

REQUEST FOR APPLICATION

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# Application Guidelines

Program-Specific Provisions and Assurances

## 2015–2016 No Child Left Behind Consolidated

TEXAS EDUCATION AGENCY

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**Division of Federal and State Education Policy  
Division of Curriculum  
Division of Educator Leadership & Quality  
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## I. Title I, Part A

### A. General Assurances

The LEA assures the following:

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. 107-110, Section 1120A).
2. Comparability of Services are supported as follows:
  - a. State and local funds will be used in Title I, Part A, schools 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. Where all school attendance areas in the local education agency (LEA) are designated as project areas, the LEA assures it will utilize state and local funds to provide services which, taken as a whole, are substantially comparable in each project area (not applicable for an LEA that does not have more than one building for each grade span).
  - b. The LEA has established and implemented the following written policies:
    - i. A districtwide salary schedule
    - ii. A written policy to ensure equivalence among schools in teachers, administrators, and other staff
    - iii. A written policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies
  - c. The LEA has developed procedures for compliance with these provisions and will maintain records, such as but not limited to, a comparability report, which documents compliance. [Public Law (P.L.) 107-110, Section 1120A]
3. Either the combined fiscal effort per student or the aggregate 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. 107-110, Sections 1120A and 9521).
4. The LEA will maintain records to document the number of students from low-income families, the students who meet the eligibility criteria, and the students identified as having the greatest need for special assistance (P.L. 107-110, Sections 1113 and 1115).
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. 107-110, Section 1112[b][1][F]).

6. At the beginning of each school year, the LEA will notify the parents of each student attending any school receiving Title I, Part A, funds that the parents may request and the LEA will provide the parents on request (in a timely manner and in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand) information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:
  - a. Whether the teacher has met state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
  - b. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
  - c. What the baccalaureate degree major of the teacher is and whether any other graduate certification or degree is held by the teacher, and what field of discipline for the certification or degree
  - d. Whether the child is provided services by paraprofessionals, and if so, their qualifications (P.L. 107–110, Section 1111[h][6])
7. In addition to the information that parents may request as stated in 1-F, a school that receives Title I, Part A, funds will provide to each individual parent the following:
  - a. Information on the level of achievement of the parent's child in each of the state academic assessments as required by Title I, Part A
  - b. Timely notice that the parent's child has been assigned or has been taught for four or more consecutive weeks by a teacher who is not highly qualified (P.L. 107–110, Section 1111[h][6])
8. Among campuses served under Title I, Part A, funds will be allocated for instructional services and supporting services where applicable on the basis of the total number of children from low-income families in each area or school and the related costs of the Title I, Part A, programs to be implemented. If the LEA chooses to serve one or more campuses with a low-income percentage below 35%, the LEA assures that it will allocate funds on the following basis to ALL campuses served (P.L. 107–110, Section 1113).

Total LEA entitlement ÷ Total number of low-income students in LEA = Base amount per pupil.

Base amount per pupil x at least 125% = Minimum amount per pupil to ALL campuses served.

**Exception:** If an LEA uses the feeder pattern of an elementary school with a low-income percentage of 35% or more to establish the low-income percentage of a middle school or high school whose original low-income percentage was below 35%, the LEA must apply the 125% Special Allocation Rule only if the LEA is serving a campus below 35% that is not affected by the feeder pattern (Correspondence from the U.S. Department of Education, September 11, 1995).

9. If the LEA has chosen not to provide services to a campus with Title I, Part A, funds while providing Title I, Part A, services to another campus with a similar grade span and a smaller percentage of students meeting low-income criteria, thus skipping one or more campuses, the LEA assures, in accordance with Section 1113(b)(1)(D), that all of the following conditions are met at each skipped campus:
  - a. The campus meets the comparability requirements of Section 1120A(c).
  - b. The campus is receiving supplemental funds from other state and local sources that are spent according to the requirements of Section 1114 (schoolwide programs) or 1115 (targeted assistance schools).
  - c. The funds expended from such other sources equal or exceed the amount that would be provided by Title I, Part A.

**Note:** Multiple attendance areas that have more than 75% of the students meeting low-income criteria but are not receiving Title I, Part A, funds shall be considered skipped if a campus with a lower percentage of students in poverty is served, regardless of grade spans.

#### B. Assurances Relating to the Title I Program Plan

The LEA assures the following:

1. The LEA has coordinated the Title I Program Plan described in this application with other Elementary and Secondary Education Act (ESEA) programs, the Individuals with Disabilities Education Act (IDEA), the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (P.L. 109-270), the McKinney-Vento Homeless Assistance Act, and other Acts, as appropriate ( P.L. 107-110, Section 1112[a]).
2. The Title I Program Plan description in this application has been developed in consultation with teachers, principals, administrators (including administrators of programs in other parts of Title I), and other appropriate school personnel, and with parents of children in Title I, Part A, schools (P.L. 107-110, Section 1112[d][1]).
3. The Title I Program Plan description in this application will be periodically reviewed and, as necessary, revised (P.L. 107-110, Section 1112[d][3]).
4. The LEA will coordinate and integrate Title I, Part A, services with other educational services at the LEA or individual campus level, such as Even Start, Head Start, Reading First, Early Reading First, and other preschool programs, including plans for the transition of participants in such programs to local elementary school

programs and services for children with limited English proficiency; children with disabilities; migratory children; neglected or delinquent youth; Indian children served under Title VII, Part A; homeless children; and immigrant children in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program (P.L. 107-110, Section 1112[b][1][E]).

5. The LEA will conduct an annual evaluation of programs assisted with Title I, Part A, funds and will use the findings of this and other evaluations in modifying and improving the program. Evaluation results are to be disaggregated within each LEA and campus by the following:
  - a. Gender
  - b. Each major racial and ethnic group
  - c. English proficiency status
  - d. Migrant status
  - e. Students with disabilities as compared to nondisabled students
  - f. Economically disadvantaged students as compared to students who are not economically disadvantaged (P.L. 107-110, Section 1111[b][3][C])
6. The LEA is working in consultation with campuses as the campuses develop plans pursuant to section 1114 (schoolwide programs), and it is assisting campuses as they implement such plans or undertake activities pursuant to section 1115 (targeted assistance campuses) so that each campus can make adequate yearly progress toward meeting the state student academic achievement standards (P.L. 107-110, Section 1112[c][1][C]).
7. The LEA will fulfill its school improvement responsibilities under section 1116 (P.L. 107-110, Section 1112[c][1][D]).
8. The LEA has taken into account the experience of model programs for the educationally disadvantaged and the findings of relevant scientifically based research indicating that services may be most effective if focused on students in the earliest grades at Title I, Part A, campuses (P.L. 107-110, Section 1112[c][1][F]).
9. The LEA will provide services to eligible students attending private elementary and secondary schools in accordance with section 1120 (Participation of Children Enrolled in Private Schools) and will provide timely, ongoing, and meaningful consultation with private school officials regarding such services (P.L. 107-110, Section 1112[c][1][E]).
10. If the LEA chooses to use Title I, Part A, funds to provide early childhood development services to low-income children below the age of compulsory school

attendance, such services will comply with the performance standards established under section 641A(a) of the Head Start Act (P.L. 107-110, Section 1112[c][1][G]).

This requirement does not apply to preschool programs using the Even Start model or to Even Start programs that are expanded through the use of Title I, Part A, funds (P.L. 107-110, Section 1112[c][3]).

11. The LEA will work in consultation with campuses as they develop and implement their plans or activities under sections 1118 and 1119. [P.L. 107-110, Section 1112(c)(1)(H)]
12. The LEA will comply with the requirements of section 1119 regarding the qualifications of teachers and paraprofessionals and regarding professional development (P.L. 107-110, Section 1112[c][1][I]).
13. The LEA will inform eligible campuses of the LEA's authority to obtain waivers on the campuses' behalf under the Ed-Flex Partnership Act of 1999 (P.L. 107-110, Section 1112[c][1][J]).
14. The LEA will coordinate and collaborate, to the extent feasible and necessary as determined by the LEA, with the Texas Education Agency (TEA) and other agencies providing services to children, youth, and families with respect to a campus in school improvement, corrective action, or restructuring under section 1116 if such a campus requests assistance from the LEA in addressing major factors that have significantly affected student achievement at the campus (P.L. 107-110, Section 1112[c][1][K]).
15. The LEA will ensure, through incentives for voluntary transfers, the provision of professional development, recruitment programs, or other effective strategies, that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers (P.L. 107-110, Section 1112[c][1][L]).
16. The LEA will use the results of the student academic assessments required under section 1111(b)(3), and other measures or indicators available to the LEA, to review annually the progress of each campus served and receiving Title I, Part A, funds with the object of determining whether all campuses are making the progress necessary to ensure that all students will meet the state's proficient level of achievement on the state academic assessments described in section 1111(b)(3) within 12 years from the baseline year described in section 1111(b)(2)(E)(ii) (P.L. 107-110, Section 1112[c][1][M]).
17. The LEA will ensure that the results from the academic assessments required under section 1111(b)(3) will be provided to parents and teachers as soon as is practicably possible after the test is taken, in an understandable and uniform format, and to the extent practicable, provided in a language that the parents can understand (P.L. 107-110, Section 1112[c][1][N]).



18. The LEA will assist each Title I, Part A, campus in developing or identifying examples of high-quality, effective curricula consistent with section 1111(b)(8)(D) (P.L. 107-110, Section 1112[c][1][O]).

**C. Assurances Relating to Schoolwide Programs**

The LEA assures the following:

1. All eligible campuses and parents have been informed concerning the statute, rules, and regulations authorizing schoolwide programs (P.L. 107-110, Section 1112[c][1][A]).
2. The LEA has provided and will continue to provide technical assistance and support to schoolwide programs (P.L. 107-110, Section 1112[c][1][B]).
3. Each campus participating as a Schoolwide Program under Title I, Part A, has developed a Schoolwide Program Plan in consultation with the LEA and its school support team or other technical assistance provider under section 1117 (P.L. 107-110, Section 1114[b][2]).
4. The comprehensive plan developed by each schoolwide program campus has been developed during a one-year period, unless the following occurs:
  - a. The LEA, after considering the recommendation of the technical assistance providers under section 1117, determines that less time is needed to develop and implement the schoolwide program.
  - b. The campus is operating a schoolwide program on the day preceding the date of enactment of No Child Left Behind Act (NCLB) of 2001 but shall develop amendments to its existing plan during the first year of assistance after that date to reflect the provisions of this section (P.L. 107-110, Section 1114[b][2][B]).
5. Each schoolwide program plan addresses each of the following components:
  - a. A comprehensive needs assessment of the entire campus that is based on information that includes the achievement of students in relation to the state academic content standards and the state student academic achievement standards
  - b. Schoolwide reform strategies that do the following:
    - i. Provide opportunities for all students to meet the state's proficient and advanced levels of student academic achievement
    - ii. Use effective methods and instructional strategies that are based on scientifically based research that do the following:
      - (a) Strengthen the core academic program in the school

- (b) Increase the amount and quality of learning time, such as providing an extended school year, before- and after-school programs, and summer programs and opportunities, and help provide an enriched and accelerated curriculum
  - (c) Include strategies for meeting the educational needs of historically underserved populations
- c. Do the following:
  - i. Include strategies to address the needs of all students in the school but particularly the needs of low-achieving students and those at risk of not meeting the state student academic achievement standards who are members of the target population of any program that is included in the schoolwide program
  - ii. Address how the school will determine if such needs have been met
- d. Are consistent with, and are designed to implement, the following state and local improvement plans, if any:
  - i. Instruction by highly qualified professional teachers
  - ii. In accordance with section 1119 and section 1114(a)(4), high-quality and ongoing professional development for teachers, principals, and paraprofessionals, and if appropriate, pupil services personnel, parents, and other staff to enable all children at the campus to meet the state's student academic achievement standards
  - iii. Strategies to increase parental involvement in accordance with section 1118, such as family literacy services
  - iv. Strategies to attract high-quality, highly qualified teachers to high-need schools
  - v. Plans for assisting preschool children in the transition from early childhood programs, such as Head Start, Even Start, Early Reading First, or a state-run preschool program, to local elementary school programs
  - vi. Measures to include teachers in the decisions regarding the use of academic assessments described in section 1111(b)(3) in order to provide information on and to improve the achievement of individual students and the overall instructional program
  - vii. Activities to ensure that students who experience difficulty mastering the proficient or advanced levels of academic achievement standards required by section 1111(b)(1) must be provided with effective, timely additional assistance which shall include measures to ensure that students' difficulties

are identified on a timely basis and to provide sufficient information on which to base effective assistance

viii. Coordination and integration of federal, state, and local services and programs, including programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start, adult education, vocational and technical education, and job training [P.L. 107-110, Section 1114(b)(1)]

6. Each schoolwide program plan does the following:
  - a. Describes how the campus will implement the ten schoolwide components
  - b. Describes how the campus will use Title I, Part A, resources and other sources to implement those components
  - c. Includes a list of state and LEA programs and other federal programs that will be included in the schoolwide program
  - d. Describes how the campus will provide individual student academic assessment results in a language the parents can understand, including an interpretation of those results, to the parents of a child who participates in the academic assessments required by section 1111(b)(3) (P.L. 107-110, Section 1114[b][2][A]).
7. Each schoolwide program plan was 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, and administrators, including administrators of other Title I programs, and if appropriate, pupil services personnel, technical assistance providers, school staff, and if the plan relates to a secondary campus, students from such campus (P.L. 107-110, Section 1114[b][2][B]).
8. The schoolwide program plan will be in effect during the campus's participation under Title I, Part A, and will be reviewed and revised, as necessary, by the campus (P.L. 107-110, Section 1114[b][2][B]).
9. 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 (P.L. 107-110, Section 1114[b][2][B]).
10. The schoolwide program, if appropriate, was developed in coordination with programs under Reading First, Early Reading First, Even Start, Carl D. Perkins Career and Technical Education Improvement Act of 2006, and the Head Start Act (P.L. 107-110, Section 1114[b][2][B]).

**D. 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 or choose not to operate a schoolwide program will only 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. 107–110, Section 1115(a)]
2. Each targeted assistance program implements the following eight components:
  - a. Use Title I, Part A, resources to help participating students meet the state’s challenging student academic achievement standards expected for all children
  - b. Ensure that planning for students served under Title I, Part A, is incorporated into existing school planning
  - c. Use effective methods and instructional strategies that are based on scientifically based research that strengthens the core academic program of the campus; that give primary consideration to providing extended learning time, such as extended school year, before- and after-school, and summer programs and opportunities; that help provide an accelerated, high-quality curriculum, including applied learning; and that minimize removing students from the regular classroom during regular school hours for instruction provided under Title I, Part A
  - d. Coordinate with and support the regular education program, which may include services to assist preschool children in the transition from early childhood programs such as Head Start, Even Start, Early Reading First, or state-run preschool programs to elementary programs
  - e. Provide instruction by highly qualified teachers
  - f. In accordance with P.L. 107–110, Sections 1115(e)(3) and 1119, provide opportunities for professional development with resources provided under Title I, Part A, and to the extent practicable from other sources, for teachers, principals, and paraprofessionals, including, if appropriate, pupil services personnel, parents, and other staff, who work with participating students in targeted assistance programs or in the regular education programs
  - g. Provide strategies to increase parental involvement in accordance with section 1118, such as family literacy services
  - h. 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, vocational and technical education, and job training (P.L. 107-110, Section 1115[c][1])
3. Each campus conducting a targeted assistance program will assist participating children selected in accordance with 1115(b) to meet the state’s proficient and advanced levels of achievement by the following:

- a. Coordinating Title I, Part A, resources with other resources
  - b. Reviewing, on an ongoing basis, the progress of participating children and revising the targeted assistance program, if necessary, to provide additional assistance—such as an extended school year, before- and after-school, and summer programs and opportunities, training for teachers on how to identify students who need additional assistance, and training for teachers on how to implement student academic achievement standards in the classroom—to enable such students to meet the state’s challenging student academic achievement standards (P.L. 107-110, Section 1115[c][2])
4. Students who are economically disadvantaged, children with disabilities, migrant children, or LEP children 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. 107-110, Section 1115[b][2]).
  5. Children who participated in a Head Start, Even Start, Early Reading First program, or in preschool services under Title I at any time during the two preceding years are also eligible to receive Title I, Part A, services (P.L. 107-110, Section 1115[b][2]).
  6. Children who received services under Title I, Part C, at any time during the two preceding years are eligible to receive Title I, Part A, services (P.L. 107-110, Section 1115[b][2]).
  7. Children residing in local institutions for neglected or delinquent children and youth or attending a community day program are eligible for Title I, Part A, services (P.L. 107-110, Section 1115[b][2]).
  8. Children who are homeless and attend any school served by the LEA are eligible for Title I, Part A, services (P.L. 107-110, Section 1115[b][2]).
- E. Assurances Relating to Qualifications for Teachers and Paraprofessionals

The LEA assures the following:

1. Teachers hired after the first day of school year 2002–2003 who teach in a core academic subject area must be highly qualified if teaching in a program supported with Title I, Part A, funds (P.L. 107-110, Section 1119[a][1]).
2. A plan has been developed to ensure that all teachers teaching in core academic subjects within the LEA are highly qualified not later than the end of the 2005–2006 school year (P.L. 107-110, Section 1119[a][3]).
3. Each year the LEA will publicly report the annual progress of the LEA as a whole and of each of the Title I, Part A, campuses in meeting the following measurable objectives:

- a. An annual increase in the percentage of highly qualified teachers at the LEA, to ensure that all teachers teaching in core academic subjects are highly qualified not later than the end of the 2005–2006 school year
  - b. An annual increase in the percentage of teachers who are receiving high-quality professional development to enable such teachers to become highly qualified and successful classroom teachers (P.L. 107-110, Section 1119)
4. All paraprofessionals hired after January 8, 2002, and working in a program supported with Title I, Part A, funds have achieved the following:
  - a. Completed at least two years of study at an institution of higher education
  - b. Obtained an associate's (or higher) degree
  - c. Met a rigorous standard of quality and can demonstrate one of the following through a formal state or local academic assessment:
    - i. Knowledge of and the ability to assist in instructing reading, writing, and mathematics
    - ii. Knowledge of and the ability to assist in instructing reading readiness, writing readiness, and mathematics readiness, as appropriate (P.L. 107-110, Section 1119[c])

**Clarification:** The receipt of a secondary school diploma (or its recognized equivalent) shall be necessary but not sufficient to satisfy this requirement.

5. All paraprofessionals hired before January 8, 2002, and working in a program supported with Title I, Part A, funds will, not later than four years after January 8, 2002, satisfy the requirements stated in 5-D (P.L. 107-110, Section 1119[d]).

**Exceptions:** The requirements stated in 5-D and 5-E do not apply to a paraprofessional meeting either of the following:

- Whose duties consist solely of conducting parental involvement activities consistent with section 1118 (P.L. 107-110, Section 1119[e])
- Who is proficient in English and a language other than English and who provides services primarily to enhance the participation of students in Title I, Part A, programs by acting as a translator

6. All paraprofessionals working in a program supported with Title I, Part A, funds, regardless of the paraprofessional's hiring date, have earned a secondary school diploma or its recognized equivalent (P.L. 107-110, Section 1119[f])
7. A paraprofessional working in a program supported with Title I, Part A, funds is not assigned to a duty inconsistent with section 1119 (P.L. 107-110, Section 1119[g]).

8. A paraprofessional does not provide any instructional services to a student unless the paraprofessional is working under the direct supervision of a teacher consistent with section 1119 (P.L. 107-110, Section 1119[g][3]).
9. The principal of each Title I, Part A, campus attests annually in writing whether such campus is in compliance with the requirements of section 1119. Copies of attestations meet the following:
  - a. Are maintained at each Title I, Part A, campus and at the main office of the LEA
  - b. Are available to any member of the general public on request (P.L. 107-110, Section 1119[i])
10. The LEA will use, unless a lesser amount is sufficient, not less than 5% or more than 10% of Title I, Part A, funds for each of fiscal years 2002 and 2003, and not less than 5% of the funds for each subsequent fiscal year for professional development activities to ensure that teachers who are not highly qualified become highly qualified not later than the end of the 2005–2006 school year and that paraprofessionals meet the requirements in section 1119 (P.L. 107-110, Section 1119[l]).

**F. Assurances Relating to Parental Involvement**

The LEA assures the following:

1. If the LEA's Title I, Part A, entitlement is more than \$500,000, the LEA shall reserve at least 1% of its Title I, Part A, entitlement for parental involvement activities, including promoting family literacy and parenting skills.
  - a. Parents of children receiving Title I, Part A, services are involved in the decisions about how these funds are allotted for parental involvement activities.
  - b. Not less than 95% of the funds reserved for parental involvement activities will be distributed to Title I, Part A, campuses (P.L. 107-110, Section 1118[a][3]).
2. The LEA is implementing programs, activities, and procedures for the involvement of parents in programs assisted under Title I, Part A, consistent with the provisions of section 1118 (Parental Involvement) (P.L. 107-110, Section 1118[a][1]).
3. Parental involvement programs, activities, and procedures provided with Title I, Part A, funds are planned and implemented with meaningful consultation with parents of participating children (P.L. 107-110, Section 1118[a][1]).
4. The LEA has developed jointly with, agreed upon with, and distributed to parents of participating children a written parent involvement policy that is incorporated into the LEA's plan developed under section 1112, establishes the expectations for parent involvement, and describes how the LEA will accomplish the following:
  - a. Involve parents in the joint development of the LEA Plan (Section 1112) and the process of school review and improvement (Section 1116)



- b. Provide the coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance
  - c. Build the capacity of schools and parents for strong parental involvement, as described in section 1118(e)
  - d. Coordinate and integrate parental involvement strategies under Title I, Part A, with parental involvement strategies under other programs, such as Head Start, Reading First, Early Reading First, Even Start programs, Parents as Teachers, Home Instruction Program for Preschool Youngsters, and state-run preschool programs
  - e. Conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy to examine the following:
    - i. Improve the academic quality of the Title I, Part A, schools
    - ii. Identify barriers to greater participation by parents in activities authorized by section 1118, 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
    - iii. Use the findings of these evaluations in designing strategies for more effective parental involvement and revising, if necessary, the parental involvement policies described in section 1118
    - iv. Involve parents in the activities of the schools served under section 1118 (P.L. 107-110, Section 1118[a][2])
5. Each campus served under Title I, Part A, has jointly developed with and distributed to parents of participating children a written parental involvement policy, agreed upon by such parents, that describes the means for carrying out the following parental involvement requirements:
- a. Policy involvement
  - b. Shared responsibilities for high student academic achievement
  - c. Building capacity for involvement
  - d. Accessibility

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 (P.L. 107-110, Section 1118[b][1]).



6. If the Title I program plan description in this application developed 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. 107-110, Section 1118[b][4]).
7. Each campus served under Title I, Part A, does the following:
  - a. Convenes an annual meeting, at a convenient time, to which all parents of participating students are invited and encouraged to attend, to inform parents of their campus's participation under Title I, Part A, and to explain Title I, Part A, requirements, and the right of the parents to be involved
  - b. Offers a flexible number of meetings, such as meetings in the morning or evening
  - c. Involves parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of Title I, Part A, programs, including the campus parental involvement policy and the joint development of the schoolwide program plan under section 1114(b)(2), except that if a campus has in place a process for involving parents in the joint planning and design of its programs, the campus may use that process, if such process includes an adequate representation of parents of participating students
  - d. Provides parents of participating students the following:
    - 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 proficiency levels students are expected to meet
    - 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 responds to any such suggestions as soon as practicably possible
    - iv. If the schoolwide program plan under section 1114(b)(2) is not satisfactory to the parents of participating students, a submission of any parent comments on the plan when the campus makes the plan available to the LEA (P.L. 107-110, Section 1118[c]).
8. Each campus served under Title I, Part A, will jointly develop with parents, for all students served under Title I, Part A, a school-parent compact that outlines how parents, the entire campus staff, and the students will share the responsibility for improved student academic achievement, and which means the school and parents will use to build and develop a partnership to help children achieve the state's high standards. Such a compact does the following:

- a. Describes the responsibility of the campus 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 state's student academic achievement standards, and describes the ways in which each parent will be responsible for supporting his or her children's learning, such as monitoring attendance, homework completion, and television watching; volunteering in the child's classroom; participating, as appropriate, in decisions relating to the education of their children; and making positive use of extracurricular time
  - b. Addresses the importance of communication between teachers and parents on an ongoing basis through, at a minimum, the following:
    - 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
    - ii. Frequent reports to parents on their children's progress
    - iii. Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities (P.L. 107-110, Section 1118[d])
9. In carrying out the parental involvement requirements of Title I, Part A, the LEA and the campuses, to the extent practicable, provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under section 1111 in a format, and to the extent practicable, in a language such parents understand (P.L. 107-110, Section 1118[f]).
10. To ensure effective involvement of parents and to support a partnership among the campus involved, parents, and the community to improve student academic achievement, each campus and the LEA will do the following:
- a. Provide assistance to parents of children served by the school or LEA, as appropriate, in understanding such topics as the state's academic content standards and state student academic achievement 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
  - b. Provide materials and training, such as literacy training and using technology, to help parents work with their children to improve their achievement, as appropriate, to foster parental involvement
  - c. Educate teachers, pupil services personnel, principals, and other staff with the assistance of parents in understanding the value and utility of contributions of parents, and in reaching out to, communicating with, and working with parents

as equal partners, implementing and coordinating parent programs, and building ties between parents and school

- d. To the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other 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
  - e. 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
  - f. Provide such other reasonable support for parental involvement activities under Title I, Part A, as parents may request (P.L. 107-110, Section 1118[e])
11. The LEA and campuses receiving Title I, Part A, assistance will inform parents and organizations of the existence and purpose of parental information and resource centers.

**G. Assurance Relating to Coordination**

The LEA assures the following:

- 1. The LEA will conduct activities which increase coordination among the LEA, Head Start agencies, and if feasible, other early childhood development programs, such as the Early Reading First program. 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 programs such as the Early Reading First 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 development programs such as the Early Reading First program, as appropriate, 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 development programs, such as the Early Reading First program, 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, Early Reading First program staff, and where appropriate, other early childhood development program staff

- e. Linking the educational services provided by such LEA with the services provided by local Head Start agencies and entities carrying out Early Reading First programs (P.L. 107-110, Section 1120B).

#### H. Assurances Relating to Private Schools

The LEA assures the following:

1. To the extent consistent with the number of eligible children identified under section 1115(b) and enrolled in private elementary and secondary schools, after timely, ongoing, and meaningful consultation with appropriate private school officials, the LEA provides such children, on an equitable basis, special educational services or other benefits under Title I, Part A, that address their needs and teachers, and families of the children participate on an equitable basis in services and activities developed pursuant to sections 1118 and 1119 (P.L. 107-110, Section 1120[a][1]).
2. The Title I, Part A, educational services and other benefits, including materials and equipment, that are provided to private school children will be secular, neutral, and nonideological (P.L. 107-110, Section 1120[a][2]).
3. 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. 107-110, Section 1120[a][3]).
4. 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, which the LEA may determine each year or every two years (P.L. 107-110, Section 1120[a][4]).
5. To ensure timely, ongoing, and meaningful consultation, the LEA consulted with appropriate private school officials during the design and development of such agency's Title I, Part A, programs on issues such 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 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 what proportion of funds are allocated for such services

- f. What method or sources of data are used under subsection (c) (Allocation for Equitable Service to Private School Students) and section 1113(c) (Allocation) to determine the number of children from low-income families in participating school attendance areas who attend private schools
  - g. How and when the agency will make decisions about the delivery of services to such children, 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 the agency disagrees with the views of the private school officials on the provision of services through a contract, the LEA will provide in writing to such private school officials an analysis of the reasons why the LEA has chosen not to use a contractor
  - i. What service delivery mechanisms the LEA can use to provide equitable services to eligible private school children (P.L. 107-110, Section 1120[b])
- 6. Consultation occurred before the LEA made any decision that affected 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. 107-110, Section 1120[b][2]).
  - 7. 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 required consultation has occurred. 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. 107-110, Section 1120[b][4]).
  - 8. 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. 107-110, Section 1120A[b]).
  - 9. 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. 107-110, Section 1120).
  - 10. A public agency will keep title to and exercise continuing administrative control of all property, equipment, and supplies that the public agency acquires with these funds for the benefit of eligible private school students (P.L. 107-110, Section 1120[d]).
  - 11. 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. 107-110, Section 1120[d]).
  - 12. 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. 107-110, Section 1120[d]).

13. 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:
  - 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 children (P.L. 107-110, Section 1120)

## **II. Title I, Part C**

### **A. General Assurances Relating to Title I, Part C**

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. 107-110, 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 Relating to Title I, Part C**

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 the Code of Federal Regulations (CFR) Title 34 as applicable, 2 CFR Part 200, and other applicable regulations.
3. It will comply with Title I, Part C, of P.L. 107–110 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 NCLB 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 NCLB Consolidated Application process.

**E. Program-Specific Assurances Relating to Title I, Part C**

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:
  - a. Those who are failing, or most at risk of failing, to meet the state's challenging state academic content and academic achievement standards, and
  - b. Whose education has been interrupted during the regular school year.
2. The Migrant Education Program will provide for all of the following:



- 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)
  - b. Professional development programs, including mentoring for teachers and 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. Supportive services for out of school youth
3. 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
4. The Texas MEP has identified the unique educational and educationally-related needs of migratory children through its statewide Comprehensive Needs Assessment. The identified needs specific to migrant children and youth in Texas are:
  - a. First-graders must develop adequate skills for promotion to grade 2 (Preschool–Grade 1).
  - b. Students who failed the Statewide Student Assessment must participate in summer Statewide Student Assessment remediation (Grades 3–11).
  - c. Middle school students must use and apply effective learning and study skills (Grades 6–8).

- d. Middle school students must have timely attention and interventions (Grades 6–8).
  - e. Middle school students must have the necessary homework assistance and tools (Grades 6–8).
  - f. Secondary students must earn the required core credits for on-time graduation (Grades 7–12).
  - g. Secondary students must make up missing coursework due to late enrollment and/or early withdrawal (Grades 7–12).
  - h. Students migrating out of Texas in summer months must be served in summer migrant programs through the efforts of interstate coordination (All Grade Levels).
5. 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.
6. 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.
7. Data collection and data entry 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.
8. 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.

9. 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**

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.
  - 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's limited English proficiency or handicapping conditions in order to increase program effectiveness, eliminate duplication of services, and reduce fragmentation of the students' instructional programs.

**G. Assurance Relating to Continuation of Services**

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**

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 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. 107-110, Section 1118.
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**

The State Agency (SA) assures the following:

- A. All encumbrances and expenditures relative to the 2015-2016 (FY2016) 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).
- B. 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).
- C. 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.
- D. The SA shall use funds received under the Title I, Part D, Subpart 1, program to supplement and to the extent practical increase the level of services that would in the absence of Title I, Part D, Subpart 1, funds be made available from nonfederal sources for the education of students participating in programs and projects assisted under Title I, Part D, Subpart 1, and in no case may use Title I, Part D, Subpart 1, funds to supplant funds from nonfederal sources (P. L 107-110, Section 1415[b]).
- E. For those personnel whose salaries are prorated between or among different funding sources, the SA assures that records shall be maintained that will confirm the services provided within each funding source, and payroll records will be adjusted based on these records (2 CFR Part 200, Subpart E—Cost Principles).
- F. The SA will submit to the state educational agency evaluation results based on multiple and appropriate measures of student progress to determine the program's impact on the ability of participants to do the following:
  - 1. Maintain and improve educational achievement
  - 2. Accrue school credits that meet state requirements for grade promotion and secondary school graduation
  - 3. Make the transition to a regular program or other education program operated by an LEA

4. Complete secondary school (or secondary school equivalency requirements) and obtain employment after leaving the correctional facility or institution for neglected or delinquent children and youth
  5. As appropriate, participate in postsecondary education and job training programs (P. L. 107-110, Section 1431).
- G. The SA will do the following:
1. Disaggregate data on participation by the following factors:
    - a. Gender
    - b. Each major racial and ethnic group
    - c. Age
  2. Use the results of evaluation to plan and improve subsequent programs for participating children and youth (P. L. 107-110, Section 1431).
- H. In making services available to children and youth in adult correctional facilities, priority will be given to such children and youth who are likely to complete incarceration within a two-year period (P. L. 107-110, Section 1414[c][2]).
- I. The SA will assist in locating alternative programs through which students can continue their education if students are not returning to school after leaving the correctional facility or institution for neglected or delinquent children and youth (P. L. 107-110, Section 1414[c][13]).
- J. The SA will work with parents to secure parents' assistance in improving the educational achievement of their children and preventing their children's further involvement in delinquent activities (P. L. 107-110, Section 1414[c][14]).
- K. The SA will work with children and youth with disabilities to meet an existing individualized education program (P. L. 107-110, Section 1414[c][15]).
- L. The SA will notify the child's or youth's local school if the child or youth: (1) 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 (2) intends to return to the local school (P. L. 107-110, Section 1414[c][15]).
- M. The SA 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 or youth to reenter school once the term of the incarceration is completed or will provide the children or youth with the skills necessary to gain employment, continue the education of the child or youth, or achieve a secondary school diploma or its recognized equivalent if the child or youth does not intend to return to school (P. L. 107-110, Section 1414[c][16]).

- N. Teachers and other qualified staff are trained to work with children and youth with disabilities and other students with special needs, taking into consideration the unique needs of such student (P. L. 107-110, Section 1414[c][17]).
- O. The program under Title I, Part D, Subpart 1, will be coordinated with any program operated under the Juvenile Justice and Delinquency Prevention Act of 1974 or other comparable programs, if applicable (P. L. 107-110, Section 1414 [c][19]).
- P. The SA will coordinate programs with other appropriate state and federal programs, such as programs under Title I of P.L. 105–220 (Workforce Investment Act of 1998), vocational and technical education programs, state, and local dropout prevention programs, and special education programs (P.L. 107–110, Section 1414[c][8]).
- Q. The SA will provide appropriate professional development to teachers and other staff (P. L. 107-110, Section 1414[c][10]).
- R. The SA will consult with experts and provide the necessary training for appropriate staff to ensure that the planning and operation of institution-wide projects under section 1416 are of high quality (P.L. 107–110, Section 1414[c][5]).
- S. The SA will reserve funds (at least 15% and not more than 30% of the Title I, Part D, Subpart 1, current year entitlement) to support one the following:
  - 1. Projects that facilitate the transition of children and youth from state-operated facilities to LEAs
  - 2. The successful reentry of youth offenders, who are age 20 or younger and have received a secondary school diploma or its recognized equivalent, into postsecondary education or vocational and technical training programs, through strategies designed to expose the youth to and prepare the youth for postsecondary education, or vocational and technical training programs (P. L. 107-110, Section 1418[a])
- T. The SA will designate an individual in each affected correctional facility or institution for neglected or delinquent children and youth to be responsible for issues relating to the transition of children and youth from such facility or institution to locally operated programs (P. L. 107-110, Section 1414[c][11]).
- U. The SA has provided for appropriate training for teachers and other instructional and administrative personnel to enable such teachers and personnel to carry out the projects effectively (P. L. 107-110, Section 1416[8]).
- V. The SA will use Title I, Part D, Subpart 1 funds to supplement and to the extent practicable increase the level of funds that would in the absence of Title I, Part D, Subpart 1, funds be made available from nonfederal sources for the education of students participating in programs and projects assisted under Title I, Part D, Subpart 1, and in no case may use funds to supplant such funds from nonfederal sources (P.L. 107–110, Section 1415).



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

The LEA assures the following:

- A. The Title I, Part D, Subpart 2, transitional and supportive programs are designed primarily to meet the transitional and academic needs of students returning to LEAs or alternative education programs from correctional facilities (P.L. 107–110, Section 1422).
- B. A formal, written agreement between the LEA and each correctional facility and alternative school program serving children and youth involved with the juvenile justice system is on file at the LEA that ensures the following activities will be performed:
  - 1. Provide support programs that encourage children and youth who have dropped out of school to reenter school once their term at a correctional facility has been completed, or provide such children and youth with the skills necessary to gain employment or seek a secondary school diploma or its recognized equivalent
  - 2. Work to ensure that the correctional facility is staffed with teachers and other qualified staff who are trained to work with children and youth with disabilities, taking into consideration the unique needs of such children and youth
  - 3. Ensure that educational programs in the correctional facility are related to assisting students to meet high academic achievement standards
  - 4. Coordinate Title I, Part D, Subpart 2, funds with other local, state, and federal funds available to provide services to participating children and youth, such as funds made available under Title I of Public Law 105–220, the Workforce Investment Act of 1998, as amended, and vocational and technical education funds
  - 5. Coordinate Title I, Part D, Subpart 2, programs with activities funded under the Juvenile Justice and Delinquency Prevention Act of 1974 and other comparable programs, if applicable
  - 6. If appropriate, work with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth
  - 7. To the extent possible, use technology to assist in coordinating educational programs between the correctional facility and the community school
  - 8. Where feasible, involve parents in efforts to improve the educational achievement of their children and to prevent the further involvement of such children in delinquent activities
  - 9. Where feasible, provide transition assistance to help the child or youth stay in school, including coordinating services for the family, counseling, providing assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling
  - 10. Where feasible, ensure that educational programs in the correctional facility are coordinated with the student’s home school, particularly with respect to a student with an



individualized education program under part B of the IDEA, and if the child or youth is identified as in need of special education services while in the correctional facility, the local school of the child or youth shall be notified of such need (P. L. 107-110, Section 1425).

- C. The LEA will submit TEA evaluation results based on multiple and appropriate measures of student progress to determine the program's impact on the ability of participants to do the following:
  - 1. Maintain and improve educational achievement
  - 2. Accrue school credits that meet state requirements for grade promotion and secondary school graduation
  - 3. Make the transition to a regular program or other education program operated by an LEA
  - 4. Complete secondary school (or secondary school equivalency requirements) and obtain employment after leaving the correctional facility or institution for neglected or delinquent children and youth
  - 5. As appropriate, participate in postsecondary education and job training programs (P. L. 107-110, Section 1431)
- D. The LEA will disaggregate data on participation by the following (P. L. 107-110, Section 1431):
  - 1. Gender
  - 2. Race and ethnic group
  - 3. Age
- E. The LEA will use the results of evaluations to plan and improve subsequent programs for participating children and youth (P. L. 107-110, Section 1431[d][2]).

## **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. 107-110, Section 2123[b]).
- B. The LEA conducted an assessment of local needs for professional development and hiring as identified by LEA and school staff with the involvement of teachers, including teachers participating in Title I, Part A, programs (P. L. 107-110, Section 2122[c][1] and [2]).
- C. The needs assessment took into account the activities that must be conducted to give teachers the means to provide students with the opportunity to meet challenging state and local

student academic achievement standards and to give principals the instructional leadership skills to help teachers do so (P. L. 107-110, Section 2122[c][2]).

- D. The LEA will expend these funds to conduct activities in one or more of the following areas (P. L. 107-110, Section 2123[a]):
  - 1. Recruiting, hiring, and retention of highly qualified personnel
  - 2. Providing professional development
  - 3. Improving the quality of the teacher workforce
  - 4. Reducing class size, especially in the early grades
- E. Collaboration occurred with teachers, paraprofessionals, principals, other relevant school personnel, and parents in planning Title II, Part A, program activities and in preparing this application (P. L. 107-110, Section 2122[b][7]).
- F. 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. 107-110, Section [b][4]).
- G. Based on the needs assessment, the LEA will target funds to schools within the LEA that (a) have the lowest proportion of highly qualified teachers, (b) have the largest average class size, or (c) are identified for school improvement under section 1116(b) (P. L. 107-110, Section 2122[b][3]).
- H. The LEA will integrate Title II, Part A, funds with Title II, Part D, funds used for professional development to train teachers to integrate technology into curricula and instruction for improving teaching, learning, and technology literacy (P. L. 107-110, Section 2122[b][6]).
- I. Title II, Part A, professional development activities will meet the professional development needs of teachers and principals (P. L. 107-110, Section 2122[b][5]).
- J. Title II, Part A, program activities will be aligned with challenging state academic content standards and student academic standards and state assessments (P. L. 107-110, Section 2122[b][1][A]).
- K. Title II, Part A, program activities will be aligned with curricula and programs tied to the challenging state academic content standards and student academic achievement standards, and state assessments (P. L. 107-110, Section 2122[b][1][A]).
- L. Title II, Part A, program activities will be based on the review of scientifically based research and will be expected to improve student academic achievement (P. L. 107-110, Section 2122[b][1][B]).

- M. Title II, Part A, program activities will have a substantial, measurable, and positive impact on student academic achievement and will be part of a broader strategy to eliminate the achievement gap that separates low-income and minority students from other students (P. L. 107-110, Section 2122[b][2]).
- N. The LEA will comply with the uniform provisions for providing services to private schools as specified in Title IX, Section 9501 (P. L. 107-110, Section 2122[b][11]).
- O. After timely and meaningful consultation with appropriate officials of private schools located within the boundaries of the LEA, the LEA will provide professional development services for the benefit of private school teachers. The minimum equitable services to be provided to participating private schools shall be calculated based on the greater amount of one of the following (P.L. 107-110, Section 9501[a]):
  - 1. The aggregate share of the LEA's school year 2001-2002 Eisenhower and Class-Size Reduction funds expended for professional development activities
  - 2. The amount of the current year funding budgeted for professional development activities for school district staff

## **VI. Title II, Part D**

The LEA assures the following:

- A. Funds will be used to (1) improve student academic achievement, including technology literacy of all students, and (2) improve the capacity of all teachers teaching in schools served by the LEA to integrate technology effectively into curricula and instruction.
- B. Administrative costs (both direct and indirect) are restricted to no more than 3% of the amount used to REAP or transfer into this program.
- C. The LEA will do the following:
  - 1. Identify and promote curricula and teaching strategies that integrate technology effectively into curricula and instruction, based on a review of relevant research
  - 2. Provide ongoing, sustained professional development for teachers, principals, administrators, and school library media personnel serving the LEA, to further the effective use of technology in the classroom or library media center
- D. The LEA will coordinate activities carried out with Title II, Part D, funds with technology-related activities carried out with funds available from other federal, state, and local sources.
- E. The LEA will ensure the effective use of technology to promote parental involvement and increase communication with parents, including a description of how parents will be informed of the technology being applied to their children's education.

- F. The LEA will implement a process and accountability measures to evaluate the extent to which the activities funded under Title II, Part D, are effective in integrating technology into curricula and instruction, increasing the ability of teachers to teach, and enabling students to meet challenging state academic content and student academic achievement standards.
- G. The LEA shall use not less than 25% of Title II, Part D, funds to provide ongoing, sustained, and intensive, high-quality professional development to all teachers in core academic subjects.
- H. No funds made available under Title II, Part D, Subpart 4 will be used to purchase computers used to access the Internet or to pay for direct costs associated with accessing the Internet for such school unless the school, school board, LEA, or other authority with responsibility for administration of such school does the following:
  - 1. Has in place a policy of Internet safety for minors that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are obscene, are child pornography, or are harmful to minors, and is enforcing the operation of such technology protection measure during any use of such computers by minors
  - 2. Has in place a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are obscene or child pornography, and is enforcing the operation of such technology protection measure during any use of such computers

With Title II, Part D, funding no longer appropriated, and with technology planning no longer a requirement in order to receive E-Rate discounts, TEA no longer requires the completion of Texas Campus and Teacher (STaR) charts. However, for LEAs that wish to continue to use the STaR Chart system, the system remains open and TEA staff are available to assist.

## **VII. Title III, Part A**

### **A. General Assurance Relating to Title III, Part A**

The LEA assures the following:

- 1. Title III language instruction educational programs and activities help to ensure that children who are limited English proficient (LEP), including immigrant children and youth, attain English proficiency, 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 Relating to Title III, Part A**

The LEA assures the following:

- 1. Title III, Part A, funds will be used to supplement the state-required programs for LEP 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. Administrative costs, both direct and indirect, are restricted to no more than 2% of the current-year Title III, Part A—LEP, 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. 107-110, Section 9521).

C. Program-Specific Assurances Relating to Title III, Part A

The LEA assures the following:

1. All teachers in any language instruction educational program for LEP children 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 LEP students and intervention strategies to improve their student performance.
3. 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.
4. The LEA will comply with Section 3302 (Parental Notification) of this law, which addresses identification, language instruction educational program, exit requirements and parental participation, as well as separate notification regarding the annual measureable achievement objectives (AMAOs), as necessary.
5. The LEA will annually assess the English proficiency of all LEP children participating in programs funded with these federal funds.
6. The LEA has based its proposed plan on scientifically based research on teaching LEP children.
7. Title III, Part A, programs will enable children to speak, read, write, and comprehend the English language and will meet challenging state academic content and student academic achievement standards.
8. The LEA will comply with Section 3122 (Accountability) of this law, which addresses annual measureable achievement objectives (AMAOs) and required interventions for not making progress in meeting the AMAOs.

9. The LEA is not in violation of any state law, including state constitutional law, regarding the education of LEP children, consistent with sections 3126 (Legal Authority Under State Law) and 3127 (Civil Rights).

**D. Assurances Related to Private Schools Relating to Title III, Part A**

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, (P .L. 107-110, Section 9501).
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 (P. L. 107-110, Section 9501).
3. Title III, Part A, educational services and other benefits provided for private school children, teachers, and other educational personnel will 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 (P. L. 107-110, Section 9501).
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
  - 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 (P. L. 107-110, Section 9501).
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 (P. L. 107-110, Section 9501).

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 (P. L. 107-110, Section 9501).

## **VIII. Title IV, Part A**

The LEA assures the following:

- A. Title IV, Part A, funds will be used to increase the level of state, local, and other nonfederal funds that would, in the absence of Title IV, Part A, funds, be made available for Title IV, Part A, programs and activities and will in no case supplant such state, local, and other nonfederal funds (P. L. 107-110, Section 4114[d][4]).
- B. Administrative costs (both direct and indirect) are restricted to no more than 2% of the amount used to REAP or transfer into this program.
- C. The LEA has developed the Title IV, Part A, application through timely and meaningful consultation with state and local government representatives, representatives of schools to be served (including private schools), teachers and other staff, parents, students, community-based organizations, and others with relevant and demonstrated expertise in drug and violence prevention activities (such as medical, mental health, and law enforcement professionals).
- D. On an ongoing basis, the LEA will consult with such representatives and organizations in order to seek advice regarding how best to coordinate such agency's Title IV, Part A, activities with other related strategies, programs, and activities being conducted in the community.
- E. To ensure timely and meaningful consultation, the LEA at the initial stages of design and development of a program or activity consulted with appropriate entities and persons on issues regarding the design and development of the program or activity, including efforts to meet the principles of effectiveness (P. L. 107-110, Section 4114[c]).
- F. The Title IV, Part A, application will be available for public review after submission of the application (P. L. 107-110, Section 4114[d][8]).
- G. Title IV, Part A, services will be targeted to schools and students with the greatest need (P. L. 107-110, Section 4114[d][2][E]).
- H. Drug and violence prevention programs supported with Title IV, Part A, Safe and Drug-Free Schools and Communities (SDFSC) funds will convey a clear and consistent message that acts of violence and the illegal use of drugs are wrong and harmful (P. L. 107-110, Section 4114[d][6]).



- I. The LEA has a comprehensive plan for drug and violence prevention that includes all required components (P. L. 107-110, Section 4114[d][2]).
- J. The LEA will use Title IV, Part A, funds to develop, implement, and evaluate comprehensive programs and activities that are coordinated with other school and community-based services and programs that do the following:
  - 1. Foster a safe and drug-free learning environment that supports academic achievement
  - 2. Are consistent with the principles of effectiveness
  - 3. Are designed to prevent or reduce violence; the use, possession, and distribution of illegal drugs; and delinquency; and create a well disciplined environment conducive to learning, which includes consultation between teachers, principals, and other school personnel to identify early warning signs of drug use and violence and to provide behavioral interventions as part of classroom management efforts
  - 4. Will promote the involvement of parents in the activity or program, will promote coordination with community groups, coalitions, and government agencies, and will distribute information about the LEA's needs, goals, and programs funded under Title IV, Part A (P. L. 107-110, Section 4115[b][1]).
- K. Title IV, Part A, activities and programs comply with the principles of effectiveness and foster a safe and drug-free learning environment that supports academic achievement. (P. L. 107-110, Section 4114[d][1]).
- L. Title IV, Part A, programs and activities will comply with the following principles of effectiveness:
  - 1. Be based on an assessment of objective data regarding the incidence of violence and illegal drug use in the elementary schools and secondary schools and communities to be served, including an objective analysis of the current conditions and consequences regarding violence and illegal drug use, including delinquency and serious discipline problems among students who attend such schools (including private school students who participate in drug and violence prevention program) that is based on ongoing local assessment or evaluation activities
  - 2. Be based on an established set of performance measures aimed at ensuring that the elementary schools and secondary schools and communities to be served by the program have a safe, orderly, and drug-free learning environment
  - 3. Be based on scientifically based research that provides evidence that the program to be used will reduce violence and illegal drug use
  - 4. Be based on an analysis of the data reasonably available at the time, of the prevalence of risk factors, including high or increasing rates of reported cases of child abuse and domestic violence; protective factors, buffers, assets; or other variables in schools and communities in the state identified through scientifically based research



5. Include meaningful and ongoing consultation with and input from parents in the development of the application and administration of the Title IV, Part A, program or activities

The Title IV, Part A, program or activity will undergo a periodic evaluation to assess its progress toward reducing violence and illegal drug use in schools to be served based on performance measures described in section 4114(d)(2)(B). The results will be used to refine, improve, and strengthen the Title IV, Part A, program and to refine the performance measures, and will also be made available to the public upon request, with public notice of such availability provided. [P.L. 107–110, Section 4115(a)]

- M. The LEA has a plan for keeping schools safe and drug-free that includes the following:

1. Appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons, and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students
2. Security procedures at school and while students are on the way to and from school
3. Prevention activities that are designed to create and maintain safe, disciplined, and drug-free environments
4. A crisis management plan for responding to violent and traumatic incidents on school grounds
5. A code of conduct policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that 1) allows a teacher to communicate effectively with all students in the class; 2) allows all students in the class to learn; 3) has consequences that are fair and developmentally appropriate; 4) considers the student and the circumstances of the situation; and 5) is enforced accordingly (P. L. 107-110, Section 4114[d][7]).

- N. The LEA will assess and publicly report progress toward attaining its performance measures for drug and violence prevention programs and activities, which consist of performance indicators for drug and violence prevention programs and activities, including specific reductions in the prevalence of identified risk factors and specific increases in the prevalence of protective factors, buffers, or assets, if any have been identified, and levels of performance for each performance indicator (P. L. 107-110, Section 4114[d][2]).

- O. The LEA will submit to TEA required information, including a description of how parents were informed of and participated in violence and drug prevention efforts and how such information will be made readily available to the public (P. L. 107-110, Section 4116[b]).

- P. Upon receipt of written notification from the parents or legal guardians of a student, the LEA will withdraw such student from any Title IV, Part A-funded program or activity and will make reasonable effort to inform parents or legal guardians of the content of these programs or activities (P. L. 107-110, Section 4153).

- Q. After timely and meaningful consultation with appropriate private school officials, it will provide to those children 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. 107-110, Section 9501).
- R. Educational services or other benefits, including materials and equipment, provided to private nonprofit schools with Title IV, Part A, funds, shall be secular, neutral, and nonideological (P. L. 107-110, Section 9501).
- S. Title IV, Part A, educational services and other benefits provided for private school children, teachers, and other educational personnel will be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating in Title IV, Part A, programs and will be provided in a timely manner (P. L. 107-110, Section 9501).
- T. The LEA conducted timely and meaningful consultation with appropriate private school officials during the design and development of the Title IV, Part A, programs on such issues as the following:
  - 1. How the children's needs will be identified
  - 2. What services will be offered
  - 3. How, where, and by whom the services will be provided
  - 4. How the services will be assessed and how the results of the assessment will be used to improve those services
  - 5. What size and scope of the equitable services 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
  - 6. 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 (P. L. 107-110, Section 9501)
- U. The control of Title IV, Part A, funds and title to materials, equipment, and property purchased with these funds will be in a public agency for Title IV, Part A, uses and purposes, and a public agency will administer the Title IV, Part A, funds and property (P. L. 107-110, Section 9501).
- V. In the provision of Title IV, Part A, services to private schools, 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 (P. L. 107-110, Section 9501).

- W. Title IV, Part A, funds used to provide services to private schools are not commingled with nonfederal funds (P. L. 107-110, Section 9501).
- X. Not more than 40% of the Title IV, Part A, funds made available to an LEA will be used for the security costs of hiring and mandatory training of school security personnel. No more than half of that 40% (i.e., not more than 20% of the LEA's Title IV, Part A, funds) may be budgeted for security costs including purchasing security equipment or hardware, reporting criminal offenses committed on school property, developing and implementing comprehensive school security plans, and supporting safe zones of passage activities (P. L. 107-110, Section 4115[c]).

## **IX. Title V, Part A**

The LEA assures the following:

- A. The LEA will use Title V, Part A, funds only to supplement and not supplant any other federal, state, or local education funds [P.L. 107-110, Section 5144]. Title V, Part A, funds may not be used to provide services required by state law, State Board of Education rule, or local policy. Federal, state, or local funds may not be diverted for other purposes because of the availability of Title V, Part A, funds.
- B. The innovative assistance programs meet the following:
  - 1. Are tied to promoting challenging academic achievement standards
  - 2. Are used to improve student academic achievement
  - 3. Are part of an overall education reform strategy (P. L. 107-110, Section 5131[b])
- C. In the allocation of Title V, Part A, funds and in the design, planning, and implementation of Title V, Part A, innovative assistance programs, the LEA has provided for systematic consultation with parents of children attending public and private nonprofit schools in the area served by the LEA, with teachers and administrative personnel in such schools, and with other groups involved in the implementation of Title V, Part A, programs, such as librarians, school counselors, and other pupil services personnel (P. L. 107-110, Section 5133[b][7]).
- D. The LEA will keep such records and provide such information to TEA as reasonably may be required for fiscal audit and program evaluation, consistent with the responsibilities of TEA (P. L. 107-110, Section 5133[b][6]).
- E. The LEA will annually evaluate the Title V, Part A—Innovative Programs and will report to TEA on the use of funds approved in this application and authorized in P.L. 107-110, Section 5131, at the time and in the manner requested. The annual evaluation will do the following:
  - 1. Be used to make decisions about appropriate changes in programs

2. Describe how Title V, Part A, assistance affected student academic achievement and include, at a minimum, information and data on the use of funds, the types of services furnished, and the students served (P.L. 107–110, Section 5133[b][8])
- F. The LEA will comply with the provisions of Title V, Part A, including the consultation with private nonprofit school officials regarding the development and design of the project and the equitable participation of children enrolled in private nonprofit schools in accordance with P.L. 107–110, Section 5142. Expenditures for participating private nonprofit school children shall be equal (consistent with the number of children to be served) to Title V, Part A, expenditures for children enrolled in public schools, taking into account the needs of individual children and other factors which relate to such expenditures (P. L. 107-110, Section 5142[b][1] and [2]).
- G. Services, materials, equipment, and participation of the teachers of private nonprofit school children (and other educational personnel serving such children) in training programs, provided to such children and teachers are secular, neutral, and nonideological in nature (P. L. 107-110, Section 5142[a][1][A]).
- H. Services provided to children in private nonprofit schools are provided by employees of a public agency or through contract with a public agency with a person, association, agency, or corporation which, in the provision of services, is independent of the private school and any religious organizations. The LEA assures such employment or contract providing services to private nonprofit school children is under the control and supervision of the public agency. The LEA assures that Title V, Part A, funds are not commingled with state or local funds (P. L. 107-110, Section 5142[c][2]).
- I. The LEA will maintain title to and administrative control of materials and equipment placed in a private nonprofit school for the benefit of such children, and it will monitor the use of such materials and equipment to ensure they are used for the purposes intended (P. L. 107-110, Section 5142[c][1]).
- J. The LEA serves children and teachers only in private nonprofit schools that are in compliance with the following: Title V, Part A, of the Civil Rights Act of 1964, as amended (prohibition of discrimination by race, color, or national origin), and the implementing regulations in 34 CFR Part 100; Title IX of the Education Amendments of 1972, as amended (prohibition of sex discrimination), and the implementing regulations in 34 CFR Part 106; Section 504 of the Rehabilitation Act of 1973, as amended (prohibition of discrimination on the basis of handicapping condition), and the implementing regulations in 34 CFR Part 104; and the Age Discrimination Act of 1975, as amended (prohibition of discrimination on basis of age) and the implementing regulations in 34 CFR Part 110.
- K. As part of the comprehensive needs assessment, the LEA conducted the required needs assessment relative to the purposes of Title V, Part A, and to the innovative assistance programs authorized in Title V, Part A, statute (P. L. 107-110, Section 5133[b][1]).

## **X. Title VI, Part A, Subpart 2—Funding Transferability**

The LEA assures that:

- A. When using Title VI, Part A, Subpart 2—Funding Transferability flexibility, 100% of the LEAs funds from the following:
  - 1. Title II, Part A, Subpart 2May be transferred to the following:
  - 2. Title I, Part A
- B. No transfer of funds from Title I, Part A, will occur (P. L. 107-110, Section 6123[c]).
- C. When funds are transferred under section 6123, 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. 107-110, Section 6123[e][1]).
- D. Consultations in accordance with section 9501 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. 107-110, Section 6123[e][2]).
- E. When making a transfer of funds under section 6123, 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

## **XI. Title VI, Part B, Section 6211—REAP**

The LEA assures the following:

- I. When using the flexibility under Section 6211—REAP, the LEA will use applicable funding under the following:
  - 1. Title II, Part Afor activities under the following programs:
  - 1. Title I, Part A
  - 2. Title II, Part D
  - 3. Title III, Part A

4. Title IV, Part A
5. Title IV, Part B
6. Title V, Part A