



# Private School Consultation

**CALIFORNIA DEPARTMENT OF EDUCATION**

Tony Thurmond, State Superintendent of Public Instruction



# What is Private School Consultation?

To ensure timely and meaningful consultation, a local educational agency (LEA) must consult with appropriate private school officials during the design and development of the LEA's programs.

ESSA sections 1117(b) and 8501(c)



# Timely and Meaningful Consultation

- ✓ Effective consultation provides a genuine opportunity for all parties to express their views and to have those views considered.
- ✓ Successful consultation establishes positive and productive working relationships.
- ✓ Consultation continues throughout implementation of equitable services.
- ✓ A unilateral offer of services by an LEA with no opportunity for discussion, or the application of a blanket rule, is not adequate consultation.





# Consultation Requirement

- **Goal of consultation is to reach agreement between the LEA and the appropriate private school officials on how to provide equitable and effective programs for eligible private school children.**
  - The results of the consultation will be submitted by the LEAs in the Spring through the California Department of Education (CDE) Consolidated Application and Reporting System (CARS).



# LEAs are required to:

Consult with private schools

Determine the proportional share  
for equitable services

Provide equitable services to  
eligible students and staff

Offer secular, neutral, and  
non-ideological services



# Private schools may assist this process by:

Participating and having the goal of reaching agreement in the ongoing consultation with the LEA

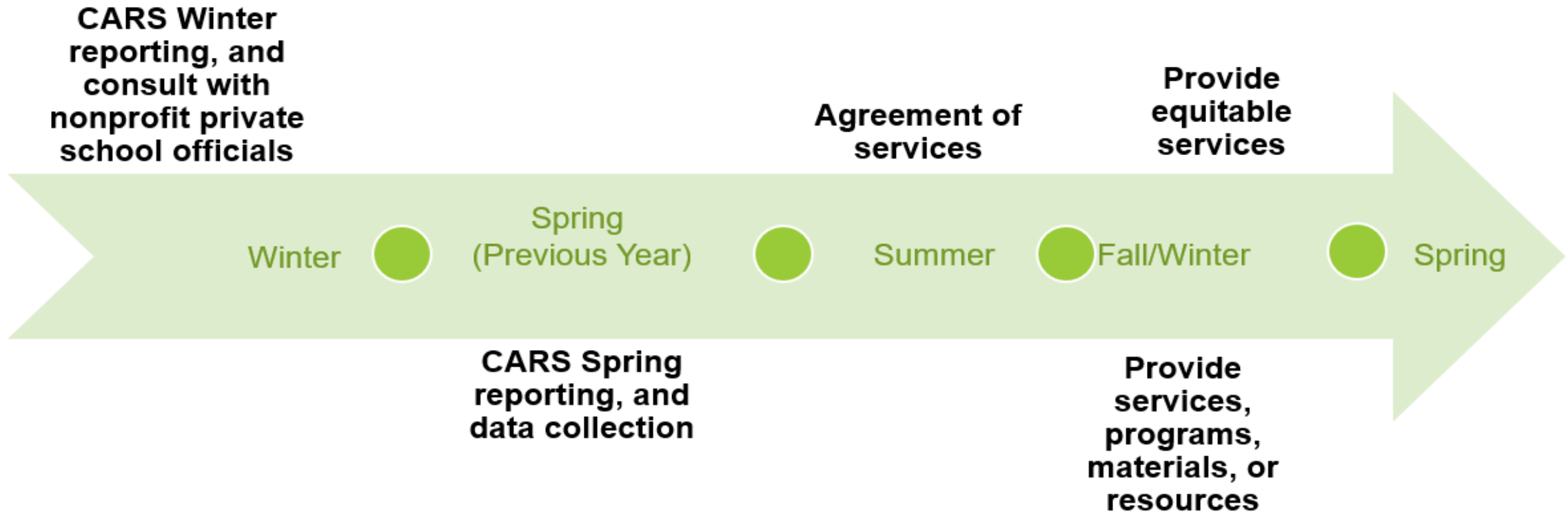
Responding to the LEAs request for information

Providing documentation on the needs of students and educators

Allowing the assessment of student achievement



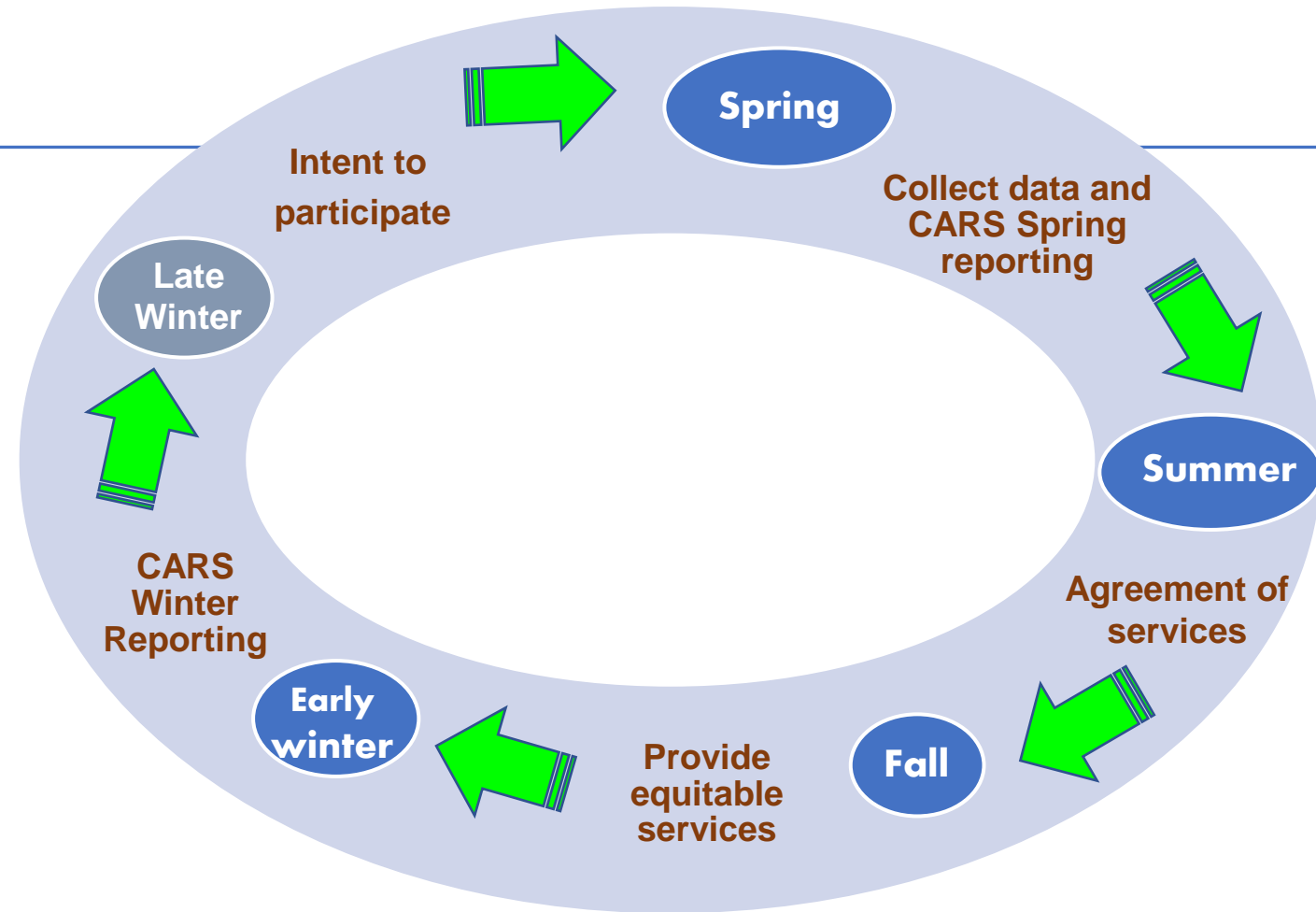
# Suggested Consultation Timeline





# A Different View of A Suggested Documentation Timeline

- ✓ Intent to Participate
- ✓ Consultation Results
- ✓ Written Affirmation
- ✓ Contract of Services
- ✓ Assessment of Services
- ✓ Allocation of Funds







# Funding versus Services

- Under the ESSA, no funds may be paid directly to the private school.
- LEAs determine the proportion of funds to be allocated for equitable services to participating private schools.
- Services are determined during consultation based on assessment results and students identified needs.
- Curriculum, equipment, and other materials purchased to implement this program are the property of the LEA.



# Obligation of Funds



- Funds allocated to the LEA for educational services and other benefits to eligible private school children must be obligated in the fiscal year for which the funds are received by the LEA.

ESSA sections 1117 and 8501(a)(4)(B)

Federal  
Fiscal  
Year



# Provision of Services

- The provision of services must be provided either:
  - (i) by employees of the LEA; or
  - (ii) through a 3<sup>rd</sup> party contract by the LEA with an individual, association, agency, or organization.

ESSA sections 1117 and 8501(d)(2)(A)



# Third Party Contract

- If during consultation, it is decided a third-party contractor is to be used, the contract is between the **LEA** and the **contractor**.
- All contracts must be under the control and supervision of the LEA.
- The third-party contractor must be independent of the private school, and of any religious organization.

ESSA sections 1117 and 8501(d)(2)(B)