
Federal and State Compensatory Education Policy 3-400

Policy Statement

1. A school operating a Title I schoolwide program may use Title I funds to upgrade the entire educational program of the school in accordance with law and shall not be required to identify particular children as eligible to participate in the schoolwide program or to identify individual services as supplemental.
2. A school operating a Title I targeted assistance program shall identify eligible students who are failing, or most at risk of failing, to meet challenging state academic standards based on multiple, educationally related, objective criteria established by the District and supplemented by the school, except that children from preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the District and supplemented by the school. All identification and service decisions shall comply with requirements of the Elementary and Secondary Education Act (ESEA), Education Code §§ 54020–54029, and the District’s Local Control and Accountability Plan (LCAP).
3. Title I schoolwide programs, Title I targeted assistance programs, and any applicable state compensatory education activities shall be implemented in accordance with the ESEA, applicable state law, the District’s LCAP, and each participating school’s School Plan for Student Achievement (SPSA), as applicable. Identification of students for Title I targeted assistance services shall be conducted in accordance with ESEA requirements and applicable District criteria.

Purpose

The Governing Board supports the effective use of federal and state supplemental funds to improve academic achievement for students performing below grade level. The District shall administer Title I, Part A programs, Title VI Indian Education programs if applicable, and any applicable state compensatory education requirements in accordance with state and federal law. Additionally, if the District applies for or receives funds pursuant to Title VI for Indian education, this policy is intended to ensure compliance with 20 U.S.C. section 7420, et seq.

4. The Superintendent or designee shall:
 - Maintain documentation showing how students are identified and served;
 - The District and each school receiving Title I, Part A funds shall jointly develop, agree on with, distribute, and periodically update required written parent and family engagement policies in accordance with law. Each Title I school shall also jointly develop a school-parent compact where required.; and
 - Align compensatory-education efforts with the SPSA and the LCAP.
5. Program implementation shall be reviewed annually by the Board as part of the LCAP and budget adoption process to verify that supplemental funds are targeted effectively.
6. If the District applies for or receives federal Title VI Indian Education formula grant funds, the Superintendent or designee shall develop, implement, and evaluate the program in accordance with applicable federal law and the District's approved grant application.

The District's Title VI Indian Education program shall be designed to meet the unique educational, culturally related academic, language, and cultural needs of eligible Indian children served by the District. Program objectives and outcomes shall be based on the same challenging state academic standards applicable to all students and shall be consistent with applicable state, tribal, local, and District plans.

The Superintendent or designee shall ensure that Title VI funds are used only to supplement, and not supplant, federal, state, and local funds otherwise available for services to Indian students, and only for activities authorized by federal law and described in the District's approved application.

Administrative Regulations

1. The Superintendent or designee shall develop and maintain procedures to:
 - Identify students most in need of academic support using objective academic data;
 - Document and retain evidence of student selection and program participation consistent with audit requirements;
 - Provide required parent/guardian notifications under Title I and Education Code § 64001; and
 - Align all compensatory-education activities with the District's LCAP and SPSA.
2. Program staff shall review data annually and recommend adjustments to ensure supplemental funds remain targeted to the highest-need students.
3. Indian Education Pursuant to Title VI

If the District applies for or receives federal Title VI Indian Education formula grant funds:

 - The District shall develop the Title VI program based on a comprehensive local assessment and prioritization of the unique educational and culturally related academic needs of Indian students. In developing the program, the District shall use, to the extent practicable, the best available talents and resources, including individuals from the Indian community.
 - The District shall develop the Title VI program in open consultation with parents and family members of Indian children, teachers, representatives of Indian tribes on Indian lands located within 50 miles of any school the District will serve if such tribes have children enrolled in such school, Indian organizations, and, when appropriate, Indian students attending District secondary schools. Such consultation shall include public hearings held by the District to provide the specified individuals and entities a full opportunity to understand the proposed program and offer recommendations.
 - The District shall meaningfully collaborate with Indian tribes located in the community in a timely, active, and ongoing manner in developing the comprehensive program and shall document the collaboration process and any actions taken as a result of such collaboration.
 - If the District proposes to use Title VI funds in a schoolwide program, the District shall identify in its application how the use of such funds in the schoolwide program will

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Page 3 of 6

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The policies are developed in collaboration with the Small School Districts' Association for general informational, educational and procedural purposes only and are not intended to constitute legal advice for any specific situation.

produce benefits to Indian students that would not be achieved if the funds were not used in the schoolwide program.

- The District shall establish and maintain a committee for the Title VI program composed of and selected by parents and family members of Indian children in District schools, representatives of Indian tribes on Indian lands located within 50 miles of any school the District will serve if such tribes have children enrolled in such school, teachers in District schools, and, when appropriate, Indian students attending District secondary schools. A majority of the committee shall be parents and family members of Indian children. The committee shall adopt and follow reasonable bylaws for the conduct of its activities.
- The District shall obtain the participation and written approval of the committee in developing the Title VI program and application. If the application describes a schoolwide program, the committee shall review the program in a timely manner and determine that the program will not diminish the availability of culturally related activities for Indian students and will directly enhance the educational experience of Indian students.
- The Superintendent or designee shall conduct outreach to parents and family members of Indian children to support their meaningful participation in the development, operation, and evaluation of the Title VI program.
- The District shall provide professional development, as needed, to ensure that teachers and other school professionals who are new to the Indian community are prepared to work with Indian children and that teachers involved in programs assisted with Title VI funds are properly trained to carry out such programs.
- The District shall periodically assess the progress of all Indian children enrolled in District schools, including Indian children who do not participate in Title VI-funded programs, in meeting the program's objectives and outcomes. The District shall provide the results of such assessments to the Title VI committee, the community served by the District, and the Indian tribes whose children are served by the District, consistent with the Family Educational Rights and Privacy Act. The District shall consider and respond to findings from prior assessments in developing and revising the program.
- The District shall coordinate Title VI activities with other federal programs supporting educational and related services administered by the District.

- The District shall maintain policies and procedures, including procedures related to the hiring of personnel as applicable, to ensure that the Title VI program is operated and evaluated in consultation with, and with the involvement of, parents and family members of Indian children and representatives of the area served.
- The District shall prepare and submit required reports regarding the effectiveness of Title VI activities in improving the educational achievement of Indian students, meeting program objectives and outcomes, and addressing the unique cultural, language, and educational needs of Indian students.

Title I Fiscal Requirements

- The District shall administer Title I, Part A funds in accordance with applicable federal fiscal requirements, including maintenance of effort, supplement-not-supplant, comparability of services, allowable-cost, documentation, and audit requirements.
- The District shall use Title I, Part A funds only to supplement, and not supplant, the state and local funds that would, in the absence of Title I funds, be made available for the education of students participating in Title I programs.
- To demonstrate compliance with the supplement-not-supplant requirement, the District shall maintain a methodology for allocating state and local funds to schools receiving Title I assistance that ensures each such school receives all state and local funds it would otherwise receive if it were not receiving Title I assistance. The District shall not be required to identify each individual cost or service supported with Title I funds as supplemental, or to provide Title I services through a particular instructional method or setting, to demonstrate compliance with supplement-not-supplant.
- Where comparability requirements apply, the District shall use state and local funds to provide services in Title I schools that, taken as a whole, are at least comparable to services in schools that do not receive Title I funds. If all District schools are served with Title I funds, the District shall use state and local funds to provide services that, taken as a whole, are substantially comparable in each school. Comparability may be determined on a grade-span-by-grade-span or school-by-school basis.
- Where comparability requirements apply, the District shall establish and implement an LEA-wide salary schedule and policies to ensure equivalence among schools in teachers, administrators, and other staff, and equivalence among schools in the provision of curriculum materials and instructional supplies. The Superintendent or designee shall develop procedures for comparability compliance and maintain records, updated at least biennially, documenting such compliance.
- The comparability requirements shall not apply if the District does not have more than one building for each grade span. In determining comparability, the District may apply

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Page 5 of 6

exclusions permitted by federal law.