



# Equitable Services Informational Packet and Plan Template Guidance

(Updated May 2024)

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# Introduction and Welcome

Dear Principal and/or Designee,

Stockton Unified School District is pleased to work with your private nonprofit school to ensure students who are eligible for Title I, II, III, and/or IV services are academically successful.

In May 2024, Stockton Unified sent out a letter inquiring of participation of private nonprofit schools for 2024-25 School Year (SY). As a result, you have responded with interest to participate in Title I, II, III, and/or IV programs operated by the district.

The equitable services offered because of ESSA requirements are to eligible students, their families, teachers, and other educational personnel. The educational services and other benefits provided for non-public school children, teachers, and other educational personnel must be equitable in comparison to services and other benefits for public children, teachers, and other educational personnel participating in the program, and provided in a timely manner.

Although services are to be allowable and comparable to those provided to public school students and teachers participating in the program, it is understandable that services can be different from the services provided to public school participants. Services need to be secular, neutral, and non-ideological. In addition, the services provided are to be based on need(s) identified through a needs assessment and evaluated annually. Most importantly, equitable services funding cannot be directly distributed (paid out) to the private school.

The purpose of this document is to provide information on equitable services and Stockton Unified School District's policies and practices upholding the requirements for equitable services. This information may change as district practices and policies are updated.

The district has created an Equitable Services for Non-Public Schools webpage (<https://www.stocktonusd.net/Page/13592>) to provide all documentation pertaining to non-public school as a central resource. This packet along with the fillable PDF documents for the Conference Attendance Request (CAR) and the Equitable Services Plan are available for access anytime.

Thank you and we look forward to a successful year!



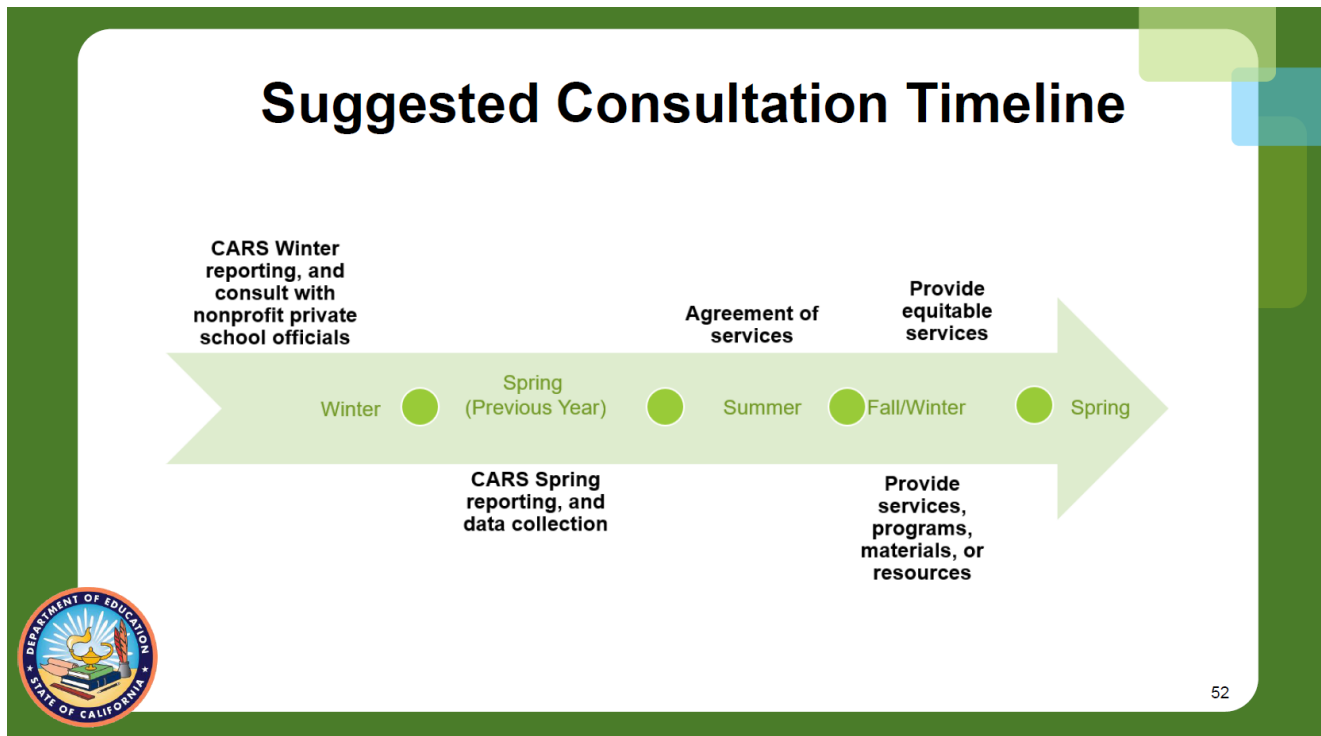
Tiffany Ashworth

Director of LCAP and State & Federal

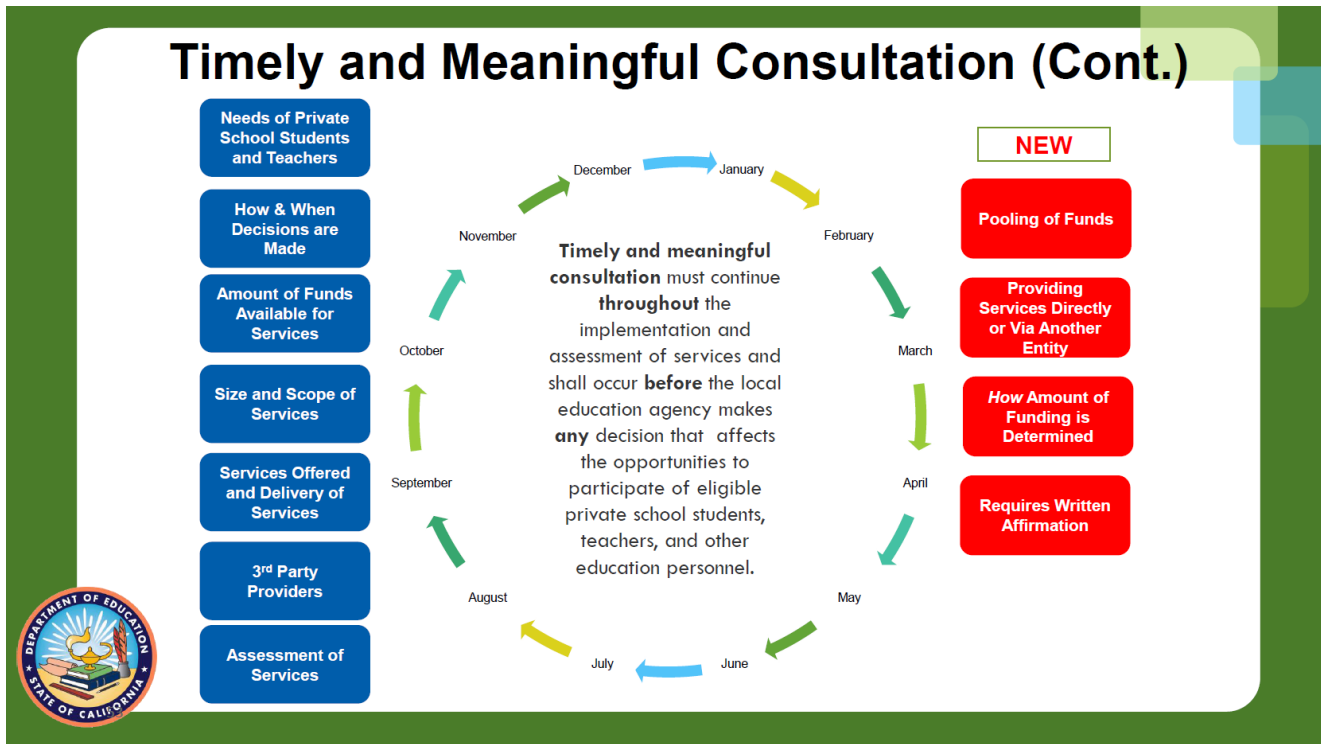
# Timely and Meaningful Consultation

Sections 1117(b) and 8501(c) of Every Student Succeeds Act (ESSA) require that timely and meaningful consultation occur between the local educational agency (LEA) and private school officials prior to any decision that affects the opportunities of eligible private school children, their teachers, families, and other educational personnel to participate in programs subject to equitable participation, and shall continue throughout the implementation and assessment of activities.

Consultation for all programs must be conducted before the LEA has made any decisions that will impact the participation of private school students and teachers in applicable programs and shall continue throughout implementation and assessment of services provided. Additionally, with respect to Title I, Part A programs, consultation must also be conducted during the design and development of the LEA's Title I, Part A programs.



## Timely and Meaningful Consultation (Cont.)



### Goal of Consultation

Sections 1117(b)(1) and 8501(c) of ESSA state that the goal of consultation is agreement between the LEA and appropriate private school officials on how to provide equitable and effective programs for eligible private school children. The “goal of reaching agreement” between an LEA and appropriate private school officials is grounded in timely, meaningful, and open communication between the LEA and the private school officials on key issues that are relevant to the equitable participation of eligible private school students, teachers and other education personnel, and families in ESSA programs.

### Consultation Topics for Services Worksheet

This list of consultation topics provides the LEA officials with the specific topics that must be covered in consultation meetings as required under 20 U.S.C. 8501[c].

As LEA and private school officials address and complete discussions on each topic, the LEA officials may want to check-off each item as finished so to create a record for future reference should the need arise. (A fillable PDF version is available online at <https://www.stocktonusd.net/Page/13592>)

Consultation Topics Include:

- How the children’s needs will be identified (20 U.S.C. 8501[c][1][A])
- What services will be offered. (20 U.S.C 8501[c][1][B])
- How, where and by whom the services will be provided, including services by a third party provider. (20 U.S.C. 8501[c][1][C])
- How the services will be academically assessed and how the results of the assessment will be used to improve those services. (20 U.S.C. 8501[c][1][D])

- The size and scope of the equitable services to be provided to the eligible private school children, the proportion of funds allocated and how that proportion of funds is determined. (20 U.S.C. 8501[b][1][E])
- The method and sources of data that are used to determine the number of children from low income families in participating school attendance areas who attend private schools. (20 U.S.C. 8501[b][1][F])
- How and when decisions will be made regarding the delivery of services to private school children. (20 U.S.C. 8501[b][1][G])
- How the LEA will provide in writing to the private school officials an analysis of the reasons for not using a contractor preferred by private school officials. (20 U.S.C. 8501[b][1][H])
- Whether the LEA shall provide services directly or through a separate government agency, consortium, entity, or third party contractor. (20 U.S.C. 8501[b][1][I])
- If the LEA will create a pool or pools of funds to provide the equitable services to eligible private school students. (20 U.S.C. 8501[b][1][J])
- When, including the approximate time of the day, the services will be provided. (20 U.S.C. 8501[b][1][K])
- Whether to consolidate and use funds provided under applicable programs under ESEA 8501 to provide services to eligible private school students participating in programs. (20 U.S.C. 8501[b][1][L])

## Equitable Services Affirmation

Throughout the consultation process, non-public schools will be required to complete an affirmation to express the belief of the nonprofit private school regarding equitable services consultation. The following is an excerpt from the district's affirmation document:

For participating private schools, the LEA and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school students. The consultation process shall include consultation on issues relating to the programs. Section 9501(c)(1) of *ESEA*

If Stockton Unified School District (the agency, consortium or entity) disagrees with the views of the private school officials on the provision of services through a contract, SUSD (the agency, consortium or entity) shall provide to the private schools a written explanation of the reasons by the LEA has not chosen to use a contractor.

The private school official shall have the right to file a complaint with the State that the consultation was not meaningful and timely and did not give due consideration to the views of the private school official or did not make a decision that treats the private school it its students equitably.

Please check **one** box indicating your belief regarding equitable services consultation.

- ☐ Timely and meaningful consultation has occurred
- ☐ Timely and meaningful consultation did not occur
- ☐ Program design is not equitable with respect to eligible private school children
- ☐ Timely and meaningful consultation did not occur and the program design is not equitable with respect to eligible private school children.

# Complaint Process for Private School Officials

The California Department of Education Equitable Services Ombudsman is available to provide support and guidance on matters pertaining to equitable services.

Prior to reaching out to the Equitable Services Ombudsman, the district will provide every effort possible to resolve complaints at the lowest level practicable.

Complaints/concerns should be addressed to the Administrator, State and Federal Programs and Equitable Services for review, discussion and resolution.

If resolution is not to the satisfaction of either party, the complaint/concern may be escalated to the Director of LCAP and State & Federal Programs or designee overseeing State and Federal. Individuals involved will be able to present the complaint/concern for review and resolution.

If resolution continues to not meet the satisfaction of the non-public school, the private school official has the right file a complaint with the district through the district's uniform complaint process (UCP) or they can file a complaint directly with the state educational agency (SEA) through the state UPC office.

Private school officials have the right to file a complaint with the California Department of Education (CDE) if the district:

- did not engage in consultation that was meaningful and timely;
- did not give due consideration to the views of the private school official;
- did not make a decision that treats the private school students equitably; or
- was found noncompliant with the requirements of the ESSA regarding the equitable services to children, staff, and families of the children participating in private schools (ESSA sections 1117[b][6][A] and 8501[c][6][A]).

The district's Constituent Services Department oversees the uniform complaint process.  
(<https://www.stocktonusd.net/Domain/2939>)

The California Department of Education's Equitable Services Ombudsman contact information is:

Sylvia Hanna, Education Programs Consultant  
shanna@cde.ca.gov  
Phone: 916-319-0948



# Summary of Programs

## **Title I, Part A, Improving the Academic Achievement of the Disadvantaged**

Title I, Part A provides supplemental educational services to disadvantaged students in high-poverty public school attendance areas. Funds are allocated based on the number of students whose families receive free or reduced lunch or meet acceptable poverty identification methods.

If the private school is a sectarian school, the instruction may not be delivered directly by the private school staff.

To be eligible, a student must meet all three criteria:

- (a) be in grades Kindergarten through 12 (current school year) and not older than age 21,
- (b) reside in an eligible elementary or high school attendance area of Stockton Unified School District and must be enrolled in any nonprofit private or secondary school, and
- (c) be identified through District teacher assessment criteria as a low achieving student in reading and/or math.

In addition, students included may be economically disadvantaged, students with disabilities, migrant students or English learners (ELs).

## **Title II, Part A**

Title II, Part A, focuses on upgrading the expertise of teachers, paraprofessionals, or other instructional personnel to enable them to teach all children in the core academic subjects; and supports sustained and intensive, high quality professional development directed to achieving high performance standards related to challenging State content standards.

Eligibility is based on the number of students who are enrolled in non-public elementary and secondary schools in the geographical areas served by the district.

## **Title III, Part A, Language Instruction for English Learner (EL) Students**

Title III, Part A, authorizes funding for supplementary programs and services for EL students.

Required activities include the provision of instruction and instructional support services related to English language development and academic progress in the core curriculum in a manner that allows EL students to meet grade level and graduation requirements. Programs also must provide staff development opportunities to school staff assigned to EL student populations.

Title III funds may also be used for a variety of instructional support, curricular development, parent involvement and related EL student program activities.

## **Title IV Part A, Student Support and Academic Enrichment (SSAE) Program**

Title IV Part A authorizes funding for activities to provide all students with access to a well-rounded education, improve school conditions to support safe and healthy students and to support effective use of technology in order to improve the academic achievement and digital literacy of all students.

# Authorized Use of Funds

## Title I, Part A Authorized Use of Funds

The California Department of Education (CDE) recommends that local educational agencies (LEAs), County Offices of Education, and direct funded charter schools consider the following general criteria when approving activities or expenditures supported with Title I, Part A funds:

1. The activity/expenditure is aligned to meet the challenging State academic content standards (Every Student Succeeds Act [ESSA] sections 1112[a][3][B][i] and 1112[b]);
2. The activity/expenditure is an evidenced-based educational strategy (ESSA sections 1003[b][1][B]; 1114[d]; and 1115[h]);
3. The activity/expenditure is reasonable, necessary, and allocable cost to the program (2 *CFR* 200.404 - 200.405);
4. Title I, Part A funds used supplement the funds that would, in the absence of such funds, be made available from State and local sources, and do not supplant such funds (ESSA Section 1118[b][1]);
5. Title I, Part A funds used are current Federal fiscal year or the subsequent fiscal year (ESSA Section 1127[a]).

Title I Schoolwide Programs (SWP) should consider the following general criteria when approving activities or expenditures supported with Title I, Part A funds:

6. The activity/expenditure meets a need identified in the comprehensive needs assessment (ESSA Section 1114[b][6]);
7. The activity/expenditure is included in the Single Plan for Student Achievement (SPSA) (*Education Code [EC]* Section 64001[g][C][3]);
8. The SPSA has been approved by the local governing board (*EC* Section 64001[i]);
9. The Schoolsite Council (SSC) annually evaluates and monitors the implementation of the SPSA and progress towards accomplishing the goals (*EC* Section 64001[g][2][B] and [i]); and
10. The activity/expenditure has been reviewed, approved, and recommended by the SSC to the local governing board (*EC* Section 64001[d]).







Title I Targeted Assistance Schools (TAS) should consider the following general criteria when approving activities or expenditures supported with Title I, Part A funds:

11. The activity/expenditure serves the needs of students that are identified as failing, or most at risk of failing to meet challenging State academic standards on the basis of multiple, educational related, objective criteria established by the LEA and supplemented by the school (ESSA Section 1115[c][1][B]);
12. The activity/expenditure is included on an ongoing basis, review of the progress of eligible children and revise the TAS program, if necessary, to provide additional assistance, to enable such children to meet the challenging State academic standards (ESSA Section 1115[b][G][iii]).

If an expenditure/activity does not meet all of the above rationale, it is not likely to be an authorized use of Title I, Part A funds.

## Evidence-based Intervention (EBI):

The California Department of Education (CDE) has summarized evidence-based interventions on their webpage: <https://www.cde.ca.gov/re/es/evidence.asp>, along with links to additional resources:

- ***Non-regulatory Guidance: Using ESSA to Strengthen Education Investments***  (PDF)  
This guidance from the U.S. Department of Education (ED) seeks to help SEAs, LEAs, schools, educators, partner organizations, and other stakeholders understand the four levels of evidence and recommends a step-by-step process for choosing and implementing interventions that improve outcomes for students.
- ***What Works Clearinghouse***   
The What Works Clearinghouse (WWC), an initiative of ED's Institute of Education Sciences (IES), is a helpful resource for locating the evidence on various education interventions.
- ***ERIC***   
ERIC is an online library of education research and information, sponsored by the IES.
- ***California Department of Education Quality Schooling Framework***  
The Quality Schooling Framework (QSF) is the California educator's destination for evidence-based tools and practices to guide effective planning, policy, expenditure, and instructional decisions at all schools and districts.
- ***Regional Educational Laboratory Program***  ***and Regional Educational Laboratory of the West***   
Regional Education Laboratories conduct applied research and development, provide technical assistance, develop multimedia educational materials and other products, and disseminate information in an effort to help others use knowledge from research and practice to improve education.
- ***Evidence-Based Improvement: A Guide for States to Strengthen Their Frameworks and Supports Aligned to the Evidence Requirements of ESSA***   
This guide from WestEd provides an initial set of tools to help school districts understand and plan for implementing evidence-based improvement strategies.

## Title II, Part A Authorized Use of Funds

- Funds are used to provide supplemental professional development services for eligible nonprofit private school staff.
- Professional development activities must be based on needs assessment.
- Professional development activities must be approved by the LEA.
- Professional development activities are for the benefit of individual staff and not for the benefit of the nonprofit private school.
- All funds must remain in control of the LEA responsible for providing equitable services.

### §6613. Local uses of funds

(a) In general - A local educational agency that receives a subgrant under section 6612 of this title shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive programs and activities described in subsection (b), which may be carried out-

(1) through a grant or contract with a for-profit or nonprofit entity; or

(2) in partnership with an institution of higher education or an Indian tribe or tribal organization (as such terms are defined under section 5304 of title 25).

(b) Types of activities - The programs and activities described in this subsection-

(1) shall be in accordance with the purpose of this subchapter;

(2) shall address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and

(3) may include, among other programs and activities-

(A) developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, or other school leaders that-

(i) is based in part on evidence of student achievement, which may include student growth; and

(ii) shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other school leaders;

(B) developing and implementing initiatives to assist in recruiting, hiring, and retaining effective teachers, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards, to improve within-district equity in the distribution of teachers, consistent with section

6311(g)(1)(B) of this title, such as initiatives that provide-

(i) expert help in screening candidates and enabling early hiring;

(ii) differential and incentive pay for teachers, principals, or other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;

(iii) teacher, paraprofessional, principal, or other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths, and pay differentiation;

(iv) new teacher, principal, or other school leader induction and mentoring programs that are designed to-

(I) improve classroom instruction and student learning and achievement; and

(II) increase the retention of effective teachers, principals, or other school leaders;

(v) the development and provision of training for school leaders, coaches, mentors, and evaluators on how accurately to differentiate performance, provide useful feedback, and use evaluation results to inform decision-making about professional development, improvement strategies, and personnel decisions; and

(vi) a system for auditing the quality of evaluation and support systems;

(C) recruiting qualified individuals from other fields to become teachers, principals, or other school leaders, including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with records of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders;

(D) reducing class size to a level that is evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, to improve student achievement through the recruiting and hiring of additional effective teachers;

(E) providing high-quality, personalized professional development that is evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, for teachers, instructional leadership teams, principals, or other school leaders, that is focused on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals, or other school leaders to-

- (i) effectively integrate technology into curricula and instruction (including education about the harms of copyright piracy);
  - (ii) use data to improve student achievement and understand how to ensure individual student privacy is protected, as required under section 1232g of this title (commonly known as the "Family Educational Rights and Privacy Act of 1974") and State and local policies and laws in the use of such data;
  - (iii) effectively engage parents, families, and community partners, and coordinate services between school and community;
  - (iv) help all students develop the skills essential for learning readiness and academic success;
  - (v) develop policy with school, local educational agency, community, or State leaders; and
  - (vi) participate in opportunities for experiential learning through observation;
- (F) developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, and English learners, which may include the use of multi-tier systems of support and positive behavioral intervention and supports, so that such children with disabilities and English learners can meet the challenging State academic standards;
- (G) providing programs and activities to increase-
- (i) the knowledge base of teachers, principals, or other school leaders on instruction in the early grades and on strategies to measure whether young children are progressing; and
  - (ii) the ability of principals or other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school;
- (H) providing training, technical assistance, and capacity-building in local educational agencies to assist teachers, principals, or other school leaders with selecting and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate;
- (I) carrying out in-service training for school personnel in-
- (i) the techniques and supports needed to help educators understand when and how to refer students affected by trauma, and children with, or at risk of, mental illness;
  - (ii) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community, where appropriate;
  - (iii) forming partnerships between school-based mental health programs and public or private mental health organizations; and
  - (iv) addressing issues related to school conditions for student learning, such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism;
- (J) providing training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as-
- (i) early entrance to kindergarten;
  - (ii) enrichment, acceleration, and curriculum compacting activities; and
  - (iii) dual or concurrent enrollment programs in secondary school and postsecondary education;
- (K) supporting the instructional services provided by effective school library programs;

(L) providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse;

(M) developing and providing professional development and other comprehensive systems of support for teachers, principals, or other school leaders to promote high-quality instruction and instructional leadership in science, technology, engineering, and mathematics subjects, including computer science;

(N) developing feedback mechanisms to improve school working conditions, including through periodically and publicly reporting results of educator support and working conditions feedback;

(O) providing high-quality professional development for teachers, principals, or other school leaders on effective strategies to integrate rigorous academic content, career and technical education, and work-based learning (if appropriate), which may include providing common planning time, to help prepare students for postsecondary education and the workforce; and

(P) carrying out other activities that are evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, and identified by the local educational agency that meet the purpose of this subchapter.

Pub. L. 89–10, title II, §2103, as added Pub. L. 114–95, title II, §2002, Dec. 10, 2015, 129 Stat. 1926.

## **Title IV, Authorized Use of Funds**

The California Department of Education (CDE) recommends that local educational agencies (LEAs) consider the following general criteria when approving activities or expenditures supported with Title IV, Part A funds:

1. The activity/expenditure is aligned to meet the purpose to improve students' academic achievement (Every Student Succeeds Act [ESSA] Section 4101);
2. The activity/expenditure is reasonable, necessary, and allocable cost to the program (2 Code of Federal Regulations 200.404 - 200.405);
3. Title IV, Part A funds used supplement the funds that would, in the absence of such funds, be made available from State and local sources, and do not supplant such funds (ESSA Section 4110);
4. Title IV, Part A funds used are current Federal fiscal year or the subsequent fiscal year (General Education Provisions Act Section 420);
5. The activity/expenditure meets a need identified in the comprehensive needs assessment (ESSA Section 4106[d][1]);
6. The activity/expenditure to support safe and healthy students is an evidenced-based educational strategy (ESSA Section 4108).

If an expenditure/activity does not meet the above rationale, it is not likely to be an authorized use of Title IV, Part A funds.

# Allowable Expenditures

## Allowable Title I Program Expenditures

Title I funds are expended to implement academic evidence-based intervention (EBI) programs that help students improve their academic achievement in the regular private school classrooms (i.e., reading, mathematics, etc.). Title I program expenditures can include the following:

1. Books, materials, and equipment necessary to implement the Title I program (The LEA retains title to the books, other materials, and equipment purchased with Title I funds. Materials, etc. purchased with Title I funds may be used only by Title I participants. Each item purchased with Title I funds must be labeled "Property of Stockton Unified School District." The labels should not be either easily erased or removable.);
2. Extended-day services;
3. Summer programs;
4. Saturday programs;
5. Counseling programs;
6. Computer-assisted instruction (CAI) with non-instructional computer technicians who supervise computer labs, maintain discipline, and escort students to and from class (Their salaries are an administrative cost under Sec 200.77(f) of the Title I regulations and may not be charged to funds generated by private school children from low-income families, which is for instruction.);
7. Home tutoring;
8. Computers and software products; and
9. Take-home computers (The LEA should ensure that families and students are properly trained in computer and software use.).

## Allowable Title I Expenditures for Service Providers

These expenditures include:

1. Salaries and fringe benefits for highly qualified teachers directly hired by the LEA;
2. Salaries and fringe benefits for qualified paraprofessionals directly hired by the LEA and supervised by highly qualified public school teachers who are located in the same building;
3. LEA contracts with third-party providers. (The contract should provide information that ensures the LEA that the Title I program contract will be administered in accordance with all requirements. The LEA must exercise oversight of the instructional program and administrative costs); and
4. LEA contracts with retired public or private school teachers to teach at the private school during the school day and before or after school.

## Location of Title I Services and Equipment

1. Title I services must be provided in a separate space that is under the LEA's control when Title I services are being provided;
2. If the services are provided in a library or private school classroom, the space must be separate and partitioned off; and
3. Computer equipment and other supplies purchased with Title I funds may be used only by Title I students in the Title I program.



## **Allowable Title II Program Expenditures**

- Content specific professional development
- Instructional Teaching Strategies
- Classroom Management/Improving Student Behavior
- Working with Students with Different Needs/Differentiation Strategies
- Instructional Leadership
- Integrating Technology into the Curriculum/Data Analysis

## **Allowable Title IV Program Expenditures**

### **Well-Rounded Education Activities**

Each LEA, or consortium of such agencies, that receives a Title IV, Part A allocation pursuant to ESSA Section 4107 shall use a portion of such funds to develop and implement programs and activities that support access to a well-rounded education and that—

1. are coordinated with other schools and community based services and programs;
2. may be conducted in partnership with an institution of higher education, business, nonprofit organization, community based organization, or other public or private entity with a demonstrated record of success in implementing activities; and
3. may include programs and activities, such as—
  - A. college and career guidance and counseling programs, such as—
    - i. postsecondary education and career awareness and exploration activities; information in assisting students with postsecondary education and career planning; and
    - ii. financial literacy and Federal financial aid awareness activities;
  - B. programs and activities that use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution;
  - C. programming and activities to improve instruction and student engagement in science, technology, engineering, and mathematics, including computer science, (referred to in this section as “STEM subjects”) such as—
    - i. increasing access for students through grade 12 who are members of groups underrepresented in such subject fields, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses;
    - ii. supporting the participation of low-income students in nonprofit competitions related to STEM subjects (such as robotics, science research, invention, mathematics, computer science, and technology competitions);
    - iii. providing hands-on learning and exposure to science, technology, engineering, and mathematics and supporting the use of field-based or service learning to enhance the students’ understanding of the STEM subjects;
    - iv. supporting the creation and enhancement of STEM-focused specialty schools;
    - v. facilitating collaboration among school, afterschool program, and informal program personnel to improve the integration of programming and instruction in the identified subjects; and

- vi. integrating other academic subjects, including the arts, into STEM subject programs to increase participation in STEM subjects, improve attainment of skills related to STEM subjects, and promote well-rounded education;
- D. efforts to raise student academic achievement through accelerated learning programs, such as—
  - i. reimbursing low-income students to cover part or all of the costs of accelerated learning examination fees, if the low-income students are enrolled in accelerated learning courses and plan to take accelerated learning examinations; or
  - ii. increasing the availability of, and enrollment in, accelerated learning courses, accelerated learning examinations, dual or concurrent enrollment programs, and early college high school courses;
- E. activities to promote the development, implementation, and strengthening of programs to teach traditional government education;
- F. foreign language instruction;
- G. environmental education;
- H. programs and activities that promote volunteerism and community involvement;
- I. programs and activities that support educational programs that integrate multiple disciplines, such as programs that combine arts and mathematics; or
- J. other activities and programs to support student access to, and success in, a variety of well-rounded education experiences.

### **Safe and Healthy Student Activities**

Each LEA, or consortium of such agencies, that receives a Title IV, Part A allocation pursuant to ESSA Section 4108 shall use a portion of such funds to develop, implement, and evaluate comprehensive programs and activities that—

- 1. are coordinated with other schools and community based services and programs;
- 2. foster safe, healthy, supportive, and drug-free environments that support student academic achievement;
- 3. promote the involvement of parents in the activity or program;
- 4. may be conducted in partnership with an institution of higher education, business, nonprofit organization, community based organization, or other public or private entity with a demonstrated record of success in implementing activities described in this section; and
- 5. may include, among other programs and activities—
  - A. drug and violence prevention activities and programs that are evidence-based (to the extent the State, in consultation with LEAs in the state, determines that such evidence is reasonably available) including—
    - i. programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes; and
    - ii. professional development and training for school and specialized instructional support personnel and interested community members in prevention, education, early identification, intervention mentoring, recovery support services and, where appropriate, rehabilitation referral, as related to drug and violence prevention;
  - B. in accordance with ESSA Section 4001 (General Provisions) and Section 4111 (Rule of Construction)—
    - i. school-based mental health services, including early identification of mental health symptoms, drug use, and violence, and appropriate referrals to direct individual or group counseling services, which may be provided by school-based mental health services providers; and
    - ii. school-based mental health services partnership programs that—

- I. are conducted in partnership with a public or private mental health entity or health care entity; and
- II. provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are—
  - a. based on trauma-informed practices that are evidence-based (to the extent the State, in consultation with LEAs in the state, determines that such evidence is reasonably available);
  - b. coordinated (where appropriate) with early intervening services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.); and
  - c. provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise;
- C. programs or activities that—
  - i. integrate health and safety practices into school or athletic programs;
  - ii. support a healthy, active lifestyle, including nutritional education and regular, structured physical education activities and programs, that may address chronic disease management with instruction led by school nurses, nurse practitioners, or other appropriate specialists or professionals to help maintain the well-being of students;
  - iii. help prevent bullying and harassment;
  - iv. improve instructional practices for developing relationship-building skills, such as effective communication, and improve safety through the recognition and prevention of coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment;
  - v. provide mentoring and school counseling to all students, including children who are at risk of academic failure, dropping out of school, involvement in criminal or delinquent activities, or drug use and abuse;
  - vi. establish or improve school dropout and reentry programs; or
  - vii. establish learning environments and enhance students' effective learning skills that are essential for school readiness and academic success, such as by providing integrated systems of student and family supports;
- D. high-quality training for school personnel, including specialized instructional support personnel, related to—
  - i. suicide prevention;
  - ii. effective and trauma-informed practices in classroom management;
  - iii. crisis management and conflict resolution techniques;
  - iv. human trafficking (defined as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102));
  - v. school-based violence prevention strategies;
  - vi. drug abuse prevention, including educating children facing substance abuse at home; and
  - vii. bullying and harassment prevention;
- E. in accordance with ESSA Section 4001 (General Provisions) and Section 4111 (Rule of Construction), child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide—

- i. age-appropriate and developmentally-appropriate instruction for students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to safely report child sexual abuse; and
  - ii. information to parents and guardians of students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child;
- F. designing and implementing a locally-tailored plan to reduce exclusionary discipline practices in elementary and secondary schools that—
  - i. is consistent with best practices;
  - ii. includes strategies that are evidence-based (to the extent the State, in consultation with LEAs in the state, determines that such evidence is reasonably available); and
  - iii. is aligned with the long-term goal of prison reduction through opportunities, mentoring, intervention, support, and other education services, referred to as a “youth PROMISE plan”; or
- G. implementation of schoolwide positive behavioral interventions and supports, including through coordination with similar activities carried out under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), in order to improve academic outcomes and school conditions for student learning;
- H. designating a site resource coordinator at a school or LEA to provide a variety of services, such as—
  - i. establishing partnerships within the community to provide resources and support for schools;
  - ii. ensuring that all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and
  - iii. strengthening relationships between schools and communities; or
    - I. pay for success initiatives aligned with the purposes of this section.

## **Effective Use of Technology Activities**

Each LEA, or consortium of such agencies, that receives a Title IV, Part A allocation pursuant to ESSA Section 4109 shall use a portion of such funds to improve the use of technology to improve the academic achievement, academic growth, and digital literacy of all students, including by meeting the needs of such agency or consortium that are identified in the needs assessment conducted (if applicable), which may include—

1. providing educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—
  - A. personalize learning to improve student academic achievement;
  - B. discover, adapt, and share relevant high-quality educational resources;
  - C. use technology effectively in the classroom, including by administering computer-based assessments and blended learning strategies; and
  - D. implement and support school and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning;
2. building technological capacity and infrastructure, which may include—
  - A. procuring content and ensuring content quality; and
  - B. purchasing devices, equipment, and software applications in order to address readiness shortfalls;
3. developing or using effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology;

4. carrying out blended learning projects, which shall include—
  - A. planning activities, which may include development of new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities; or
  - B. ongoing professional development for teachers, principals, other school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project;
5. providing professional development in the use of technology (which may be provided through partnerships with outside organizations) to enable teachers and instructional leaders to increase student achievement in the areas of science, technology, engineering, and mathematics, including computer science; and
6. providing students in rural, remote, and underserved areas with the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators.

An LEA, or consortium of such agencies, shall not use more than 15 percent of funds for purchasing technology infrastructure, which shall include technology infrastructure purchased for the activities pursuant to ESSA Section 4109[a][4][A].

# Obligation of Funds

Funds allocated to an LEA for educational services and other benefits to eligible private school children, teachers, and other educational personnel, and families must be obligated in the fiscal year for which the funds are received by the LEA. (ESEA section 8501[a][4][B])

SUSD obligates funds to eligible private schools based on a proportional share and methodology, which is provided and updated as applicable. Updates may be required due to changes in the district's actual Title I, II, III, and/or IV awarded funds.

## Allocation of Funds

SUSD staff and the private school representative will work together to ensure allocations of obligated funds are distributed within the Equitable Services Plan to support actions/services for eligible children, teachers, and other educational personnel, and families during the fiscal/program year.

# Control of Public Funds

The LEA must retain control of funds for equitable services, and title to materials, equipment, and property purchased with such funds; and the LEA must administer such funds, materials, equipment, and property.

Equitable services must be provided by either an employee of the public agency or through a contract by the public agency with an individual, association, agency, or organization. These employees, individuals, associations, agencies, or organizations providing the services must be independent of the nonprofit private school and any religious organization.

Employment or contract must be under the control and supervision of the LEA.

## Initial Distribution

Materials and equipment purchased based on the identification of services in the Equitable Services Plan will be distributed by the district upon receipt. These purchased items must be accounted for and expressly reported with the Equitable Services Plan regardless of the date purchased until disposition.

## Collection

District staff (LEA) will coordinate the collection of materials and equipment at the end of the school year or at the end of the service. If the service is completed mid-year, then materials and equipment will be collected at that time.

## Redistribution

Redistribution of materials and equipment is not automatic. The redistribution is based on the need that is identified with the Equitable Services Plan, which would include how the materials and equipment will be implemented to support the evidence-based strategy focusing on the improvement of student academic achievement.

# Procurement Procedures

Purchases and purchasing processes must adhere to the district's approved Board Policy 3300 – Expenditure and Purchases and other federal, state and local laws. In addition, the non-public school must work with the district's State and Federal Programs staff to coordinate communication with the district's Purchasing Department staff PRIOR to communication with vendors or arrangements of services. Following this process avoids conflicts with procurement policies and practices.

SUSD's full procurement and bid procedure document is available on the district's Purchasing webpage (<https://www.stocktonusd.net/Domain/155>) and will be forwarded at the beginning of the school year to support planning efforts in the development of the Equitable Services Plan.

## Federal and State Procurement Requirements – Table

Federal and State Procurement Requirements		
	Federal Requirements	State Requirements
	2 CFR 200.320	Public Contract Code (PCC) Section 20111(a)
Micro-purchases: total cost is under \$10,000	Micro-purchases may be awarded without soliciting competitive price or rate quotations if SUSD considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly.	N/A
Small purchase: total cost is \$10,000 - \$114,500	For small purchases, price or rate quotations must be obtained from an adequate number of qualified sources.	N/A



Formal procurement: sealed bids or proposals	<p>Used for purchases that exceed total cost threshold over \$114,500.</p> <p><b>**Federal total cost threshold is \$250,000, but SUSD must adhere to the more stringent State total cost threshold of \$114,500.</b></p>	<p>Public Contract Code (PCC) requires school district governing boards to competitively bid and award any contracts involving an expenditure of more than \$50,000*, adjusted for inflation, to the lowest responsible bidder. Contracts subject to bidding include: Purchase of equipment, materials, or supplies to be furnished, sold, or leased to the school district, services that are not construction services. Repairs, including maintenance as defined in PCC Section 20115, that are not public projects as defined in PCC Section 22002(c).</p> <p>* For calendar year 2023 the bid threshold has been adjusted to \$114,500.</p>
Formal procurement: sealed bids or proposals	<p>Used for purchases that exceed purchase threshold over \$250,000.</p> <p><b>The independent cost price analysis</b> may consist of, but is not limited to, market research, a general survey of prices for similar goods or services, a comparison to similar purchases previously made, or an internal system for developing a price range for the specific purchase.</p>	

## Purchasing Process

### Elements of a Public Bid

A formal bid by a public school district contains several necessary elements. These include:

- legal advertisement,
- standard specifications,
- set bid due date and time,
- and responsive and responsible bidders.

These basic elements are required to ensure a level playing field for all bidders.

Legal Advertisement – **Public Contract Code Section 20112** requires the advertisement in “some newspaper of general circulation” for at least once a week for two weeks before the bid due date. If you are thinking of placing a bid advertisement in a particular paper, and you are not sure if the paper meets the legal requirements, request proof that the newspaper has been adjudged to meet public bidding requirements.

Standard Specifications – A “specification” is a description of the goods or services to be purchased. An accurate description of the item or service needed is vital so that all potential bidders are offering prices on the same thing; bidding “apples to apples.” Without standard specifications, fair comparison would be difficult or impossible.

Set Bid Due Date and Time – The legal advertisement must specify exactly where and when bids are due. Late bids must be rejected, per **Government Code Section 53068** and **Public Contract Code Section 20112**.

Responsive Bid – “Responsive” means that the bidder has responded to the bid; has submitted a bid that meets the bid requirements and specifications in all material respects. Waiver of minor deviations may be allowed, upon advice of legal counsel, but any variation that gives one bidder an advantage over other bidders is a material variation that should cause the bid to be rejected as an unresponsive bid.

Responsible Bidder – A responsible bidder is someone who is qualified to do the work or supply the item in question. Bidders may be “pre-qualified” to avoid the need to reject non-responsible bidders after the bid open date.

In addition to the requirements above, a formal bid takes time. Most school districts find that the bidding process takes a minimum of three to four weeks, and typically requires Board approval for permission to go out to bid, and acceptance of the recommended bidder.

## **Federal Funds Procurement Procedures**

When purchasing with federal funds, if legal guidance (including allowable exceptions to competitive bidding) differs between state and federal law, the district shall abide by the most stringent requirements.

### **Procurement Procedures General Information**

Procurement is a multistep process for acquiring the best possible goods and services at the lowest possible price. Stockton Unified School District (SUSD) will purchase goods and services for use in federally funded programs in compliance with Title 2, Code of Federal Regulations (2 CFP), sections 200.318-200.326, Title 7, Code of Federal Regulations (7 CFR), parts 210 and 220, and all applicable state and local rules. When making procurement decisions, the following fundamental principles will be followed:

1. Comply with the Buy American Provision by purchasing, to the maximum extent possible, agricultural commodities and products grown and processed in the United States.
2. Understand and comply with federal, state, and local requirements.
3. Ensure that full and open competition exists to the maximum extent possible as outlined in **2 CFR Section 200.319(a)**.

- a. When a public project is funded or reimbursed wholly or partly by federal funds, the District must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the District must not preclude potential bidders from qualifying during the solicitation period. (2 CFR § 200.319)
4. Award contracts to responsible and responsive bidders.

## **Methods of Procurement**

### **Micropurchase Method (2 CFR, Section 200.320[a])**

Micropurchases may be awarded without soliciting competitive quotations or comparing prices among qualified suppliers if the following two conditions are met:

1. The aggregate value of single transaction is \$10,000 or less.
2. SUSD staff considers the price to be reasonable.

The covered period must coincide with District's fiscal year when using federal funds.

Documentation (e.g. receipts and invoices) must be maintained for the prior three years plus the current Program Year (PY), or until the next Federal Pass-through Agency (FPA) review, to document costs that are reasonable.

SUSD will distribute micropurchases equitably among qualified suppliers to the extent practical. SUSD will ensure that purchases are made at a variety of stores. SUSD will not limit its purchases to only one store unless it is not practical due to distance of another store from district office.

Micropurchases are used for good and services that are needed on an emergency basis or for items needed occasionally (e.g. gluten-free products). It is not intended to be used to avoid a small/informal or formal procurement.

### **Small Purchase Method (2 CFR, Section 200.320[b])**

The small purchase method is used to procure goods and services when the aggregate value of the purchase is \$10,001 - \$114,500.

Per California **Public Contract Code (PCC) Section 20116**, for the purpose of securing informal bids, SUSD will publish a notice inviting contractors to register to be notified of future informal (small purchase) bidding projects. SUSD will publish this notice every July 1 in a newspaper of general circulation published in the county. All contractors included on the informal bidding list will be notified of all informal bid projects through an e-mail list maintained by SUSD. All contractors will remain on

this list until they request to be removed or notification was received that they are no longer a potential or viable vendor.

SUSD will follow the following steps when conducting procurements using the small purchase method:

**Step 1.** SUSD Purchasing Manager, or designee, will develop and provide a clear and accurate description of the technical requirements of the goods and services to be procured to potential sources per 2 CFR, Section 200.319(d)(1), including the requirement to comply with the Buy American Provision per 7 CFR, sections 210.21(d) and 220.16(d). The same specifications will be provided to each potential vendor so that each vendor can provide written price quotes on the same goods or services.

**Step 2.** Price or rate quotations will be obtained from a minimum of two responsible and responsive sources. Price quotes must be documented in writing per SUSD policy. Price quotes provided verbally by a vendor must be documented in writing.

SUSD Small Purchase Quotation forms and other forms of written quotes submitted by potential vendors will be retained by SUSD with other related procurement documentation (e.g. invoices) for a period of three years plus the current School Year (SY) or until the next FPA review.

**Step 3.** SUSD Purchasing Manager, or designee, will evaluate the written quotes received.

**Step 4.** SUSD Purchasing Manager, or designee, will award small purchases to the lowest priced responsible and responsive vendor. The covered period must coincide with District's fiscal year when using federal funds.

**Step 5.** SUSD Purchasing Manager, or designee, will monitor the contract to ensure goods or services solicited for the ones received and all deliverables are met per 2 CFR, Section 200.318(b).

### **Formal Purchase Methods (2 CFR, Section 200.320[b])**

The formal purchase method, used to procure goods and services when the estimated total cost is \$114,500 or above. (Federal total cost threshold is \$250,000, but SUSD must adhere to the more stringent State total cost threshold of \$114,500). Both Invitation for Bid (IFB) and Request for Proposal (RFP) methods are used by SUSD.

The terms of formal contracts will be one year with two one-year renewal options. The covered period must coincide with District's fiscal year when using federal funds.

SUSD will follow the following steps when conducting formal procurements:

**Step 1.** SUSD Purchasing Manager, or designee, will develop a written solicitation. The solicitation will incorporate:

- A clear and accurate description of the technical requirements for the goods or services to be procured per **2 CFR, Section 200.319(d) (1)**
- The requirement to comply with the Buy American Provision per **7 CFR, sections 210.21(d) and 220.16(d)**
- All requirements that the offers must fulfill and all other factors (IFBs and RFPs) and their relative importance (RFPs only) used in evaluating bids or proposals per **2 CFR, Section 200.319(d) (2)** to judge responsive and responsible firms
- Instructions for responding vendors
- The general terms and conditions of the contract

**Step 2.** SUSD Purchasing Manager, or designee, will advertise the solicitation in the print and on web site a minimum of two weeks prior to the deadline for submission of bids and proposals. California **Public Contract Code Section 20112** requires that public school districts and county of education advertise solicitations once a week for a minimum of two weeks in publication of general circulation.

**Step 3.** SUSD Purchasing Department will publicly open bids resulting from IFBs at the time and place prescribed in the solicitation. SUSD will not publicly open proposals resulting from RFPs.

SUSD Program Administrator, or designee, and purchasing manager will evaluate offers from responding firms by using the evaluation criteria outlined in the solicitation for both IFBs and RFPs. SUSD should receive at least two bids or proposals to evaluate the offers. If there is not a minimum of two respondents, SUSD will review the solicitation to ensure that it is not limiting competition as outlined in **2 CFR, Section 200.319**, and consider expanding advertising efforts before reissuing the solicitation.

The offers will be ranked based on cost only for IFBs and on evaluation criteria (i.e. technical criteria) and cost for RFPs for all responsible and responsive responders. SUSD will document all evaluation of RFPs in writing for RFPs only. SUSD purchasing manager will negotiate the technical aspects of each RFP prior to negotiating the cost aspect of the RFP. Any or all bids may be rejected if there is sound documented reason.

**Step 4.** SUSD will award the contract to the responsible and responsive bidder who offers the lowest price for IFBs. All IFBs will result in a firm, fixed price contract.

SUSD will award the contract to the responsible and responsive respondent whose proposal is most advantageous to the SUSD, with price and other factors considered, for RFPs. All RFPs will result in either a fixed price or cost reimbursable contract. **Cost plus a percentage of cost contracts will never be used.**

**Step 5.** SUSD Program Administrator, or designee, will monitor contract per **2 CFR, Section 200.318(b)**, by:

- Overseeing deliveries to ensure that the goods solicited for were received

- Reviewing the contract's terms, conditions, and deliverables monthly to ensure that they are being met and done so in accordance with all federal, state, and local rules
- Ensuring that discounts, rebates, and credits in cost reimbursable contracts are provided

### **Noncompetitive Procurement Method (2 CFR, Section 200.320[b])**

SUSD will only enter into a noncompetitive agreement when one or more of the following circumstances apply:

- The item is available only from a single source
- An emergency exists, and the urgency for the requirement will not permit the delay resulting from competitive solicitation
- After solicitation from a number of sources, competition is determined inadequate
- SUSD received prior approval from the FPA after submitting a written request to the FPA with justification for conducting a noncompetitive procurement
- SUSD will use this method when all awarding noncompetitive procurement contracts

### **Single Source Noncompetitive Procurement**

A single source is source specifically selected amongst others, if any, due to specific reasons, i.e. replacement parts, compatibility, quality, service, support, etc.

In cases where it is determined that only a single vendor will properly meet the needs of the District, competition can be considered exempt. SUSD will only enter into a noncompetitive agreement with approval from the FPA. SUSD will submit the following criteria to the FPA for consideration:

- Name, address and telephone number.
- Proprietary data to be used for evaluation.
- Confirmation that the contractor selected is specially trained, experienced and competent to perform the special services required in the scope of work.
- Concise title and abstract (approximately 200 words) of the contractor's specialized training, experience, and competency to perform the special services required in the scope of work.
- Names and biographical information on the contractor's key personnel who would be involved, including alternatives and type of support need from the District (facilities, equipment, materials or personnel resources).
- A cost benefit analysis.
- Price or total estimated cost.
- Period of time for which the services are required.
- Proposed duration of effort.
- Benefit of services.
- An implementation plan with project management schedule, target deliverables, and associated costs related to major milestones.
- A reasonably complete abstract stating the objectives of the effort or activity, the method of approach, extent, and effort of services, and the nature and extent of the anticipated results.

- A brief description of the contractor's previous experience, and relevant past performance requiring the specialized training, experience, and competency to perform the special services required in the scope of work. At minimum five (5) years required.

## **Sole Source Noncompetitive Procurement**

A sole source is specific products or services available from only one source, also called sole source, sole provider, sole supplier, sole vendor, or sole distributor.

Like for any purchase performed through procurement methods with full and open competition, a sole source evaluation will take place, but in a significantly different manner because no comparison to be performed against other prospective providers. The sole source evaluation is limited to the compliance of acquired supplies, equipment, and general services to requirements set forth in the solicitation document. Since there is no competition, not only is the requester's margin of negotiation thin, but the total cost of ownership of the project may be more expensive than if there would have been other competitors. SUSD Purchasing Manager will carefully and thoroughly review the cost section of the proposal, knowing that such an audit could expand their negotiation margin.

Sole source procurement is only used when other procurement methods, namely informal bidding and competitive solicitation procedures like sealed bids or competitive proposals, are not applicable or lead to an unrealistic processing time. Sole source is a contracting method that is not promoting full and open competition is a violation unless it is justified under one of seven circumstances:

- Only one responsible source and no other supplies or services will satisfy SUSD requirements;
  - Must meet the following sub-requirements:
    - Unicity, i.e. the item is only available from a single supplier (one-of- a-kind, parts maintenance, compatibility, standard compliance; or
    - Immediacy, i.e. delivery date or delays resulting from competitive solicitation are not acceptable; or,
    - Emergency, i.e. delays resulting from other methods of solicitation are not bearable; or,
    - Legitimacy, i.e. specific contexts (geographical, contractual, political, military, security, etc.) may allow such a non-competition of sources; or,
    - Inadequacy, all sources are qualified as inadequate (compatibility, compliance, price, quality, service, support, etc.); or,
    - Exigency, i.e. any other specific reason dictating the choice of a given provider.
- Unusual and compelling urgency;
- Industrial mobilization; engineering, development, or research capability; or expert services;
- International agreement;
- Authorized or required by statute;
- National security; and,
- Public Interest.

In cases where it is determined that only a sole source vendor will properly meet the needs of the District, competition can be considered exempt. SUSD when only enter into a noncompetitive agreement with approval from the FPA.

## **Purchasing Cooperatives and Intergovernmental Procurement (2 CFR, Section 200.320[e])**

If applicable, SUSD may choose to make purchases through a cooperative agreement with a group of other schools to increase purchasing power of SUSD may piggyback on contracts awarded to a vendor from another school district when all procurement principles are followed.

While intergovernmental agreements can benefit SUSD, SUSD may only enter into an intergovernmental agreement with a local government agency (e.g. school district) which allows other school to join or piggyback onto the local governmental entity when that agreement was procured and awarded consistent with federal and state procurement regulations.

SUSD purchasing manager and local counsel will need to carefully review the solicitation issued by a cooperative or local governmental agency.

SUSD purchasing manager and local counsel must ensure compliance with applicable federal, state, and local procurement rules.

SUSD purchasing manager and local counsel will confirm that the addition of their purchasing power to the procurement does not create a material change in scope or in services.

For cooperative purchasing, SUSD purchasing manager must maintain on file for the current SY, plus three additional years, or until the next FPA review; a copy of the solicitation and contract, proof of advertising, and bid award documents (e.g. evaluation documentation) from the lead agency.

For piggybacking, SUSD purchasing manager must obtain prior written permission from the lead agency awarding the bid and the vendor awarded the bid. A copy of the solicitation and contract, including the piggyback clause, proof of advertising, and bid award documents (e.g. evaluation documentation) must be kept on file for the current SY, plus three additional years, or until the next FPA review.



# Professional Development Process

## Conference Attendance Request (CAR)

The Conference Attendance Request (CAR) is the process the district uses to document attendance for conferences/workshops/trainings being conducted outside of the district. Board Policy 3550 relating to travel expenses indicates that all conferences must be approved ahead of time and we cannot reimburse costs of conferences that were not pre-approved.

The district is large and we have many sites and departments submitting documentation to attend conferences/workshops/trainings; therefore, the district has indicated that all (completed) paperwork should be submitted 45 days prior to the conference.

In addition, all out-of-state conferences/workshops/trainings require SUSD Board approval. The process to place a board agenda item for approval begins after the completed paperwork has been received and approved by the appropriate department(s) (State and Federal for Title I and Curriculum Department for Title II). It is strongly encouraged to provide the completed CAR documentation prior to the 45-day submission recommendation, as the lead time for submitting a conference attendance request is nearly a month.

### Important Tips to Avoid Loss of Funds or Delays:

- Do not book or reserve hotel rooms using personal or school credit cards.
- Do not book air fare using personal or school credit cards.
- Do not pay for registration, instead indicate “bill me later”, “purchase order”, “check” if a field allows for other payment options.
- Do not replace attendees without prior approval by the district.
- Cancellations must be communicated to State and Federal staff immediately.
- Changes in attendance, travel plan, or attendees must be communicated to the district immediately.
- Identify if compensation is to be paid for attendance outside of contractual work hours/days. Must include hours and rate of pay. Reimbursement will be processed using an invoice completed/signed by the attendee.

The Conference Attendance Request (CAR) packet is available for individuals and groups in a fillable PDF on the district’s website on the Equitable Services for non-public schools:  
<https://www.stocktonusd.net/Page/13592>.

## Conference Attendance Request Checklist for Private Schools

Prior to submitting a Conference Attendance Request packet, the Professional Learning Activity Request form must be completed and approved by Stockton Unified.

- A Conference Attendance Request (CAR) packet must be completed for the attendance to an event.
- Use this checklist to verify each component is met prior to submission of the Conference Attendance Request (CAR) packet.
- Retain a copy of the complete Conference Attendance Request (CAR) packet for your records at your site.

**IMPORTANT:** The packet **MUST** include the following in this order, please check the box as each item is completed:

- ☐ Conference Coversheet
- ☐ Hotel Room Reservation Worksheet (if applicable)
- ☐ Air Travel Worksheet (if applicable)
- ☐ Conference brochure with detailed schedule of conference (including meal schedule if applicable)
- ☐ Map showing mileage from school site\* to conference/airport
- ☐ Approved Board Agenda Item, if conference is out of state
- ☐ Confirmation/copy of **event registration**
- ☐ Completed and approved Professional Learning Activity Request form
- ☐ **Retain** CAR **reimbursement form at school** site until time to submit (within 10 days after the activity)

### **REMEMBER:**

- ☐ Hotel folio listing charges with \$0 balance due to be submitted with Reimbursement form
- ☐ No Reimbursement for Tipping on Uber or Cabs
- ☐ Use long term parking, not short term for airport
  - Submit receipts for taxis/shuttles/parking with reimbursement form
- ☐ No receipts are necessary for mileage or meals
- ☐ Mileage Reimbursement\*\* is 67 cents per mile until December 31, 2024
- ☐ Meal Reimbursement is only if meals are not included in conference or hotel; you cannot claim meals that were provided. Per diem rates are as follows until December 31, 2024:
  - \$17 Breakfast
  - \$18 Lunch
  - \$34 Dinner

### **POST CONFERENCE ATTENDANCE:**

- ☐ Complete CAR Reimbursement form and submit with applicable receipts\*\*\*.
- ☐ Complete the Professional Learning Activity Survey form

\* Starting mileage always begins at the closest point from home or the school site to the conference/airport.

\*\* Mileage reimbursement is limited to/from conference/hotel/airport. It is not for additional destination stops outside of beginning/ending travel.

\*\*\*May include an invoice for hourly rate X hours for time attending training outside of normal workday.

# Equitable Services Allocation Calculation

## Methodology

### Title I, Part A – Equitable Services Proportional Share Formula and Methodology

The Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA) Section 1117(a), requires, to the extent consistent with the number of eligible children identified under ESSA Section 1115(c) in the school district served by a local educational agency (LEA) who are enrolled in nonprofit private elementary schools and secondary schools, after timely and meaningful consultation with appropriate private school officials to provide such students, on an equitable basis and individually or in combination, as requested by the officials to best meet the needs of such children, special educational services, instructional services (including evaluations to determine the progress being made in meeting such students' academic needs), counseling, mentoring, one-on-one tutoring, or other benefits under this part (such as dual or concurrent enrollment, educational radio and television, computer equipment and materials, other technology, and mobile educational services and equipment) that address their needs; and to ensure that teachers and families of the children participate, on an equitable basis, in services and activities developed pursuant to ESSA Section 1116.

The amount an LEA must reserve to provide equitable services for non-public school eligible students, teachers, and other educational personnel for Title I, Part A services is based on the LEA's total Title I, Part A allocation prior to any allowable expenditures or transfers by the LEA. The expenditures for educational services and other benefits to eligible non-public school students must be equal to the proportion of funds allocated to participating school attendance areas based on the number of students from low-income families who attend non-public schools. Such educational services or other benefits, including materials and equipment, shall be secular, neutral, and non-ideological, and must be equitable in comparison to services and other benefits for public children.

Example from 2019-2020 School Year: Formula to Determine Amount for Title I, Part A Equitable Services Proportional Share		
<b>A. Number of Students</b>		
A1. LEA Number of Low-Income Students		27903
A2. Participating Nonprofit Private School Low-Income Students		84
A3. Total Enrollment Low-Income Students (A1 + A2)		27987
A 4. Proportional Rate Calculated Percentage (A2/A3)		0.003001394
<b>B. Title I, Part A Allocation</b>		
B1. Total LEA Allocation		\$18,190,489
B2. Proportional Rate Calculated Percentage		0.003001394
B3. Proportional Share for Equitable Services (B1 x B2)		\$54,597
<b>C. Required Parent and Family Engagement</b>		
C1. Proportional Share for Equitable Services		\$54,597
C2. Minimum Required Parent and Family Engagement Reservation 1% (C1 x C2)		\$546
<b>D. Equitable Services</b>		
D1. Amount LEA shall allocate for equitable services for nonprofit private school eligible students, teachers and other educational personnel (C1-C2)		\$54,051

## Title II, Equitable Services Proportional Share Formula and Methodology

The Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act (ESSA) Section 2102(a), requires from funds reserved by a State under ESSA Section 2101(c)(1) for a fiscal year, the State, acting through the state educational agency (SEA), shall award sub-grants to eligible local educational agencies (LEAs) from allocations described in paragraph (2). From the funds described in paragraph (1), the SEA shall allocate to each of the eligible LEAs in the State for a fiscal year the sum of:

- (A) an amount that bears the same relationship to 20 percent of such funds for such fiscal year as the number of individuals aged five through seventeen in the geographic area served by the LEA, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all eligible LEAs in the State, as so determined; and
- (B) an amount that bears the same relationship to 80 percent of the funds for such fiscal year as the number of individuals aged five through seventeen from families with incomes below the poverty line in the geographic area served by the LEA, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all the eligible LEAs in the State, as is so determined.

The amount an LEA must reserve to provide equitable services for non-public school teachers and other educational personnel for Title II, Part A services is based on the LEA's total Title II, Part A allocation, less administrative costs. The LEA determines the amount of funds available for Title II, Part A equitable services for non-public school teachers and other educational personnel by calculating, on a per-pupil basis, the amount available for all public and non-public school students enrolled in participating nonprofit private elementary and secondary schools in areas served by the LEA (regardless of a student's residency), taking into consideration the number and needs of the children, their teachers and other educational personnel to be served.

Example from 2019-2020 School Year: Formula to Determine Amount for Title II, A Equitable Services	
<b>A. Number of Students</b>	<b>2019-20</b>
A1: LEA Enrollment	27,903
A2: Participating Nonprofit Private School Enrollment	1,358
A3: Total Enrollment (A1 + A2)	29,261
<b>B: Title II, Part A Allocation</b>	
B1: Total LEA Allocation	\$1,852,720
B2: Stockton Unified School District FY 19/20 Indirect rate 5.81%	\$101,732
B3: Available LEA Allocation for determining Equitable Services (B1 - B2)	\$1,750,988
<b>C: Per Pupil Rate</b>	
C1: Available Per Pupil Allocation for Equitable Services (B3/A3)	60
<b>D: Number of Students</b>	
D1: Amount LEA shall allocate for equitable services for nonprofit private school teachers and other educational personnel (A2 X C1)	\$81,480

## Title IV, Equitable Services Proportional Share Formula and Methodology

The Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act Section 8501(a)(4), requires that expenditures for educational services and other benefits for eligible non-public school children, their teachers, and other educational personnel serving those children, under Title IV, Part A, be equal to expenditures for the public school program, taking into account the number and educational needs of the children to be served.

The California Department of Education (CDE) determines the preliminary amount a local educational agency (LEA) must reserve for Title IV, Part A equitable services to children, their teachers, and other educational personnel in participating nonprofit private schools based on the relative enrollment of nonprofit private and public school students, on the assumption that these numbers also accurately reflect the relative needs of students and teachers in the public and non-public schools. It is permissible for LEAs to use additional factors relating to need, and not base equal expenditures only on the relative enrollments. LEAs electing to use additional factors should do so through consultation with the non-public school s participating in the grant and inform the CDE of upward revisions to amounts, if applicable.

<b>Example from 2019-2020 School Year: Formula to Determine Amount for Title IV, Equitable Services</b>	
<b>A. Number of Students</b>	<b>2019-20</b>
A1: LEA Enrollment	27,903
A2: Participating Nonprofit Private School Enrollment	1,358
A3: Total Enrollment (A1 + A2)	29,261
<b>B: Title IV, Part A Allocation To Be Used for Prof. Dev.</b>	
B1: Total LEA Allocation	\$1,331,157
B2: Stockton Unified School District FY 19/20 Indirect rate 5.81%	\$77,340
B3: LEA Allocation minus Admin Costs (B1 - B2)	\$1,253,817
<b>C: Per Pupil Rate</b>	
C1: Available Per Pupil Allocation for Equitable Services (B3/A3)	\$42.85
<b>D. Equitable Services</b>	
D1: Amount District must reserve for equitable services for nonprofit private school children, their teachers, and other educational personnel (A2 X C1)	\$58,190

# Title I Parent Meeting

The purpose of the meeting is to inform parents of the school's participation in Title I program, explain the requirements of Title I program, and the right of parents to be involved.

The meeting should be held early in the school year in a convenient location and at a convenient time for parents. There must be at least one (1) meeting; however, additional and on-going communication is encouraged at various meetings throughout the school year.

The meeting may be held in conjunction with Back to School Night when many parents are already on campus. Content to present:

- Title I program overview
- Parent rights under Title I
- Parent involvement at the school
- Student achievement data
- Equitable Services Plan
- Title I funding

The district has developed a PowerPoint slide deck that includes all components identified above to assist in meeting the requirements. It can be found on the district's webpage:  
<https://www.stocktonusd.net/Page/10029>

# Home Language Survey

California *Education Code*, Sections 313 and 60810 contain legal requirements which direct schools to determine the language(s) spoken in the home of each student. This sample form is designed to assist with the identification process.

- [Home Language Survey form English](#) (PDF; Revised Jul-2020)
- [Home Language Survey form Spanish](#) (PDF; Revised Jul-2020)
- [Available Translations of the Home Language Survey form](#) (Revised Dec-2016)

## Informal Primary Language Assessment

Tool that may be used, along with the results of the English Language Proficiency Assessments for California (ELPAC), to design appropriate instruction and support services for English learners.

- [Informal Primary Language Assessment sample form English](#) (DOC; Revised Dec-2010)
- [Available Translations of the Informal Primary Language Assessment form](#)

Stockton Unified School District's, Language Development Office, has developed the English Learner Master Plan which can provide additional support regarding the Home Language Survey. This can be located at: <https://www.stocktonusd.net/Domain/153#calendar16510/20210826/month>.

# Federal Program Monitoring

Stockton Unified School District receives Title I, II, III, and/or IV funding that is monitored by the California Department of Education's Federal Program Monitoring (FPM) office. Every two years, SUSD goes through this process involving on-site (including in-person interviews and observations) or online. SUSD must demonstrate to the FPM office that expenditures using Title I, II, III, and/or IV funds supported students through services to improve student academic success.

In order to demonstrate this, SUSD reviews and responds to the FPM program instrument that articulates the evidence required to support the federal and state requirements organized into statutory core item, also considered programmatic guidance. These FPM instruments are available on the CDE's webpage: <https://www.cde.ca.gov/ta/cr/>



# Equitable Services Plan Development

The purpose of the Equitable Services Plan is to provide educational partners (stakeholders) a view of how their eligible students, teachers, families, and staff will be supported to close the student achievement gap. The plan is intended to clearly articulate the need for specific services, what the evidenced-based services are, how they will be measured, and the outcome of the services. This plan is intended to be flexible – allowing for changes supported by documented need. The Equitable Services Plan must be completed prior to expenditure of funds. The Equitable Services Plan template is available at: <https://www.stocktonusd.net/Page/13592>

## Funding Allocation Profile

The purpose of the funding allocation profile is to have an at-a-glance overview of all Title I, II, III, and/or IV funding. The preliminary \$ column is based on the initial funding allocation. The Revision \$ columns will provide an overall progress of funding changes, which tie directly to the Actions/Services (formerly Strategy/Activity).

## Purpose and Description

The purpose of this section provides the nonprofit private school the opportunity to describe why there is a need for this plan, how this plan intends to meet the ESSA requirements to support students, teachers in accordance with the applicable Title I, II, III, and/or IV programs.

## Private School Demographics

The purpose of this section is to document the student data that supports the need for funding and services.

## Stakeholder Involvement

The purpose of this section is to document the meaningful and collaborative stakeholder involvement that included eligible students, teacher, and staff needs for services to meet the funding source's intent and purpose.

## Comprehensive Needs Assessment Summary

The purpose of this section is to document how the comprehensive needs assessment process was conducted and the subsequent results that lead to the inclusion of the actions/services identified in the plan. It also provides a location for the results of assessments data to identify student gaps in learning and professional development needs. These sections provide for consideration of school accreditation findings/recommendations and demonstration of how the school goals are supported and address Title I, II, III, and/or IV funding.

## **School Goals**

The school goal(s) is the representation of what is intended to be achieved at the end of the project period. School goals must use S.M.A.R.T. characteristics.

## **Measureable Outcomes**

The purpose of this section is to document the data to be reviewed throughout the implementation of the actions/services. The baseline/actual outcome is data identified at the start of the plan development that supports the need for funding and services.

## **Actions/Services**

This section has two parts. The first part is to document the students to be served by the action/service. Students to be served is not mean to be a catch all of “All Students”, but instead specific student groups/target demographics is based on data identified in the comprehensive needs assessment.

The second part is to describe in detail what the evidenced-based action/service is to be implemented. The narrative details should include a brief, yet detailed, summary of what is planned, the frequency, resources, materials, etc. for educational partners (stakeholders) to reasonably understand what is being implemented. Please remember the plan is intended for the non-education industry public to understand how students are intending to receive support and/or services.

Actions/Services for materials/equipment continuously (instructional school days, intercession and holidays during the instructional calendar are exempt) in-place/in-service must be adequately described and monitored until disposed of. Therefore, if materials/equipment not in use post instructional calendar (May/June through July/August) then materials/equipment must be returned to the district (control of public funds).

Disposed of means returned to the district upon determination the material/equipment is no longer in-place, use, or in-service at any time during the school or program year.

School year and program year is defined as July 1 through June 30.

## **Proposed Expenditures**

The purpose of this section is to document estimated expenditures to support the action/services described in the narrative.

## **Annual Review/Evaluation**

The purpose of this section reports out the actual implementation, how effective was the implementation (supported by data including the measurable outcomes identified previously). The annual review/evaluation also provides an opportunity to describe any major differences between the

intended implementation and the actual budgeted expenditures (activity). The last parameter is to describe any future changes that will be made to the goal, specifically relating to the measurable outcome metrics or actions/services.

## **Budget Summary**

The budget summary reflects the overall expenditures identified throughout the plan. It helps to provide a means for tracking and budget set up.

# Proposed Timeline for Equitable Services

The following timeline is subject to change to meet workflow and programmatic implementation.

Black = general information

Blue = private school

Orange = district

<b>July 1:</b>	Start of the program/project year.
<b>July 15:</b>	Submission of purchase requests (including consultant services), Conference Attendance Requests.
<b>August 1:</b>	District Personnel Action (PA) submitted for applicable staff for routing through the system. District responds with quotes and/or decisions for consultant services. Draft request for proposals submitted to district Purchasing Department for approval. Coordinate redistribution of materials/equipment for project year.
<b>August 15:</b>	Purchase requisitions entered into the district system. Purchasing Department posts request for proposals.
<b>August 31:</b>	Tutoring services plan and student assessment results for eligibility of services submitted.
<b>September 15:</b>	Finalized tutoring services and intervention program returned to private school. Quarterly meeting and check-in at school site, introduction of Title I teacher, and to verify location of services/materials/equipment.
<b>September 30:</b>	Title I Parent Meeting conducted, with Title I teachers attending.
<b>October 1:</b>	Tutoring services begin at school sites.
<b>November 15:</b>	Mid-program review of services.
<b>November 6:</b>	Quarterly meeting to verify services/materials/equipment.
<b>January 15:</b>	Mid-program review of services.
<b>January 31:</b>	Letters of Participation for upcoming school year.
<b>March 6:</b>	Mid-program review of services.
<b>March 15:</b>	Quarterly meeting to verify services/materials/equipment.
<b>March 6:</b>	Mid-program review of services.
<b>April 15:</b>	Introduction Packet and Equitable Services Plan distributed to private schools.
<b>May 15:</b>	Mid-program review of services.
<b>May 31:</b>	Completion of Equitable Services Plan evaluation/annual review for upcoming school year.
<b>June 2:</b>	Quarterly meeting and check-out at school site and coordinate pick/up of materials/equipment.
<b>June 30:</b>	Equitable Services Plan final/signed submitted to district.