

Equitable Services for Non-Public School Students

Following is the equitable services documentation that the LEA must complete demonstrating engagement in ongoing consultation with each non-public school in the LEA.

Deadline by **June 16, 2023**. The LEA must provide a copy to NHED by:

- Emailing to ESAaffirmation@doe.nh.gov **and**
- Uploading the document to the LEA Homepage in the Grants Management System (GMS).

The LEAs grant will not be made ‘Substantially Approved’ until all applicable Equitable Services Affirmations are provided, reviewed, and approved as fully executed. The LEA must maintain a copy of this form in its records.

LEA School Official: Review the [NHED List of NH Non-Public Schools](#). Select which is applicable from the following statements:

- There are NO eligible non-public schools within or outside the LEA’s boundaries.
- The LEA has students residing within the LEA and are providing services to students attending a non-public school inside LEA boundaries.
- The LEA has students residing within the LEA but are providing services to students attending a non-public school outside of LEA boundaries.
- The non-public school has not responded to LEA’s repeated, good-faith attempts (3) for consultation (required to send supporting documentation to NHED that supports good-faith attempts).
- Check if non-public School opts to ‘not’ participate.

Non-Public School Identified for Equitable services:
**The LEA shall duplicate this form for each of its non-public schools.*

Local Education Agency (LEA): _____

LEA School Official Name and Title: _____

LEA School Official Contact Phone: _____

Email: _____

Non-public School Name: _____ In District Out of District

Non-public School Address: _____

Non-public School Official: _____

Non-public School Contact Phone: _____

Non-public School Contact Email: _____

NON-PUBLIC SCHOOL PARTICIPATION

The LEA must engage in ongoing consultation with each non-public school about all federal programs listed in the chart below. Each designated non-public school (non-profit) is to complete and return this form to the LEA and the LEA will email a copy to ESAffirmation@doe.nh.gov and upload a copy to the LEA Homepage in the Grants Management System (GMS) no later than **June 16, 2023**. Any non-public school that has students from other LEAs and wants to participate in Title programming for these students should contact all LEAs involved.

Non-Public School Official: Complete the chart indicating non-public school participation for each LEA funding source.

Program	Participating	Not participating
Title I, Part A (Improving Basic Programs Operated by LEAs)	<input type="checkbox"/>	<input type="checkbox"/>
Title I, Part C (Education of Migratory Children)	<input type="checkbox"/>	<input type="checkbox"/>
Title II, Part A (Supporting Effective Instruction state grants)	<input type="checkbox"/>	<input type="checkbox"/>
Title III, Part A (English Language Acquisition, Language Enhancement, and Academic Achievement Act)	<input type="checkbox"/>	<input type="checkbox"/>
Title IV, Part A (Student Support and Academic Enrichment Grants) ** Participation means that ongoing consultation occurs through Non-public school representation on the Title IV-A Stakeholder Team.	<input type="checkbox"/>	<input type="checkbox"/>
Title IV, Part B (21st Century Community Learning Centers)	<input type="checkbox"/>	<input type="checkbox"/>

AFFIRMATION OF CONSULTATION WITH NON-PUBLIC SCHOOL OFFICIALS

The goal of consultation is agreement between the LEA and appropriate non-public school officials on how to provide equitable and effective programs for eligible non-public school children. (*ESEA, as amended, Sections 1117(b)(1) and 8501(c)(1), (5)*).

The following topics must be discussed during the ongoing consultation process:

Title I, Part A

- How will the LEA identify the needs of eligible non-public school children?
- What services the LEA will offer to eligible non-public school children?
- How and when the LEA will make decisions about the delivery of services?
- How, where, and by whom the LEA will provide services to eligible non-public school children? Answer should include a thorough consideration and analysis of the views of the non-public school officials on the provision of services through a contract with a third-party provider.

- How the LEA will assess academically the services to eligible non-public school children in accordance with 34 CFR§200.10 and how the LEA will use the results of that assessment to improve Title I services.
- The method or sources of data that the LEA will use under 34 CFR§200.78 to determine the number of non-public school children from low-income families residing in participating public school attendance areas, including whether the LEA will extrapolate data, if a survey is used.
- The equitable services the LEA will provide to teachers and families of participating non-public school children.
- If the LEA disagrees with the views of the non-public school officials on the provisions of services through a contract, the LEA must provide the non-public schools the reasons in writing why the LEA chooses not to use a contractor.
- How the proportion of funds allocated for equitable services is determined.
- Whether the LEA will provide services directly or through a separate government agency, consortium, entity or third-party contractor.
- Whether to provide equitable services to eligible non-public school children by pooling funds or on a school-by-school basis.
- When, including the approximate time of day, services will be provided.
- Whether to consolidate and use funds available for Title I equitable services in coordination with eligible funds available for equitable services under programs covered under Section 8501(b) to provide services to eligible non-public school children in participating programs.
- The written affirmation that consultation has occurred must provide the option for non-public school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible non-public school children. (ESEA Section 1117(b)(1)).

Title VIII (Title I, Part C; Title II, Part A; Title III, Part A; Title IV; Part A; Title IV, Part B) (ESEA, as amended, Section 8501(b).)

- How the amount of funds available for equitable services is determined.
- The expectation of the non-public school to have committed representation on the Program's Stakeholder Team in order to discuss and determine the needs of all students and teachers in the LEA's catchment area.
- Whether the agency, consortium, or entity responsible for providing equitable services will provide those services directly or through a separate government agency, consortium, or entity, or through a third-party contractor.
- Whether to provide equitable services to eligible non-public school participants by: (1) by creating a pool or pools of funds with all of the funds allocated under programs covered under section 8501(b); or (2) a school-by-school basis based on each the proportionate share of funds available to provide services in each school.
- Documentation: Each LEA shall maintain in the LEA's records, and provide to the SEA involved, a written affirmation signed by officials of each participating non-public school that the meaningful consultation required by this section has occurred. The written affirmation shall provide the option for

non-public school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible non-public school children. If such officials do not provide such affirmation within a reasonable period of time, the LEA shall forward to the NHED the documentation that such consultation has, or attempts at such consultation have, taken place. (SEC 8501(c)).

Title III, Part A

- How to identify English learners (ELs) in the nonpublic.
- What services will be offered?
- How, when and by whom the services will be provided?
- How the services will be assessed and how the results of the assessment will be used to improve those services.
- What amount of funds will be available for those services?
- How and when the LEA will make decisions about the delivery of services, including a thorough consideration of the views of the nonpublic school officials on the provision of contract services through potential third-party providers.

We agree that timely and meaningful consultation occurred before the LEA made any decision that affected the participation of eligible non-public school children in the Title I, Part A program, Title III and Title VIII.

LEA School Official Signature Date

Non-Public School Official Signature Date

Non-Public school official's agreement or non-agreement on Services: Review the below statements and indicate if in agreement or non-agreement.

- Agreement – timely and meaningful consultation has occurred, and the program design is equitable with respect to eligible non-public school children.
- Non-agreement - timely and meaningful consultation has not occurred or the program design is not equitable with respect to eligible non-public school children.

Non-Public School Official Signature Date