



MoCAPE is the Missouri chapter of CAPE - the Council for American Private Education
Established in 1981, MoCAPE represents over 70,000 private school students

May 28, 2024

Maureen Dowling
Director
Office of Non-Public Education
U.S. Department of Education

Patrick Rooney
Director
School Support and Accountability
U.S. Department of Education

Dear Ms. Dowling and Mr. Rooney,

Thank you for allowing us the opportunity to provide feedback regarding the removal of the bypass for Title I services in Missouri. The Title I bypass program has been in place in Missouri for over 50 years. Our feelings about the end of bypass are neutral. The bypass has afforded generations of private school students in Missouri the opportunity to receive Title I services that increased their reading and math achievement.

In Missouri, we pride ourselves on building and maintaining quality relationships between private schools, LEAs, and our SEA. We all work together for the benefit of our students. This has been particularly evident during the past four years as the world has dealt with the COVID-19 pandemic and its impact on learning. **What is most important is that students continue to receive the high-quality services and supports on-site at their private school, consistent with or exceeding what is currently offered through the Title I bypass program.**

In preparing our responses, I met with and received input from our Board of Directors and other private school leaders:

- Dr. Erin Vader, Superintendent of Catholic Schools for the Diocese of Jefferson City
- Deacon Rob Huff, Superintendent of Catholic Schools for the Diocese of Springfield – Cape Girardeau
- Dr. Karen Kroh, Superintendent of Catholic Schools for the Diocese of Kansas City – St. Joseph

- Dr. Maureen DePriest, Superintendent of Catholic Schools for the Archdiocese of St. Louis
- Josh Swartz, Director of Schools for the Lutheran Church – Missouri Synod
- Rabbi Hillel Anton, Agudath Israel of Missouri
- Jamie Driver, Executive Director of Independent Schools of St. Louis
- Alicia Kotarba, President of Notre Dame de Sion Schools
- Jill Burkett, Education Director of Government Programs for the Archdiocese of St. Louis.

I also spoke with our Ombuds, Theresa Villmer and representatives from Catapult. Due to time constraints and the many obligations that come at the end of the school year, I was unable to get direct input from private school principals. It is my intention to host listening sessions and conduct surveys to gather their input before our listening session with the Department in June.

Below, you will find our answers to the questions which you presented. Thank you again for this opportunity, we look forward to our continued collaboration on this endeavor.

What factors or concerns should the Department be aware of as we consider the removal of the Title I bypass?

- This change was not initiated by private schools and is not the result of complaints from private schools regarding the services provided by the bypass contractor (Catapult).
- The bypass contractor has efficiently pooled funds from across bypass districts to effectively serve private school students with a diverse menu of Title I services. All services have been provided to students on-site at the private school.
- 53 LEAs are currently under bypass, these LEAs serve 1084 students in 72 private schools across the state. Of these 72 private schools, 26 have multiple feeder bypass LEAs represented in their schools.
- In the past, for a district to be removed from bypass, the LEA and all private schools in the district had to be in support of the removal. A plan then had to be created by the LEA and private schools that outlined the specific ways that services would be provided. The SEA would review the plan; if it was acceptable, they would approve

the plan. There was a stipulation that if an LEA was removed from the bypass, they could not ever return to the bypass. Because of the finality of this process, it often took several years to complete the removal.

- Some LEAs, especially the large urban districts, are struggling to provide services to private schools for other Title programs (II, III & IV). These districts face multiple challenges including a bureaucratic submittal process and a high rate of staff turnover. There are significant concerns that the extra burden on these districts will result in the disruption of services for students. This is particularly true on the East side of the state (St. Louis area) where districts do not contract with a third party provider to assist with these programs. In the Kansas City area, KCPS contracts the day-to-day operations of their Title (II, III & IV) programs for nonpublic schools to a third-party provider. This contract has been in place for decades and reduces the burden for both the LEA and the private school leaders.
- Our SEA has some processes in place that will ease this transition. Each Fall, private schools complete the nonpublic registration for our state. This registration includes reporting information about student enrollment, LEA and public school of attendance, economic deprivation counts and interest in participating in Federal programs. After the registration is complete, LEAs are able to verify the information by working with private school leaders. The SEA oversees this process and provides necessary assistance and guidance.
- The SEA has several guidance forms currently used to guide meaningful consultation between LEAs and private schools for Title programs. There is also a system of checkpoints to ensure that consultation is taking place in a timely manner.
- Many private school leaders who are being served by the bypass contractor, typically do not have to manage multiple consultations with many different LEAs. This change can create a logistical challenge and a burden of time on private school officials. It can also create a piecemeal of services with small amounts of funds generated at multiple LEAs.

We are currently examining the possibility of having LEAS currently under the bypass begin providing Title I equitable services in the 2025-2026 school year.

What kind of support do you believe would be helpful in implementing this timeline?

A collaborative effort, including on-going conversations with all interested parties (SEA, LEAs, private school leaders, and the Department) together at the table, **would increase the likelihood of a strong plan that everyone can buy into and support.**

It is my understanding that the SEA had listening sessions with LEAs. While this information is certainly needed, it is likely that LEAs that have never provided Title I services to private school students may not know what they don't know. It would likely be helpful to also have listening sessions with impacted private school leaders to learn about how the program is currently being implemented through bypass. Consultations with private school leaders currently working with LEAs (not in bypass) would also be helpful so that we can identify and address any issues that presently exist.

Do you have any concerns about this timeline?

We have serious concerns regarding this timeline. While this would have been an ambitious timeline had this process begun last Fall, it seems nearly impossible that a solid structure and process will be in place by the 2025/2026 school year. We are unaware of any reason why there should be such urgency to end the bypass.

We request that the bypass districts be divided into four groups (*see attached list). One group per year would be removed from the bypass from 2025/26 through 2028/29. Alternatively, Year 2 and 3 could be combined for a 3-year transition. The groups have been created geographically by region, so that neighboring LEAs can work together to pool, contract or otherwise collaborate during this process. This would also allow training to be provided to both LEAs and private schools in regions and ensure that everyone has the necessary support to successfully navigate this transition.

We are concerned that there may be challenges in hiring qualified teachers, particularly in rural areas facing teacher shortages. Ending the bypass by region may allow teachers currently contracted through bypass to be hired by LEAs, so that Title I teachers can remain working with their private school students. In addition to retaining quality teaching staff, LEAs must provide proper supervision, curriculum and assessment materials, training and data analysis, as has been provided through the bypass contractor.

We believe it is better to take our time and create a strong foundation rather than to rush this process and spend years trying to fix a broken system. Rushing the process will impact student services. What is best for students, is to work collaboratively – the Department, the SEA, LEAs, private school leaders and Catapult – so that a smooth transition with minimal disruptions occur to services.

If the bypass removal must be completed by the 2025/26 school year, perhaps we should consider if the SEA can/should take over the bypass contract. This would allow more time to be given to this process and reduce the disruption of services to students.

What technical assistance or training might private school officials with students who receive Title I services need to ensure a successful transition?

Technical training should be provided for LEAs and private school officials on the required consultation process, how funds are generated, services available through Title I, who can provide services and where services can be provided. Guidance should be given on methods of streamlining the program and increasing efficiency through pooling funds, contracting services between LEAs or contracting a third-party provider.

Private school officials will need training, so they have a strong working knowledge and understanding of the Title I guidance. For meaningful consultation to occur, both the LEA and the private school officials need to understand all the available options for services that can be provided through Title I to private school students.

Private school officials will need to understand the process for accountability and what steps should be taken if an LEA is not providing adequate consultation or services to their students.

What questions do you have regarding the removal of the bypass?

- Why was this change initiated?
- What is the timeline for removal?
- Are there factors that influence this timeline? If so, what are they?

- Who will ensure that ALL parties (SEA, LEAs, private school leaders and Catapult) are working together to create and implement a plan for the removal of bypass?

- What recourse will private school leaders have if LEAs do not provide services to their students?
- Can an LEA be required to contract Title I services if they consistently fail to provide services to private school students? Or, if they have a history of failing to provide other Title services or Special Education proportionate share services to private school students?
- Is the State now legally able to oversee a bypass program for LEAs that are unable or unwilling to provide services to private school students?

- What guidance will be given to LEAs regarding the option to contract with a third-party provider? It will be helpful if LEAs can work together with one contractor rather than each trying to connect with different partners.

- How do we ensure that high quality instruction, curriculum, assessments, analysis of data and proper supervision of teachers is made available through the LEA?

What other relevant information would you like to share with the Department concerning the bypass?

While the bypass has not been perfect, our students and teachers have consistently been provided a variety of services and training opportunities. We hope that the removal of bypass will result in less overhead costs and an increase of funds directed towards student services. We are also hopeful that this change will result in increased transparency regarding the amount of funds generated and how funds are used.

Sincerely,

A handwritten signature in blue ink that reads "Nicolette Gibson". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Nicolette Gibson
Executive Director, MoCAPE
Missouri State Chapter of CAPE

Enclosure: Missouri LEAs Subject to Bypass – Regional Groupings (below)

Proposed Regional Grouping of Bypass LEAs
Alternatively – Years 2 & 3 could be combined for a 3-year transition.

Year 1 (25/26)

Blue Springs R-IV
Chillicothe R-II
Clinton
Kansas City 33
Marshall
Maryville R-II
North Kansas City 74
Park Hill
Sedalia 200
St. Joseph

Year 2 (26/27)

Columbia 93
Community R-VI
Gasconade County R-II
Hannibal 60
Jefferson City
Maries County R-I
Meramec Valley R-III
Mexico 59
Moniteau County R-I
Osage County R-II
Springfield R XII
St. Clair R-XIII
Union R-XI

Year 3 (27/28)

Campbell
Cape Girardeau 63
Charleston
Crystal City 47
De Soto 73
Farmington R-VII
Festus
Jackson R-II
Kingston K-14
New Madrid County R-I
North St. Francis County R-I
Oran R-III
Perry County 32
Poplar Bluff R-I
Ste. Genevieve County R-II

Year 4 (28/29)

Brentwood
Ferguson – Florissant R-II
Fox C-6
Francis Howell R-III
Hancock Place
Jennings
Kirkwood R-VII
Maplewood-Richmond Heights
Normandy
Orchard Farm
St. Louis City
University City
Valley Park
Webster Groves
Wentzville R-IV