
Name of LEA

Name of Private School

ESEA Equitable Services Final Agreement **SY _____**

Final Agreements with private schools are due in ePlan by Sept. 15

Overview

The Every Student Succeeds Act (ESSA) in §§ 1117 and 8501 requires LEAs to provide equitable services to students and teachers in eligible non-public schools. The requirement of providing equitable services is achieved through timely and meaningful consultation between the local educational agency (LEA) and non-public school officials. The consultation process must 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. Further, LEAs are required to finalize all ESSA equitable service agreements with non-public school officials. LEAs that have uploaded consultation agreements for each participating non-public school as described below will have satisfied the ESSA requirement that consultation agreements be forwarded to the ombudsman.

State Ombudsman

To help ensure equitable services and other benefits are being provided for eligible non-public school students, teachers, and other educational personnel, the state must designate an ombudsman to monitor and enforce the requirements under both Title I and Title VIII. Tennessee has designated the department's Title II and equitable services coordinator as the ombudsman for ESSA equitable services requirements. If there has been no consultation or agreement between the LEA and the non-public school, a complaint may be filed on behalf of the non-public school by completing the Complaint to the Ombudsman [form](#) found in [eplan.tn.gov > TDOE Resources > ESSA/IDEA Non-public Schools Information & Documents](#). Complaints must be signed by the individual(s) or organization(s) filing the complaint and copied to the LEA. Complaints must be sent to the department to the attention of the ombudsman via email to Michelle.Harless@tn.gov.

Affirmation of Consultation and Final Agreement Form

This sample form expands upon and finalizes topics from the "Affirmation of Meaningful Consultation" that each LEA uploaded to ePlan as part of the consolidated funding application (CFA). This is not an exhaustive list and may not cover the entire agreement between the LEA and private school officials as each school may have individual or unique needs that could be defined as allowable for equitable services. LEAs utilizing this form should modify and add topics to reflect the actual agreement between the LEA, the private school, and any third-party contractor or other LEA providing services through a Memorandum of Understanding (MOU). LEAs must upload final agreements for each participating private school to the ePlan Equitable Services page under "Related Documents" by **Sept. 15**.

The private school official and LEA agree on the terms below for the following program.
(Use and submit a separate form for each applicable ESSA program):

☐ Title I-A ☐ Title I-C ☐ Title II-A ☐ Title III-A ☐ Title IV-A ☐ Title IV-B

Do not complete if the private school is non-responsive or declining services.

Section 1: Allocation

The equitable share for the school year is estimated to be:

Set-asides from the equitable share:

☐ No ☐ Yes, ____ % admin cost ☐ Yes, _____ % for indirect costs.

Carryover from the previous year's equitable share:

☐ No ☐ Yes, \$ _____ ☐ Yes, but private school declines carryover -
-or- did not respond to deadlines after
reasonable communication efforts were
made by the LEA.

Transfers from the equitable share:

☐ No transfer ☐ Yes, to Title _____ ☐ Private School is not in Agreement.
*If not in agreement, LEA will provide final
decision in writing by date _____

The LEA is providing services to eligible non-public school students, teachers, and other educational personnel by:

☐ pooling funds ☐ on a school-by-school basis

Is the LEA coordinating funds available for private school students and teachers for Title I equitable services with funds available for equitable services required by Title VIII (Titles I-C, II-A, III-A, IV-A, and IV-B)?

☐ Yes ☐ No ☐ N/A – The private school does not
participate in Title I

The private school understands it cannot be directly reimbursed for equitable services program expenditures, and the district explained the procurement process, including deadlines and inventory regulations.

☐ Yes

Section 2: Assessment of Needs

Describe how the proportion of funds allocated under Title I, I-C, II, III, or IV for equitable services is determined:

For Title I-A only: Describe the method or sources of data that the LEA will use to determine the number of private school students from low-income families residing in Title I-participating public school attendance areas:

Describe the size and scope of equitable services to be provided to eligible private school students, teachers, and other educational personnel and the amount of funds available for those services:

Examples: “___ teachers and students are being provided services by___,” or “Since we are coordinating funds with different titles; we are identifying participating students and teachers by ___.”

Section 3: Services

All equitable services, programs, and materials will be secular, neutral, and non-ideological.

☐ Yes

The private school has provided accurate, reliable, and timely data for the purpose of allocating applicable federal funds and developing plans for services and understands that not doing so results in losing their ability to participate in equitable services for the school year.

☐ Yes

☐ Timeline established

☐ Deadlines shared

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.):

Name of LEA

Name of Private School

Signature of LEA Representative Date

Signature of School Representative Date

If the LEA utilizes a third-party contractor or a separate LEA, through a memo of understanding (MOU), to provide equitable services for the eligible non-public school students, teachers, and other educational personnel, the third-party contractor or separate LEA affirms this agreement for the _____ school year. Please attach the MOU or executed third-party contract.

LEA Providing Services through MOU

Name of Third-party Contractor