

CHARTER SCHOOLS & TITLE I REQUIREMENTS

Florida Association of State and Federal Education
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ABOUT FLORIDA'S CHARTER SCHOOLS

In 2011-2012 school year, there were over 500 charter schools operating in 44 of Florida's school districts, two operating in state universities, and one operating charter school LEA. Charter schools currently serve 178,892 students.

Charter schools (Florida) shall be guided by the following five principles and purposes:

1. Meet high standards of student achievement;
2. Promote enhanced academic success by aligning responsibility with accountability;
3. Improve student learning and academic achievement;
4. Encourage the use of innovative learning methods; and
5. Provide rigorous competition within the public local educational agency to stimulate continual improvement in all public schools. [Section 1002.33(2) F.S.]

TIMELY AND MEANINGFUL INFORMATION TO A CHARTER SCHOOL

An local educational agency provides *timely and meaningful information* to a charter school when it provides the charter school with the information the charter school reasonably needs to know to make an informed decision about whether to apply to participate in a particular covered program and the steps the charter school needs to take to do so.

In terms of meaningful, the local educational agency responsibility is to provide basic program information to charter schools, such as:

The program's purpose	Target population
Eligibility requirements	Application packages
Dates of any competitions	Copies of the statute
Relevant regulation and guidance	

In terms of timing, the LEA should provide the information as early as possible to afford the charter school a genuine opportunity to apply to participate in the program. *34 CFR Section 76.789(a)*.

FUNDING AND PLANNING

- Submit the required application (Title I, Part A)
- Serve schools with funds in appropriate rank order consistent with statutory requirements (PSES)
- Reserve required statutory set-asides
- Provide equitable services to private school students
- Ensure compliance with comparability requirements
- Ensure compliance with maintenance of effort requirements
- Ensure compliance with supplement, not supplant requirements

ELIGIBILITY AND ALLOCATION OF FUNDS

In general, when allocating Title I funds, LEAs must treat charter schools in a manner consistent with the Title I statute and regulations, and ensure that charter schools receive the proportionate allocations for which they are eligible. In the state of Florida, there is currently one charter schools LEAs, the SEA must treat those charter schools like other LEAs in the state when determining Title I LEA eligibility and allocations. Similarly, if a State considers charter schools to be public schools within an LEA, the LEA must treat its charter schools like other public schools in determining Title I eligibility and making within-district allocations.

ELIGIBILITY AND ALLOCATION OF FUNDS

New and Expanding

- ❖ In order to receive funds, a new or expanding charter school **must meet** the same **eligibility** requirements as other public schools.
- ❖ The **eligibility** of a new or expanding charter school may not be based on data from a prior year. A charter school opening for the first time or significantly expanding its enrollment will not have prior year data.
 - ❖ A charter school that does not have prior year data because it is **opening for the first time** cannot be denied funding on that basis.
 - ❖ Prior year data cannot be used in determining the **allocation amount** for a charter school that has undergone a **significant expansion** of enrollment.

Actual Schools that Open or Expands

- ❖ The LEA may rely on enrollment or eligibility data from a prior year to estimate an **expanding** charter school's projected enrollment.
- ❖ The LEA may rely on other **reasonable data** to estimate the amount of funds to **reserve** for a **new** charter school. (34 CFR, Section 76.789(b)(2).

ELIGIBILITY AND ALLOCATION OF FUNDS (cont'd)

Use of Projected Data when allocating funds to new or expanding charter schools...

- ❖ The LEA is not required to use projected data when providing funds to **new or expanding charter** schools but **may** reserve funds off the top of its total allocation under the particular program, and wait until **actual data** is available before making any allocations to charter schools.

However...

ELIGIBILITY AND ALLOCATION OF FUNDS (cont'd)

- ❖ An LEA **may reserve** an appropriate amount of funds or **make an initial allocation** to eligible charter schools based on projected data.
- ❖ A charter school must provide the LEA with any available data or information that the LEA may reasonably require to make the projections. If projected data is used, it must be reasonable.
- ❖ If an LEA allocates funds based of projected data, the agency must subsequently **adjust those allocations to reflect actual data** when such data becomes available (usually after Survey 2 in October).
 - ❖ The PSES allows an LEA to reflect their use of projected data by using the Selection Code of “K.”

HOW AND WHEN MUST AN LEA ALLOCATE FUNDS TO ELIGIBLE CHARTER SCHOOLS?

Charter schools opening for the first time or significantly expanding their enrollment:

- ❖ On or before November 1, must receive the funds for which they are eligible within five months of the date they open or expand.
- ❖ After November 1 but before February 1, the LEA must implement procedures to ensure that the charter school receives at least a pro rata portion of the funds for which the charter school is eligible.
- ❖ After February 1, an LEA may provide funds to charter schools that open for the first time or significantly expand but are not required to do so.
 - LEAs that elect to fund charter school under the latter may provide the charter school with *pro rata* portion of the funds for which the school is eligible.

ALLOCATION ADJUSTMENTS TO SCHOOLS WHEN PROJECTED DATA IS USED

- LEAs that utilized the flexibility to allocate funds to existing, new or expanding charter schools based on reasonable estimates or projected enrollment data must make the appropriate adjustment to the allocations previously made to the charter school.

ASSESSMENT AND ACCOUNTABILITY

- Assessing all students, in required grades and subjects, consistent with NCLB, ESEA Flexibility Waivers and the state accountability workbook
- Ensuring the accuracy of data (data quality), including validating any legitimate exemptions, with regard to students taking the assessment
- Disseminating LEA level report cards and individual school reports consistent with requirements
- Maximizing participation of all students in the aggregate and by subgroup in the assessment
- Providing appropriate accommodations to English Language Learners (ELLs) and students with disabilities (SWDs)
- Identifying which students are not proficient in English
- Administering assessment for ELLs, measuring their proficiency English
- Reviewing yearly progress data and communicating any corrections to the state educational agency (SEA)

OBTAINING POVERTY DATA FOR CHARTER SCHOOLS

The following are examples of how an LEA may exercise flexibility in **obtaining poverty data** for new or expanding charter schools:

- ❖ (a) **If enrollment and poverty data** for a new or expanding charter school are not available at the same time that such data are collected for other public schools within the LEA (e.g., the charter school has not yet opened or expanded), an LEA may use the same data collected at a different time of the year to determine the charter school's eligibility for, and allocation of, Title I funds.

OBTAINING POVERTY DATA FOR CHARTER SCHOOLS (cont'd)

- ❖ (b) If an LEA uses poverty data that are not available for a charter school, such as free and reduced-price lunch data, the LEA has several options:
 - ❖ (1) The LEA may use **poverty data** for children attending a new or expanding charter school that are from a **different source** than the data it uses for other public schools so long as the income level for both sources is generally the same.
 - ❖ (2) If complete actual data are not available, the LEA may **extrapolate** the number of low-income children in a new or expanding charter school from actual data on a representative sample of children in the charter school. The sample size should be large enough to draw a reasonable conclusion that the poverty estimate is accurate; or
 - ❖ (3) The LEA may obtain the number of poor children in a new or expanding charter school by correlating sources of data -- that is, by determining the **proportional** relationship between two sources of data on low income family children in regular public schools and applying that ratio to a known source of data on poor children in a charter school.

INSTRUCTIONAL SUPPORT

- ❖ Carrying out the required interventions for schools (charters and non-charters) identified as award, prevent, focus, and/or priority schools, including:
 - ❖ Supplemental Education Services (SES)
 - ❖ Prioritizing students (Title I schools level 1 & 2) for SES
 - ❖ Executing /ensuring SES contracts are consistent with the state mandate requirements
 - ❖ Providing technical assistance to reward, prevent, focus, and/or priority schools
 - ❖ Assisting schools in developing school improvement plans
 - ❖ Ensuring school improvement plans are implemented by the schools

INSTRUCTIONAL SUPPORT (cont'd)

- Ensure that paraprofessionals supported with Title I funds meet the highly qualified requirements
- Ensure that highly qualified teachers requirements are met, including principals attestation in writing
- Assistance with schoolwide program requirements, where applicable
- Assistance with targeted assistance program requirements, where applicable

PARENTAL INVOLVEMENT AND REQUIREMENTS

- Parental notification letters regarding:
 - School Differentiated Accountability (DA) Status
 - SES
 - Informing parents they have the right to request qualifications of their child(ren) teachers and/or paraprofessionals
 - Informing parents if their child(ren) are assigned to or taught by a teacher who is not highly qualified for four or more consecutive weeks
 - Informing parents of their child(ren) level of achievement in each of the state academic assessments

PARENTAL INVOLVEMENT AND REQUIREMENTS (CONT'D)

- Developing a written LEA-level parental involvement policy that meets the statutory requirements
 - Ensure schools have written parental involvement policies and school-parent compacts
 - Ensure schools hold an annual meeting to inform parents about Title I
 - Review the effectiveness of LEA and school parental involvement activities
 - Ensure schools carry out the required activities to build parents capacity to be involved in the school
 - Ensure that parents are informed about parent resource centers
 - Communicating with parents in the language they understand, as appropriate
- Ensure that funds are spent consistently with statutory requirements

CHARTER SCHOOL LEA

- ❖ **Eligibility Requirements** - In order for a **charter school LEA** to receive Title I funding, it generally must meet the same eligibility requirements that apply to other LEAs.
- ❖ **Information a charter school LEA** need to provide in order to receive Title I funds – must provide the same information that apply to other LEAs.
- ❖ **The SEA must obtain from the charter school LEA** a count of formula children to determine the eligibility of a charter school LEA to receive Title I funds – census poverty data are not available for charter school LEAs.
- ❖ **Options** the SEA have to ensure that a **charter school LEA receives the Title I funds** – adjust the Title I allocations by reserving an estimated amount of funds, and reserve an estimated amount from the state’s allocation as a whole.

COMMON ISSUES

- ❖ Charter schools missing from PSES;
- ❖ Charter schools opened after the submissions of the Title I, Part A application and served during the school year without the submission of an amendment to update the PSES with added schools;
- ❖ Charter schools included on the PSES using projected data (Selection Code K) but not amended with actual data (after Survey 2 – October);
- ❖ Charter schools – evidence of actual allocation of funds on PSES not available; and
- ❖ Charter schools missing from annual comparability report.

QUESTIONS ANSWERS



RESOURCES

ESEA Flexibility FAQs (Revised August 3, 2012) [[MS Word](#), 2.02MB]

HB 7127 http://laws.flrules.org/files/Ch_2012-194.pdf;
[http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=h7127z1.E
DC.DOCX&DocumentType=Analysis&BillNumber=7127&Session=2012](http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=h7127z1.E
DC.DOCX&DocumentType=Analysis&BillNumber=7127&Session=2012)

Florida Charter School Program Statistic

http://www.floridaschoolchoice.org/Information/charter_schools/files/fast_facts_charter_schools.pdf

2011 Legislative Changes Impacting Charter Schools Q&A Document

http://www.floridaschoolchoice.org/information/Charter_schools/files/2011_Legislative_Summary.pdf

Office of Independent Education & Parental Choice <http://www.floridaschoolchoice.org/>

Bureau of Federal Educational Programs (BFEP) <http://www.fldoe.org/bsa/>

2011 Legislature Summary - Senate Bill 1546 and House Bill 7197. Legislation becomes effective July 1, 2011 http://www.floridaschoolchoice.org/Information/Charter_Schools/

RESOURCES (cont'd)

Charter Schools Program Non-Regulatory Guidance

<http://www2.ed.gov/programs/charter/nonregulatory-guidance.html>

2011 Legislature Summary - Senate Bill 1546 and House Bill 7197. Legislation becomes effective July 1, 2011

http://www.floridaschoolchoice.org/Information/Charter_Schools/

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The Impact of the New Title I Requirements on Charter Schools Non Regulatory Guidance www2.ed.gov/policy/elsec/guid/charterguidance03.doc

Non-Regulatory Guidance 34 CFR Part 76, Subpart H

<http://www2.ed.gov/policy/elsec/guid/cschoools/cguidedec2000.doc>.

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