

# CSBA Sample Board Policy

**Instruction**

BP 6171(a)

## **TITLE I PROGRAMS**

Note: The following policy is for use by districts that receive funding through Title I, Part A, of the federal Elementary and Secondary Education Act, which supports basic programs designed to improve the academic achievement of disadvantaged students. The No Child Left Behind Act of 2001 (20 USC 6313) establishes school eligibility criteria and priorities for funding. Title I funds received by the district must be allocated to eligible schools or school attendance areas, in rank order, on the basis of the number of students from low-income families. 20 USC 6313 further provides that districts may continue to serve a school or school attendance area for one additional year after it loses its eligibility. Pursuant to 20 USC 6314 and 6321, Title I funds must be used only to supplement, not supplant, funds that would be available from nonfederal sources for the education of students participating in Title I.

In order to improve the academic achievement of students from economically disadvantaged families, the district shall use federal Title I funds to provide supplementary services that reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments.

*(cf. 5149 - At-Risk Students)*  
*(cf. 6011 - Academic Standards)*  
*(cf. 6162.5 - Student Assessment)*  
*(cf. 6162.51 - Standardized Testing and Reporting Program)*  
*(cf. 6162.52 - High School Exit Examination)*

The Superintendent or designee shall provide technical assistance and support to any school participating in the Title I program, including consultation in the development and implementation of school plans and activities. (20 USC 6312)

*(cf. 0420 - School Plans/Site Councils)*

Note: 20 USC 6318 mandates each district and each school receiving Title I funds to have a written parent involvement policy developed jointly with and agreed upon by parents/guardians of participating students; see BP/AR 6020 - Parent Involvement for language fulfilling this mandate.

The district and each school receiving Title I funds shall develop a written parent involvement policy in accordance with 20 USC 6318.

*(cf. 6020 - Parent Involvement)*

## **Local Educational Agency Plan**

Note: 20 USC 6312 requires that districts receiving Title I funds develop a local educational agency (LEA) plan with specified components. Pursuant to 20 USC 6312, any LEA plan submitted to the California Department of Education (CDE) following enactment of the No Child Left Behind Act of 2001 will remain in effect for the duration of the district's participation in Title I, with periodic revisions. Guidance and a template are available on the CDE's web site to assist in the development and revision of the LEA plan.

**TITLE I PROGRAMS** (continued)

20 USC 6312 requires that the LEA plan be developed in consultation with specified stakeholders, as provided below. The CDE guidance clarifies that all subsequent amendments also must be developed in consultation with these stakeholders and that both the initial plan and subsequent revisions must be approved by the Governing Board. Revisions of the plan must be kept on file in the district.

The CDE guidance suggests that the LEA plan be reviewed and updated at least once each year. The following paragraph may be revised to reflect the frequency of review desired by the Board.

The Superintendent or designee shall consult with teachers, principals, administrators, other appropriate school personnel, and parents/guardians of participating students in the development, periodic review, and, as necessary, the revision of a local educational agency (LEA) plan. The plan and any revisions shall be submitted to the Governing Board for approval. (20 USC 6312)

The plan shall address the components specified in 20 USC 6312, which describe the assessments, strategies, and services the district will use to help low-achieving students meet challenging academic standards.

The initial plan shall be submitted to the California Department of Education (CDE) and approved by the State Board of Education. Subsequent revisions of the plan shall be kept on file in the district.

**Comparability of Services**

Note: 20 USC 6321(c)(3)(A) **mandates** any district receiving Title I funds to develop procedures to ensure compliance with legal requirements regarding comparability of services. Pursuant to 20 USC 6321, requirements regarding comparability do not apply to districts that do not have more than one building for each grade span.

State and local funds used in schools receiving Title I funds shall provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all district schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span. (20 USC 6321)

Note: Items #1-5 below should be revised to reflect district practice. Pursuant to 20 USC 6321, a district will be considered to have met the legal requirement for comparability if it provides the CDE with written assurances that it has established and implemented (1) a districtwide salary schedule; (2) a policy ensuring equivalence among schools in teachers, administrators, and other staff; and (3) a policy ensuring equivalence among schools in the provision of curriculum materials and instructional supplies. U.S. Department of Education nonregulatory guidance, [Title I Fiscal Issues](#), and the CDE clarify that these written assurances alone would be insufficient to establish comparability. The district must keep records documenting that the salary schedule and policies were actually implemented and that they resulted in equivalence among schools in staffing, materials, and supplies.

To demonstrate comparability of services among district schools:

**TITLE I PROGRAMS** (continued)

1. The Board shall adopt and implement a districtwide salary schedule.

Note: U.S. Department of Education nonregulatory guidance, Title I Fiscal Issues, presents examples of various methods that may be used to determine comparability on the basis of student-staff ratios. Item #2 below reflects the method used by the CDE to annually calculate and compare the district's student-staff ratios based on data collected through the California Basic Educational Data System (CBEDS). If the ratios are found to be noncomparable, the CDE will notify the district and review other indicators to determine whether corrective actions are needed. The district may revise item #2 to establish additional or alternative methods for determining comparability of student-staff ratios.

2. The ratio of students to teachers, administrators, and other staff at each Title I school shall not exceed 110 percent of the average ratio across non-Title I schools.
3. Salary expenditures at each Title I school shall be no less than 90 percent of the average salary expenditure across non-Title I schools.
4. All district schools shall be provided with the same level of base funding per student for curriculum and instructional materials.
5. The Superintendent or designee shall maintain records of the quantity and quality of instructional materials and equipment at each school.

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

In determining comparability, the district shall not include staff salary differentials for years of employment. The district also may exclude unpredictable changes in student enrollment or personnel assignments that occur after the beginning of the school year, state and local funds expended for language instruction educational programs, state and local funds expended for the excess costs of providing services to disabled students, and supplemental state or local funds expended in any school attendance area or school for programs that specifically meet the intent and purposes of Title I. (20 USC 6321)

Note: Although 20 USC 6321 requires records of compliance to be updated biennially, U.S. Department of Education nonregulatory guidance, Title I Fiscal Issues, clarifies that because Title I allocations are made annually, demonstrating comparability is an annual requirement. The CDE monitors comparability data annually per an agreement with the U.S. Department of Education.

The following paragraph may be modified to reflect district practice. U.S. Department of Education guidance, Title I Fiscal Issues, suggests that the timeline for evaluating comparability be set early enough in the school year to allow corrective actions to be taken as needed in a manner that minimizes disruption to school operations.

At the beginning of each school year, the Superintendent or designee shall measure comparability in accordance with the above criteria and maintain records documenting the

**TITLE I PROGRAMS** (continued)

district's compliance. If any instances of noncomparability are identified, the Superintendent or designee shall promptly implement adjustments as needed to ensure comparability.

**Program Evaluation**

Note: 20 USC 6316 contains requirements for schools receiving Title I funds that fail to make "adequate yearly progress" for two or more consecutive school years; see BP/AR 0520.2 - Title I Program Improvement Schools.
--

The Board shall use state assessment results and other available measures or indicators to annually determine whether each participating school is making adequate yearly progress toward ensuring that all students meet the state's proficient level of achievement on state assessments. (20 USC 6316)

*(cf. 0520.2 - Title I Program Improvement Schools)*  
*(cf. 0520.3 - Title I Program Improvement Districts)*  
*(cf. 6190 - Evaluation of the Instructional Program)*

*Legal Reference: (see next page)*

## TITLE I PROGRAMS (continued)

### *Legal Reference:*

#### EDUCATION CODE

11503 *Parent involvement programs in Title I schools*  
52055.57 *Districts identified or at risk of identification for program improvement*  
54020-54028 *Economic Impact Aid*  
54420-54425 *State Compensatory Education*  
64001 *Single plan for student achievement, consolidated application programs*  
UNITED STATES CODE, TITLE 20  
6301 *Program purpose*  
6311-6322 *Improving basic programs for disadvantaged students, including:*  
6312 *Local educational agency plan*  
6313 *Eligibility of schools and school attendance areas; funding allocation*  
6314 *Title I schoolwide programs*  
6315 *Targeted assistance schools*  
6316 *School improvement*  
6318 *Parent involvement*  
6320 *Participation of private school students*  
6321 *Comparability of services*  
7881 *Participation of private school students*  
CODE OF FEDERAL REGULATIONS, TITLE 34  
200.1-200.79 *Improving basic programs for disadvantaged students*

### *Management Resources:*

#### CSBA PUBLICATIONS

*Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006*

#### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*LEA Plan, rev. May 17, 2006*

*Provisions for Private School Students, Teachers, and Other Education Personnel in the No Child Left Behind Act of 2001, rev. November 1, 2005*

#### U.S. DEPARTMENT OF EDUCATION GUIDANCE

*Title I Fiscal Issues, May 26, 2006*

*Designing Schoolwide Programs, March 22, 2006*

*Supplemental Educational Services, June 13, 2005*

*The Impact of the New Title I Requirements on Charter Schools, July 2004*

*Parental Involvement: Title I, Part A, April 23, 2004*

*Serving Preschool Children Under Title I, March 4, 2004*

*Title I Services to Eligible Private School Students, October 17, 2003*

*Local Educational Agency Identification and Selection of School Attendance Areas and Schools and Allocation of Title I Funds to Those Areas and Schools, August 2003*

#### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov/iasa/titleone>

No Child Left Behind: <http://www.ed.gov/nclb>

U.S. Department of Education: <http://www.ed.gov>

(10/95 11/02) 8/06

### **Policy Reference UPDATE Service**

Copyright 2006 by California School Boards Association, West Sacramento, California 95691

All rights reserved.



# CSBA Sample Administrative Regulation

Instruction

AR 6171(a)

## TITLE I PROGRAMS

### Schoolwide Programs

Note: Title I funds may be used and consolidated with other federal, state, and local program funds to upgrade the entire educational program in schools that meet eligibility criteria pursuant to 20 USC 6314 and 34 CFR 200.25. Schools participating in schoolwide programs are not required to identify particular children as eligible. The following **optional** section is for use by districts with eligible school(s).

A school may operate a Title I schoolwide program in order to upgrade the entire educational program of the school when at least 40 percent of the students in the school attendance area, or at least 40 percent of the students enrolled in the school, are from low-income families. The Superintendent or designee shall inform any such eligible school and the school's parents/guardians of the school's eligibility and its ability to consolidate funds from federal, state, and local sources for program purposes. (20 USC 6312, 6314)

Any participating school shall develop, annually review, and update a single plan for student achievement which incorporates the plan required by 20 USC 6314 for reforming the school's total instructional program and plans required by other categorical programs included in the state's consolidated application. (Education Code 64001; 20 USC 6314)

*(cf. 0420 - School Plans/Site Councils)*

A schoolwide program shall include: (20 USC 6314)

1. A comprehensive needs assessment of the entire school, including the needs of migrant students, which includes the achievement of students in relation to state academic content and achievement standards

*(cf. 6011 - Academic Standards)*

*(cf. 6162.5 - Student Assessment)*

*(cf. 6162.51 - Standardized Testing and Reporting Program)*

*(cf. 6162.52 - High School Exit Examination)*

*(cf. 6175 - Migrant Education Program)*

2. Schoolwide reform strategies that:

- a. Provide opportunities for all students to meet the state's proficient and advanced levels of achievement
- b. Use effective methods and instructional strategies, based on scientifically based research, that strengthen the school's core academic program, increase

**TITLE I PROGRAMS** (continued)

the amount and quality of learning time, help provide an enriched and accelerated curriculum, and include strategies for meeting the educational needs of historically underserved populations

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6111 - School Calendar)*

*(cf. 6112 - School Day)*

*(cf. 6177 - Summer School)*

- c. Include strategies to address the needs of all students in the school, but particularly the needs of low-achieving students and those at risk of not meeting state achievement standards who are members of the target population of any program that is part of the schoolwide program

Such strategies may include counseling, student services, mentoring services, college and career awareness and preparation, and the integration of vocational and technical education programs.

*(cf. 5149 - At-Risk Students)*

*(cf. 6030 - Integrated Academic and Vocational Instruction)*

*(cf. 6164.2 - Guidance/Counseling Services)*

*(cf. 6164.5 - Student Success Teams)*

- d. Address how the school will determine if student needs have been met
- e. Are consistent with and designed to implement state and local improvement plans, if any

*(cf. 0520.2 - Title I Program Improvement Schools)*

*(cf. 0520.3 - Title I Program Improvement Districts)*

3. Instruction by highly qualified teachers

*(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)*

4. High-quality and ongoing professional development for teachers, principals, paraprofessionals, and, if appropriate, student services personnel, other staff, and parents/guardians to enable all students in the school to meet state academic achievement standards

*(cf. 4131 - Staff Development)*

*(cf. 4222 - Teacher Aides/Paraprofessionals)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

5. Strategies to attract high-quality, highly qualified teachers to high-need schools

**TITLE I PROGRAMS** (continued)

*(cf. 4111 - Recruitment and Selection)*

6. Strategies to increase parent involvement

*(cf. 5020 - Parent Rights and Responsibilities)*

*(cf. 6020 - Parent Involvement)*

7. Plans for assisting preschool children in the transition from early childhood programs to elementary school programs

*(cf. 6300 - Preschool/Early Childhood Education)*

8. Measures to include teachers in decisions regarding the use of academic assessments to provide information on and to improve the achievement of individual students and the overall instructional program

9. Activities to ensure that students who experience difficulty mastering the proficient and advanced levels of academic standards shall be provided with effective, timely additional assistance, which shall include measures for timely identification of students' difficulties and provision of sufficient information on which to base effective assistance

*(cf. 6179 - Supplemental Instruction)*

10. Coordination and integration of federal, state, and local services and programs

**Targeted Assistance Programs**

Note: Items #1-2 below may be revised to reflect grade levels offered by the district.
--

Any school that receives Title I funds but does not operate a schoolwide program shall use Title I funds to provide services to: (20 USC 6315)

1. Students in grades 3-12 identified by the school as failing, or most at risk of failing, to meet the state's academic achievement standards on the basis of criteria established by the district and supplemented by the school
2. Students in preschool through grade 2 selected solely on the basis of such criteria as teacher judgment, interviews with parents/guardians, and developmentally appropriate measures

A targeted assistance program shall: (20 USC 6315)

**TITLE I PROGRAMS** (continued)

1. Use program resources to help participating students meet state academic achievement standards expected for all students
2. Ensure that program planning is incorporated into existing school planning
3. Use effective methods and instructional strategies, based on scientifically based research, that strengthen the core academic program, give primary consideration to providing extended learning time, help provide an accelerated, high-quality curriculum, and minimize removing students from the regular classroom during regular school hours for instruction provided by Title I
4. Coordinate with and support the regular education program, which may include services to assist preschool students in the transition to elementary school programs
5. Provide instruction by highly qualified teachers
6. Provide opportunities for professional development for teachers, principals, paraprofessionals, and, if appropriate, student services personnel, other staff, and parents/guardians who work with participating students
7. Provide strategies to increase parent involvement
8. Coordinate and integrate federal, state, and local services and programs

**Participation of Private School Students**

The Superintendent or designee shall provide or contract to provide special educational services or other Title I benefits to eligible private school students residing in a participating school attendance area. Such services and benefits shall be provided on an equitable basis with participating public school students. (20 USC 6320, 7881)

Teachers, other educational personnel, and families of participating private school students shall have an opportunity to participate, on an equitable basis, in parent involvement activities and professional development pursuant to 20 USC 6318 and 6319. (20 USC 6320, 7881)

Note: The following **optional** paragraph reflects California Department of Education (CDE) guidance, Provisions for Private School Students, Teachers, and Other Education Personnel in the No Child Left Behind Act of 2001, and U.S. Department of Education non-regulatory guidance, Title I Services to Eligible Private School Students.

Each year the Superintendent or designee shall contact officials of private schools with

**TITLE I PROGRAMS** (continued)

students who reside within district boundaries, regardless of whether the private school they attend is located within the district or whether or not those officials have previously indicated any interest in program participation.

Note: 20 USC 6320 requires meaningful and timely consultation with private school officials as described below. Pursuant to 20 USC 6320, a private school official has the right to complain to the CDE that the district did not engage in consultation that was meaningful and timely or did not give due consideration to the views of the private school official.

The Superintendent or designee shall consult, in a meaningful and timely manner, with appropriate private school officials during the design and development of the district's Title I programs. Such consultation shall occur before the district makes any decision that affects the opportunities of eligible private school students to participate in Title I programs and shall include a discussion of: (20 USC 6320, 7881; 34 CFR 200.63)

1. How the needs of private school students will be identified
2. What services will be offered
3. How, where, and by whom the services will be provided
4. How the services will be academically assessed and how assessment results will be used to improve those services
5. The size and scope of the equitable services to be provided to private school students and the proportion of funds that is allocated for such services

Note: Pursuant to 20 USC 6320, the district has the final authority to calculate, each year or every two years, the number of private school students, ages 5-17, who are from low-income families. The district may use the same measure of low income used to determine eligibility for public school students or any other measure listed in 20 USC 6320(c)(1).

6. The method or sources of data that are used to determine the number of students from low-income families in participating school attendance areas who attend private schools
7. How and when the district will make decisions about the delivery of service to such students, including a thorough consideration and analysis of the views of private school officials on the provision of services through a third-party provider
8. How, if the district disagrees with the views of private school officials on the provision of services through a third-party provider, the district will provide to private school officials a written analysis of the reasons that the district has chosen not to use a contractor

**TITLE I PROGRAMS** (continued)

Meetings between district and private school officials shall continue throughout implementation and assessment of services. (20 USC 6320)

The Superintendent or designee shall maintain, and shall provide to the California Department of Education upon request, a written affirmation signed by officials of each participating private school that consultation has occurred. (20 USC 6320)

Note: The following paragraph is **optional**. CDE and U.S. Department of Education guidance on the participation of private school students address actions that should be taken if private school officials fail to sign the above affirmation in a reasonable period of time, as provided below.

If the private school officials do not provide such affirmation within a reasonable period of time, the Superintendent or designee shall maintain records of the consultation or the offer of consultation.

*(cf. 3580 - District Records)*

Note: In addition to the records described above, CDE guidance on the participation of private school students suggests that the following records be maintained. **Optional** items #1-4 below may be revised or expanded to reflect district practice.

The Superintendent or designee also shall maintain records documenting that:

1. The needs of private school teachers and/or private school students were identified.
2. The funds made available were equitable to those allocated for public school students and teachers.
3. The district's program met the needs of the private school teachers and/or private school students.
4. The district made efforts to resolve any complaints made by private school representatives.

(10/95 11/02) 8/06

