



COMMONWEALTH of VIRGINIA
Department of Education

DATE: February 9, 2018
TO: Division Superintendents
FROM: Steven M. Constantino, Ed.D., Acting Superintendent of Public Instruction
SUBJECT: **Eligibility of Private Schools to Participate in Federal Programs**

**EQUITABLE SERVICES UNDER THE ELEMENTARY AND SECONDARY
EDUCATION ACT OF 1965**

Title VIII, Part F, Uniform Provisions, Subpart I – Private Schools

Under Section 8501 of Title VIII of the *Elementary and Secondary Education Act of 1965* (ESEA), as amended, private, nonprofit elementary and secondary school students, teachers, and other educational personnel are eligible to participate in federally-funded programs as authorized under the Act. Each school division is obligated to inform officials of private schools located within the division's boundary that private, nonprofit elementary and secondary schools are eligible to participate on an equitable basis. Title VIII provisions governing equitable services apply to the federal programs listed below.

- Title I, Part C (Education of Migratory Children);
- Title II, Part A (Supporting Effective Instruction);
- Title III, Part A (Language Instruction for English Learners and Immigrant Students);
- Title IV, Part A (Student Support and Academic Enrichment Grants); and
- Title IV, Part B (21st Century Community Learning Centers).

Section 1117 of Title I, Part A

Separate provisions govern private school participation requirements under Title I, Part A. School divisions must inform officials of private schools that eligible children attending private, nonprofit schools are eligible to participate on an equitable basis in Title I, Part A, services.

Virginia Title I Bypass

Fourteen Virginia school divisions participate in a bypass provision, under which the U.S. Department of Education directly provides Title I, Part A, equitable services to private school students and teachers through a third-party provider.

Equitable Services Webpage

Additional information on the provisions governing equitable services under Title I, Part A, and programs covered under Title VIII can be found on the Department's [Equitable Services webpage](#).

INDIVIDUALS WITH DISABILITIES ACT

Regulations for Part B of the *Individuals with Disabilities Education Act* (IDEA) contain provisions for equitable services to students that are parentally-placed private school students with disabilities. The U.S. Department of Education has issued informal guidance on this topic entitled [*Questions and Answers on Serving Children with Disabilities Placed by Their Parents at Private Schools*](#).

Informing Private Schools about Participation in ESEA and IDEA Programs

All school divisions should initiate and facilitate meaningful consultation with officials of private schools within their boundaries about their intent to participate in applicable ESEA and IDEA programs for the 2018-2019 school year.

TECHNICAL ASSISTANCE WEBINAR

The Department will offer a webinar to provide technical assistance to school divisions and private school officials in understanding equitable participation requirements for private school students, teachers, and other educational personnel in applicable ESEA and IDEA programs. The webinar will explore general ESEA and IDEA federal provisions for private school participation.

Equitable Services for Private Schools Webinar

- Tuesday, February 27, 2018, 9 a.m. – 10 a.m. (repeated from 2 p.m. – 3 p.m.)

At the scheduled time, click on the following link:

<https://vdoe.adobeconnect.com/es-2018/>

Division federal programs coordinators are encouraged to attend the webinar to receive information about equitable services provisions under ESEA.

General questions regarding equitable services to private schools should be directed to Christopher Kelly, Education Coordinator, Office of Program Administration and Accountability, at Christopher.Kelly@doe.virginia.gov or (804) 225-2122.

If you have specific questions regarding private school participation in a particular ESEA program, please contact the appropriate Department staff member below:

Program	Name	Email	Phone
Title I, Part A	Shyla Vesitis	Shyla.Vesitis@doe.virginia.gov	(804) 225- 3711
Title I, Part C	Shyla Vesitis	Shyla.Vesitis@doe.virginia.gov	(804) 225- 3711
Title II, Part A	Carol Sylvester	Carol.Sylvester@doe.virginia.gov	(804) 371-0908
Title III, Part A	Stacy Freeman	Stacy.Freeman@doe.virginia.gov	(804) 371-0778
Title IV, Part B	Marsha Granderson	Marsha.Granderson@doe.virginia.gov	(804) 786-1993
Title IV, Part B	Dawn Dill	Dawn.Dill@doe.virginia.gov	(804) 786-9935
IDEA	Christina Owens	Christina.Owens@doe.virginia.gov	(804) 225-4551

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Links:

[Equitable Services Webpage](#)

[Questions and Answers on Serving Children with Disabilities Placed by Their Parents at Private Schools](#)  (PDF)

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