



Career and Technical Education (CTE) Equitable Services Toolkit Federal Programs and Oversight

Tennessee Department of Education | April 2025

Table of Contents

Introduction.....	3
Purpose of the Toolkit	3
Role of the Ombudsman	3
The Authority.....	5
Providing Equitable Services to Private Schools	7
How are services equitable?	7
How are private school personnel and students eligible?	7
Requirements and Responsibilities of LEAs and Private Schools.....	7
What is the LEA responsible for?	7
What is the private school responsible for?	8
Introducing and Offering Equitable Services to Private Schools.....	8
Intent to Participate	8
Suggested Consultation Timeline	8
Frequently Asked Questions.....	10
CTE Resources	11
Equitable Services Complaints.....	11
Statutory Requirement.....	11
Appendix A	14
Equitable Services Complaint to the Ombudsman Form	14

Introduction

The Tennessee Department of Education (department) works to ensure that all students enrolled in public and private schools receive a high-quality, equitable education. Under *Strengthening Career and Technical Education for the 21st Century Act* (Perkins V) Section 217 (a) and (b), local educational agencies (LEAs) provide opportunities for private school children, their teachers, and other staff members to meaningfully participate in career and technical education to the extent it is applicable.

Purpose of the Toolkit

This toolkit was produced under the department, as formulated by law, guidance, and resources from the U.S. Department of Education (ED). It contains information, guidance, and materials for public and private schools within the State of Tennessee. This toolkit only addresses equitable services under the *Strengthening Career and Technical Education for the 21st Century Act* (Perkins V). Other laws, such as IDEA and ESSA, include other types of equitable services provisions that require LEAs to provide equitable participation to private school students, their teachers, and other education programs. The department will address those services in a separate toolkit. This toolkit was developed with the following individuals in mind:

- **LEA Career and Technical Education Directors** – an LEA representative who works with Career and Technical Education and would like to improve communication with private school representatives, while also creating more meaningful consultation and involvement with them.
- **Private School Officials** – a private school representative who desires to participate in Career and Technical Education opportunities from their local LEA, would like to understand the LEA's involvement with providing applicable CTE services and programs for private students, and get a better understanding of program requirements.

The information gained from this toolkit should enhance the collaborative efforts between public and private school officials. Further, this toolkit should also encourage LEAs and private schools to:

- Understand the requirements of the law regarding the equitable participation of private school children, their teachers, and their families;
- Become knowledgeable about practices that enhance collaboration and help support the process of consultation and provision of services;
- Work together as partners to ensure a fair, equitable, and significant opportunity for private school children to receive a quality education under Career and Technical Education; and
- Share best practices and models among colleagues.

Role of the Ombudsman

To help ensure equitable services and other benefits are being provided for eligible private school students, teachers, and other educational personnel, the state must designate an ombudsman to monitor and enforce the requirements. Tennessee has designated the department's federal programs ombudsman to



meet these Career and Technical Education equitable services requirements. For questions regarding information in this toolkit or any other questions related to equitable services to private schools, please contact:

Michelle Harless

Federal Programs Ombudsman

Division of Federal Programs and Oversight

Michelle.Harless@tn.gov

(615) 418-4390

The Authority

Strengthening Career and Technical Education for the 21st Century Act (Perkins V) Section 217, regarding participation of nonprofit private school personnel and children:

- a. *PERSONNEL.—An eligible agency or eligible recipient that uses funds under this Act for in-service and preservice career and technical education professional development programs for career and technical education teachers, administrators, and other personnel shall, to the extent practicable, upon written request, permit the participation in such programs of career and technical education secondary school teachers, administrators, and other personnel in nonprofit private schools offering career and technical secondary education programs located in the geographical area served by such eligible agency or eligible recipient.*
- b. *STUDENT PARTICIPATION. –*
 1. *STUDENT PARTICIPATION.—Except as prohibited by State or local law, an eligible recipient may, upon written request, use funds made available under this Act to provide for the meaningful participation, in career and technical education programs and activities, including programs of study, receiving funding under this Act, of secondary school students attending nonprofit private schools in areas served by the eligible recipient.*
 2. *CONSULTATION.—An eligible recipient shall consult, upon written request, in a timely and meaningful manner with representatives of nonprofit private schools in areas served by the eligible recipient described in paragraph (1) regarding the meaningful participation, in career and technical education programs and activities, including programs of study, receiving funding under this Act, of secondary school students attending nonprofit private schools.*

Tennessee Department of Education Perkins Local Application assurances and conditions to receive Perkins V funding regarding participation of nonprofit private school personnel and children:

14. *If applicable, the eligible recipient shall, upon written request and to the extent practicable, provide opportunities for CTE teachers, administrators, and other educational personnel of private, non-profit schools to participate in CTE related professional development provided by the eligible recipient and will notify the officials of the private schools of said opportunities. This shall be applicable if there are private, non-profit school(s) in the geographical area served by the eligible recipient.*
15. *If applicable, the eligible recipient shall, upon written request and in a timely and meaningful manner, consult with representatives of private, non-profit schools regarding the meaningful participation in CTE programs, services, and activities receiving Perkins V funding of students attending private, non-profit schools. Notices of program offerings to the private school will be offered. This shall be applicable if there are private, non-profit school(s) in the geographical area served by the eligible recipient.*
 - a. *Any educational services or other benefits provided, including materials and equipment, shall be secular, neutral, and non-ideological. Expenditures for such services or other benefits shall be equal (consistent with the number of children to be served) to expenditures for programs of children enrolled in the public schools of the eligible recipient.*

Definitions

Consultation

The term consultation, for the purposes of this document, refers to meaningful discussion, on at least an annual basis, by the eligible recipient LEA with nonprofit private school personnel. This may include, but is not limited to, gathering input on the eligible recipient LEA Perkins Basic Local Application and Comprehensive Local Needs Assessment, providing student participation in CTE related activities, programs, and services, and providing professional development opportunities.

Geographical Area

The term geographical area, for the purposes of this document, refers to the eligible recipient LEA boundary authorized by the local board of education.

Professional Development

The term professional development, for the purposes of this document, has the same meaning given the term in Section 3(40) of Perkins V.

Personnel

The term personnel, for the purposes of this document, refers to teachers, faculty, school leaders, administrators, specialized instructional support personnel, career guidance and academic counselors, or paraprofessionals who provide CTE related activities, programs, and services.

Student Participation

The term student participation, for the purposes of this document, refers to students participating in CTE related activities, programs, and services which are supported with Perkins V funds accepted by the eligible recipient public LEA, including but not limited to, in-school CTE coursework, extracurricular activities, career and technical student organizations (CTSOs) experiences, work-based learning, early postsecondary opportunities (EPSOs), career advisement programs, etc.

Providing Equitable Services to Private Schools

How are services equitable?

For CTE programs, services to private schools are equitable when LEAs:

- Assess, address, and evaluate the needs of private school students, teachers, and parents;
- Provide private school students and teachers with applicable opportunities to participate in activities equivalent to the opportunities provided to public school students and teachers.

How are private school personnel and students eligible?

Based on Section 217 (a) of Perkins V, eligible recipient LEAs are required to notify nonprofit private schools located within the LEA geographical area of CTE related PD opportunities provided by the LEA for public school personnel and, upon written request and to the extent practicable, provide opportunities for nonprofit private school personnel to participate in CTE related professional development provided by the eligible recipient LEA.

Based on Section 217 (b) of Perkins V, eligible recipient LEAs are required to notify nonprofit private schools located within the LEA geographical area of CTE related activities, programs, and opportunities provided by the LEA and, upon written request and in a timely and meaningful manner, consult with nonprofit private school personnel regarding CTE related services and participation of nonprofit private school students.

Requirements and Responsibilities of LEAs and Private Schools

The LEA and the private school each have specific roles and responsibilities throughout the equitable services process that require both parties to collaborate in order to decide how best to utilize opportunities through CTE.

What is the LEA responsible for?

The LEA implements the plan to provide services, communicating with the private school staff as needed along the way. The LEA initiates and guides the overall process, which includes:

- **Communicating** with private schools within LEA boundaries (and eligible private schools outside the boundaries of the LEA) and providing enough information to enable them to make an informed decision on whether equitable services may be beneficial to their students.
- **Establishing** any necessary deadlines and clearly communicating with private schools about expectations, deadlines, and responsibilities, as well as the consequences for not meeting them.
- **Determining** the opportunities available based on data provided by the private school.
- **Providing** services that are agreed upon with the private school and making sure that the private school receives services in a timely manner.
- **Evaluating** services to ensure effectiveness in addressing the needs of the personnel and eligible students who attend the private school.

What is the private school responsible for?

While the LEA serves as the fiscal agent for all equitable services purchases and services, participating private school officials play an important part in the process. Private school officials are responsible for:

- **Providing** the LEA with the private official contact(s). The private school should provide the LEA with a representative to serve in its interest during the consultation process.
- **Assisting** the LEA with the collection of needed information and data. The LEA may not have all the necessary information and data needed to determine CTE opportunities.
- **Contacting** the LEA if there are questions about provision of services. Further, if a private school has students it believes may be eligible for equitable services and the private school has not been contacted by that LEA, it would be prudent for private school officials to contact the LEA directly to ensure that their eligible students are considered for CTE services.
- **Participating fully** in meaningful and timely consultation. Private school officials must also make a good-faith effort to continue communication in a timely manner when the LEA is consulting with the private school. When an LEA provides and requests information, collaboration, and confirmation of services for the private school, timely communication is key to reaching agreement.

Introducing and Offering Equitable Services to Private Schools

Intent to Participate

It is the responsibility of the LEA to seek out eligible private schools that would like to participate in equitable services. While there is no formal Intent to Participate form for CTE; eligible LEAs are encouraged to provide communication to private schools in late fall/early winter that details the CTE program and anticipated available opportunities for the upcoming school year, and private schools are instructed to provide their decision to participate in writing to the LEA. A sample Intent to Participate form is available for LEAs.

Suggested Consultation Timeline

The following timeline illustrates when consultation should occur annually:

- **Late fall/early winter:** LEA informs private school officials annually of anticipated CTE program opportunities for the upcoming school year.
- **Late winter/early spring:** Private school notifies the LEA of its interest to participate in writing.
- **Early/late spring:** LEA hosts consultation meeting with private schools to begin to assess needs and plan services for the upcoming school year. Documentation of the process should be kept on file.
- **Late summer:** If this has not already occurred, LEA and private school come to a final agreement of services based on previous consultation meetings. Documentation of the final agreement should be kept on file.
- **Begin in fall and continue throughout the school year:** LEA provides agreed upon applicable services.

- **Spring:** LEA and private school evaluate programs and services for effectiveness. Use evaluation results to help inform and improve future services.

Frequently Asked Questions

1. **How frequently should the eligible recipient LEA notify nonprofit private school personnel of professional development opportunities, and should this include opportunities that require travel (like conference attendance)?**

Eligible recipient LEAs should notify nonprofit private school personnel of CTE related professional development opportunities provided by the LEA at least annually and allow the opportunity to participate if they so choose. Accommodating and paying for nonprofit private school personnel professional development travel costs would be a local decision based on consultation with the nonprofit private school personnel.

2. **Is the eligible recipient LEA required to design and deliver customized CTE professional development specifically for nonprofit private school personnel?**

The requirement is to notify nonprofit private school personnel of CTE related professional development opportunities provided by the LEA for public school personnel and allow the opportunity to participate if they so choose. Accommodating specific professional development opportunities is not stipulated in the requirement, and the extent to which accommodations are made is a local decision based on consultation with the private school personnel.

3. **Is the eligible recipient LEA required to accommodate nonprofit private school student participation in public school CTE related services?**

The requirement is to consult with nonprofit private school personnel regarding CTE related services and participation. This could include participation in public school CTE related services and/or supporting participation in CTE related services provided at the nonprofit private school. The extent to which accommodations are made for nonprofit private school students to participate in public school CTE related services and/or supporting CTE related services provided at the nonprofit private school would be a local decision based on consultation with the nonprofit private school personnel.

4. **Would “CTE related services” include equipment and/or software purchases for private schools to establish CTE programs or activities at the nonprofit private school campus?**

Yes, this is allowable under Perkins V Sec. 217 (b)(1) and would be a local decision based on consultation with the nonprofit private school personnel. Any expenditures supporting CTE related services provided at the nonprofit private school, including expenditures for equipment and/or software, should be consistent with expenditure practices for public school CTE programs. This information should be retained for fiscal and compliance monitoring purposes.

5. **Would “CTE related services” include participation in CTSOs (travel for competitions, costs, etc.), industry credential testing, work-based learning, or EPSOs provided by the eligible recipient LEA?**

Yes, this is allowable under Perkins V Sec. 217 (b)(1) and would be a local decision based on consultation with the nonprofit private school personnel. Eligible recipient LEAs are strongly encouraged to remain consistent with local board policies and procedures for public school students regarding participation in CTSOs, industry credential testing, work-based learning, and/or EPSOs when accommodating private school student participants.

6. **Is the eligible recipient LEA allowed to charge a class fee for nonprofit private school student participants?**

This would be a local decision based on the consultation with the nonprofit private school personnel. Eligible recipient LEAs are strongly encouraged to remain consistent with local board policies and procedures for public school students regarding class fees when accommodating nonprofit private school student participants.

7. **Is the eligible recipient LEA required to provide transportation for nonprofit private school students to participate in the public school CTE program?**

This would be a local decision based on the consultation with the nonprofit private school personnel. Eligible recipient LEAs are strongly encouraged to remain consistent with local board policies and procedures for public school students regarding transportation when accommodating nonprofit private school student participants, especially in cases where students are transported from a public school to a stand-alone CTE center.

8. **Is the eligible recipient LEA required to provide CTE or career and academic advisement and scheduling services for nonprofit private school students?**

This would be a local decision based on the consultation with the nonprofit private school personnel. Eligible recipient LEAs are strongly encouraged to remain consistent with local board policies and procedures for public school students regarding career and academic advisement and program of study scheduling when accommodating nonprofit private school student participants.

9. **Should the eligible recipient LEA establish expectations for consultation and accommodating nonprofit private school student access to public CTE programs through an official process or procedure?**

Yes. If there is a local board policy or procedure allowing private school students to participate in other public opportunities (i.e., general education courses or extracurricular programs) available, this could be modified to apply to CTE. If no local board policy or procedure exists, then eligible recipient LEAs are strongly encouraged to establish a written policy, procedure, memorandum of understanding, etc., to document the local expectations for consultation with nonprofit private school personnel which details the partnership, communication structure, timelines, scheduling, and all of the various expectations when accommodating nonprofit private school student participants.

10. **Who should LEAs contact with additional questions regarding participation of nonprofit private school personnel and children?**

For additional questions regarding participation of nonprofit private school personnel and children, LEAs should contact CTE.Questions@tn.gov.

CTE Resources

- [CTE Intent to Participate Form](#)
- [CTE Affirmation of Meaningful Consultation](#)

Equitable Services Complaints

Statutory Requirement

Pursuant to the Strengthening Career and Technical Education (CTE) for the 21st Century Act (Perkins V), Section 217, a private school official has the right to file a written complaint with the state education department ombudsman asserting that the LEA did not engage in consultation that was meaningful and

timely, did not give due consideration to the views of the private school, or did not make a decision that treats private school students equitably.

What must be included in a complaint?

Private school officials filing a complaint with the ombudsman concerning equitable services under Perkins V must do so in writing and utilize the form provided with this document, which requires the following information:

- full name, address, email address, and telephone number of individual(s) or organization(s) filing the complaint;
- a description of the situation or allegation, including whether or not the LEA engaged in consultation that was meaningful and timely, gave due consideration to the views of the private school officials, or made decisions that treated non-public school students equitably;
- the name of the LEA the complaint is being filed against, and the names of any other agencies or employees involved;
- a statement identifying which title requiring equitable services has been allegedly violated;
- all facts supporting the allegation; and
- efforts made to resolve the complaint with the school district.

Where should a complaint be sent?

Complaints must be signed by the individual(s) or organization(s) filing the complaint and copied to the LEA representative. Complaints must be sent to the department to the attention of the ombudsman via email to Michelle.Harless@tn.gov.

What happens to a complaint after it is received?

A written complaint will be promptly acknowledged and investigated. Appropriate program staff, including the ombudsman, will conduct a review of the complaint and notify the complainant of receipt. If necessary, an on-site review may be conducted. If appropriate, additional information may be gathered and forwarded to other appropriate offices or organizations.

If additional information is needed, the complainant and the LEA will be contacted. For this reason, a telephone number, address, and email address of the complainant must be included with the complaint. Failure to provide a telephone number, mailing address, and email address could result in the department not being able to adequately respond to the complaint.

Within forty-five (45) calendar days of receipt of the complaint, the ombudsman will investigate and send a written finding of fact to the complainant and the school district.

If areas of noncompliance are found, corrective action will be required, and timelines for completion indicated. All parties will be informed of the areas of noncompliance and the required corrective actions.

How can a complaint decision be appealed?

A. The complainant can appeal the decision by the ombudsman by filing an appeal with the U.S. Secretary of Education within thirty (30) calendar days after the resolution of the complaint. If the forty-five (45) day time limit for response by the ombudsman has passed without a decision, the deadline for filing an appeal is thirty (30) calendar days after the forty-five (45) day deadline.

- B.** The appeal to the U.S. Secretary of Education must be accompanied by a copy of the resolution by the ombudsman and a complete statement of the reasons for the appeal.
- C.** The U.S. Secretary of Education shall investigate and resolve the appeal no later than ninety (90) calendar days after receipt of the appeal.

Appendix A

Equitable Services Complaint to the Ombudsman Form

Equitable Services Complaint to the Ombudsman

Please type or print legibly

Full name and position of individual(s) filing the complaint:		Full name of organization(s):
Complainant mailing address:		Complainant phone number:
LEA against which the complaint is being filed:		Complainant email address:
Did the LEA engage in consultation that was meaningful and timely?* <input type="checkbox"/> YES <input type="checkbox"/> NO		
Did the LEA give due consideration to the views of private school officials?* <input type="checkbox"/> YES <input type="checkbox"/> NO		
Did the LEA make decisions that treated private school students equitably?* <input type="checkbox"/> YES <input type="checkbox"/> NO		
If the complainant checks "YES" to these questions, no formal complaint can proceed but the ombudsman will work with parties to resolve the issue informally		
Which program(s) has allegedly been violated? Please check all that apply. <input type="checkbox"/> CTE programs (Student Participation) <input type="checkbox"/> CTE programs (Staff/Personnel Participation)		
Description of the allegation. (Please include specific dates, communication with LEA personnel, and related facts to each of the title programs checked above):		
List names and telephone numbers of individuals who can provide additional information:		
Have efforts been made to resolve this complaint through the LEA(required)? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, please describe the steps taken:		
Has the complaint been filed with any other government agency? <input type="checkbox"/> YES <input type="checkbox"/> NO If so, please provide the agency's name as well as the date filed:		
If the Tennessee Department of Education does not have jurisdiction to investigate this complaint, do you give permission to send this complaint to the federal and/or state department or agency that has jurisdiction? <input type="checkbox"/> YES <input type="checkbox"/> NO		
Signature of complainant:	Title of complainant:	Date:

Return to the ombudsman and school district, along with
the attached **CONSENT FOR USE OF PERSONAL INFORMATION FORM**.

Equitable Services Complaint to the Ombudsman

Consent for Use of Personal Information

I am aware that it is the policy of the Tennessee Department of Education, to the extent allowed by state law, to protect the identity of complainants who cooperate with the department's reviews and investigations. Because of the nature of equitable services complaints, I understand for this complaint to be investigated, it shall be necessary for the department to release my name and information about me to the LEA that is the subject of this complaint. I understand the information I provide, as well as any information obtained during the review of this complaint, will also be available to any person within the department with a need to know its contents, and may be used for program analysis, review, evaluation, and statistical purposes.

I also understand that any information I provide is subject to any state law which allows any citizen of Tennessee to review the records maintained by the department.

Signature of complainant:

Title of complainant:

Date:

Return to the ombudsman and school district, along with the attached **EQUITABLE SERVICES COMPLAINT TO THE OMBUDSMAN FORM** via email to Michelle.Harless@tn.gov.