

## Local Education Agency Affirmation of Consultation with Non-Public School Officials Regarding the CARES Act/ESSER Fund

The following consultation topics are part of the requirements under ESSA § 1117 & § 8501 regarding timely and meaningful consultation with non-public school officials in conjunction with the Elementary and Secondary School Emergency Fund (ESSER Fund) as authorized by the Coronavirus Aid, Relief, and Economic Security (CARES) Act requirements under §18005.

CARES Act § 18005(a). IN GENERAL—A local education agency receiving funds under CARES Act §18002 and §18003 shall provide equitable services in the same manner as provided under ESEA §1117 to students and teachers in non-public schools, as determined in consultation with representatives of non-public schools.

CARES Act § 18005(b) PUBLIC CONTROL OF FUNDS—The control of funds for the services and assistance provided to a non-public school under subsection (a), and title to materials, equipment, and property purchased with such funds, shall be in public agency and a public agency shall administer funds, materials, equipment, and property and shall provide such services (or may contract for the provisions of such services with a public or private entity).

**Programs that apply:** Elementary and Secondary School Emergency Relief Fund (CARES Act §18003)

The following topics must be discussed during the ongoing consultation process; check to indicate that the topic has been discussed.

### **Elementary and Secondary School Emergency Relief Fund (CARES Act § 18003)**

- 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.) (Perkins), or the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), Title VII, subtitle B
- Coordination of preparedness and response efforts of LEAs 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 LEAs
- Training and professional development for staff of the LEA on sanitation and minimizing the spread of infectious diseases
- Purchasing supplies to sanitize and clean the facilities of a LEA, 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 LEA 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 LEAs and continue to employ existing staff of the LEA

**Non-Public School Official (CHECK ONLY ONE):**

- Timely and meaningful consultation was provided, and an ESSER Fund program was designed during the consultation process. 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 to meet the needs of the non-public school children.
- Timely and meaningful consultation was provided, and I understand the eligibility requirements; however, I decline the Elementary and Secondary School Emergency Relief Fund of the CARES Act services at this time.

**By signing or typing my name here, I am affirming submission of this form.**

**LEA Name:** \_\_\_\_\_

**LEA Official Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**LEA Official Title:** \_\_\_\_\_

**Non-Public School or Agency Name:** \_\_\_\_\_

**Non-Public School Representative Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Non-Public School Representative Official Title:** \_\_\_\_\_