

Equitable Services – Private Schools and Services of the Ombudsman



Equitable Services Ombudsman

To help ensure that private school children, teachers, and other educational personnel receive services equitable to those in public schools, an SEA must designate an ombudsman to **monitor and enforce Title I through Title IV, Part A equitable services requirements**

- [Equitable Services for Private Schools website](#)
- *ESEA Sections 1117(a)(3)(B) and 8501(a)(3)(B)*



Consultation Process - must be timely and meaningful

- An LEA is **required to consult** with private school officials regarding the provision of equitable services
- Consultation must occur during the **design, development, and implementation** of the respective program
- Consultation must **occur before the LEA makes any decision** that affects the opportunity of eligible private school students and teachers to participate and must **continue throughout** the implementation and assessment of services
- An offer of services by an LEA without an opportunity for timely and meaningful consultation with private school officials does not meet the requirement of the law
 - *ESEA sections 1117(b)(3) and 8501(c)(3)*

Documentation of Consultation

- Each LEA shall maintain in the agency's records and provide to the State educational agency (SEA) involved; a **written affirmation signed by officials of each participating private school** that the meaningful consultation has occurred
- The written affirmation shall 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 private school officials do not provide an affirmation within a reasonable period, the LEA shall forward documentation that consultation has, or attempts at consultation have taken place
 - *ESEA sections 1117(b)(5) and 8501(c)(5)*



Equitable Services for Private Schools: Upload in GEMS/MARS

The ESEA requires an LEA to maintain, and provide to the appropriate entity, the following documentation about the consultation process

Written Affirmation (ESEA section 1117(b)(5))

Results of Agreement (ESEA section 1117(b)(1))

Reason for Disagreement (1117(b)(2))

**A 2025 Equitable Services Upload link will be available in Fall of 2024

Duties of an Ombudsman

- Monitor equitable services under Title 1, Part A, Title 1, part C, Title II, Part A, Title III, Part A, Title IV, Part A
- Enforce equitable services under Title 1, Part A, Title 1, part C, Title II, Part A, Title III, Part A, Title IV, Part A
- Monitor affirmation of consultation between districts and private schools by reviewing documentation to ensure a timely, meaningful, and mutually agreed upon plan
- Resolve disagreements between public school districts and private schools as outlined in the complaint process
- Collaborate with [Office of Educational Supports](#) and [Nonpublic School Unit](#).
- Provide information and/or training of equitable services



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Contact Information

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