

Migrant Education and English Language Learning

Working with Private Schools



Requirements for districts receiving funds from Title III of the No Child Left Behind (NCLB) Act of 2001 include consultation and coordination with private schools. This document provides guidance to school districts that are required to provide equitable, high-quality language instruction services and other benefits to English Language Learners (ELLs), their teachers or other educational personnel from private schools. Religiously affiliated schools are included in the provisions, which also cover Title I-C Migrant Education.

General Considerations

Local education agencies (LEAs), including school districts receiving Title III funds, are required (after timely and meaningful consultation with appropriate officials from private schools) to provide to private school ELLs and their teachers or other educational personnel educational services and benefits that address their needs. These services and benefits shall be equitable in comparison to those received by the same population in the public schools. Public institutions may deliver services to the private schools directly or through a third-party agency.

Providing Equitable Services

Public schools receiving Title III funds ensure equitable participation from the private school population through early consultation during program design. Public schools should assess, address and evaluate the needs of private school students, teachers or other educational personnel with comparable considerations in terms of activities being planned. Services offered should be secular, neutral and nonideological.

Consultation

Title III specifies that educational services must be provided by school districts to private schools in a timely manner. It also specifies that consultations with private school officials must occur during the design and development stages of the educational programs as well as throughout the period of implementation. The following issues stated in the NCLB Act must be addressed during the consultations:

- ▶ how the children's needs will be identified
- ▶ what services will be offered
- ▶ who will provide the services, and how and where the services will be provided
- ▶ how the services will be assessed, and how the assessment results will be used to improve the services
- ▶ the size and scope of equitable services to be provided to eligible private school children, teachers or other educational personnel, and the amount of funds available for these services

- ▶ how and when the agency, consortium or entity will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers.

Third-Party Services to Private Schools

Public schools planning to contract with a third-party agency for service delivery must consider the views of the private school officials. When disagreement occurs on the provision of a service contract, the public entity must provide a written explanation of why it has chosen not to use a contractor.

Program Design

There are no requirements that program design must be the same for school districts and private entities. Consultation and coordination (before any decisions that affect the private school population to be served are made) are essential in ensuring service-delivery mechanisms. Programs

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should be appropriate to each entity's need and should ensure high-quality educational instruction that assists ELLs in attaining English proficiency and meeting the same challenging academic-content and academic-achievement standards as all children.

Complaints

Private and public entities are encouraged to work out a consensus when their views are in disagreement. However, a report on the failure of a public entity to address private school concerns must first be submitted to the Missouri Department of Elementary and Secondary Education. The state's resolution or failure to make a resolution may be appealed to the U.S. Department of Education no later than 30 days after the state's written resolution.

Control of Funds

Control of the funds and materials, equipment and property purchased with Title III money is carried out by the public schools for the uses and purposes provided for in the NCLB Act.

Private School ELLs

During the spring, private school ELLs receiving Title III services must take the annual state-sponsored assessment or the assessment being administered by the private school. The state-sponsored assessment must be paid for by the private school. The private school assessment must include the domains of speaking, listening, reading, writing and comprehension. It must be comparable to the state-sponsored assessment and aligned with the academic-content and academic-achievement standards established by the state or the private school. Participation is not required of private schools that are not receiving services. Private schools have the right not to participate in Title III activities conducted by school districts.

ELL Teachers

Like teachers in public schools, third-party or private school teachers providing Title III services must meet the language requirements to be fluent in English and any other languages used in the program for instruction.

Statewide Assessment Tool

To comply with Title III of the NCLB Act, the state of Missouri adopts a statewide assessment tool to measure the yearly English language proficiency progress of ELLs. The chosen tool assesses proficiency in speaking, listening, reading, writing and comprehension. All students receiving services are required to take the statewide assessment at the session following their enrollment in a Missouri school. No ELLs will be exempted from taking the statewide assessment except for private school ELLs who are taking their school's assessment test. Refer to the administration manual for details.

Technical Assistance

The Department has contracted with Regional Professional Development Centers (RPDCs) at institutions of higher education to provide technical assistance via the Missouri Migrant Education and English Language Learning (MELL) program. MELL instructional specialists help schools with: 1) identifying and implementing language instruction educational programs and curricula that are based on scientific research, 2) helping ELLs meet the same challenging state academic-content and academic-achievement standards required of all children, 3) identifying, or developing and implementing, measures of English proficiency, and 4) promoting parental and community participation in programs. For more information, please call 877-435-7537 or visit dese.mo.gov/qs/me/ell.

Private schools, including their ELLs, that do not receive services or benefits under Title III are not affected by the assessment requirements referenced in this brochure. School districts are advised to keep a log of their efforts to consult and coordinate with private schools. In this log, districts should include names of officials, dates, times, meeting locations, discussed issues or minutes, and any other useful information to back their efforts. There is no need to forward this information to the Department.



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