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November 14, 2011

State Superintendent Chris Koch  
Illinois State Board of Education  
100 North 1<sup>st</sup> Street  
Springfield, IL 62777

Dear Superintendent Koch:

I am writing to you regarding the state's application to the U.S. Department of Education for one or more waivers of elements of the Elementary and Secondary Education Act (ESEA). By way of this letter, I want to share with you my thoughts concerning the implications of waivers on the equitable participation of private school students.

ESEA does not permit the equitable participation of private school students to be waived. However, other actions could affect private school students' participation in Title IA programs. Private and public school students generate funding for Title IA in the same manner—low-income students residing in Title IA attendance areas generate funds. When, through the waiver authority, funds are freed up that had previously been used for required set asides, it is important that the needs of the private school students be considered in the determination of the new use of those funds.

If the funds are added into the instructional, professional development, or parental involvement funding streams of Title IA on the local level, districts should be instructed to ensure that there is consultation on the use of these additional funds and that equitable services to eligible private school students be provided. These topics should be added to the agenda of ongoing consultation and should be discussed, taking into account the needs of the private school students residing in the district, *prior* to the district making any final decisions about the use of these funds.

Finally, as you know, we have long been interested in new designs to lift the logistical burdens of equitable participation from local school districts. The most obvious way would be to enlist a third party provider to determine equitable participation shares, conduct meaningful consultation with it

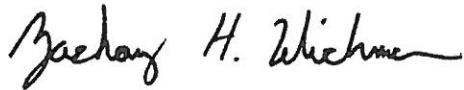
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nonpublic school representatives and either carry out or contract for the agreed services. We have discussed this option before, and based upon a recent conversation between Sr. Mary Paul McCaughey, Superintendent of Catholic Schools in the Archdiocese of Chicago, and your Board Chair, Gery Chico, we believe it might be possible to build this option into the waiver request.

The waiver authority calls for review of the state's application from a wide range of stakeholders. Because of the importance of equitable participation, I ask that you include private school officials in this review process. Reviewers representing the interests of private school students in the Title I program should be those with experience in the program participation of private school students. I am happy to serve in this capacity and/or suggest others that are appropriately qualified.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Zachary H. Wichmann". The signature is written in a cursive style with a large initial 'Z'.

Zach Wichmann  
Director of Government Relations