

Equitable Services Frequently Asked Questions

Introduction

Many education programs under the [Every Student Succeeds Act \(ESSA\)](#) allow for the equitable provision of services to private school students, parents, and teachers. In Kentucky, private schools include religiously affiliated schools; home schools; and other private, non-profit schools.

Requirements for the provision of services are governed under Title I, Part A and Title VIII, Part F, Subpart 1 of the ESSA. The purpose of this guidance is to clarify those requirements, through the examination of some of the most frequently asked questions. Although this information is not comprehensive, additional information can be found in the following resources.

- [ESSA Fiscal Changes and Equitable Services Guidance](#): This non-regulatory guidance document helps to clarify some of the most pertinent issues and provides links to other resources.
- [U.S. Department of Education's Office of Non-Public Education Website](#): This site provides resources for many stakeholder groups including parents, school districts, private schools, and state departments of education.
- [The Kentucky Department of Education's Non-Public School Ombudsman Website](#): This site provides information related to Kentucky-specific requirements and the ombudsman's responsibilities.

Questions and Answers

- 1. What is meant by the term equitable services?** In many ESSA programs, private schools electing to participate may be eligible to receive services on an equitable basis. In general, services are equitable when they are funded proportionately, comparable to services provided to public schools through the covered programs, designed to meet the intent of the covered program, based on a private school's needs, and developed based on timely and meaningful consultation with the private school.
- 2. What ESSA programs contain equitable services provisions?** The following programs contain provisions.
 - Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies
 - Title I, Part C: Education of Migratory Children
 - Title II, Part A: Supporting Effective Instruction
 - Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement Act
 - Title IV, Part A: Student Support and Academic Enrichment Grants
 - Title IV, Part B: 21st Century Community Learning Centers

Visit the Kentucky Department of Education's Non-Public School Ombudsman page, linked above, to learn more about each program.

- 3. How much money will my school receive?** First, understand these programs do not provide funding to private schools. They provide services generally rendered by local school districts.

The amount of funds allocated for these services varies from program-to-program, based on factors such as:

- Allocation amounts received by school districts;
- Equitable services formulas required by individual programs; and
- The participation of other private schools.

Private schools can contact their local school districts for more information. Also, refer to questions 3 and 4 to learn more about eligibility and responsibilities for the provision of services.

Note: Federal regulations strictly prohibit districts from directly providing private schools funds or reimbursing them for services or materials purchased. However, a private school staff member may be reimbursed directly for eligible expenses, such as travel costs for professional development. These types of costs will be reimbursed pursuant to the district's policies and procedures and based on eligibility set forth by federal statute, regulation, and non-regulatory guidance.

- 4. How does a private school know if it is eligible to participate in services provided through ESSA funds?** Districts are required to solicit participation from private schools annually. This is usually done in late winter or early spring. Districts may distribute documents such as a “Declaration of Participation” or a separate invitation for some programs to gauge interest and collect required information.

Many districts provide timelines for responding to these information requests and it is imperative that private school officials respond in a timely fashion. This is important because planning and budgeting processes are highly dependent on the information received from private schools.

A private school is eligible to participate in each the programs covered under ESSA, if it meets the following criteria.

- Title I, Part A: The private school must have enrolled low-income students that reside within the attendance area of a participating Title I, Part A-funded school. These students generate funding for equitable services.
- Title I, Part C: Migrant children who attend private schools are eligible for program services if they meet priority for service criteria and have specific needs identified through the state's comprehensive needs assessment and service delivery plan.
- Title II, Part A: The private school is eligible for services from the school district in which it is physically located. Private school services are based on total student enrollment in the private or home school.

- Title III, Part A: The private school must have enrolled and properly identified the EL students that reside within the attendance area of a participating district. These students generate funding for equitable services. The private school must indicate the number of identified ELs enrolled and their participation in the Declaration of Participation for Title III each year.
- Title IV, Part A: The private school is eligible for services from the school district in which it is physically located. Private school services are based on total student enrollment in the private or home school.
- Title IV, Part B: A public school or other public or private organization awarded a grant must provide equitable services to private school students and their families. In designing a program that meets this requirement, grantees must provide comparable opportunities for the participation of both public and private school students in the area served by the grant.

Private school officials who are unsure of whether their school is eligible to participate in services can contact their local district for more information.

- 5. Who is responsible for providing equitable services to private schools?** Local school districts are required to provide and maintain complete programmatic and fiscal control of services. This includes making the final decision about the types of services to be provided based on private schools' needs, providing regular oversight of services, and evaluating services for effectiveness. In determining, providing oversight to, and evaluating those services, districts must conduct regular consultation meetings with private school officials.

Although consultation is meant to provide an opportunity for private schools to share their needs and opinions about the types of services to be provided, it is ultimately the local district that has final decision-making authority. The Kentucky Department of Education encourages districts and private schools to engage in collaborative conversations that lead to the design of services that will best meet students' needs, while meeting programmatic requirements.

Further, the district must have a goal of spending allocated funds within the fiscal year for which they are intended. The district and private schools must work together to ensure funds are spent in a timely fashion. When extenuating circumstances prevent the expenditure of funds in the fiscal year for which they are intended, they must be carried over to the next fiscal year and be used for equitable services **in addition to** the new amount allocated.

- 6. What are the expectations for private schools electing to participate in services?** Private schools are expected to do the following.
- Participate fully in consultation: This must include participation in regular, ongoing consultation meetings throughout the year, providing feedback about the program being implemented, which will assist the public district with making appropriate

programming decisions. This is an opportunity for the private schools to voice opinions about the design and quality of services.

- Have a goal of reaching agreement: Understanding the public district's oversight role, the private school's goal should be to reach an agreement with the district for services to be provided. The private school should help foster a positive relationship with the public district.
- Provide the LEA names of private school officials to be included in consultation: This will be particularly important if the private schools wish for others, who may be able to provide valuable feedback, to be included in consultation. This may include other administrators, teachers, paraprofessionals, students being served, and parents.
- Submit the notice of intent to participate: The private school should be wary of and adhere to submission deadlines set by the public district. Timely submission helps the public district meet deadlines set by the Kentucky Department of Education and provide timely services.
- Assist the LEA in obtaining information necessary to provide equitable services: This may include, but is not limited to, student income status and residency information that will allow for the correct calculation of the amount of funding available to provide services; data for identifying the students that will participate in services; and data about the quality of services.
- Participate in program assessments: In addition to participating in consultation meetings, the public district may ask for feedback when evaluating services.