

## ESSER 1.0 Local Educational Agency Affirmation of Consultation and Agreement Form for FY21 Carryover Funds

Under the CARES Act, a local educational agency (LEA) that receives funds under ESSER 1.0 (CARES Act § 18003) must provide equitable services to students and teachers in non-public schools in the same manner as provided under the Elementary and Secondary Education Act of 1965 (ESEA) § 1117 (CARES Act § 18005(a)). If an LEA is providing equitable services as required and meeting the obligation of funds requirement in ESEA §1117(a)(4)(B), it generally should not have any, and certainly not significant, carryover. The ESEA, however, does not prohibit carryover of funds for equitable services and, in most cases, requires it. Carryover funds from ESSER 1.0 will be available for obligation through June 30, 2022.

The Every Student Succeeds Act (ESSA) in §§ 1117 and 8501 requires that timely and meaningful consultation between the LEA and non-public school officials occur prior to any decision that affects the opportunities of eligible non-public school students, teachers, and other educational personnel for equitable services. This consultation must be ongoing, continuing throughout the implementation and assessment of these activities.

Use this form to modify previous plans or services and add topics to reflect the actual agreement between the LEA and the non-public school. LEAs must upload consultation agreements for each participating non-public school to the **Related Documents** section of the **FY22 ESSER 1.0** application by **Oct. 1, 2021**. LEAs that have uploaded consultation agreements for each participating non-public school will have satisfied the requirement that consultation agreements be forwarded to the state ombudsman.

**Programs that apply:** Elementary and Secondary School Emergency Relief Fund (ESSER 1.0)

\_\_\_\_\_  
Name of Local Educational Agency (LEA)

\_\_\_\_\_  
Name of Non-Public School or Agency

\_\_\_\_\_  
*Amount of Equitable Services proportionate share total*

\_\_\_\_\_  
*Amount of Equitable Services Carry-Over for the FY22 School Year*

### **Affirmation of Meaningful Consultation**

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

- Timely and meaningful consultation was provided, and an ESSER 1.0 program was designed during the consultation process for the remainder of the ESSER 1.0 funds. Additional consultation has been scheduled throughout the school year.
- Consultation was not timely and meaningful and/or did not result in an equitable ESSER 1.0 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 remainder of the ESSER 1.0 services.

### **Final Agreement**

**Describe how the needs of the students, teachers, or other educational personnel are identified.**

**Describe the size and scope of ESSER Fund equitable services to be provided to eligible non-public school students, teachers, and other educational personnel and the amount of funds available for those services. Example: “ \_\_\_ teachers and \_\_\_\_\_ students are being provided \$\_\_\_\_\_ in services/purchases.”**

**Describe what services will be provided, including how, when, where, and by whom:**

**Describe how decisions about the services will be made, how the services will be assessed, and how the results of the assessment will be used to improve those services. Include in your discussion how progress of the program will be monitored for effectiveness and how the LEA will ensure oversight (for issues including allowability, compliance with program requirements, inventories of equipment and materials, etc.):**



For the program described above, the non-public school agency/school official and the LEA affirms this agreement for the 2021-22 school year. For the program described above, the non-public school agency/school official and the LEA affirms this ESSER 1.0 agreement for the 2021-22 school year.

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