February 14, 2022

**FY2023 Declaration of Participation Notification**

It is time for the Declaration of Participation Report to be completed by your district in accordance with the Every Student Succeeds Act (ESSA). This report is used to identify the number of students enrolled in area private non-profit and home schools. Federal programs participating in the Declaration of Participation are Title II-A Supporting Effective Instruction, Title III - Language Instruction for English Learners (EL), Title IV-A Student Support and Academic Enrichment Grants and IDEA-B - Individuals with Disabilities Education Act.

Please note: The Title III EL data collection is used to identify the number of English Learner students and the number of Immigrant students enrolled in area private non-profit and home schools.

You are asked to list **all** private non-profit schools and **all** home schools that are physically located in your school district’s geographic boundaries, not just those participating. Include memberships of all private schools and all home schools, regardless of whether they will participate or are eligible to participate in the above programs in 2022-2023. A grand total of the participants in each program is also required. **Do not include private schools or home schools located outside your district's boundaries that are required to be contacted for Title I services**. Because participating private school and home school membership data directly impacts the per pupil dollar amount allocated to the public school district for Title III-EL/Immigrant and IDEA-B, it is critical these totals be accurate. Public school membership information is already on file with Kentucky Department of Education (per School Data Forms) and should not be included.

According to federal law, only private schools having an official non-profit status are eligible to receive services under Title II-A, Title III-EL/Immigrant, Title IV-A and IDEA-B. Beginning with school year 2001-2002 and following, any private school wishing to participate in such programs must have filed Articles of Incorporation with the office of the Kentucky Secretary of State as a non-profit corporation under KRS 273 or have received a letter from the Internal Revenue Service (IRS) granting them 501(c)(3) status as a non-profit corporation (Home schools, by their nature, are considered non-profit.). A signed assurance statement, verifying an official non-profit status, must be filed with the respective local education agency (LEA) for each private school or home school wishing to participate in Title II-A, Title III-EL/Immigrant, Title IV-A or IDEA-B. (See the non-profit compliance statement on the *Private, Non-profit (PNP) School* *Declaration of Participation* *for Title II-A, a* *Title IV-A and IDEA-B* form located on the website.

Of the three compliance statements, a school official must have checked “no” for the first two and “yes” for the third in order to participate in any of the programs. Just checking the program in which the school wishes to participate does not make the school eligible to participate.

The signed individual *Private, Non-profit (PNP) Schools and Home Schools Declaration of Participation for Title II-A, Title IV-A and IDEA-B* assuranceforms and the *Private, Non-profit (PNP) Schools and Home Schools Declaration of Participation for Title III-EL* assuranceforms are to be retained at your district office rather than copied and submitted to the Kentucky Department of Education. Documentation that you have corresponded with private schools and home schools, physically located in your school district’s geographic boundaries, to offer them the opportunity to participate must be kept on file locally. (Please copy the *Private, Non-profit (PNP) School Declaration of Participation for Title II-A, and IDEA-B* formandthe *Private, Non-profit (PNP) Schools and Home Schools Declaration of Participation for Title III-EL* forms as needed.)

We have made available the [Title IX, Part E Uniform Provisions Subpa​rt 1—Private Schools](https://education.ky.gov/districts/fin/Documents/TITLE%20IX,%20PART%20E%20UNIFORM%20PROVISIONS%20SUBPART%201—PRIVATE%20SCHOOLS%5b3679%5d.pdf). This guidance is intended to assist local education agencies and other entities in fulfilling their obligations under ESSA to provide equitable services to eligible private school students, teachers, and other educational personnel, and under some programs, to parents. This guidance does not impose any requirements beyond those in the law. It is our hope that this guidance will be helpful to districts in meeting their obligation to Private Schools. Your district is urged to print this document and share with all Federal Program coordinators and the Private School contacts.

**By April 15, 2022**, please complete the FY2023 Declaration of Participation in the Grant Management Application & Planning System (GMAP). The report may be found under Funding/Applications/Application Supplements/FY2023. To access the report, the appropriate staff must have the role of *Declaration of Participation Report Submitter.* Contact the district’s GMAP User Access Administrator to add the role. A list of the district GMAP User Access Administrators is in GMAP under KDE Resources.

If you have additional questions, please contact either [Kris Jarboe](mailto:Kris%20Jarboe@education.ky.gov) (Title II-A 502-564-2106 ext. 4502), [Jessica Sanderson](mailto:jessica.sanderson@education.ky.gov) (Title III-ELL 502-564-3791 ext. 4004), [Lalah Brewer](mailto:lalah.brewer@education.ky.gov) (Title IV-A 502-564-4772 ext. 4028), [Karla Miller](mailto:karla.miller@education.ky.gov) (IDEA-B 502-564-4970 ext. 4155) or [Jennifer Baker](mailto:kdegmap@education.ky.gov) (GMAP Technical 502-564-1979 ext. 4501).

All forms are available at <http://education.ky.gov/districts/fin/Pages/Additional-Federal-Grant-Information.aspx>.