Program-Specific and ESSA Provisions and Assurances

2026-2027 Every Student Succeeds Act (ESSA) Consolidated Federal Grant Application

Authorized by Elementary and Secondary Education Act of 1965 (ESEA), as amended by Every Student Succeeds Act (ESSA)

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Texas Education Agency

Title I, Part C

General Assurances

The LEA assures the following:

1. All Title I, Part C, programs are implemented in compliance with all applicable statutory and regulatory provisions of Title I, Part C – Education of Migratory Children [Sections 1301 – 1309].
2. For the program purpose of the Title I, Part C program [Section 1301 (1)– (5)]:
    a. Assist the Texas Education Agency (TEA) in supporting high-quality and comprehensive educational programs and services during the school year and, as applicable, during summer or intersession periods, that address the unique educational needs of migratory children.
    b. Ensure that migratory children who move among the states are not penalized in any manner by disparities among the states in curriculum, graduation requirements, and challenging state academic standards.
    c. Ensure that migratory children receive full and appropriate opportunities to meet the same challenging state academic standards that all children are expected to meet.
    d. To help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to succeed in school.
    e. To help migratory children benefit from state and local systemic reforms.

3. Such programs are implemented by the LEA or fiscal agent in a manner consistent with the basic objectives of Title I, Part C as described in the program guidelines of the ESSA Consolidated Federal Grant Application.
4. For each required activity outlined in the ESSA Consolidated Federal Grant Application Program Guidelines, the LEA or fiscal agent will provide data to the TEA, in the manner requested, so the TEA can perform its duties under Title I, Part C, including collecting and reviewing information related to fiscal accountability and reviewing the educational achievement of students participating and receiving services from the Title I, Part C program. The LEA or fiscal agent is responsible for maintaining auditable records which are to be made available upon request by TEA.
5. The LEA or fiscal agent will evaluate and improve the effectiveness of the Title I, Part C Program to enable all eligible migratory children to meet the same challenging State academic standards that all Texas children are expected to meet. [Section 1304 (b) (1), (b) (2), (c)(5) and 1306 (a)(1)(C)]. Will use the information and needs identified to modify and improve the program to ensure the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of school. [Section 1304 (b)(1) and (c)(5)]. Data for the evaluation is collected through the Texas New Generation System (TX-NGS), Migrant Student Exchange Systems (MSIX), compliance reports submitted annually by the LEA or fiscal agent to the TEA, and other resources (i.e. surveys).
6. The effectiveness of its Title I, Part C Program 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. [1304 (c)(5)]

General Fiscal Assurances

The LEA assures the following:

1. Funds are used by a local education agency or other operating agency only in accordance with the program application. In general, funds available under the Title I, Part C Program may be used only to:
    a. Address the needs of eligible migratory children that are not addressed by services available from other federal or non-federal programs [1306(b)(2)]; and
    b. Provide educational and support services (including, but not limited to, preschool services, professional development, advocacy and outreach, parental engagement activities, and the acquisition of equipment) that address the identified needs of the eligible children. [1304(c)(7)]
2. It will conduct program operations of the Title I, Part C, in compliance with EDGAR as applicable, 2 CFR Part 200, and other applicable regulations.

3. It will comply with Title I, Part C, and Title VIII (General Provisions) as it pertains to uses of funds, assurances, and eligible children.
4. It will use such fiscal control and fund accounting procedures to assure proper disbursement of, and accounting for, federal funds paid to the LEA under the Title I, Part C program.
5. The LEA shall use funds received under the Title I, Part C program 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. In no case, may these funds be used to supplant funds from nonfederal sources.
6. All Title I, Part C-funded supplies, materials, and equipment are used only for Title I, Part C activities and to benefit the eligible migratory students. [Section 1304(c)(1)]
7. LEAs consolidating administrative funds follow the requirement to use an equitable method for allocating costs to specific fund sources. The method to determine equitable allocation must be documented and is subject to audit. Federal expenditures should be allocated to the ESSA programs in proportion to the funds provided by each program. In cases where Title I, Part C funds are used for consolidated administration, if there are unspent funds, the applicant assures that Title I, Part C funds will be returned to the state in the same proportion to the share of funding provided to the project.

Assurance Relating to Schoolwide Programs

The LEA assures the following:

1. In order to consolidate Title I, Part C, funds into a schoolwide campus program, prior written approval must be obtained from the TEA and be documented as part of the ESSA Consolidated Federal Grant Application process. Section 200.29I(l) of the regulations requires that before the school chooses to consolidate in its schoolwide program funds received under part C of Title I of the ESEA, the school must –
    a. Use these funds, in consultation with parents of migratory children or organizations representing those parents, or both, first to meet the unique educational needs of eligible migratory students that result from the effects of their migratory lifestyle, and those other needs that are necessary to permit these students to participate effectively in school, as identified through the comprehensive Statewide needs assessment under § 200.83; and
    b. Document that these needs have been met.
2. **The LEA must have documentation that these identified unique educational and educationally-related needs of migratory children have been met before requesting to consolidate Title I, Part C, funds into a schoolwide program.**

Program-Specific Assurances

The LEA assures the following:

1. **Priority for Service** - In providing services with Title I, Part C, funds, LEA or fiscal agent shall give priority to Priority for Service (PFS) migratory children before using Title I, Part C funds to address the needs of other migratory children. PFS students are defined as migratory children who have made a qualifying move within the previous 1-year period and (1) who are failing, or most at risk of failing, to meet the challenging state academic standards; or (2) have dropped out of school. [Section 1304(d)] The LEA or fiscal agent will develop a Priority for Service Action Plan for serving PFS students. The LEA or fiscal agent will include the activities from the PFS Action Plan in the District Improvement Plan.

    a. The PFS Action Plan must include the Goals and Objectives of how the LEA will provide services to eligible migratory students who are PFS.
    b. The PFS Action Plan must include the following required strategies:

        1) Monitoring the progress of eligible migratory students who are PFS.
        2) Communicating the progress and determining needs of eligible migratory who are PFS.
        3) Providing services to eligible migratory children who are PFS.
        4) For each required strategy, the LEA or fiscal agent must include the timeline, person responsible, and documentation available to meet the goals and objectives identified for serving eligible migratory students who are PFS.

    c. The LEA or fiscal agent will conduct a PFS student progress review at least twice a year to determine individual student needs.
    d. The LEA or fiscal agent will run the PFS report on TX-NGS monthly to identify eligible migratory children who require priority services.

2. The Title I, Part C Program will provide to the extent feasible, such activities and services as the following: [Section 1304(c)(7)]

    a. Provide 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 (Title I, Part C Services Coordination).

        1) Within the first grading period of the school year that the child who is eligible for the Title I, Part C services, (1) determine individual needs for instructional and support services, (2) identify resources and make referrals to address said needs, such as tutoring services, high school equivalency programs (HEP), dropout prevention programs (3) coordinate with local and community entities to ensure that the child

has access to the appropriate services, and (4) follow up to monitor and document progress.

b. Coordinate and provide needs-based professional development opportunities to staff on Title I, Part C program awareness and the identified needs of eligible migratory children. Provide information and opportunities regarding family literacy programs to parents of eligible migratory children.

c. Incorporate the use of technology into educational and related programs.

d. Coordinate continuity of services for all eligible migratory students as part of interstate and intrastate coordination regarding the timely transfer of pertinent school records, including information on health, when children move from one school to another, and whether such move occurs during the regular school year. [1304(b)(3)]

e. Coordinate and provide programs to facilitate the transition of secondary migratory students to postsecondary education or employment.

3. **Secondary Credit Accrual and Recovery** - Coordinate with available programs offering options for credit accrual and recovery to ensure that migratory secondary students are accessing opportunities available to earn needed credits and make up coursework that is lacking due to late arrival and/or early withdrawal.

4. **Interstate/Intrastate Coordination** - Coordinate with school staff and the Texas Migrant Interstate Program (TMIP) to ensure that migratory students who have failed any subject area of the state student assessment are accessing local, intrastate, and interstate opportunities available for summer statewide student assessment remediation. [1304(b)(3)]

    a. Provide supportive services for out-of-school youth (OSY).

    b. Utilizing MSIX to:

        1) Promote and respond to interstate coordination and timely records exchange within 4 working days of receiving the data request; and

        2) Respond to move notices in a timely manner.

5. To meet the unique educational needs of its migratory children and to accomplish the Title I, Part C program goals and objectives, LEAs or fiscal agent will address 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

6. **Comprehensive Needs Assessment (CNA)** - The Texas Migratory Education Program (TXMEP) has identified the unique educational and educationally-related needs of migratory children through its Statewide Comprehensive Needs Assessment. The LEA or fiscal agent identifies and addresses the unique educational needs of migratory children through a needs assessment and outlines a comprehensive plan for the delivery of services. [Section 1306(A)(1)] As part of the TXMEP Continuous Improvement Cycle, review the Texas Service Delivery Plan (SDP) for a comprehensive list of needs and plan for service delivery including Measurable Program Outcomes (MPOs) that describe what every fiscal agent and LEA will be accounted for. The desired outcomes specific to migratory children and youth in Texas are, as outlined in the Texas Service Delivery Plan.

7. **Texas Service Delivery Plan (SDP) -** The TXMEP has identified the strategies to address the needs identified through the Texas Service Delivery Plan [Section 1306(a) (1) (A-G)]. As part of the TXMEP Continuous Improvement Cycle, review the Texas Service Delivery Plan for a comprehensive list of needs and plan for service delivery including MPOs that describe what every fiscal agent and LEA will be accounted for. Please refer to the Project Plan and Logic Model within the SDP for ideas on strategy implementation and possible resources.

   The strategies include the following as required activities:

   Goal 1: Reading and Mathematics Service Delivery Strategies

   1-1) Coordinate/provide supplemental reading /language arts instruction to eligible migratory students in grades K-12 during the performance period (September through August).

   1-2) Coordinate/provide supplemental mathematics instruction to eligible migratory students in grades K-12 during the performance period (September through August).

   Goal 2: School Readiness Service Delivery Strategies

   2-1) Coordinate/provide needs-based instructional services to eligible migratory children ages 3-5 (not in kindergarten).

   2-2) Coordinate/provide training and resources on school readiness to families of eligible migratory children ages 3-5 (not in kindergarten), including on the importance of school readiness.

Goal 3: High School Graduation/Services to Out-of-School Youth (OSY) Service Delivery Strategies

3-1) Coordinate/provide credit accrual/recovery/acceleration options and support to eligible migratory high school students who lack credits and/or are not on track for graduation.

3-2) Coordinate/provide appropriate and targeted instructional services for eligible migratory high school students.

3-3) Coordinate/provide opportunities and access to college and career readiness for eligible migratory high school students and OSY.

3-4) Coordinate/provide opportunities and access to resources and services to meet the unique needs of eligible migratory OSY.

Goal 4: Non-Instructional Support Services Service Delivery Strategies

4-1) Coordinate/provide high-quality professional development to MEP and non-MEP staff so they can better understand the unique academic and social-emotional needs of eligible migratory children.

4-2) Coordinate/provide non-instructional support services to meet the needs of eligible migratory children and their families.

4-3) Coordinate/provide training and resources to parents of eligible migratory children to build their skills and support their child's educational needs.

8. **Program Evaluation -** The LEA or fiscal agent must conduct an annual evaluation of their Title I, Part C Program. [Section 1306(a)(1)(C) and 1304(b)(1)]. Use the findings to modify and improve the program. This process should include data review and analysis.
9. In planning, implementing, and evaluating the Title I, C Program, there has been, and will be adequate provision for addressing the unmet needs of preschool migratory children and migratory children who have dropped out of school, as well as the identification and recruitment of such children. [Section 1304(c)(4)]
10. **Preschool Children** - Within the first 60 days of the school year that eligible preschool migratory children, ages 3-5, are in the school district, Title I, Part C staff determine their individual educational needs, and to the extent possible, coordinate with or provide services to meet the identified needs. (For example, A Bright Beginning, or other early childhood programs)
11. **Identification and Recruitment (ID&R) -** The LEA identifies and recruits migratory children and youth, including Out-of-School Youth (OSY), according to the specific timelines and guidance provided in the *Texas Manual for the Identification and Recruitment of Migratory Children* to ensure the accuracy of such information. The Title I, Part C Migrant Coordinator or its

equivalent must include the activities from the Identification and Requirement Plan in the District Improvement Plan. The ID&R plan must include the LEA's quality control procedures and processes.

a. **Ensure district-wide ID&R activities are occurring year-round.** In all project LEAs, an adequate number of staff are assigned to carry out all identification and recruitment activities according to the Title I, Part C guidelines and policies as outlined in the *Texas Manual for the Identification and Recruitment of Migratory Children*. [1304(c)(2) and 1309]
b. Title I, Part C, coordinator must coordinate with **PEIMS/TSDS** coordinator to ensure eligible migratory students are encoded with a Migrant Indicator Code.

12. **Interstate/Intrastate Coordination including TX-NGS and MSIX** - The LEA or fiscal agent ensures interstate/intrastate coordination of services for migratory children to provide educational continuity through the timely transfer of pertinent student records. [Section 1304(b)(3) and 1308(A)]

    a. Data collection and data entry [Section 1308(A)] are district-wide activities occurring year-round.

    b. All required TX-NGS enrollments and student demographic, educational, and health data are collected and entered in TX-NGS following MEP required timelines and procedures as outlined in the *TX-NGS/MSIX Manual (Texas-New Generation Systems & Migrant Student Information Exchange).*

    c. The LEA or fiscal agent has local policies and procedures in place to ensure that eligible migratory student records are requested and transferred in a timely manner. (4 working days from the date of receipt on MSIX). [Section 1304(b)(3)]. This includes responding to MSIX notifications. All project LEAs or fiscal agent are to provide an appropriate number of staff to carry out the designated TX-NGS data collection and data entry activities in order to ensure that the required timelines are met as specified in the *TX-NGS/MSIX Manual*. Project LEAs or fiscal agents are to designate, at minimum, one person to have MSIX access.

    d. Records will be maintained to accurately document the number of eligible migratory students. The LEA or fiscal agent will securely transmit demographic, educational, and health data for all migratory children utilizing MSIX and participate fully in TX-NGS as required by the *TX-NGS/ MSIX Manual*. The LEA or fiscal agent will report data as necessary for the function of the Title I, Part C Program.

13. All ID&R and TX-NGS staff participate in the online annual training or training provided by regional ESCs as outlined in the *Texas Manual for the Identification and Recruitment of Migratory Children* and the *TX-NGS/MSIX Manual*.

Assurances Relating to Coordination

[Section 1308(a)]

The LEA assures the following:

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 eligible migratory children. Consideration is also given where suggestions and offers of assistance are timely and are made by such agencies that may aid in carrying out or making more effective the program or project for which the application is made.
    a. Continuous coordination with Title I, Part A, programs and personnel occurs so that eligible migratory students receive Title I, Part A, services, and that Title I, Part C funds are used to meet the unique needs of migratory students that result from their migratory lifestyles. In the case of eligible migratory students who are Emergent Bilingual (EB) or students with disabilities, it will provide maximum coordination between services provided under Title I, Part C and services provided to address children who are Emergent Bilingual or students with disabilities in order to increase program effectiveness, eliminate duplication of services, and reduce fragmentation of the students' instructional programs.
2. In planning, implementing, and evaluating its Title I, Part C activities, the LEA or fiscal agent assures that local and regional data has been used to determine and provide services to eligible migratory children in coordination with other stakeholders.

Assurance Relating to the Continuation of Services

[Section 1304(e)]

The LEA assures the following:

1. Concerning the continuation of services to migratory 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 1 additional school year, but **only if** comparable services are not available through other programs.
    c. A secondary migratory student who has been eligible for services in secondary school may continue to be served through Title I, Part C-funded credit accrual programs until graduation.

Assurances Relating to the Title I, Part C Parent Advisory Council (PAC) and Parental Engagement

[Section 1304(c)(3)]

The LEA assures the following:

1. The LEA or fiscal agent has established a parent advisory council (PAC) for the Title I, Part C Program and provides an opportunity for appropriate consultation in the planning, implementation, and evaluation of the LEA's Title I, Part C program. [Sections 1304(c)(3); 1306(a)(1)(B)(ii); and 1116]
2. To ensure parental participation in the Title I, Part C Program, the project LEA or fiscal agent with programs of one school year in duration will establish a district-wide parent advisory council (PAC) which will be comprised of parents of eligible migratory children.
    a. In the case of **Title I, Part C-funded Shared Services Arrangements (SSAs)**, the fiscal agent will establish a region-wide Title I, Part C PAC elected by parents of eligible migratory children from the respective LEAs in the SSA. Project LEAs and fiscal agents shall establish and consult a PAC.
    b. To the extent feasible, schoolwide program schools assure that their schoolwide campuses will have meaningful consultation with both the LEA-wide PAC and parents of eligible migratory students attending the schoolwide program school.
3. The LEA or fiscal agent will have meaningful consultation with parents of eligible migratory children including the Title I, Part C PAC in the planning and operation of the local Title I, Part C program. “Meaningful consultation” includes, but is not limited to both of the following:
    a. LEA or fiscal agent shall have knowledge and understanding of the following:
        1) district improvement plans as to activities funded with Title I, Part C;
        2) Title I, Part C program requirements;
        3) TEA monitoring visits (if applicable);
        4) LEA needs assessment, service delivery plan, and evaluation;
        5) TX-NGS data for LEA and MSIX usage and functionality; and
        6) academic performance and service of migratory students for the LEA.
    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 LEA before program designs and decisions are finalized.
4. The planning and implementation of the LEA’s Title I, Part C Program provides for the same parental involvement as required for programs and projects under Section 1116.

5. PAC meetings must be conducted in a format and language that is understandable to parents of eligible migratory children. To ensure full parent participation, PAC meetings should be held at times convenient for the parents of eligible migratory children, and transportation and childcare should be offered.
6. The LEA or fiscal agent coordinates, provides training and resources to parents of eligible migratory children on reading strategies, mathematics strategies, developmentally appropriate school readiness resources and strategies, and/or information and resources about college/career opportunities. Section 1304 (c)(1) and (c)(6)

Assurance Relating to Private Schools

The LEA assures the following:

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

f. How and when decisions will be made about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers; and

g. Whether the agency, consortium, or entity shall provide services directly or through a separate government agency, consortium, or entity, or through a third-party contractor.

5. Control of Title I, Part C, funds and title to materials, equipment, and property purchased with these funds will be in a public agency for Title I, Part C, uses and purposes, and a public agency will administer the Title I, Part C, funds and property [Section 8501(d)(1)].

6. In the provision of Title I, Part C, 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 [Section 8501(d)(2)(B)].

7. The LEA assures that if it disagrees with the views of private school officials on the provision of services through a contract, the agency, consortium, or entity shall provide the private school officials a written explanation of the reasons why the LEA has chosen not to use a contractor. [Section 8501(c)(2)]

8. The LEA assures such consultation shall include meetings of the LEA and private school officials and shall occur before the LEA makes any decision that affects the opportunities of eligible private school children to participate in Title I, Part C, programs. Such meetings shall continue throughout the implementation and assessment of services. [Section 8501(c)(3)]

9. The LEA assures that such consultation shall include a discussion of service delivery mechanisms to eligible private school children. [Section 8501(c)(4)]

10. The LEA shall maintain in the agency's records and will submit to TEA a written Affirmation of Consultation signed by officials of each participating private school that the meaningful consultation required has occurred. The written Affirmation of Consultation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children. If such officials do not provide such an Affirmation of Consultation within a reasonable period, the LEA shall forward to TEA the documentation that such consultation has, or attempts at such consultation have taken place. [Section 8501(c)(5)]

11. If a private school official files a complaint to TEA stating that the LEA did not comply with Section 8501, the LEA shall forward to TEA any appropriate documentation. [Section 8501(c)(6)(B)]