



The goal of the consultation is agreement between the LEA (Local Education Agency) and appropriate nonpublic school officials on how to provide equitable and effective programs for eligible nonpublic school children. (ESEA sections 1117(b)(10) AND 8501 (c)(1), (5))

NDE is providing this checklist as a reminder of topics that should be discussed during the initial consultation regarding equitable services to nonpublic schools. It is not required that this checklist be used. Remember that consultation should be an ongoing process and the spring meeting is the initial discussion regarding services for the next school year.

ESEA requires states and districts to complete a needs assessment to assist in the development of a comprehensive support and improvement plan for the school to improve student outcomes. Nonpublic schools, receiving equitable shares from an LEA, are also responsible for providing a needs assessment and comprehensive improvement plan to their respective LEA(s) identifying the area(s) that fall within, and in need of support from the determined federal grant funds. There is an expectation that nonpublic schools' needs assessment, comprehensive improvement plan and planned services/activities, to be paid with federal equitable share funds, be provided to the LEA prior to services being encumbered.

Nonpublic within Boundaries Consultation Checklist

All Title Programs

- Service delivery mechanisms the LEA will use to provide equitable services to eligible nonpublic school children, teachers, and other educational personnel
- How and when decisions about the delivery of services will be made
- Size and scope of equitable services provided to eligible nonpublic school children, teachers, and other educational personnel
- Thorough consideration and analysis of the view of nonpublic school officials regarding third party contractor and written explanation by the LEA if the LEA disagrees with the use of a third-party contractor
- Whether to provide equitable services to eligible nonpublic school children by pooling funds or on a school-by-school basis
- Funds for equitable services are to be obligated in the school year in which they are awarded
- How and when program will be evaluated

Title I, Part C – Education of Migratory Children

- Identification of the regional contact in which services are provided to eligible migrant children and youth
- The amount of funding available to provide Title I, Part C services, including how the amount of funds set-aside to provide equitable services to nonpublic school is determined (not known at time of initial consultation)
- Services to be offered, including the allowable use of funds
- When, including the approximate time of day the services will be provided
- If LEA is planning to use funds for administrative purposes or indirect costs, how that impacts the nonpublic equitable services amount and what the administrative and/or indirect costs will be used for

- ESEA (Elementary and Secondary Education Act) requires that the LEA retain control of all Title I funds, materials, equipment, and property

NOTE: In many cases the LEA completing this form may not be the entity managing/receiving Title I, Part C funds. In the event that the nonpublic school has students eligible for Title I, Part C services, the LEA is responsible for connecting the nonpublic school with the entity providing Title I, Part C services.

Title II, Part A – Supporting Effective Instruction

- How needs of nonpublic schools will be determined and how/when that will be communicated
- Amount of funding available to provide Title II, Part A services, including how the amount of funds is determined (Amount of funding is not known at the time of initial consultation)
- Services to be offered, including the allowable use of funds
- Conference registration process
- If LEA is planning to use funds for administrative purposes or indirect costs, how that impacts the nonpublic equitable services amount and what the administrative and/or indirect costs will be used for (Grant amounts posted on NDE website do not take into account amounts set-aside for administrative or indirect costs.)
- ESEA (Elementary and Secondary Education Act) requires that the LEA retain control of all Title I funds, materials, equipment, and property
- If funds are being transferred from Title II- A to Title I how that impacts the allocations for both programs

Title III, Part A – English Language Acquisition and Immigrant Education

- How nonpublic students will be identified as English Learners (ELs)
- How the needs of eligible ELs, their teachers, and other educational personnel will be identified
- The services that the LEA will provide to meet the language development needs of identified ELs, as well as the professional development needs of their teachers and other educational personnel including allowable use of funds
- When, including the approximate time of day the services will be provided
- Whether services will include initial identification of ELs and assessment of their language proficiency, as well as a determination of whether students should exit EL status
- How Title III services will be assessed, and how the results of those assessments will be used to improve services
- The amount of funding available (not known at the time of initial consultation) and how it is determined
- Whether the nonpublic has students eligible for immigrant education services, including the requirements of the program (i.e. definition of an immigrant student, tracking the length of time the student has attended school in the United States, etc.)
- If LEA is planning to use funds for administrative purposes or indirect costs, how that impacts the nonpublic equitable services amount and what the administrative and/or indirect costs will be used for (Administrative costs for Title III is limited to 2% of current funds.) (Grant amounts posted on NDE website do not take into account amounts set-aside for administrative or indirect costs.)
- ESEA (Elementary and Secondary Education Act) requires that the LEA retain control of all Title I funds, materials, equipment, and property

Title IV, Part A – Student Support and Academic Enrichment

- How the amount of funds to provide equitable services to the nonpublic schools is calculated
- Services to be offered, including the allowable use of funds
- If LEA is planning to use funds for administrative purposes or indirect costs, how that impacts the nonpublic equitable services amount and what the administrative and/or indirect costs will be used for (Grant amounts posted on NDE website do not take into account amounts set-aside for administrative or indirect costs.)
- ESEA (Elementary and Secondary Education Act) requires that the LEA retain control of all Title I funds, materials, equipment, and property

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

- Whether the LEA has a school that has been awarded 21st CCLC funds
- Whether an eligible entity other the LEA has been awarded funds under Title IV, Part B and is utilizing a school within the LEA to provide services as a 21st Century Community Learning Center site
- If LEA is planning to use funds for administrative purposes or indirect costs, how that impacts the nonpublic equitable services amount and what the administrative and/or indirect costs will be used for
- ESEA (Elementary and Secondary Education Act) requires that the LEA retain control of all Title I funds, materials, equipment, and property