

**Notification and Invitation to Private Schools**  
*DPI Guidelines for ESEA Equitable Services, Part 2*

## Overview

School districts receiving funds under the Elementary and Secondary Education Act (ESEA) are required to notify private schools of the availability of equitable services and invite them to a consultation, at which the private school may accept or decline the services. The consultations may be conducted remotely or face-to-face. ESEA grants affected by this requirement are:

- Title I-A for economically disadvantaged schools
- Title I-C for migrant education
- Title II-A for teacher and school leader improvement
- Title III-A for English learners and immigrant students
- Title IV-A for enrichment, technology and school safety
- Title IV-B for afterschool programs (21<sup>st</sup> Century Community Learning Centers).

Timely outreach and consultation will help the district determine the demand for equitable services and finalize their proportionate share calculations prior to starting the grant applications in CCIP. This part of the *Guidelines* explains which schools to invite for ESEA equitable services consultation, what the invitation should look like and what to do if a school does not respond. Information about setting the agenda for the consultations is described in *Part 3* of these *Guidelines*. For convenience, districts may conduct their outreach for ESEA, IDEA and CTE simultaneously, but these *Guidelines* focus only on ESEA requirements.

For details about Title IV-B equitable services and which schools to consult, districts are advised to contact their NDCPI program administrator for 21<sup>st</sup> Century Community Learning Centers.

## The official directory of private schools in North Carolina

The directory of all legally operating private schools in the state is compiled annually by the North Carolina Department of Administration and is made available on the [DPI equitable services web site](#) before the end of February. This is the official directory of in-district schools that must be invited to consult, as described below. No other lists should be consulted for this purpose. ESEA does not authorize school districts to offer equitable services to any non-listed North Carolina schools or to homeschools. District administrators who are approached by an unlisted North Carolina school interested in equitable services should contact DPI before making any decisions on the matter. The updated directory will include the schools operating as of January of the school year preceding the year for which equitable services will be offered. For example, when providing outreach for the 2021-22 school year, districts used the directory that had been updated in January 2021.

Unfortunately, the directory does not distinguish between for-profit and not-for-profit schools. Therefore, some districts will unavoidably invite for-profit schools to consultation even though they are not eligible to receive services. As described below, the invitations should stipulate this restriction to save for-profit schools from unnecessary consultation. Schools known to have been for-profit in the

previous year should still be invited, as schools may change their operating status. If a district believes that a listed private school has closed, it should nonetheless send an invitation. The school may have relocated with arrangements for mail to be forwarded. District administrators who find errors in the listing should contact DPI.

Regarding Title I-A services at an out-of-state private school, administrators should inquire with the district in which the school is located to determine if it is recognized in that state as a legally operating private school. Invitations to out-of-district private schools are discussed below.

### **Invitations to private schools within the district**

No later than the March deadline listed in *Part 1*, each district should invite all listed private schools that are within its district lines to its annual initial consultations regarding equitable services offered under ESEA. The invitations should be addressed to the contacts identified in the directory. Many districts use regular US Mail for this invitation but may need to follow up with a receipt-verified second invitation, as described in the section below regarding non-responses.

The district must retain all records of invitation, to be shared with DPI upon request. These records should include, at the very least, a roster that tracks the invitations, responses, any follow-up invitation for non-responsive schools and the initial consultation meeting date. However, only the *Affirmation* forms will be loaded into CCIP, as described in *Part 8*.

### **Notifying other districts about “inter-district students” for Title I-A Proportionate Share**

A student who lives in one district but attends a private school in a different district is referred to as an “inter-district student.” During consultation, district administrators must advise their in-district private schools that such students may generate Title I-A funding from their home district, depending on low-income status, grade level and home address. The administrators must notify the other district (i.e., district-of-residence) so that they may invite the private school to consult regarding Title I-A. The notification must be made by the April deadline listed in *Part 1* and must include the name and contact information of the private school. Low-income data, grade levels and student addresses are not expected to be shared within this notification. This provision helps ensure that a private school is offered consultation from each district that might be required to provide Title I-A services under ESEA.

### **Invitations to out-of-district private schools (regarding “inter-district” students)**

There are at least three ways a district may become aware of the requirement to offer Title I-A consultation to an out-of-district private school. The first is the district-to-district notification described above. Second, the private school may contact the district to inquire about services. Third, the school may have been included in the previous year’s consultations. The consultations with out-of-district schools could take place at the same meeting with the in-district schools. However, an additional consultation meeting would be needed if consultations with in-district schools have already occurred.

As described in *Part 1*, a district must set reasonable deadlines to complete the consultation process with out-of-district schools prior to starting its Consolidated application in CCIP. Districts should stipulate that only Title I-A services are offered across district lines and that their methods of counting

low-income students (*Part 6*) may be different from those used by a school's local district. A private school may decide to accept services from one, both or neither district.

### **The contents of the invitations**

Invitations should include the following features:

- ☐ the available date(s) for the consultation meeting (virtual and/or face-to-face)
- ☐ a reasonable and specific deadline, as determined by the district, for responses to invitations (RSVP)
- ☐ stipulation that failing to respond to the invitations as requested will jeopardize the availability of services to the school
- ☐ notification that a private school must engage in consultation prior to accepting and participating in equitable services
- ☐ stipulation that only non-profit schools may participate in equitable services
- ☐ statement that only services, not funds, will be provided to participating schools
- ☐ a list of the consolidated grants from which equitable services will be offered
- ☐ a request that interested private school representatives are prepared to discuss the academic programs and specific needs at their schools
- ☐ notification that Title I-A proportionate share available for services will be based, in part, on the number of low-income students in the private schools
- ☐ a stamped and addressed RSVP form that the private school can easily return to the district via US Mail (although an emailed response is also acceptable)
- ☐ US Mail address, email address and phone number of the district point-of-contact
- ☐ a suggestion for private schools to promptly contact other districts-of-residence of any children who may generate Title I-A proportionate share funding to inquire about how those districts might also provide Title I-A services
- ☐ a link to the [DPI equitable services web page](#).

DPI requests that districts not include the *Affirmation of Notification, Invitation and Consultation* forms with the invitations, as this form is only to be completed by schools that engage in a proper consultation. See *Part 7* for more details.

### **Responses from private schools**

A private school's written response to an invitation, via hard copy or email, serves as documentation that the district made the necessary effort to reach out to the private school. Acceptable forms of written response to an invitation are:

- an email or signed hard copy letter or memo explicitly referring to the invitation
- a signed RSVP form.

If a private school responds via telephone, the district should follow up with an email summarizing the phone call and asking the private school to email a reply with their acknowledgment. Once a response is

documented (to either the first or second invitation), no additional invitation is required. If the private school is interested in consulting but is unable to attend the scheduled meeting, the district should offer an alternative time for consultation.

If an acceptable response indicates that a school is not interested in consulting, Section D on the *Affirmation* form for that school must be checked by the district administration. No additional attempts to invite the school to consult are required until the next year's round of invitations. More details about completing the *Affirmation* forms are provided in a *Part 11* of these Guidelines.

### **Non-responses or insufficient responses to invitations**

Unfortunately, some private schools will not respond to the invitations. In such cases, the district must document at least two invitation attempts (including any out-of-district schools the district has deemed fit to invite) before concluding that the school is non-responsive. **At least one of these invitations must be sent via a verifiable delivery service** (e.g., certified US Mail, FedEx, UPS or read-receipt email) with a receipt showing the time of delivery and person at the private school who accepted it.

The other invitation(s) may be extended via:

- regular US Mail
- email to an address that appears in the Directory or one that the private school has provided to the district (or, preferably, both) or
- hand delivery from a district administrator to the private school at the address provided on the directory of private schools.

If a private school indicates intention to engage in consultation but does not attend the meeting, the district should make reasonable attempts to reschedule, including a reminder that consultation by a specified date is required if the school intends to accept services. If the private school still does not engage in consultation, the district should consider the school non-responsive and mark Section D on the *Affirmation* form for that school, as described in *Part 11* of these Guidelines.

Note that the requirement to document two attempts is only applicable in cases where a private school has not responded. If there is a documented response to any form of outreach, there are no requirements regarding the method or number of invitations that led to that response. Furthermore, these protocols are meant to ensure that all schools receive proper notification and that districts are not continually pursuing signatures or documentation from non-responsive private schools.

*For additional information about equitable services under the Elementary and Secondary Education Act, contact Talbot Troy at 984-236-2797 or [talbot.troy@dpi.nc.gov](mailto:talbot.troy@dpi.nc.gov).*