

## Equitable Services Technical Assistance Paper for 21<sup>st</sup> CCLC Programs

*This technical assistance paper is designed to assist 21<sup>st</sup> CCLC subrecipients in the state of Florida to implement federal and state requirements regarding the provision of equitable services to eligible private school entities. Below is a series of frequently asked questions to help support the implementation of equitable services provisions in 21<sup>st</sup> CCLC programs.*

### **What is meant by equitable services for eligible private school students, teachers and other educational personnel?**

In general, services are considered equitable if the program provides services and benefits to private school students, their teachers, and other educational personnel that:

1. Are similar in both quantity and quality in comparison to the services and benefits provided to public school students, their teachers and other educational personnel;
2. Address and assess the specific needs and educational progress of public and private school students, their teachers and educational personnel on a comparable basis;
3. Provide both groups of students, their teachers and other educational personnel equal opportunities to participate in program activities; and
4. Provide private school students, their teachers and other educational personnel with an opportunity to participate in a program that is equally provided to public school children which serves a reasonable promise of effective and challenging academic standards.

More information can be found by reading the U.S. Department of Education (USED) Non-Regulatory Guidance: Fiscal Changes and Equitable Services Requirements Under The Elementary and Secondary Education Act of 1965 (ESEA), As Amended by The Every Student Succeeds Act (ESSA) published in November 21, 2016. This guidance can be found at <https://www2.ed.gov/policy/elsec/leg/essa/essaguidance160477.pdf>.

### **Why must we consult with private schools and provide equitable services for eligible private school students, teachers, and other educational personnel?**

Federal law outlined in both the Every Student Succeeds Act (ESSA) and the Education Department General Administrative Regulations (EDGAR) that a requirement of 21<sup>st</sup> CCLC-funded programs is to provide equitable services to eligible private school students, teachers and other educational personnel and must consult with private school officials.

### **What are the Florida Department of Education's (FDOE) specific requirements?**

The FDOE Project Application and Amendment Procedures for Federal and State Programs (Green Book) General Assurances states: "After timely and meaningful consultation, the recipient will provide the opportunity for children enrolled in private, non-profit schools, and the educational personnel of such schools, equitable participation in the activities and services provided by these federal funds, and will notify the officials of the private schools of said opportunity." 21<sup>st</sup> CCLC programs must, at a minimum, consult with officials from those private schools located in the specific geographic area(s) served by program site(s).

### **What is meant by consultation with private school officials?**

The goal of consultation is an agreement between the LEA and appropriate private school officials on how to provide equitable and effective programs for eligible private school children.

The USED defines consultation as involving communications and discussions between the applicant and private school officials on “key issues that are relevant to the equitable participation of eligible private school students, teachers and other educational personnel in the 21<sup>st</sup> CCLC program.” Consultation must be “meaningful,” meaning it provides the opportunity for all parties to present their views, have those views seriously considered, and allow for the discussion of viable options for ensuring equitable participation of private school students, teachers and other educational personnel. Consultation must also be “timely,” meaning adequate notice of the consultation is provided allowing all parties to be well-prepared for the consultation. It also requires that the consultation occur with sufficient time for the applicant to consider the items identified in the consultation and include them in their application as appropriate.

### **When should consultation occur?**

In order to finalize a decision that directly affects the opportunities of eligible private school children, teachers and other educational personnel to participate in the 21<sup>st</sup> CCLC program, a consultation must first occur. This decision must continue throughout the duration of the award.

### **What might be discussed during the consultation?**

Throughout the consultation process, the subrecipient must design a coordinated program with services that meet the needs of the private school and its students. Please be sure to keep an agenda, minutes and roster for each of the consultations. Some examples of points to discuss during the consultation are:

1. The services that will be offered to eligible private school students.
2. The services that will be offered to eligible private school students and their teachers or other educational personnel attending private schools located within the subrecipient’s service area.
  - a. Please note that eligible private school students do not have to participate in order for their teachers or other educational personnel to receive equitable services like professional development.
3. How, where and by whom will the services will be provided.
4. How the students will arrive to the program site.
  - a. Please note that it is not the subrecipient’s responsibility to provide transportation to and from the private school to the program site.
5. How the services will be assessed and how the results of the assessment will be used to improve services.
6. The size and scope of the equitable services to be provided to the eligible private school children, teachers and other educational personnel.
7. How the subrecipient will collaborate with the teachers of the private school students in discussing curriculum, lesson plans, homework help and behavioral issues.
8. How the private school will share the evaluative data.

### **What if you disagree with a private school during consultation?**

If the subrecipient disagrees with the views of the private school officials on the provision of services, the subrecipient must provide the private school officials with a written explanation of the reasons why the subrecipient has chosen not go with the private school’s recommendation or provide services to them.

### **How do you determine if you have eligible private schools in your specific geographic area(s)?**

1. Review your original awarded application to see if your application addresses the pre-selected specific geographic area(s) served by your 21<sup>st</sup> Century Community Learning Center (21<sup>st</sup> CCLC) program site(s).

2. If your application does not address your specific geographic area(s), use the school zone(s) of your target school(s).
3. If your application does not address your specific geographic area(s), and your target schools are not schools with a school zone, please contact your assigned 21<sup>st</sup> CCLC Program Development Specialist (PDS) for help in determining your specific geographic area(s).
4. To help locate eligible private schools in your specific geographic area(s), please refer to the list of private schools on the Florida Private Schools Directory found at:  
<http://www.floridaschoolchoice.org/Information/PrivateSchoolDirectory/>.
  - a. Please note that private schools must be non-profit to be eligible to receive consultation or equitable services.

### **What must 21<sup>st</sup> CCLC subrecipients do annually to be compliant?**

1. Subrecipients must complete the Equitable Services for Private School Participation form during the RFA process.
2. In a written document, subrecipients must offer private school officials the opportunity to collaborate, and must provide equitable services to students and their teachers and other educational personnel attending private schools located within their service area.
  - a. Subrecipients must have documentation showing that these letters were sent. Examples of appropriate documentation may include: certified mail, emails or faxes.
3. Please remember that subrecipients are required to show that they provided eligible private schools the opportunity to collaborate and equitable services; however, private schools are not obligated to respond.
4. If a private school does respond and indicates they want to participate in one or more activities, the subrecipient must:
  - a. Consult with private school officials during the development of the 21<sup>st</sup> CCLC program activities for each program year on issues such as how the children's needs will be identified and what services will be offered.
  - b. Offer equitable services to students and their teachers and other educational personnel attending private schools located within their service area.

### **What should our letter to private schools say?**

To help subrecipients become/remain compliant, a template has been created for your organization to use when initially offering private school officials the opportunity to collaborate.

If you choose to use the template, please be sure to do the following:

1. Make a list of all of the eligible private schools in your specific geographic area(s)
2. Insert all of the corresponding information for each of the eligible private schools
3. Send the letter via certified mail, email (with a delivery and read receipt), or fax with delivery confirmation
4. Be sure to save copies of these letters and any documentation that these letters were sent

### **Are there any additional requirements?**

In addition to the requirements already addressed, please remember that subrecipients are obligated to comply with the requirements made in their original awarded application.

Please note that this document is to assist subrecipients in becoming/remaining compliant with the 21<sup>st</sup> CCLC requirements. This document is an aid and is in no way meant to lessen the requirements imposed by applicable federal and state laws and regulations or the specific requirements in your original awarded application or applicable RFA/RFP. If you have any questions, please contact your assigned 21<sup>st</sup> CCLC Program Development Specialist.