

Private Schools *Where are We in Georgia???* *Collaboration for Equitable Services Continues to Flourish.....*

**Georgia Department of Education
GCEL Conference
February 26-28, 2018**

Georgia's System of Continuous Improvement



Richard Woods,
Georgia's School Superintendent
"Educating Georgia's Future"
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Georgia's System of Continuous Improvement

- Private schools must also be included or considered in the system of continuous improvement.

Georgia Department of Education

Welcome and Introductions

- This session is designed to provide an overview of *Where We are In Georgia With regards to Collaboration and Equitable Services to Private Schools*, and how to have a successful 2nd half of the school year; and,
- This session will provide information on monitoring and evaluating private school programs.



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Presenters

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Ombudsman Update

- An update regarding the role of Ombudsman in GA and the collaborative work with other ombudsmen in other states
- Feedback or complaints to **ombudsman**
- Major questions or issues for this year

**Complaint Form for Equitable Services for Title I and Programs Covered under Title VIII
to Private School Students and Teachers**
Office of the State Ombudsman

Name of person filing complaint Title/position of person filing complaint Name of private school Street address of private school Email Phone number	
Name of Local Educational Agency (LEA) complaint is against Street address of LEA Contact name Email Phone number	

Title II and VIII programs (ESEA section 1117 and 8501):

- Title I, Part A – Improving basic programs operated by LEAs
- Title I, Part C – Education of migratory children
- Title II, Part A – Supporting effective instruction state grants
- 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

What federal statutory or regulatory requirements that apply to equitable services do you feel have been violated? (Please attach any supporting documentation.)



Please describe the issue(s), including dates; and any steps you have taken and people you have contacted from the LEA to resolve the issue and their response(s). Please attach any supporting documentation.

Please describe the solution or the action you feel would resolve this problem.

Are you willing to participate in the mediation process to try to resolve your concerns?

Yes

	Click here to enter a date.
--	-----------------------------

By typing your name, this serves as your electronic signature.

Date

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This form must be signed and submitted to the Georgia Department of Education and a copy to the local school system.

In lieu of mailing, you can email to Shaun Owen @ sowen@doe.k12.ga.us.

Georgia Department of Education
Office of the State Ombudsman
1866 Twin Towers East
205 Jesse Hill Jr. Drive
Atlanta, GA 30334

Change to Existing Requirement: Complaint Process for Participation of Private School Children – Time Limit

The timeframe that an SEA has for responding to a complaint from parents, teachers, or other individuals concerning violations of 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.)

Changes to Existing Requirement: Consultation

The topics subject to consultation have been expanded to include the following:

- How the proportion of funds allocated for equitable services is determined.
- Whether the LEA will provide services directly or through a separate government agency, consortium, entity or third-party contractor.
- Whether to provide equitable services to eligible private school children by pooling funds or on a school-by-school basis.
- When, including the approximate time of day, services will be provided.
- Whether to consolidate and use funds available for Title I equitable services in coordination with eligible funds available for equitable services under programs covered under section 8501(b) to provide services to eligible private school children in participating programs.
- The written affirmation that consultation has occurred must provide the option for private school officials to indicate 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.

(ESEA section 1117(b)(1).)

Relevant Statutory, Regulatory, and Guidance References

- [Title IX TITLE IX, PART E UNIFORM PROVISIONS SUBPART 1—PRIVATE SCHOOLS Equitable Services for Eligible Private School Students, Teachers, and Other Educational Personnel Non-Regulatory Guidance](#), Section H and sample form J-16
- 34 C.F.R. §299.12
- ESSA Sections 1117(b)(6); 1117(c)2; and 8501(c)6

For internal use only-

Date of receipt of form: [Click here to enter a date.](#)

Completion of complaint process: [Click here to enter a date.](#)

Chapter 5: Equitable Services for Private Schools

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 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 - 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

The following guidance provides information to LEAs about private school participation and the resources that are available in determining appropriate use federal funds.

This chapter includes the following sections:

- Private Schools: Provision of Equitable Services
- Private Schools: Notification Requirements
- Private Schools: Consultation and Planning
- Private Schools: Determining Allocations
- Private Schools: Carryover
- Private Schools: Eligible Activities
- Private Schools: Program Implementation
- Private Schools: Record Keeping
- Private Schools: Complaints
- Private Schools: Role of the Ombudsman
- Private Schools: Applicable Federal Guidance
- Private Schools: Equitable Services for Private Schools for the IDEA



FEDERAL PROGRAMS
HANDBOOK

Information Applicable to
All Federal Programs



Pages 50-66



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Updates for USED and ONPE

- New information or guidance from USED and ONPE(Office of Non-Public Education)
- Specific federal program updates or reminders

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Carryover

- *8501(a)(4)(B); Title VIII Fiscal Changes (2016) N-6, N-7*
- **New Requirement: Obligation of Funds**
- 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).)
- However, 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.



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Administrative Caps

ESSA Program	Maximum Percentage for Administration
Title I, Part A – Improving the Academic Achievement of the Disadvantaged	≤ 10%
Title I, Part C – Education of Migratory Children	≤ 2%
Title II, Part A – Supporting Effective Instruction	≤ 10%
Title III, Part A – Language Instruction for English Learners and Immigrant Students	≤ 2%
Title IV, Part A – Student Support and Academic Enrichment	≤ 2%
Title IV, Part B – 21 st Century Community Learning Center (CCLC)	≤ 10%

Georgia Department of Education

A Trip Around the GADOE Website for Private School Information

Georgia Depa

Common Equitable Services Requirements Under Titles I and VIII

New Requirement: Ombudsman to help ensure equitable services and other benefits for eligible private school children, teachers and other educational personnel, and families, an SEA must designate an ombudsman to monitor and enforce ESEA equitable services requirements under both Title I and Title VIII. (ESEA sections 1117(a)(3)(B) and 8501(a)(3)(B).)

What are the roles and responsibilities of an ombudsman?

An 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. In addition, the ombudsman is required to 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. Furthermore, the ombudsman should ensure that private school officials know how to contact the ombudsman. The following are examples of activities the ombudsman could undertake in fulfilling the roles and responsibilities of the position:

- Serve as a general resource regarding equitable services requirements for both LEAs and private school officials, which may include conducting initial outreach to define the contours of the ombudsman's responsibilities.
- Develop, in partnership with other relevant SEA staff, monitoring protocols applicable to the provision of equitable services and participate in a sample of any monitoring activity.
- Provide technical assistance regarding equitable services requirements for SEA staff administering applicable programs, LEA staff, and private school officials.
- Establish a process for receiving documentation of agreement from LEAs consistent with the consultation requirement that the results of such agreement shall be transmitted to the ombudsman. (ESEA section 1117(b)(1).)
- Participate in the State's Title I Committee of Practitioners (ESEA section 1603(b)) and, as applicable, nonpublic schools working group.

What specific responsibilities does an ombudsman have with respect to monitoring and enforcement? The primary responsibilities of an ombudsman are to monitor and enforce the equitable services requirements in Titles I and VIII. Accordingly, 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. To ensure that monitoring protocols are being followed, the ombudsman should take an active role in the monitoring process, particularly with respect to the resolution of any findings regarding equitable services requirements under Titles I and VIII. The ombudsman also should 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.

New Requirement: Notice of Allocation

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).)

All information above is quoted from the NON-REGULATORY GUIDANCE: FISCAL CHANGES AND EQUITABLE SERVICES REQUIREMENTS UNDER THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1985 (ESEA), AS AMENDED BY THE EVERY STUDENT SUCCEEDS ACT (ESSA) pages 23-26.

Contact Information

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Updates

The Use of the WG and TOG

Forms

FY18 Private School Data Collection Form

Private Schools-Equitable Services Forms to Submit to GEDOC

Complaint Form

Trainings

Equitable Services to Private School Children - Training for Private School Staff

- Video in MP4 format
- PPT File in PDF format

Private Schools and ESSA- Focus on Title I

- Video in MP4 format
- PPT File in PDF format

Private Schools and ESSA- Focus on Title II, Part A

- Video in MP4 format
- PPT File in PDF format

Allocations & Proportionate Share

FY18, Title I, Part A Private School Proportionate Share

FY18, Title I, Part A Method for Determining Proportionate Share

FY18, Title I, Part C Method for Determining Proportionate Share

FY18, Title I, Part C Private School Proportionate Share

FY18, Title II, Part A LEA Allocations

FY18, Title II, Part A Private School Proportionate Share

FY18, Title II, Part A Method for Determining Proportionate Share

FY18, Title III, Part A Private School Proportionate Share

FY18, Title III, Part A Method for Determining Proportionate Share

FY18, Title IV, Part A LEA Allocations

FY18, Title IV, Part A Private School Proportionate Share

FY18, Title IV, Part A Method for Determining Proportionate Share

FY18, Title IV, Part B Method for Determining Proportionate Share

Resources

- Private School Data Collections Includes the Following Resources
 - DE1111 Form - Updated 9/15/17
 - Private School Directions
 - Private School Data Collection Webuser - 9/15/17
- Title IV-A



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Common Equitable Services Requirements Under Titles I and VIII

New Requirement: Ombudsman To help ensure equitable services and other benefits for eligible private school children, teachers and other educational personnel, and families, an SEA must designate an ombudsman to monitor and enforce ESEA equitable services requirements under both Title I and Title VIII. (ESEA sections 1117(a)(3)(B) and 8501(a)(3)(B).)

What are the roles and responsibilities of an ombudsman?

An 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. In addition, the ombudsman is required to 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. Furthermore, the ombudsman should ensure that private school officials know how to contact the ombudsman. The following are examples of activities the ombudsman could undertake in fulfilling the roles and responsibilities of the position:

- Serve as a general resource regarding equitable services requirements for both LEAs and private school officials, which may include conducting initial outreach to define the contours of the ombudsman's responsibilities.
- Develop, in partnership with other relevant SEA staff, monitoring protocols

Contact Information

Shaun Owen

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State Ombudsman
404-971-0096
sowen@doe.k12.ga.us

Updates

[The Use of the W9 and 1099](#)

Forms

[FY18 Private School Data Collection Form](#)

[Private Schools-Equitable Services Forms to Submit to GaDOE](#)

[Complaint Form](#)

Form A for the 2018-2019 School Year

Private School Initial Consultation and Notification of Intent for 2018-2019 Provision of Services

Affirmation of Initial Consultation and Intent Notification

Local Education Agency (LEA) _____
 Private School _____
 Private School Address _____
 Private School Phone _____ Email: _____
 Private School Official _____
 LEA Federal Program Official _____ Phone: _____

Federal Program(s) offering services to Private Schools (Place an "X" in each program where the Private School listed above intends to consult with the LEA on possible services):

Title I A Title II A Title III A Title I C Title IV A Title IV B

Directions: Both School Officials (private and public) must initial under either YES or NO for each statement. Both School Officials must also sign and date this document, which must then be scanned and attached to the Consolidated Application in the Portal no later than **December 15, 2017** (even if no private school participation – See Part 2 below).

Part 1: Timely and Meaningful Consultation Affirmation – Initial Consultation

Official	Yes	No	Consultation Requirements (ESSA Sections 1117 and 8501)
Private School			The initial consultation for the 2018-2019 school year has occurred between the LEA and Private School. Date _____ (Should take place prior to December 15 th) Consultation addressed: <ul style="list-style-type: none"> • How the proportion of funds allocated for equitable services is determined, including administrative costs for implementing equitable services. • Whether the agency, consortium, or entity responsible for providing equitable services will provide those services directly or through a separate government agency, consortium, or entity, or through a third-party contractor. • Whether to provide equitable services to eligible private school children by pooling funds or on a school-by-school basis. • When, including the approximate time of day, services will be provided. • Whether to consolidate and use funds available for Title I equitable services in coordination with eligible funds available for equitable services under programs covered under section 8501(b) to provide services to eligible private school children in participating programs.
Public School			





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Form A for the 2018-2019 School Year

Part 2: Notification of Intent to Participate in 2018-2019 Services

This checked box indicates that the LEA has no private schools participating in equitable services in 2018-2019.

Official	Yes	No	Intent Notification (ESSA Section 1117)
Private School			The Private School intends to continue consultation and participate in 2018-2019 equitable services. It is the responsibility of the LEA to design, develop, and implement the services provided to the private school students, after on-going consultation with the private school.
Public School			

Signature Private School Official _____
 Printed Name and Title of Private School Official _____
 Date _____

Signature Public School Official _____
 Printed Name and Title of Public School Official _____
 Date _____

Comments:



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FY17 Private School Consultation for FY18 Provision of Services

Affirmation of Timely/Meaningful Ongoing Consultation and Equitable Services

Local Education Agency (LEA) _____
 Private School _____
 Private School Address _____
 Private School Phone _____
 Private School Official _____
 LEA Federal Program Official _____ Phone: _____

Federal Program(s) offering services to Private School (Place an "X" in each program where the Private School intends to consult with the LEA on possible services):

Title I A Title II A Title III A Title I C Title IV A Title IV B

(Title IA- Improving basic programs operated by LEAs) (Title IIA- Supporting effective instruction)
 (Title IIA- English language acquisition, language enhancement, and academic achievement) (Title IC- Education of migratory children)
 (Title IVA- Student support and academic enrichment) (Title IVB- 21st Century Community Learning Centers)

Directions: Both School Officials (private and public) must initial under either YES or NO for each statement. Both School Officials will initial, sign, and date this document following the ongoing consultation AND the equitable services implementation. This document must be scanned and attached to the Consolidated Application by the due dates listed for Part 1 and Part 2 below.

Part 1: Timely and Meaningful Consultation Affirmation – Ongoing Consultation – Due date: July 31, 2017

Official	Yes	No	Consultation Requirements (ESSA Sections 1117 and 8501)
Private School			Timely and meaningful consultation occurred regarding the needs and services of eligible children and their teachers and families. Consultation Dates _____
Public School			
Private School			The local education agency gave due consideration to the views of the private school official.
Public School			
Private School			The program design/provision of services agreed upon by the local education agency and private school is equitable.
Public School			

Part 2: Equitable Provision of Services (If equitable services were then provided in FY18, the due date for Part 2 is by October 1, 2018, after the 2017-2018 grant period.)

Official	Yes	No	Consultation Requirements (ESSA Sections 1117 and 8501)
Private School			Services began at the time requested and agreed upon by the private school official. Date _____
Public School			
Private School			The local education agency gave due consideration to the views of the private school official.
Public School			
Private School			Satisfactory services were provided during the school year.
Public School			

Signature Private School Official	Part 1: _____	Part 2: _____
Printed Name and Title of Private School Official	Part 1: _____	Part 2: _____
Date	Part 1 Date: _____	Part 2 Date: _____
Signature Public School Official	Part 1: _____	Part 2: _____
Printed Name and Title of Public School Official	Part 1: _____	Part 2: _____
Date	Part 1 Date: _____	Part 2 Date: _____

Comments: _____



Fiscal Non-Regulatory Guidance N-13: 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 private school students, teachers and other education personnel, and families.

(b) CONSULTATION.—

(1) IN GENERAL.—To ensure timely and meaningful consultation, a local educational agency shall consult with appropriate private school officials during the design and development of such agency's programs under this part. Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children, the results of which agreement shall be transmitted to the ombudsman designated under subsection (a)(3)(B). Such process shall include consultation on issues such as—

(A) how the children's needs will be identified;

(B) what services will be offered;

(C) how, where, and by whom the services will be provided;

(D) how the services will be academically assessed and how the results of that assessment will be used to improve those services;

(E) the size and scope of the equitable services to be provided to the eligible private school children, the proportion of funds that is allocated under subsection (a)(4)(A) for such services, and how that proportion of funds is determined;

(F) the method or sources of data that are used under subsection (c) and section 1113(c)(1) to determine the number of children from low-income families in participating school attendance areas who attend private schools;

(G) how and when the agency will make decisions about the delivery of services to such children, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers;

(H) how, if the agency disagrees with the views of the private school officials on the provision of services through a contract, the local educational agency will provide in writing to such private school officials an analysis of the reasons why the local educational agency has chosen not to use a contractor;

(I) whether the agency shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor;

(J) whether to provide equitable services to eligible private school children—

(i) by creating a pool or pools of funds with all of the funds allocated under subsection (a)(4)(A) based on all the children from low-income families in a participating school attendance area who attend private schools; or

(ii) in the agency's participating school attendance area who attend private schools with the proportion of funds allocated under subsection (a)(4)(A) based on the number of children from low-income families who attend private schools;

(K) when, including the approximate time of day, services will be provided; and

(L) whether to consolidate and use funds provided under subsection (a)(4) in coordination with eligible funds available for services to private school children under applicable programs, as defined in section 8501(b)(1) to provide services to eligible private school children participating in programs.

Private School Participation FY19

Dear Colleague,

By law, the Georgia Department of Education must notify participating private schools of their allocation prior to the start of the grant cycle July 1, 2018. [ESSA, Secs. 1117(a)(4)(C) and 8501(a)(4)(C)]

For planning purposes, the Department needs to collect private school participation and enrollment. To do this, we need all LEAs to complete the following form.

Please address questions and concerns to Carly Ambler cambler@doe.k12.ga.us, (Title II, Part A) and Ken Banter kbanter@doe.k12.ga.us, (Title I, Part A).

****PLEASE NOTE:** One entry per participating private school. If you have multiple participating private schools you will need to do multiple entries.

Your response is anonymous.

* Required

1. LEA Name *

2. LEA has participating private schools in FY19 *

Yes

No

3. Name of participating private school *



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4. Private School Representative Name for Projected Notification of Allocation and GaDOE Training Notifications *

5. Private School Email for Projected Notification of Allocation and GaDOE Training Notifications *

6. Private School is a Non-profit School
Y or N

*

- Yes
- No
- N/A

7. Verified Private School Enrollment K-12

(As of 10.03.17) *

8. Verified Private School Poverty Count K-12

(As of 10.03.17)

**PLEASE NOTE: If a private school is NOT participating in Title I the poverty data is not required.

Please enter N/A if this is the case. *



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questions and concerns from private school officials and LEAs regarding the provision of equitable services under Titles I and VIII. In addition, the ombudsman is required to 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. Furthermore, the ombudsman should ensure that private school officials know how to contact the ombudsman. The following are examples of activities the ombudsman could undertake in fulfilling the roles and responsibilities of the position:

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- Develop, in partnership with other relevant SEA staff, monitoring protocols applicable to the provision of equitable services and participate in a sample of any monitoring activity.
- Provide technical assistance regarding equitable services requirements for SEA staff administering applicable programs, LEA staff, and private school officials.
- Establish a process for receiving documentation of agreement from LEAs consistent with the consultation requirement that the results of such agreement shall be transmitted to the ombudsman. (ESEA section 1117(b)(1).)
- Participate in the State's Title I Committee of Practitioners (ESEA section 1603(b)) and, as applicable, nonpublic schools working group.

What specific responsibilities does an ombudsman have with respect to monitoring and enforcement? The primary responsibilities of an ombudsman are to monitor and enforce the equitable services requirements in Titles I and VIII. Accordingly, 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. To ensure that monitoring protocols are being followed,

Forms

[FY18 Private School Data Collection Form](#)

[Private Schools-Equitable Services Forms to Submit to GaDOE](#)

[Complaint Form](#)

Trainings

[Equitable Services to Private School Children - Training for Private School Staff](#)

- [Video in MP4 format](#)
- [PPT File in PDF format](#)

[Private Schools and ESSA- Focus on Title I](#)

- [Video in MP4 format](#)
- [PPT File in PDF format](#)

[Private Schools and ESSA- Focus on Title II, Part A](#)

- [Video in MP4 format](#)
- [PPT File in PDF format](#)

Common Equitable Services Requirements Under Titles I and VIII

New Requirement: Ombudsman To help ensure equitable services and other benefits for eligible private school children, teachers and other educational personnel, and families, an SEA must designate an ombudsman to monitor and enforce ESEA equitable services requirements under both Title I and Title VIII. (ESEA sections 1117(a)(3)(B) and 8501(a)(3)(B).)

Contact Information

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Director of Consolidated Federal Initiatives
State Ombudsman
404-971-0096
sowen@doe.k12.ga.us

Allocations & Proportionate Share

FY18, Title I, Part A Private School
Proportionate Share

FY18, Title I, Part A Method for Determining
Proportionate Share

FY18, Title I, Part C Method for Determining
Proportionate Share

FY18, Title I, Part C Private School
Proportionate Share

FY18, Title II, Part A LEA Allocations

FY18, Title II, Part A Private School
Proportionate Share

FY18, Title II, Part A Method for Determining
Proportionate Share

FY18, Title III, Part A Private School
Proportionate Share

FY18, Title III, Part A Method for Determining
Proportionate Share

FY18, Title IV, Part A LEA Allocations

FY18, Title IV, Part A Private School
Proportionate Share

FY18, Title IV, Part A Method for Determining
Proportionate Share

FY18, Title IV, Part B Method for Determining
Proportionate Share



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The Progress in GA for FY18



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- **So where are we now??**

- Collection of Affirmation of Initial Consultation and Intent Notification and Private School Participation FY19

- **Where do we need to go in FY19???**

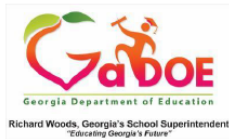
- The process for calculating and publishing equitable services allocations..... ***How did that work?***
- DE1111 process and database updates..... ***What changes/data might be needed for FY19 calculations and how data are gathered?***
- Administrative cost determination...***Were there any issues? How were they resolved?***

Scenario: W-9 and 1099

GaDOE received an inquiry asking for clarification as to whether or not W-9 can be required of private school teachers. There was concern both about protecting personally identifiable information (PII), and about how this might influence private school audits.

Key Take-aways

- What is the purpose of both forms?
- How do LEAs protect personally identifiable information?
- What does the GaDOE guidance say?
- What should LEAs take away as next steps?



The Use of the W-9 and 1099 in the Provision of Equitable Services to Private Schools

In the course of providing equitable services to private schools, LEAs may need to issue payments, including reimbursements, to private school employees who are not employees of the LEA. In alignment with ESSA allowable use of funds, this may include, but is not limited to, professional learning stipends, additional compensation for providing mentoring services, professional learning registration reimbursement, and travel reimbursement.

In accordance with questions F-5 and F-6 of USED's *2009 Non-Regulatory Guidance on Title IX, Part E Equitable Services for Eligible Private School Students, Teachers, and Other Educational Personnel*, LEAs "must always maintain control of the program funds" and "only the LEA may obligate and expend federal funds on behalf of private school students and teachers." LEAs may not reimburse a private school.

Payments, including reimbursements, to any non-employee require a tax identification number. For individuals, this is a social security number. Further, many financial accounting systems require the input of a tax identification number prior to any payment. Some LEAs collect this information from individuals requiring payment through a Form W-9; others collect it through a local form that requests the same information.

The IRS 2016 *Publication 535* defines a "reasonable period of time" for a travel reimbursement as "60 days after the expenses were paid or incurred." Each individual LEA should have written procedures for processing reimbursements. In these procedures, LEAs must establish at which point the LEA will classify and report the reimbursement as taxable income using the Form 1099-MISC. Procedures may vary LEA to LEA.

LEAs should have established procedures regarding reimbursements (including travel reimbursements) that are applied consistently to federal and non-federal funds, and that are inclusive of employees and non-employees such as private school employees. When developing procedures, LEAs should consider the provision of equitable services to ensure procedures are reasonable in nature. LEAs should also consult their local board attorney(s), human resources department, and/or finance office when developing these procedures.

LEAs are charged with maintaining the confidentiality of data such as social security numbers under *The Privacy Act of 1974* (5 U.S.C. § 552a) and O.C.G.A. § 50-18-72(a). LEAs must protect all personally identifiable information collected, including information obtained from private school employees.

The Use of the W-9 and 1099 in the Provision of Equitable Services to Private Schools

Federal Regulations - 2 CFR §200.474(b)

The LEA must have written travel procedures and a method for ensuring that charges are reasonable and consistent with the written travel policies. In the absence of LEA procedures, Federal rates and policies apply. The purpose of travel must be allowable.

O.C.G.A. § 20-2 -167(b),(c); 20-2- 272(b) SBOE Rule 160-5-2-.23

(1) REQUIREMENTS. (a) Local units of administration shall comply with procedures prescribed in the Financial Management for Georgia Local Units of Administration , copies of which are available from the department. (b) Local units of administration shall adhere to generally accepted governmental accounting principles.

Financial Management for Georgia Local Units of Administration Section V – Other Information Statewide Travel Regulations

“Annually the Governor’s Office of Planning and Budget and the State Accounting Office conduct a review of statewide travel regulations that all state employees must follow. In addition, personnel from local units of administration (LUAs) must follow these regulations. "Personnel" as used in these regulations is defined as persons governed by the rules and regulations of LUAs.”

Statewide Travel Policy – Updated 11.16.17 (pg. 8)

D. Internal Revenue Service Requirements

In order for travel advances and reimbursements of travel expenses to be excluded from a traveler's taxable income, the State's travel policies must meet the Internal Revenue Service (IRS) requirements for an "Accountable Plan". In general, the Statewide Travel Policy has been developed with the IRS Regulations as its primary payment framework. Accordingly:

- Advances and reimbursements must be reasonable in amount, must be made for travel only, must be in line with actual costs incurred and must be within Policy limitations. Expenses that do not comply with Policy guidelines will be the obligation of the individual that incurred the expense.

State policy requires that travelers submit expenses via the TTE system (or via manual expense reimbursement forms if not using the TTE system) substantiating the amount, date, use and business purpose of expenses, ideally within 10 days, **but no later than 45 calendar days** after completion of the trip or event. Expenses submitted in excess of 60 calendar days may not be reimbursed. (See Section 7.2 for further guidance.) Expenses submitted more than 60 calendar days after completion of the trip or event, if reimbursed, should be included in the traveler's IRS Form W-2 as taxable income.

Scenario: How do you solve this reimbursement issue?



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GaDOE received an inquiry about reimbursement. A private school requested to send two staff members to a conference. The staff members did not have personal wealth; the private school does have a church funded account from which they take care of such operations. In order to attend the conference they withdrew money, purchased a pre-paid debit card and paid for flights. The private school is now requesting reimbursement. Can the LEA reimburse the church account?

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Scenario: How do you solve this reimbursement issue? (continued)



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Key Take-aways:

- What does current OMB Regulations and USDE Non-Regulatory Guidance say about controls of funds?
- How would your current internal controls address this scenario?
- What do GaDOE and USDE Recommend?
- What should LEAs take away as next steps?

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Scenario: It's all about the reimbursement.....



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GaDOE received several more inquiries about reimbursement:

- A private school teacher does not have the personal funds to pay for a trip out of pocket. Another teacher not attending the conference paid for the teacher.

Who gets reimbursed?

- A private school teacher does not have the personal funds to pay for a trip out of pocket. The principal pays for the conference with a school card with the principal's name on it.

Who gets reimbursed?

Scenario: It's all about the reimbursement.....



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GaDOE received several more inquiries about reimbursement:

- A groups of private school teachers attend a conference with their principal. The principal pays for the conference lodging, meals, rental car and mileage out of pocket.

Who gets reimbursed?

What documentation is needed?

- An approved private school teacher is scheduled to attend a conference. The participant's registration is prepaid by the LEA. The teacher gets sick and the school sends another private school employee, not allowable under grant funds.

Can the LEA ask for reimbursement?

Scenario: Keep calm and mediate

GaDOE received an inquiry about allowability. Title II, Part A allowability has changed under ESSA, but some private schools want to continue their same spending habits. How can LEA coordinators help ensure that, through consultation, the law, regulations, and guidance are followed?

Key Take-aways

- What resources can LEAs pull from?
- What successful practices have some LEAs put in place?



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Expanding Services and Collaboration with Private Schools

- Expanding services and collaboration with private schools
- Collaboration of services (like tutoring) *between/among* private schools
- What services are being provided?
- What is working? What has had to be tweaked?
- What are road blocks?

FY18 Equitable Services Consultation Check-Up

- At this time in the year, initial FY18 Consultation meetings should be completed
- The Intent to Participate Document should have been signed by all parties
- The requested enrollment data and poverty data requested from the private schools who intend to participate in services in FY19 should have been provided to the public school
- Due June 30, 2018: Form verifying ongoing consultation for FY19
- DUE October 2018: Form verifying receipt of satisfactory FY18 services



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Spring Action Steps

- Monitoring the program (Inventory review, affirmation of services...)
- Location of website documents to be used
- Program evaluation
- Planning for next year.

Spring Action Steps & Timeline



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- Mid-Late Fall 2017 – The District contacts all private schools eligible for equitable services
- Late Fall-Winter 2017 – The District hosts an information session about equitable services and begins consultation process
- Late Spring-Summer 2018– The District and Participating Private School engage in ongoing consultation to determine needs and develop a program for the provision of equitable services in 2018-2019
- The following school year 2018-2019 – The District and Participating Private School engage in ongoing consultation to monitor program implementation and effectiveness (adjusting as needed). The Private School program should start at the same time as the public school
- The end of the grant period October 2018 – The Private School confirms receipts of equitable services

Spring Action Steps & Timeline

- **12/15/17 – Form A**

Private School Initial Consultation and Notification of Intent for 2018-2019 Provision of Services (Affirmation of Initial Consultation and Intent Notification)

- **6/30/18 Form B- Part 1**

FY18 Private School Consultation for FY18 Provision of Services (Timely and Meaningful Consultation Affirmation – Ongoing Consultation)

- **10/1/18 Form B- Part 2**

FY18 Private School Consultation for FY18 Provision of Services (Timely and Meaningful Consultation Affirmation – Equitable Provision of Services)

Spring Action Steps & Timeline – Consultation Phases



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- **Phase 1 (Fall):** Initial Consultation & Notification of Intent
- **Phase 2 (Spring):** Planning & Program Development ongoing consultation sessions
- **Phase 3 (School Year):** Implementation and evaluation ongoing consultation sessions
- **Phase 4 (End of Grant):** Final feedback – Confirmation of receipt of satisfactory equitable services that began at the time requested and which were agreed upon by both parties



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Food for thought---

Consider having **REGIONAL** initial private school consultation meeting across the State....

Pros.....

Cons.....

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Questions



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Presenters



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Metro RESA	Metro RESA	Metro RESA
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(404) 985-3808	(678) 704-3557	770-324-1965
Reward Schools; Reward Districts; ConApp; COP	Eligible Attendance Areas	Charter Schools

NW 1	NW 2	NW 3
North GA & Northwest GA RESA	West Georgia & Northwest GA RESA	Griffin & Middle GA RESA
Anne Marie Wiseman	Anthony Threat	Clarice Howard
(678) 986-0435	(404) 615-0367	470-230-1533
Professional Qualifications	Targeted Assistance Programs	Community Eligibility Provision (CEP)

SW1	SW2
Chattahoochee RESA	Southwest RESA Flint
Kim Ezekiel	Bobby Trawick
(229) 848-5917	(229) 246-1976
EL/Completion	Preschool/Discipline

SE 1	SE 2	SE 3
Coastal Plains & Okefenokee RESA	First District & Okefenokee RESA	Heart of GA & First District RESA
JaBra Harden Fuller	Marijo Pitts- Sheffield	Elaine Dawsey
(229) 563-6269	(912) 269-1216	(478) 971-0114
Monitoring	Private Schools	Schoolwide; Private Schools

NE 1	NE 2	NE 3
Central Savannah & Oconee RESA	Pioneer RESA	Central Savannah & Northeast GA RESA
Tammy Wilkes	Grace McElveen	Kathy Pruett
(478) 237-2873	(912) 334-0802	(706) 540-8959
Evidenced-Based Instruction	Title I Website & Title I Procedure Manual	Comparability

Title II, Part A Program Specialists Contact List



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Privates Schools *Where are We in Georgia???* *Collaboration for Equitable Services Continues to Flourish.....*

**Georgia Department of Education
GCEL Conference
February 26-28, 2018**