

ESEA Consolidated Application

Title II, Part A

Equitable Services Instructions and Requirements

Consultation Form

The Title IIA application includes an Equitable Services Consultation form. This form is designed for district use, however, the district has the flexibility to use an alternative form to document the consultation process. All consultation forms related to private schools should be compiled into a single PDF with the name: *ES_Consultation_DistrictName_PrivateSchoolName*. These consultation forms should specifically document the spring 2024 consultation session(s), which will inform the planning of the private school Title IIA program for the 2024-2025 school year.

Consultation Requirements

To ensure timely and meaningful consultation, a local educational agency (LEA) must engage in consultation with relevant private school officials during the design and development of the LEA's Title IIA programs. The shared objective between the LEA and private school officials is to reach an agreement on how to deliver equitable and effective programs for eligible private school children.

Consultation must include the following:

- (A) how the children's needs will be identified;
- (B) what services will be offered;
- (C) how, where, and by whom the services will be provided;
- (D) how the services will be academically assessed and how the results of that assessment will be used to improve those services;
- (E) the size and scope of the equitable services to be provided to the eligible private school children, the proportion of funds that is allocated for such services, and how that proportion of funds is determined;
- (F) the method or sources of data that are used to determine the number of children from low-income families in participating school attendance areas who attend private schools;
- (G) how and when the LEA will make decisions about the delivery of services to such children, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers;
- (H) how, if the LEA disagrees with the views of the private school officials on the provision of services through a contract, the LEA will provide in writing to such private school officials an analysis of the reasons why the LEA has chosen not to use a contractor;
- (I) whether the LEA shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor;

(J) whether to provide equitable services to eligible private school children by creating a pool or pools of funds;

(K) when, including the approximate time of day, services will be provided; and

(L) whether to consolidate and use funds in coordination with eligible funds available for services to private school children under Title IIA to provide services to eligible private school children participating in programs.

Timing. Consultation shall include meetings of the LEA and private school officials and shall occur before the LEA makes any decision that affects the opportunities of eligible private school children to participate in programs under Title IIA. Such meetings shall continue throughout implementation and assessment of services provided under Title IIA.

Discussion. Consultation shall include a discussion of service delivery mechanisms a LEA can use to provide equitable services to eligible private school children.

Documentation. Each LEA shall maintain in the LEA's records and provide to the State educational agency (NMPED) a written affirmation signed by officials of each participating private school that the meaningful consultation as required above has occurred. The written affirmation shall provide the option for private 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 private school children. If such officials do 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 State educational agency.

Disagreement. If an LEA disagrees with the views of private school officials with respect to a consultation issue, the LEA shall provide in writing to such private school officials the reasons why the LEA disagrees.

Private schools declining services

If any private schools wish to decline Title IIA services, please upload a single PDF for all declining private schools with documentation of services being offered and declined. Please name the file *ES_Declined_DistrictName*. Note: The blank consultation form provided with the application includes a box that the private school official can check if the school does not wish to participate in Title IIA.