

Every Student Succeeds Act (ESSA) Equitable Services for Eligible Private Non-Profit (PNP) Schools

General Requirement:

An LEA shall (a) after timely and meaningful consultation with appropriate PNP school officials, provide eligible children and/or staff, on an equitable basis, applicable services such as: instructional services, counseling, mentoring, one-on-one tutoring; professional development opportunities, etc., that address their needs; and for Title I, Part A targeted-assistance programs (b) ensure that teachers and families of the children participate on an equitable basis (pursuant to ESSA, Section 1116).

Authority:

The *Elementary and Secondary Education Act* (ESEA) of 1965, as amended by the *Every Student Succeeds Act* (ESSA) of 2015, Sections 1117 (Title I, Part A) and 8501 (Titles I, Part C; Title II, Part A; Title III, Part A; Title IV, Part A; and Title IV, Part B)

Private Non-profit Participation Data 2017-2018

Total LEA serving PNPs: **315**

Total PNP Schools located within Title I,
Part A Boundaries: **1,374**

Total PNP Schools located outside Title
I, Part A Boundaries: **450**

Overview of Selected Equitable Services Program Requirements:

- LEA must keep annual documentation on file which meet all requirements of the ESSA, Sections 1117 and 8501
- LEAs are required to provide equitable services for eligible PNP school students and staff
- Equitable services must be secular, neutral, and non-ideological for all educational services, materials, professional development opportunities, and equipment
- Equitable services must be provided in a timely manner
- LEA must document timely and meaningful ongoing consultation meetings
- LEA and PNP school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible PNP students meeting the consultation requirements of Sections 1117 and 8501
- LEA must submit signed Affirmation of Consultation forms for each participating PNP school
- LEA is the fiscal agent and must maintain control of all federally-funded purchases for materials, property, and equipment
- LEA must hire and oversee all staff providing instructional services to PNP students
- LEA must complete the PS3099 Private School Schedule to determine equitable services for participating programs
- LEA funds for PNP educational services shall be obligated within the same fiscal year received
- Carryover of unobligated funds for PNP services may only be TEA approved for extenuating circumstances
- LEA shall provide to PNP school officials a written explanation for disagreements
- LEA must ensure all PNP program services meet the needs (according to data) of the PNP students/staff and are reasonable, necessary, allowable, allocable, and meet all Education Department General Administrative Regulation (EDGAR) requirements
- PNP school officials shall have the right to file a formal complaint with TEA Ombudsman if LEA did not provide due consideration to PNP school official views or did not make decision(s) that treat private school/students equitably (after documented attempts to collaborate and reach an agreement with the LEA are not successful)
- Equitable services are monitored and enforced by the TEA Ombudsman

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PNP Program Participation Data, 2017-2018:

Source: ESSA LEA Compliance Report, 2017-2018

Program	PNP Schools Served	PNP Students Served	PNP Staff Served
Title I, Part A	487	7,868	
Title I, Part C	1	1	
Title II, Part A	557		21,625
Title III, Part A – English Learners	100	2,798	
Title III, Part A - Immigrants	13	126	
Title IV, Part A	369	73,370	

Resources:

TEA PNP Webpage: https://tea.texas.gov/Finance_and_Grants/Grants/ESSA_Private_School_Equitable_Services

Title I Capacity Building Initiative Webpage: <https://www.region10.org/programs/title-i-capacity-building-initiative/compliance/program-compliance/equitable-services-for-private-nonprofit-schools>

U.S. Office of Non-Public Education Webpage: <https://innovation.ed.gov/what-we-do/non-public-education>