

Federal Program Compliance Division

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21st Century Community Learning Centers (CCLC) and Private Nonprofit (PNP) Equitable Services Frequently Asked Questions

This document provides the answers to program-related questions received by the Division. You can also navigate through the document using the Bookmarks in your PDF viewer.

For questions or additional PNP information, contact PNPOmbudsman@tea.texas.gov.

For questions or additional Title IV, Part B, 21st CCLC information, contact 21stcentury@tea.texas.gov.

1. What is the purpose of the Title IV, Part B, 21st Century Community Learning Centers (CCLC) [Texas Afterschool Centers on Education (ACE) program]?

The purpose of the 21st CCLC program, referred to in Texas as *Texas ACE*, is to provide opportunities for communities to establish or expand activities in community learning centers that:

- Provide opportunities for academic enrichment to help children, particularly children who attend low-performing schools, meet challenging State academic standards;
- Offer children a broad array of additional services, programs, and activities that are designed to reinforce and complement the regular academic program of participating children; and
- Offer families of children served by community learning centers opportunities for active and meaningful engagement in their children's education.

2. Must an eligible entity target services to certain children for 21st CCLC services?

Yes. To receive a 21st CCLC subgrant, an eligible entity must assure that the program will target children who primarily attend public schools eligible to operate a schoolwide program under section 1114 of the ESEA—i.e., a school with a poverty percentage of 40 percent or more. (ESEA section 4202(b)(2)(F)). Also, an SEA must give priority in its competitive process to applications proposing to target children who primarily attend public schools that are implementing comprehensive or targeted support and improvement activities under section 1111 of the ESEA, other schools determined by a School System to need intervention and support, and schools that enroll children who may be at risk for academic failure, dropping out of school, involved in criminal or delinquent activities, or who lack strong positive role models. (ESEA sections 4203(a)(3)(A), 4204(i)(1)(A)). There is no requirement that a 21st CCLC program exclusively serve these children, however, and a

21st CCLC program may serve School System and private school children who are not from low-income families and who do not attend schools that are low performing.

3. Must a 21st CCLC grantee recipient provide for the equitable participation of private school children and educators in programs and activities?

Yes. A grant recipient receiving financial assistance under the 21st CCLC program must, after timely and meaningful consultation with appropriate officials of private schools located in the areas served by the grant, provide to eligible private school children and educators' educational services, and other benefits that are equitable in comparison to such services and other benefits provided with program funds to School System children and educators. (ESEA section 8501(a)(1), (3)(A)). The requirement to provide for the equitable participation of eligible private school children and educators applies regardless of whether a subgrantee is a School System or other community-based organization or entity.

How equitable services are provided to eligible private school children and educators may differ, depending on the type of entity receiving a grant and the focus of the program. For example, if a 21st CCLC program serves only School System children in schools identified for comprehensive support and improvement, it must offer comparable educational services and other benefits to private school children who are enrolled in private schools within the geographical area of the School System being served. On the other hand, if a 21st CCLC program serves a broader area of the School System children, it must offer comparable educational services and other benefits to private school children who attend schools within the service area of the subrecipient.

If the 21st CCLC program is open to all children within a subrecipient's service area, the program would meet the requirement to provide equitable services by ensuring that eligible private school children have an equitable opportunity to participate in the program. For example, if the program is oversubscribed, the subrecipient might select participants based on the proportion of School System and private school children in the subrecipient service area.

4. When and with whom does an entity apply for a 21st CCLC grant consult in providing equitable services to eligible private school children and educators?

Section 8501(c)(3) of the ESEA requires consultation to take place before an eligible entity makes any decision that affects the opportunities of eligible private school children and educators to participate in programs. Accordingly, an entity applying for a 21st CCLC grant must consult with appropriate private school officials regarding equitable services at the program development stage prior to submitting its application—i.e., before the entity makes any decision that affects the opportunities of eligible private school children and educators to participate (ESEA section 8501(c)(3)).

The goal is to develop a program that will serve the School System and private school children and educators in the service area of the applicant (see ESEA section 8501(c)(1)). A

service area might not be contiguous with a School System; rather, it might be a designated school attendance area within a School System or an area unrelated to its boundaries. In this case, the 21st CCLC grant applicant should define the geographical area the 21st CCLC will serve and then contact all private schools within that area to carry out consultation and inform private school officials of the type of program the applicant is proposing as part of its application. Other entities and organizations applying for a grant may reach out to School Systems, the TEA 21st CCLC program contact, or the TEA State Ombudsman for assistance in identifying the appropriate private school officials with whom to consult.

5. How might a 21st CCLC grant applicant consider the needs of eligible private school children in developing its 21st CCLC application?

Each 21st CCLC grant applicant must engage in timely and meaningful consultation with private school officials within the area the applicant proposes to serve [ESEA section 8501(c)], which will provide the applicant with information on eligible private school children's needs. Moreover, as part of its 21st CCLC application, ESEA section 4204(b)(2)(I) requires that each applicant evaluate the community's needs and resources available to the community learning center and describe how the proposed program will meet those needs. The evaluation of the community's needs would include the needs of all children in the community, i.e., those attending the School System and private schools.

Finally, each 21st CCLC applicant is required, under ESEA section 4204(b)(2)(D), to develop and carry out the 21st CCLC program in active collaboration with the schools that participating children attend, which includes private schools and School Systems.

6. Where can 21st CCLC activities be provided?

Services of a 21st CCLC program may be provided in a public school, private school, or other facility.

7. What types of services may be provided to eligible private school children in a 21st CCLC program?

Examples of allowable activities in 21st CCLC programs include:

- academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services that are aligned with challenging State academic standards;
- literacy education programs;
- programs that support a healthy and active lifestyle;
- drug and violence prevention programs;
- programs that build skills in science, technology, engineering, and mathematics (STEM), including computer science, and that foster innovation in learning by supporting non-traditional STEM education teaching methods; and
- programs that partner with in-demand fields of the local workforce or build career competencies and career readiness. (ESEA section 4205).

- 8. When is the grantee expected to consult with the PNP? Is the consultation meeting typically *after* the PNP makes the decision to participate (e.g., sends an Intent to Participate Form), or should the consultation occur *before* the PNP decides whether to participate?**

Consultation must occur during the design, development, and implementation of the program. Consultation must be timely, meaningful, and ongoing. Meaningful consultation provides ample time and a genuine opportunity for all parties to express their views, to have their views seriously considered, and to discuss viable options for ensuring equitable participation of eligible PNP students, teachers, other education personnel, and families.

This requires that the grantee has not made any decisions that will impact the participation of PNP students and teachers in applicable programs before consultation, or established a blanket rule that precludes PNP students, families, and teachers from receiving certain services authorized under applicable programs. A grantee should consult with PNP officials about the timeline for consultation and provide adequate notice of such consultation to ensure meaningful consultation and the likelihood that those involved will be prepared with the necessary information and data for decision-making.

- 9. How do grantees that are not School Systems (e.g., charter schools, universities, non-profit organizations) determine the attendance zones for their centers? Charter schools may not have attendance zones.**

All Title IV, Part B, grantees – including charter schools – will use the School System attendance zone in which the Texas ACE center is located and consult with the private nonprofit schools in that attendance zone.

- 10. Does TEA provide a resource for grantees to determine attendance zones for each center?**

No. Local School Systems determine their attendance zones. School Systems are required to maintain updated location and contact information for each campus and district on [AskTED](#). Many districts host an online tool to determine which School Systems your center address would track.

- 11. If an eligible private school decides to participate in the program, can private school students who reside outside the School System’s attendance zone where the center resides participate?**

No. Services must be provided to eligible private school students in the School System’s attendance zones of the campuses and feeders served by the “center.”

- 12. Are homeschools considered private nonprofit eligible for equitable services?**

No. Although homeschools are considered private schools in Texas, they must meet the requirements of a private nonprofit school to receive equitable services. Most homeschools do not meet the requirement of being a nonprofit entity.

- 13. How many PNP Affirmation of Consultation forms need to be completed?**

Complete and submit one signed Affirmation of Consultation form for each participating PNP.

14. Where can I find the Affirmation of Consultation form?

The Affirmation of Consultation with PNP Officials form for Title IV, Part B, is posted annually on the [TEA ESSA PNP Equitable Services](#) webpage.

15. If no PNP schools are participating, do we need to respond to the *Timely and Meaningful Consultation* section on the Affirmation Form?

No. Use the drop box to select “Not participating” and do not complete the rest of the Affirmation. If there are no participating PNP schools, documentation is kept on file and not submitted to TEA.

16. How and when do I submit Affirmation Forms to TEA? Who is responsible for submission?

All awarded 21st CCLC grant applicants must complete the *Title IV, Part B: 21st CCLC Affirmation of Consultation* form through the *Federal Program Compliance Division’s 21st CCLC PNP Affirmations Smartsheet WorkApp* by September 30th of each grant year for participating Private Nonprofit (PNP) schools.

On the Smartsheet form, awarded 21st CCLC grantees must indicate whether PNP schools are being served. If a private school chooses to participate, the signed *Affirmation of Consultation with PNP School Officials* (Title IV, Part B: 21st CCLC form) must be submitted via the Smartsheet WorkApp.

Detailed instructions for accessing the Smartsheet WorkApp and submitting the Affirmation of Consultation form are available on TEA’s [ESSA Private School Equitable Services page](#).

17. Do I submit Affirmation Forms if a private school decides not to participate?

All awarded 21st CCLC grantees must complete the *Federal Program Compliance Division’s 21st CCLC PNP Affirmations Smartsheet WorkApp* by September 30th of each grant year to indicate that outreach was made to PNPs. The signed *Affirmation of Consultation with PNP School Officials* (Title IV, Part B: 21st CCLC form) is submitted only via WorkApp if private schools are participating.

Grantees should maintain all documentation of consultation, even when the private school is not participating.

18. Regarding the application, Section 5, when a private school decides not to participate, must grantees complete Sections 5A and 5B?

No.

19. Would an email be sufficient for documentation of consultation?

Documentation must demonstrate that consultation is timely, meaningful, and ongoing throughout the implementation and assessment and services. Email communication alone does not meet the requirements, especially when a private school wants to participate. Only after discussing key consultation issues relating to the program and provision of services does a

School System make its final decisions with respect to the services it will provide to private school students, staff, and families.

20. Is a registered letter sufficient for consultation?

No. Registered letters provide documentation of outreach to a private school. If a private school wants to participate, then additional documentation of meaningful ongoing consultation would be required.

21. Would private school students be provided with the same services at their home campus? Or are the students required to attend the Texas ACE center?

Meaningful consultation will determine which services are provided to private school students, teachers, and families. All services must be offered in full alignment with 21st CCLC statutory and program requirements. It is most likely that the private school would operate as a feeder school to the Texas ACE Center. If a private school chooses to participate, awarded grantees may request support from TEA by emailing 21stCentury@tea.texas.gov to determine an operational plan that complies with 21st CCLC requirements.

22. Can you elaborate on what constitutes ‘check-ins’ (a.k.a. consultation meetings)?

When a private school wants to participate, the 21st CCLC fiscal agent organization is responsible for continuing timely and meaningful consultation throughout the implementation and assessment of services. The fiscal agent and the private school will reach an agreement about the process for continuous consultation. The 21st CCLC fiscal agent will maintain documentation of consultation.

23. What if the grantee has already allocated all grant funds to existing centers? What equitable services will be used for private school participation?

Private schools must be consulted during the design and development of the program. Each competitive application (Year 1) and annual continuation application includes a PNP Equitable Services Form. If a private school wishes to participate, applicants in Year 1 and awarded grantees in Years 2-5 must indicate the equitable services amount on the PNP Equitable Services Form. This amount of equitable services must be set aside for that private school’s participation. *A private nonprofit school does not receive funds; it participates through equitable services.*

24. I noticed on the TEA website a document that lists the School Systems’ equitable services reservations. If our agency is not listed, how do we calculate our reservation?

The posted document is for all federal programs except for Title IV, Part B. Use the PNP Equitable Services Form included with the Grant Application to calculate the reservation for Title IV, Part B, 21st CCLC.

25. What percentage of administrative costs can be expended on providing equitable services?

The total administrative cost for the grant must not exceed 5%.

26. If the set-aside amount is based on per-student cost, what happens to that set-aside amount if teachers want to attend training and travel, or registration fees are requested?

The set-aside amount is determined through consultation with private schools that wish to participate. This amount will be used in accordance with the terms agreed upon between the participating PNP and the grantee, as outlined in the grant requirements.

27. If a PNP wants to participate, is it then added as a feeder school? How do grantees account for serving those students in TX21st?

In most cases, a participating private school will be set up as a feeder to the center, and all required data for the students served by the federal grant will be entered into the Tx21st system. Meaningful and ongoing consultation will include grant reporting requirements and data sharing as needed to meet Title IV, Part B, statutory and program requirements.

28. Where might a grantee receive additional Title IV, Part B, program information and support?

Interested parties may review the TEA's [Texas ACE webpage](#) or email 21stCentury@tea.texas.gov with questions.

29. Are there additional TEA resources available for 21st CCLC grantees?

Yes.

[TEA ESSA PNP Equitable Services](#) webpage

[21st CCLC PNP Affirmation Smartsheet WorkApp Data Form](#)

[Affirmation of Consultation with Private Nonprofit School \(PNP\) Officials Title IV, Part B: 21st Century Community Learning Centers \(CCLC\) Form](#)

[TEA ESSA Private School Equitable Services Frequently Asked Questions](#) (Title IV, Part B, section)

[FPC Division General Smartsheet TEA WorkApp Training Video](#) (December 2024)

[FPC WorkApp General Help Form Instructions](#) (February 2025)