

CARES Act Equitable Services

Overview for LEAs and Private Schools

May 20-21, 2020



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VISION

To create a world-class educational system that gives students the knowledge and skills to be successful in college and the workforce, and to flourish as parents and citizens

MISSION

To provide leadership through the development of policy and accountability systems so that all students are prepared to compete in the global community

1

ALL

Students
Proficient
and Showing
Growth in
All Assessed
Areas



2

EVERY

Student
Graduates
from High
School and
is Ready for
College and
Career



3

EVERY

Child Has
Access to
a High-
Quality Early
Childhood
Program



4

EVERY

School Has
Effective
Teachers and
Leaders



5

EVERY

Community
Effectively
Uses a
World-Class
Data System
to Improve
Student
Outcomes



6

EVERY

School and
District is
Rated "C"
or Higher



AGENDA

- Background
- Private School Eligibility
- Equitable Services Process
- Initial Contact Letter and Intent to Participate form
- Determining Low-income Qualifying Students

AGENDA

- Determining the Amount of the Equitable Share
- Allowable Uses
- Disputes and Dispute Resolution

Please type questions into the question box. We will review and answer in writing.

CARES Act Equitable Services

The Elementary and Secondary School Emergency Relief Fund (ESSERF) component of the CARES Act will provide every Mississippi LEA will receive an allocation. Today we will discuss the equitable services requirements of ESSERF.

ESSERF – Allocation to LEAs

ESSERF will distribute roughly 70% of an ordinary yearly Title I-A allocation to LEAs.

ESSERF – Private School Eligibility

All nonprofit private schools are eligible to participate in ESSERF equitable services, regardless of past participation in equitable services programs.

Only nonprofit private schools are eligible. To qualify, the entity operating the school must be a nonprofit corporation registered with the Mississippi Secretary of State. ([MS Sec. State search](#))

Grades K-12 qualify. A private school serving any of these grade levels is eligible for ESSERF equitable services. PreK-only schools do not qualify.

ESSERF – Equitable Services Process

Mississippi LEAs will administer ESSERF equitable services to private schools in the traditional manner. In summary:

- Search and contact
- Intent to participate and begin consultation
- Establish low-income student count and equitable share
- Conclude consultation with Plan and Written Affirmation
- Convey Plan and Affirmation to Ombudsman (Dispute?)

ESSERF – Search and Contact

Mississippi LEAs must identify and contact every private school in the LEA's attendance area. Retain evidence of searches.

- Internet searches (retain printouts)
- Circulate a District office email (retain email chain)

Ask if anyone knows of a new K5, a new church school, etc. Several private schools have been found this way.

Report any newly found private schools to the Ombudsman.

ESSERF – Initial Contact Letter and Intent to Participate

An ESSERF Initial Contact Letter and Intent to Participate form has been optimized for email completion.

This form was distributed to LEAs on Monday, May 18, with instructions to complete the identifying District information, save changes, and email to each private school identified in the LEA.

The private school can then fill in the *Intent to Participate* portion of the form, include a typed electronic signature, save changes, and return the entire form by email to the LEA.

ESSERF – Initial Contact Letter and Intent to Participate

Let's look at the form.

(see, MCAPS)

ESSERF – Participation? Upload forms

If a private school has not responded to the Initial Contact form within seven (7) days, the LEA must call and email the school until contact is made (retain call log and emails).

The goal is to receive back an Intent to Participate form from every private school, either agreeing to participation or declining.

LEAs must upload the returned forms to their LEA Document Libraries in MCAPS, in the FY20 Root Directory. Subfolders will be provided in the Equitable Services folder for ESSERF Intent to Participate and ESSERF Plan and Written Affirmation.

ESSERF – MDE Position on Share Proportioning

Section 18005(a) of the CARES Act requires school districts to “provide equitable services in the same manner as provided under section 1117 of the ESEA.”

The Mississippi Department of Education has concluded this language requires the “low-income” student identification of ESEA section 1117 must be used to proportion the funds between public and private school students.

ESSERF – Determine Low-Income Student Count

For private schools electing to participate, begin consultation immediately.

Determine the low-income student count at the private school.

- Establish a new low-income count based on March 2020 enrollment using the *Household Income Survey* form to be made available.
- If a private school currently participating in Title I-A agrees to use its low-income student count from March 2019, this number may be used without further steps.

ESSERF – Determine Low-Income Student Count

- The LEA verifies that if the student went to public school – based on address and grade – the student would attend a Title I-A served school and grade.
- The LEA contacts outside LEAs for potential share contribution. A Memorandum of Understanding form will be made available for LEAs
- Students meeting these three elements (low-income, I-A served address, and I-A served grade level) form the private school's proportion generating its share of ESSERF funding.

ESSERF – Example of Equitable Share

In the following example, the LEA's allocation of ESSERF funds will be proportioned between the public and private schools according to the "low-income students" measure.

Example: In an LEA with 1000 students enrolled in K-12, with 950 students qualifying as low-income, and serving one private school with 500 students enrolled in K-12, 50 of whom qualify as low-income, the proportion of ESSERF funds received by the private school will be 5% of the LEA's total allocation. This calculation will be performed by an MCAPS ESSERF module.

ESSERF – Allowable Uses (Ground Rules)

ESSERF funds may be used in 12 broad categories of use listed in the CARES Act statutes. Here are the “ground rules:”

- All students and teachers at the private school may benefit from the equitable share; narrow program usage restrictions do not apply (“Here is a computer, go do distance learning!”)
- Restrictive regulations (CFRs) and rules such as “supplement-not-supplant” do not apply
- Use must be secular, neutral and nonideological (private school “assurance” is required in Written Affirmation) and the LEA retains ownership of equipment, materials and supplies.

ESSERF – Allowable Uses (Ground Rules)

- The LEA must maintain control of funds. Cash/checks are never handed over to the private school, though individual teachers may be reimbursed directly for travel and enrollment costs associated with Professional Development.
- The needs of the private school may differ from the needs of the LEA.
- An *ESSERF Equitable Services Consultation Checklist* and a separate, but aligned, *ESSERF Equitable Services Plan Template* will be provided to assist construction of the plan.

ESSERF – Allowable Uses

Be prepared to discuss the twelve categories of equitable share use during consultation and devise a plan to spend the equitable share.

The uses (generally, substitute “private school” for “local educational agency”):

- 1) Any activity authorized under an ESEA program (think: ordinary equitable services program activities) – *this is the only use not quoted in full.* ([CARES Act 18003\(d\)](#))

ESSERF – Allowable Uses

- 2) 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.
- 3) Providing principals and others school leaders with the resources necessary to address the needs of their individual schools.

ESSERF – Allowable Uses

- 4) 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.
- 5) Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.

ESSERF – Allowable Uses

- 6) Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.
- 7) Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.

ESSERF – Allowable Uses

- 8) Planning for and coordinating during long-term closures, including 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 services can continue to be provided consistent with all Federal, State, and local requirements.

ESSERF – Allowable Uses

- 9) 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.

ESSERF – Allowable Uses

- 10) Providing mental health services and supports.
- 11) Planning and implementing activities related to summer learning and supplemental afterschool 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.

ESSERF – Allowable Uses

- 12) 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.

ESSERF – Finalize Plan, Written Affirmation

When the Plan has been finalized to the extent possible in consultation, and the plan template filled out, the private school will mark Agree or Disagree on the Written Affirmation portion at the end, and transmit back to the LEA.

If Disagree is marked, this will initiate the MDE Dispute Resolution Process. Contact the Ombudsman immediately.

Disputes and Dispute Resolution

MDE Dispute Resolution Procedures include:

Step 1: Informal settlement conference, attempting to resolve the dispute with technical assistance from MDE experts.

Step 2: Formal Complaint and Response.

Step 3: Consideration and written decision by Ombudsman.

Step 4: Appeals are possible to the MS Superintendent of Education, and to the US Department of Education (US ED).

Questions

Questions

Please type questions into the question box. We will review and answer in writing.

We will pause for five minutes to allow time for your questions. Afterwards, the webinar will end. Thank you for attending.

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