TEXAS EDUCATION AGENCY

Affirmation Instructions

No Child Left Behind
Affirmation of Consultation with Private Nonprofit School Officials

Pursuant to Public Law 110-107, Section 1120(a)(1); 5142(a)(1); and 9501(a)(1) LEAs are required to consult with Private Non Profit (PNP) entities and provide a written Affirmation of Consultation to document planning.

2010–2011 School Year

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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 (34 CFR 77).

ESC: refers to an educational service center, there are 20 regional educational service centers in Texas.

LEA: Local Education Agency

NCLB: No Child Left Behind (2001)

PNP: Private Nonprofit School

School Official: person legally authorized to represent the school in the affirmation

SSA: A **Shared Service Arrangement** is an agreement (usually written) between two or more school districts and/or education service centers 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 (extracted from *Financial Accounting and Reporting, Financial Accountability System Resource Guide*, Section 1.3.1.1.).

General Instructions

In accordance with the No Child Left Behind (NCLB) Act, local education agencies (LEAs) are required to consult with participating Private Nonprofit Schools to determine equitable services for private school students and/or teachers. [P.L. 110-107, Section 1120(a)(1); 5142(a)(1); and 9501(a)(1).] Information provided in this affirmation must be decided during this consultation between the public (LEA) and private school officials. The LEA must maintain auditable documentation to support the information provided in this affirmation and that it was decided through appropriate consultation. The LEA is responsible for the administrative oversight of the NCLB program(s) in the Private Nonprofit School.

Complete one affirmation per participating Private Nonprofit School.

If there are no Private Nonprofit Schools participating in Title I, Part A; Title I, Part A ARRA; Title I, Part C; Title II, Part A; Title II, Part D; Title II, Part D ARRA; Title III, Part A; Title IV, Part A; **or** Title V, Part A, this form **does not** need to be completed or submitted to the Agency.

Affirmations for all participating Private Nonprofit Schools should be submitted to the Agency via postal mail. Submissions must be postmarked by **September 30, 2010**.

Send submissions to; Texas Education Agency Division of NCLB Program Coordination Private School Services Office 1701 North Congress Ave. Austin, TX 78701-1494

Shared Services Arrangement (SSA) Members and Fiscal Agents

Each participating private nonprofit school that receives services through an LEA who is a member of a Shared Services Arrangement (SSA) must have an affirmation completed and submitted to the Agency. The SSA Written Agreement (signed by both the member LEA and the fiscal agent) determines whether the member LEA OR the fiscal agent, whether an LEA or an Education Service Center (ESC), is responsible for the submission of the completed form to the Agency.

- If the SSA Written Agreement delineates the member LEA as responsible for consultation with the private nonprofit school officials, then the member LEA is responsible for the completion and submission of the affirmation form to the Agency.
- If the SSA Written Agreement delineates the fiscal agent as responsible for consultation with the private nonprofit school officials, then the fiscal agent is responsible for the completion and submission of the affirmation form to the Agency.

The same would be applicable to an LEA that contracts with their ESC for programmatic services. If private school consultation is included in the contract, then the ESC would be responsible for the completion and submission of the form. If it is not included in the contract, then the LEA is responsible for the completion and submission of the form.

Identification Information

Enter the county-district number, name of the LEA, and name of the Private Nonprofit School in the appropriate field.

Title I, Part A and Title I, Part A ARRA

If the Private Nonprofit School (PNP) is not participating in Title I, Part A, please mark with an “x” the **No PNP Participation** box in the header section. The remainder of this section is not applicable and does not need to be completed.

If the PNP is participating in Title I Part A, complete the Title I, Part A chart in its entirety and ensure both the public (LEA) and private school officials’ signatures are obtained.

If the LEA is a member of a SSA, please mark with an “x” the **Member of SSA** box in the header section. If the LEA is not a member of an SSA, please leave the box blank.

Please indicate whether the LEA will provide services or whether they will contract with a third-party by marking an “x” in either **3rd Party Contractor** box or **LEA** box, as appropriate, in the header section.

If the PNP is not participating in Title I, Part A, ARRA due to the fact they did not participate last year or the fact the equitable service funds have been expended, please mark an “x” in the **No PNP Participation** box. This section is not applicable and does not need to be completed. Continue to the section on Title I, Part C.

If there are unexpended equitable service funds from last year and the PNP is participating in Title I, Part A, ARRA this year, complete the Title I, Part A chart in its entirety and ensure both the public (LEA) and the private school officials’ signatures are obtained.

Student Selection Criteria

Enter the criteria used by the LEA and the PNP to select private school students for participation in Title I, Part A services.

Number of Students Eligible for Services

Enter the number of private school students eligible to receive Title I, Part A services based on the criteria provided in **Student Selection Criteria.**

Number of Students who will Receive Services

Enter the number of private school students who will receive Title I, Part A services. This number should not exceed the number of private school students eligible to receive Title I, Part A services entered above.

Major Activities

Enter the major activities developed by the LEA and the PNP to serve participating private school students.

Teacher Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school teachers for participation in Title I, Part A services. While there is no certain required criteria for selecting teachers to participate in Title I professional development activities, the private school teachers selected must teach the identified Title I students. Also, the professional development activity must be designed to benefit those identified students most at-risk of failing and not be designed to benefit the entire private school. Teacher criteria should be based on the delivery of the major activities listed above.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school teachers.

Date Services will Begin
Enter the date Title I, Part A services will begin for participating private school students and/or teachers.

Amount of funds budgeted for equitable student participation
Enter the amount of Title I, Part A funds budgeted to provide equitable services for participating private school students.

Amount of funds budgeted for equitable parent involvement activities
Enter the amount of Title I, Part A funds budgeted from the LEA's required parental involvement set aside to provide equitable parent involvement activities for parents of participating private school students.

LEAs with Title I allocations which exceed $500,000 are required to set aside 1% of their allocation for parental involvement activities. The participating PNP must receive its equitable share of services from these funds.

Amount of funds budgeted for equitable professional development activities for teachers
Enter the amount of Title I, Part A funds budgeted from the LEA's required professional development set aside to provide equitable professional development activities for teachers of participating private school students.

LEAs that do not have 100% of core academic subject area classes taught by highly qualified teachers, must reserve some its Title I allocation for professional development activities. The participating PNP must receive its equitable share of professional development services from these funds. Professional development for the PNP teachers must address how they can best serve the Title I, Part A, students, and cannot be used to upgrade the entire educational program in the regular PNP class.

School Officials Signatures
The PNP school official must sign the affirmation indicating that appropriate consultation did occur. Enter the name of the PNP school official. Enter the date the PNP school official signed the affirmation.

The public school official must sign the affirmation indicating that appropriate consultation did occur. Enter the name of the public school official. Enter the date the public school official signed the affirmation.

If for some reason the PNP official chooses not to sign the affirmation, the form must be completed, signed, and submitted by the LEA. Attach an explanation for why the PNP official chose not to sign.

Title I, Part C

If the PNP is not participating in Title I, Part C, please mark with an "x" the **No PNP Participation** box in the header section. The remainder of this section is not applicable and does not need to be completed. Continue to Title II, Part A.

If the LEA is a member of a SSA, please mark with an "x" the **Member of SSA** box in the header section. If the LEA is not a member of an SSA, please leave the box blank.

Please indicate whether the LEA will provide services or whether they will contract with a third-party by marking an "x" in either **3rd Party Contractor** box or **LEA** box, as appropriate, in the header section.

Student Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school students for participation in Title I, Part C services.

Number of Students Eligible for Services
Enter the number of private school students eligible to receive Title I, Part C services.

Number of Students who will Receive Services
Enter the number of private school students who will receive Title I, Part C services. This number should not exceed the number of private school students eligible to receive Title I, Part C services entered above.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school students.

Teacher Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school teachers for participation in Title I, Part C services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school teachers.

Amount of funds budgeted for equitable participation
Enter the amount of Title I, Part C funds budgeted to provide equitable PNP services.

Date Services will Begin
Enter the date Title I, Part C services will begin for participating private school students and/or teachers.

Title II, Part A

If the PNP is not participating in Title II, Part A, please mark with an "x" the **No PNP Participation** box in the header section. The remainder of this section is not applicable and does not need to be completed. Continue to Title II, Part D.

If the LEA is a member of a SSA, please mark with an "x" the **Member of SSA** box in the header section. If the LEA is not a member of an SSA, please leave the box blank.

Please indicate whether the LEA will provide services or whether they will contract with a third-party by marking an "x" in either **3rd Party Contractor** box or **LEA** box, as appropriate, in the header section.

Teacher Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school teachers for participation in Title II, Part A services.

Number of Teachers who will Receive Services
Enter the number of private school teachers who will receive Title II, Part A services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school teachers.

Amount of funds budgeted for equitable participation
Enter the amount of Title II, Part A funds budgeted to provide equitable PNP services.

For purposes of determining the amount of Title II, Part A funds that an LEA must make available for equitable services to private school teachers and other educational personnel, the statute has the LEA assume that it is spending *at least as much* for professional development under Title II, Part A as it did in FY 2001 under the Eisenhower Professional Development and Class-Size Reduction programs [Title IX, Section 9501(b)(3)(B)]. Hence, the district must provide equitable services based on this minimum amount or the current amount of funds budgeted for professional development, whichever is greater, to private school teachers and other educational personnel.

Date Services will Begin
Enter the date Title II, Part A services will begin for participating private school teachers.

Title II, Part D

If the PNP is not participating in Title II, Part D, please mark with an "x" the **No PNP Participation** box in the header section. The remainder of this section is not applicable and does not need to be completed. Continue to Title II, Part D ARRA.

If the LEA is a member of a SSA, please mark with an “x” the **Member of SSA** box in the header section. If the LEA is not a member of an SSA, please leave the box blank.

Please indicate whether the LEA will provide services or whether they will contract with a third-party by marking an “x” in either **3rd Party Contractor** box or **LEA** box, as appropriate, in the header section.

Student Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school students for participation in Title II, Part D services.

Number of Students who will Receive Services
Enter the number of private school students who will receive Title II, Part D services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school students.

Teacher Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school teachers for participation in Title III, Part A services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school teachers.

Amount of funds budgeted for equitable participation
Enter the amount of Title II, Part D funds budgeted to provide equitable PNP services.

Date Services will Begin
Enter the date Title II, Part D services will begin for participating private school students and/or teachers.

Title II, Part D ARRA

If the PNP is not participating in Title II, Part D ARRA, please mark with an “x” the **No PNP Participation** box in the header section. The remainder of this section is not applicable and does not need to be completed. Continue to Title III, Part A.

If the LEA is a member of a SSA, please mark with an “x” the **Member of SSA** box in the header section. If the LEA is not a member of an SSA, please leave the box blank.

Please indicate whether the LEA will provide services or whether they will contract with a third-party by marking an “x” in either **3rd Party Contractor** box or **LEA** box, as appropriate, in the header section.

Student Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school students for participation in Title II, Part D services.

Number of Students who will Receive Services
Enter the number of private school students who will receive Title II, Part D services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school students.

Teacher Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school teachers for participation in Title III, Part A services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school teachers.

Amount of funds budgeted for equitable participation
Enter the amount of Title II, Part D funds budgeted to provide equitable PNP services.

Date Services will Begin
Enter the date Title II, Part D services will begin for participating private school students and/or teachers.

Title III, Part A (LEP)

If the PNP is not participating in Title III, Part A, please mark with an "x" the **No PNP Participation** box in the header section. The remainder of this section is not applicable and does not need to be completed. Continue to Title III, Part A (Immigrant).

If the LEA is a member of a SSA, please mark with an "x" the **Member of SSA** box in the header section. If the LEA is not a member of an SSA, please leave the box blank.

Please indicate whether the LEA will provide services or whether they will contract with a third-party by marking an "x" in either **3rd Party Contractor** box or **LEA** box, as appropriate, in the header section.

Student Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school students for participation in Title III, Part A services.

Number of Students Eligible for Services
Enter the number of private school students eligible to receive Title III, Part A services.

Number of Students who will Receive Services
Enter the number of private school students who will receive Title III, Part A services. This number should not exceed the number of private school students eligible to receive Title III, Part A services entered above.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school students.

Teacher Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school teachers for participation in Title III, Part A services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school teachers.

Amount of funds budgeted for equitable participation
Enter the amount of Title III, Part A funds budgeted to provide equitable PNP services.

Date Services will Begin
Enter the date Title III, Part A services will begin for participating private school students and/or teachers.

Title III, Part A (Immigrant)

If the PNP is not participating in Title III, Part A, please mark with an "x" the **No PNP Participation** box in the header section. The remainder of this section is not applicable and does not need to be completed. Continue to Title IV, Part A.

If the LEA is a member of a SSA, please mark with an "x" the **Member of SSA** box in the header section. If the LEA is not a member of an SSA, please leave the box blank.

Please indicate whether the LEA will provide services or whether they will contract with a third-party by marking an "x" in either **3rd Party Contractor** box or **LEA** box, as appropriate, in the header section.

Student Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school students for participation in Title III, Part A services.

Number of Students Eligible for Services
Enter the number of private school students eligible to receive Title III, Part A services.

Number of Students who will Receive Services
Enter the number of private school students who will receive Title III, Part A services. This number should not exceed the number of private school students eligible to receive Title III, Part A services entered above.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school students.

Teacher Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school teachers for participation in Title III, Part A services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school teachers.

Amount of funds budgeted for equitable participation
Enter the amount of Title III, Part A funds budgeted to provide equitable PNP services.

Date Services will Begin
Enter the date Title III, Part A services will begin for participating private school students and/or teachers.

Title IV, Part A

If the PNP is not participating in Title IV, Part A, please mark with an "x" the **No PNP Participation** box in the header section. The remainder of this section is not applicable and does not need to be completed. Continue to Title V, Part A.

If the LEA is a member of a SSA, please mark with an "x" the **Member of SSA** box in the header section. If the LEA is not a member of an SSA, please leave the box blank.

Please indicate whether the LEA will provide services or whether they will contract with a third-party by marking an "x" in either **3rd Party Contractor** box or **LEA** box, as appropriate, in the header section.

Student Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school students for participation in Title IV, Part A services.

Number of Students who will Receive Services
Enter the number of private school students who will receive Title IV, Part A services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school students.

Teacher Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school teachers for participation in Title IV, Part A services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school teachers.

Amount of funds budgeted for equitable participation
Enter the amount of Title IV, Part A funds budgeted to provide equitable PNP services.

Date Services will Begin
Enter the date Title IV, Part A services will begin for participating private school students and/or teachers.

Title V, Part A

If the PNP is not participating in Title V, Part A, please mark with an “x” the **No PNP Participation** box in the header section. The remainder of this section is not applicable and does not need to be completed. Continue to **Services and Benefits Delivery**. If the LEA accepted any Title V, Part A funds, including roll forward, the PNPs were eligible for services.

If the LEA is a member of a SSA, please mark with an “x” the **Member of SSA** box in the header section. If the LEA is not a member of an SSA, please leave the box blank.

Please indicate whether the LEA will provide services or whether they will contract with a third-party by marking an “x” in either **3rd Party Contractor** box or **LEA** box, as appropriate, in the header section.

Student Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school students for participation in Title V, Part A services.

Number of Students who will Receive Services
Enter the number of PNP students who will receive Title V, Part A services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school students.

Teacher Selection Criteria
Enter the criteria used by the LEA and the PNP to select private school teachers for participation in Title V, Part A services.

Major Activities
Enter the major activities developed by the LEA and the PNP to serve participating private school teachers.

Amount of funds budgeted for equitable participation
Enter the amount of Title V, Part A funds budgeted to provide equitable PNP services.

Date Services will Begin
Enter the date Title V, Part A services will begin for participating private school students and/or teachers.

Services and Benefits Delivery

For each program in which the PNP is participating, mark the box(es) that best describes the location(s) where services will be provided. If one of the listed locations does not describe where services will be provided, mark **Other, Specify**. Enter a description of the location in the field after **Specify**.

If there is no participation in a program area, leave that column blank.

Designated Times

For each program in which the PNP is participating, mark the box(es) that best describes the time(s) when services will be provided. If one of the listed locations does not describe when services will be provided, mark **Other, Specify**. Enter a description of the time in the field after **Specify**.

If there is no participation in a program area, leave that column blank.

Reference Material

The following documents or websites contain additional information to assist with program requirements and compliance questions.

Program Appendixes: http://www.tea.state.tx.us/nclb/nclbaa/appendix.html
Program Policy Guidance Documents: http://www.tea.state.tx.us/nclb/guidance.html