

ESC Random Validation Training Phase 2

Private Nonprofit (PNP) Equitable Services: LEA Maintained Inventory Control of Purchases for Equitable Services

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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.

Meeting Documentation

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.



Handbook– LEA Maintained Inventory Control of Purchases for Equitable Services



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

LEA Maintained Inventory Control of PNP Purchases for Equitable Services

Federal Program Compliance Division

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Title I, Part A Program

Section 1117(d)(1)

The control of funds provided under this part, and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds, materials, equipment, and property.



ESSA Statutory Requirement – LEA Maintained Inventory Control of Title VIII Purchases for Equitable Services

Title VIII Programs

Section 8501(d)(1)

The control of funds used to provide services under this section, and title to materials, equipment, and property purchased with those funds, shall be in a public agency for the uses and purposes provided in this Act, and a public agency shall administer the funds and property.

Code of Federal Regulations (C.F.R.), Title 34, Section 76.661(a)(d)

An agency, consortium, or entity must keep title to, and exercise continuing administrative control of, all property, equipment, and supplies that the agency, consortium, or entity acquires with funds under a program listed in **§ 76.661(a)(d)** for the benefit of eligible private school children and their teachers and other educational personnel.

Assurances Relating to Title I, Part A

The control of Title I, Part A funds, and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds, materials, equipment, and property.

Assurances Relating to Title VIII Programs

The LEA will comply with the uniform provisions for providing services to private schools as specified in [Title VIII, Part F, Subpart 1, Private Schools, Sections 8501-8504](#).



LEA Compliance Report: PNP Compliance Self-Check – LEA Maintained Inventory Control of Purchases for PNP Equitable Services

LEA procedures were in place ensuring it maintained control of PNP technology, equipment, and supplies purchased for the equitable services program(s).

Documentation Required— LEA Maintained Inventory Control of Purchases

Documentation Required

1.1 - LEA Internal Control Policies and Procedures

1.2 – LEA Evidence of Inventory Control Consultation

1.3 – LEA Evidence of Inventory Control

Acceptable Documentation

- 1.1 - Copy of written policies and procedures regarding purchases of PNP technology, equipment, and supplies for equitable services; and
- 1.2 - One sample of dated agendas, consultation notes, and/or other documentation specifying LEA maintains control of PNP purchase(s) for equitable services; and
- 1.3 - Inventory list of items purchased for PNP equitable services on one participating private school campus for each participating ESSA program. (supplemental property/equipment, materials, supplies, and devices such as laptops, 3-D printers, science/lab equipment, etc.)

Documentation Required –

Written documentation supporting LEA Internal Control Policies and Procedures



Issues that may result in an “Improvement Needed” status

- Auditable documentation requested was not submitted
- Documentation submitted does not reference each of the **three** requested PNP validation requirements
- Documentation from a prior year was submitted instead of current year documentation
- Documentation does not indicate LEA maintains control of purchases



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