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|  |  **Mississippi Department of Education** Office of Federal Programs P.O. Box 771 **|** Jackson, MS 39205-0771 Tel (601) 359-3499 **|** Fax (601) 359-2587  |

INSTRUCTIONS for:

**EQUITABLE SERVICES CONSULTATION CHECKLIST**

The subject of “consultation and agreement” between the school district and private school is the district’s *Final Equitable Services Plan* for the private school. This finalized *Plan* is submitted to the State Ombudsman (including any required district written disagreements with private school requests, as noted herein), accompanied by the private school’s *Written Affirmation* form. A *Final Equitable Services Plan* template\* is available for district use, including all details of the equitable services provided by the district to the private school.

The included **consultation checklist** is a useful planning tool for the district’s preparation of the content presented to private school representatives. During consultation meetings, the district representative(s) should be able to offer details on the points of discussion identified in the checklist. The Every Student Succeeds Act (ESSA) requires discussion of all included topics.

The private school representative and the district’s representative should each be furnished with a copy of the checklist to track the required points of discussion during consultation. The *Final Equitable Services Plan* template is aligned with this consultation checklist, and the information developed during consultation by following the checklist should facilitate the *Plan’s* creation.

When the district’s *Final Equitable Services Plan* is conveyed to the private school for final review, the private school representative will sign the *Written Affirmation* form (appearing at the end of the *Plan* template\*) either indicating positive affirmation of consultation and agreement, or declaring a belief that timely and meaningful consultation did not occur or that the *Plan* is not equitable. This signed form is then returned by the private school to the district for conveyance to the State Ombudsman (alongside the *Plan* itself, simultaneously conveyed to the Ombudsman).

If the private school is aggrieved and files a negative *Written Affirmation*, the private school will be immediately contacted by the State Ombudsman, initiating the Equitable Services Dispute Resolution Procedure with a moderated settlement conference between the parties.

\*See the instructions for the *Final Equitable Services Plan* template for proper use.

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**CONSULTATION CHECKLIST**

The Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA), requires that timely and meaningful consultation occur between the public school district and private school officials prior to any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate in equitable services programs under the Act, including Title I-A, and, if available, programs under Titles I-C, II-A, III-A, IV-A, and IV-B. Consultation shall continue throughout the implementation and assessment of activities.

Per ESSA, the district and private school shall consult and “both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children,” the results of which agreement – the district’s Final Equitable Services Plan for the individual private school – shall be transmitted to the State Ombudsman. The district is the final decision-making authority regarding delivery of services, but shall provide eligible private school children equitable services “as requested by the private school officials to best meet the needs of such children.” A dispute resolution procedure is available to resolve any unresolved disagreements between the parties. Provide a copy of this checklist to both parties participating in the consultation.

**Parties to Equitable Services Consultation**

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| --- | --- |
| **Local Education Agency (School District)** | **Private School** |
| District name: | Private School name: |
| District address: | Private School address: |
| District Representative:  | Private School Representative: |
| Phone/email: | Phone/email: |

**The following equitable services programs are available: *[School District: check those available]***

☐ Title I, Part A (Improving Basic Programs);

☐ Title I, Part C, (Education of Migratory Children);

☐ Title II, Part A (Supporting Effective Instruction);

☐ Title III, Part A (Language Instruction for English Learners and Immigrant Students);

☐ Title IV, Part A (Student Support and Academic Enrichment Grants); and

☐ Title IV, Part B (21st Century Community Learning Centers)

**The following equitable services programs are sought by the private school: *[Private School: check those sought]***

☐ Title I, Part A (Improving Basic Programs);

☐ Title I, Part C, (Education of Migratory Children);

☐ Title II, Part A (Supporting Effective Instruction);

☐ Title III, Part A (Language Instruction for English Learners and Immigrant Students);

☐ Title IV, Part A (Student Support and Academic Enrichment Grants); and

☐ Title IV, Part B (21st Century Community Learning Centers)

**Consultation Meeting(s): Title I-A services discussion checklist**

The following checklist is a compiled plain-language rendering of the components of ESSA §1117(b)(1)(A)-(L) and (b)(4), reordered for logical progression, and specifically aligned with the *Final Equitable Services Plan* template. Some weeks may pass (for example, for the private school to conduct an economic survey of parents or submit written requests) while stages of the checklist are worked through and the *Plan* is developed.

☐ (1) Size and scope: Identify the amount of funds available for services, and how that amount is determined. If the district’s initial Title I allocation was greater than $500,000, one percent of the private school’s equitable share must be allocated for “parent and family engagement” activities.

☐ (2a) Whether single-school services will be provided specific to the single private school, or whether a “pooling” plan will be place involving pooled funding for multiple private schools.

☐ (2b) Should funds from other (non-Title I-A) ESSA programs for which the private school receives equitable services be “consolidated and coordinated” with the Title I-A funds to essentially target the Title I-A service recipients and their teachers exclusively with all available equitable services?

☐ (3a) The private school should identify and explain its needs.

☐ (3b) Identify the Title I-A services that will be provided in response to the private school’s needs.

☐ (3c) How will the at-risk students who receive the Title I-A services be identified?

☐ (4) Where, when, by whom and how (briefly describe) will the services be provided? Identify whether services will be provided by School District personnel, third-party contractor, or otherwise. Discuss other possible service delivery mechanisms.

☐ (5) How will the identified services be academically assessed (indicate data source); how will assessment results be used to improve the services?

☐ (6) How will the school district make decisions about delivery of services?

☐ (7) Discuss that if any disagreement involving any of the above points of Title I-A consultation remains unresolved when the school district submits its Final Equitable Services Plan to the private school for inspection and certification, the district will provide a written explanation of the disagreement and analysis of the reasons for the district’s decision to overrule the private school’s request or point of view. This written explanation of disagreement shall be attached to the Final Equitable Services Plan.

**Title I-A services notes**

Assuming any ***non*-Title I-A** services are available in the district, consultation will continue by initiating discussion of those services (see checklist continuation below), and the district’s eventual Final Equitable Services Plan will include those non-Title I-A services (use separate Plan templates for each ESSA program). However, please note the following with regard to written disagreements by the district with private school requests on any Title I-A topic/issue identified above.

Following the initial discussion of the above Title I-A topics, the private school may submit, if desired, any written requests to the district regarding the above topics and issues. The district shall then complete its Final Equitable Services Plan (re: Title I-A services), in continuing consultation, as appropriate, with the private school. **Any unresolved disagreement by the district with any private school request, written or otherwise, concerning the items listed above**, must be documented by the district in a written disagreement explaining why the district is diverging from the private school request. The written disagreement(s) is made a permanent attachment to the Final Equitable Services Plan.

**Consultation Meeting(s): *non*-Title I-A services discussion checklist**

Assuming any *non*-Title I-A services (Title I-C, II-A, III-A, IV-A and/or IV-B) are available in the district and the private school seeks the services, identify the Title(s) under which the services are offered and briefly identify the proposed service in the space provided below:

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| **Non-Title I-A services** |
| Title | Both Funded & Sought? | If available in the district and sought by the private school, identify proposed service below: |
| **I-C** | Yes / No |  |
| **II-A** | Yes / No |  |
| **III-A** | Yes / No |  |
| **IV-A** | Yes / No |  |
| **IV-B** | Yes / No |  |

The following checklist is a compiled plain-language rendering of the components of ESSA §8501(c)(1)(A)-(H) and (c)(4), listing issues to be discussed in the Title I-C, II-A, III-A, IV-A and IV-B portions of consultation. These components have been reordered for logical progression, and specifically aligned with the *Final Equitable Services Plan* template. Some weeks may pass (for example, for the private school to submit written requests) while stages of the checklist are worked through and the *Plan* is developed.

**For each Title-program marked “Yes” and identified in the table above, discuss the following**:

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| --- | --- | --- | --- | --- | --- |
| **I-C** | **II-A** | **III-A** | **IV-A** | **IV-B** |  **Topics and Issues for Consultation** |
| ☐ | ☐ | ☐ | ☐ | ☐ | (1) | Size and scope: Identify the amount of funds available for services, and how that amount is determined.  |
| ☐ | ☐ | ☐ | ☐ | ☐ | (2a) | Discuss whether single-school services will be provided specific to the single private school, or whether a “pooling” plan will be place involving pooled funding for multiple private schools. |
| ☐ | ☐ | ☐ | ☐ | ☐ | (2b) | Discuss the “consolidation and coordination” of non-Title I-A program funds with Title I-A funds (if available) and whether this method might effectively address the private school’s needs. Only applicable if Title I-A funds are present. |
| ☐ | ☐ | ☐ | ☐ | ☐ | (3a) | The private school should identify and explain its needs. |
| ☐ | ☐ | ☐ | ☐ | ☐ | (3b) | What services will be provided in response to the private school’s identified needs? |
| ☐ | ☐ | ☐ | ☐ | ☐ | (3c) | If a sub-set of students will receive these services, by what means are these students identified/ selected? |
| ☐ | ☐ | ☐ | ☐ | ☐ | (4) | Where, when, by whom and how (briefly describe) will the services be provided? Identify whether services will be provided by School District personnel, third-party contractor, or otherwise. Discuss other possible service delivery mechanisms. |
| ☐ | ☐ | ☐ | ☐ | ☐ | (5) | How will the identified services be academically assessed (indicate data source); how will assessment results be used to improve the services? |
| ☐ | ☐ | ☐ | ☐ | ☐ | (6) | How will the school district make decisions about delivery of services? |
| ☐ | ☐ | ☐ | ☐ | ☐ | (7) | Discuss that if any disagreement remains unresolved concerning the private school’s request for a contractor to provide services, the district must document the reasons the district decided against using the contractor to provide the service. This written disagreement will become a permanent attachment to the finalized *Plan*. |

If the district **disagrees** (final, unresolved disagreement) with any private school **request for a contractor** for any **non-Title I-A** service, the district must attach (to the *Final Equitable Services Plan*) in writing the reasons the district decided against using a contractor to provide the service. Disagreements on other **non-Title I-A** matters need not be documented in writing.

**\* \* \***

End of Consultation Checklist