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## REQUEST FOR APPLICATION

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# Application Guidelines

## Program-Specific Provisions and Assurances

# 2018-2019 Every Student Succeeds Act Consolidated

Authorized by ESEA, as amended by P.L. 114-95 ESSA

TEXAS EDUCATION AGENCY

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**Department of Contracts, Grants and Financial Administration  
Special Populations Division  
Office of Educator Support  
Curriculum Standards and Student Supports Division  
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Austin, Texas 78701**

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## I. Title I, Part A

### A. General Assurances

The LEA assures it will:

1. Title I, Part A, funds are used only to supplement the funds that would, in the absence of Title I, Part A, funds, be made available from nonfederal sources for the education of students participating in programs and projects assisted under Title I, Part A. In no case, may Title I, Part A, funds be used to supplant funds from nonfederal sources (P.L. 114-95, Section 1120A).
2. Comparability of Services: An LEA may receive Title I, Part A, funds only if State and local funds will be used in schools served to provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I, Part A, funds (P.L. 114-95, Section 1118[c][1][A]).
3. If the LEA is serving all of the LEAs Title I, Part A, schools, such LEA may receive funds if the LEA will use State and local funds to provide services that, taken as a whole, are substantially comparable in each school (P.L. 114-95, Section 1118[c][1][B]).
  - a. The LEA has established and implemented the following written policies (P.L. 114-95, Section 1118[c][2][A]):
    - i. A districtwide salary schedule (P.L. 114-95, Section 1118[c][2][A][i]);
    - ii. A policy to ensure equivalence among schools in teachers, administrators, and other staff (P.L. 114-95, Section 1118[c][2][A][ii]); and
    - iii. A policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies (P.L. 114-95, Section 1118[c][2][A][iii]).
  - b. The LEA assisted with Comparability of Services will develop procedures for compliance with these provisions and will maintain records that are updated biennially documenting the LEA's compliance (P.L. 114-95, Section 1118[c][3]).
  - c. Carryover and Waiver: Notwithstanding Section 421(b) of the General Education Provisions Act or any other provisions of law, not more than 15 percent of the funds allocated to an LEA for any fiscal year may remain available for obligation by the LEA for one additional fiscal year. This does not include funds received through any reallocation (P.L. 114-95, Section 1127[a]). This percentage limitation does not apply to any LEA that receives less than \$50,000 for any fiscal year (Section 1127[c]).
  - d. Ensure migratory children and formerly migratory children who are eligible to receive services are selected to receive such services on the same basis as other children who are selected to receive services (P.L. 114-95, Section 1112[c][1]).

4. Provide services to eligible children attending private elementary schools and secondary schools in accordance of Section 1117, and timely and meaningful consultation with private school officials (P.L. 114-95, Section 1112[c][2]).
5. The LEA will participate, if selected, in the State National Assessment of Educational Progress in 4th and 8th grade reading and mathematics carried out under Section 411(b)(2) of the National Education Statistics Act of 1994 (P.L. 114-95, Section 1112[c][3]).
6. Coordinate and integrate Title I, Part A, services with other educational services such as services for English learners, children with disabilities, migratory children, American Indian, Alaska Native, and native Hawaiian children, and homeless children and youths, to increase program effectiveness, eliminate duplication, and reduce fragmentation of instructional programs (P.L. 114-95, Section 1112[c][4]).
7. Collaborate with the state or local child welfare agency to (P.L. 114-95, Section 1112[c] [5]):
  - a. Designate a point of contact if corresponding agency notifies LEA in writing, that agency has designated a point of contact for the LEA.
  - b. Within one year of ESSA, develop and implement clear written procedures governing transportation to maintain children in foster care in their school of origin when in their best interest, to be arranged and funded for duration of the time the child is in foster care. Procedures shall:
    - i. Ensure children in foster care will promptly receive transportation in a cost-effective manner; and
    - ii. Ensure if additional costs incurred in providing transportation, the LEA will provide transportation to school of origin if:
      - (i) Child welfare agency agrees to reimburse the LEA for the cost of transportation;
      - (ii) The LEA agrees to pay for the cost of transportation; or
      - (iii) The LEA and child welfare agency agree to share the cost of transportation.
8. Ensure all teachers and paraprofessionals working in a Title I, Part A, school/program, meet applicable State certification and licensure requirements, including any alternative certification requirements (P.L. 114-95, Section 1112[c][6]).
9. In the case of an LEA who chooses to use funds to provide early childhood education services to low-income children below the age of compulsory attendance, ensure such services comply with the performance standards of the Head Start Act (P.L. 114-95, Section 1112[c][7]).

10. Parents right to know: At the beginning of each year, an LEA receiving Title I, Part A, funds will notify parents of each student attending a school that receives Title I, Part A, funds that a parent may request, and the LEA will provide in a timely manner, information regarding the professional qualifications of a student's classroom teacher, including at minimum, the following (P.L. 114-95, Section 1112[e]):
  - a. Whether the student's teacher has met State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
  - b. Whether the student's teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived;
  - c. Whether the student's teacher is teaching in a field of discipline of the certification of the teacher; and
  - d. Whether the child is provided services by paraprofessionals and if so, their qualifications.
11. Schools receiving Title I, Part A, funds shall provide to each parent of a child who is a student at such school (P.L. 114-95, Section 1112[e][1][B]):
  - a. Information on the level of achievement and academic growth of the students, and if applicable, on each of the State academic assessments; and
  - b. Timely notice that the student has been assigned, or taught for 4 or more consecutive weeks by a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher is assigned.
12. Testing transparency: LEA receiving Title I, Part A, funds shall notify parents of each student at such school that the parents may request and receive in a timely manner, information regarding any State or LEA policy regarding student participation in any assessments mandated, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable (P.L. 114-95, Section 1112[e][2][A]).
13. Schools receiving Title I, Part A, funds shall make widely available through public means (including by posting in a clear and easily accessible manner on the LEA website, website of each school), for each grade served by the LEA, information on each assessment required by the State and other required assessments, where such information is available and includes:
  - a. The subject matter assessed;
  - b. The purpose for which the assessment is designed and used;
  - c. The source of the requirement for the assessment; and

- d. Where such information is available:
  - i. The amount of time students will spend taking the assessment, and the schedule for the assessment; and
  - ii. The time and format for disseminating results.

14. In the case the LEA does not operate a website, such LEA shall determine how to make the information described in #11 widely available, such as distribution through media, public agencies or directly to parents (P.L. 114-95, Section 1112[e][2][C]).

**B. Assurances Relating Eligible School Attendance Areas**

1. The LEA will use Title I, Part A, funds only in eligible school attendance areas (P.L. 114-95, Section 1113[a] [1]).
2. If Title I, Part A, funds are insufficient to serve all eligible school attendance areas, the LEA shall (P.L. 114-95, Section 1113[a] [3] [A]):
  - a. Annually rank, without regard to grade spans, the LEAs eligible school attendance areas in which the concentration of children from low-income families exceeds 75 percent from highest to lowest according to the percentage of children from low-income families; and
  - b. Serve the eligible school attendance areas in rank order.
3. If funds remain after serving an eligible school attendance area, an LEA shall (P.L. 114-95, Section 1113[a][4]):
  - a. Annually rank remaining eligible school attendance areas from highest to lowest either by grade span or for the entire LEA according to the percentage of children from low-income families; and
  - b. Serve such eligible school attendance areas in rank order either within each grade-span grouping or within the LEA as a whole.
4. An LEA shall use the same measure of poverty, which measure shall be the number of children aged 5 through 17 in poverty counted in the most recent census data approved, the number of children eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act, the number of children in families receiving assistance under the State program funded under Part A of Title IV of the Social Security Act, or the number of children eligible to receive medical assistance under the Medicaid Program, or a composite of such indicators, with respect to all school attendance areas in the LEA—( P.L. 114-95, Section 1113[a][5][A]).
  - a. To identify eligible school attendance areas;
  - b. To determine the ranking of each area; and

- c. To determine allocations.
5. For measuring the number of students in low-income families in secondary schools, the LEA shall use the same measure of poverty and is subject to meeting conditions, an accurate estimate of the number of students in low-income families in a secondary school that is calculated by applying the average percentage of students in low-income families of the elementary school attendance areas that feed into the secondary school to the number of students enrolled in such school (P.L. 114-95, Section 1113[a][5][B]).
6. The LEA may (Section 1113[b][1]):
  - a. Designate as eligible any school attendance area or school in which at least 35 percent of the children are from low-income families;
  - b. Use Title I, Part A, funds in a school that is not in an eligible school attendance area, if the percentage of children from low-income families enrolled in the school is equal to or greater than the percentage of such children in a participating school attendance area of the LEA;
  - c. Designate and serve a school attendance area or school that is not eligible but that was eligible and that was served in the preceding fiscal year, but only for 1 additional fiscal year; and
  - d. Elect not to serve an eligible school attendance area or eligible school that has a higher percentage of children from low-income families if:
    - i. The school meets the comparability requirements of P.L. 114-95, Section 1118(c);
    - ii. The school is receiving supplemental funds from other state or local sources that are spent according to the requirements of P.L. 114-95, Sections 1114 and 1115; and
    - iii. The funds expended from such other sources equal or exceed the amount that would be provided under Title I, Part A.
  - e. The number of children attending private elementary schools and secondary schools who are to receive services, and the assistance such children are to receive under Title I, Part A, shall be determined without regard to whether the public school attendance area in which the children reside is assisted under subparagraph (A) (P.L. 114-95, Section 1113[b][2]).
  - f. Allocations: the per-pupil amount of funds allocated to each school attendance area or school shall be at least 125 percent of the per-pupil amount of funds an LEA received for that year under the poverty criteria described by the LEA plan submitted under Section 1112, except that this paragraph shall not apply to an





- school leaders (in an LEA that has charter schools), administrators (including administrators of programs in other parts of Title I, Part A), and other appropriate school personnel, and with parents of children in Title I, Part A, schools (P.L. 114-95, Section 1112[a][1][A]).
2. The LEA has coordinated the Title I, Part A, Program Plan described in this application with other Elementary and Secondary Education Act (ESEA) programs, the Individuals with Disabilities Education Act (IDEA), the Rehabilitation Act of 1973, the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (P.L. 109-270), the Workforce Innovation and Opportunity Act, the Head Start Act, the McKinney-Vento Homeless Assistance Act, the Adult Education and Family Literacy Act, and other Acts, as appropriate (P.L. 114-95, Section 1112[a][1][B]).
  3. The LEA plan provides that schools served with Title I, Part A, substantially help children meet the challenging State academic standards [P.L. 114-95, Section 1112(a)(3)(B)(i)].
  4. The Title I, Part A, Program Plan description in this application will be periodically reviewed and, as necessary, revised (P.L. 114-95, Section 1112[d] [5]).
  5. To ensure all children receive a high-quality education, and to close the achievement gap, the LEA plan shall describe (P.L. 114-95, Section 1112[b]):
    - a. How the LEA will monitor student progress in meeting challenging academic standards by (P.L. 114-95, Section 1112[b][1]):
      - i. Developing and implementing a well-rounded program on instruction to meet the academic needs of all students
      - ii. Identifying students who may be at-risk for academic failure
      - iii. Providing additional educational assistance to individual students the LEA or school determines need help to meet state standards
      - iv. Identifying and implementing instructional and other strategies intended to strengthen academic programs and improve school conditions for learning
    - b. How the LEA will identify and address any disparities that result in low-income and/or minority students being taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers (P.L. 114-95, Section 1112[b][2]).
    - c. How the LEA will carry out Parental Involvement responsibilities (P.L. 114-95, Section 1112[b] [3]).
    - d. The poverty criteria that will be used to select school attendance areas (P.L. 114-95, Section 1112[b] [4]).

6. The nature of the programs to be conducted under Schoolwide Programs (SWP) and Targeted Assistance (TA) and educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs (P.L. 114-95, Section 1112[b][5]).
7. The services the LEA will provide homeless children and youth to support enrollment, attendance, and success of homeless children and youth in coordination with services under McKinney-Vento homeless Assistance Act (P.L. 114-95, Section 1112[b] [6]).
  - a. The strategy the LEA will use to implement effective parent and family engagement (P.L. 114-95, Section 1112[b] [7]).
8. How the LEA will support, coordinate, and integrate services provided under Title I, Part A, with early childhood education programs, including plans for the transition of participants in such program to local elementary school programs (P.L. 114-95, Section 1112[b][8]).
9. How teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in TA schools, will identify the eligible children most in need of services (P.L. 114-95, Section 1112[b][9]).
10. How the LEA will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education, including, if applicable (P.L. 114-95, Section 1112[b] [10]):
  - a. Coordination with institutions of higher education, employers, and other local partners; and
  - b. Through increased student access to early college high school or dual or concurrent enrollment opportunities, or career counseling to identify student interests.
11. How the LEA will support efforts to reduce the overuse of discipline practices that remove students from the classroom, which may include identifying and supporting school with high rates of discipline, disaggregated by each of the subgroups of students.
12. If applicable, how the LEA will support programs that coordinate and integrate (P.L. 114-95, Section 1112[b] [12]):
  - a. Academic and career and technical education content through coordinated instructional strategies that may include experiential learning opportunities and promote skills attainment important to in-demand occupations or industries

- b. Work-based learning opportunities that provide students in-depth interaction with industry professionals and, if appropriate, academic credit
13. Any other information on how the LEA proposes to use funds to meet the purpose of the grant which may include how the LEA will:
- a. Assist schools in identifying and serving gifted and talented students
  - b. Assist schools in developing effective school library programs to provide students the opportunity to develop digital literacy skills and improve academic achievement (P.L. 114-95, Section 1112[b] [13]).

#### D. Assurances Relating to Schoolwide Programs

The LEA assures the following:

1. A school participating in a schoolwide program shall use funds available to supplement the amount of funds that would, in the absence of Title I, Part A funds, be made available from non-federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and English learners (P.L. 114-95, Section 1114[a][2][B]).
2. A school that chooses to use funds from other programs shall not be relieved of the requirements relating to health, safety, civil rights, student and parental participation and involvement, services to private school children, comparability of services, maintenance of effort, uses of Federal funds to supplement, not supplant non-Federal funds, or the distribution of funds to State or local educational agencies that apply to the receipt of funds from other programs (P.L. 114-95, Section 1114[a] [3] [B]).
3. An eligible school operating a schoolwide program shall develop a comprehensive plan that (P.L. 114-95, Section 1114[b])—
  - a. Is developed during a one-year period unless:
    - i. The LEA determines, in consultation with the school, that less time is needed to develop and implement the SW program; or
    - ii. The school is operating a SW program on the day before the date of ESSA, in which the school may continue to operate the SW program, but shall develop amendments to its existing plan during the first year of assistance
  - b. Is developed with the involvement of parents and other members of the community to be served and individuals who will carry out the plan, including teachers, principals, other school leaders, paraprofessionals present in the school, administrators, including administrators of other Title I, Part A programs, the LEA, tribes and tribal organizations present in the community, and if appropriate, specialized instructional support personnel, technical assistance

providers, school staff, and if the plan relates to a secondary campus, students and other individuals from such campus.

- c. Remains in effect for the duration of the school's participation as a SW program, except that the plan and its implementation shall be regularly monitored and revised as necessary based on student needs to ensure all students are provided opportunities to meet the challenging State academic standards.
- d. The schoolwide program plan is available to the LEA, parents, and the public, and the information contained in the plan is in an understandable and uniform format, and to the extent practicable, provided in a language that the parents can understand.
- e. The schoolwide program plan is developed and in coordination and integration with other federal, state and local services, resources, and programs, such as programs supported under ESSA, violence prevention program, nutrition programs, housing programs, Head Start programs, Adult Education programs, career and technical education programs, and school implementing comprehensive or targeted support and improvement activities.
- f. The schoolwide program plan is based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging State academic standards, particularly the needs of those children who are failing, or are at-risk of failing, to meet the challenging State academic standards and any other factors determined by the LEA; and
- g. Includes a description of the strategies that the school will be implementing to address school needs, including a description of how such strategies will—
  - i. Provide opportunities for all children, including each of the subgroups of students to meet the challenging State academic standards;
  - ii. Use methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum which may include programs, activities, and courses necessary to provide a well-rounded education; and
  - iii. Address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards through activities which may include:
    - (I) Counseling, school-based mental health programs, specialized instructional support services, mentoring services, and other strategies to improve student's skills outside the academic subject areas;

(II) Preparation for and awareness of opportunities for postsecondary education and the workforce, which may include career and technical education programs and broadening secondary school students' access to coursework to earn postsecondary credit while still in high school, such as Advanced Placement, International Baccalaureate, dual or concurrent enrollment, or early college high schools;

(III) Implementation of a schoolwide tiered model to prevent and address problem behavior, and early intervening services, coordinated with similar activities and services carried out under IDEA;

(IV) Professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments, and to recruit and retain effective teachers, particularly in high need subjects;

(V) Strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs; and

(VI) If programs are consolidated the TEA and LEA programs and other Federal programs that will be consolidated in the schoolwide program.

4. A school that operates a SWP may use Title I, Part A funds to establish or enhance preschool programs for children who are under 6 years of age (P.L. 114-95, Section 1114[c]).
5. Services of a SWP may be delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement (P.L. 114-95, Section 1114[d]).
6. Use of funds for dual or concurrent enrollment programs (P.L. 114-95, Section 1114[e]).
  - a. A secondary school operating a SWP may use Title I, Part A funds received to operate dual or concurrent enrollment programs that address the needs of low-achieving secondary school students and those at risk of not meeting the challenging State academic standards (P.L. 114-95, Section 1114[e][1]).
  - b. A secondary school using Title I, Part A funds for a dual or concurrent enrollment program may use such funds for any of the costs associated with such program, including the costs of (P.L. 114-95, Section 1114[e][2])—
    - i. Training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education, where appropriate for the purpose of integrating rigorous academics in such program;

- ii. Tuition and fees, books, required instructional materials for such program, and innovative delivery methods; and
  - iii. Transportation to and from such program.
7. A school participating in a schoolwide program and who uses Title I, Part A funds for dual or concurrent enrollment programs must remain consistent with State law (P.L. 114-95, Section 1114[e][3]).

**E. Assurances Relating to Targeted Assistance Programs**

The LEA assures the following:

1. All campuses selected to receive services using Title I, Part A, funds but that are ineligible for a schoolwide program, have not received a waiver, or choose not to operate a schoolwide program, an LEA serving such school may use Title I, Part A, funds for programs that provide services to eligible children identified as having the greatest need for special assistance. [P.L. 114-95, Section 1115(a)].
2. To assist targeted assistance schools and LEAs to meet their responsibility to provide for all their students served the opportunity to meet the challenging State academic standards, each targeted assistance shall [P.L. 114-95, Section 1115(b)]:
  - a. Determine which students will be served;
  - b. Serve participating students identified as eligible children [P.L. 114-95, Section 1115(b)(2)]—
    - i. Use Title I, Part A, resources to help eligible children meet the challenging State academic standards, which may include programs, activities, and academic courses necessary to provide a well-rounded education; [P.L. 114-95, Section 1115[b][2][A]]
    - ii. Use methods and instructional to strengthen the academic program of the school through activities which may include [P.L. 114-95, Section 1115[b][2][B]]:
      - (i) Expanded learning time before- and after-school, and summer programs and opportunities; and
      - (ii) A schoolwide tiered model to prevent and address behavior problems, and early intervening services, coordinated with similar activities and services carried out under the IDEA Act.
    - iii. Coordinate with and support the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, Literacy Education for All, Results of the Nation, or state-run preschool programs to elementary school programs [P.L. 114-95, Section 1115[b][2][C]].

- iv. Providing professional development with resources provided under Title I, Part A, and to the extent practicable from other sources, to teachers, principals, other school leaders, paraprofessionals, and if appropriate, specialized instructional support personnel, and other school personnel who work with eligible children in targeted assistance programs or in the regular education programs [P.L. 114-95, Section 1115[b][2][D]].
  - v. Implementing strategies to increase the involvement of parents in accordance with Section 1116, [P.L. 114-95, Section 1115[b][2][E]]
  - vi. Coordinate and integrate federal, state, and local services and programs, including programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start, adult education, career and technical education, comprehensive and targeted support and improvement activities [P.L. 114-95, Section 1115[b][2][F]]
  - vii. Provide to the LEA assurances that the school will [P.L. 114-95, Section 1115[b][2][G]]:
    - (i) Help provide an accelerated, high-quality curriculum;
    - (ii) Minimize the removal of children from the regular classroom during regular school hours for instruction; and
    - (iii) On an ongoing basis, review the progress of eligible children and revise the targeted assistance program, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.
3. LEA agrees the eligible population for TA services includes [P.L. 114-95, Section 1115[c][1][A]]:
- a. Children not older than age 21 who are entitle to a free public education through grade 12;
  - b. Children who are not yet at a grade level at which the LEA provides a free public education; and
  - c. Eligible children are children identified by the school as failing, or most at risk of failing, to meet the challenging State academic standards based on criteria established by the LEA, except that children from preschool through grade 2 shall be selected solely on LEA established criteria [P.L. 114-95, Section 1115[c][1][B]].
4. Children who are economically disadvantaged, children with disabilities, migrant children, or English learners are eligible for Title I, Part A, services on the same basis as other students selected to receive Title I, Part A, services (P.L. 114-95, Section 1115[c][2][A]). A child who, at any time during the two preceding years, participated in a Head Start, Literacy Education for All, Results of the Nation, or in preschool



services under Title I, Part A, is eligible to receive Title I, Part A, services (P.L. 114-95, Section 1115[c][2][B]). A child who, at any time during the two preceding years, received services under Title I, Part C, is eligible to receive Title I, Part A, services (P.L. 114-95, Section 1115[c][2][C]). A child in a local institution for neglected or delinquent children and youth or attending a community day program are eligible for Title I, Part A, services (P.L. 114-95, Section 1115[c][2][D]).

5. A child who is homeless and attending any school served by the LEA is eligible for Title I, Part A, services (P.L. 114-95, Section 1115[c][2][E]).
6. To promote the integration of staff supported with Title I, Part A, funds into the regular school program and overall school planning and improvement efforts, public school personnel who are paid with Title I, Part A, funds under TA Programs may (P.L. 114-95, Section 1115[d]):
  - a. Participate in general professional development and school planning activities; and
  - b. Assume limited duties that are assigned to similar personnel who are not so paid, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.
7. Simultaneous service: LEA understands a school may serve eligible students simultaneously with students with similar educational needs, in the same educational settings where appropriate (P.L. 114-95, Section 1115[e][1]).
8. Comprehensive services if (P.L. 114-95, Section 1115[e][2])—
  - a. Health, nutrition, and other social services are not otherwise available to eligible children in a TA school and such school has engaged in a comprehensive needs assessment and established a collaborative partnership with local service providers; and (P.L. 114-95, Section 1115[e][2][A]).
  - b. Funds are not reasonably available from other public or private sources to provide such services, then a portion of the Title I, Part A, funds may be used as a last resort to provide services, including (P.L. 114-95, Section 1115[e][2][B])—
    - i. The provision of basic medical equipment, such as eyeglasses and hearing aids;
    - ii. Compensation of a coordinator;
    - iii. Family support and engagement services;
    - iv. Integrated student supports; and

- v. Professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children.
9. Use of funds for dual or concurrent enrollment programs: A secondary school operating a TA program may use Title I, Part A, funds received to provide dual or concurrent enrollment program services to eligible children who are identified as having the greatest need for special assistance (P.L. 114-95, Section 1115[f]).
10. Services of a TA program may be delivered by nonprofit or for-profit external providers with expertise in using evidence-based or other effective strategies to improve student achievement (P.L. 114-95, Section 1115[h]).

F. Assurances Relating to Parental Involvement

The LEA assures the following:

1. LEA will conduct outreach to all parents and family members and implements programs, activities, and procedures for the involvement of parents and family members in programs assisted under Section 1116. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents of participating children (P.L. 114-95, Section 1116[a] [1]).
2. If the LEA's Title I, Part A, entitlement is more than \$5,000, the LEA shall reserve at least 1% of its Title I, Part A, entitlement to assist schools to carry out the activities for parent and family engagement, including promoting family literacy and parenting skills (P.L. 114-95, Section 1116[a][3][A]).
  - a. Parents and family members of children receiving Title I, Part A, services are involved in the decisions about how funds reserved are allotted for parental involvement activities (P.L. 114-95, Section 1116[a][3][B]).
  - b. Not less than 90% of the funds reserved for parent and family engagement activities will be distributed to Title I, Part A schools, with priority given to high-need schools (P.L. 114-95, Section 1116[a][3][C]).
3. Funds reserved by an LEA (1%) shall be used to carry out activities and strategies consistent with the LEA's parent and family engagement policy, including not less than 1 of the following (P.L. 114-95, Section 1116[a][3][D]):
  - a. Supporting schools and nonprofit organizations in providing professional development for LEA and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members (P.L. 114-95, Section 1116[a][3][D][i]).

- b. Supporting programs that reach parents and family members at home, in the community, and at school (P.L. 114-95, Section 1116[a] [3] [D] [ii]).
  - c. Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members (P.L. 114-95, Section 1116[a] [3] [D] [iii]).
  - d. Collaborating, or providing subgrants to schools to enable such schools to collaborate, with community-based or other organizations or employers with a record of success in improving and increasing parents and family engagement (P.L. 114-95, Section 1116[a] [3] [D] [iv]).
  - e. Engaging in any other activities and strategies that the LEA determines are appropriate and consistent with the LEA's parent and family engagement policy (P.L. 114-95, Section 1116[a] [3] [D] [v]).
4. The LEA will develop jointly with, agree on with, and distribute to parents and family members of participating children a written parent and family engagement policy that is incorporated into the LEA's plan developed under Section 1112, establishing the expectations and objectives for meaningful parent and family involvement, and describe how the LEA will (P.L. 114-95, Section 1116[a][2]):
- a. Involve parents and family members in the joint development of the LEA Plan (P.L. 114-95, Section 1112) and the development of comprehensive and targeted support and improvement plans (P.L. 114-95, Section 1116[a] [2] [A]);
  - b. Provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the LEA in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education (P.L. 114-95, Section 1116[a][2][B]);
  - c. Coordinate and integrate parent and family engagement strategies under Title I, Part A, with parent and family engagement strategies, to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs (P.L. 114-95, Section 1116[a][2][C]);
  - d. Conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all Title I, Part A, schools, including identifying (P.L. 114-95, Section 1116[a][2][D]):
    - i. Barriers to greater participation by parents in activities authorized by section 1116, giving particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited

- literacy, or are of any racial or ethnic minority background (P.L. 114-95, Section 1116[a][2][D][i]);
- ii. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers (P.L. 114-95, Section 1116[a][2][D][ii]);
  - iii. Strategies to support successful school and family interactions (P.L. 114-95, Section 1116[a][2][D][iii]).
- e. Use the findings of such evaluations to design evidence-based strategies for more effective parental involvement and revising, if necessary, the parent and family engagement policies described in Section 1116(P.L. 114-95, Section 1116[a][2][E]); and
- f. Involve parents in the activities of the schools served under Section 1116, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the LEA to adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy (P.L. 114-95, Section 1116[a] [2] [F]).
5. Each school served under Title I, Part A, shall jointly develop with and distribute to parents and family members of participating children a written parent and family engagement policy, agreed on by such parents, that describes the means for carrying out the following parental involvement requirements (P.L. 114-95, Section 1116[b][1]):
- a. Policy involvement
  - b. Shared responsibilities for high student academic achievement
  - c. Building capacity for involvement
  - d. Accessibility
  - e. Parents are notified of the policy in an understandable and uniform format, and to the extent practicable, provided in a language the parents can understand. Such policy is made available to the local community and updated periodically to meet the changing needs of parents and the school.
6. If the Title I program plan under Section 1112 is not satisfactory to the parents of participating children, the LEA will submit any parent comments with this application to the state (P.L. 114-95, Section 1116[b][4]).
7. Policy Involvement: Each school served under Title I, Part A, shall (P.L. 114-95, Section 1116[c]):

- a. Convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of their school's participation under Title I, Part A, and to explain Title I, Part A, requirements, and the right of the parents to be involved (P.L. 114-95, Section 1116[c][1]);
  - b. Offer a flexible number of meetings, such as meetings in the morning or evening, and may provide with Title I, Part A, funds transportation, child care, or home visits, as such services relate to parental involvement (P.L. 114-95, Section 1116[c][2]);
  - c. Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of Title I, Part A, programs, including the planning, review, and improvement of the school parent and family engagement policy and the joint development of the schoolwide program plan under (P.L. 114-95, Section 1114(b), except that if a school has in place a process for involving parents in the joint planning and design of the school's programs, the school may use that process, if such process includes an adequate representation of parents of participating children (P.L. 114-95, Section 1116[c][3]);
  - d. Provides parents of participating children the following (P.L. 114-95, Section 1116[c][4]):
    - i. Timely information about Title I, Part A, programs;
    - ii. A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging State academic standards;
    - iii. If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible; and
    - iv. If the schoolwide program plan under P.L. 114-95, Section 1114(b) is not satisfactory to the parents of participating children, submit any parent comments on the plan when the school makes the plan available to the LEA (P.L. 114-95, Section 1116[c][5]).
8. Shared responsibilities for high student academic achievement: As a component of the school-level parent and family engagement policy, each school served under Title I, Part A, will jointly develop with parents, for all children served under Title I, Part A, a school-parent compact that outlines how parents, the entire school staff, and the students will share the responsibility for improved student academic achievement, and the means by which the school and parents will build and develop a partnership to help children achieve the state's high standards. Such compact shall (Section 1116[d]):

- a. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served under Title I, Part A, to meet the challenging State academic standards, and describes the ways in which each parent will be responsible for supporting his or her children's learning, volunteering in the child's classroom; participating, as appropriate, in decisions relating to the education of their children; and positive use of extracurricular time; and (P.L. 114-95, Section 1116[d][1])
  - b. Addresses the importance of communication between teachers and parents on an ongoing basis through, at a minimum, the following ((P.L. 114-95, Section 1116[d][2]):
    - i. Parent-teacher conferences in elementary schools at least annually, during which the compact is discussed as it relates to the individual child's achievement (P.L. 114-95, Section 1116[d] [2]) [A]);
    - ii. Frequent reports to parents on their children's progress (P.L. 114-95, Section 1116[d] [2]) [B]);
    - iii. Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities; and (P.L. 114-95, Section 1116[d] [2]) [C]);
    - iv. Ensuring regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand (P.L. 114-95, Section 1116[d] [2]) [D]).
9. To ensure effective involvement of parents and to support a partnership among the school involved, parents, and the community to improve student academic achievement, each school and the LEA (P.L. 114-95, Section 1116[e]):
- a. Shall provide assistance to parents of children served by the school or LEA, as appropriate, in understanding such topics as the challenging State academic standards, State and local academic assessments, the requirements of Title I, Part A, and information on monitoring a child's progress and working with educators to improve the achievement of their children (P.L. 114-95, Section 1116[e][1]);
  - b. Shall provide materials and training to help parents work with their children to improve their achievement, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement (P.L. 114-95, Section 1116[e][2]);
  - c. Shall educate teachers, specialized instructional support personnel, principals, and other school leaders, and other staff with the assistance of parents in the value and utility of contributions of parents, and in how to

reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and school (P.L. 114-95, Section 1116[e][3]);

- d. Shall to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with other Federal, State, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children (P.L. 114-95, Section 1116[e][4]);
- e. Shall ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format, and to the extent practicable, in a language the parents can understand (P.L. 114-95, Section 1116[e][5]);
- f. May involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training (P.L. 114-95, Section 1116[e][6]);
- g. May provide necessary literacy training from Title I, Part A, funds if the LEA has exhausted all other reasonably available sources of funding for such training (P.L. 114-95, Section 1116[e][7]);
- h. May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions (P.L. 114-95, Section 1116[e][8]);
- i. May train parents to enhance the involvement of other parents (P.L. 114-95, Section 1116[e][9]);
- j. May arrange school meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation (P.L. 114-95, Section 1116[e] [10]);
- k. May adopt and implement model approaches to improving parental involvement (P.L. 114-95, Section 1116[e] [11]);
- l. May establish a districtwide parent advisory council to provide advice on all matters related to parental involvement in programs supported under Title I, Part A (P.L. 114-95, Section 1116[e] [12]);
- m. May develop appropriate roles for community-based organizations and businesses in parent involvement activities (P.L. 114-95, Section 1116[e] [13]); and

10. Shall provide such other reasonable support for parental involvement activities under Title I, Part A, as parents may request (P.L. 114-95, Section 1116[e] [14]). In carrying out the parental involvement requirements of Title I, Part A, the LEA and the schools, to the extent practicable, shall provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required under P.L. 114-95, Section 1111 in a format, and to the extent practicable, in a language such parents understand (P.L. 114-95, Section 1116[f]).
11. Family engagement in education programs: The LEA or school receiving Title I, Part A, assistance will inform parents and organizations of the existence and purpose of the Parent and Family Engagement program (P.L. 114-95, Section 1116[g]).

#### G. Assurance Relating to Coordination

The LEA assures the following:

1. The LEA will conduct activities and develop agreements to increase coordination among the LEA, Head Start agencies, and if feasible, other early childhood education programs. Among those activities are the following:
  - a. Developing and implementing a systematic procedure for receiving records about children who are transferred with parental consent from a Head Start program or other early childhood program
  - b. Establishing channels of communication between school staff and their counterparts (including teachers, social workers, and health staff) in such Head Start agencies or other entities carrying out early childhood education programs to facilitate coordination of programs
  - c. Conducting meetings involving parents, kindergarten or elementary school teachers, and Head Start teachers, or if appropriate, teachers from other early childhood education programs to discuss the developmental and other needs of individual children
  - d. Organizing and participating in joint transition-related training of school staff, Head Start program staff, and where appropriate, other early childhood education program staff
  - e. Linking the educational services provided by such LEA with the services provided by local Head Start agencies.

#### H. Assurances Relating to Private Schools [P.L. 114-95, Sec. 1117 and Sec. 8501]

The LEA assures the following:



1. LEA will provide Title I, Part A, services to eligible children attending private elementary schools and secondary schools in accordance with Section 1117, and timely and meaningful consultation with private school officials regarding services. (P.L. 114-95, Section 1112(c)(2))
2. After timely and meaningful consultation with appropriate private school official's LEA will provide children, on an equitable basis special educational services, Title I Part A, instructional services, counseling, mentoring, one-on-one tutoring, or other benefits (i.e., dual or concurrent enrollment, educational radio and television, computer equipment and materials, other technology, and mobile educational services and equipment) that address their needs. [P.L. 114-95, Section 1117(a)(1)(A)]
3. LEA ensures that teachers and families of the children participate, on an equitable basis in Title I, Part A, programs. [P.L. 114-95, Section 1117(a)(1)(B)]
4. LEA assures all educational services, including materials and equipment, must be secular, neutral, and nonideological. [P.L. 114-95, Section 1117(a)(2)]
5. Title I, Part A, educational services and other benefits for private school children are equitable in comparison to services and other benefits for public school children participating in Title I, Part A, and are provided in a timely manner. [(P.L. 114-95, Section 1117(a)(3)(A))].
6. Title I, Part A, expenditures for educational services and other benefits to eligible private school children are equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools (P.L. 114-95, Section 1117[a][4][A](i)).
7. Title I, Part A, proportional share of funds shall be determined based on the *total* amount of funds received by the LEA *prior* to any allowable expenditures or transfers. (P.L. 114-95, Section 1117(a)(4)(ii)).
8. Title I, Part A, funds allocated to a LEA for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received by the agency. (P.L. 114-95, Section 1117(a)(4)(B))
9. LEA may provide services directly or through contracts with public and private agencies, organizations, and institutions. (P.L. 114-95, Section 1117(a)(5)) To ensure timely and meaningful consultation, an LEA shall consult with appropriate private school officials during the design and development. The LEA and private school officials shall both have the goal of reaching an agreement on providing equitable and effective programs for eligible private school children. The process shall include consultation on:
  - a. How the children's needs will be identified.
  - b. What services will be offered.

- c. How, where, and by whom the services will be provided.
  - d. How the services will be academically assessed, and how the results of that assessment will be used to improve those services.
  - e. What size and scope of the equitable services are to be provided to the eligible private school children, and how that proportion of funds is determined.
  - f. What method or sources of data are to be used under subsection (c) and Section 1113(c)(1) to determine the number of children from low-income families in participating school attendance areas who attend private schools.
  - g. How and when LEA will make decisions about the delivery of services including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers.
  - h. How, if LEA disagrees with the views of the private school officials on the provision of services through a contract, LEA will provide written rationale to private school officials as to why LEA has decided against contractor.
  - i. Whether the LEA will provide services directly or through a separate government agency, consortium, entity, or third-party contractor.
  - j. Whether to provide equitable services to eligible private school children-
    - i. By creating a pool or pools of funds with all the funds allocated based on all the children from low-income families in a participating school attendance area who attend private schools; or
    - ii. In the LEA's participating school attendance area who attend private schools with the proportion of funds allocated based on the number of children from low-income families who attend private schools.
  - k. When, including the approximate time of day services will be provided.
  - l. Whether to consolidate and use funds provided in coordination with eligible funds available for services to private school children under applicable programs, as defined in Section 8501(b)(1) to provide services to eligible private school children participating in programs.
  - m. LEA assures if it disagrees with the views of private school officials, the LEA shall provide in writing to private school officials the reasons why the LEA disagrees. (P.L. 114-95, Section 1117(b) (2)).
10. LEA assures consultation shall occur before the LEA makes any decision that affects the opportunities of eligible private school children to participate in Title I, Part A, programs. Such meetings will continue throughout implementation and assessment of Title I, Part A, services. (P.L. 114-95, Section 1117[b] [3]).
- a. LEA assures consultation shall include a discussion of service delivery mechanisms a LEA can use to provide equitable services to eligible private school children. (P.L. 114-95, Section 1117(b) (4)).

11. The LEA maintains in the agency's records and will provide to TEA a written affirmation signed by officials of each participating private school that the meaningful consultation required has occurred. The written affirmation shall provide the option for private school officials to indicate officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable to private school children. If such officials do not provide such affirmation within a reasonable period of time, the LEA will forward the documentation that such consultation has taken place to TEA. (P.L. 114-95, Section 1117[b][5])
12. LEA assures it shall forward any appropriate Title I, Part A, documentation following a private school compliant stating LEA did not comply with Section 1117 to TEA. (P.L. 114-95, Section 1117(b)(6)(B))
13. Title I, Part A, funds used to provide services to eligible private school students shall supplement and in no case, supplant the level of services that would, in the absence of Title I, Part A, services, be available to participating children in private schools. (P.L. 114-95)
14. Title I, Part A, funds will be used to meet the special educational needs of participating private school students but not the needs of the private school or the general needs of students in the private school (P.L. 114-95).
15. LEA assures a public agency will keep title to and exercise continuing administrative control of all materials, equipment, and property that the public agency acquires with Title I Part A funds for the benefit of eligible private school students. (P.L. 114-95, Section 1117[d](1))
16. LEA assures Title I, Part A, services to private schools are provided by employees of a public agency or through contact by a public agency with an individual, association, agency, or organization. (P.L. 114-95, Section 1117[d](2)(A))
17. LEA assures in the provision of Title I, Part A, services, such employee, individual, association, agency, or organization is independent of such private school and of any religious organization, and such employment or contract is under the control and supervision of such public agency. (P.L. 114-95, Section 1117[d](2)(B)). LEA will have final authority consistent with Title I, Part A, (Section 1117), to calculate the number of children ages 5 through 17 who are from low-income families and attend private schools, the LEA will do one of the following. (P.L. 114-95, Section 1117(c)(1)):
  - a. Use the same measure of low income used to count public school children;
  - b. Use the results of a survey that, to the extent possible, protects the identity of families of private school students, and allow such survey results to be extrapolated if complete actual data are unavailable;
  - c. Apply the low-income percentage of each participating public school attendance area to the number of private school children who reside in that school attendance area;

- d. Use an equated measure of low income correlated with the measure of low income used to count public school LEA assures it will complete and submit *Private School Services Schedule PS3099* through eGrants by the TEA requested due date. PS3099 incorporates the formula for determining equitable private school services in the ESSA. This schedule replaces the PNP Equitable Services Worksheet. PS3099 calculates participating PNP equitable allocations which are used for services in the following programs: Title I, Part A; Title I, Part C Migrant; Title II, Part A; Title III, Part A ELA; Title III, Part A Immigrant; and Title IV, Part A.
18. LEA assures it will abide by all requirements set forth in P.L. 114-95, Section 8501 for providing equitable services in the following programs: Title I-C, Title II-A, Title III-A, Title IV-A, and Title IV-B.
  19. LEA assures it will keep documentation of program descriptions, allowable activities, and expenditures locally and make available upon TEA request for all applicable private non-profit requirements in P.L. 114-95, Sections 1117 and 8501. TEA may request a description of services and use of funds documentation at a later date through compliance report or other TEA reports.

## II. Title I, Part C

### A. General Assurances

The LEA assures the following:

1. All district Title I, Part C, programs and projects are implemented in compliance with all applicable statutory and regulatory provisions pertaining to the Migrant Education Program.
2. Such projects carried out by the LEA shall be carried out in a manner consistent with the basic objectives of P.L. 114-95, Title I, Part C, and as described in the Instructions to the Consolidated Application for Federal Funding.
3. The district will make reports to the Texas Education Agency, in such forms and containing such information, as may be reasonably necessary, to enable the Texas Education Agency to perform its duties under Title I, Part C, including information relating to fiscal accountability of funds received under Title I, Part C, the educational achievement of students participating in programs conducted under Title I, Part C (such as Project SMART data collection forms, etc.), and will keep such records and afford such access thereto as the Texas Education Agency may find necessary to assure correctness and verification of such reports.
4. The district will conduct an annual evaluation of programs assisted with Title I, Part C, funds and will use the findings of this and other evaluations in modifying and improving the program. Data for this evaluation is collected through the New Generation System (NGS), the Public Education Information Management System

(PEIMS), compliance reports submitted annually by the district to the Texas Education Agency, and other resources.

5. The effectiveness of its Migrant Education Program (MEP) will be determined, where feasible, using the same approaches and standards used to assess the performance of students and schools under Title I, Part A.

#### B. General Fiscal Assurances

The LEA assures the following:

1. Funds are used by a local school district or other operating agency only in accordance with the project application. In general, funds available under the MEP may be used only to (1) identify eligible migratory children and their needs; and (2) provide educational and support services (including, but not limited to, preschool services, professional development, advocacy and outreach, parental involvement activities, and the acquisition of equipment) that address the identified needs of the eligible children.
2. It will conduct program operations of the MEP in compliance with EDGAR as applicable, 2 CFR Part 200, and other applicable regulations.
3. It will comply with Title I, Part C, of P.L. 114-95 and Title IX as it pertains to uses of funds, assurances, and eligible children.
4. It will use such fiscal control and fund accounting procedures as will assure proper disbursement of, and accounting for, federal funds paid to the LEA under the Title I, Part C program.
5. The district shall use funds received under the Title I, Part C, program so as to supplement, and to the extent practical, increase the level of funds that would in the absence of federal funds be made available from nonfederal sources for the education of students participating in programs and projects assisted under Title I, and in no case, may such funds be used to supplant such funds from nonfederal sources.
6. LEAs consolidating administrative funds follow the requirement to use an equitable method for allocating costs to specific fund sources. The method to determine equitable allocation must be documented and is subject to audit. Federal expenditures should be allocated to the ESSA programs in proportion to the funds provided by each program. In cases where migrant funds are used for consolidated administration, if there are unspent funds, the applicant assures that migrant funds will be returned to the state in the same proportion to the share of funding provided to the project.

#### C. Assurances Relating to Comparability of Services

The LEA assures the following:

1. An LEA may receive funds under Title I, Part A, and Title I, Part C, (MEP) only if state and local funds will be used in participating schools to provide services that, taken as a whole, are at least comparable to services that the LEA is providing in schools not receiving Title I, Part A, or Title I, Part C, (MEP) funds.
  - a. An LEA is considered to have met the statutory comparability requirements if it has implemented (1) an LEA-wide salary schedule; (2) a policy to ensure equivalence among schools in teachers, administrators, and other staff; and (3) a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.
  - b. An LEA may also use measures to determine comparability such as comparing the average number of students per instructional staff or the average staff salary per student in each school receiving Title I, Part A, or MEP funds with those schools that do not receive Title I, Part A, or MEP funds.
  - c. If all schools are served by Title I, Part A, or MEP, an LEA must use state and local funds to provide services that, taken as a whole, are substantially comparable in each school.
  - d. An LEA may exclude schools with fewer than 100 students from its comparability determination.
  - e. The comparability determination does not apply to an LEA that has only one school for each grade span.

#### D. Assurance Relating to Schoolwide Programs

The LEA assures the following:

1. In order to combine MEP funds into a schoolwide campus program, prior written approval must be obtained from the Texas Education Agency and be documented as part of the ESSA Consolidated Application process. *Section 1306(b)(4) of the statute and sections 200.29(c)(1) and 200.86 of the regulations require schools to first use the MEP funds, in consultation with migrant parents, to meet the special educational needs of migrant children before they may combine MEP funds in a schoolwide program.* The State has identified these needs in its comprehensive statewide needs assessment. **The district must have documentation that these identified unique educational and educationally-related needs of migratory children have been met before requesting to consolidate Title I, Part C funds into a schoolwide program.**

#### E. Program-Specific Assurances

The LEA assures the following:

1. In providing services with Title I, Part C, funds, LEAs shall give priority to serving Priority for Service (PFS) migratory children with MEP funds before using migrant funds to address the needs of other migratory children. PFS students are defined as

migratory children who have made a qualifying move within the previous 1-year period and who are failing, or most at risk of failing, to meet the challenging state academic standards, or have dropped out of school. [P.L. 114-95, Section 1304(d)] The Title I, Part C Migrant Coordinator will include a Priority for Service Action Plan as a separate section labeled or identified (e.g., "Migrant PFS Action Plan")

2. The LEA must include a PFS Action Plan that includes the following:
  - a. When, in the calendar school year, the Title I, Part C, Coordinator will provide campus principals, appropriate campus staff, and parents the Priority For Service students criteria and updated NGS PFS reports.
  - b. When, in the school year calendar, the district's Title I, Part C, Coordinator, MEP staff, and migrant school staff will make home and/or community visits to update parents on the academic progress of their children.
  - c. How the district's Title I, Part C, Coordinator will use NGS Priority For Service reports to give priority placements to these students in MEP activities.
  - d. How the district's Title I, Part C, Coordinator will ensure PFS students receive priority access to instructional services, as well as social workers and community social services/agencies.
  - e. What federal, state, and local programs serve Priority For Service students.
3. The Migrant Education Program will provide to the extent feasible, such programs and projects as the following: [P.L. 114-95, Section 1304(c)(7)]
  - a. Advocacy and outreach activities for migratory children and their families, including coordination to allow them to gain access to other education, health, nutrition, and social services (Migrant Services Coordination).  
Within the first grading period of the school year that the child who is eligible for the MEP services in the district, (1) determine individual needs for instructional and support services, (2) Identify resources and make referrals to address said needs, such as tutoring, WIC, HEP, dropout prevention program, (3) Coordinate with entities to ensure that the child has access to the appropriate services, and (4) Follow up to monitor and document progress.
  - b. Professional development programs, including mentoring for teachers and other MEP personnel.
  - c. Information regarding family literacy programs.
  - d. The integration of information technology into educational and related programs.
  - e. Programs to facilitate the transition of secondary migrant students to postsecondary education or employment.

- f. Coordination with available programs offering options for credit accrual and recovery to ensure that migrant secondary students are accessing opportunities available to earn needed credits and make up coursework which is lacking due to late arrival and/or early withdrawal.
  - g. Coordination with school staff and the Texas Migrant Interstate Program (TMIP) to ensure that migrant students who have failed any subject area of the state student assessment are accessing local, intrastate, and interstate opportunities available for summer statewide student assessment remediation.
  - h. Supportive services for out of school youth.
4. To meet the unique educational needs of its migratory children and to accomplish MEP program goals and objectives, LEAs will use the Seven Areas of Concern as identified by the Office of Migrant Education. The Seven Areas of Concern are:
- a. Educational Continuity
  - b. Instructional Time
  - c. School Engagement (behavioral, emotional, cognitive)
  - d. English Language Development
  - e. Educational Support in the Home
  - f. Health
  - g. Access to Services
5. The Texas MEP has identified the unique educational and educationally-related needs of migratory children through its Statewide Comprehensive Needs Assessment. [P.L. 114-95, Section 1306(A)(1)] This is a comprehensive review of the identified needs. For this comprehensive list of needs and plan for service delivery including Measurable Program Outcomes (MPOs) that describe what every ESC and LEA will be accounted for, please visit <https://tea.texas.gov/TitleI/PartC/Migrant/>. The desired outcomes specific to migrant children and youth in Texas are, as outlined in the Texas Service Delivery Plan, as follow:

**MPO 1a)** By the end of the 2018-19 program year, 50% of migrant students in grades K-12 receiving supplemental reading instruction through MEP efforts will score at age/grade level or improve their score on curriculum-based reading assessments.

**MPO 1b)** By the end of the 2018-19 program year, 80% of MEP staff responding to a survey will report that MEP professional development increased their knowledge about reading.



**MPO 1c)** By the end of the 2018-19 program year, there will be a 5% increase in the number of migrant students receiving supplemental reading instruction through MEP efforts over the previous year.

**MPO 1d)** By the end of the 2018-19 program year, 80% of migrant parents responding to a survey will report that they received information/resources about reading.

**MPO 1e)** By the end of the 2018-19 program year, 75% of migrant parents responding to a survey that received information and/or resources about reading will report that they are better prepared to support their child with reading.

**MPO 2a)** By the end of the 2018-19 program year, 50% of migrant students in grades K-12 receiving supplemental math instruction through MEP efforts will score at age/grade level or improve their score on curriculum-based math assessments.

**MPO 2b)** By the end of the 2018-19 program year, 80% of MEP staff responding to a survey will report that MEP professional development increased their knowledge about math.

**MPO 2c)** By the end of the 2018-19 program year, there will be a 5% increase in the number of migrant students receiving supplemental math instruction through MEP efforts over the previous year

**MPO 2d)** By the end of the 2018-19 program year, 80% of migrant parents responding to a survey will report that they received information/resources about math.

**MPO 2e)** By the end of the 2018-19 program year, 75% of migrant parents responding to a survey that received information and/or resources about math will report that they are better prepared to support their child with math.

**MPO 2f)** By the end of the 2019 summer program, 50% of migrant students participating in Project SMART will improve their score by 10% on Project SMART assessments.

**MPO 3a)** By the end of the 2018-19 program year, eligible migrant children ages 3-5 (*who are not in kindergarten*) will participate in a school readiness program (baseline to be determined in 2018-19).

**MPO 3b)** By the end of the 2018-19 program year, 70% of migrant children participating in at least 20 weeks of A Bright Beginning (ABB) will improve their scores by 5% on ABB assessments.

**MPO 3c)** By the end of the 2018-19 program year, 75% of migrant parents of children ages 3-5 (*who are not in kindergarten*) responding to a survey that received information/resources about school readiness will report that they are better prepared to support their child.

- MPO 4a)** By the end of the 2018-19 program year, there will be a 5% increase in the number of migrant students in grades 9-12 receiving supplemental instructional and/or support services through MEP efforts over the previous year.
- MPO 4b)** By the end of the 2018-19 program year, 90% of migrant students in grades 9-12 responding to a survey will report that MEP services were useful to help them graduate.
- MPO 4c)** By the end of the 2018-19 program year, 90% of migrant students in grades 9-12 that received MEP services will be on-time to graduate.
- MPO 4d)** By the end of the 2018-19 program year, 30% of eligible OSY will receive Information and/or needs-based services. (2016-17 baseline was 22%)
- MPO 4e)** By the end of the 2018-19 program year, 75% of migrant parents responding to a survey that received information and/or resources about graduation.
- MPO 4f)** By the end of the 2018-19 program year, 80% of MEP staff responding to a survey will report that MEP professional development increased their knowledge about secondary services for migrant students.
6. The Texas MEP has identified the strategies to address the needs identified through the Statewide Service Delivery Plan [P.L. 114-95, Section 1306(a) (1) (A-G)]:
- The strategies include the following as required activities:
- a. Coordinate/provide supplemental reading instruction to migrant students based on disaggregated results of formal/informal assessments (e.g., coordinate with community resources, existing school resources, supplemental resources).
  - b. Provide training and support to migrant students on the use of academic tools and resources to increase success in reading.
  - c. Coordinate/provide professional development for MEP staff who provide needs-based supplemental reading instruction to migrant students.
  - d. Coordinate with other school/community programs to provide support services that address the identified reading needs of migrant children and youth (e.g., health services, food/nutrition, transportation, translations/interpretations).
  - e. Coordinate/provide training/resources to migrant parents on reading strategies for their children.
  - f. Coordinate/provide supplemental math instruction to migrant students based on disaggregated results of formal/informal assessments (e.g., coordinate with community resources, existing school resources, supplemental resources).
  - g. Provide training and support to migrant students on the use of academic tools and resources to increase success in mathematics.

- h. Coordinate/provide professional development for MEP staff who provide needs-based supplemental math instruction to migrant students.
- i. Coordinate with other school/community programs to provide support services that address the identified mathematics needs of migrant children and youth (e.g., health services, food/nutrition, transportation, translations/interpretations).
- j. Coordinate/provide training/resources to migrant parents on math strategies for their children.
- k. Utilize Project SMART when providing summer supplemental services in mathematics to migrant students
- l. Coordinate/provide summer supplemental services in mathematics to migrant students who are performing below grade level through remedial mathematics programs.
- m. Provide migrant children ages 3-5 (not in kindergarten) access to school readiness programs through coordination and collaboration with other programs (e.g., Head Start, Teaching Mentoring Community [TMC]).
- n. *Regular School Year/Optional Summer* – Implement the TEA-approved early literacy program (A Bright Beginning) for migrant children ages 3-5 (not in kindergarten) that are not served by other programs.
- o. Provide migrant parents with developmentally appropriate school readiness resources and strategies.
- p. Coordinate/provide support services (e.g. health services, transportation, translations/ interpretations, meals/nutrition) for migrant children ages 3-5 (not in kindergarten) and their families (e.g., coordinate with early childhood agencies, community-based organizations).
- q. Coordinate/provide supplemental instructional services to ensure migrant students are proficient on state assessments.
- r. Coordinate/provide support services to migrant students in grades 9-12 (e.g., counseling, translation, health services, transportation, mental health services).
- s. Coordinate/provide migrant student graduation support and advocacy (e.g., monitoring and tracking attendance and academic progress, reviewing course selections, providing leadership and mentoring programs, facilitating family/school connections, providing home visits).
- t. Coordinate with receiving state MEP staff on migrant students' graduation needs/requirements.

- u. Provide/coordinate needs-based services for OSY with support and advocacy (e.g., graduation, high school equivalency, job readiness skills).
  - v. Provide information and resources to parents about graduation requirements and college/career opportunities.
  - w. Provide professional development for MEP staff on services for migrant students in grades 9-12 and OSY (e.g., credit accrual, credit recovery, inter/intra state coordination, TMIP)
  - x. Ensure non-MEP staff are aware of the MEP services and programs that address graduation and postsecondary opportunities (e.g., credit accrual, credit recovery, inter/intra state coordination, TMIP, HEP/CAMP, Close Up, Bert Corona Leadership Institute-BCLI).
7. In planning, implementing, and evaluating the MEP, there has been, and will be adequate provision for addressing the unmet needs of preschool migratory children, as well as the identification and recruitment of such children. [P.L. 114-95, Section 1304(c)(4)]
- a. Within the first 60 days of the school year that eligible preschool migratory children, ages 3-5, are in the school district, determine individual educational needs, and to the extent possible, coordinate with or provide services to meet the identified needs. (For example, A Bright Beginning, Head Start, or other early childhood programs)
8. Identification and recruitment are district-wide activities occurring year-round. In all project LEAs, including schoolwide programs, an adequate number of staff are assigned to carry out all identification and recruitment activities according to the MEP guidelines and policies as outlined in the Texas Manual for the Identification and Recruitment of Migrant Children.
- a. Title I, Part C, Coordinator will provide a list of migrant students or copies of Certificates of Eligibilities (COEs) to be encoded in PEIMS with a Migrant Indicator Code.
9. Data collection and data entry [P.L. 114-95, Section 1308(A)] are district-wide activities occurring year-round.
- a. All required NGS enrollments and student demographic, educational, and health data is collected and entered in NGS following MEP required timelines and procedures as outlined in the Manual for New Generation System (NGS) Data Management Requirements.
  - b. In all project LEAs, including schoolwide programs, an adequate number of staff are assigned to carry out the designated NGS data collection and data entry activities in order to ensure that the required timelines are met as specified in the NGS Guidelines. State recommendations regarding NGS personnel are as follows: one NGS Data Specialist for every 300 migrant students, prorating the number of positions depending on the LEA's migrant enrollment.

- c. Records will be maintained to accurately document numbers of migrant students. The LEA will transmit demographic, educational, and health data for all migratory children and participate fully in the New Generation System (NGS) as required by the Manual for New Generation System (NGS) Data Management Requirements. The applicant agency will report data as necessary for the function of the MEP.
10. All ID&R and NGS staff attend annual training provided by regional ESCs as outlined in the Texas Manual for the Identification and Recruitment of Migrant Children and the Manual for New Generation System (NGS) Data Management Requirements.

F. Assurances Relating to Coordination [P.L. 114-95, Section 1308(A)]

The LEA assures that:

1. Consideration has been given to the development of this application, to any benefits available through public and private agencies and programs that would contribute toward meeting the special educational needs of migrant children. Consideration is also given where suggestions and offers of assistance are timely made by such agencies that may aid in carrying out or making more effective the program or project for which the application is made.
2. Continuous coordination with Title I, Part A, programs and personnel occurs so that eligible migratory students receive Title I, Part A, services, and that MEP funds are used to meet the unique needs of migrant students that result from their migratory lifestyles. [P.L. 114-95, Section 130(b)(1)(B)]
  - a. In the case of migrant students who are also limited English proficient (LEP) or handicapped, it will provide maximum coordination between services provided under Title I, Part C, Migrant and services provided to address children limited English proficiency or handicapping conditions in order to increase program effectiveness, eliminate duplication of services, and reduce fragmentation of the students' instructional programs.
3. In planning, implementing, and evaluating its MEP activities, the LEA assures that local and regional data has been used to determine and provide services to migratory children in coordination with other stakeholders.

G. Assurance Relating to Continuation of Services [P.L. 114-95, Section 1304(e)]

The LEA assures the following:

1. Concerning the continuation of services to migrant students with expiring eligibility
  - a. A child who ceases to be a migratory child during a school year will be eligible for services until the end of such term.

- b. A child who is no longer a migratory child may continue to receive services for one additional school year, but only if comparable services are not available through other programs.
- c. A secondary migrant student who has been eligible for services in secondary school may continue to be served through migrant-funded credit accrual programs until graduation.

H. Assurances Relating to the Migrant Parent Advisory Council (PAC) and Parental Involvement [P.L. 114-95, Section 1304(c)(3)]

The LEA assures the following:

1. To ensure parental participation in the MEP, the migrant-funded LEA with programs of one school year in duration will establish an LEA-wide migrant parent advisory council (PAC) which will be elected by the parents of eligible migrant students and which will be composed of a majority of such parents. In the case of migrant-funded Shared Services Arrangements (SSAs), the fiscal agent will establish an SSA-wide migrant parent advisory council elected by migrant parents from the respective districts in the SSA. Migrant-funded LEAs and SSA fiscal agents shall establish and consult a PAC even if the contracting agents have schoolwide programs. To the extent feasible, contracting agents with schoolwide program schools assure that their schoolwide campuses will have meaningful consultation with both the LEA-wide PAC and parents of migratory students attending the schoolwide program school.
2. The LEA or SSA fiscal agent will have meaningful consultation with parents of migratory children including the migrant parent advisory council (PAC) in the planning and operation of the local migrant education program. "Meaningful consultation" includes, but is not limited to both of the following:
  - a. Providing copies of pertinent district and campus improvement plans, state plans, state and federal laws, regulations, and rules; copies of reports resulting from audits, TEA monitoring visits, and complaint investigations; and copies of LEA needs assessments, evaluations, NGS reports, and Standard Application System (SAS) funding applications that describe the academic performance and service of migrant students in comparison to other student populations;
  - b. Providing empowerment training for PAC members at no cost to parents; said training includes, but is not limited to, providing PAC members, in their dominant language, a clear understanding of the key issues and decision points from aforementioned data sources to facilitate informed input and advice to the district before program designs and decisions are finalized.
3. The planning and implementation of the LEA's Migrant Education Program provides for the same parental involvement as required for programs and projects under P.L. 114-95, Section 1116.

4. PAC meetings must be conducted in a format and language that is understandable to migrant parents. To ensure full parent participation, PAC meetings should be held at times convenient for the migrant parents and transportation and childcare should be offered.

#### I. Assurance Relating to Private Schools

The LEA assures the following:

1. An LEA receiving assistance under Title I, Part C, must provide eligible private nonprofit school children and their teachers or other educational personnel, with equitable services or other benefits under this program. Before an LEA makes any decision that affects the opportunity of eligible private nonprofit school children, teachers, or other educational personnel to participate, the LEA must engage in timely and meaningful consultation with private school officials and maintain written documentation of such efforts.

### III. Title I, Part D, Subpart 1

- A. The State Agency (SA) assures it meets the purposes of Title I, Part D, Subpart 1 (P.L. 114-95, Section 1411):
  1. Improve educational services for children and youth in local and state institutions for neglected or delinquent children and youth so that such children and youth have the opportunity to meet the same challenging state academic content standards and student academic achievement standards that all children are expected to meet.
  2. Provide such children and youth with the services needed to make a successful transition from institutionalization to further schooling or employment.
  3. Prevent at-risk youth from dropping out of school and provide dropouts and children and youth returning from correctional facilities or institutions for neglected or delinquent children and youth with a support system to ensure their continued education.
- B. The State Agency (SA) assures the following (P.L. 114-95, Section 1414(c)):
  1. State Agency (SA) assures in making services available to children and youth in adult correctional institutions, priority will be given to children and youth who are likely to complete incarceration within a 2-year period.
  2. SA assures it will assist in locating alternative programs through which students can continue their education if the students are not returning to school after leaving the correctional facility or institution for neglected or delinquent children and youth.
  3. SA assures it will work with parents to secure parents' assistance in improving the educational achievement of their children and youth, and preventing their children's and youth's further involvement in delinquent activities.

4. SA assures it will work with children and youth with disabilities in order to meet an existing individualized education program and an assures that it will notify the child's or youth's local school if the child or youth—
    - is identified as in need of special education services while the child or youth is in the correctional facility or institution for neglected or delinquent children and youth; and
    - Intends to return to the local school.
  5. SA assures it will work with children and youth who dropped out of school before entering the correctional facility or institution for neglected or delinquent children and youth to encourage the children and youth to reenter school and attain a regular high school diploma once the term of the incarceration is completed or provide the child or youth with the skills necessary to gain employment, continue the education of the child or youth, or attain a regular high school diploma or high school equivalency certificate if the child or youth does not intend to return to school.
  6. SA assures that certified or licensed teachers and other qualified staff are trained to work with children and youth with disabilities and other students with special needs.
  7. SA assures coordination with programs operated by Juvenile Justice and Delinquency Prevention Act of 1974.
- C. SA assures it shall reserve between 15-30% of total allocation for transition services to support (P.L. 114-95, Section 1418)-
1. Facilitating transition of children and youth between State-operated or Secretary of the Interior institutions and schools served by LEAs or Bureau of Indian Education; or
  2. Successful reentry of youth offenders who are age 20 or younger and have received a regular high school diploma or high school equivalency certificate into postsecondary education or career and technical training programs such as –
    - i. Preplacement programs that allow youth to audit or attend college courses (via campus-based or institutional settings);
    - ii. Worksite schools – institutes of higher education and private/public employers partner to create programs to assist successful transition to postsecondary education and employment; and
    - iii. Essential support services such as -
      - Personal, career and technical, and academic counseling;
      - Placement services in university, college, or junior college program;
      - Student financial aid information and assistance;



- Counseling Services; and
  - Job placement services.
- D. SA assures Subpart 1 funds will support educational services that meet the following:
1. Are consistent with the TEA State plan.
  2. Provide children and youth with the knowledge and skills needed to make a successful transition to secondary school completion, career and technical education, further education, or employment.
- E. Programs and projects
1. May include-
    - a. the acquisition of equipment
    - b. pay-for-success initiatives; or
    - c. providing targeted services for youth who have come in contact with both the child welfare system and juvenile justice system
  2. Shall be designed to support educational services that-
    - a. Except for institution-wide projects under Section 1416, are provided to children and youth identified as failing, or most at-risk of failing, to meet the challenging State academic standards;
    - b. Respond to the educational needs of children and youth, by supplementing and improving quality of the educational services provided to such children and youth; and
    - c. Afford such children and youth an opportunity to meet challenging State academic standards.
  3. Shall be carried out in a manner consistent with fiscal requirements (Sec. 1118 and part F) (as applicable).
- F. SA assures that projects using Subpart 1 funds to pay the necessary and reasonable costs will provide a variety of services such as (P.L. 114-95, Section 1415(a)(2)):
1. Providing reading, mathematics, and language arts programs that include academic classroom instruction, as long as these are supplementary services and materials.
  2. Providing pay-for-success initiatives, career and technical training programs, personal and academic counseling, job placement services, college preparatory and placement services.
  3. Hiring additional teachers, aides, educational counselors, and other staff members to provide supplemental instruction in the areas of greatest need.

4. Training and providing professional development opportunities for teachers, aides, and other staff members who are actively involved in providing Title I, Part D, Subpart 1, services.
  5. Procuring supplemental educational materials and equipment for Title I, Part D, Subpart 1 instruction- including books, computers, audiovisual equipment and supplies, and classroom materials for academic, career, and technical skill programs.
  6. Hiring transition coordinators or purchasing new equipment to assist students' transitions (for example, purchasing scanners to scan individualized education program (IEP) documents).
  7. Increasing the total number of hours of instruction in any subject area that students receive with state or local funds.
- G. SA assures it can respond appropriately to and maintain documentation for each of the following questions to determine whether an expenditure would be allowable:
1. How is the expenditure reasonable and necessary to carry out the intent and purpose of the program?
  2. What need, as identified in the comprehensive needs assessment, does the capital expenditure address? Explain how the capital expenditure addresses this need.
  3. How will the expenditure be evaluated to measure a positive impact on student achievement?
  4. How is the expenditure supplemental to other nonfederal programs?
- H. All encumbrances and expenditures relative to the 2018-2019 (FY2018) Title I, Part D, Subpart 1, program will be incurred on or after the effective date of this application and in accordance with the approved budget, supporting schedules, and budget description (34 Code of Federal Regulations [CFR] 76.708).
- I. If approval is requested for paraprofessional or nonprofessional positions such as teacher aides, library aides, nurse's aides, attendance aides, licensed vocational nurses, these personnel will be assigned to work under the direct supervision of professional personnel who have a degree and meet all certification requirements or accreditation standards for their assignment. If approval is requested for a nurse's aide or licensed vocational nurse (LVN), this paraprofessional will be under direct supervision of an LEA-employed registered nurse, or a statement will be provided from a medical doctor or a registered nurse certifying that this paraprofessional will be under the direct supervision of such certified medical personnel (state rule).
- J. Program operations comply with CFR Title 34; Parts 76, as applicable, 77, 79, 80, 81, 82, 85, 86, 97, 98, 99, 100, 104, 106, and 2 CFR Part 200, and other applicable regulations.

## IV. Title I, Part D, Subpart 2

- A. LEA assures the purposes of Title I, Part D, Subpart 2, meet the following (P.L. 114-95, Section 1421):
1. To carry out high quality education programs to prepare children and youth for secondary school completion, training, employment, or further education;
  2. Provide children and youth with the services needed to make a successful transition from institutionalization to further education or employment; and
  3. To operate programs in local schools, including schools operated or funded by the Bureau of Indian Education for children and youth returning from correctional facilities and programs which may serve at-risk children and youth.
- B. LEA must collaborate with locally operated neglected and delinquent facilities and meet the following Title I, Part D Subpart, 2 requirements [Sec. 1423]. Documentation must be kept on file:
1. Description of the program;
  2. Description of formal agreements between the LEA and correctional facilities and alternative school programs, including Secretary of the Interior and Indian tribes;
  3. Description of coordination with facilities working with delinquent children and youth ensuring their participation in comparable local school education programs;
  4. Description of program to facilitate successful transition of children and youth returning from correctional facilities and types of services offered;
  5. Description of the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the children and youth returning from correctional facilities. Description of how LEA will coordinate existing education programs to meet unique educational needs of children and youth;
  6. Description of LEA will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities - including prenatal health care and nutrition services, parenting and child development classes, child care, targeted reentry and outreach program, referrals to community resources, and flexibility;
  7. Description of partnerships with institutions of higher education or local businesses to facilitate postsecondary and workforce success for children and youth returning from correctional facilities – i.e., credit-bearing coursework, enrollment in postsecondary education, participation in career and technical education programming, and mentoring services;

8. Description of how the program will involve parents and family members to improve the educational achievement of their children, assist in dropout prevention activities and prevent the involvement in delinquent activities;
  9. Description of coordination with other Federal, State, and local programs, i.e., Title I of the Workforce Innovation and Opportunity Act and career and technical education programs;
  10. Description of coordination with Juvenile Justice and Delinquency Prevention Act of 1974, if applicable;
  11. Description of coordination and collaboration with probation officers to assist children and youth;
  12. Description of efforts to ensure correctional facilities are aware of child's existing individualized education program; and
  13. Description of steps LEA will take to find alternative placements for children and youth interested in continuing their education but unable to participate in a traditional public school program.
- C. LEA assures that Title I, Part D, Subpart 2, programs are used for the following allowable activities (P.L. 114-95, Section 1424):
1. Programs that serve children and youth returning to local schools from correctional facilities and assist in the transition;
  2. Dropout prevention programs serving at-risk children and youth;
  3. Coordination of health and social services for youth to improve likelihood of youth completing education;
  4. Special programs to meet unique academic needs, including career and technical education, special education, career counseling, curriculum-based youth entrepreneurship education, and financial aid assistance for postsecondary education;
  5. Mentoring and peer mediation programs;
  6. At-risk Indian children and youth in correctional facilities in LEAs served area operated by the Secretary of the Interior or Indian tribes; and
  7. Pay for success initiatives.

**Program Requirements for Correctional Facilities Receiving Title I, Part D, Subpart 2 Funds [Section 1425]**

- A. LEA assures that each correctional facility entering into an agreement under Section 1423(2) to provide services to children and youth under this subpart shall—

1. Ensure educational programs are coordinated with the student's home school, particularly with respect to a student with an individualized education program under part B of the Individuals with Disabilities Education Act.
  2. Notify LEA if the child or youth is identified as in need of special education services while in the correctional facility.
  3. Provide transition assistance to help the child or youth stay in school, including coordination of services for the family, counseling, assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling.
  4. Provide support programs that encourage children and youth who have dropped out of school to reenter school and attain a regular high school diploma or provide children and youth with the skills necessary to gain employment or seek a regular high school diploma or high school equivalency certificate.
  5. Ensure correctional facility is staffed with teachers and other qualified staff who are trained to work with children and youth with disabilities.
  6. Ensure educational programs are related to assisting students to meet the challenging State academic standards.
  7. Use technology to assist in coordinating educational programs between the correctional facility and the community school.
  8. Involve parents in efforts to improve the educational achievement of their children and prevent the further involvement of delinquent activities.
  9. Coordinate funds with other local, State, and Federal funds available to provide services - i.e., Title I of the Workforce Innovation and Opportunity Act, and career and technical education funds.
  10. Coordinate programs with activities funded under the Juvenile Justice and Delinquency Prevention Act of 1974, if applicable.
  11. Work with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth.
  12. Work with the child's or youth's family members and the LEA that most recently provided services to the child or youth to ensure relevant and appropriate academic records and plans are shared jointly.
  13. Consult with the LEA for a period jointly determined necessary by the correctional facility and LEA upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child's or youth's achievement.
- B. LEA must assure and be able to respond appropriately to and maintain documentation for each of the following questions to determine whether an expenditure would be allowable:**

1. How is the expenditure reasonable and necessary to carry out the intent and purpose of the program?
2. What need, as identified in the comprehensive needs assessment, does the capital expenditure address? Explain how the capital expenditure addresses this need.
3. How will the expenditure be evaluated to measure a positive impact on student achievement?
4. How is the expenditure supplemental to other nonfederal programs?

## V. Title II, Part A

The LEA assures the following:

- A. The LEA will use Title II, Part A, funds to supplement and not supplant nonfederal funds that would otherwise be used for allowable Title II, Part A, program expenditures (P. L. 114-95, Section 2301).
- B. The LEA will meaningfully consult with teachers, principals, other school leaders, paraprofessionals (including organizations representing such individuals), specialized instructional support personnel, charter school leaders (in an LEA that has charter schools), parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of Title II, Part A (P. L. 114-95, Section 2102[b] [3] [A]).
- C. The LEA will seek advice from the individuals and organizations described in the preceding subparagraph regarding how best to improve the LEA's activities to meet the purpose of Title II, Part A (P. L. 114-95, Section 2102[b][3][B]).
- D. The LEA will coordinate activities under Title II, Part A, with other related strategies, programs, and activities being conducted in the community (P. L. 114-95, Section 2102[b][3][C]).
- E. The LEA will expend these funds to conduct activities in one or more of the following areas (P. L. 114-95, Section 2103[b][3]):
  1. Recruiting, hiring, developing, and retaining effective personnel that impact instruction and learning
  2. Providing professional development and coaching
  3. Improving the quality of teachers, principals, and other school leaders
  4. Reducing class size

- F. The LEA will prioritize funds to schools served by the agency under Title I, Section 1111(d) and that have the highest percentage of children counted under Title I, Section 1124(c) (P. L. 114-95, Section 2102[b][2][C]).
- G. The LEA will coordinate Title II, Part A, professional development activities with professional development activities provided through other federal, state, and local programs (P. L. 114-95, Section 2102[b][2][F]).
- H. The LEA will use data and ongoing consultation to continually update and improve Title II, Part A, activities (P. L. 114-95, Section 2102[b][2][D]).
- I. Title II, Part A, program activities will be aligned with challenging state academic standards (P. L. 114-95, Section 2102[b][2][A]).
- J. Title II, Part A, program activities will address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students (P. L. 114-95, Section 2103[b][2]).
- K. The LEA will comply with the uniform provisions for providing services to private schools as specified in Title XIII, Section 8501 (P. L. 114-95, Section 2102[b][2][E]).

## VI. Title III, Part A- ELA

### A. General Assurance

The LEA assures the following:

1. Title III language instruction educational programs and activities help to ensure that English learners (ELs), attain English proficiency and develop high levels of academic attainment in English, and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet.

### B. General Fiscal Assurances

The LEA assures the following:

1. Title III, Part A, funds will be used to supplement the state-required programs for ELL students and not supplant that which is required under state statute.
2. Title III, Part A, funds will not be used to provide the 10% training to staff required when LEAs are approved for a bilingual exception or an English as a Second Language (ESL) waiver (19 TAC §89.1207 [a][1][D] and [b][1][E]).
3. Direct Administrative costs are restricted to no more than 2% of the current-year Title III, Part A—ELA, entitlement. Calculations must include information regarding administrative costs of third-party contracts.

4. The combined fiscal effort per student or the aggregated expenditures of the LEA with respect to the provision of free public education for the preceding fiscal year was not less than 90% of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year (P. L. 114-95, Section 8521).

#### C. Program-Specific Assurances

The LEA assures the following:

1. All teachers in any language instruction educational program for English learners are fluent in English and any other language used for instruction, including having written and oral communication skills.
2. Professional development activities will address the needs of English learners and intervention strategies to improve their student performance.
3. Professional development activities will be supplemental to any professional development trainings that fulfill requirements for serving limited English proficient children in state-mandated Bilingual/ESL programs and activities.
4. The LEA will consult with teachers, researchers, school administrators, and parents, and if appropriate with education-related community groups, nonprofit organizations, and institutions of higher education in developing their local plans.

#### D. Assurances Related to Private Schools

The LEA assures the following:

1. After timely and meaningful consultation with appropriate private school officials, the LEA will provide to those children identified as eligible and their teachers or other educational personnel, on an equitable basis, special educational services or other benefits that address their needs under Title III, Part A, and (PL 114-95, Section 8501).
2. Educational services or other benefits including materials and equipment provided to eligible private school students with Title III, Part A, funds shall be secular, neutral, and nonideological (PL 114-95, Section 8501).
3. Title III, Part A, educational services and other benefits provided for private school children, teachers, and other educational personnel shall be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating in Title III, Part A, programs and will be provided in a timely manner (PL 114-95, Section 8501).
4. The LEA conducted timely and meaningful consultation with appropriate private school officials during the design and development of the Title III, Part A, programs on such issues as the following:



- a. How the children's needs will be identified
  - b. What services will be offered
  - c. How, where, and by whom the services will be provided
  - d. How the services will be assessed and how the results of the assessment will be used to improve those services
  - e. What equitable services (size and scope) are to be provided to the eligible private school children, teachers, and other educational personnel and what amount of funds are available for those services and how that amount is determined.
  - f. How and when decisions will be made about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers (PL 114-95, Section 8501).
5. Control of Title III, Part A, funds and title to materials, equipment, and property purchased with these funds will be in a public agency for Title III, Part A, uses and purposes, and a public agency will administer the Title III, Part A, funds and property (PL 114-95, Section 8501).
  6. In the provision of Title III, Part A, services, the employee, person, association, agency, organization, or other entity is independent of the private school and of any religious organization, and the employment or contract is under the control and supervision of the public agency (PL 114-95, Section 8501).

## VII. Title III, Part A- Immigrant Children and Youth

### A. General Assurance

The LEA assures the following:

1. Title III language instruction educational programs and activities help to ensure that immigrant children and youth attain English proficiency and develop high levels of academic attainment in English, and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet

### B. General Fiscal Assurances

The LEA assures the following:

1. The combined fiscal effort per student or the aggregated expenditures of the LEA with respect to the provision of free public education for the preceding fiscal year was not less than 90% of the combined fiscal effort or aggregate expenditures for the second preceding fiscal year (P. L. 114-95, Section 8521).

### C. Program-Specific Assurances

The LEA assures the following:

1. Will maintain control of Title III, Part A – Immigrant program funds being used to provide equitable services to private school students and their teachers.
2. Provide enhanced instructional opportunities for immigrant children and youth.
3. Will maintain appropriate time and effort records for staff who are split funded with other funds.

### D. Assurances Related to Private Schools

The LEA assures the following:

1. After timely and meaningful consultation with appropriate private school officials, the LEA will provide to those children identified as eligible and their teachers or other educational personnel, on an equitable basis, special educational services or other benefits that address their needs under Title III, Part A, and (PL 114-95, Section 8501).
2. Educational services or other benefits including materials and equipment provided to eligible private school students with Title III, Part A, funds shall be secular, neutral, and nonideological (PL 114-95, Section 8501).
3. Title III, Part A, educational services and other benefits provided for private school children, teachers, and other educational personnel shall be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating in Title III, Part A, programs and will be provided in a timely manner (PL 114-95, Section 8501).
4. The LEA conducted timely and meaningful consultation with appropriate private school officials during the design and development of the Title III, Part A, programs on such issues as the following:
  - a. How the children's needs will be identified
  - b. What services will be offered
  - c. How, where, and by whom the services will be provided
  - d. How the services will be assessed and how the results of the assessment will be used to improve those services
  - e. What equitable services (size and scope) are to be provided to the eligible private school children, teachers, and other educational personnel and what amount of funds are available for those services and how that amount is determined.

- f. How and when decisions will be made about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers (PL 114-95, Section 8501).
5. Control of Title III, Part A, funds and title to materials, equipment, and property purchased with these funds will be in a public agency for Title III, Part A, uses and purposes, and a public agency will administer the Title III, Part A, funds and property (PL 114-95, Section 8501).
6. In the provision of Title III, Part A, services, the employee, person, association, agency, organization, or other entity is independent of the private school and of any religious organization, and the employment or contract is under the control and supervision of the public agency (PL 114-95, Section 8501).

## VII. Title IV, Part A, Subpart 1

The LEA assures the following:

1. The LEA will reserve not more than 2 percent for the direct administrative costs of carrying out the LEA's responsibilities under Title IV, Part A. (P.L. 114-95, Section 4105(c))
2. The LEA may use Title IV, Part A, only to supplement, and not supplant, non-federal funds that would otherwise be available for activities authorized under this program. The LEA may not use Title IV, Part A, funds for program activities if the cost of those activities would have otherwise been paid with state or local funds in the absence of Title IV, Part A funding. (P.L. 114-95, Section 4110)
3. After timely and meaningful consultation with appropriate private school officials, the LEA will provide to those children identified as eligible and their teachers or other educational personnel, on an equitable basis, special educational services or other benefits that address their needs under Title IV, Part A. (P.L. 114-95, Section P.L. 114-95, Section 4106(e)(2)(B) and P.L. 114-95, Section 8501-8504)
4. The LEA will prioritize the distribution of funds to schools served by the LEA based on one or more of the following:
  - Are among the schools with the greatest needs as determined by the LEA
  - Have the highest percentages or numbers of students from low-income families (as counted for purposes of the LEA's Title I, Part A grant)
  - Are identified for comprehensive support and improvement under Title I, Part A
  - Are implementing targeted support and improvement plans under Title I, Part A
  - Are identified as a persistently dangerous public elementary school or secondary school. (P.L. 114-95, Section 4106(e)(2)(A))

5. An LEA that receives at least \$30,000 will use not less than 20 percent of funds to develop and implement programs and activities that support access to a well-rounded education and that—
  - are coordinated with other schools and community-based services and programs;
  - may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities; and
  - may include one or more activities or programs that provide well-rounded educational opportunities to all students. (P.L. 114-95, Section 4106(e)(2)(C)).
6. An LEA that receives at least \$30,000 will use not less than 20 percent of funds to develop, implement, and evaluate comprehensive programs and activities that—
  - are coordinated with other schools and community-based services and programs;
  - foster safe, healthy, supportive, and drug-free environments that support student academic achievement;
  - promote the involvement of parents in the activity or program;
  - may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities described in this section; and
  - may include one or more activities or programs that foster safe, healthy, and supportive school environments that promote student academic achievement (P.L. 114-95, Section 4106(e)(2)(D)).
7. An LEA that receives at least \$30,000 will use some portion of funds to improve the use of technology to improve the academic achievement, academic growth, and digital literacy of all students, including by meeting the needs of the LEA that are identified in the required comprehensive needs assessment. (P.L. 114-95, Section 4106(e) (2) (E))

The LEA shall not use more than 15 percent of the funds identified for the effective use of technology to purchase technology infrastructure, to include purchasing devices, equipment, software applications, blended learning technology software and platforms, digital instructional resources, initial professional development activities, and one-time information technology purchases. (P.L. 114-95, Section 4106(e) (2) (E))

\*Any LEA receiving an allocation in an amount less than \$30,000 is required to provide only one of the assurances described in (4), (5), and (6) above.

8. The LEA will engage in timely and meaningful consultation with a broad range of stakeholders, including, but not limited to, the following groups or individuals in the area served by the LEA:
- Parents
  - Teachers
  - Principals
  - School leaders
  - Specialized instructional support personnel
  - Students
  - Community-based organizations
  - Local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency)
  - Indian tribes or tribal organizations that may be located in the region served by the LEA when applicable
  - Charter school teachers, principals, and other school leaders when applicable
  - Others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this program

The goal of the consultation is to identify relevant, evidence-based activities to carry out the goals of the grant program. An LEA must continue to consult with stakeholders to improve the activities it conducts under Title IV, Part A, and coordinate with other related strategies, programs, and activities being conducted in the community.

9. An LEA that receives at least \$30,000, will conduct a comprehensive needs assessment prior to submitting its application and subsequent needs assessments at least once every three years. The comprehensive needs assessment must examine the LEA's needs for improvement of each of the following program content areas:
- Access to, and opportunities for, a well-rounded education for all students
  - School conditions for student learning to create a healthy and safe school environment
  - Access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.
10. The LEA will annually submit a report regarding how funds for the Title IV, Part A, Student Support and Academic Enrichment Program, are being used to meet the requirements of (4) -(6) above.

## VIII. Title V, Part A — Funding Transferability for State and Local Educational Agencies

The LEA assures that:

- A. When using Title V, Part A, Subpart 2—Funding Transferability flexibility, 100% of the LEAs funds from the following:
  1. Title II, Part A
  2. Title IV, Part AMay be transferred to the following:
  1. Title I, Part A
  2. Title I, Part C
  3. Title I, Part D
  4. Title II, Part A
  5. Title III, Part A
  6. Title IV, Part A
  7. Title V, Part B
- B. No transfer of funds from Title I, Part A; Title I, Part C; Title I, Part D; Title III, Part A; or Title V, Part B will occur (P. L.114-95, Section 5103[c]).
- C. When funds are transferred under Section 5103, the LEA will comply with each of the rules and requirements applicable to the funds under the provision to which the transferred funds are transferred (P. L. 114-95, Section 5103[e] [1]).
- D. Consultations in accordance with Section 8501 have occurred if the transfer moves funds from a program that provides for the participation of students, teachers, or other educational personnel from private schools (P. L. 114-95, Section 5103[e][2]).
- E. When making a transfer of funds under Section 5103, the LEA will do the following:
  1. Modify, to account for the transfer, each local plan, or application submitted, to which the funds relate
  2. Submit a copy of the modified plan or application to the state not later than 30 days after the date of transfer
  3. Notify the state of the transfer not later than 30 days before the effective date of the transfer

## **IX. Title V, Part B, Subpart 1— Rural Education Achievement Program (REAP)**

The LEA assures the following:

A. When using the flexibility under Section 5211—REAP, the LEA will use applicable funding under the following:

1. Title II, Part A
2. Title IV, Part A

for activities under the following programs:

1. Title I, Part A
2. Title II, Part A
3. Title III, Part A
4. Title IV, Part A
5. Title IV, Part B