

Equitable Services: Compliance Essentials Made Clear

ESSA Academy 2026

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Equitable Services Ombudsman

March 23 – 24, 2026



**SOUTH CAROLINA
DEPARTMENT OF EDUCATION**

Agenda

Equitable Services - Basics

Are My Documents Correct?

GEMS Requirements

Test Your Knowledge

Wrap Up





Equitable Services: The Basics



History



Established in 1965, under the Elementary and Secondary Education Act (ESEA)

Reauthorized in 2002 under the No Child Left Behind Act (NCLB)

Reauthorized again in 2015 under the Every Student Succeeds Act (ESSA)

Requires local education agencies (LEAs) to provide services for eligible private school students according to Federal Guidance.



Purpose of the ESEA Act

The purpose of ESEA is to provide all children significant opportunity to receive a fair, equitable, and high-quality education and to close educational achievement gaps. Each LEA that receives ESEA funds must make funds available for education support authorized by each title to qualified students in compliance with Federal Law, Federal Regulations, and Non-Regulatory Guidance.



Title I Purpose

Title I - This program aims to provide **all children** with significant opportunities to **receive a fair, equitable, and high-quality education and close educational achievement gaps**. ESSA, SEC. 1117(3)(A) explains that to the extent consistent with the number of eligible children who are enrolled in private elementary explains that to the extent consistent with the number of eligible children who are enrolled in private elementary schools and secondary schools, an LEA shall be equitable in comparison to services and other benefits for public school children participating under this part and shall be provided in a timely manner to elementary schools and secondary schools.



Title IV Purpose

- ❖ Title VIII, Part F - ESEA section 8501 requires an LEA participating in a covered ESEA program, in consultation with appropriate private school officials, to provide eligible private school children with appropriate private school officials, to provide eligible private school children and educators with services or benefits and educators with services or other benefits that are equitable to those provided to eligible public-school children and educators. ESEA section 8501 and other applicable requirements in Title VIII.



General Rule – Grant Eligibility

- All Private Schools are eligible to participate
- Private Schools must be non-profit (LEA must verify)
- Consultation should happen for Title I, Part A, and Title VIII, Part F
- Title VIII, Part F:
 - Title I, Part C - Education of Migratory Children
 - Title II, Part A - Supporting Effective Instruction
 - Title III, Part A - English Language Acquisition, Language Enhancement, and Academic Achievement
 - Title IV, Part A - Student Support and Academic Enrichment Grants
 - Title IV, Part B - Nita M. Lowey 21st Century Community Learning Centers (21st CCLC)
 - Title IV, Part F, section 4631 - Project SERV.



LEA Responsibility

As the LEA, you should:

- Identify and reach out to all private schools inside and outside of the geographic boundaries (Title I, Part A Only)
- Reach out to all private schools in the geographic boundaries (Title VIII, Part F)
- Invitations sent to attend the meeting
- Verify the physical location of the school
- Verify the school is non-profit
- List all available services
- Important – Set specific deadlines
- Ensure all services are secular, neutral, and non-ideological
- Ensure services go to low-achieving students at participating schools
- Maintain control of ALL funds, materials, equipment, and property purchased
- Maintain ongoing communication with the private schools

Reminder: 25-mile radius rule no longer exists

SEA Ombudsman Role

- ❖ The equitable services ombudsman is the state's primary point of contact for addressing questions and concerns pertaining to the equitable services requirements under Title I and Title VIII of ESEA, as amended by ESSA.
- ❖ Ensure that monitoring protocols are being followed and take an active role in the monitoring process
- ❖ Serve as a general resource regarding equitable services requirements for both LEAs and private school officials
- ❖ Establish a process for receiving documentation of agreement from LEAs consistent with the consultation requirement that the results of such agreement shall be transmitted to the ombudsman. (ESEA section 1117(b)(1))
- ❖ Participate in the State's Title I Committee of Practitioners (ESEA section 1603(b)) and, as applicable, nonpublic schools working group.





Are My Documents Correct?



Step 1- Preparation

- Initial Contact
 - LEA required to make initial contact, yearly
 - Identify participating schools
 - Schools within the geographical location of the district
 - Schools outside the geographical location (Title I, Part A Only)
 - Verify non-profit status
 - Private School listing on SCDE website
- Identify the proportionate share
- Letter sent to their officials (Certified Mail with Signature Card)



Step 1– Preparation

(cont.)

Intent to Participate Letter

- Different than the Affirmation of Consultation
- Date and Time of meeting
- Description of the eligible programs
- Intent to participate
- Invitations should have indicators to ask for “Acceptance” or “Decline” in participation in offered services
 - Yes, will attend the meeting and plan on participating in equitable services
 - Yes, we want to attend to learn more about equitable services and may or may not participate
 - Yes, we want to participate in equitable services, but we will need to schedule an alternative meeting time
 - No, we will not attend and do not want to participate in equitable services



Eligibility – Title I, Part A Services

- To be eligible for services, a child must:
 - Reside in a participating Title I public school attendance area; and
 - Be identified by the LEA as low achieving on the basis of multiple, educationally related, objective criteria.
- A child may be identified as eligible solely by virtue of their status as follows:
 - Homeless children;
 - Children who in the preceding two years had participated in Head Start, a literacy program under Title II, Part B, Subpart 2, a Title I preschool program, or a Title I, Part C (Migrant Education) program; and
 - Children in a local institution for neglected or delinquent children and youth, or attending a community day program.



Step 2- Consultation

Participation Accepted

- Establish Needs Assessment
 - <https://ed.sc.gov/policy/federal-education-programs/title-i/private-schools-in-south-carolina/needs-assessment-for-equitable-services/>
- Evaluation of Equitable Service Programs (Meeting before the end of the school year)
 - <https://ed.sc.gov/policy/federal-education-programs/title-i/private-schools-in-south-carolina/evaluation-of-equitable-services/>



Step 2- Consultation

- What is Consultation?
 - Essential requirement of LEA
 - Consultation occurs during the design and development of the grant
 - Timely and meaningful
 - Goal – agreement between the LEA and appropriate private school officials on how to provide equitable and effective programs for eligible private school children (ESEA Section 1117(b)(1))
- Title I, Part A and Title VIII, Part F – applies to both



Consultation – Both Title I, Part A and Title VIII, Part F



- Begins with Identifying Needs
 - Establish Needs Assessment
 - <https://ed.sc.gov/policy/federal-education-programs/title-i/private-schools-in-south-carolina/needs-assessment-for-equitable-services/>
- Should not be a copy and paste
- Reviewed / Amended (if necessary)

Step 2- Consultation:

Discussion Topics

- How the children's needs will be identified
- What services will be offered?
- How, where, and by whom the services will be provided;
- How the services will be academically assessed and how the results of that assessment will be used to improve those services;
- The size and scope of the equitable services to be provided to the eligible private school children;
- **Title I** - The method or sources of data that are used to determine the number of children from low-income families in participating school attendance areas who attend private schools, including whether the LEA will extrapolate data if it uses a survey—i.e., depending on if there is a representative sample (see B-11 and B-11a);



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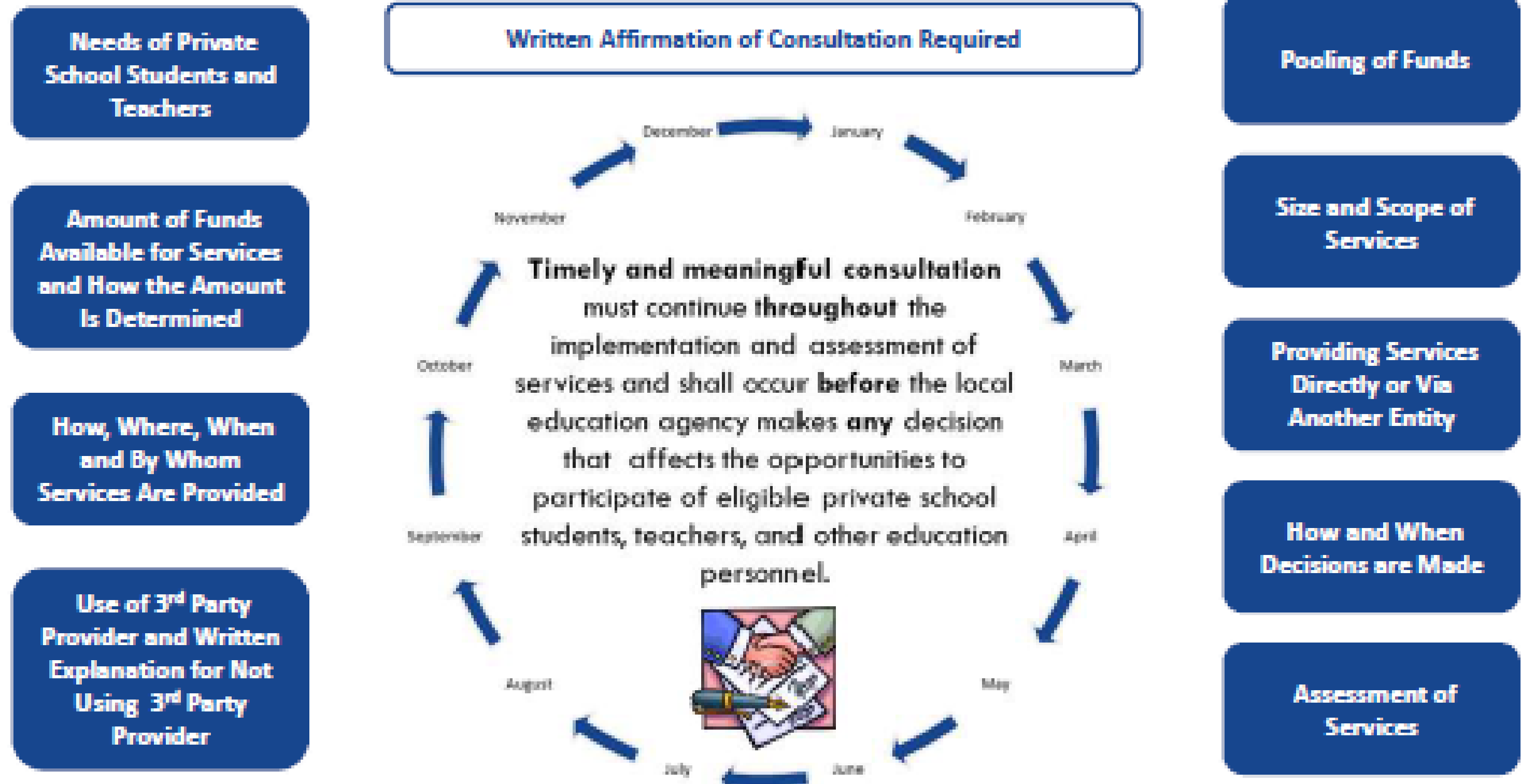
Step 2 Consultation:

Discussion Topics (cont.)

- How and when the LEA will determine service delivery decisions
- The process for providing written justification when the LEA disagrees with private school officials regarding contracted services
- Whether services will be delivered directly by the LEA or through another agency, consortium, entity, or third-party contractor
- Whether equitable services will be provided through pooled funds and how allocations will be determined based on low-income student counts
- When services will be delivered, including approximate times of day
- Whether funds will be consolidated and coordinated with other eligible ESEA programs to support private school students
- Title I, Part I <https://www.ed.gov/sites/ed/files/2023/05/Title-I-ES-guidance-revised-5-2023.pdf>
- Title VIII, Part F <https://www.ed.gov/sites/ed/files/about/inits/ed/non-public-education/files/esea-titleviii-guidance-2023.pdf>



Consultation



Step 3- Consultation: Written Affirmation of Consultation

- Applies to Title I, Part A and Title VIII, Part F
- Only for Participating Private Schools
- Must be signed by the LEA and the Private School Official
- Must be submitted to SEA - equitable.services@ed.sc.gov
- Must be loaded in GEMS in the Related Documents for the perspective grant
- Forms located on SCDE Website:
<https://ed.sc.gov/policy/federal-education-programs/title-i/private-schools-in-south-carolina/2025-2026-affirmation-of-consultation/>



Written Affirmation of Consultation – (Form Example)



ESEA Equitable Services 2026-2027 Affirmation of Consultation

Do not complete if the private school is non-responsive or declining services.

These forms help facilitate meaningful consultation between a district and the private school. District officials must take into consideration the private school's views on how to serve students and the design of the program. Consultation occurs when the district meets with the private school before making any decisions that affect the opportunities available to private schools who choose to participate. Consultation must continue throughout the implementation of the program and will include assessment of the services provided.

The goal of the consultation process is agreement between both parties. While the final decisions concerning equitable services rest with the district, serious and due consideration must be given to the private school's views. If a district disagrees with the views of a private school, the district must provide their decision in writing to the private school / official and include the reasons why the district disagrees. Facts and/or data must support the reasons.

Date of Consultation: **Enter date**

Private School Information

Private School Name: **Enter text**

Private School Address: **Enter text**

Private School Contact Name & Title: **Enter text**

Private School Contact Phone & Email: **Enter text**

Enrolls Grades: (check all that apply) ☐ PK ☐ K ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ 11 ☐ 12

Participating in: ☐ Title I-A ☐ Title I-C ☐ Title II-A ☐ Title III-A ☐ Title IV-A ☐ Title IV-B ☐ Title IV-F

District Information

District Name: **Enter text**

District Address: **Enter text**

District Contact Name & Title: **Enter text**

District Contact Phone & Email: **Enter text**

The Private School Affirms:

No Yes

- ☐ ☐ The district explained the complaint process and procedures to the private school.
- ☐ ☐ The district initiated timely consultation and engaged in meaningful discussion.
- ☐ ☐ The private school is a [non-profit](#).
- ☐ ☐ The program design for private school students is equitable to public school students.
- ☐ ☐ All equitable services, programs, and materials must be secular, neutral, and non-ideological.
- ☐ ☐ The private school provided accurate, reliable and timely data for the purposes of allocating applicable federal funds and developing plans for services and understands that not doing so results in losing their ability to participate in equitable services for the school year.
- ☐ ☐ The private school understands it cannot be directly reimbursed for equitable service program expenditures, and the district explained the procurement process, including deadlines.

Signature of the Private School Contact: **Enter Signature**

Date: **Enter date**

For each Title program in which a private school is participating, please complete the appropriate page.

The district must upload completed and signed Affirmation pages to the equitable.services@ed.sc.gov. In the subject field, type "Your District – Affirmation of Consultation"



Evaluations

- Completed annually
- Review whether the event(s) met or exceeded the identified needs during consultation
- Provides preparation for the coming year
- Evaluation of Equitable Service Programs
 - <https://ed.sc.gov/policy/federal-education-programs/title-i/private-schools-in-south-carolina/evaluation-of-equitable-services/>



Complaint Process

Formal Written Complaint Form:

https://scde.formstack.com/forms/complaint_form_for_equitable_services_to_private_school_students_and_teachers

- Should first discuss this matter with the LEA official responsible for coordinating the consultation, the LEA superintendent, or the Federal Programs director
- If the response at the local level is unsatisfactory, the private school official may contact the ombudsman and the responsible SEA official
- If the problem is not resolved through those means, private school officials have the right to file a formal written complaint with the SEA
- After a complaint has been filed:
 - SCDE has forty-five (45) calendar days to investigate and send a written finding of fact to the complainant and the LEA
 - If the private school does not agree with the decision, they have thirty (30) days to appeal to the USDE
 - USDE will have ninety (90) days to respond to their appeal





GEMS Requirements



Denial of Funds – Title I, Part A

- Denied funds must be offered to remaining participating private schools before being used for public schools.
- If accepted, the denied funds must be manually recalculated according to the Title I participation and added to the private schools through the budget in GEMS.
- If they deny the additional funds or if you do not have any participating private schools, the funds may be pulled to the public schools for use.
- Do not touch the Private School page to redistribute funds. Redistribution is completed solely through the budget.
- **Reminder – All actions MUST be communicated and documented**



Denial of Funds – Title VIII, Part F

- Denied funds must be redistributed to the remaining private schools **and** public schools
- Calculate the additional funds and notify the private school (Manually).
- Obtain an acceptance or denial from the private school for the additional funding
- If they deny the additional funds, all funds will be used in the public schools
- Do not touch the Private School page to redistribute funds. Redistribution must be completed through the budget only.
- **Reminder – All actions MUST be communicated and documented**



Documents

- Loaded in the Related Documents section
- Included in all grant applications (**Required**)
 - Title I, Title II, Title IV
- What documents to add
 - Letter of Notification (**Separate Letter for Title I, Part A**)
 - Proof of mailing (Certified Mail Receipt (**Payment must be present**) / Email)
 - Meeting Sign In (Name, School, Position) – Print for legibility
 - Meeting Minutes
 - Completed Participation Forms (**Indicates Participation or Not; each grant**)
 - Completed Affirmations Forms (For Participating Schools Only)
 - Other forms of communication



Intent to Participate Letter (Sample Letter)

Click to enter **Date**

Click to enter **District name and contact information.**

Dear Click to enter **Name of private school or private school contact,**

Federal law requires public school districts to annually inform private schools of their eligibility to participate in certain federally funded grant programs through a program called equitable services. Private schools may choose to participate or choose not to participate in equitable services. Participating in an equitable service program does not mean that the private school is accepting federal funds and does not stipulate a requirement for the private school to adopt or participate in federal regulations and policies.

The seven Title programs listed below are eligible for equitable services. More details about the resources that may be provided by these federal funds can be found on page 2 of this letter. Please note that only non-profit K-12 private schools may participate in equitable services. Additionally, certain Title programs have further eligibility requirements, which will be discussed during consultation meetings.

- Title I-A: Improving Basic Education
- Title I-C: Migrant Education Programs
- Title II-A: Supporting Effective Instruction
- Title III-A: English Learners and Immigrant Students
- Title IV-A: Student Support and Academic Enrichment Grants
- Title IV-B: 21st Century Community Learning Centers
- Title IV-F: Project SERV

The initial consultation meeting on equitable services will be held on [Click to enter Date of meeting](#) at [Click to enter Time of meeting](#). [Click to enter Meeting location information or virtual meeting information.](#)

Please **complete and return the Intent to Participate form** on page 3 – even if there is NOT an intent to participate in equitable services. As the school district, we have a responsibility under federal law to record every private school response to the offer of equitable services.

The **deadline** for your response is [Click to enter Deadline date](#). If a response is not received by this deadline, the district will make one more attempt to contact you within two weeks after the deadline. A private school that does not respond will be considered non-participating, unless there are extenuating circumstances.

Sincerely,

[Click to Add signature](#)

Page 3 - Intent to Participate In Equitable Services

Please indicate your intent to participate (please check one):

- ☐ Yes, we will attend and plan on participating in equitable services.
- ☐ Yes, we want to attend to learn more about equitable services and may or may not participate.
- ☐ Yes, we want participate in equitable services but will need to schedule an alternative meeting time.
- ☐ No, we will not attend and do not want to participate in equitable services.

Please return this completed form, or direct questions to [Click to insert Name of district contact](#) by mailing to [Click to insert District mailing address](#) or emailing to [Click to enter District mail address](#).

Private School Information

School Name: Click or tap to enter private school name.

Contact Name and Title: Click or tap to enter private school contact name and title.

Phone: Click or tap to enter phone number.

Email: Click or tap to enter email address.

Signature: Click or tap to sign name.

Date: Click or tap to enter a date.



Certified Mail Receipts

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

1. Article Addressed to:
John Smith, Sterling Capital
250 Park Avenue
New York, NY 10177

2. Article Number (Transfer from service label):
9590 9402 5301 9154 8710 84

3. Service Type:
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

4. Signature:
X

5. Received by (Printed Name):

6. Date of Delivery:

7. Is delivery address different from item 1? If YES, enter delivery address below:
☐ Yes
☐ No

8. Service Type:
☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7500-02-000-9000 Domestic Return Receipt

Must be included with your documentation





FAQ – Test Your Knowledge



How long is a Private School allowed to spend its funding?

- All Private Schools **CAN** use the funds for more than 1 year.



May an LEA establish reasonable deadlines for private school officials to submit information necessary to provide equitable services?

- **Yes.** An LEA may set a reasonable deadline, taking into consideration private school schedules, for private school officials to submit information necessary to provide equitable services. For example, an LEA may set a reasonable deadline for private school officials to indicate their intent to participate or request services and materials. An LEA should provide clear and sufficient notice of the deadline, identify potential consequences for failing to meet it, and allow adequate time for private school officials to respond.
- If a deadline is established in consultation, it would be reasonable for the LEA to inform private school officials that, if the deadline is not met and the private school officials have not notified the LEA of obstacles to meeting the deadline in a timely manner, the LEA may consider the private school officials to have declined services. Generally, however, the ongoing consultation required by the ESEA (see ESEA section 8501(c)(3)) will help prevent this situation from occurring, as consultation throughout the year provides a forum for private school officials to alert the LEA to obstacles to meeting a deadline.
- **A-6 Title VIII, Part F of the Elementary and Secondary Education Act of 1965: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel Non-Regulatory Guidance – Updated July 17, 2023**
- **A-4 Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act: Providing Equitable Services to Eligible Private School Children, Teachers, and Families, Updated Non-Regulatory Guidance – Updated May 17, 2023**



May an LEA establish reasonable deadlines for private school officials to submit information necessary to provide equitable services?

- **Yes.** An LEA may establish **reasonable deadlines** for private school officials to submit information needed to provide equitable services.
- Deadlines should **account for private school schedules** and operational timelines.
- LEAs may require private school officials to **confirm intent to participate** or **request services and materials** by a specified date.
- LEAs must provide **clear notice**, explain **potential consequences**, and allow **adequate time** for response.
- If set through consultation, an LEA may consider services **declined** when deadlines are missed **without timely communication of obstacles**.
- **Ongoing consultation under ESEA** helps prevent missed deadlines by providing regular opportunities to address challenges throughout the year.



May an LEA or a third-party contractor employ a private school teacher to provide Title I services to private school participants?

- Yes, provided certain conditions are met. An LEA may hire a private school teacher to provide Title I services only if the teacher is independent of the private school in the provision of Title I services. The private school teacher must be employed by the LEA for Title I purposes, excluding the time spent employed by the private school, and must be under the direct supervision of the LEA with respect to all Title I activities. (ESEA section 1117(d)(2)).

C-30 Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended by Every Student Succeeds Act: Providing Equitable Services to Eligible Private School Children, Teachers, and Families, Updated Non-Regulatory Guidance – Updated May 17, 2023



What type of services are available for private school participants (Title I)?

Services to improve the academic achievement of participating private school children may include, but are not limited to, the following:

- Instructional services provided by public school employees or third-party contractors;
- Expanded learning time, including before- and after-school programs;
- One-on-one tutoring;
- Summer school programs;
- Family literacy programs;
- Counseling programs;
- Mentoring programs;
- Computer-assisted instruction;
- Home tutoring;
- Instruction using take-home computers; and
- Any combination of the above.

C-15 Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended by Every Student Succeeds Act: Providing Equitable Services to Eligible Private School Children, Teachers, and Families, Updated Non-Regulatory Guidance – Updated May 17, 2023



What considerations must inform decisions regarding the professional development that private school educators receive under Title II, Part A?

An LEA must consider the following:

- Does the professional development meet the definition of “professional development?” (See H-8 and ESEA section 8101(42)).
- Is the professional development evidence-based, where applicable? (See H-8 and ESEA section 8101(21)).
- Is the professional development reasonable and necessary in order to provide Title II, Part A, equitable services? (See C-10 and 2 C.F.R. § 200.403).
- Does the professional development supplement, and not supplant, professional development that would have otherwise been provided to private school teachers, principals, and other school leaders? (See C-9 and ESEA section 2301).

**H-7 Title VIII, Part F of the Elementary and Secondary Education Act of 1965: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel
Non-Regulatory Guidance – Updated July 17, 2023**



What are some allowable activities for private school children and educators under Title IV?

There are three categories of allowable activities under Title IV, Part A.

**Well-rounded
Educational
Opportunities**

(ESEA section 4107)

**Safe and
Healthy
Students**

(ESEA section 4108)

**Effective Use of
Technology**

(ESEA section 4109)



**Activities to
Support
Well-rounded
Educational
Opportunities
(ESEA section 4107)**

- College and career guidance and counseling programs;
- Programs and activities that use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution; and
- Programming and activities to improve instruction and student engagement in science, technology, engineering, and mathematics, including computer science.

**C-15 Title VIII, Part F of the Elementary and Secondary Education Act of 1965:
Equitable Services for Eligible Private School Children, Teachers, and Other
Educational Personnel Non-Regulatory Guidance – Updated July 17, 2023**



Activities to Support the Effective Use of Technology

(ESEA section 4109)

- Drug and violence prevention activities and programs;
- School-based mental health services;
- High-quality training for school personnel, including specialized instructional support personnel, related to suicide prevention, effective and trauma-informed practices in classroom management, and crisis management and conflict resolution; and
- Creating, maintaining, and enhancing high-quality school emergency operations plans.

**C-15 Title VIII, Part F of the Elementary and Secondary Education Act of 1965: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel
Non-Regulatory Guidance – Updated July 17, 2023**



**Activities to
Support the
Effective Use of
Technology
(ESEA section
4109),**

- Providing educators with the professional learning tools, devices, content, and resources to personalize learning to improve student academic achievement;
- Building technological capacity, which may include procuring content and ensuring content quality and purchasing devices, equipment, and software applications in order to address readiness shortfalls; and
- Developing or using effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology.

C-15 Title VIII, Part F of the Elementary and Secondary Education Act of 1965: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel Non-Regulatory Guidance – Updated July 17, 2023



May an LEA or a third-party contractor employ a private school teacher to provide Title I services to private school participants?

- Yes, provided certain conditions are met. An LEA may hire a private school teacher to provide Title I services only if the teacher is independent of the private school in the provision of Title I services. The private school teacher must be employed by the LEA for Title I purposes, excluding the time spent employed by the private school, and must be under the direct supervision of the LEA with respect to all Title I activities. (ESEA section 1117(d)(2)).

C-30 Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended by Every Student Succeeds Act: Providing Equitable Services to Eligible Private School Children, Teachers, and Families, Updated Non-Regulatory Guidance – Updated May 17, 2023



May an LEA or a third-party contractor employ a private school teacher to provide services under a covered ESEA program to eligible private school children and educators?

- **Yes**, provided certain conditions are met. An LEA or third-party contractor may hire a private school teacher to provide services to eligible private school children and educators only if the teacher is independent of the private school in the provision of services. The private school teacher must be employed by the LEA or third-party contractor outside of the time the teacher is employed by the private school, and the private school teacher must be under the direct supervision of the LEA or third-party contractor with respect to all activities provided under a covered ESEA program. (ESEA section 8501(d)(2)).

**C-23 - Title VIII, Part F of the Elementary and Secondary Education Act of 1965:
Equitable Services for Eligible Private School Children, Teachers, and Other
Educational Personnel Non-Regulatory Guidance – Updated July 17, 2023**



What happens if an LEA does not participate in a program requiring equitable services and a private school in that LEA expresses a desire for their students and educators to receive services?

- An LEA is not required to provide equitable services if it does not receive funds under a covered ESEA program (e.g., if it chooses not to participate in such a program). (ESEA section 8501(a)(1)). The ESEA does not authorize an SEA to reallocate funds to another LEA for the purpose of providing equitable services in a non-participating LEA.

A-4

Title VIII, Part F of the Elementary and Secondary Education Act of 1965: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel Non-Regulatory Guidance – Updated July 17, 2023





Equitable Services Resources



Required Actions

- Districts submit Updated Private School information for their district to SEA by May 1, 2026.
- Districts ensure all documentation is loaded in GEMS for all applications
- All information emailed to Equitable.Services@ed.sc.gov

The above actions are required for FY26 grants and will be required in the future.



SCDE Website

[Home](#) / [Policy](#) / [Federal Education Programs](#)



ESSA Title IX, Part A McKinney-Vento Homeless Assistance Act

- [Overview](#)
- [Information for Parents or Guardians of Homeless Children](#)
- [Resources for Educators of Homeless Children](#)

Equitable Services to Private Schools

- [Title I, Part A of the Elementary and Secondary Education Act of 1965, as Amended by the Every Student Succeeds Act: Providing Equitable Services to the Eligible Private School Children, Teachers, and Families](#)
- [Title VIII, Part F of the Elementary and Secondary Education Act of 1965: Equitable services for Eligible Private School Children, Teachers, and other Educational Personnel](#)
- [2025-2026 Affirmation of Consultation](#)

Every Student Succeeds Act (ESSA)

- [Consolidated State Plan](#)
- [SC School Report Cards](#)
- [ESSA Waivers](#)



Federal Guidance

- Title I Equitable Services Guidance:
<https://oese.ed.gov/files/2023/05/Title-I-ES-guidance-revised-5-2023.pdf>
Revised May 17, 2023
- Title VIII Equitable Services Guidance:
<https://www2.ed.gov/about/inits/ed/non-public-education/files/esea-titleviii-guidance-2023.pdf>
Revised July 17, 2023





Wrap Up





- Our Responsibility
- Timely and Meaningful Consultation
- Constant Communication
 - Monitoring
 - Monthly/Quarterly
- Ensure required documents are submitted
- Document Everything

- ABOVE ALL, DUE DILIGENCE



Contact Information

Theresa Gregory

Email: tgregory@ed.sc.gov

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Equitable Services

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