

# PROGRAM-SPECIFIC AND ESSA PROVISIONS AND ASSURANCES

2023-2024 EVERY STUDENT SUCCEEDS ACT (ESSA)  
CONSOLIDATED FEDERAL GRANT APPLICATION

AUTHORIZED BY THE ELEMENTARY AND SECONDARY  
EDUCATION ACT OF 1965 (ESEA), AS AMENDED BY  
EVERY STUDENT SUCCEEDS ACT (ESSA)

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# Title I, Part C

## General Assurances

The LEA assures the following:

1. All LEA 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 Title I, Part C, and as described in the Instructions to the Consolidated Application for Federal Funding.
3. For each required activity, from Program Guidelines, the LEA will make reports to the Texas Education Agency (TEA), in a manner requested, so that 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 in programs conducted under Title I, Part C. The grant recipient is responsible for keeping records that TEA may request and use to verify correctness and accuracy of information submitted.
4. The LEA will evaluate and improve the effectiveness of the migrant program to enable all migratory children to meet the same challenging State academic standards that all Texas children are expected to meet. [Section 1304 (b)(1), (b)(2) and (c)(5)]. Will use the information and needs identified to modify and improve the program. [Section 1304 (b)(1), (b)(2) and (c)(5)]. Data for the evaluation is collected through the Texas New Generation System (TX-NGS), the Public Education Information Management System (PEIMS), compliance reports submitted annually by the LEA to the Texas Education Agency, and other resources (i.e. surveys).
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.

## 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 project application. In general, funds available under the MEP may be used only to:
  - a. Identify eligible migratory children and their needs; and
  - b. Provide educational and support services (including, but not limited to, preschool services, professional development, advocacy and outreach, parental involvement activities, and the acquisition of equipment) that address the identified needs of the eligible children.
2. It will conduct program operations of the MEP in compliance with EDGAR as applicable, 2 CFR Part 200, and other applicable regulations.
3. It will comply with Title I, Part C, 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 MEP-funded supplies, materials, and equipment are used only for MEP activities and to benefit the MEP 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 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.

## **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.

## **Assurance Relating to Schoolwide Programs**

The LEA assures the following:

1. In order to combine MEP funds into a schoolwide campus program, prior written approval must be obtained from the Texas Education Agency and be documented as part of the ESSA Consolidated Application process. Section 1306(b)(4) of the statute

and sections 200.29(c)(l) and 200.86 of the regulations require schools to first use the MEP funds, in consultation with migratory parents, to meet the special educational needs of migratory children before they may combine MEP funds in a schoolwide program. The State has identified these needs in its comprehensive statewide needs assessment.

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. In providing services with Title I, Part C, funds, LEAs shall give priority to serving Priority for Service (PFS) migratory children with MEP funds before using migrant funds to address the needs of other migratory children. PFS students are defined as migratory children who have made a qualifying move within the previous 1-year period and who are failing, or most at risk of failing, to meet the challenging state academic standards, or have dropped out of school. [Section 1304(d)] The Title I, Part C Migrant Coordinator will include a Priority for Service Action Plan as a separate section labeled or identified (e.g., "Migrant PFS Action Plan") in the District Improvement Plan.
2. The LEA must include a PFS Action Plan that includes the following:
  - a. When, in the calendar school year, the Title I, Part C, Coordinator will provide campus principals, appropriate campus staff, and parents the Priority For Service students criteria and updated TX-NGS PFS reports.
  - b. When, in the school year calendar, the district's Title I, Part C, Coordinator, MEP staff, and migrant school staff will make home (face-to-face and virtual) and/or community visits to update parents on the academic progress of their children.
  - c. How the district's Title I, Part C, Coordinator will use TX-NGS Priority For Service reports to give priority placements to these students in MEP activities.
  - d. How the district's Title I, Part C, Coordinator will ensure PFS students receive priority access to instructional services, as well as social workers and community social services/agencies.
  - e. What federal, state, and local programs serve Priority For Service students.
3. The Migrant Education Program will provide to the extent feasible, such programs and projects as the following: [Section 1304(c)(7)]
  - a. Advocacy and outreach activities for migratory children and their families, including coordination to allow them to gain access to other education, health, nutrition, and social services (Migrant Services Coordination). Within the first grading period of the school year that the child who is eligible for the MEP services in the district, (1) determine individual needs for instructional and support services, (2) Identify resources and make referrals to address said needs, such as tutoring, WIC, HEP, dropout prevention program, (3) Coordinate with entities to ensure that the child has access to the appropriate services, and (4) Follow up to monitor and document progress.
  - b. Professional development programs, including mentoring for teachers and other MEP personnel.
  - c. Information regarding family literacy programs.
  - d. The integration of information technology into educational and related programs.

- e. Coordination to ensure continuity of services for all migratory students as they move from district to district.
- f. Programs to facilitate the transition of secondary migratory students to postsecondary education or employment.
- g. Coordination 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 which is lacking due to late arrival and/or early withdrawal.

In addition, to the extent feasible, ensure the following:

- i. Coordination 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.
  - ii. Provide supportive services for out of school youth.
4. To meet the unique educational needs of its migratory children and to accomplish MEP program goals and objectives, LEAs will use the Seven Areas of Concern as identified by the Office of Migrant Education. The Seven Areas of Concern are:
    - a. Educational Continuity
    - b. Instructional Time
    - c. School Engagement (behavioral, emotional, cognitive)
    - d. English Language Development
    - e. Educational Support in the Home
    - f. Health
    - g. Access to Services
  5. **Comprehensive Needs Assessment (CNA):** The Texas MEP has identified the unique educational and educationally-related needs of migratory children through its Statewide Comprehensive Needs Assessment. The LEA identifies and addresses the unique educational needs of migratory children through a needs assessment and outline a comprehensive plan for the delivery of services.[Section 1306(A)(1)] [The Texas CNA and SDP](#) is a comprehensive list of needs and plan for service delivery including Measurable Program Outcomes (MPOs) that describe what every ESC and LEA will be accounted for. The desired outcomes specific to migratory children and youth in Texas are, as outlined in the Texas Service Delivery Plan.
  6. **Service Deliver Plan (SDP):** The Texas MEP has identified the strategies to address the needs identified through the Statewide Service Delivery Plan [Section 1306(a) (1) (A-G)]:

The strategies include the following as required activities:

Goal 1: Reading and Mathematics Service Delivery Strategies

1-1) Coordinate/provide needs-based supplemental reading and/or mathematics instruction to migratory students using results of disaggregated formal/informal assessments during the regular term (e.g., tutoring, virtual sessions, home based instruction).

1-2) Coordinate/provide training/support to migratory students on the use of academic tools and resources to increase success in reading and mathematics (e.g., training on the use of calculators, tablets, laptops, online programs).

1-3) Utilize Project SMART when providing summer supplemental mathematics instruction to migratory students in grades K-8.

## Goal 2: School Readiness Service Delivery Strategies

2-1) Coordinate with local education agency (LEA) and/or community-based school readiness programs to provide migratory children ages 3-5 (who are not in kindergarten) with access to school readiness services.

2-2) Provide the TEA-approved early literacy program (A Bright Beginning) for migratory children ages 3-5 who are not served by other programs (during the regular school year, summer, virtual, face-to-face, home-based, center-based).

## Goal 3: Graduation/Services to OSY Service Delivery Strategies

3-1) Coordinate/provide opportunities to confer with migratory students and out-of-school youth (OSY) to increase awareness and access to credit accrual options and resources (e.g., annual preliminary and summative transcript review with MEP and/or non-MEP staff).

3-2) Coordinate/provide appropriate and targeted supplemental instruction to migratory students in grades 9-12 and OSY including late enrollments and early withdrawal students (e.g., student orientation, tutoring).

3-3) Coordinate/provide post-secondary and high school equivalency (HSE) program information to secondary-aged migratory students and parents (e.g., graduation requirements, dropout recovery programs, HSE, SAT/ACT, informational videos, interactive links).

3-4) Coordinate/provide instructional services to OSY based on identified needs (e.g., referrals, resource packets, job training, HSE classes).

## Goal 4: Support Services Service Delivery Strategies

4-1) Coordinate/provide support services during the regular term and summer that address the identified needs of migratory students.

4-2) Coordinate/provide training for parents to empower them to access resources/services to address the identified needs of their child.

4-3) Educate MEP/LEA staff, including teachers, paraprofessionals, counselors, and administrators, on the unique needs of migratory students to ensure student success.

4-4) Collaborate to educate MEP/LEA staff about instructional and support services provided by other funding sources to ensure migratory students receive services to which they are entitled.

4-5) Coordinate/provide needs-based professional development for MEP staff who provide supplemental reading and math instruction to migratory students.

7. In planning, implementing, and evaluating the MEP, there has been, and will be adequate provision for addressing the unmet needs of preschool migratory children and migratory children who have dropped out of school, as well as the identification and recruitment of such children. [Section 1304(c)(4)]
8. **Preschool Children:** Within the first 60 days of the school year that eligible preschool migratory children, ages 3-5, are in the school district, determine individual educational needs, and to the extent possible, coordinate with or provide services to meet the identified needs. (For example, A Bright Beginning, Head Start, or other early childhood programs)
9. **Identification and recruitment:** The LEA identify and recruits migratory children and youth, including Out of School Youth, according to the specific timelines and guidance provided in the Texas Manual for the Identification and Recruitment of Migratory Children in order to ensure the accuracy of such information. **Ensure district-wide ID&R activities are 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 Migratory Children.

- a. Title I, Part C, Coordinator will provide a list of migratory students or copies of Certificates of Eligibility (COEs) to **be encoded in PEIMS/TSDS** with a Migrant Indicator Code.
10. **TX-NGS/MSIX:** The LEA ensures interstate/intrastate coordination of services for migratory children to provide educational continuity through timely transfer of pertinent student records. [Section 1304(b)(3)]
- 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 is collected and entered in TX-NGS following MEP required timelines and procedures as outlined in the *Texas Data Management Requirements Manual for NGS (New Generation System) and MSIX (Migrant Student Information Exchange)*.
  - c. The LEA has local policies and procedures in place to ensure that migratory student records are requested and transferred in a timely manner. Section 1304(b)(3)]. This includes responding to MSIX notifications according to the required timelines.
  - d. In all project LEAs, including schoolwide programs, an adequate number of staff are assigned 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 Guidelines. State recommendations regarding NGS personnel are as follows: **one TX-NGS Data Specialist for every 300 migratory students**, prorating the number of positions depending on the LEA's migrant enrollment.
  - e. Records will be maintained to accurately document numbers of migratory students. The LEA will transmit demographic, educational, and health data for all migratory children and participate fully in TX-NGS as required by the *Texas Data Management Requirements Manual for NGS and MSIX*. The applicant agency will report data as necessary for the function of the MEP.
11. All ID&R and TX-NGS staff participate in the online annual training or trainings provided by regional ESCs as outlined in the Texas Manual for the Identification and Recruitment of Migratory Children and the *Texas Data Management Requirements Manual for NGS and MSIX*. This should include training on the electronic Certificate of Eligibility (eCOE).

## Assurances Relating to Coordination [Section 1308(a)]

The LEA assures that:

1. Consideration has been given to the development of this application, to any benefits available through public and private agencies and programs that would contribute toward meeting the special educational needs of migratory children. Consideration is also given where suggestions and offers of assistance are timely 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 MEP funds are used to meet the unique needs of migratory students that result from their migratory lifestyles. In the case of migratory students who are English Learners (EL) or students with disabilities, it will provide maximum coordination between services provided under Title I, Part C, Migrant and services provided to address children who are English Learners 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 MEP activities, the LEA assures that local and regional data has been used to determine and provide services to migratory children in coordination with other stakeholders.

## **Assurance Relating to 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 migrant-funded credit accrual programs until graduation.

## **Assurances Relating to the Migrant Parent Advisory Council (PAC) and Parental Involvement [Section 1304(c)(3)]**

The LEA assures the following:

1. The LEA has established a parent advisory council (PAC) for the migrant program and provide opportunity for appropriate consultation in the planning, implementation, and evaluation of the LEA's migrant program. [Sections 1304(c)(3); 1306(a)(1)(B)(ii); and 1116]
2. 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 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 migratory parents from the respective LEAs 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.

3. The LEA or SSA fiscal agent will have meaningful consultation with parents of migratory children including the migrant parent advisory council (PAC) in the planning and operation of the local migrant education program. “Meaningful consultation” includes, but is not limited to both of the following:
  - a. Providing copies of pertinent district and campus improvement plans, state plans, state and federal laws, regulations, and rules; copies of reports resulting from audits, TEA monitoring visits, and complaint investigations; and copies of LEA needs assessments, evaluations, TX-NGS reports, and Standard Application System (SAS) funding applications that describe the academic performance and service of migratory 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 LEA before program designs and decisions are finalized.
4. The planning and implementation of the LEA’s Migrant Education 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 migratory parents. To ensure full parent participation, PAC meetings should be held at times convenient for the migratory parents and transportation and childcare should be offered.
6. The LEA coordinates/provides training/resources to migrant parents 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].
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].
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].
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:
  - a. How the children’s needs will be identified
  - b. What services will be offered
  - c. How, where, and by whom the services will be provided
  - d. How the services will be assessed and how the results of the assessment will be used to improve those services

- e. What equitable services (size and scope) are to be provided to the eligible private school children, teachers, and other educational personnel and what amount of funds are available for those services and how that amount is determined.
  - f. How and when decisions will be made about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers [Section 8501].
- 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].
  - 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].