if you would like to brainstorm.

- ✓ **With the list of what must be discussed (AOC), is the intention to have these topics throughout the year; or in this initial consultation?**

Throughout the year

- ✓ **Previous year's data determines allocation generated but current year data determines who can use the funds, correct?**

Correct

- ✓ **Sometimes a school is hesitant to provide list of names along with addresses; we've previously had them submit as "student a, b, c" and so forth for the information about income eligibility. What other ways might this information be collected?**

I would caution using basic identifiers. It is not a violation of FERPA to request this information as it is necessary under legitimate educational interest, audit, and evaluation purposes. The LEA must have the information to ensure the student is eligible. While mal intent usually is not the perception, it does happen. There have been instances when private schools submitted the same lists multiple years. It is in the best interest of the LEA to request a less basic identifier. Some ideas might be first name, last initial; first initial, last name; initials, etc. The same applies when students receive services. As students enter/exit the program, the LEA needs to ensure that only students living in their Title I boundary and who are eligible based on need are the only students that the LEA is funding. This decision is at the discretion of the LEA.

- ✓ **Unchecked boxes are referring to the different funds? (Title I, IIA, III, etc.) (AOC)**

This question is referring to this part of the AOC. *Private School Official: Please check each box indicating agreement.* There are several checkboxes that the private school official will check agreeing to consultation thus far.



- ✓ **How will we know which private schools attended (receive training/information) so that we know which schools have received the information?**  
When communication goes out, it will go out through an email blast. We will encourage private school officials to sign up for emails as well. Once these processes are finalized, we will work to put training and other resources on our website. We will also offer training to all private schools. If there are requests for specific training, reach out and we will be more than happy to have a group or individual training.
- ✓ **As in determining which students are Title I eligible by address, then providing the assessment to all those students and then create the rank of students and place in tutoring?**  
For a student to be eligible for services, the student must reside in a Title I boundary of the LEA. Through consultation, the LEA and private school official will work together to determine how needs are identified. Title I requires students be identified as low achieving on the basis of multiple, educationally related, objective criteria.
- ✓ **Are you saying the timeline for the current draft of the documents is not until February?**  
The final documents will be available in the next few weeks.
- ✓ **What if the private school only obligates a certain amount of money, what method is there to return/resolve the unexpended funds?**  
The LEA obligates all funds on behalf of the private school. If the private school chooses to waive remaining funds prior to the funding period ending, those funds may be redistributed to the other participating private schools. The original private school would not be eligible for carryover the following year.
- ✓ **Final allocation or preliminary allocations? (regarding obligating funds)**  
LEAs should not wait for final allocations to obligate funds. Services should begin in conjunction with the LEA. For example, if the LEA begins intervention services in August, then services at the private schools should also begin in August.
- ✓ **Would the dates coincide with when we receive an allocation notice? (In regard to the Obligation of Funds/Carryover Request question about when private schools were made aware of their allocation.)**  
The date you send the AOC to eligible private schools with their allocation is the date that should be written on this document.



- ✓ **A larger issue with delay of services is staffing/availability of contractors.**  
Yes, it is well known that staffing shortages are significant. We have created updated guidance to help in this area. Please reach out any time to brainstorm other ideas.  
[Certification Guidance](#)
- ✓ **You mentioned a January 1st due date. Can you please clarify that again?**  
The last document to upload for Equitable Services monitoring and for the funding cycle will be the Obligation of Funds/Carryover Request. It will be due by January 1<sup>st</sup>. The date is in the next funding cycle but should give LEAs enough time to have an approved Completion Report.
- ✓ **The largest delay in Title I services is waiting to receive academic data from the PNP.**  
This is part of the new AOC. I hope it helps understanding of why it is necessary. We are always happy to join consultations to help facilitate the process. Please reach out any time.
- ✓ **Will this form be required ONLY if we are requesting carryover?**  
No, the Obligation of Funds/Carryover Request is due for each participating private school. Statute requires an end of year evaluation. This document serves as evidence of your end of year evaluation. It is due in EMAC by January 1<sup>st</sup>.
- ✓ **Can we explain why this is needed for everyone?**  
Statute requires an end of year evaluation. This document serves as evidence of your end of year evaluation.
- ✓ **Many PNPs do not have Carryover. They would still need this form?**  
Yes, there is more to the form than carryover. Statute requires an end of year evaluation. This document serves as evidence of your end of year evaluation.
- ✓ **For my district we close out 6/30 so we will need private schools to fill this out in July/August at the same time as we are consulting for the current year.**  
You may complete the Obligation of Funds/Carryover Request as soon as you are prepared. The January 1<sup>st</sup> due date is to accommodate all LEAs. It may be uploaded in EMAC prior to the due date.
- ✓ **Is there any additional training for the purposes of private schools and AOC. I'm new at this and would like more information if possible.**  
We will have two sessions at the ESSA conference. One is focused on procedures. As we



finalize all these procedures, we will post training on our website as well. We can always schedule small group or individual training as well.

- ✓ **Will the private schools be advised of this required data to evaluate the effectiveness of the provided services?**  
Yes. They will have a guidance document similar to the LEA's . Once created, we will send an email blast for the link.
- ✓ **We have schools that consistently have unexpended funds, typically high schools. Is there a way to right-size allocations at the beginning?**  
No. Allocations are based on a PPA. Through consultation, the high school can waive a particular amount. That amount must then be redistributed to the remaining participating private schools. If there are no additional private schools, the funds may then be reverted to the LEA. The original private school would not be eligible for carryover. The LEA should keep detailed signed documentation as evidence so that there is never a question about the difference in the PPA and what is allocated. The documentation should be uploaded in Title I Related documents as permanent record.
- ✓ **Is it justifiable to indicate frequency as the cause of lack of improvement for students who do not come to tutoring and/or Private school scheduling issues?**  
This should be addressed during the year. If a student is not attending or a teacher does not send a student, then the LEA should contact the private school official and address the conflict. The private school official may involve parents or talk to the teacher, etc. The LEA may change a program if the program isn't effective.
- ✓ **15% of original allocation or remaining?**  
The SEA will approve up to 15% of the private school's remaining funds if the private school is negligent. This is a good example of why LEAs and private schools need to keep records of consultations. When meeting in person, you may follow up with an email.
- ✓ **Will there be a description section for Title II-A of why the PNP did not obligate funds? We send a request for names of staff to attend approved conferences/workshops and the PNP does not respond or indicates they no longer want to send someone. Then they ask to carryover funds, it's very frustrating as an LEA.**  
Space can be added for each fund. Keep good records of attempts and place reasonable deadlines. Keep in mind private schools do not have the same travel policies or procurement rules. So, they do not always understand the purpose of requests, or the timeline LEAs must



follow. Some LEAs have Equitable Service handbooks with all their policies, documents, and deadlines in one place. We will add that to our resource list and create a template for LEAs.

- ✓ **Will there be a document listing what requirements you have verbally explained since it is not on these slides?**

Yes. We will create a guidance document for LEAs and private schools.

- ✓ **Is there an official ADE document draft for service implementation and is it for each PNP?**  
Not yet, but one will be created. It will be overall will not be a separate document for each participating private school.

- ✓ **If an LEA completes their Completion Report in July/August will the report be held until the Carryover Requests are completed?**

No. Grants Management approves Completion Reports. Equitable Service carryover requests will be done through our department.

- ✓ **For the current year what are the monitoring requirements? (FY23)**

Nothing has changed for FY23 monitoring. All LEAs will need to complete their Equitable Services monitoring in EMAC. There has been some confusion on the due date. We have settled on March 1<sup>st</sup> as a due date to coincide with programmatic monitoring. Here is the guidance document from our website. [FY23 ES Monitoring Guidance](#)

- ✓ **Will there be sessions on this at the state conference in January?**

Yes, we will have two sessions at the ESSA conference. One will be focused on procedures and the other will be focused more on allowability.

- ✓ **One quick question on the NIP. Are three email attempts sufficient for contacting the Private Schools?**

The guidance says three good faith attempts. While it may be allowed, it is not recommended. Staff leave, emails change, positions change, etc. A good final attempt is to send a certified letter. The LEA will get a signed receipt as confirmation it was delivered.

- ✓ **Can we take that expense out of the Admin set-aside? (Certified letter for NIP)**

Yes



## **Feedback**

- Add a checkbox for LEAs to check if they have no private schools – [Done](#)
- This is a much better process for those of us who have numerous schools who do not wish to participate or do not have eligible students! Thank you for making this change!- [That was the goal.](#)
- The information/data collected on this new NIP makes so much more sense and has greater value to the process! [As we use it the first year, please note any need for changes. Feedback is always appreciated.](#)
- It would be helpful to note in the table which titles require the private school is within district boundaries. -[LEA may mark NA \(in the directions above the table\)](#)
- Add a box for Title IVB yes or no as this is 21st CCLC and that grant requires an Affirmation of Consultation form. [Title IV-B has their own AOC.](#)  
<https://www.azed.gov/sites/default/files/2022/12/4.%20FY24.Form%20C.pdf>
- Previous year's data determines allocation generated but current year data determines who can use the funds, correct? A little concerned the italics section at the beginning may confuse them again. – [Deleted](#)
- Could you give us a space for consultation notes even if at the end? – [Done](#)
- Can we add more lines for the "Date(s) Consultation" section at the bottom? We meet weekly/bi-weekly and this not enough space to add all the private school/LEA consultation dates. [A page has been added at the end. It will be optional. LEAs and private schools meet constantly and many times through email or phone. The LEA must keep record of consultations at the LEA. Good record keeping is important not only for compliance but as evidence if any questions were to arise. It will not be required to submit all the notes or evidence of meetings along with the AOC in EMAC. Both parties are signing off on the AOC and that is all that is required by the SEA.](#)
- Add the word transferred next to yes and no under Title II and Title IVA. Our district transfers these two and we do consult with the private schools on this, and they have always agreed neither yes or no under Title II and Title IV is appropriate and waiting until the note section to explain is confusing. [The private school must have the opportunity to request consultation for all funds the LEA receives. Therefore, I did not add this to the NIP. Rows have been added to the allocation chart on the AOC.](#)
- The AOC indicates that both the LEA and PNP must initial both pages, can we add the date as well? (not AOC-Obligation of Funds/Carryover)- [Done](#)
- Need a decline carryover box and requesting carryover box -[it is in the second chart](#)
- For each of the boxes on page 1 of the obligation/carryover request can we underline "notified of their allocation", and "for private schools to begin"? [I did not add this one because it makes](#)





it seem like it is all on the private school and that is not the case. The LEA is responsible for planning the program and ensuring services are provided.

- That sounds like a great summary: keep what went well, change what needs improvement – [As we use these new forms, please keep the feedback coming. We can always improve!](#)
- Will there be a description section for Title II-A of why the PNP did not obligate funds? [Done](#)
- Thank you for this revision to equitable services, as we (LEA's) consistently provide guidance and oversight with our PNPs to spend funds and these updates will ensure some accountability for PNPs, especially with the request for carryover. [Thanks for the feedback.](#)