



Every Student Succeeds Act

Equitable Participation

The Every Student Succeeds Act (ESSA) modifies provisions related to the participation of private school students, teachers, and parents in federally funded services.

The federal government has provided for the participation of private school students in education programs since 1965, when the Elementary and Secondary Education Act (ESEA) was originally enacted. Reauthorizations since then have modified the funding allocation, required timely and meaningful consultation with private school officials, and expanded the number of programs to which equitable participation applies.

Under the Every Student Succeeds Act (ESSA), equitable participation applies to the following programs:

- Title I, Part A
- Title I, Part C (migrant education)
- Title II, Part A (teacher quality)
- Title III, Part A (English language acquisition)
- Title IV, Part A (safe and drug-free schools, alcohol abuse reduction, mentoring)
- Title IV, Part B (21st Century community learning centers)

School districts must consult with private school officials regarding issues such as:

- Funding, including how the allocation is determined and pooling and consolidating available sources of funding
- How children's needs will be identified and what services will be offered
- How, where, when and by whom the services will be provided
- How the services will be evaluated and improved

Funding is allocated prior to any allowable expenditures or transfers, and states must also now designate an ombudsman to monitor and enforce program requirements.

The following provisions remain in place:

- Federal funds are not provided directly to parents or to private schools; they fund services provided either by district employees or providers under contract with, and the control of the district.
- There is no individual entitlement to a specific allocation of funds, or to specific services.
- Federally funded services, instruction and instructional materials must be secular, neutral and non-ideological.