



Wisconsin Department of Public Instruction
**ELEMENTARY AND SECONDARY SCHOOL
 EMERGENCY RELIEF (ESSER) FUNDS
 AFFIRMATION OF CONSULTATION
 WITH PRIVATE SCHOOL OFFICIALS**
 PI-9563 (New 06-2020)

FORM SUBMISSION

Public and private school officials must review and complete this form together. The LEA shall save the completed and signed form as a PDF and then upload the PDF into WISEgrants. The LEA shall provide a copy of the completed form to the private school.

Collection of this information is a requirement of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136.

| LOCAL EDUCATION AGENCY/PRIVATE SCHOOL <i>Type or Print</i> | |
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| Local Educational Agency | Private School |

| GENERAL INFORMATION <i>CARES Act Section 18003 and 18005; ESEA Section 1117 (20 U.S.C. § 6320)</i> |
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The United States Department of Education (USDE) awards Elementary and Secondary School Emergency Relief (ESSER) grants to State educational agencies (SEAs) for the purpose of providing local educational agencies (LEAs) with emergency relief funds to address the impact that Novel Coronavirus Disease 2019 (COVID-19) has had, and continues to have, on elementary and secondary schools across the nation. LEAs must provide equitable services to students and teachers in non-public schools as required under the CARES Act in the same manner as provided under section 1117 of the Elementary and Secondary Education Act of 1965 as reauthorized by the Every Student Succeeds Act (ESSA). The services, materials, or other benefits shall be secular, neutral, and non-ideological.

LEAs must maintain control of funds, which prohibits the private school from obligating or receiving ESSER funds. Any 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 private school.

Timely and meaningful consultation is required between the LEA and private school officials prior to any decision that affects the opportunities of private school children, teachers, and other educational personnel to participate in programs under ESSER, and shall continue throughout the implementation and evaluation of activities. In order for consultation to be timely, it must occur during the design and development of the program(s) and before the LEA makes any decisions that affect the private school's ability to participate. The goal of consultation is to reach an agreement between the LEA and appropriate private school officials on how to provide equitable and effective programs for private school children, families, and teachers.

This form lists consultation topics to be discussed by the LEA and private school officials. If requested in the Private School Verification section of this form, DPI's ombudsman will review the consultation form to help ensure equity for private school children, teachers, and other educational personnel.

| REQUIRED CONSULTATION <i>CARES Act Section 18005, ESEA Section 1117(20 U.S.C. § 6320), and 34 CFR §76.652</i> |
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The LEA must consult with private school officials of participating private schools during the design and development of the LEA's programs and before the LEA makes any decision that affects the opportunity of non-public school students and teachers to participate in the activities funded under the ESSER program. Consultation between the LEA and private school officials must also include consideration of the following:

- How the private school's students, families, and teachers' needs will be identified;
- The method or sources used to determine the number of private school children from low-income families residing in the LEA's attendance area. In order to calculate proportional shares, the LEA is required to determine an accurate count of total children and children identified as coming from low-income families who attend public and private schools..
- What benefits (e.g. services to students, staff, families; instructional media, cleaning supplies, etc.) will be provided;
- How the benefits will be provided (including where, when, and by whom);
- Which children will receive benefits under ESSER (this may be all children attending the private school);
- How the use of ESSER funds will be evaluated (this may include outputs as well as outcomes);
- The size and scope of equitable services to be provided to the children, families, teachers, and other educational personnel in the private school; including:
 - The amount of funds available for those services;
 - How that amount is determined from the total amount of funds received by the LEA;
 - If funds will be used for direct and indirect administrative costs;
 - That LEA maintains control of funds used to provide equitable services; and
 - Any materials or supplies purchased with the funds remain the property of the LEA.
- How and when the LEA will make decisions about delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of services through potential third-party providers. Whether the LEA shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor. How, if the LEA disagrees with the views of the private school officials on the provisions of services through a contract, the LEA will provide to the private schools, in writing, an analysis of the reasons why the LEA has chosen not to use a contractor;
- Whether the LEA will provide equitable services by a) creating a pool or pools of funds or b) on a school by school basis; and
- Whether to use ESSER funds in coordination with other federal funds (e.g., ESEA, IDEA, etc.) allocated for private school equitable participation.

USES OF FUNDS
CARES Act Section 18003(d)

An LEA that receives funds may use the funds for any of the activities listed below. Public and private school officials should consult on how ESSER funds will be used including the amount of funds it will cost to administer the benefits (e.g., arranging for professional development of private school staff; purchasing supplies for instruction, indirect costs, etc.) to the private school. The LEA must maintain control of funds used to provide equitable services; and any materials or supplies purchased with the funds remain the property of the LEA. All budget items must adhere to the regulations in the Education Department General Administrative Regulations (34 CFR Part 76) and the Uniform Grant Guidelines (2 CFR Part 200).

Any activity authorized by the Elementary and Secondary Education Act ([20 U.S.C. 6301](#) et seq.), the Individuals with Disabilities Education Act ([20 U.S.C. 1400](#) et seq.), the Adult Education and Family Literacy Act ([20 U.S.C. 1400](#) et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 ([20 U.S.C. 2301](#) et seq.), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act ([42 U.S.C. 11431](#) et seq.)

Preparedness and Response to COVID-19

- Improve coordinated responses with state, local, Tribal, and other relative agencies to prevent, prepare for, and respond to COVID-19
- Develop and implement procedures and systems to improve the preparedness and response efforts of the private school
- Provide principals and other school leaders with the resources necessary to address the needs resulting from the pandemic
- Training and professional development for private school staff on sanitation and minimizing the spread of infectious diseases.
- Purchase of supplies to sanitize and clean private school facilities.

Outreach and Service Delivery to Special Populations

- Activities to address the unique outreach and service delivery needs of:
 - Students living in poverty;
 - English learners;
 - Students of racial or ethnic minority;
 - Students experiencing homelessness;
 - Youth in foster care; and/or
 - Students with disabilities.

Addressing Long-term School Closures

- Planning for and coordination of long-term closures, including providing meals to eligible students; providing technology for online learning for all students; and ensuring other educational services can continue to be provided consistent with all federal, state, and local requirements.

Educational Technology

- Purchase of educational technology (including hardware, software, and connectivity) for students who are served by the private school that supports regular and substantive education interaction between students and their classroom instructors, including low-income students and students with disabilities (which may include assistive technology or adaptive equipment).

Mental Health Services and Supports

- Provide mental health services and supports.

Addressing Afterschool and Summer Learning

- Plan and implement activities related to summer learning and supplemental after school programs, including providing classroom instructor or online learning during the summer months and addressing the needs of:
 - Students living in poverty;
 - English learners;
 - Migrant students;
 - Students experiencing homelessness;
 - Youth in foster care; and/or
 - Students with disabilities

Continued Staff Employment

- Other activities that are necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing staff of the LEA. This includes LEA staff and contractors, including private school staff on contract with the district, supporting private school equitable services. This does not include paying the direct salaries of private school staff (34 CFR 76.658). However, private school administrators may utilize the [Paycheck Protection Program \(also part of the CARES Act\)](#) to pay the salaries of the private school staff outside of the ESSER grant program. The Paycheck Protection Program is separate from the ESSER grant program.

PARTICIPATION SERVICES

Public and private school officials must:

1. Identify if the private school will participate in services by checking Yes or No; and
2. Identify if the private school will pool ESSER Funds with one or more private schools by checking Yes or No (If private school is not participating, leave blank).

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|------------------------------|--------------------------|--|--------------------------|
| Private School Participation | | Pooling funds with one or more private schools within the district | |
| Yes | No | Yes | No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

PRIVATE SCHOOL VERIFICATION
Completed by the Private School Official
 20 U.S.C. §§ 6320

Was the LEA consultation with the private school timely, meaningful, and are the agreed upon services equitable with respect to private school students, families, and teachers to address the impact of COVID-19?

- Yes
- No—*Checking “No” will alert Wisconsin’s ESSA ombudsman to contact you to provide assistance.*

If No, the private school **must** select a reason for the request for assistance from *Wisconsin’s ESSA ombudsman*. *Check all that apply.*

- The LEA did not provide consultation with the private school in a timely manner. In order for consultation to be timely, it must occur during the design and development of the program(s) and before the LEA makes any decisions that affect the private school’s ability to participate.
- The agreed upon services are not equitable with respect to private school students, families and teachers.
- The LEA did not provide a meaningful opportunity to discuss services that may assist the private school in addressing the impact of COVID-19 on their students, families and teachers.

If No, provide a brief explanation of how the LEA did not provide timely and meaningful consultation or why the agreed upon services are not equitable. *(This explanation is optional. The ombudsman will still contact the private school if “No” was selected.)*

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| Private School | Private School Mailing Address <i>Street, City, State, ZIP</i> | |
| Name of Private School Representative <i>First & Last Name</i> | Email Address | School Phone <i>Area Code/No.</i> |
| Private School Representative Signature ➤ | | Date Signed <i>Mo./Day/Yr.</i> |

LEA VERIFICATION
Completed by the LEA Official
 Type or Print

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| Local Educational Agency | Local Educational Agency Official <i>First and Last Name</i> |
| Local Educational Agency Official Signature ➤ | Date Signed <i>Mo./Day/Yr.</i> |