
Equitable Services Documentation of Consultation

General Information

The Every Student Succeeds Act (ESSA) requires Local Educational Agencies (LEAs) to provide equitable participation to eligible independent school students, teachers, and other educational personnel in programs under the Act. The services, materials, or other benefits shall be secular, neutral, and nonideological. 20 U.S.C. §§ 6320(a)(1)-(2) and 7881(a)(1)-(2).

ESSA prohibits the independent school from obligating or receiving ESSA funds. The control of funds used to provide equitable services is maintained by the LEA. Materials purchased with the funds are administered by the LEA and remain the property of the LEA. Services shall be provided by an employee of the LEA or through a contract by the LEA with an individual or entity independent of the independent school and any religious organization. 20 U.S.C. § 7881(d).

ESSA requires that timely and meaningful consultation occur between the LEA and independent school officials prior to any decision that affects the opportunities of eligible independent school students, teachers, and other educational personnel to participate in programs under the Act, and shall continue throughout the implementation and assessment of activities under this section. The goal of consultation is to reach an agreement between the LEA and appropriate independent school officials on how to provide equitable and effective programs for eligible independent school students under Title I, Part A; Title II, Part A; Title III, Part A; and Title IV, Part A. 20 U.S.C. §§ 6320(b) and 7881(d).

Services provided by the LEA must be designed to meet the educational needs and supplement the services provided by the independent school. In order to fully participate in services, independent school officials will need to cooperate with public school officials to determine student eligibility; how the needs of the students will be identified; how the services (including family engagement activities) provided under each Title will meet those needs; and how services will be evaluated. Independent school officials may choose not to participate in one or more of the Titles under this Act. 20 U.S.C. §§ 6320(b)(1) and 7881(c)(1).

This form lists the required consultation topics to be discussed by the LEA and independent school officials, requires the LEA and independent school official to identify the Titles the independent school will participate in and summarizes the services to be provided by the LEA.

Required Consultation Topics

The following topics must be discussed during the ongoing consultation process. 20 U.S.C. §§ 6320(b)(1) and 7881(c)(1)-(2).

1. How the LEA will identify the needs of independent school children.
2. If participating in Title I, the method or sources of best available data that the LEA and the independent school officials will use to determine the number of independent school students from low income families residing in participating public Title I school attendance areas who attend independent schools.
3. The services the LEA will offer.
4. How, where, when and by whom the services will be provided.
5. How the services provided by the LEA will be assessed and how the results of the assessment will be used to improve those services.
6. The size and scope of equitable services to be provided to the eligible independent school students, their families, teachers, and other educational personnel. The amount of funds available for those services, how that amount is determined from the total amount of funds received by the LEA, and if funds will be used for direct and indirect administrative costs.
7. How and when the LEA will make decisions about delivery of services, including a thorough consideration and analysis of the views of the independent school officials on the provision of services through potential third-party providers.
8. How, if the LEA disagrees with the views of the independent school officials on the provisions of services through a contract, the LEA will provide to the independent schools, in writing, an analysis of the reasons why the LEA has chosen not to use a contractor.
9. Whether the LEA shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor.
10. Whether the LEA will provide equitable services by a) creating a pool or pools of funds or b) on a school by school basis.
11. Whether to use funds provided under Title I, Part A in coordination with eligible funds available for services to independent schoolchildren under applicable programs as defined in Title VIII to provide services to eligible independent school children participating in programs.
12. If the LEA will transfer funds as allowed.

Participation in Services

This form must be collected and submitted by the LEA annually for each independent school eligible to participate in equitable services under ESSA.

LEA: _____ **Independent School:** _____

Choose One:

The independent school did not respond to invitations for consultation.

Dates and methods of attempted contact:

The independent school does not wish to participate in any equitable services.

Date of initial consultation:

The independent school will participate in equitable services, as described below.

Date of initial consultation:

Which funds will the independent school participate in?

Title I Part A Yes No

Title II Part A Yes No

Title III Part A** Yes No **Only within LEAs that receive Title III funds

Title IV Part A Yes No

Independent School Verification

Was consultation provided in a timely and meaningful way, and was a satisfactory and equitable plan for services developed? Yes No

If "No," please provide a brief explanation of how consultation did not meet requirements of being timely, meaningful and yielding a satisfactory/equitable program design:

Independent School Official, Name and Title (please print):

Independent School Official, Signature: _____

Date: _____

LEA Verification

LEA Official, Name and Title (please print):

LEA Official, Signature: _____

Date: _____

Summary of Services—Optional

For each Title, public and independent school officials may summarize the equitable services agreed upon that the LEA will provide, either directly or by contract. This page is an optional tool public and independent school officials may use to record the services agreed upon and the process used to determine the services.

Title I Part A:

Title II Part A:

Title III Part A:

Title IV Part A: