



New Hampshire Department of Education
School Year 2024-2025

EQUITABLE SERVICES AFFIRMATION FOR NON-PUBLIC SCHOOLS
RELATED TO ESEA PROGRAMS

The local educational agency (LEA) must maintain a copy of this form in its records and in accordance with their LEA policy/procedure(s) as they relate to equitable services and meaningful consultation. Additionally, the LEA must upload this affirmation, fully executed, as part of the 2024-2025 ESEA Consolidated Application within the Grants Management System (GMS) no later than June 1, 2024. This affirmation only applies to the Elementary and Secondary Education Act (ESEA) Title Programs.

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 of 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 the LEA boundaries (a requirement of Title I, Part A).
The non-public school has not responded to the LEA's repeated, good-faith attempts (3) for consultation and/or in accordance with the LEA's policy/procedure regarding equitable services. Proof of such attempts must be attached to this document.
The non-public school has opted to not participate in services for 2024-2025 SY.

Non-Public School Identified for Equitable Services:

*The LEA shall duplicate this form for each non-public school.

LEA (District) Name:
LEA Official Name:
LEA Official Title:
LEA Official Phone:
LEA Official Email:

Non-Public School Name:
Non-Public School Address:
Non-Public School Official Name:
Non-Public School Official Title:
Non-Public School Official Phone:
Non-Public School Official Email:

Is the non-public school in/outside of the LEAs boundaries? In District Out of District

NON-PUBLIC SCHOOL PARTICIPATION

The LEA must engage in ongoing meaningful consultation with each non-public school about all federal programs in which the LEA qualifies for; this form is utilized solely for ESEA Title Programs. Each designated non-public school is to complete, in partnership with the LEA, this form. The LEA must upload this affirmation as part of the 2024-2025 ESEA Consolidated Application within the Grants Management System (GMS) **no later than June 1, 2024**.

Non-Public School Official: Complete the chart below indicating the non-public school's participation for each funding source. Please work with the LEA to determine which funding sources they are eligible to receive. The non-public school cannot opt-in to participate in a program for which the LEA does not receive funds.

Title Program Name	Participating	Not Participating
Title I, Part A (Improving Basic Programs Operated by LEAs)	<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)	<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 the non-public school official on how to provide equitable and effective programs for eligible non-public school children (*ESEA Sections 1117(b)(1) and 8501(c)(1), (5)*).

In accordance with ESEA, 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 will the LEA offer to eligible non-public school children?
- How and when will the LEA decide about the delivery of services?
- How, where, and by whom will the LEA provide services to eligible non-public school children? Answers should include a thorough consideration and analysis of the view of the non-public school official on the provision of services through a contract with a third-party provider.
- How will the LEA assess academically the services to eligible non-public school children in accordance with 34 CFR §200.10 and how will the LEA utilize the results of that assessment to improve Title I, Part A services.
- The method or sources of data that the LEA will utilize 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, Part A 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 that such officials' believe 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, Part F (applicable to Title I, Part C, Title II, Part A, Title III, Part A, Title IV, Part A, Title IV, Part B; ESEA 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 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.
- Documentation: Each LEA shall maintain in the LEA's records, and provide to the SEA involved, a written affirmation (this document) signed by official of each participating non-public school that the meaningful consultation required by this section has occurred. The written affirmation shall provide the option for the non-public school official to indicate that such official believes that timely and meaning consultation has not occurred or that the program design is not equitable with respect to eligible non-public school children. If such official does not provide such affirmation within a reasonable period of time, the LEA shall forward the documentation that such consultation has, or attempts at such consultation have, taken place to the NHED.

Note: Additional program (programs covered until Title VIII, Part F) specific equitable service guidance can be found by reviewing the ["Title VIII, Part F of the Elementary and Secondary Education Act of 1965: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel. Non-Regulatory Guidance. U.S. Department of Education. July 17, 2023"](#).

CERTIFICATIONS

The LEA School Official and Non-Public School Official (if applicable) must certify to one of the following:

#1, Timely and meaningful consultation **has occurred.**

We agree that that timely and meaningful consultation occurred prior to the LEA making any decisions that affected the participation of eligible non-public school children under Title I, Part A and those programs covered by Title VIII, Part F.

LEA School Official Signature	Date	Non-Public School Official Signature	Date
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#2, Timely and meaningful consultation **has not occurred due to no response from the non-public school.**

I, the LEA official, certify that we have attempted to contact the non-public school per our policy, however we have not heard back from the non-public school by the established deadline. Documentation to substantiate this has been attached.

LEA School Official Signature	Date
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#3, Time and meaningful consultation **has not occurred as the non-public school has **opted out** of received equitable services for the 2024-2025 SY.**

LEA School Official Signature	Date	Non-Public School Official Signature	Date
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Non-Public School Official Only (must execute):

Please review the below statements and indicate if you, the non-public official, agree or disagree.

Agree- timely and meaningful consultation has occurred, and the program design is equitable with respect to eligible non-public school children.

Disagree- timely and meaningful consultation has not occurred and/or the program design is not equitable with respect to eligible non-public school children.

Non-Public School Official Signature	Date
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