# 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).

Services provided to participating independent schools by LEAs must be designed to meet the educational needs and supplement the services provided by the independent school. Independent school officials will need to consult with public school officials to determine if the investments requested meet the intended uses of the grant. For your reference, please review the allowable usage documents for each Title program: [Title IA](https://aoeknowledge.my.vermont.gov/s/knowledge-article?c__resource=All%20Resources&c__searchKey&c__recordId=jbHSWHAYVYOmVTqsKGZBRPhZ5aHX6okslGZSLxkwgoDYalUHo6ndzAHDObgXQ1hg&c__recordType=Articles&c__parentId=OrClDLRXxwfQQvfUDY%252F00LNVJx2xvXLs4H%252BkOkaurp52StsGWNefZSOIASgrVdGl&c__calledFromHubPage&c__calledFromTopicPage=true&c__hubTitle&c__topicTitle), [Title IIA](https://aoeknowledge.my.vermont.gov/s/knowledge-article?c__resource=All%20Resources&c__recordId=zc1bjijL3yRJTC3sVevHnwSHzEDXK1lMBekDnzaSnZzI9wqDOhGkmu0eKNq1u92L&c__recordType=Articles&c__parentId=41vFoNA0z5PbjomvoLRQAk5%252F6s8SPKgV5O%252FX95t7ytvovIhiy47o8qGcFtvPfDKg&c__calledFromHubPage&c__calledFromTopicPage=true&c__hubTitle&c__topicTitle=Title%20II%2C%20Part%20A), [Title IIIA](https://aoeknowledge.my.vermont.gov/s/knowledge-article?c__resource=All%20Resources&c__searchKey&c__recordId=451feBAWhKZyqZ8IGECjZqkIhfZPOWqyHVpkNWYl08YN362Dtpb79QTI03qSxUb8&c__recordType=Articles&c__parentId=C9QwzDqhJpb3udgWfqz8fGHiBjUYCm3bDL5BK1VEyroBP8VQSjGR%252BpxQmk6LuCLG&c__calledFromHubPage&c__calledFromTopicPage=true&c__hubTitle&c__topicTitle), and [Title IV](https://aoeknowledge.my.vermont.gov/s/knowledge-article?c__resource=All%20Resources&c__recordId=%252FIR1IEapxWQeiOivFR563W2QfTyo8OLx1j2IKqU9sqQlVEipHoQaR8fsAhAVarRZ&c__recordType=Articles&c__parentId=wQ%252Fs%252B3%252BZEcacojW1dweC27LuaAGXvBhO98NLpeAwfivtjPsxkZjwI0fJ9dTU3VXF&c__calledFromHubPage&c__calledFromTopicPage=true&c__hubTitle&c__topicTitle=Title%20IV%2C%20Part%20A).

Consultation between the LEA and Independent School must be timely and meaningful. [name of LEA] and [name of the Independent School] must participate in ongoing consultation to ensure proper and timely use of funds.

**Control and Use of Funds**

[name of LEA] controls all funds, and holds title to materials, equipment, and property purchased. Independent schools wishing to participate will receive services, not funds, and have no authority to spend. **Reimbursement from an LEA to an independent school is not allowed.** [name of LEA] plans, designs, and implements the program (including procurement, ordering, payments, etc.)—this cannot be delegated to the independent school. 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). Any services or other benefits, including materials and equipment, must be secular, neutral, and non-ideological.

## Required Consultation Topics

Required topics ([see Appendix A](#_Appendix_A)) to be discussed as part of LEA/independent school consultation as found in ESSA [20 U.S.C. §6320(b)(1)](https://www.govinfo.gov/content/pkg/USCODE-2011-title20/html/USCODE-2011-title20-chap70-subchapI-partA-subpart1-sec6320.htm) ([AOE Knowledge Article](https://aoeknowledge.my.vermont.gov/s/knowledge-article?c__resource=All%20Resources&c__searchKey=equitable&c__recordId=w%252BjXCwHrGUvMc5FnoYzgG%252BKInzyzjD6y87Rc5K%252B2bEIg%252FzpnKi%252BgoYRs3Q66jidy&c__recordType=Articles&c__parentId&c__calledFromHubPage&c__calledFromTopicPage&c__hubTitle&c__topicTitle))

## Documentation of Consultation Form

Section 1 (to be completed by the LEA official with consultation of the independent school, all bolded elements are required-please do not use abbreviations).

**Local Educational Agency (LEA) Name:**

**Independent School Name:**

**Date of Initial Consultation Invitation** (MM/DD/YYYY)**:**

**Method of Initial Consultation Invitation** (Please check at least one, all that apply):

 ☐ Email

☐ Certified Mail

☐ Phone/Voicemail

☐ In person Meeting

☐ Virtual Call

**Participation Choice Options** (Please check one):

[ ]  The independent school did not respond to outreach \*LEAs are responsible for documenting the independent school’s non-response (email invitation that was sent, or copy of certified mail receipt)

[ ]  The independent school returned Intent to Participate Form after [LEA to insert date] and is not eligible based on unfeasible consultation timeline. \*LEAs are responsible for documenting the date of response by the Independent School and the reasons that timeline is unfeasible.

[ ]  The independent school does not wish to participate in any equitable services under any ESSA Title Programs.

[ ]  The independent school was deemed to be ineligible to participate. They do not appear on the AOE list of approved or recognized non-profit independent schools and did not provide documentation that they have become eligible since the list was last updated.

[ ]  The independent school will participate in equitable services for the following Title programs:

[ ] Title I, Part A

[ ] Title II, Part A

[ ] Title III, Part A

[ ] Title IV, Part A

Section 2: Verification by Independent School (to be completed by the independent school if it indicated an intent to participate in Step 1 of the consultation process all bolded elements required).

**Was the LEA’s consultation provided in a timely and meaningful way, and was a satisfactory and equitable plan for services developed?**

[ ]  Yes

[ ]  Not Applicable-Consultation was not necessary/did not occur

☐ 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’s Printed Full Name:**

**Independent School Official’s Position/Title:**

**Independent School Official’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signed Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

### Section 3: Verification by Local Educational Agency (LEA) (to be completed by the LEA official, all bolded elements required.)

**LEA Official’s Printed Full Name:**

**LEA Official’s Position/Title:**

**LEA Official’s Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signed Date:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# Appendix A

**Required Consultation Topics**

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 to use or 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 school children 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.