**Private School Equitable Services**

**Federal ESEA & Cares Act (ESSER) Programs**

**Combined**

**Resources and Templates**

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# District Cover Letter to Private Schools

*(District sends this letter to all private Schools within their boundaries)*

[Date]

Dear Private School Administrator:

Each year the Oregon Department of Education requires the local school district (LEA) to inform private schools of the possibility of participation in all federally funded grant programs available to the LEA for the upcoming school year of 2020-2021. This includes the following:

* Title I, Part A (Educational Assistance to At-risk Students);
* Title I, Part C (Education of Migratory Children), [All LEAs served by a migrant regional program must provide information on this program, even though not receiving a subgrant directly.]
* Title II, Part A (Professional Development/Supporting Effective Instruction);
* Title III, Part A (Language Instruction for English Learners and Immigrant Students);
* Title IV, Part A (Student Support and Academic Enrichment Grants);
* Title IV, Part B (21st Century Community Learning Centers);
* CARES Act (*Sec.18003* Education Stabilization Relief Fund) for 2020-2021 *ONLY*

The Intent to Participate form helps the school district in planning for the equitable services for our private schools. Please see the check boxes at the bottom of this form and select the one that most applies to your private school. The following documents provide more additional information on each program and on the consultation process.

If you have selected to participate in any of the Federal programs (including CARES), you will be contacted by our school district to set up a time to consult further and begin to develop a plan.

**PLEASE NOTE:** A private school can decline equitable services under Title and still accept CARES funding.

The deadline for your response is **[\_\_\_\_\_\_\_\_\_\_\_\_\_, 2020]**. (If this date is not at least thirty days after this letter’s post-mark date, then the deadline is 30 days after the post-mark.) The District will make further contact attempts if you are unresponsive two weeks after the Initial Contact Letter deadline. A Private School that does not respond will be considered non-participating, absent good cause.

Feel free to mark all program boxes and make your final decision about individual program participation during our consultation.

Sincerely,

[Name of Federal Programs Director]

Federal Programs Director

[Contact Email & Phone]

# Federal Title and CARES-ESSER Programs

**Title I, Part A: Educational Assistance to At-risk Students**

Title I-A provides supplemental educational services and activities for those NPS students most at risk of failing and in need of instructional support.

The NPS’s proportional allocation of Title I-A funds is based on the number of students identified as low-income that live within the boundary of the LEA. NPS students from low-income families who generate funding are not necessarily the NPS’s most-at-risk students who will receive services – this sub-set of most-at-risk students will be determined in the first weeks of the new school year.

**Title I, Part C: Education of Migratory Children**

Title I-C supports educational programs and services that address the unique needs of migratory children. Additionally, the program ensures that migratory children who move among the states are not penalized in any manner by disparities among the states in curriculum, graduation requirements, and challenging academic standards. Services help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to succeed in school.

**Title II, Part A: Professional Development/Supporting Effective Instruction**

Title II-A funds are made available to improve teaching and student learning in the core subject areas.  Activities include high-quality professional development for teachers, administrators and staff that can help students achieve high academic standards.

Funds are available in equal proportion for public and participating private schools per school enrollment.

**Title III, Part A: Language Instruction for English Learners and Immigrant Students**

Title III-A provides educational services for eligible NPS students who are identified as *English Learners*.

Qualifying students identified as English Learners, and the appropriate benefits, services, and materials provided, will be determined with the school district during consultation with the NPS. *The school district must have qualified for this grant.*

**Title IV, Part A: Well-Rounded Educational Opportunities/Safe and Healthy Students/Supporting the Effective Use of Technology (“Student Support and Academic Enrichment”)**

Title IV-A – the Student Support and Academic Enrichment (SSAE) program – is intended to increase the capacity of local educational agencies and schools to provide all students with access to a well-rounded education, improve student health and school safety conditions for optimal student learning, and enhance the use of technology in order to improve the academic achievement and digital literacy of all students.

Funds are available in equal proportion for public and participating private schools per school enrollment.

**Title IV, Part B: 21st Century Community Learning Centers (CCLC)**

Title IV-B – the 21st CCLC program – supports the creation of community learning centers that will provide academic enrichment opportunities during non-school hours for children, particularly students who attend high-poverty and low-performing schools. The program helps students meet state and local standards in core academic subjects, such as reading and mathematics; offers students a broad array of enrichment activities that can complement their regular academic programs; and offers literacy and other educational services to the families of participating children.

Students who attend a NPS in the boundary of the public school(s) served by the 21st CCLC grant are equally eligible to participate in the program. *The school district must have qualified for this grant.*

**CARES Act; Section 18003 Education Stabilization Relief Fund (2020-2021)**

The CARES Act provides an economic stimulus to individuals, businesses, and schools. CARES Act will focus upon the funding stream dedicated to schools, specifically *Section 18003* of the CARES Act titled the ***Education Stabilization Relief Fund,*** which lists 12 allowable activities. CARES Act funding is NOT tied to student learning outcomes or academics. Funds are available to all private schools, with no expectation or requirement of participation in Equitable Services under Title.

# Affirmation of Consultation

**With Private School Officials Regarding ESEA & CARES Act (ESSER) Funds**

*Completed during 2020-2021 Spring Consultation*

**Name of Private (Non-Public) School:**

The school’s business model is:  Non-profit  For-profit *(not eligible for equitable services)*

| **Non-Public School Address:** |
| --- |
|  |

| **Non-Public School Representative(s):** |  | |
| --- | --- | --- |
| Name: | Title: | |
| Phone: | Email: | |
| Signature: | | Date: |

We **do not** intend to participate in***any*** funding services, including CARES Act, for the school year of 2020-2021.

We **do not** intend to participate in *any* equitable services programs for the school year of 2020-2021, but would like to accept CARES Acting funding.

Assuming we meet eligibility requirements, we intend to participate in the following 2020-2021 equitable services programs.

Title I-A  Title I-C  Title II-A  Title III-A

Title IV-A  Title IV-B (21st CCLC)  CARES Act

**Private School K-12 enrollment:**

List May 2020 enrollment in each grade and total at Private School (**do not include pre-K**)

K: \_\_\_\_\_ 1st: \_\_\_\_\_ 2nd: \_\_\_\_\_ 3rd: \_\_\_\_\_ 4th: \_\_\_\_\_ 5th: \_\_\_\_\_ 6th: \_\_\_\_\_ 7th: \_\_\_\_\_ 8th: \_\_\_\_\_ 9th: \_\_\_\_\_

10th: \_\_\_\_\_ 11th: \_\_\_\_\_ 12th: \_\_\_\_\_ Total: \_\_\_\_\_\_\_\_

The Private School received equitable services during the preceding school year, or

The Private School is seeking to receive equitable services for the first time.

**Title I-A Specific:**

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 has been discussed;

How and when, *including the approximate time of day*, the LEA or consortium will make decisions about the delivery of services, including a thorough consideration of the views of the private school officials on the provision of services through potential third-party providers;

Whether to provide equitable services to eligible private school children by 1) creating a pool of funds with all of the funds allocated for Title I purposes based on all private children from low-income famlies residing in a participating school attendance areas: or 2) for each individual private school, funding based on the number of low-income children who reside in participating public school attendance areas attending each individual no-public school.

**Title I-A, Title I-C, Title II-A, Title III-A, Title IV-A, Title IV-B (21st CCLC):**

How the children’s needs will be identified has been discussed;

What services will be offered;

How the services will be assessed and how the results of the assessment will be used to improve those services have been discussed;

The size and scope of the equitable services to be provided to the eligible private school children, teachers, and other educational personnel, the proportion of funds allocated for those services and how the proportional amount of funding is determined have been discussed;

Whether the LEA or consortium shall provide services directly or through a third party contractor has been discussed;

How, if the public school district disagrees with the views of the private school officials on the provision of services through a contract, the public school district will provide in writing to the private school officials an analysis of the reasons why the district has chosen not to use a contractor;

Whether to provide equitable services to eligible private school children by 1) creating a pool of funds with all of the funds allocated for Title purposes based on total enrollment of private school students or 2) for each individual private school, funding still based on the total enrollment of private students within the LEA;

The LEA provided a hard copy and discussed the LEA’s district specific Equitable Services complaint policy with the private school officials, as well as where to find an electronic version for future use by private school officials, teachers, guardians and students;

The LEA discussed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding for nonpublic schools, and will complete the additional consultation topics below.

**Education Stabilization Relief Fund (Sec. 18003) – Specific CARES Act Funding:**

Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) (‘‘IDEA’’), the Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) (‘‘the Perkins Act’’), or Subtitle B of Title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);

Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus;

Providing principals and others school leaders with the resources necessary to address the needs of their individual schools;

Activities to address the unique needs of low-income children or students, children with disabilities, English Learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population;

Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies;

Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases;

Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency;

Planning for and coordinating during long-term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq.) and how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements;

Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment;

Providing mental health services and supports;

Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months, and addressing the needs of low income students, students with disabilities, English Learners, migrant students, students experiencing homelessness, and children in foster care;

Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and ***continuing to employ existing staff of the local educational agency.***

**Private School Official *(CHECK ONLY ONE):***

Timely and meaningful consultation was provided, an equitable program of services was designed during the consultation process, as well as a process for implementing CARES Act funding. Additional consultation has been scheduled throughout the school year;

Consultation was not timely and meaningful and/or did not result in an equitable program of services or usage of CARES Act funding to meet the needs of the private school children;

Timely and meaningful consultation was provided and I understand the eligibility requirements; however, I decline \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ services at this time.

If the private school officials do not agree that the above conditions have been met, they are encouraged to provide a written statement to the LEA specifying the reasons for their disagreement. Additionally, if the LEA disagrees with the views of the private school officials with respect to any of the issues described above, the LEA will provide the private school officials with a written explanation as to the reason for the disagreement.

1. The LEA maintains a signed copy of this written affirmation in its files; and
2. The LEA provides the private school official with a signed copy; and
3. The LEA sends a signed copy to the Oregon State Ombudsman, Joni Gilles ([joni.gilles@state.or.us](mailto:joni.gilles@state.or.us)) per ESSA; &
4. The LEA must attach the consultation form to the Title Grant Applications.

**District & Schools Officials Information:**

Public School District Name Public School Official Date

Private School Name Private School Official NPS Code

CARES Act Public School Official CARES Private School Official Date

# CARES Act (ESSER) Private School Planning Template

**Instructions for Private School Equitable Services Plan**

**ESSER Equitable Services Plan**

1. For accountability purposes, each private school accepting a CARES Act allocation must develop and have approved by the school district a plan that includes the amount of allocation, needs assessment, allowable activities that meet the identified needs, and a budget and evaluation.
2. Consultation occurs between district and private school. The plan can be developed at that time or at a later date to allow the private school to discuss their plan with the school’s community.
3. Private schools may be asked to fill out a Technology Survey if technology services are a major component of their plan.
4. Once the plan is completed and approved by the school district, copies are distributed to each party. The plan does not need to be send to ODE---just the Affirmation of Consultation.
5. The ESSER funds end on September 30, 2021, and are intended for COVID 19-related activities/expenses beginning on March 13, 2019.

Please direct any questions about this form or associated materials to Joni Gilles, State Private School Ombudsman, at [joni.gilles@state.or.us](mailto:joni.gilles@state.or.us).

**ESSR: Equitable Services Planning Template**

**Contact Information:**

| **School District** | **Private School** |
| --- | --- |
| **District name**: | **Private School name:** |
| **District address:** | **Private School address:** |
| **District Representative:** | **Private School Representative:** |
| **Phone:** | **Phone:** |
| **Email:** | **Email:** |

| **Enrollment:** |  |
| --- | --- |
| **Total Enrollment**:  **Grades Served:** | **Total Number of low income students residing within**  **Title I school attendance area:** |

| 1. **Size and scope: Identify the private school’s amount of ESSER Equitable Share and how that amount is determined.** |
| --- |
|  |

| 1. **Identify whether single-school services will be provided, or whether a “pooling” plan will be in place:** |
| --- |
| Single-school services are being provided to this specific private school. |
| A “pooling” plan will be used, involving pooled funding for multiple private schools, all of whom agree to the pooling. Describe: |

| 1. **Describe the level of instruction currently provided to your students (distance, e-mails, packets, etc.).** |
| --- |
|  |

| **4a.) What has been the most significant impact of COVID-19 school closure on your school?**  **What specific needs have been identified by the private school?** |
| --- |
|  |

| **4b.) What services will be provided in response to these needs?** |
| --- |
|  |

| 1. **If applicable, describe where, when, by whom and how the assistance will be provided.**   **If applicable, identify whether services will be provided by school district personnel private school teachers in the capacity of school district personnel working outside normal school hours, third-party contractors or otherwise. Discuss possible options, if applicable.** |
| --- |
|  |

| 1. **If applicable, how will the identified services/assistance be evaluated? (Indicate data source).** |
| --- |
|  |

**Assurance:**

The private school agrees and assures that any use derived from equitable services will be secular, neutral and non-ideological.

| **Signatures**  **(A typed name counts as a signature.)** | **Date** |
| --- | --- |
| **District Representative Signature:** |  |
| **Private School Representative Signature:** |  |

# ESSER Activities

The list of suggestions below are not exhaustive. All CARES Act applications are subject to final review and approval through the Oregon Department of Education application process and must adhere to state and local COVID-19 restrictions.

**Consider both short-term and long-term needs in budget planning.**

* **Funding does not have to be used at only Title I served schools nor for only Title I eligible students.**
* **Activities allowed under any federal education grant such as IDEA, Title I, Title II, Title III, Title IV, 21st Century Community Learning Centers, Perkins, or McKinney-Vento, are allowed under CARES.**
* **Non-public school Activities must be non-ideological, secular, and neutral in nature.**
* **Fiscal rules of EDGAR and OMB apply as any other federal fund.**

| **Application Categories** | **Examples of Applications** |
| --- | --- |
| REMEDIATION Examples | * Activities to address gaps in learning that occurred due to school disruptions * Summer School * Funding can be used to support your local 21st Century Community Learning Centers Program activities * Staff and curriculum resources to start the school year early, lengthen the school day, or year * Additional teachers to provide intensive support once school has started * Additional support for students most in need, including students with disabilities, English learners, foster, homeless, migrant, low-income, etc. |
| TECHNOLOGY PREPAREDNESS Examples | * Additional devices * Wi-Fi/Internet connectivity * Learning management systems * Professional development for educators to deliver eLearning * Offline course/material curation |
| CLREANLINESS Examples | * Additional Processional cleaning of schools to prepare for student return or maintain student and staff safety once buildings are open * Personal protective equipment (PPE) * Cleaning Supplies |
| SOCIAL-EMOTIONAL LEARNING Examples | * Additional funding of mental health partners for additional services to students (including students who do not have insurance or do not qualify for current services * Funding of support group for educators * Professional development on trauma responsive practices * Online platform for a social-emotional learning universal screener * Source of Strength, Hope Squad, etc., for student peer groups and support * Mental Health First Aid training, including coverage for substitutes * Increase EAP programming for educators to care for COVID-19 related trauma |

*Graphics and Examples Provided by:*

*The Indiana Department of Education*

# CARES Act: General Information and FAQ’s

June 2020

**CARES ACT OVERVIEW:**

The CARES Act provides education funding to state education agencies and local education agencies to support schools as they are dealing with the effects of COVID 19. The CARES Act has two funds specific to K-12 education:

1. **Governor’s Emergency Education Relief Fund (GEER; 18002)**
   1. $2.9 billion nationally
   2. Administered by Governor
   3. Emergency support to districts most significantly impacted by COVID 19 (in the process of being determined)
   4. Eligible for equitable services
   5. More information is forthcoming
2. **Elementary and Secondary School Emergency Relief Fund (ESSER;18003)**
   1. $13.2 billion nationally
   2. SEA must allocate not less than 90% to districts:10% at discretion of Governor/SEA
   3. Eligible for equitable services

*The GOVERNOR’S AND SEA-RESERVE AWARDS MIGHT BE LIMITED TO DEFINED SUB-SETS OF STUDENTS/TEACHERS*

**Frequently Asked Questions:**

1. **Are private schools eligible for an equitable share of the CARES Act programs?**

Yes, private schools in Oregon are eligible for an equitable share of the CARES Act. They must have non-profit status.

1. **What is the definition of a private school?**

A private school in Oregon is defined as “including private or parochial schools providing courses of study usually taught in kindergarten through grade 12 in the public schools and in attendance for a period equivalent to that required of children attending public schools, as defined in [ORS 339.030 (1) (a)](https://www.oregonlaws.org/ors/339.030).

1. **What are the key dates in the CARES Act?**

The private school must have been in existence prior to the date of the qualifying emergency, which is March 13, 2020. Equitable services can be retroactive to March 13, 2020 if the activity is due to the impact of COVID 19 on educational services. The grant is for FY 2020-2021, ending September 30, 20121.

1. **Do the equitable share of the CARES Act funds go directly to the private school?**

No, the district must always maintain control of any federal funds as well as any materials or supplies purchased with these funds.

1. **Who initiates the consultation process?**

The local school district in which the private school is located is responsible for initiating the consultation process.

* + The district must notify the private school of the opportunity for their students and teachers to receive equitable services under the CARES Act programs.
  + The consultation may be done via phone conference, ZOOM, Teams or any other social media platform that is accessible.
  + The consultation must be timely and meaningful.
  + During the initial contact, the district explains the funding, allowable activities, and information they may need from the private school.
  + The district and private school administrators work together to design a plan addressing the needs of the private school created by COVID 19.
  + Electronic signatures are allowable.
  + A copy of the Affirmation of Consultation on the CARES Act equitable services must be signed by district and private school administrators.
  + A copy of the Affirmation must be sent to the Private School Ombudsman

(Joni Gilles at [joni.gilles@state.or.us](mailto:joni.gilles@state.or.us)).

1. **What responsibility does the district have in reaching out to private schools?**

The district must demonstrate a good faith contact effort to contact private schools within the district boundaries. If a private school does not reply or declines equitable services, the district has no further responsibility to provide CARES Act equitable services to that private school.

1. **Are private schools that have not previously participated in other Federal Program equitable services (i.e., Title I-A, Title II etc.) still eligible to receive CARES Act equitable services?**

Yes. A district must offer CARES Act Equitable services to every private school in the district, **regardless** of the private school’s past participation.

1. **What kind of documentation/application is required for a private school to receive equitable services?**

Because of the COVID 19 emergency, it is the goal of districts and ODE that equitable services be available as soon as possible. The goal is to balance expediency with accountability. A simple application may include the current status of the school (open, distance learning, closed, etc.), needs, allowable activities that address the needs, budget, and a final report.

1. **How would a private school be reimbursed if they have already paid for activities dating back to March 13, 2020?**

A private school can never be directly reimbursed. One solution is for the company that provided the services to reimburse the private school and then bill the school district directly.

1. **Can a private school request direct funding for equitable services?**

No. Equitable services are provided by the district or through a third party contractor with another public or private entity. The district maintains control of all CARES Act equitable services funds and retains ownership of equipment/materials/property.

1. **What happens to the materials/technology that have been purchased by the district as part of the CARES Act equitable services program on September 30, 2021-the end of the grant period?**

This question is being discussed at the U.S. Department of Education. More guidance will follow as soon as it becomes available.

1. **Are private schools allowed to pool their funds?**

If the individual private schools agree, an school district may pool funds among the agreed group of private schools to provide services to the pool based on need without regard to which private school generated which funds.

1. **Do the ESEA requirements that equitable services be secular, neutral and non-ideological apply to the CARES Act funding?**

Yes, Services must be secular, neutral and non-ideological.

1. **Do the supplement not supplant rules apply to the CARES Act equitable services?**

There is NO “supplement-not-supplant” requirement for CARES Act Equitable services. Services may benefit the private school itself, its general student needs, or its specific student needs: 34 CFR 200.66 does not apply.

1. **What services and benefits are available to private school students and teachers?**

In general, the same as those available to public school students and teachers: “A broad range of allowable activities” including 12 categories of use defined in 18003(d) of the CARES Act for ESSER funds, or 18002(c)(1) or (3) for GEER funds.

1. **What is the role of the ODE Private School Ombudsman?**

An SEA must use the ombudsman to monitor and enforce the requirements of CARES Act programs that a school district provide equitable services to students and teachers in non-public schools. The private school, if dissatisfied, may file a complaint with the SEA ombudsman.

**References:**

1. [CARES Act](https://www.congress.gov/116/bills/hr748/BILLS-116hr748enr.pdf)

Allowable activities (pages 285-287)

1. U.S. Department of Education Guidance: [Providing Equitable Services to Students and Teachers in Non-Public (Private) Schools Under the CARES Act Programs](https://oese.ed.gov/files/2020/04/FAQs-Equitable-Services.pdf)