



Pennsylvania Department of Education

INSTRUCTIONS: AFFIRMATION OF LOCAL EDUCATION AGENCY (LEA) CONSULTATION WITH PRIVATE (NONPUBLIC) SCHOOL OFFICIALS

PROGRAMS REQUIRING CONSULTATION:

LEAs are required to consult with appropriate private school officials from any private school serving district-resident students regarding Title IA – Improving Basic Programs (ESEA Section 1117).

LEAs are required to consult with appropriate private school officials from any private school located within an LEA's geographic boundary regarding the following ESSA programs (ESEA Section 8501):

- Title IIA - Supporting Effective Instruction Grants
- Title IIIA - English Language Acquisition, Language Enhancement, and Academic Achievement
- Title IVA - Student Support and Academic Enrichment Grants

GOAL OF CONSULTATION:

The goal of consultation is an agreement between the LEA and appropriate private school officials on how to provide equitable and effective programs for eligible private school children. The “goal of reaching agreement” between an LEA and appropriate private school officials is grounded in timely, meaningful, and open communication between the LEA and the private school officials on key issues that are relevant to the equitable participation of eligible private school students, teachers and other education personnel, and families in ESSA programs (ESEA Sections 1117(b)(1) and 8501(c)).

DOCUMENTATION:

Each LEA must maintain, for their records, and provide to the Pennsylvania Department of Education (PDE), a written affirmation signed by officials of each participating private school that the meaningful consultation required by this section has occurred. The written affirmation shall provide the option for private school officials to indicate that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children. If private school officials do not provide such affirmation within a reasonable period of time, the LEA shall forward the documentation proving that such consultation has or attempts at such consultation have taken place to the Pennsylvania Department of Education.

INSTRUCTIONS FOR COMPLETING THE AFFIRMATION OF CONSULTATION FORM(S):

After initial consultation has occurred, services have been agreed upon and a contract with a service provider (vendor) has been initiated, the affirmation of consultation should be completed. An affirmation form for each nonpublic school receiving Title services, as agreed upon with the LEA, must be completed and uploaded to the consolidated application. The LEA must complete the LEA section providing the name, signature and date of the authorized representative. The Nonpublic representative should complete the nonpublic section including the nonpublic school's name, program(s) in which that nonpublic school is participating, and the name and signature of the authorized nonpublic representative.

SUPPLEMENTAL FORM:

The Supplemental Affirmation of Consultation with Private School Officials is to be used if more than one nonpublic from a group of nonpublic schools are receiving Title programming from the same LEA. Each nonpublic school must be listed along with the corresponding programs in which they will be participating and the name and signature of the authorized nonpublic representative.

*The LEA and nonpublic representative must maintain a copy of the affirmation form for their records as well as for monitoring and audit purposes. The results of the agreement must also be provided to the Pennsylvania Department of Education (PDE) Equitable Services Ombudsman (ESEA section 1117(b)(1)) via eGrants upload within the Consolidated Application.

*Nonpublic Disagreement Section should only be completed if the Nonpublic Representative does not believe that timely and meaningful consultation has occurred, or the program design is not equitable to the eligible nonpublic school children. Disagreements must be reported to the Nonpublic Equitable Services Ombudsman for review and resolution.