

Questions & Answers

Guidance to LEAs for Providing Equitable Services to Non-Public Schools in the Event of a COVID-19 Closure

1. *Who is responsible for communicating with the private school representatives during a closure?*

Local educational agencies (LEAs) should establish procedures around communication for the required consultation process with private school representatives or officials throughout a closure when necessitated by a disaster. For example, the LEA may establish an emergency call tree to share any needed information between the LEA and private schools. LEAs may conduct consultation meetings, traditionally held in person, over the phone or virtually. LEAs must still maintain proper documentation of all meetings and interactions with private school officials.

The LEA should also establish procedures regarding the impact on equitable services in the case of an extended closure and share those procedures with the private school representatives or officials. LEAs should coordinate such planning with private school officials to ensure they have access to the information and services they need for their eligible students and, as applicable, their teachers and families.

2. *How might current school closures impact ESSA Equitable Services?*

The availability of equitable services will vary from one LEA to another.

- LEAs whose staff are not currently working will be unable to provide services, which may cause a delay in services and payment for services.
- LEAs whose staff are currently working may be able to provide services, though the availability of those services may be impacted by factors external to the agency.
- If private schools are providing virtual education rather than closing school, they may be able to carry out agreed-upon equitable services. Potential delays in LEA provided services and payment for services will be largely dependent on public school closing and staffing

3. *Will unexpended ESSA funds that are part of the proportionate share be available for carryover for the non-public schools in the 2020–21 school year?*

Under the current extenuating circumstances, if an LEA is unable to obligate all funds within this timeframe, funds may remain available for the provision of equitable services under the respective program during the subsequent school year. LEAs must use funds on equitable services and should add funds into the equitable services allocation for the 2020–21 school year. The Tennessee Department of Education (department) has created a carryover document for LEAs to use during the consultation process which can be accessed on ePlan [here](#). **The document should be uploaded in the FY21 CFA Equitable Services Related Document Folder and will be reviewed as part of the FY21 CFA approval process.**

4. *Will school closures impact the availability of funds for equitable services in the 2020–21 school year?*

At this time, the department has not received any communication indicating a disruption to FY21 federal grant allocations. The department will share additional communication if such a delay occurs.

5. *Can tutors continue to provide equitable services in-person or through a virtual setting?*

This will largely depend on whether tutoring is provided by a private school teacher, public school teacher or third-party contractor. Individuals should keep time and effort documentation. The provision of services and payment for services may be delayed.

If contractors cannot provide services as outlined in a contract or memorandum of understanding (MOU) due to COVID-19, the LEA should follow the contract or MOU regarding termination. When possible, grant recipients should attempt to renegotiate the terms of agreements with providers in lieu of termination.

6. *What steps should private schools and public schools take with regards to canceled professional development and associated travel?*

If the professional development and associated travel was allowable and agreed upon in consultation and canceled relative to COVID-19, the department recommends seeking reimbursement or transferrable credit.

For LEAs that have incurred costs related to professional development (e.g., registration fees, air travel, etc.) for which refunds are not available, grant funds may cover these costs. If the LEA receives registration credits or travel vouchers in lieu of a refund, LEAs may use such credits in a timely manner (prior to June 30, 2020) or journal the expense for credit to its local budget. All LEAs must maintain appropriate cost documentation.