

Consultation Quick Reference Chart		
Consultation Topics	Equitable Services – ESEA Section 1117	Equitable Services - ESEA Section 8501
	TITLE I, PART A	TITLE VIII PROGRAMS: TITLE I, PART C; TITLE II, PART A; TITLE III, PART A; TITLE IV, PART A; AND TITLE IV, PART B
<b>Timing of Consultation</b>	(3) TIMING.—Such consultation <b>shall</b> include meetings of agency and private school officials and <b>shall</b> occur before the local educational agency makes any decision that affects the opportunities of eligible private school children to participate in programs under this part. Such meetings <b>shall</b> continue throughout implementation and assessment of services provided under this section.	(3) TIMING.—The consultation required by paragraph (1) <b>shall</b> occur before the agency, consortium, or entity makes any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate in programs under this Act, and <b>shall</b> continue throughout the implementation and assessment of activities under this section.
<b>Consultation</b>	(b) CONSULTATION.— (1) IN GENERAL.—To ensure timely and meaningful consultation, a local educational agency <b>shall</b> consult with appropriate private school officials during the design and development of such agency's programs under this part. Such agency and private school officials <b>shall</b> both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children, the results of which agreement <b>shall</b> be transmitted to the ombudsman designated under subsection (a)(3)(B). Such process <b>shall</b> include consultation on issues such as—	(c) CONSULTATION.— (1) IN GENERAL.—To ensure timely and meaningful consultation, a State educational agency, local educational agency, educational service agency, consortium of those agencies, or entity <b>shall</b> consult with appropriate private school officials. Such agency and private school officials <b>shall</b> both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children, on issues such as—
	Consultation Topics	Consultation Topics
<b>#1 Needs</b>	(A) how the children's needs will be identified;	(A) how the children's needs will be identified;
<b>#2 Services</b>	(B) what services will be offered;	(B) what services will be offered;
<b>#3 Timing of Services</b>	(C) how, where, and by whom the services will be provided;  Also: (K) when, including the approximate time of day, services will be provided; and	(C) how, where, and by whom the services will be provided;
<b>#4 Effectiveness</b>	(D) how the services will be academically assessed and how the results of that assessment will be used to improve those services;	(D) how the services will be assessed and how the results of the assessment will be used to improve those services;
<b>#5 Size &amp; Scope</b>	(E) the size and scope of the equitable services to be provided to the eligible private school children, the proportion of funds that is allocated under subsection (a)(4)(A) for such services, and how that proportion of funds is determined; *including administrative funds	(E) the size and scope of the equitable services to be provided to the eligible private school children, teachers, and other educational personnel, the amount of funds available for those services, and how that amount is determined; *including administrative funds

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<b>#6 Poverty</b>	(F) the method or sources of data that are used under subsection (c) and section 1113(c)(1) to determine the number of children from low-income families in participating school attendance areas who attend private schools;	
<b>#7 Decision Making</b>	(G) how and when the agency will make decisions about the delivery of services to such children, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers;	(F) how and when the agency, consortium, or entity will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of services through potential third-party providers;
<b>#8 Disagreement</b>	<p>(H) how, if the agency disagrees with the views of the private school officials on the provision of services through a contract, the local educational agency will provide in writing to such private school officials an analysis of the reasons why the local educational agency has chosen not to use a contractor;</p> <p>Also:            (2) DISAGREEMENT.—If a local educational agency disagrees with the views of private school officials with respect to an issue described in paragraph (1), the local educational agency <b>shall</b> provide in writing to such private school officials the reasons why the local educational agency disagrees.</p>	<p>(2) DISAGREEMENT.—If the agency, consortium, or entity disagrees with the views of the private school officials on the provision of services through a contract, the agency, consortium, or entity <b>shall</b> provide to the private school officials a written explanation of the reasons why the local educational agency has chosen not to use a contractor.</p>
<b>#9 Service Provider</b>	(I) whether the agency <b>shall</b> provide services directly or through a separate government agency, consortium, entity, or third-party contractor;	(G) whether the agency, consortium, or entity <b>shall</b> provide services directly or through a separate government agency, consortium, or entity, or through a third-party contractor; and

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<b>#10 Delivery Model</b>	(J) whether to provide equitable services to eligible private school children— (i) by creating a pool or pools of funds with all of the funds allocated under subsection (a)(4)(A) based on all the children from low-income families in a participating school attendance area who attend private schools; or (ii) in the agency's participating school attendance area who attend private schools with the proportion of funds allocated under subsection (a)(4)(A) based on the number of children from low-income families who attend private schools;	(H) whether to provide equitable services to eligible private school children— (i) by creating a pool or pools of funds with all of the funds allocated under subsection (a)(4)(C) based on all the children from low-income families in a participating school attendance area who attend private schools; or (ii) in the agency's participating school attendance area who attend private schools with the proportion of funds allocated under subsection (a)(4)(C) based on the number of children from low-income families who attend private schools.
<b>#11 Coordination of Funds</b>	(L) whether to consolidate and use funds provided under subsection (a)(4) in coordination with eligible funds available for services to private school children under applicable programs, as defined in section 8501(b)(1) to provide services to eligible private school children participating in programs.	
<b>#12 Documentation</b>	(5) DOCUMENTATION.—Each local educational agency <b>shall</b> maintain in the agency's records and provide to the State educational agency involved a written affirmation signed by officials of each participating private school that the meaningful consultation required by this section has occurred. The written affirmation <b>shall</b> provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children. If such officials do not provide such affirmation within a reasonable period of time, the local educational agency <b>shall</b> forward the documentation that such consultation has, or attempts at such consultation have, taken place to the State educational agency.	(5) DOCUMENTATION.—Each local educational agency <b>shall</b> maintain in the agency's records, and provide to the State educational agency involved, a written affirmation signed by officials of each participating private school that the meaningful consultation required by this section has occurred. The written affirmation <b>shall</b> provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children. If such officials do not provide such affirmation within a reasonable period of time, the local educational agency <b>shall</b> forward the documentation that such consultation has, or attempts at such consultation have, taken place to the State educational agency.