



## **Stronger Connections Grant Equitable Services for Nonpublic Schools Guidance**

Per Section 8501(a)(3)(A) of the Elementary and Secondary Education Act (ESEA), amended by the [Every Student Succeeds Act of 2015 \(ESSA\)](#), local education agencies (LEAs), also known as school districts, are to provide educational services for nonpublic school children, educators, and other academic personnel that is equitable to the services provided for public school children, educators, and other academic personnel.

### **GRANT BACKGROUND**

The U.S. Department of Education announced North Dakota's allocation of \$4,883,025 for the Stronger Connections Grant Program (SCG). This competitive grant provides the opportunity for high-needs LEAs to improve conditions for student learning by encouraging schools to implement a comprehensive plan incorporating evidence-based activities, programs, and practices to create safer and healthier learning environments that promote positive school climates as outlined in the Every Student Succeeds Act (ESSA) Section 4108. (20 U.S.C. 7118) ACTIVITIES TO SUPPORT SAFE AND HEALTHY STUDENTS.

Districts who are applying for the Stronger Connections Grant must consult with the appropriate nonpublic schools regarding the required equitable services provision.

### **CONSULTATION AND PLANNING**

- The school district must consult with appropriate nonpublic school officials during the design and development of the proposed programs under [Section 8501\(c\)](#) to ensure timely and meaningful consultation.
- Attention must be given to the timing of the consultation. Under [Section 8501\(c\)\(3\)](#), the consultation must occur before any decisions made by the school district and nonpublic schools that affect the opportunities for eligible nonpublic school children, educators, and other educational personnel to participate. The quality of the consultation process will likely affect the quality of services to nonpublic schools.
- If awarded the SGC, as stated in [Section 8501\(c\)\(3\)](#), consultation should continue throughout the implementation and assessment of SCG activities.
- The school district should document the following to meet general record-keeping responsibilities:
  - Informing nonpublic school representatives of their intent to apply for the Stronger Connections Grant program which has an equitable provision.
  - Identification of the nonpublic and public-school educators' needs as part of a community-wide needs assessment.
  - Consultation with nonpublic school officials and provide an opportunity for input into the planning of the school district's activities impacting the nonpublic school.
  - Approval of the school district's budget permitting equitable participation for nonpublic schools.

- According to [Section 8501\(c\)\(1\)](#), school districts must consult with appropriate nonpublic school officials and have the goal of reaching an agreement on how to provide equitable services and effective programs for eligible nonpublic schools on issues such as the following:
  - How will student needs be identified?
  - How will student needs inform the professional learning needs of educators, principals, and other school leaders?
  - What equitable services are offered?
  - How, where, and by whom will the services be provided?
  - How will services be assessed, and how will assessment results improve those services? School districts are responsible for measuring the effectiveness of funded activities.
  - What is the size and scope of the equitable services provided to eligible educators? How was the amount determined? What amount of funds are available for those services?
  - How and when the public school district will make decisions about the delivery of services?
  - Will the school district provide services directly to the nonpublic school or through a separate government agency, consortium, or entity through a third-party contractor?
- School districts are also encouraged to consult with nonpublic school officials and provide guidance on applicable policies or written procedures, such as travel, stipends, college courses, and source documentation required to determine allowability.

#### **DOCUMENTATION OF CONSULTATION**

- School districts should obtain a written affirmation signed by officials of each participating nonpublic school that meaningful consultation required by ESSA has occurred. The written Affirmation of Consultation must include the option for nonpublic school officials to indicate if timely and meaningful consultation occurred or if the program design is not equitable to eligible nonpublic school children.
- If nonpublic school officials do not provide the written affirmation within a reasonable period, the school district must document that consultation took place, according to [Section 8501\(c\)\(5\)](#).

#### **DETERMINING STRONGER CONNECTIONS EQUITABLE SERVICES ALLOCATIONS**

- The amount a school district must reserve to provide equitable services for nonpublic school educators and other educational personnel for SCG services uses the school district's total proposed SCG budget, less administrative costs (if applicable).
- The school district determines the funds available for SCG equitable services through a formula. The formula calculates, on a per-pupil basis, the amount available for all public and nonpublic students enrolled in participating nonpublic schools in areas served by the district, regardless of a student's residency. The needs of public school and nonpublic school students, educators, and educational personnel are taken into consideration.
- North Dakota school districts will complete this formula within the Stronger Connections Grant Application. School districts are encouraged to use the formula below for planning purposes. Grantees may be fully or partially funded. In such an event, the district will need to adjust its budget, which includes revising its equitable services amounts.

## Example of Formula to Determine Amount for Stronger Connections Grant Equitable Services

### **A. Number of Students**

A1. Public School District Enrollment	1,000
A2. Participating Nonpublic Schools Enrollment	150
A3. Total Enrollment (# = A1 + A2)	1,150

### **B. Proposed Stronger Connections Grant Budget**

B1. Total Public School District Allocation	\$500,000
B2. Administrative Costs (for public and nonpublic school programs)	\$10,000
B3. Public School District Base Preliminary Allocation (# = B1 – B2)	\$490,000

### **C. Per Pupil Rate**

C1. Individual per pupil for SCG (# = B3 ÷ A3)	\$426
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### **D. Equitable Services**

Amount the school district must reserve for equitable services for nonpublic school educators and other educational personnel (# = A2 x C1)	\$63,900
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## **GRANT PERIOD AND FUNDING**

- The grant will be for the following consecutive school years (SY); SY 23/24, SY 24/25, and SY 25/26. This period includes the additional one-year period of funding availability provided under section 421(b) of the General Education Provisions Act (GEPA) (the Tydings Amendment). Funds will be available July 1, 2023 and will need to be expended by June 30, 2026. As with any Federal Funds, they are intended to be expended during the grant period. We do not anticipate any further extension period for these funds.
- ESSA requires school districts to obligate the total amount generated for equitable services to nonpublic school educators, principals, and other nonpublic school leaders during the first fiscal year of availability. According to [Section 1117\(a\)\(4\)\(B\)](#), funds allocated to a school district for educational services and other benefits to eligible nonpublic school children must be obligated in the fiscal year for which the funds are received by the agency.

## **ESEA SECTION 4108 ALLOWABLE ACTIVITIES FOR NONPUBLIC EQUITABLE**

As with all services and materials provided with Stronger Connections Grant funds, any materials, supplies and services must be supplemental to what the private school would otherwise provide in the absence of the SCG services.

### **Some examples of Activities to Support Safe and Healthy Students**

- Suicide prevention
- Trauma-informed practices in classroom management
- Crisis management and conflict resolution
- Human trafficking training for staff
- School-based violence prevention strategies
- Bullying and harassment prevention
- Child sexual abuse awareness and prevention
- Positive Behavioral Interventions and Supports
- School-based mental health services
- Drug and violence prevention activities that are evidence-based
- Integrating health and safety practices into school or athletic programs
- Nutritional education and physical education activities

- Activities that improve instructional practices for developing relationship-building skills
- Prevention of teen and dating violence, stalking, domestic abuse, and sexual violence and harassment
- Establishing or improving school dropout and reentry programs
- Training school personnel in effective practices related to the above
- Restorative Justice Practices

*\*Note that this is not an inclusive list of all allowable activities.*

- SCG funded educational services, professional development, or other benefits, including materials and supplies, shall be secular, neutral, and nonideological, per [Section 8501\(a\)\(2\)](#).
- School districts may use SCG funds to provide professional development activities for educators, principals, and other school leaders to address the specific needs of their students aligned with grant activities. Additionally, there may be other permissible uses of SCG funds for the benefit of nonpublic school participants.
- SCG funds may be used to pay teacher salaries or to cover the costs of a substitute taking the place of a teacher attending a conference or workshop that is related to SCG approved activities.
- To the extent that a teacher's, principal's, or other school leader's attendance at a conference sponsored or conducted by a faith-based organization is part of a sustained and comprehensive secular professional development plan, SCG funds may be expended to pay for the portion of the costs of the conference that, as determined by the public school district, represent the secular professional development in which the teacher, principal or other school leader participated. By law, using federal funds to support religion is prohibited under [34 CFR section 76.532, sections 8505 and 8501\(a\)\(2\)](#).
  - Note: If the conference contains both secular and non-secular events, the attending teacher, principal, or school leader must provide the public school district with information delineating secular and non-secular activities **before** attending the conference. The public school district will determine the percentage of the conference representing secular professional development in which the teacher participated. The public school district should consider all expenses related to attending the conference (e.g., airfare, hotel registration) to determine the amount to reimburse the teacher for attending the conference.

### **Prohibited Use of Funds SCG Funds**

The SCG funds may not be used for any of the following purposes:

- to develop or distribute materials or operate programs or courses of instruction directed at youth that are designed to promote or encourage sexual activity, whether homosexual or heterosexual.
- to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or
- to operate a program of contraception distribution in schools. (ESEA sections 8526(3), (5), and (6)).
- for medical services or drug treatment or rehabilitation, except for integrated student supports, specialized instructional support services, or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs. (ESEA section 4001(b)).
- for the provision to any person of a dangerous weapon or training in the use of a dangerous weapon as prohibited under Section 13401 of the Bipartisan Safer Communities Act, which amends section 8526 of the ESEA.

ESEA section 8526(1) 32 prohibits using funds under the ESEA “for construction, renovation, or repair of any school facility, except as authorized under [the ESEA],” and there is no specific authorization

for construction, renovation, or repair in ESEA Title IV, Part A. Accordingly, Stronger Connections funds may not be used for school construction.

\*SCG funds are only to be used for the activities aligned with activities allowable under section 4108 to support safe and healthy students of the ESEA. Therefore, Title IV activities allowable under section 4107-well-rounded education, and section 4019-effective use of technology, are not allowable under this specific grant.

## CONTROL OF FUNDS AND REIMBURSEMENT

- Pursuant to [Section 8501\(d\)](#), the public school district must maintain control of the Stronger Connection grant funds at all times. Any materials, supplies, or property purchased with these funds shall remain property of the public school district, where the materials, supplies, or property must be used for SCG, as outlined in [Section 2001](#).
- Only the public school district may obligate and expend federal funds on behalf of nonpublic school educators, principals, and other school leaders; this means the public school district must purchase materials or procure services on behalf of the nonpublic school. Public school districts are not allowed to reimburse nonpublic schools directly for any costs. However, a public school district may use federal funds to reimburse an individual nonpublic school teacher, principal, or other school leaders for professional development the public school district has preapproved and that meets the reasonable and necessary cost principles of [2 CFR section 200](#).
- Public school districts must not reimburse for unallowable activities.

## RECORD KEEPING

- While a public school district should not overburden a nonpublic school with paperwork, as the public school district is fiscally responsible for the management of funds under [Section 8501\(d\)](#), a public school district may require the nonpublic school to submit enough documentation to determine student and teacher needs, as well as documentation to determine that the activities and expenses are allowable, reasonable, and necessary, following all federal and state requirements.
- School districts that serve nonpublic schools expend funds on behalf of the nonpublic schools. Thus, all nonpublic school expenditures must also comply with the school district procurement procedures. School districts entering into contracts on behalf of nonpublic schools must adhere to the district's procedures and have the primary responsibility for maintaining documentation.
- As mentioned in the Consultation and Planning section of this document, in order to meet its general record-keeping responsibility, the public school district should document that:
  - Representatives of nonpublic schools were informed of the intent of the district to apply for the Stronger Connection Grant.
  - The needs of nonpublic and public-school educators were identified as part of a needs assessment.
  - Nonpublic school officials were consulted and provided an opportunity for input into the planning of the proposed Stronger Connection Grant activities.
  - The school district approved a budget that permitted equitable participation for nonpublic schools.

## REFERENCES

[Elementary and Secondary Education Act \(ESEA\), amended by the Every Student Succeeds Act of 2015 \(ESSA\)](#)

[No Child Left Behind Act of 2001 \(NCLB\) – Every Student Succeeds Act of 2015 \(ESSA\) Equitable Services Comparison Chart](#)

[Bipartisan Safer Communities Act - Office of Elementary and Secondary Education](#)

[Bipartisan Safer Communities Act. Stronger Connections Grant Program - Frequently Asked Questions](#)

[Title IX \(ESSA Title VIII\) E- ESEA Non-Regulatory Guidance: Fiscal Changes and Equitable Services \(November 2016\)](#)

[Code of Federal Regulations \(CFR\)](#)

## FREQUENTLY ASKED QUESTIONS

*These are the most frequent questions we receive regarding Title IV equitable service in nonpublic schools. This section may be updated as more nonpublic school equitable services questions arise.*

### **Q. How may funds be used to increase student connections and a sense of belonging at school?**

**A.** The Department encourages LEAs and schools to consider ways to increase student connections and a sense of belonging at school to further the creation of a safe, healthy, supportive, and drug-free environment that supports student well-being, academic success, and other positive outcomes. Creating student connections and a sense of belonging at school requires each student to feel personally accepted, respected, included, and supported by others in the school social environment. Research shows that student belonging is correlated with improved academic outcomes, less absenteeism, and less misconduct. To support student belonging, schools and districts are encouraged to:

- Invest in high-quality teaching and learning, including by implementing culturally and linguistically responsive teaching practices;
- Use school climate surveys to gain a deeper understanding of school instruction, culture, and climate;
- Schedule time for one-on-one or small group check-ins with trusted adults;
- Provide job-embedded and ongoing professional development and coaching opportunities to educators to support relationship building between students and teachers.

In addition, it is critical that schools create a safe place for students and their diverse and intersectional identities; this may include creating space for students to share about their interests, developing opportunities for students to exercise their voices and leadership, and completing a comprehensive review of school discipline policies to ensure they are fair and non-discriminatory.

### **Q. May funds be used to promote student physical fitness?**

**A.** ESEA section 4108(5)(C)(ii) provides that funds under this section may be used for “programs or activities that support a healthy, active lifestyle.” Accordingly, using BSCA funds to establish, promote, or expand physical fitness and recreational activities is allowable. Physical activity that is age-appropriate, inclusive, and enjoyable, supports positive physical health outcomes and may promote a sense of belonging when well-structured. Funds available under the Stronger Connections grant may support building programs and providing professional development on classroom physical activity or incorporating physical activity before and after school, among other possibilities.