



Evidence of Consultation Form FAQs

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1. Which districts must complete the form?

[ESEA sections 1117\(b\)\(5\) and 8501\(c\)\(5\)](#) state that “Each local educational agency shall maintain in the agency’s records and provide to the State educational agency involved a written affirmation signed by officials of each participating private school...If such officials do not provide such affirmation within a reasonable period of time, the local educational agency shall forward the documentation that such consultation has, or attempts at such consultation have, take place to the State educational agency.”

The [Evidence of Consultation Form](#) is one way for the ODE to collect the required documentation, as described above, from each district. If a district would prefer to use another method of submitting documentation, please email the [Private School Ombudsman](#) or call them at 503-541-9405.

2. How does the district know which private schools to contact?

For Titles I-A and VIII equitable service programs, the district must annually contact every non-profit private school that enrolls students in any grade K-12 that is physically located within the district’s geographic boundaries. For Title I-A, the district must also contact any non-profit private school that enrolls students in any grade K-12 outside of the district’s boundaries if the district has a reason to believe the private school enrolls students that reside within their district (ESEA section 1117(b)(1) and 8501(c)(1)).

The ODE has provided a [Private School District List](#) to help districts maintain compliance under ESEA. Since the ODE does not require registration of private schools, the Private School List may not capture all eligible private schools in Oregon. District’s that know of eligible private schools that are not on the Private School List must consult with those private schools and upload evidence of consultation. They also should email the private school’s contact information to the [Private School Ombudsman](#) so that the private school can be added to the Private School List.

3. Must every private school on the Private School District List be contacted?

Each district must contact all of the private schools on the [Private School District List](#) that are within their district’s boundaries. Additionally, a district would contact a private school that is not located within their district’s boundaries if they have reason to believe the private school enrolls its students (ESEA section 1117(b)(1) and 8501(c)(1)).

The Private School District List is the ODE’s best guess of which private schools a district might contact based on the physical address of the private school. If the district consulted with an out-of-district private school in previous school years, this would not be identified on the Private School District List and the district should continue to consult with the private school as needed. If there is a private school on the Private School District List that the district does not feel they need to contact, mark the private school as “Did Not Contact” in the “Response of Private School” field, and explain the reason for not contacting them in provided field.

4. What if the district contacted a private school that is not on the Private School District List?

Please complete an [Evidence of Consultation Form](#) for the unlisted private school, even if they were non-responsive or chose to not accept services. Submitting an Evidence of Consultation Form means the private school will be added to the [Private School District List](#) and the district will be reminded to contact them in future years. Private schools must enroll students in any grade K-12 and be a non-profit to be eligible to receive equitable services.

5. Does an Affirmation need to be attached for every private school?

Only attach an [Affirmation](#) if the private school signed an Affirmation. For private schools that were non-responsive or declined services through a method other than the signed Affirmation, please do not attach an Affirmation for that private school.

For schools that declined services, you must attach evidence of the private school doing so (such as a signed Affirmation declining services, an email declining services, returned [Intent to Participate Letter](#) declining services, written narrative of a phone call, etc.). For schools that were non-responsive, you must attach proof that the district contacted the school (such as: certified mail receipt, read email receipt, phone call log, a written narrative of all contact attempts, etc.).

6. What does the field “School District” mean?

In this field, select the district from the drop down list for which documents will be submitted.

7. What does the field “District Contact - Name” mean?

In this field, type the name of the individual who should be contacted if there are questions about the district’s submission.

8. What does the field “District Contact - Email” mean?

In this field, type the email of the individual who should be contacted if there are questions about the district’s submission.

9. What does the field “Private School Name” mean?

In this field, type the name of the private school for which information is being submitted.

10. What does the field “Private School Location” mean?

Must be completed for private schools located within the district and are on the [Private School District List](#) plus any additional private schools the district contacted who were not on the Private School District List.

This field indicates if the private school was located within the district’s geographic boundaries or outside of the district’s geographic boundaries.

“In District” means that the private school has a physical location inside the district’s geographic boundaries. Under ESEA, the district must offer equitable services for Title I-A and Title VIII (which includes Titles I-C, II-A, III-A, IV-A, IV-B and IV-F) to every private school physically located within their district’s geographic boundaries for every Title VIII program that the district receives an allocation.

“Out of District” means that the private school has a physical location outside of the district’s geographic boundaries, but enrolls students who reside within the district. The district would consult with the private school for Title I-A equitable services only.

11. What does the column “Response of Private School” mean?

Must be completed for private schools located within the district and are on the [Private School District List](#) plus any additional private schools the district contacted who were not on the Private School District List.

This field indicates how the private school responded to the district’s offer of equitable services.

“Did not respond” means that the private school was non-responsive to the district’s [Intent to Participate letter](#) and any further efforts to contact them. By not responding, the private school has declined services.

Please attach proof that the private school was contacted (such as: certified mail receipt, read email receipt, phone call log or a written narrative of all contact attempts, etc.).

“Declined Services” means that the private school did not wish to participate in equitable services. If the private school declined services by replying to an [Intent to Participate letter](#), please attach a copy of their signed response. If the private school declined services after attending Consultation, please attach their signed Affirmation of Consultation. If the private school declined services in any other method, please attach proof of their response (such as: an email declining services, written narrative of a phone call, etc.).

“Accepted Services” means that the private school wished to participate in equitable services. Please attach their signed Affirmation of Consultation.

“Did Not Contact” means the district did not contact the private school for consultation for a legitimate reason. A legitimate reason could be: the private school closed; the private school does not enroll students in any grade K-12; the private school is a for-profit entity; the private school is not located within the district’s geographic boundaries AND does not enroll any students from the district that may be eligible for Title I-A equitable services; and/or other reasons. Please explain the reason for not contacting the private school in the field provided.

12. What do the “Attachments” and “File Upload” fields mean?

Must be completed for private schools located within the district and are on the [Private School District List](#) plus any additional private schools the district contacted who were not on the Private School District List.

This field is where the district attaches a document relating to their consultation requirements.

For schools that accepted services, you must attach a copy of their signed [Affirmation](#). **Only upload an Affirmation if the private school signed an Affirmation.**

For schools that declined services, evidence of the private school doing so must be uploaded (such as a signed Affirmation declining services, an email declining services, returned [Intent to Participate Letter](#) declining services, written narrative of a phone call, etc.).

For schools that were non-responsive, you must upload proof that the district contacted the school (such as: certified mail receipt, read email receipt, phone call log, a written narrative of all contact attempts, etc.).

13. What does the “Send me a copy of my responses” checkbox mean?

This field is optional.

If the district would like an electronic copy of their submission, they should check this box. After checking the box, an email address field will appear and the electron copy of the submission will be emailed to the address entered.

If the district would not like an electronic copy of their submission, they should not check this box. Their submission will be complete, but they will not receive electronic evidence of their submission.

14. What if I have questions or need help?

To ask a question or request help, please email the [Private School Ombudsman](#) or call them at 503-541-9405.