Ohio | Department of Education

John R. Kasich, Governor
Dr. Richard A. Ross, Superintendent of Public Instruction

To: Ohio Local Educational Agencies (LEAs) and Chartered Nonpublic Schools
Re: Guidance on Title II, Part A Allocations and Nonpublic Equitable Services
Date: February 27, 2015

The U.S. Department of Education has directed Ohio to change its Title II, Part A process. This document details the four areas of change: allocation formula, nonpublic equitable service levels, use of consortia and future allocations.

1. Changes to District Allocations

Starting in the 2015-2016 school year, Ohio will use a revised formula to calculate district allocations by adjusting a district's "hold harmless" (minimum amount) level to account for community schools that opened after the 2001-2002 school year.

The Title II, Part A allocation formula uses a school district's hold harmless level. That amount is based on previous grants established prior to the 2001 *No Child Left Behind* Act. Since then community school enrollment has increased. As a result, Ohio's formula must reflect these increases by directing more of the state's Title II, Part A allocation to community schools that opened after 2001-2002. As mentioned above, these changes are required by federal law.

2. Changes to Nonpublic Equitable Service Amounts

Starting in the 2015-2016 school year, Ohio's methodology to calculate private school equitable services will change. The process will create a new hold harmless level (or minimum amount) for each private school based on current enrollment data.

Previous hold harmless levels were based on pre-NCLB professional development amounts. For 2015-2016, Ohio's process will require a district to provide its private schools the higher of the school's minimum amount or a per-pupil amount of what the district budgeted for professional development. For 2016-2017 and beyond, districts will need to provide private schools the higher of the minimum amount or what the district spent in professional development. During the interim, the Ohio Department of Education will develop guidance on reporting professional development expenditures.

3. Title II, Part A Nonpublic Equitable Services and Use of Consortia

Another required change involves the use of consortia to provide equitable services to nonpublic schools. Federal law prohibits funds to be pooled across district lines, which is a current practice of Ohio's existing consortium. Ohio will be making the following changes that will affect the use of consortia starting in 2015-2016:

- Districts with nonpublic schools participating in one of the four consortia for Title II, Part A will not have the option to select consortia in the Nonpublic Data System to provide equitable services;
- Ohio will no longer provide Title II, Part A allocations directly to the fiscal agents of the four consortia;
- The use of any consortia will be determined between the local school district and private schools in accordance with federal law; and

- All school districts will need to determine the equitable service amounts for each of the nonpublic schools in their attendance areas as part of their annual consultation processes.

4. Adjustments to Future Allocations

The U.S. Department of Education has directed the department to update its Title II, Part A methodology and to make corrections over the previous five years. The U.S. Department of Education and the Ohio Department of Education are still reviewing the size and scope of the necessary adjustments and the timelines to apply such adjustments. USDOE has agreed to allow Ohio to use future Title II, Part A allocations to make the necessary adjustments as opposed to using state and local dollars. The department will provide districts and private schools with the amounts and process for making the adjustments as soon as they are completed and approved.

II-A Checklist

Below are recommendations for districts to prepare for the Title II, Part A changes:

- Set up a meeting with the principals of each in-district nonpublic school to discuss these changes and the process for consultation.
- Contact your Office of Federal Programs consultant for assistance, training opportunities and to discuss the impact of these changes.
- Based on the estimated allocation and budget, determine which will be used (the higher of the two):
  - A per pupil amount the district will budget for professional development; or
  - A per pupil amount from the adjusted hold harmless.
- Continue consultation with each nonpublic school by scheduling regular communication.

Reminder: Nonpublic Data System Deadline

May 15, 2015 is the deadline for all school districts to verify that they have provided timely and meaningful consultation with the private schools. This consultation must, among other issues, determine the service amounts and the processes for providing the services to private school teachers and students across federal programs.

The Nonpublic Data System will open in early March for school districts to complete participation forms with each nonpublic school. Both public and nonpublic schools must sign off on the participation form in the system and public districts must complete the questions in the consultation guide.

Ohio Department of Education Technical Assistance

The department's Office of Federal Programs is working on Title II, Part A guidance to provide to districts and private schools. Federal Programs staff will be providing upcoming training sessions and will be available to address any questions by calling (614) 466-4161.