

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

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## **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. If a private school's lead administrator delegates consultation to someone else, he or she should note that in writing to the district.

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 multilingual learners and immigrant students
- Title IV-A for enrichment, technology and school safety

In addition, Title IV-B for 21<sup>st</sup> Century Community Learning Centers (21CCLC)) requires all subgrantees to offer equitable services. This includes districts, charter schools, lab schools, community organizations and faith-based organizations. For details about Title IV-B equitable services, sub-grantees are advised to contact their NDCPI 21CCLC program administrator.

This part of the *Guidelines* focuses on Titles I-A, II-A, III-A and IV-A, explaining 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. Ultimately, it is the district's responsibility to ensure that private schools have opportunities to learn about the available services and the requirements for participation. While the requirements for Title I-C are similar, districts with private schools accepting those services should contact their NCDPI program administrator for details about proportionate share, planning and implementation.

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.

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.

## **The official directory of private schools in North Carolina**

A directory of private schools in the state is compiled annually by the North Carolina Department of Administration's Division of Non-Public Education (DNPE). DPI uses this resource to generate the official DPI directory for ESEA equitable services purposes. The directory is posted on the [DPI equitable services](#)

[web site](#) near the end of January and shows the schools believed by DNPE to be 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 consulted the directory that had been updated in January 2021.

The administrator's name in the directory may be outdated, due to staff changes at a school. Therefore, DPI includes "or Current Lead Administrator" after the name of the listed person (e.g., "Principal Joe Cool or Current Lead Administrator"). If sending invitations via email, the district should use an email address it reasonably expects will get through, and it does not have to be the same email address as what is listed in the directory.

Regarding Title I-A services at an out-of-state private school, administrators should ask 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.

District administrators who are approached by an unlisted North Carolina private school interested in equitable services should contact DPI before making any decisions on the matter. North Carolina state law does not consider home schools to be private schools, so they are not eligible for ESEA equitable services.

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

No later than the February deadline listed in *Part 1*, each district should invite all listed private schools that are within its enrollment zones to its annual initial consultations regarding equitable services offered under ESEA. 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 copy of the invitation, a roster used to track the invitations (if one was needed), 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." For Title I-A purposes, such students are the responsibility of their district of residence and may generate Title I-A proportionate share if they are from low-income families (as described in *Part 6*) and may receive Title I-A services if they qualify (as described in *Part 5*). Therefore, the local district administrator must provide each consulting private school with the contact information for the federal program director of any other district in which the school's students reside. The administrator must notify the principal that they should contact the other district(s) no later than the fourth Friday in April if they are interested in possible Title I-A services from that district(s).

In addition, no later than April deadline described in *Part 1*, the local district administrators must notify the other districts (i.e., districts of residence) of any private schools who may enroll their resident students and provide those districts with the contact information of those schools so that they may invite the private school to consult regarding Title I-A. Low-income data, grade levels and student addresses (no student names) may be shared within this notification, but this is not required. It will be the responsibility of the district of residence to ascertain this information to their satisfaction. This provision helps ensure that private schools are properly notified of opportunities for 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.

### **For-profit Schools, Closed Schools, New Schools and Institutions for Neglected or Delinquent Children**

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. The invitations should stipulate this restriction to save for-profit schools from unnecessary consultation. Schools believed by the district to be for-profit must be invited, as an *Affirmation* form is required for each school listed in the directory.

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, and an *Affirmation* form will be required because the school is in the official DPI directory. District administrators who find errors in the directory should contact DPI.

Occasionally a new school is listed but has no student counts during consultation, only the expectation to enroll its first students for the upcoming academic year. Such schools may consult but will not generate any proportionate share funds. Services would be possible if at least one other participating school consents to allowing the district to pool funds or if existing funds are made available due to a district decision to repurpose funds. *Part 4* describes pooling and repurposing of proportionate share funds.

Institutions for neglected and delinquent children that are being supported by the Title I-A Neglected Set-aside may be listed in the directory. The officials at these schools should be made aware that they are not eligible to participate in Title I-A equitable services but may be eligible for services from other grants. However, services via Title I-D (PRC 0107) will not affect a private school's eligibility for equitable services, because these funds are separate from Title I-A (PRC 0050).

**Each school listed in the directory for a district must be represented by an *Affirmation* form in the CCIP uploads as described in Part 8 of these Guidelines. This is true even for schools that are for-profit or are closed.**

### **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 opportunity to consult and, thus, 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
- ☐ stipulation that funds may not yet be available for new schools with no enrollment during consultation
- ☐ 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 and a brief description of the purposes of each one
- ☐ a request that interested private school representatives are prepared to discuss the academic programs and, within reason, specific needs at their schools
- ☐ notification that Title I-A proportionate share used by the district for services will be based, in part, on the number of low-income students in the private schools. Student addresses and grade levels may be requested so that the district may determine how many students live in Title I-served enrollment zones. Low-income counts and student addresses do not have to be provided at the initial consultation but would be required shortly thereafter.
- ☐ 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](#)

If an emailed invitation includes web links, those links must be operable. If a copy of the invitation is subsequently mailed as a hard copy (for example, due to lack of response), the hyperlink should be

replaced with relevant and accessible information. In other words, “click here” doesn’t work in a hard copy.

DPI urges districts not to send the *Affirmation of 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 take thorough phone notes and follow up with an email summarizing the phone call. 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 next year’s round of invitations. More details about completing the *Affirmation* forms are provided in *Part 7* 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 those to any out-of-district schools ) 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 or, if applicable, the reason delivery was not successful.

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.

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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 document its efforts, consider the school non-responsive and mark Section D on the *Affirmation* form for that school, as described in *Part 7* of these Guidelines.

Note that the requirement to document two attempts is only applicable in cases where private schools have not responded to any previous attempt. 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. (The response, itself, proves successful outreach.) Furthermore, these protocols are meant to ensure that all schools receive proper notification of services to which they are entitled 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).*