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Laws & Regulations

Title I, Part A:

[ESEA section 1117 – Participation of Children Enrolled in Private Schools](#)

[34 C.F.R. Part 200 Participation of Eligible Children in Private Schools](#)

[§ 200.64 Factors for determining equitable participation of private school children.](#)

Title II, Part A; Title III, Part A; Title IV, Part A & B:

[ESEA section 8501 – Participation by Private School Children and Teachers](#)

IDEA:

[IDEA section 1412\(a\)\(10\)\(A\)](#)

[34 C.F.R. §§ 300.130 through 300.144 –Children with Disabilities Enrolled by Their Parents in Private Schools](#)

[Appendix B to Part 300 – Proportionate Share Calculation](#)

Guidance

Title I, Part A:

[2019 Non-Regulatory Guidance: Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act: Providing Equitable Services to Eligible Private School Children, Teachers, and Families](#) (October 17, 2019) (See section B, page 13)

[BFEP Equitable Services for Private School Students under Title I, Part A](#)

IDEA:

[ED Guidance: Provisions Related to Children with Disabilities Enrolled by Their Parents in Private Schools](#) (2011)

[Questions & Answers on Serving Children with Disabilities Place by Their Parents in Private Schools](#) (rev. Feb 2022)

Title II, Part A

[Title II, Part A Equitable Services for Private Schools Technical Assistance Document](#) (2020)

Calculation Examples

Title I, Part A

A. Title I, Part A Allocation	\$3,000,000
B. Number of Public Children from Low-Income Families (CLIF)	13,500
C. Number of Private CLIF*	1,200
D. Proportionate Rate	.0816 or 8.16% # private CLIF ÷ (public CLIF + private CLIF)
E. Equitable Share Amount*	\$244,800 (\$3 million x .0816)

*Reminders:

1. Private CLIF are determined using one of these methods: same method as public schools, income surveys with extrapolation, proportionality, comparable data from a different source, an equated measure.

2. “E. Equitable Share Amount” includes all funding for services (family engagement is 1% of equitable share amount; administrative costs are determined in consultation and cannot exceed 10% of the allocation when combined with public administrative costs (which include indirect costs); professional development, if applicable; and instructional services).
3. Private schools may also have unspent funds from prior year.

Title II, Part A:

Example of Formula to Determine Amount for Title II, Part A Equitable Services ([Source](#))

Number of Students	
A1. District Enrollment	900
A2. Participating Private Schools’ Enrollment	100
A3. Total Enrollment = A1 + A2	1,000
B. Title II, Part A Base Preliminary Allocation	
B1. Total District Base Preliminary Allocation	\$1,000,000
B2. Administrative Costs (for public and private school programs)	\$50,000
B3. District Base Preliminary Allocation Minus Admin Costs = B1 – B2	\$950,000
Per Pupil Rate	
C1. B3 divided by A3	\$950
Equitable Services	
Amount district must reserve for equitable services for private school teachers and other personnel = A2 x C1	\$95,000

Example of Formula to Determine Roll Forward Amount for Equitable Services

A. Number of Students	
A1. District Enrollment	900
A2. Participating Private Schools Enrollment	100
A3. Total Enrollment = A1 + A2	1,000
B. Roll Forward from Previous Fiscal Year	
B1. LEA Roll Forward Amount	\$200,000

B2. Private School Roll Forward Amount	\$10,000
C. Title II, Part A Base Final Allocation	
C1. Total District Base Final Allocation	\$1,000,000
C2. Administrative Costs (for public and private school programs)	\$50,000
C3. District Base Final Allocation Minus Admin Costs =C1–C2	\$950,000
C4. District Base Final Allocation Minus Admin Costs (C3) + Private School Roll (B2)	\$960,000
D. Per Pupil Rate	
D1. C4 divided by A3	\$960
E. Equitable Services	
Amount District must reserve for equitable services for private school teachers and other educational personnel = A2 x D1	\$96,000

IDEA:

The following is a calculation example of how the proportionate share is calculated for Parentally-Placed Private School Children with Disabilities. ([Source](#))

Number of eligible children with disabilities in public schools in the LEA	300
Number of parentally-placed eligible children with disabilities in private elementary schools and secondary schools located in the LEA	20
Total number of eligible children	320
Calculating Proportionate Share:	
Total allocation	\$152,500
Divided by total number of eligible children	320
Average allocation per eligible child	476.5625

Multiplied by the number of parentally-placed children with disabilities	20
Amount to be expended for parentally-placed children with disabilities	\$9,531.25