



Date: May 10, 2023
To: Chief School Administrators
Route To: District Federal ESSA Grant Administrators, School Business Administrators
From: Christopher Irving, Ed.D., Assistant Commissioner
Division of Field Services and Support

School District Consultations with Nonpublic Schools Regarding ESSA Titled Programs

This memo serves as a reminder to public school districts of the requirement of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act (ESSA) to provide consultation for equitable services for nonpublic school students, their teachers, and other educational personnel. Consultation establishes positive and productive working relationships and ensures effective planning.

Consultation must begin before the implementation of services and must continue throughout implementation of equitable services to ensure that the services meet the needs of eligible students, their teachers, and other educational personnel. The New Jersey Department of Education (NJDOE) advises school districts to begin the ESSA consultation process as soon as possible to ensure that all third-party contracts and agreements are executed no later than June 30, 2023, so services can begin on July 1, 2023. Consultations may be conducted virtually and all signed forms may be collected via email.

ESSA Nonpublic School Consultation Tools and Guidance

[ESSA Nonpublic School Consultation Tools and Guidance](#) are available to support school districts and nonpublic schools in the consultation process, including the following:

Consultation Toolkit

- Local Education Agency (LEA) Requesting Consultation with Nonpublic School (sample letter)
- ESEA Nonpublic School Affirmation of Consultation
- ESEA Nonpublic School Participation Refusal 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 with LEA (sample letter)
- 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.

Guidance

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

Please email questions to ombudsman.nonpublic@doe.nj.gov.

c: Members, State Board of Education
NJDOE Staff
Statewide Parent Advocacy Network
Garden State Coalition of Schools
NJ LEE Group
Nonpublic School Advisory Council