

Providing Services for Equitable Participation Under the Federal Every Student Succeeds Act (ESSA)

What does equitable participation mean?

Although ESSA primarily supports public education, some children attending private schools may still receive benefits. If a student is eligible for ESSA-funded benefits in their regular public school, attending a private school doesn't erase that eligibility. A portion of ESSA funds in each Local Educational Agency (LEA) is designated to address the needs of these eligible students, as well as their teachers and families. This funding supports what is known as "equitable participation" for private school students. Private schools choosing to take advantage of services supported by ESSA funds work together with LEA staff to determine and deliver equitable services and opportunities.

How does the process work?

The LEA contacts the appropriate officials for all private schools within its boundaries and invites them to participate, usually in early spring. Participation requires following all guidelines and procedures. For example:

- Private schools must provide student information to LEA staff so they can calculate the amount of funding available to the school.
- The overall amount may include funds under different Titles of ESSA (Title I, Title II, etc.), and each of these has specific purposes and restrictions. Some funds may also be specifically for family engagement.
- When purchases are made, the LEA pays service providers and vendors directly and cannot transfer funds to private schools.

Participation also requires that the LEA and the private school officials collaborate to decide how best to use the funding. This involves an in-depth consultation to create a plan. Together, private school officials and LEA staff look at any available school data to assess the students' greatest needs, agree on what kind of benefits will be provided and for whom, and decide how they will be evaluated. Benefits may support students themselves, help their families support their learning, or help educators work with them more effectively. The LEA implements the plan to provide services, communicating with the private school staff as needed along the way.

OVERALL RESPONSIBILITIES

LEA Overall Responsibilities:	Private School Overall Responsibilities:
<ul style="list-style-type: none"> • Guide the overall process: <ul style="list-style-type: none"> ○ Contact private schools within LEA boundaries to invite them to participate, providing enough information to enable an informed decision. ○ Set and communicate any necessary deadlines. ○ Clearly communicate expectations and responsibilities of private school officials and the consequences for not meeting them. ○ Ensure necessary documentation is submitted to DPI. This includes documentation of a school's declining to participate. • Collaborate to ensure all eligible students who attend schools outside their resident LEA are identified, communicating with neighboring LEAs and with private schools in neighboring LEAs as needed. 	<ul style="list-style-type: none"> • Ask questions to make an informed choice about participation. If you decline to participate, provide a signature on the appropriate form, so the LEA can demonstrate to DPI that it performed its duties. • Cooperate with requests and deadlines from all LEAs in which your students reside. • Communicate your needs clearly to the LEA, and contact the LEA with questions or concerns.

DETERMINING AVAILABLE FUNDING

Calculation of available funding is based on a formula and depends on several factors, such as the students' public school attendance area, total enrollment of students in the private school, etc. The private school must provide the LEA with the essential student information to make calculations. The information exchange and estimated calculations may happen before or during the consultation.

Equitable participation funds may be pooled across private schools in various ways. Guidelines must be followed and all parties must consent.

LEA Responsibilities:	Private School Responsibilities:
<ul style="list-style-type: none">● Request student information from participating private schools:<ul style="list-style-type: none">○ Grade levels and addresses for each student, to determine which students live within Title I attendance areas.○ Student poverty data, to determine the school(s) poverty count.○ Total enrollment counts by grade, to determine the proportionate share under eligible Title programs.● Determine and communicate the poverty measure to be used, and provide any other information the school needs to gather the requested information.● Inform private school officials of the estimated amount of available funding under each applicable Title within ESSA. Include any family engagement funds. Explain how the amount is determined and any factors that may affect the final amount. Calculators are available on DPI's website to estimate amounts.● Enter private school data into DPI's WISEgrants system to calculate available funding. Data may not be entered until the initial consultation has taken place and the fully signed Affirmation of Consultation with Private School Officials form has been submitted and accepted.● When actual amounts are available, share them with private school officials.	<ul style="list-style-type: none">● Provide the requested student information to the LEA in which your school is located.● Make note of the students living in neighboring LEAs, so your resident LEA can work with these LEAs to determine student eligibility.● Respond to requests for information from any LEA in which your students reside.

CONSULTATION

The LEA is responsible for setting up an initial consultation with private school officials so both entities can work together to determine how funds will be spent to have the most impact. This meeting is central to the equitable participation process. It requires prior planning and gathering of information to make the most of the session.

The more detailed the plan, the easier it will be to implement and the less chance for misunderstanding. Spending time to understand each other's needs will also help build an ongoing collaborative relationship that will simplify joint decision making. Input from both entities is crucial, and required. LEAs and private schools both have knowledge and expertise essential to meeting student needs.

Needs Assessment: The deeper the understanding of student needs, the more strategic the planning for benefits can be. The first step is to look at any available data — such as formative and summative assessments and teacher observations — to see where the greatest needs are. The LEA and private school also decide how individual student needs will be determined, so services can be delivered to those who will benefit most.

Planning: Together, the LEA and private school officials decide what benefits will be provided—including how, when, where, and for whom (eligible students, their families, and/or their educators). *All services, materials, or other benefits provided must be secular, neutral, and non-ideological.*

Coordination of Funds: Each ESSA Title specifies how funds may and may not be spent. Funds from multiple Titles should be used to complement each other to increase their impact. For example, services for students that are funded with Title I might be complemented by related professional development for their teachers, funded with Title II.

Evaluation: Plans should also include evaluation of any benefits for effectiveness. This may require monitoring and collection of data as benefits are delivered. The process for evaluation should be spelled out clearly. Evaluation is essential to understand actual impact, and since the funding is annual, knowledge can build year after year and help continually improve benefits.

LEA Responsibilities:	Private School Responsibilities:
<ul style="list-style-type: none"> • Put students’ welfare first. • Contact the private school to set up the consultation, and ensure that consultation takes place. Face-to-face meetings are the most effective. • Include LEA staff with the necessary range of expertise—both programming and fiscal—to allow the creation of a plan that meets all guidelines. • Ensure genuine opportunity for input and collaboration: <ul style="list-style-type: none"> ○ Provide advance notice of planned consultation meetings to private school stakeholders. ○ Ensure the timeline enables input by scheduling the consultation during the design and development of your program planning. ○ Ensure all required topics are covered and that private schools are given an opportunity for input on all of them. Topics are listed on the Affirmation of Consultation with Private School Officials form. • Upload the completed Affirmation of Consultation with Private School Officials form to WISEgrants. 	<ul style="list-style-type: none"> • Put students’ welfare first. • Be available for consultations or suggest alternate times/dates to meet either in-person or by phone. • Meet all applicable deadlines communicated by the LEA. • Collaborate with the LEA to determine needs. Share the results of the school’s needs assessment or any other useful data. • Collaborate with the LEA to determine eligibility criteria. Determine the multiple assessments and criteria that will be used to identify students in greatest need of Title I services and rank order them by need. • Participate in the planning and development of services. • Collaborate to determine evaluation methods. • Complete and sign the Affirmation of Consultation with Private School Officials form provided by the resident LEA.

DELIVERING AND EVALUATING SERVICES

The plans made during the initial consultation should include clear action steps and responsibilities, and each party should live up to its commitments. Although the initial consultation is generally the most critical, ongoing consultation is necessary and required for follow-through, adjustments, and evaluation.

Evaluation ensures you have the impact you intend. ESSA equitable participation funds may be available to a school each year, so there is always the opportunity to make adjustments to benefits to make them more effective and responsive to needs. Evaluating programs is an important part of continuous improvement.

LEA Responsibilities:	Private School Responsibilities:
<ul style="list-style-type: none"> • Monitor implementation of plans to ensure services are provided. Set up meetings or take other actions as necessary to keep things on track. • Ensure services are evaluated for effectiveness. • Follow financial procedures and ensure services are paid for in a timely manner. Funds for private school services must be obligated by the LEA in the fiscal year in which they are received. LEAs may not reimburse private schools. 	<ul style="list-style-type: none"> • Follow through with plans you make with the LEA to ensure benefits are provided as agreed. • Do not make purchases. The LEA cannot transfer funds to a private school, even as reimbursement. Follow LEA’s procedures for requesting professional development prior to registering for an event.
<p>Both the LEA and the private school are responsible for keeping an ongoing, open line of communication.</p>	

Sources:

- 20 U.S.C. §§ 6320(b)(1) and 7881(c)(1)-(2)
- USDE. October 7, 2019. “Providing Equitable Services to Eligible Private School Children, Teachers and Families: Updated Non-Regulatory Guidance.”