TEXAS EDUCATION AGENCY

Affirmation Instructions

No Child Left Behind Affirmation of Consultation with Private Nonprofit School Officials

2012–2013 School Year

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Glossary

Agency: The Texas Education Agency (TEA) is the state educational agency in Texas which is primarily responsible for the supervision of public elementary and secondary schools in the state (34 CFR 77).

ESC: refers to an educational service center, there are 20 regional educational service centers in Texas.

LEA: Local Education Agency

NCLB: No Child Left Behind (2001)

PNP: Private Nonprofit School

School Official: person legally authorized to represent the school in the consultation

SSA: A **Shared Service Arrangement** is an agreement (usually written) between two or more school districts and/or education service centers that provides services for entities involved when such arrangement will strengthen the operation of the program. Each SSA must have a fiscal agent responsible for conducting various administrative activities (extracted from *Financial Accounting and Reporting, Financial Accountability System Resource Guide*, Section 1.3.1.1.).

General Instructions

In accordance with the No Child Left Behind (NCLB) Act, local education agencies (LEAs) are required to consult with participating Private Nonprofit Schools to determine equitable services for private school students and/or teachers. [P.L. 110-107, Section 1120(a)(1); 5142(a)(1); and 9501(a)(1).] Information provided in this affirmation must be decided during this consultation between the public (LEA) and private school (PNP) officials. The LEA must maintain auditable documentation to support the information provided in this affirmation and that it was decided through appropriate consultation. The LEA is responsible for the administrative oversight of the NCLB program(s) in the Private Nonprofit School.

Complete one affirmation per participating Private Nonprofit School.

If there are no Private Nonprofit Schools participating in Title I, Part A; Title I, Part C; Title II, Part A; **or** Title III, Part A, this form **does not** need to be completed or submitted to the Agency.

Affirmations for all participating Private Nonprofit Schools should be uploaded on NCLB Reports via TEASE. Submissions are due by Monday, **October 1, 2012**.

Shared Services Arrangement (SSA) Members and Fiscal Agents

Each participating private nonprofit school that receives services through an LEA who is a member of a Shared Services Arrangement (SSA) must have an affirmation completed and submitted to the Agency. The SSA Written Agreement (signed by both the member LEA and the fiscal agent) determines whether the member LEA OR the fiscal agent, (whether an LEA or an Education Service Center [ESC]), is responsible for the submission of the completed form to the Agency.

- If the SSA Written Agreement delineates the member LEA as responsible for consultation with the private nonprofit school officials, then the member LEA is responsible for the completion and submission of the affirmation form to the Agency.
- If the SSA Written Agreement delineates the fiscal agent as responsible for consultation with the private nonprofit school officials, then the fiscal agent is responsible for the completion and submission of the affirmation form to the Agency.

Identification Information

Enter the county-district number, name of the LEA, and name of the Private Nonprofit School in the appropriate fields at the top of each page.

PNP Participation

For each Title I, Part A; Title I, Part C; Title II, Part A; or Title III, Part A, please mark with an "x" the program participation for the indicated private nonprofit school. For each program mark all that apply.

No PNP Participation

Indicates the LEA is not providing services to the private nonprofit school. If the LEA does not have any PNP participation this form **does not** need to be completed or submitted to the Agency.

LEA Provides Services

Indicates the LEA is providing services to the private nonprofit school.

LEA Provides Services through 3rd Party Contractor

Indicates the LEA will provide services to the private nonprofit school by contracting with a third party.

Member of Local ESC agreement

Indicates the LEA is part of local ESC agreement in providing the services to private nonprofit schools.

Member of SSA

Indicates the LEA is a member of a shared services arrangement.

Member of PNP Consortium

Indicates the LEA is providing services to the private nonprofit school through the Region 10 or Region 20 consortium.

School Officials Signatures

If the PNP is participating in Title I Part A, all sections of the affirmation for Title I, Part A must be completed in its entirety and ensure both the public (LEA) and private school officials' signatures are obtained.

The PNP school official must sign the affirmation indicating that appropriate consultation did occur and that the PNP official understands that only students meeting the eligibility requirements (and their parents and teachers, as applicable) may participate in the program(s). Enter the name of the PNP school official. Enter the date the PNP school official signed the affirmation.

The public school official must sign the affirmation indicating that appropriate consultation did occur. Enter the name of the public school official. Enter the date the public school official signed the affirmation.

If for some reason the PNP official chooses not to sign the affirmation, the form must be completed, signed by the LEA official, and submitted by the LEA. Attach an explanation for why the PNP official chose not to sign.

Participation Data

Student Selection Criteria

For each participating program except Title II, Part A, enter the criteria used by the LEA and the PNP to select private school students for participation in services.

Number of Students Eligible for Services

For each participating program except Title II, Part A, enter the number of private school students eligible to receive services based on the criteria provided in **Student Selection Criteria.**

Number of Students who will Receive Services

For each participating program except Title II, Part A, enter the number of private school students who will receive services. This number should not exceed the number of private school students eligible to receive services entered above for each participation program.

Student Selection Major Activities

For each participating program except Title II, Part A, enter the major activities developed by the LEA and the PNP to serve participating private school students.

Teacher Selection Criteria

For each participating program enter the criteria used by the LEA and the PNP to select private school teachers for participation in services. While there is no certain required criteria for selecting teachers to participate in professional development activities, the private school teachers selected must teach the identified students. Also, the professional development activity must be designed to benefit those identified students most at-risk of failing and not be designed to benefit the entire private school. Teacher criteria should be based on the delivery of the major activities listed above.

Teacher Selection Major Activities

For each participating program enter the major activities developed by the LEA and the PNP to serve participating private school teachers.

Number of Teachers who will Receive Services

Enter the number of private school teachers who will receive Title II, Part A services.

Date Services will Begin

For each participating program enter the date services will begin for participating private school students and/or teachers.

Amount of Funds Budgeted

Equitable Instructional Student Participation

Enter the amount of Title I, Part A funds budgeted to provide equitable instructional services for participating private school students. Instructional amounts include the fair share amount determined from both the district instructional reservations and campus instructional amounts. The Equitable Services Worksheet can assist districts with calculating those fair share amounts.

Equitable Parent Involvement Activities

Enter the amount of Title I, Part A funds budgeted from the LEA's required parental involvement set aside to provide equitable parent involvement activities for parents of participating private school students.

LEAs with Title I allocations which exceed $500,000 are required to set aside 1% of their allocation for district parental involvement activities. The participating PNP must receive its equitable share of services from these funds.

Equitable Professional Development Activities for Teachers

Enter the amount of Title I, Part A funds budgeted from the LEA's required professional development set aside to provide equitable professional development activities for teachers of participating private school students.

LEAs that do not have 100% of core academic subject area classes taught by highly qualified teachers, must reserve some its Title I allocation for professional development activities. The participating PNP must receive its equitable share of professional development services from these funds. Professional development for the PNP teachers must address how they can best serve the Title I, Part A, students, and cannot be used to upgrade the entire educational program in the regular PNP class.

Equitable Participation

For Title I, Part C or Title III, Part A enter the amount of funds budgeted to provide equitable PNP services.

Equitable Teacher Participation

Enter the amount of Title II, Part A funds budgeted to provide equitable PNP services.

For purposes of determining the amount of Title II, Part A funds that an LEA must make available for equitable services to private school teachers and other educational personnel, the statute has the LEA assume that it is spending *at least as much* for professional development under Title II, Part A as it did in FY 2001 under the Eisenhower Professional Development and Class-Size Reduction programs [Title IX, Section 9501(b)(3)(B)]. Hence, the district must provide equitable services based on this minimum amount or the current amount of funds budgeted for professional development, whichever is greater, to private school teachers and other educational personnel.

Services and Benefits Delivery

For each program in which the PNP is participating, mark the box(es) that best describes the location(s) where services will be provided. If one of the listed locations does not describe where services will be provided, mark **Other, Specify**. Enter a description of the location in the field after **Specify**.

If there is no participation in a program area, leave that column blank.

Designated Times

For each program in which the PNP is participating, mark the box(es) that best describes the time(s) when services will be provided. If one of the listed locations does not describe when services will be provided, mark **Other, Specify**. Enter a description of the time in the field after **Specify**.

If there is no participation in a program area, leave that column blank.

NCLB Reports

Download template on NCLB Reports

1. Log onto TEASE
2. Select NCLB Reports from the Application List
3. Select Download Response Templates
4. Select 2012-2013 PNP Affirmation or PNP Equitable Services Worksheet

Upload document onto NCLB Reports

1. Select Upload Response document
2. Select PNP Affirmation or PNP Equitable Services Worksheet for “Response Template”
3. Select 2012-2013 for “School Year”
4. Select Response Document for “Response Doc Type”
5. Click Upload document