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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**

**for use in Spring 2022 consultation concerning School Year 2022-23 (FY23)**

To form an *Equitable Services Plan* for a participating private school, the school district’s representative (the Federal Programs Director) must consult with the private school representative to ascertain needs. The finalized *Plan*, including the private school’s *Written Affirmation* thereof, is submitted to the Equitable Services Ombudsman via upload to the district’s LEA Document Library in MCAPS. An *Equitable Services Plan* template\* is available for district use, to include details of the equitable services to be provided by the district to the private school in the new school year.

If the LEA does not yet know its funding allocations, use an estimated amount (85% of last year’s allocation is suggested) to facilitate planning. Be clear that this is an estimate that will be modified, and check the appropriate box on the Plan template.

This **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 Elementary and Secondary Education Act of 1965, as amended, 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 *Equitable Services Plan* template is aligned with this consultation checklist, and the information developed during consultation (following this checklist) should facilitate the *Plan’s* creation.

When the district’s *Equitable Services Plan* is conveyed to the private school for final review, the private school representative will sign the *Written Affirmation* form (the last page of the *Plan*), either indicating positive affirmation of consultation and agreement, or declaring a belief that timely and meaningful consultation did not occur and/or that the *Plan* is not equitable. The signed *Plan* is then returned by the private school to the district for conveyance of the *Plan* to the Ombudsman via upload to MCAPS.

If the private school is aggrieved and presents a negative *Written Affirmation* as noted above, the private school will be immediately contacted by the Ombudsman, initiating the Equitable Services Dispute Resolution Procedure.

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

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**School District: Save the completed Checklist as “evidence of implementation” of consultation procedures.**

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**School Year 2022-23 (FY23) Equitable Services Consultation Checklist**

for use in Spring 2022 Consultations

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, I-C, II-A, III-A, IV-A, and IV-B. Consultation for an upcoming school year shall begin in the spring of the prior school year, and continues 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 Equitable Services Plan for the individual private school – shall be transmitted to the Equitable Services Ombudsman. The district makes decisions 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: *[District: check the box if III-A or IV-B grants are available.]***

🗹 Title I, Part A (Educational Assistance to At-risk Students);

➜ Title I, Part C (Education of Migratory Children); *identify any children of migrant workers enrolled at the private school and report to the Mississippi Migrant Education Service Center in Starkville, MS.*

🗹 Title II, Part A (Professional Development/Supporting Effective Instruction);

☐ Title III, Part A (Language Instruction for English Learners and Immigrant Students); *the district must have received a grant.*

🗹 Title IV, Part A (Well-rounded Education/Safe and Healthy Students/Effective Use of Technology); and

☐ Title IV, Part B (21st Century Community Learning Centers). *The district must have received a grant.*

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

☐ Title I, Part A (Educational Assistance to At-risk Students);

☐ Title I, Part C (Education of Migratory Children); *if a migrant child qualifies, services will be offered if sought.*

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

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

☐ Title IV, Part A (Well-rounded Education/Safe and Healthy Students/Effective Use of Technology); and

☐ Title IV, Part B (21st Century Community Learning Centers); *(if grant available)*

**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), ordered for logical progression, and specifically aligned with the *Equitable Services Plan* template. Some days may pass (for example, for the private school to establish a low-income student count or finalize 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. Note any admin cost assigned by the LEA. 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 in place involving pooled funding for multiple private schools (all private schools must agree).

☐ (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? **(This is optional, not required.)**

☐ (3a) The private school should identify and explain its at-risk students’ specific needs.

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

☐ (3c) How will the at-risk students who receive the Title I-A services be identified? (Multiple academic-related criteria for student ranking, establishing the “at-risk” service recipient group when school begins.)

☐ (4) Where, when, by whom and how (briefly describe) will the services be provided? Identify whether services will be provided by School District personnel, private school teachers in the capacity of School District personnel and working outside normal school hours, 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, 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, and the private school will have an opportunity to agree or disagree, escalating to the Equitable Services Ombudsman.

**Notes**

Following the initial discussion of the above Title I-A topics, the private school will describe its requests to the district regarding the above topics and issues. The district shall then complete the 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 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, and the private school may agree or disagree (see above).

For ***non*-Title I-A** services (I-C, II-A, III-A, IV-A and/or IV-B) for which the district receives an allocation, consultation will continue by initiating discussion of those programs (see checklist continuation below), and the district’s eventual Equitable Services Plan will include those non-Title I-A services (the Plan template is now consolidated into one document covering each ESEA program).

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

For any *non*-Title I-A services (Title I-C, II-A, III-A, IV-A and/or IV-B) for which the district receives a funding allocation, and the private school seeks participation, 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 funded in the district and sought by the private school, identify proposed service below: |
| **I-C** | Funding is not applicable;sought: Yes / No | If sought for a migrant student, the Mississippi Migrant Education Service Center must be notified. MMESC will determine qualification and provide services.  |
| **II-A** | Yes / No |  |
| **III-A\*** | Yes / No |  |
| **IV-A** | Yes / No |  |
| **IV-B\*** | Yes / No |  |

\**the district must have a III-A grant, the private school must have qualifying ELs or Immigrants*

\**the district must have a IV-B grant*

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 II-A, III-A, IV-A and IV-B portions of consultation. These components have been ordered for logical progression, and specifically aligned with the *Equitable Services Plan* template. Some days may pass while stages of the checklist are worked through, and the *Plan* is developed.

**For each Title-program marked “Yes” 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** |
| Contact MMESC if a migrant student is identified. | ☐ | ☐ | ☐ | ☐ | (1) | Size and scope: Identify the amount of funds available, any admin cost, and how the amount is determined (see Plan). |
| ☐ | ☐ | ☐ | ☐ | (2a) | Discuss whether single-school services will be provided specific to the single private school, or whether a “pooling” plan will be in place involving pooled funding for multiple private schools which all agree to pool. |
| ☐ | ☐ | ☐ | ☐ | (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 address the private school’s needs. Optional. Only possible if Title I-A funds are present. |
| ☐ | ☐ | ☐ | ☐ | (3a) | The private school should identify and explain its students’ specific 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? (see Plan examples) |
| ☐ | ☐ | ☐ | ☐ | (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? (see statement in Plan, revise if needed) |
| ☐ | ☐ | ☐ | ☐ | (7) | Discuss that if any disagreement remains unresolved (example: private school requests a contractor to provide services, district disagrees) the district must document the reasons for the district’s disagreement. This documentation then becomes a permanent attachment to the finalized *Plan*. |

If the district **disagrees** (final, unresolved disagreement) with a private school request for a **non-Title I-A** service, the district must attach to the *Equitable Services Plan*, in writing, the reasons the district disagreed. Every effort should be made to reach agreement for providing the private school with services as requested by the private school officials to best meet the needs of its students. Private school needs, and resulting services, may differ from those of the school district.

The Equitable Services Ombudsman is available to provide technical support should any questions or concerns arise.

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End of Consultation Checklist