



STATE OF NEW JERSEY DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: June 3, 2020
To: Chief School Administrators
Route To: District Federal ESSA Grant Administrators, School Business Administrators
From: Constance Webster, Ph.D., ESSA Nonpublic School Ombudsman
Interdistrict Public School Choice and Nonpublic School Programs
Division of Finance

District Consultations with Nonpublic Schools Regarding ESSA Titled Programs

This memo serves as a reminder to districts of the requirement of the *Every Student Succeeds Act of 2015 (ESSA)* to provide consultation for equitable services for nonpublic school students, their teachers, and other educational personnel.

For districts to comply, outreach and consultation must begin before the implementation of services. The New Jersey Department of Education (NJDOE) advises districts to begin the *Elementary and Secondary Education Act (ESEA)* consultation process as soon as possible to ensure that all third-party contracts and agreements are executed no later than June 30, 2020, so services can begin on July 1, 2020.

As a result of the public health-related school closures, all consultations should be conducted virtually, and all signed forms should be collected via email.

Once successful consultation begins, it establishes positive and productive working relationships and ensures effective planning. Consultation should then continue throughout implementation of equitable services to ensure that the services meet the needs of eligible students, their teachers, and other educational personnel.

ESSA Nonpublic School Consultation Toolkit

To support districts and nonpublic schools in the consultation process, an [ESSA Nonpublic School Consultation Toolkit](#) is available and includes the following program resources and guidance:

- Local education agency (LEA) Requesting Consultation with Nonpublic School (sample letter)
- ESEA Nonpublic Affirmation of Consultation
- ESEA Nonpublic Refusal of Funds Affirmation
- Use of ESEA Funds to Meet Identified Nonpublic Student Needs, A Planning Template for Nonpublic Schools

Title I-Specific Consultation Tools

- Locating Nonpublic School Students Eligible to Participate in Title I
- Nonpublic School Request for Consultation from a School District
- Title I Nonpublic School Service Agreement
- Nonpublic School Low Income Family Survey
 - **Note:** Section 1117(a)(4)(D) allows an LEA to collect this data annually or biennially. Due to the difficulty some nonpublic schools may have in collecting low-income data from their families this year, the Department recommends offering nonpublic schools the option of using last year's low-income data to determine eligibility.

Guidance

- Purposes and Uses of Funds for ESEA Titled Programs
- Consultation for ESEA Nonpublic Equitable Services

If there are any questions, please email ombudsman.nonpublic@doe.nj.gov.

c: Members, State Board of Education
Lamont O. Repollet, Ed.D., Commissioner
Garden State Coalition of Schools

Statewide Parent Advocacy Network
NJ LEE Group
Nonpublic School Advisory Council