**Sample\* Affirmation of Consultation and Agreement with Private School Officials for the Coronavirus Aid, Relief, and Economic Security (CARES) Act Elementary and Secondary School Emergency Relief Fund (ESSERF)**

Sec. 18005. of the Coronavirus Aid, Relief, and Economic Security Act requires a local educational agency receiving funds under section 18003 shall provide equitable services in the same manner as provided under section 1117 of the ESEA of 1965 to students and teachers in non-public schools, as determined in consultation with representatives of non-public schools.

***The following topics must be discussed during the ongoing consultation process:***

1. how needs will be identified
2. what services will be offered
3. how, where, and by whom the services will be provided
4. how the services will be evaluated
5. size and scope of the equitable services to be provided, the amount of funds available for those services, and how that amount is determined
6. method or sources of data that are used to determine the number of children who attend private schools
7. how and when the district 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 a contract with potential third-party providers
8. how, if the district disagrees with the views of the private school officials on the provision of services, the district will provide in writing to such private school officials an analysis of the reasons why
9. whether the district shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor
10. whether to provide equitable services to the eligible private school by creating a pool or pools of funds with all of the funds allocated based on all the children who attend private schools
11. when, including the approximate time of day, services will be provided

**Place an “X” below to indicate intended participation in the CARES Act ESSERF authorized activities Sec.18003(d):**

* 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](http://uscode.house.gov/quicksearch/get.plx?title=20&section=6301) et seq.), the Individuals with Disabilities Education Act ([20 U.S.C. 1400](http://uscode.house.gov/quicksearch/get.plx?title=20&section=1400) et seq.) (“IDEA”), the Adult Education and Family Literacy Act ([20 U.S.C. 1400](http://uscode.house.gov/quicksearch/get.plx?title=20&section=1400) et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 ([20 U.S.C. 2301](http://uscode.house.gov/quicksearch/get.plx?title=20&section=2301) et seq.) (“the Perkins Act”), or subtitle B of title VII of the McKinney-Vento Homeless Assistance Act ([42 U.S.C. 11431](http://uscode.house.gov/quicksearch/get.plx?title=42&section=11431)et seq.).
* Coordination of preparedness and response efforts of the private school 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 other school leaders with the resources necessary to address the needs of their 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 private schools.
* Training and professional development for staff of the private school on sanitation and minimizing the spread of infectious diseases.
* Purchasing supplies to sanitize and clean the facilities of a private school, 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](http://uscode.house.gov/quicksearch/get.plx?title=20&section=1401) et seq.) and how to ensure other educational services can 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 private school 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 the private school and continuing to employ existing staff of the private school.

**Non-Public School Official *(CHECK ONLY ONE):***

* **We agree that timely and meaningful consultation occurred before the district made any decision that affected the participation of eligible private school children, teachers, or parents in the CARES Act ESSERF. We agree to participate in the above checkboxes and will provide required school enrollment information.**
* **We disagree timely and meaningful consultation occurred.**
* **We agree timely and meaningful consultation occurred and I understand eligibility requirements; however, we decline participation in the CARES Act ESSERF.**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  |  |  |  |  |  |
| Public School Official |  | Date |  | Private School Representative |  | Date |
|  | | |  |  | | |
| School District | | |  | Name of Private School Agency or School | | |

**The district must maintain a copy of this form in its records and provide a copy to DEED by uploading it to the CARES Act ESSERF Application Related Documents in GMS.**