

**INSTRUCTIONS FOR
COMPLETING THE
2019–2020 AFFIRMATION OF
CONSULTATION WITH PRIVATE
NONPROFIT SCHOOL OFFICIALS**

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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.

ESEA: The Elementary and Secondary Education Act of 1965

ESC: Education service center. Texas has 20 regional ESCs.

ESSA: Every Student Succeeds Act (signed into law in December 2015)

Grantee: The organization that completes and submits the grant application and receives grant funding

LEA: Local educational agency

NCLB: The No Child Left Behind Act of 2001

PNP: Private nonprofit school

School official: Person legally authorized to represent the school in the consultation

SSA: Shared services arrangement. An SSA is a written agreement between two or more LEAs and/or ESCs 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. (*Financial Accountability System Resource Guide*, Financial Accounting and Reporting, Section 1.3.1.1)

Equitable Services Requirement

In accordance with Public Law (P.L.) 114-95, the Every Student Succeeds Act (ESSA, Sections 1117 and 8501), local educational agencies (LEAs) are required to consult with participating private nonprofit schools (PNPs) to determine equitable services for private school students and/or teachers.

Documenting the PNP Consultation

To document the PNP consultation that is required under ESSA, LEAs must submit an Affirmation of Consultation with PNP School Officials.

The affirmation forms are PDF forms. They are designed to be completed electronically, using Adobe Reader or Acrobat software.

Information provided in the affirmation must be decided during the consultation between the LEA and PNP officials.

The LEA must maintain auditable documentation to support the information provided in this affirmation and its decision through appropriate consultation. The LEA is responsible for the administrative oversight of the ESSA program(s) in the PNP.

Deadline for Submitting the Affirmation of Consultation

LEAs must submit their affirmations by 5:00 p.m. CT, September 3, 2019.

Shared Services Arrangement (SSA) Members and Fiscal Agents

Some PNPs receive services through an SSA. In that case, the SSA written agreement specifies who is responsible for providing consultation and for submitting the affirmation of consultation. In most cases, the LEA retains responsibility. Refer to the SSA written agreement with any questions.

Affirmation of Consultation Forms

Two affirmation forms are available. The LEA must submit the form(s) that reflect the LEA's grant funding.

Affirmation for Formula Programs

The LEA submits the Affirmation of Consultation with PNP School Officials: Formula Grants to document PNP consultation regarding the following grant programs, whose funding is awarded by formula:

- Title I, Part A
- Title I, Part C
- Title II, Part A
- Title III, Part A-ELL
- Title III, Part A-Immigrant
- Title IV, Part A

Affirmation for Title IV, Part B: 21st Century Community Learning Centers (CCLC)

The LEA submits the Affirmation of Consultation with PNP School Officials: Title IV, Part B: 21st Century Community Learning Centers (CCLC) to document PNP consultation regarding the following grant program, whose funding is discretionary and competitive:

- Title IV, Part B: 21st Century Community Learning Centers (21st CCLC)

Affirmation(s) for Each Participating PNP

The LEA must submit the appropriate affirmation form(s) for each of its participating PNPs.

Completing the Affirmation for Formula Grants

The LEA completes the following fields with the requested information:

- LEA name
- LEA county-district number (CDN)
- Name of participating PNP

Private Nonprofit School Participation

The applicant completes this section before the applicant official signs the affirmation form.

Based on its consultation with the participating PNP, the applicant makes a selection from the dropdown menu to indicate the method by which the PNP will receive services:

- LEA: The PNP will receive services directly from the LEA.
- Third party: The PNP will receive from a third party that has contracted with the LEA.
- Consortium/SSA: The PNP will receive services through an SSA or through the ESC 10 or ESC 20 consortium.
- Not participating: The PNP has elected to receive no services for the program.

Only PNP students who meet the eligibility requirements (and their parents and teachers, as applicable) may participate in the programs.

NOTE: A PNP may elect not to receive services for any of the listed grant programs. In that case, the LEA maintains local documentation of the consultation only. The LEA does not submit an affirmation form for that PNP.

Timely and Meaningful Consultation/Equitable Program Design

The PNP completes this section before the PNP official signs the affirmation form.

Referring to the Elements of Consultation table that follows this section, the PNP official selects “Yes” or “No” for each program in which the PNP has chosen to participate. The yes/no response indicates whether **both** of the following occurred:

- Timely, meaningful, and ongoing consultation
- Equitable program design with respect to the PNP’s students

School Official Signatures

Both the LEA and PNP officials must sign and date the affirmation form(s).

Completing the Affirmation for Title IV, Part B: 21st CCLC

The applicant completes the following fields with the requested information:

- Applicant name
- County-district number (CDN) or vendor ID
- Name of participating PNP

Private Nonprofit School Participation

The applicant completes this section before the applicant official signs the affirmation form.

Based on its consultation with the participating PNP, the applicant makes a selection from the dropdown menu to indicate the method by which the PNP will receive services:

- Applicant: The PNP will receive services directly from the applicant.
- Third party: The PNP will receive from a third party that has contracted with the applicant.
- Consortium/SSA: The PNP will receive services through an SSA or through the ESC 10 or ESC 20 consortium.
- Not participating: The PNP has elected to receive no services for the program.

Only PNP students who meet the eligibility requirements (and their parents and teachers, as applicable) may participate in the programs.

NOTE: A PNP may elect not to receive services for any of the listed grant programs. In that case, the applicant maintains local documentation of the consultation only. The applicant does not submit an affirmation form for that PNP.

Timely and Meaningful Consultation/Equitable Program Design

The PNP completes this section before the PNP official signs the affirmation form.

Referring to the Elements of Consultation table that follows this section, the PNP official selects “Yes” or “No” to indicate whether **both** of the following occurred:

- Timely, meaningful, and ongoing consultation
- Equitable program design with respect to the PNP’s students

School Official Signatures

Both the applicant and PNP officials must sign and date the affirmation form.

Affirmation Requirements

The LEA should follow these guidelines to complete the affirmations according to requirements:

- Submit the appropriate affirmation form(s) for each participating PNP.
- If a PNP declines to participate in a program, document that a meeting was held to discuss potential services and that the PNP chose not to participate. This documentation is maintained locally and must be made available to monitors and auditors.
- A PNP may initially decide to participate but later decline services. To avoid having those grant funds set aside for PNP services, you must submit the revised affirmation form(s) before the last amendment due date defined for the ESSA Consolidated Federal Grant Application.
- You must submit affirmation form(s) for the same number of participating PNPs that you specified in the ESSA Consolidated Federal Grant Application.

Submitting the Affirmation

Affirmation forms are submitted via the secure Every Student Succeeds Act (ESSA) Reports application, accessible through [TEAL](#).

Affirmation for Formula Grants

Follow these steps to submit the affirmation for formula grants:

1. Log on to [TEAL](#).
2. Select the “Every Student Succeeds Act Reports” application.
3. Select the “Upload Response Documents” tab.
4. From the Response Template Title dropdown menu select “PNP Affirmation.”
5. For school year, select 2019-2020.
6. For Response Type Doc, select “Response Document.”
7. Select “Browse” to locate the file on your computer.
8. Select “Upload Document.”

Affirmation for Title IV, Part B: 21st CCLC

1. Follow the steps listed above through step 3.
2. In step 4, from the Response Template Title dropdown menu, select “21st CCLC (Title IV, Part B) PNP Affirmation.”
3. Follow steps 5–8 above.

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