

Equitable Services to Non-public Schools

Consultation for the 2019-2020 School Year



Goal of Consultation

The goal of consultation is agreement between the LEA and appropriate private school officials on how to provide equitable and effective programs for eligible private school children. The “goal of reaching agreement” between an LEA and appropriate private school officials is grounded in timely, meaningful, and open communication between the LEA and the private school officials on key issues that are relevant to the equitable participation of eligible private school students, teachers and other education personnel, and families in ESEA programs.

Meaningful consultation provides ample time and a genuine opportunity for all parties to express their views, to have their views seriously considered, and to discuss viable options for ensuring equitable participation of eligible private school students, teachers and other education personnel, and families. This assumes that the LEA has not made any decisions that will impact the participation of private school students and teachers in applicable programs prior to consultation, or established a blanket rule that precludes private school students and teachers from receiving certain services authorized under applicable programs. An LEA must consult with private school officials about the timeline for consultation and provide adequate notice of such consultation to ensure meaningful consultation and the likelihood that those involved will be well prepared with the necessary information and data for decision-making. Successful consultation begins well before the implementation of services, establishes positive and productive working relationships, makes planning effective, continues throughout implementation of equitable services, and serves to ensure that the services provided meet the needs of eligible students and teachers.

Note: Consultation forms must be submitted to the Ombudsman for Equitable Services to Non-public Schools after timely and meaningful consultation. LEAs must submit a consultation form for every non-public school, regardless of whether the school chooses to participate. If the private school elects not to participate in the ESSA programs, select the appropriate option as provided below.

Contact Information

LEA: _____

LEA Representative: _____

Phone/Email(s): _____

Non-Public School: _____

Address: _____

School Code: _____

School Administrator: _____

Phone/Email(s): _____

FAQs

Question: What does the LEA need to submit to the non-public school ombudsman?

Answer: The results of the consultation must be submitted to the non-public schools ombudsman no later than May 30th each year.

Question: May an LEA reserve funds off the top of its Title I allocation before it allocates funds for equitable services?

Answer: No. An LEA must determine the amount of funds available for providing equitable services prior to any expenditures or transfers of funds. This includes all reservations previously taken “off the top” of an LEA’s Title I, Part A allocation, including reservations for administration, parental involvement, and district-wide initiatives.

Question: Who should I contact for more information about the requirements regarding the provision of equitable services to students attending a non-public school?

Answer: For more information, please contact the Ombudsman for Equitable Services, [DeLilah Collins](#), in the Office of ESEA Programs.

For more answers to FAQs, please visit the Equitable Services to Non-public Schools webpage.

Equitable Services to Non-public Schools

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Dates of Consultation

List the date(s) that consultation occurred between the LEA and the non-public school or, if consultation did not occur, indicate the dates on which the LEA attempted to contact the non-public school to provide a timely and meaningful consultation.

Initial invitation sent to non-public school: _____

- Non-public school did not respond to initial invitation; therefore, the non-public school is not participating in the ESSA programs. (If the LEA selects this box, sign the last page and do not complete the remaining sections.)

Additional date(s) of consultation: _____

Program Participation

Select the ESEA program(s) below to indicate the programs in which the non-public school intends to participate.

- Title I, Part A – Improving the Academic Achievement of the Disadvantaged
- Title I, Part C – Education of Migratory Children
- Title II, Part A – Supporting Effective Instruction
- Title III, Part A – English Language Acquisition and Language Enhancement
- Title IV, Part A – Student Support and Academic Enrichment Grants
- Title IV, Part B – 21st Century Community Learning Centers

Topics for Discussion

CROSS PROGRAM

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| <ul style="list-style-type: none"> <input type="checkbox"/> LEA Administration reservation <input type="checkbox"/> Services to be offered, including the allowable use of funds under each participating program <input type="checkbox"/> Service delivery mechanisms the LEA will use to provide equitable services to eligible private school children <input type="checkbox"/> How, where, and by whom the services will be provided <input type="checkbox"/> When, including the approximate time of day, the services will be provided <input type="checkbox"/> Size and scope of equitable services provided to eligible private school children, teachers, and other educational personnel <input type="checkbox"/> How and when decisions about the delivery of services will be made <input type="checkbox"/> Thorough consideration and analysis of the view of non-public school officials regarding third-party contractor and written explanation by the LEA if the LEA disagrees with the use of a third-party contractor | <ul style="list-style-type: none"> <input type="checkbox"/> Whether services will be provided directly by the LEA or through a separate agency, consortium, entity, or third-party contractor <input type="checkbox"/> Whether equitable services will be provided by creating a pool(s) of funds or on a school-by-school basis <input type="checkbox"/> Whether to coordinate funds under Title I, Part A with eligible funds under other federal programs, including: Title I, Part C; Title II, Part A; Title III, Part A; Title IV, Part A; and, Title IV, Part B, through consolidation of the available funds <input type="checkbox"/> LEA Fiscal policies that may impact the timeline for the provision of services (i.e. procurement requirements, consolidated application timeline, etc.) <input type="checkbox"/> Carryover waiver process (i.e. statutory requirement to obligate funds in the current fiscal year; carryover waiver option once every three years) |
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TITLE I, PART A

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| <ul style="list-style-type: none"> <input type="checkbox"/> Method of determining the number of low-income children (select one below): <ul style="list-style-type: none"> <input type="checkbox"/> Using the same measure of low-income used to count public school children in the LEA (i.e. free or free and reduced) <input type="checkbox"/> Using the results of a survey that may be extrapolated if complete actual data are unavailable <input type="checkbox"/> Applying the low-income percentage of each participating public school attendance area to the number of private school children who reside in that school attendance area <input type="checkbox"/> Using an equated measure of low-income correlated with the measure of low-income used to count public school children <input type="checkbox"/> Proportion of funds allocated for services based on the number of children from low-income families who attend private schools | <ul style="list-style-type: none"> <input type="checkbox"/> How the proportion of funds is determined, including the potential fluctuations in the LEA's allocation <input type="checkbox"/> Method for determining the number of children from low-income families in participating school attendance areas who attend private schools <input type="checkbox"/> How and when the addresses of low-income students will be provided to the LEA by the non-public school <input type="checkbox"/> Parent and family engagement activity reservation, if applicable <input type="checkbox"/> How the children's needs will be identified <input type="checkbox"/> How services will be academically assessed and improved based upon assessment results <input type="checkbox"/> Requirement that the LEA retain control of all Title funds, materials, equipment, and property |
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Topics for Discussion (Continued)

TITLE I, PART C*

- Identification of the regional contact in which services are provided to eligible migrant children and youth
- The amount of funding available to provide Title I, Part C services, including how the amount of funds set-aside to provide equitable services to non-public schools is determined
- Requirement that the LEA retain control of all Title funds, materials, equipment, and property

**In many cases the LEA completing this form may not be the entity managing/receiving Title I, Part C funds. In the event that the non-public school has students eligible for Title I, Part C services, the LEA is responsible for connecting the non-public school with the entity providing Title I, Part C services.*

TITLE II, PART A

- The amount of funding available to provide Title II, Part A services, including how the amount of funds set-aside to provide equitable services to non-public schools is determined

- Requirement that the LEA retain control of all Title funds, materials, equipment, and property, including conference registration process

TITLE III, PART A

- How private school students will be identified as English Learners (ELs)
- How the needs of eligible ELs, their teachers, and other educational personnel will be identified
- The services that the LEA will provide to meet the language development needs of identified ELs, as well as the professional development needs of their teachers and other educational personnel at the school who work with ELs
- Whether services will include initial identification of ELs and assessment of their language proficiency, as well as a determination of whether students should exit EL status
- How the Title III services will be assessed, and how the results of those assessments will be used to improve the services

- The amount of funding available to provide Title III, Part A services, including how the amount of funds set-aside to provide equitable services to non-public schools is determined
- Whether the private school intends to participate in the Title III Immigrant Set-Aside, including the requirements of the program (i.e. definition of an immigrant student, tracking the length of time the student has attended school in the United States, etc.)
- Requirement that the LEA retain control of all Title funds, materials, equipment, and property

TITLE IV, PART A

- The amount of funding available to provide Title IV, Part A services, including how the amount of funds set-aside to provide equitable services to non-public schools is determined

- Requirement that the LEA retain control of all Title funds, materials, equipment, and property, including conference registration process

TITLE IV, PART B

- The difference between the non-public school participating in Title IV, Part B by a) students accessing services within the LEA's schools that have been awarded funds under Title IV, Part B (if applicable) and b) applying to the 21st Century Community Learning Center competitive grant program to become a provider of services
- Whether the LEA has a school that has been awarded funds under Title IV, Part B to provide services as a 21st Century Community Learning Center site

- Whether an eligible entity outside the LEA has been awarded funds under Title IV, Part B r is utilizing a school within the LEA to provide services as a 21st Century Community Learning Center site
- When the Colorado Department of Education releases the Request for Proposals (RFP) for the new cohort of 21st Century Community Learning Center sites and how to access and submit the RFP, if interested

Summary of Services to be Provided

Provide a summary of the agreed upon equitable services to be provided to eligible private school children, teachers, and families below. (May be attached as an addendum.)



Signatures

Check the applicable box below. **Regardless of whether the first or second option is selected, both parties must sign and date below.**

- The parties below agree that timely and meaningful consultation occurred between the LEA and the non-public school during the design and development of the LEA's ESSA programs, as indicated above. Further, the parties agree that timely and meaningful consultation will continue throughout the implementation and assessment of the agreed upon equitable services.
- The parties were unable to come to an agreement regarding the equitable services to be provided to eligible private school children, teachers, and/or families. If applicable, select one or both of the options below.
 - The LEA's signature below indicates that the LEA attempted to provide timely and meaningful consultation, but was ultimately unable to come to an agreement with the non-public school official. If the LEA disagrees with the non-public school official with respect to an issue discussed during consultation, the LEA must provide the reasons for disagreement to the non-public school official. The LEA may provide that information below:

 - The non-public school official's signature below indicates that the non-public school official attempted to engage in the consultation process with the LEA, however, either the non-public school official believes that timely and meaningful consultation did not occur or the program designed through consultation is not equitable with respect to eligible private school children. If necessary, after contacting the Ombudsman for Equitable Services, the non-public school official may file a complaint regarding the disagreement with the LEA with the Colorado Department of Education in accordance with section 1117(b)(6).

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Public School Superintendent or Designee	Signature	Date

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Non-Public School Official	Signature	Date

*A signed copy of this form must be submitted by the LEA to the Colorado Department of Education no later than May 30, 2019. **Completed forms and/or questions may be sent to:** consolidatedapplications@cde.state.co.us*