

ESC Random Validation Training Phase 2

**LEAs Providing Private Nonprofit (PNP) Equitable Services:
LEA Provided Timely and Meaningful Consultation**

November 2023

**Texas Education Agency
Federal Program Compliance Division**

This presentation is intended solely to provide general information and guidance to Texas ESCs, LEAs, and participating Private Schools and reflects the Texas Education Agency's current understanding of statute and applicable federal guidance. The content of this presentation is subject to change as a result of further potential information and guidance provided by federal agencies with regulatory oversight of these programs. This presentation does not constitute legal advice, and entities are, therefore, advised to seek legal counsel regarding the information and guidance provided in this presentation before acting on such information and guidance.

Program Requirements Selected



Documenting overall compliance for a program requirement may require several forms of documentation to be maintained locally and available upon request by TEA and/or an auditor.

Program Requirements Selected



To ensure overall compliance with program requirements, LEAs should refer to the Program Guide and/or other program-related resources that reference the multiple forms of documentation required to be maintained locally.

Program Requirements Selected



The documentation requested for submission during the random validation process may not include all forms of documentation that are required to be maintained locally.

Documentation for virtual meetings is acceptable.



Given the increased use of virtual meeting environments, participant rosters that include the meeting title, meeting date, and stakeholder names and roles would be acceptable substitutes for the more traditional sign-in sheets. This eliminates the need of a participant signature.



**2023-2024 Random Validation Handbook
for LEAs Providing Private Nonprofit (PNP)
Equitable Services**

**LEA Provided PNP Timely and Meaningful
Consultation Meetings**

Federal Program Compliance Division

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V 1.0 (11/2023)

Title I, Part A Programs. Consultation, ESSA Section 1117(b)(1)

(b) Consultation

(1) In General. To ensure timely and meaningful consultation, a local educational agency shall consult with appropriate private school officials during the design and development of such agency's programs under this part. Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children, the results of which agreement shall be transmitted to the ombudsman designated under subsection (a)(3)(B).

Title VIII Programs (Titles IIA, IIIA, IVA, IVB). ESSA, Section 8501(c)(1)

(c) Consultation

(1) In General. To ensure timely and meaningful consultation, a State educational agency, local educational agency, educational service agency, consortium of those agencies, or entity shall consult with appropriate private school officials. Such agency and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children.

Assurances Relating to Title I, Part A Program, PNP Consultation

To ensure timely and meaningful consultation, the LEA shall consult with appropriate private school officials during the design and development of the LEA's Title I, Part A programs. The LEA and private school officials shall both have the goal of reaching agreement on how to provide equitable and effective programs for eligible private school children.

[#9, pages 19-21]

Assurances Relating to Title VIII Programs (Title I, Part C; Title II, Part A; Title III, Part A English Learner; Title III, Part A Immigrant; Title IV, Part A), PNP Consultation

The LEA will provide services to eligible children attending private elementary schools and secondary schools in accordance with Section 8501, and timely and meaningful consultation with private school officials regarding such services.

[Title I, Part C (#4, pages 29-30); Title II, Part A (#4, page 41); Title III, Part A English Learner (page 41, #4); Title III, Part A Immigrant (page 41, #4); Title IV, Part A (page 47, #4)]

LEA Compliance Report: PNP Compliance Self-Check – Timely and Meaningful *Consultation*

The LEA conducted timely and meaningful consultation with participating PNP school officials regarding the implementation of the ESSA programs according to ESSA Sections 1117 and/or 8501, as appropriate.

The consultation occurred before the LEA made any decisions that affect the opportunities of eligible PNP school children, teachers, and other educational personnel to participate in the program, and continue throughout the implementation and assessment of program activities.

Documentation Required

1.1
Written documentation supporting timely and meaningful PNP consultation meetings

Acceptable Documentation

Two samples of dated agendas, meeting notes, emails, or other documentation indicating timely and ongoing consultation meetings were held

Documentation Required –

Written documentation supporting timely and meaningful private nonprofit (PNP) consultation meetings



Issues that may result in an “Improvement Needed” status

- Auditable documentation requested was not submitted
- Documentation submitted does not reference the requested PNP validation requirement
- Documentation from a prior year was submitted instead of current year documentation
- Documentation does not provide two dated samples



Federal Program Compliance Division Contact Information



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