



Federal Program Compliance (FPC) Statewide Training Series 2026

**Getting Started with Private Nonprofit (PNP) Equitable Services:
Requirements, Common Pitfalls, and Best Practices**

May 4, 2026

1:00 p.m. – 2:30 p.m. CST

LaNetra Guess
Federal Program Compliance Division
Deputy Program Management Director
ESSA Private Nonprofit (PNP) Ombudsman and
Title IV, Part A, Program

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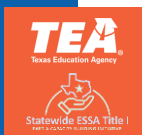
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Presentation Check-in



FPC - Check-In

- Select Event Name: **Getting Started with PNP Equitable Services: Requirements, Common Pitfalls, and Best Practices - presented by LaNetra Guess, 5/4/2026**
- Select Program: **Private Nonprofit (PNP)**
- Enter First Name and Last Name
- Enter Role (Position Title)
- Provide Email Address (Optional)
- Select LEA, ESC, or Other
 - LEA: Select LEA Name or Type LEA Name to find LEA Name
 - ESC: Select ESC Region Number
 - Other: Enter the name of your organization

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**Preparing for Private Non-Profit
(PNP) School Equitable Services**

Defining - Private, Nonprofit, and Nonpublic Entities



Private

The [Code of Federal Regulations \(CFR\), Title 34, Subtitle A, Part 77.1](#) defines *private*, as applied to an agency, organization, or institution, that it is not under Federal or public supervision or control.

Nonprofit

The [Code of Federal Regulations \(CFR\), Title 34, Subtitle A, Part 77.1](#) defines *nonprofit* as an agency, organization, or institution, owned and operated by one or more corporations or associations whose net earnings do not benefit, and cannot lawfully benefit, any private shareholder or entity.

Nonpublic

The [Code of Federal Regulations \(CFR\), Title 34, Subtitle A, Part 77.1](#) defines *nonpublic* as an agency, organization, or institution that is nonprofit and not under Federal or public supervision or control.



Equitable Services Must Be...



- Secular, neutral, and non-ideological for all educational services, materials, and equipment
- Equitable educational services compared to public schools
- Provided in a timely manner
- Monitored and enforced by the PNP Ombudsman





Consultation Discussion Topics

Local Education Agency (LEA) Duties of Consultation (selected)



An LEA must consult with PNP school officials **during** the design and development of the Title programs.



Consultation must be timely, meaningful, and **ongoing**.



An LEA **must** consider the views, suggestions, and needs of participating PNP schools before making any decisions.

Required Consultation Topics – Title I, Part A, and Title VIII programs



- How will the private school children's needs be identified
- What services will be offered, per participating program
- How, where, and by whom the services will be provided
- Size and scope of services, amount of funds allocated for services, and how the amount of funds is calculated for services, per participating PNP school



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Required Consultation Topics – Title I, Part A, and Title VIII programs (continued)



- Whether the LEA shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor
- How and when the LEA will make decisions about the delivery of services to children, considering the views of PNP school officials on the provision of services through a contract with a third-party provider



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Required Consultation Topics – Title I, Part A, Programs



- How services will be academically assessed and how results will be used to improve those services
- The method or sources of poverty data used to determine the number of children from low-income families in participating school attendance areas who attend eligible private schools
- If the LEA disagrees with the views of PNP school officials on the provision of services through a contract, the LEA must provide PNP school officials with a written rationale



Required Consultation Topics – Title I, Part A, Programs (continued)



- When, including the approximate time of day, program services will be provided
- Whether to consolidate and use funds provided in coordination with eligible funds available for services to PNP school children under applicable programs



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Required Consultation Topics – Title I, Part A, Programs (continued)



- Whether to provide equitable services to eligible Title I, Part A, children by:
 - (1) creating a pool(s) of funds for equitable services based on all children from low-income families in participating school attendance areas who attend private schools; or
 - (2) in the LEA's participating school attendance area who attend PNP schools, with the proportion of funds allocated based on the number of children from low-income families who attend private schools



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Required Consultation Topics – Title VIII Programs



- **Title VIII (specific)** – How services will be assessed and how results will be used to improve those services



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Required Consultation Action – Review and Sign the Affirmation of Consultation Forms



- Affirmations must be signed and dated by both the PNP school official and the LEA official.

- LEAs must submit Affirmation of Consultation forms via FPC's *PNP Affirmations WorkApp* by September 30.

- LEAs must make any revisions to the PNP Affirmations WorkApp data and Affirmation forms.
 - **PNP Ombudsman recommends completing all revisions by May 1.**
 - **Final Amendments** to the ESSA Consolidated Federal Grant Application are due **June 2.**



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Title I, Part A – Required Reservation for PNP Parent and Family Engagement (PFE) Activities



- When an LEA's allocation is at least \$50,000, it's required to reserve and spend at least 1% of its Title I, Part A, allocation for Title I PNP PFE activities. [ED Title I Guidance – B7]
- An LEA *can* set aside Title I, Part A, funds for PFE activities at the PNP school.
 - The amount of equitable services set aside for PFE is based on decisions made during timely and meaningful consultation with PNP school officials.



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Title I, Part A – PNP Parent and Family Engagement (PFE) Activity Examples



What PFE activities has your LEA provided to eligible PNP Title I students?

or

If representing a PNP school, what PFE activities have eligible families participated in?



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Required Consultation Topic – *Potential Carryover of Equitable Services*



The LEA and PNP school officials must discuss any *potential* and *reasonable* carryover of equitable services in the subsequent year that *might* apply to participating programs.



LEAs and PNP schools should consult on how to use all equitable services within the same school year, if possible.



During consultation, LEAs should set reasonable deadlines for PNP school officials to use equitable services throughout the school year, so as not to have a carryover of services at year's end.



PNP schools that do not meet LEA timelines for using equitable services, provided during consultation, *could potentially* lose a portion or all services *if* timelines are not met.



Eligibility for PNP Equitable Services

Every Student Succeeds Act (ESSA) Eligible Programs for Equitable Services



Title I, Part A – ESSA, Section 1117

Title VIII Programs – ESSA, Section 8501

- Title I, Part C
- Title II, Part A
- Title III, Part A
- Title IV, Part A
- Title IV, Part B (21st Century Community Learning Centers)



Program Eligibility – PNP Students/PNP Schools



For **Title I, Part A**, equitable services, a private school **student *must reside in an eligible Title I, Part A, attendance center***, meet eligibility, **AND** have an educational need.

For **Title I, Part C; Title II, Part A; Title III, Parts A - English Learners and Immigrants; and Title IV, Part A**, private school campuses must be located ***within district boundaries*** **AND** meet program eligibility for students and staff served.

Title I, Part A, Eligibility – Poverty Data Requirements



Poverty Data

- Low-income students residing in Title I public attendance centers, **and** attending private schools, *generate* funding for equitable services by using one of the following methods:
 - **Data from the same source**
 - **Survey with extrapolation**
 - **Proportionality**
 - **Equated Measure**
- LEA has final authority on the poverty data collection method selected
- LEA and PNP poverty data used to complete the *PS3099 Private School Schedule, Title I, Part A, equitable services section*



Title I, Part A, Eligibility – Students Served



- Must reside in a participating Title I, Part A, public school attendance area
- LEA and PNP must consult and establish multiple, educationally related objective criteria for student services
- Only targeted students meeting the selection criteria can be served.
- Poverty is not a criterion for receiving services.



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Title I, Part A – Student Eligibility



May students residing in Mexico and attending Texas PNP schools receive Title I, Part A, services?

- No, the Title I, Part A, student residency requirement was not met.
- Therefore, students residing in Mexico are not eligible to receive Title I, Part A, equitable services.



Pooling of Equitable Services

Title I, Part A, Poverty Data Sources* – PNP Schools



- **Data from the same source** – Using the same measure of poverty as public schools (free/reduced-price lunch data)
- **Survey with extrapolation** – Using comparable poverty data from a survey and allowing the results to be extrapolated from a representative sample, if complete data are not available
 - Requires: to the extent possible, protection of family identity; verification of residence; grade level, and age of child; and household income
- **Proportionality** – Applying the same low-income percentage of each LEA attendance area to the number of PNP children residing in the area
- **Equated Measure** – Using two data sources for public school students and apply to the PNP population; or using comparable data from another source (i.e., tuition scholarship application)

*ED Title I, Part A, of the ESEA, as Amended by the ESSA: Providing Equitable Services to Eligible Private School Children, Teachers, and Families, Updated Non-Regulatory Guidance - #B11.

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Title I, Part A – Pooling Equitable Services



- Title I, Part A, pooling of equitable services *must be* discussed during consultation *and* agreed upon by the PNP school(s) for an LEA to pool services.
- PNP schools can decline participation to pool their equitable services.
- If participating, some PNP schools may receive more or fewer services than the private school would generate individually.
- All PNP schools participating in a pool of equitable services must agree to the pooling option.

[ESEA, Section 1117(b)(1)(J) and 34 CFR 200.62]

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Title I, Part A – Pooling PNP Equitable Services - Options



Three Title I, Part A, LEA-PNP Pooling Options:

1. **School-by-School**
2. **Pooling within an LEA**
3. **Pooling across multiple LEAs**

[*ED Title I, Part A, of the ESEA, as Amended by the ESSA: Providing Equitable Services to Eligible Private School Children, Teachers, and Families, Updated Non-Regulatory Guidance](#) and ESEA, Section 1117(b)(1)(J)

Title I, Part A – Pooling Equitable Services: School-by-School Option



LEA option for Title I, Part A, Pooling:

▪ **School-by-School**

- **Most selected LEA option** - No pooling of PNP equitable services
- Provide services to *eligible* Title I children from low-income families who reside in participating Title I public school attendance area(s) and attend a private school
- Serve eligible Title I students who have an academic need

ESEA, section 1117(b)(1)(J)(ii)

Title I, Part A – Pooling Equitable Services: Within an LEA Option



LEA option for Title I, Part A, Pooling:

▪ Pooling within an LEA

- Provide services to *eligible* Title I children attending private school that is part of ***a group of private schools*** by pooling the Title I, Part A, funds generated from low-income students residing in participating Title I public school attendance areas
- **LEA/PNP – must establish criteria to determine eligible private school students in greatest educational need to receive services**
- Services do not depend on the amount generated by low-income families of one PNP school; services are based on educational need
- LEA may establish a separate pool for each requesting group

Title I, Part A – Pooling Equitable Services: Across Multiple LEAs



LEA option for Title I, Part A, Pooling:

■ Pooling across multiple LEAs*

- Title I, Part A, eligible children residing within Title I, Part A, attendance center(s) who are low-achieving may be served, if the criteria are met
- LEAs, in consultation with PNP school officials, must establish criteria to determine which children with the greatest educational need can receive services
- With pooling, multiple PNP schools, with eligible low-achieving Title I children, are served by one fiscal agent (LEA/ESC/SSA/Third-Party Contractor) to receive a portion of the 'pooled' equitable services

*Without pooling, *multiple* LEAs could be providing services to one PNP school.

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Poll: Pooling Services – Knowledge Check 1



Scenario 1 – Which pooling option fits this scenario?

Eligible low-achieving private school children receive services based on the amount of Title I, Part A, funds generated by children from low-income families in their school, as determined by the LEA in which they live.

For example, eligible private school children in Private School 1 who live in LEA-A receive \$50,000 in services, while their Title I eligible classmates who live in LEA-B receive only \$5,000 in equitable services. This is true even if more low-achieving students reside in LEA-B.

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Poll: Pooling Services – Knowledge Check 2



Scenario 2 – Which pooling option fits this scenario?

Appropriate private school and LEA officials agree after consultation to pool Title I, Part A, funds within LEA-A and LEA-B individually. There is \$75,000 available to serve low-income achieving private school children in both PNP-1 and PNP-2 who live in LEA-A, and \$6,000 available to serve low-achieving private school children in both private schools who live in LEA-B.

Even if there are more low-achieving children who reside in LEA-B than LEA-A, there is only \$6,000 available to serve these students.

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Poll: Pooling Services – Knowledge Check 3



Scenario 3 – Which pooling option fits this scenario?

Appropriate private school and LEA officials agree after consultation to pool Title I, Part A, funds across both LEA-A and LEA-B. There is then \$81,000 available to serve, based on uniform criteria of educational need, the lowest-achieving eligible private school children who attend PNP-1 and PNP-2, regardless of whether they reside in LEA-A or LEA-B, and without regard to how much funding children from low-income families, within their private school, generate towards the pool.

Eligible low-achieving children may receive Title I, Part A, equitable services *even if their school has few or no children from low-income families who generate Title I funds.*

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Title I, Part A: Third-Party Provider



- LEA remains the fiscal agent
- LEA may contract with an outside company to provide PNP equitable services, if discussed during consultation
- LEA must monitor third-party contractor services and performance
- Contractor must comply with all program requirements
- Contractor must specify the detailed services provided on invoices
- Reasonable administrative costs must be discussed during consultation *and* may be taken from the equitable services portion
- TEA recommends no more than 5-7% for Title I, Part A, direct administrative costs

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Title VIII Equitable Services

ESSA Title VIII Programs for Equitable Services*



Title VIII Programs – ESSA, Section 8501

- Title I, Part C
- Title II, Part A
- Title III, Part A
- Title IV, Part A
- Title IV, Part B (21st Century Community Learning Centers)

[*ED's Title VIII, Part F, of the ESEA of 1965: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel Non-Regulatory Guidance \(July 2023\)](#)

Title I, Part C – Migrant Education Program (MEP)



- Children identified as Migrant, ages 3-21, attending an eligible PNP school
- Children are eligible to receive MEP services if they: (1) meet the statutory and regulatory definitions of a migratory child and (2) the State has properly recorded its determination that the child is a “migratory child” on the national Certificate of Eligibility (COE)
- For additional information on the MEP program, including additional program guidance and other resources, visit TEA’s or ED’s websites at: [TEA Title I, Part C, Education of Migratory Children](#) or [ED Title I, Part C, Migrant Education](#).

Title II, Part A, Equitable Services



- Requests *must be pre-approved* by LEA, and secular, neutral, and nonideological trainings/conferences
- May not be used to meet PNP contractual requirements, even during required professional development days
- Only available to PNP school teachers, principals, and other school leaders [who meet the definition in ESEA, section 8101(44)]
- Equitable services may be used to address issues related to address specific needs of private school children and/or school conditions for student learning – safety, peer interactions, drug and alcohol abuse, and chronic absenteeism [ESEA, 2103(b)(3)(I)]

For more Title II, Part A, tools and resources, see the TEA's [Title II, Part A - Supporting Effective Instruction](#) webpage

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Title II, Part A, Equitable Services Activities (examples)



- Professional development conferences and trainings that are *sustained* and aligned with the PNP school's needs
- Training for selecting & implementing formative and classroom-based assessments
- Supporting instructional services provided by effective school library programs
- Preventing and recognizing child abuse
- Training to improve school conditions for student learning
- Online subscription/video training database if ALL content is secular, neutral, and nonideological (no prorated equitable services portions allowed)

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Title II, Part A – Considerations that **Must** Inform Decisions for Professional Development



LEA must consider the following:

- **Does the professional development meet the definition of ‘professional development?’** [ESEA, section 8101(42)]
 - **Activities MUST:**
 1. **“Be part of the strategies for providing educators with the knowledge and skills necessary to succeed in a well-rounded education; and**
 2. **Sustained (not stand-alone, one-day, or short-term workshops), intensive, collaborative, job-embedded, data-driven, and classroom-focused.’**
- Is the professional development evidence-based, where applicable? [ESEA 8101(21)]
- Is the professional development reasonable and necessary to provide Title II, Part A, equitable services? [2 CFR 200.403]
- Does the professional development supplement what would have otherwise been provided to private school teachers, principals, and other school leaders? [ESEA, section 2301]

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Title III, Part A, Equitable Services



- Title III, Part A, eligibility is for children and youth aged 3-21 years who meet the definition
- An eligible private school student must be enrolled in the geographic area served by an LEA that receives Title III, Part A subgrant.
- Students must meet the definition of an English Learner (EL) under ESEA, section 8101(2) or an Immigrant student under ESEA, section 3201(5).

Title III, Part A – Students Residing in Mexico and Other States



- Student residency is not a requirement, unlike Title I, Part A
- Students are eligible to receive services *if* the geographic area is served by an LEA that receives Title III, Part A, subgrant

Title III, Part A, Equitable Services (examples)



An LEA may provide to PNP school ELs/Immigrants, their teachers, and other educational personnel:

- Tutoring for ELs/Immigrants before, during, or after school hours
- Professional development for private school teachers of ELs
- Summer school programs to provide English language instruction for ELs
- Family literacy services and parent/family outreach and training activities to support the education of ELs in private schools
- Supplemental instructional materials and supplies for ELs
- Introduction to the educational system and civics education for Immigrants

Title IV, Part A, Equitable Services – PNP Activities (examples)



Activities to support the three Title IV, Part A, categories of allowable activities:

- Well-rounded Educational Opportunities [ESEA, section 4107]
 - College and career guidance and counseling programs
 - Activities to support instruction and student engagement in science, technology, engineering, and mathematics (STEM)
- Safe and Healthy Students [ESEA, section 4108]
 - Drug and violence prevention activities and programs
 - School-based mental health services, crisis management, conflict resolution, etc..
- Effective Use of Technology [ESEA, section 4109]
 - Professional learning tools, devices, content, and resources to personalize learning to improve student academic achievement
 - Building technological capacity

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Title IV, Part B – Nita M. Lowey 21st Century Community Learning Centers (21st CCLC)



- All Title IV, Part B, grantees, including charter schools, will use the attendance zone in which the Texas *Afterschool Centers on Education* (ACE) Center is located and consult with PNP school officials located within that zone
- Local School Systems determine their attendance zones
- Services must be provided to eligible private school students in the School System's attendance zone of the campuses and feeders served by the 'Center.'
- Private schools must be consulted during the design and development of the program

For program questions, review the TEA's Texas ACE webpage or email 21stCentury@tea.texas.gov. Additional information may be found in the [TEA 21st CCLC and PNP Equitable Services Frequently Asked Questions](#) document.

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Title IV, Part B – Nita M. Lowey 21st Century Community Learning Centers (21st CCLC) – PNP Activities (examples)



- Academic enrichment learning programs, mentoring, remedial education activities, and tutoring services
- Literacy education programs
- Programs that support a healthy and active lifestyle
- Programs that build skills in STEM
- Programs that partner with in-demand fields of the local workforce or build career competencies and career readiness



Common PNP Pitfalls:

- Timely & Meaningful Consultation**
- Affirmations of Consultation**
- LEA Inventory Control**

PNP Timely & Meaningful Consultation – Pitfalls



- Inadequate evidence of written documentation – dated agendas and ongoing consultation meetings
- Lack of evidence in conducting outreach to PNP schools for consultation
- LEA emails *considered* ‘consultation meetings’ for PNP schools participating



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PNP Equitable Services, Reports, and Data Alignment: PS3099 - PNP Affirmations WorkApp - PR3099



Program Description
PS3099 - Private Nonprofit (PNP) School Equitable Services

Part 1: Private Schools Consultation and Participation

A. Private Schools Consultation

1. Are any private nonprofit schools located within the LEA's boundaries? Yes No

2. Does the LEA have any Title I, Part A eligible students attending private nonprofit schools outside the boundaries? Yes No

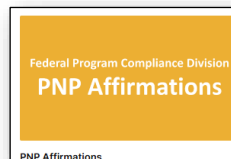
B. Are any private nonprofit schools participating?

Title I, Part A	Title I, Part C Migrant	Title II, Part A	Title III, Part A ELA	Title III, Part A Immigrant	Title IV, Part A-SSAEP
<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

C. Assurances

1. The LEA assures that it discussed all consultation requirements as listed in Section 1117(b)(1) and/or Section 8501(c)(1), as applicable, with all eligible private nonprofit schools located within the LEA's boundaries.

2. The LEA assures the appropriate Affirmations of Consultation will be provided to the TEA Private Schools Ombudsman in the manner and timeline requested.



Compliance Report
PR3099 - Private Nonprofit (PNP) School Equitable Services

Part 1: Private Nonprofit Program Participation

A. PNP Participation reported on the ESSA Consolidated Application PS3099/SC3099 - Read Only

Title I, Part A	Title I, Part C	Title II, Part A	Title III, Part A ELA	Title III, Part A Immigrant	Title IV, Part A
<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

B. Did PNP schools participate?

Title I, Part A	Title I, Part C	Title II, Part A	Title III, Part A ELA	Title III, Part A Immigrant	Title IV, Part A
<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of PNP School *

TEA Academy Private School

Indicate if the PNP school is located inside of LEA boundaries.
If the PNP school is located outside of district boundaries, it is not eligible to participate in Title I, Part C; Title II, Part A; Title III, Part A; and Title IV, Part A, equitable services.

Yes No

PNP Participation Title I, Part A *

Yes Not Participating Applicant (LEA)

Third-Party Consortium SSA

PNP Participation Title I, Part C *

Yes Not Participating Applicant (LEA)

Third-Party Consortium SSA

PNP Participation Title II, Part A *

Yes Not Participating Applicant (LEA)

Third-Party Consortium SSA

PNP Participation Title III, Part A-EL *

Yes Not Participating Applicant (LEA)

Third-Party Consortium SSA

PR3099 and PNP Affirmations – Alignment Check



Data on PR3099 **must match** the submitted PNP Affirmation of Consultation forms submitted via PNP Smartsheet WorkApp data:

- **PR3099, Part 1A:** PNP Program Participation reported on the ESSA Consolidated Application PS3099/SC3099 (pre-populated)
- **PR3099, Part 1B:** PNP Program Participation by program (i.e., Title I, Part A; Title I, C; Title II, Part A; etc.)

Number of **Participating PNP Schools with Signed Affirmation of Consultation forms in WorkApp:**

- Participating program selection(s) in WorkApp **must match** PS3099, Part 1, Part B, participating programs selected

Compliance Report
PR3099 – Private Nonprofit (PNP) School Equitable Services

Part 1: Private Nonprofit Program Participation

A. PNP Participation reported on the ESSA Consolidated Application PS3099/SC3099 – Read Only

Title I, Part A	Title I, Part C	Title II, Part A	Title III, Part A ELA	Title III, Part A Immigrant	Title IV, Part A
<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

B. Did PNP schools participate?

Title I, Part A	Title I, Part C	Title II, Part A	Title III, Part A ELA	Title III, Part A Immigrant	Title IV, Part A
<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

Name of PNP School *

TEA Academy Private School

Indicate if the PNP school is located inside of LEA boundaries.
If the PNP school is located outside of district boundaries, it will require a purchase in Title I, Part C; Title I, Part A, Title II, Part A, and Title III, Part A equitable services.

Yes No

PNP Participation Title I, Part A *

Yes Not Participating Applicant (LEA)
 Third-Party Consortium SSA

PNP Participation Title I, Part C *

Yes Not Participating Applicant (LEA)
 Third-Party Consortium SSA

PNP Participation Title II, Part A *

Yes Not Participating Applicant (LEA)
 Third-Party Consortium SSA

PNP Participation Title III, Part A-EL *

Yes Not Participating Applicant (LEA)
 Third-Party Consortium SSA

V. Affirmation Signature and Submission

The PNP and LEA officials must also sign this section to complete the Affirmation of Consultation.

PNP Official and Date: [] LEA Official and Date: []

LEA must upload signed copy of Affirmation of Consultation for each participating PNP school via the Federal Program Compliance (FPC) Division's 'PNP Affirmations' Smartsheet WorkApp by the due date, September 30. LEA does not submit Affirmation forms for non-participating PNP schools in WorkApp.

5/18
May 2022

Reviewing the Affirmation of Consultation Form



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The image shows three women in a professional setting, likely a meeting or workshop. They are gathered around a dark wooden table, looking at documents and a laptop. One woman on the left is wearing a white top and red glasses, holding a blue pen. The woman in the middle is wearing a blue top and has her hands clasped. The woman on the right is wearing a dark blue patterned top and is looking down at a notebook. The background is a simple, modern office environment.

PNP Affirmations of Consultation - Pitfalls



- Misalignment of Affirmation with PR3099 Compliance Report data
- Affirmation WorkApp data revisions not submitted by May 1
 - Final ESSA Consolidated Grant Application Schedule Amendments due June 2
- Submission of non-participating PNP schools' Affirmations of Consultation forms
- Completing and submitting an outdated PNP Affirmation of Consultation form
- PNP Affirmations not signed and/or dated by public and private school officials

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Inventory Control



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The illustration depicts a person in a blue shirt and dark pants standing next to a large, vertical tablet. The tablet screen displays the text 'INVENTORY CONTROL' at the top, followed by several horizontal lines representing data or a list, and a bar chart at the bottom. To the left of the tablet is a stack of brown cardboard boxes. Above the boxes are several blue gears of different sizes, and a magnifying glass is positioned over one of the boxes. A small green plant in a pot sits on the ground in front of the boxes. The entire scene is set against a light blue background with faint circular patterns.

LEA Inventory of Control – Pitfalls



- No evidence of Inventory Policies and Procedures for PNP schools
- No or incomplete LEA Inventory of Control documentation for equitable services
- LEA gives the responsibility of ordering, creating invoices, and tracking inventory purchases to PNP school officials
- LEA has PNP school officials to self-report and document the location(s) and conditions of inventory purchases paid with equitable services
- LEA does not verify the condition or the continued availability of inventory items at the PNP school(s)



**Best Practices of
Program Monitoring Validations:**

Timely & Meaningful Consultation

LEA Inventory Control

**Alignment of Compliance Report to
Affirmations of Consultation**

Timely and Meaningful Consultation – LEA Examples



Documentation Required:

- Written documentation supporting timely and meaningful consultation meetings.



Best Documented:

- Dates of consultation meetings
- In-person meetings
- Virtual meetings
- Written phone and email logs
- Written one-pagers, handbooks, etc., with consultation topics
- Signatures and/or follow-up emails on the agreement of topics discussed

Inventory Control – LEA Examples



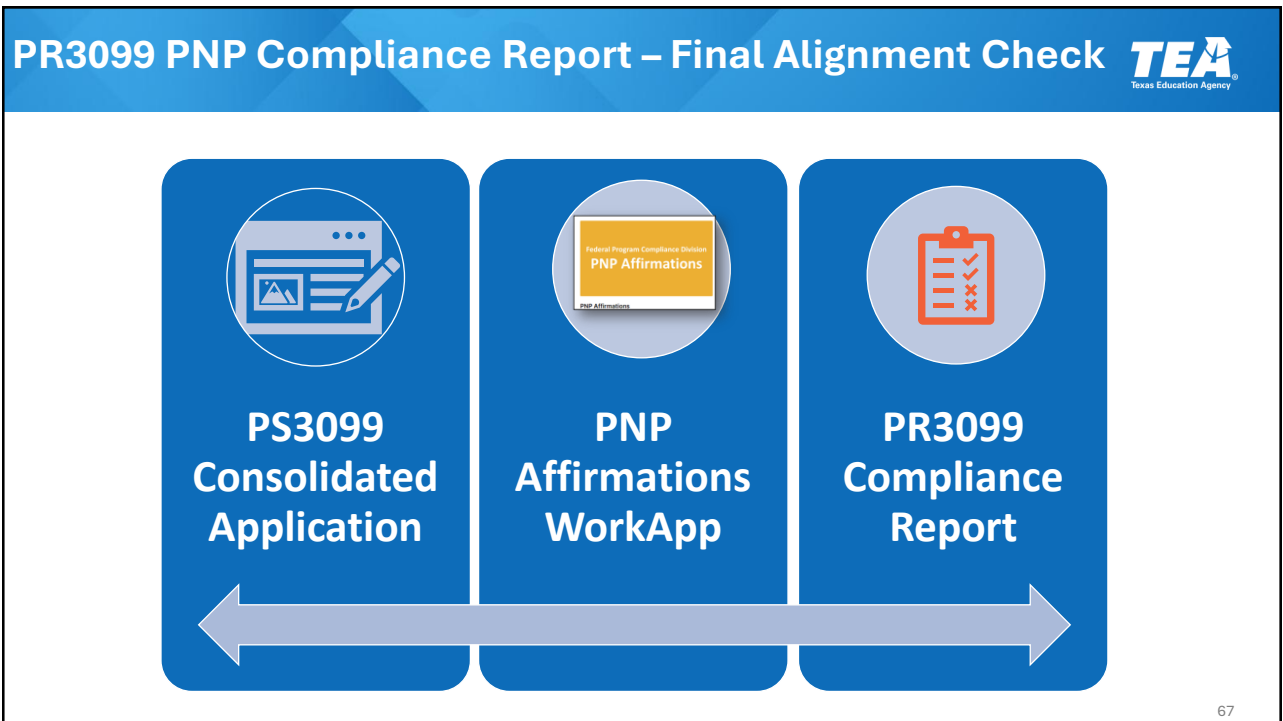
Documentation Required:

- LEA Inventory Control Policies and Procedures.
- LEA Evidence of Inventory Control Consultation.
- LEA Evidence of Inventory Control.

Best Documented:

- Dated documentation
- In-person consultation
- Written one-pagers, handbooks, agendas, responsibilities, etc., of the LEA Inventory Policies and Procedures
- Listed LEA requirements – responsibility, keep logs, tags items, # inventory checks per year
- Listed PNP requirements – supply/material requests, due date of requests, and monthly checks

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ESSA PNP State Ombudsman Support

ESSA PNP State Ombudsman Responsibilities



- Provide technical expertise in interpreting, understanding, and implementing accountability requirements for equitable services
- Provide equitable services guidance to Education Service Centers, Local Educational Agencies, Consultants, and Private Nonprofit schools
- Address informal and formal complaints regarding consultation and/or equitable services
- Ensure all equitable services reporting requirements are met
- Develop LEA PNP equitable services program monitoring validation protocols
- Collaborate with TEA Federal Fiscal Monitoring Staff

TEA Ombudsman's Collaboration with Equitable Services Workgroup Members



TEA Ombudsman establishes the workflow and protocols for the Workgroup



Goal is to build collaborative relationships with diverse stakeholders across the state



Workgroup members provide the TEA Ombudsman with an understanding of LEA and PNP school concerns, statewide needs, and support



Workgroup includes LEAs, PNP school staff, and Education Service Center (ESC) staff officials representing both rural and suburban areas



TEA Ombudsman receives Workgroup suggestions and feedback on statewide initiatives, processes, and procedures



TEA Collaboration with Private Schools

- TEA's Commissioner of Education has recognized the accreditation responsibilities of the *Texas Private Schools Accreditation Commission* (TEPSAC), International Association of Learner-Driven Schools (IALDS), and other affiliated non-public schools and associations since 1986.
- Student credits earned in accredited non-public schools transfer to Texas public schools.
- State PNP Ombudsman serves as liaison for TEA.



ESSA PNP State Ombudsman Support



- Participate in Title I, Part A, Committee of Practitioners meetings

- Consult with various PNP organizations
 - Texas Private School Accreditation Commission (TEPSAC)
 - International Christian Accrediting Association (ICAA)
 - International Association of Learner-Driven Schools (IALDS); and others

- Oversee the State's PNP program monitoring processes and procedures



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ESSA PNP State Ombudsman Support – Complaint Process



- Requires formal submission
- Private schools must document efforts used before filing an official complaint
- Must include supporting documentation
 - i.e., correspondence with the LEA
- PNP Complaint reviewed by Ombudsman
- Final Ombudsman decision within 45 days



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Provide one word that defines 'Successful Collaboration.'



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Characteristics of Successful Collaboration*

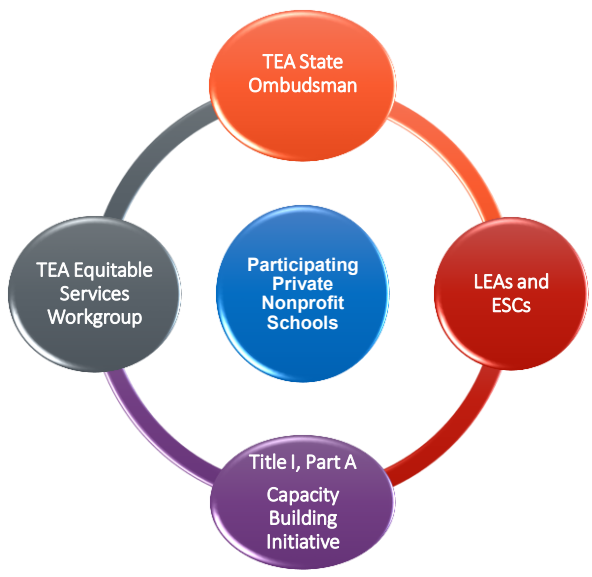


- Collaboration is voluntary;
- Collaboration requires parity among participants;
- Collaboration is based on mutual goals;
- Collaboration depends on shared responsibility for participation and decision-making;
- Individuals who collaborate share their resources; and
- Individuals who collaborate share accountability for outcomes.



*Friend, Marilyn and Cook, Lynne – *Interactions: Collaboration Skills for School Professionals* (1992)

Integrated System of Statewide Collaboration and Support for Equitable Services





Training Opportunities

FPC Statewide Virtual Training Series 2026



[Federal Program Compliance Statewide Training Series \(2026\)](#) (webpage)

- FPC Program Staff presentations
- Late April through mid-June 2026
- Registration links, presentation documents, and recording links

2026-2027 ESSA Consolidated Application Statewide Virtual Training

May 27, 2026 - 9:00 a.m. – 3:30 p.m. CST

[TEA Bulletin Announcement \(3/4/2026\)](#)

Registration for the training is being handled by the Title I Capacity Building Initiative at Education Service Center (ESC) – Region 14.

If you do not have a user account through [PITStop \(ESC-14's Registration System\)](#), you must [request an account](#).

If you have any questions or need assistance with registration, please email t1si@esc14.net.

To register for the training, click on the following training registration link (<https://pitstop.esc14.net/WorkshopLink.aspx?WorkshopID=17309>) or add the session ID (117309) for the training to your registration profile in PITStop (ESC-14's Registration System).





Resources and Support

FPC WorkApp Help Forms – Formula Grants



Screenshot of the Form Link in the WorkApp environment:

 FPC General Help Form








FPC WorkApp General Help Form: <https://app.smartsheet.com/b/form/1b6692e7ac864fc682e8855d7d293fe9>

If LEA or ESC staff are experiencing issues with the *EDGAR Connect WorkApp*, complete the help form available in the EDGAR Connect WorkApp for assistance.

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WorkApp Technical Assistance




-  [FPC Division General Smartsheet TEA WorkApp Training Video](#)
-  [Access TEA Smartsheet WorkApp System](#)
-  [FPC General WorkApp Help Form](#)
-  [General Smartsheet WorkApp Support & Passwords](#)

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ESSA Private School Equitable Services - Webpage





ESSA Equitable Services Documents

TEA has developed the following forms for districts to use in complying with the ESSA equitable services requirement.

Affirmation of Consultation with PNP School Officials

In accordance with the requirements of ESSA, districts and eligible PNPs must collaborate to complete the following Affirmation of Consultation forms, as applicable, and submit them to TEA. Instructions for completing and submitting the forms are also linked below, in addition to the sections of ESSA that specify the PNP consultation requirements.

For 2025-2026:

- Instructions for Affirmation of Consultation (coming soon)
- Video related to Instructions for Affirmation of Consultation (coming soon)
- Affirmation of Consultation with PNP Officials: Formula Grants

For 2024-2025:

- Instructions for Affirmation of Consultation
- Video related to Instructions for Affirmation of Consultation
- Affirmation of Consultation with PNP Officials: Formula Grants

<https://tea.texas.gov/finance-and-grants/grants/essa-program/essa-private-school-equitable-services>

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PNP Equitable Services Frequently Asked Questions (FAQs) (September 2025)



TEA Federal Program Compliance Division
 PNPombudsman@tea.texas.gov

ESSA Private Nonprofit (PNP) 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. The newest topic areas and questions that have been added will be noted by *** and in blue font.

For questions or additional information, please contact us at PNPombudsman@TEA.Texas.gov or ESSAOmbudsman@TEA.Texas.gov.

The Supplement, Not Supplement requirement (ESA Section 11115), requires that federal program funds be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under the program. For additional guidance related to the Supplement, Not Supplement requirement, refer to the Supplement, Not Supplement Handbook.

School system PNP equitable services, federal statute and guidance, program requirements, resources, and tools are available on the TEA ESSA PNP Equitable Services webpage.

*Questions and responses are organized by the following topic areas:

- Eligibility for Equitable Services
- Calculating Allocations for ESSA Equitable Services
- Timely and Meaningful Consultation
- Supplement, Not Supplant
- Governance of Equitable Services
- LEA Review of Title VII Funds for Equitable Services
- Technology
- MAP and Transferability
- Title I, Part A, Equitable Services
- Title I, Part C, Migrant Equitable Services
- Title II, Part A, Equitable Services
- Title III, Part A, Equitable Services
- Title IV, Part A, Equitable Services
- Title IV, Part B, Equitable Services
- Staff Training for Equitable Services
- Travel and Professional Development
- Evaluations for Equitable Services
- Virtual Learning
- Shared Services Arrangement (SSA) and Equitable Services*
- PNP Affirmation SmartSheet Worksheet*
- Bipartisan Seller Commission Act (BSCA) Stronger Connections Grant (SCG) and Title IV Equitable Services*

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Q7: What happens if a PNP equitable service purchase is deemed unallowable during a TEA random validation and/or audit? Does the PNP pay it back, or is the school system responsible for that unallowable cost?

A7: The school system would be responsible for unallowable costs since it maintains public control and responsibility for ensuring the allowability of all equitable services expenditures under the program.

***Q8: How are Title VIII program administrative costs and other costs of providing services to public and private school children determined?**

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Private Nonprofit (PNP) Equitable Services FAQ Document

***A8:** A school system reserves funds for administrative costs, including indirect costs, from a program's total allocation (off the top) before the LEA determines the allocation for services and benefits for public and private school children and educators [34 C.F.R. section 299.7(a)(2)]. In some cases, the statute for a covered ESSA program specifies the maximum percentage of a program's total allocation that a school system may use for administrative costs. All costs must be necessary, reasonable, and allocable to the program.

A contract to provide equitable services may include reasonable and necessary costs associated with providing services. These costs would not be included in the school system's reservation of funds to administer the covered ESSA program. Rather, such costs would be built into the contract – i.e., as program service costs. – Title VIII, Part F, of the ESSA of 1965, as amended by the ESSA: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel Non-Regulatory Guidance (July 17, 2023).

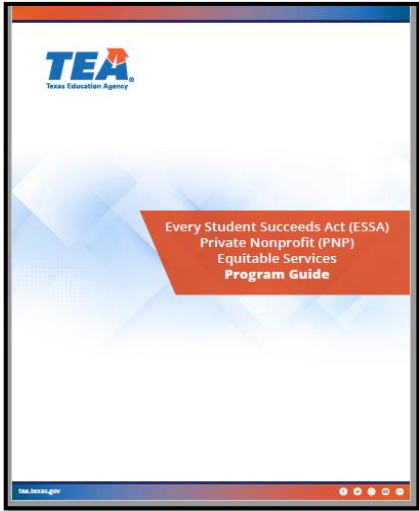
***Q9: What are administrative costs?**

***A9:** Administrative costs are costs incurred to support the functioning of a grant program or grant-funded activity, but which may not be directly related to the grant. Administrative costs include both direct and indirect administrative costs. Examples of costs that may be considered administrative are salaries and benefits of secretarial staff, salaries and benefits of staff who supervise activities of program staff, accounting and fiscal responsibilities, reporting, evaluation, monitoring, and auditing. Please refer to the TEA General and Fiscal Guidelines for more information on administrative costs.

<https://tea.texas.gov/sites/default/files/PNPFAQ.pdf>

TEA

ESSA PNP Program Guide



[TEA ESSA PNP Program Guide](#)

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PNP Equitable Services and Title IV, Part B (21st CCLC)



Federal Program Compliance Division

PNPOmbudsman@tea.texas.gov

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, visit <https://tea.texas.gov/21cclc>.

1. What is the purpose of the Title IV, Part B, 21st Century Community Learning Centers (CCLC) (Texas After-school Center (ACE)) program?

The purpose of this program is to provide opportunities for eligible children to establish or expand activities in community learning centers that:

- Offer 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 1104 of the ESEA—i.e., a school with a poverty percentage of 40 percent or more. (ESEA section 4202(a)(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 1112 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 serious or delinquent activities, or who lack strong positive role models. (ESEA sections 4202(a)(3)(A), 4204)(1)(A)). There is no requirement that a 21st-CCLC program exclusively serve these children, however, and a

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<https://tea.texas.gov/texas-schools/support-for-at-risk-schools-and-students/texas-ace>

New Resource

<https://tea.texas.gov/finance-and-grants/grants/essa-program/21cclc-pnp-faq.pdf>

TEA Resources



- [TEA PNP Program Guide](#)
- [TEA ESSA Private School Equitable Services](#) (webpage)
- [TEA ESSA Private School Equitable Services FAQs](#)
- [TEA 21st Century Community Learning Centers \(CCLC\) and PNP School Equitable Services FAQs](#) (new resource, 12/2025)
- [TEA Federal Program Compliance \(FPC\) Program Monitoring Validation](#) (webpage)
- [TEA Federal Fiscal Monitoring](#) (webpage)
- [ESSA Consolidated Compliance Report Resources](#)
- [Collaborative Comprehensive Needs Assessment \(CCNA\) Resource Toolkit](#)



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Additional Resources



- [Region 14 Statewide ESSA Title I, Part A, Capacity Building Initiative - PNP Resources](#) (webpage)
- [ESC 16 - Title I, Part A, Parent and Family Engagement Statewide Initiative](#)
- [ED Office of Nonpublic Education](#)
- [Elementary and Secondary Education Act \(ESEA\) as amended by the Every Student Succeeds Act \(ESSA\) of 2015](#)
 - ESSA, Title I, Section 1117
 - ESSA, Title VIII, Section 8501
- ESC's and LEA's federal fiscal and/or federal program coordinator staff

Education Service Center (ESC) – ESSA Basic Services Initiative



ESC PNP Equitable Services Training, Technical Assistance, and Guidance available to LEAs:

- PNP Equitable Services Requirements for Title I, Part A, and Title VIII Programs
- ESSA Consolidated Grant Application, PS3099 Private School Schedule
- ESSA Consolidated Compliance Report, PR3099 Private School Schedule
- PNP Affirmations WorkApp & Process
- PNP Equitable Services Program Monitoring Validations (PMVs)



How can an LEA search for Texas private schools?



- An LEA should use **multiple** outreach methods (local newspaper ads, local directories, emails, postal mail, posters/signs, webpages, etc.) **and** keep outreach documentation on file.
- An LEA may search the [Internal Revenue Service Tax Exempt Organization Search](#), [Texas State Comptroller of Public Accounts](#), [Texas Private School Accreditation Commission \(TEPSAC\)](#), private school accrediting agency websites, etc.



An LEA or Fiscal Agent must ensure that a private school has documentation of its PNP status and meets eligibility requirements before receiving any equitable services.

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PNP Schools' Organization Search (not an exhaustive search list)



- [Cognia Accredited Schools](#)
- [Council for American Private Education \(CAPE\)](#)
- [Great Schools - Texas Private Schools](#)
- [International Association of Learner-Driven Schools \(IALDS\)](#)
- [National Center for Education Statistics \(NCES\)](#)
- [National Council for Private School Accreditation \(NCPSA\)](#)
- [Texas Comptroller of Public Accounts](#)
- [Texas Private School Accreditation Commission \(TEPSAC\)](#)
- [Texas Alliance of Accredited Private Schools \(TAAPS\)](#)
- [USA Texas Schools](#)

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ESC 16 – Statewide ESSA Title I, Part A, Parent and Family Engagement Capacity Building Initiative

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TITLE I, PART A
Parent & Family
ENGAGEMENT
STATEWIDE INITIATIVE

[Home](#) [Events and Trainings](#) [Resources](#) [Our Team](#)
[Contact Us](#)

TITLE I, PART A
Parent & Family
ENGAGEMENT
STATEWIDE INITIATIVE



It takes a village.


[ESC 16 - Title I, Part A, Parent & Family Engagement Statewide Initiative](#)

Web Resources – U.S. Department of Education (ED)



- [Title I, Part A, of the ESEA, as Amended by ESSA: Providing Equitable Services to Eligible Private School Children, Teachers, and Families Updated Non-Regulatory Guidance](#) (Updated, May 17, 2023)
- [Title VIII, Part F of ESEA, as Amended by ESSA: Equitable Services for Eligible Private School Children, Teachers, and Other Educational Personnel Non-Regulatory Guidance](#) (Updated, July 17, 2023)
- [ED Office of Non-Public Education \(ONPE\)](#)
- ED Statute - ESSA Title I, Part A, Subpart 1, Section 1117 – Participation of Children Enrolled in Private Schools
- ED Statute - ESSA, Section 8501, Part F, Subpart 1, Participation by Private School Children and Teachers

 **Presentation Feedback** 



FPC - Feedback

- Select Event Name: **Getting Started with PNP Equitable Services: Requirements, Common Pitfalls, and Best Practices - presented by LaNetra Guess, 5/4/2026**
- Select Program: **PNP**
- Select a response for the training evaluation statements.
- Provide feedback for the open-ended items.
- Optional: Provide an email address if you would like a staff member to follow up with you regarding any additional feedback you may want to share.

<https://app.smartsheet.com/b/form/e1425a8ae38f4c869627ce01a91ec953>

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TEA
ESSA PNP Equitable Services
Program Contact

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TEA Contact Information



LaNetra Guess
Deputy Program Management Director
Title IV, Part A
ESSA Private Nonprofit (PNP) Ombudsman



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Division Email Addresses
ESSASupport@TEA.Texas.gov or
PNPOmbudsman@TEA.Texas.gov



Thank you for attending.

