

**CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT)  
AFFIRMATION OF CONSULTATION WITH PRIVATE SCHOOL OFFICIALS**

*FORM SUBMISSION: Public and private school officials must review and complete this form together. Once completed, the LEA will upload the document into the Grants Management System. Each party should keep a copy for your records.*

**The Elementary and Secondary School Emergency Relief Fund (ESSER Fund), through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), is established to provide local educational agencies (LEAs) with emergency relief funds to address the impact that COVID-19 has had, and continues to have, on elementary and secondary schools.**

An LEA receiving either of the above funds must offer to provide equitable services to students and teachers in all non-public, non-profit, accredited schools located in the LEA, even if a non-public school has not previously participated under Title I, Part A or Title VIII of the ESEA.

* Timely and meaningful consultation must occur between the LEA and private school officials prior to any decision that affects the opportunities of private school children, teachers, and other educational personnel to participate. The goal of consultation is to reach an agreement between the LEA and appropriate private school officials on how to provide equitable and effective programs for private school children and teachers.
* During consultation, the School District representative must discuss the needs of the private school students and teachers to determine the best use of the equitable proportion.
* The services, materials, or other benefits shall be secular, neutral, and nonideological.
* The special needs of the private school may be different from the public school, and therefore, the activity provided may be different.
* The control of funds used to provide equitable services is maintained by the LEA. Materials purchased with the funds are administered by the LEA and remain the property of the LEA.
* Services shall be provided by an employee of the LEA or through a contract by the LEA with an individual or entity independent of the private school.
* Consultation will need to be on-going throughout the life of the grant as the needs of the private school may change.

The ESSER Funds (Section 18003) can be used for any of following 12 allowable activities:

* Any activity authorized by the ESEA of 1965, including the Native Hawaiian Education Act and the Alaska Native Educational Equity, Support, and Assistance Act (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) (‘‘IDEA’’), the Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) (‘‘the Perkins Act’’), or subtitle B of title VII of the McKinney Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).
* Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.
* Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.
* Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.
* Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.
* Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.
* Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.
* Planning for and coordinating during long term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1401 et seq.) and how to ensure other educational service scan continue to be provided consistent with all Federal, State, and local requirements.
* Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment.
* Providing mental health services and supports.
* Planning and implementing activities related to summer learning and supplemental after school programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.
* Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency.



**Affirmation of Consultation for CARES Act ESSER Funding**

**Name of LEA: **

**Name of the Non-public School: **

**Name of Non-public School Representative: **

**Non-public School Representative Title: **

**Phone Number: **

**Email: **

**Non-Public School Official:**

The LEA engaged in timely and meaningful consultation before any decisions were made that affects the private school equitable participation in CARES services.

The LEA did not engage in timely and meaningful consultation before any decisions were

made that affects the private school equitable participation in CARES services.

An agreement for services was agreed upon during consultation and is equitable to meet the needs of the nonpublic school.

The nonpublic school plans to participate. Agreement for services has not been determined at this time, however, consultation will be ongoing to determine appropriate equitable services.

An agreement for services was not equitable and agreed upon during consultation.

The nonpublic school has declined equitable services for the CARES ESSER funds.



If the non-public school does not feel consultation was appropriate or the services suggested are equitable, please provide an explanation to the LEA below.

**Signature:  Date: **