

Request for Application

Program Guidelines

2026-2027 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)

Federal and/or State Appropriations for Title I, Part C

The following is provided in compliance with the US Department of Education Appropriations Act:

Category Title I, Part C	Amount
Total funds available for this project	Approximately \$13,504,166
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$13,504,166
Percentage to be financed from nonfederal sources	0%
Amount of nonfederal funds	\$0
Fund Code: 212	

Grant Timeline

Due dates related to the grant, including reporting dates, are available in the Critical Events section listed on the [TEA Grant Opportunities](#) page. Grantees are responsible for regularly monitoring the webpage for updated grant information and for meeting all due dates and other grant requirements.

Grant at a Glance

This section provides detailed information about the grant program.

Program Purpose, Goals, and Objectives

The purpose of the Title I, Part C -Texas Migratory Education Program (TXMEP) is to do all of the following [ESSA Title I, Part C, Section 1301 (1)– (5)]:

1. 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.
2. 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.
3. Ensure that migratory children receive full and appropriate opportunities to meet the same challenging state academic standards that all children are expected to meet.

4. 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.
5. To help migratory children benefit from state and local systemic reforms.

Eligible Applicants

See the [General and Fiscal Guidelines](#), Eligibility for Funding.

School systems in Texas are eligible to apply for a grant under ESSA Consolidated, Title I, Part C.

Intended Program Beneficiaries

Intended program beneficiaries are eligible migratory children, ages 0 through 21, and their families.

Eligibility List

Entitlement amounts are available on TEA's [Entitlements and Allocations Dashboards](#). See the [Grant Allocations and Award Balances](#) page for additional information.

Shared Services Arrangement (SSAs)

See the [General and Fiscal Guidelines](#), Shared Services Arrangements (SSAs).

Shared services arrangements are allowed.

Cost Share or Matching Requirement

See the [General and Fiscal Guidelines](#), Cost Share/Match Requirement.

There is no cost share or matching requirement for this grant program.

Supplement, Not Supplant

For supplement, not supplant guidance, see the Supplement, Not Supplant Handbook on the Department of Grant Compliance and Administration's [Training and Other Resources](#) page.

The supplement, not supplant provision does apply to this grant program.

Limitation of Administrative Funds

See the [General and Fiscal Guidelines](#), Classification of Direct and Indirect Costs.

NOTE: Administrative funds include **both** direct administrative costs **and** allowable indirect costs.

Direct Administrative Costs

The authorizing statute does not limit the amount of funds that may be budgeted to administer the program, including direct administrative costs.

Indirect Costs

For this grant program, the grantee may claim a maximum for allowable indirect costs equal to its current approved restricted indirect cost rate.

To calculate the maximum indirect costs that can be claimed for a grant, complete the [Maximum Indirect Costs Worksheet](#), located on the Grants Administration Division's [Grant Resources](#) page.

Pre-Award Costs

See the [General and Fiscal Guidelines](#), Pre-Award Costs.

Pre-award costs are not permitted for this grant.

Application Requirements and Assurances

This section identifies the types of requirements in which applicants must comply to be eligible for funding:

- Statutory requirements (requirements defined in the authorizing statute)
- TEA program requirements (requirements defined by TEA program staff)

Statutory Requirements

See the [General and Fiscal Guidelines](#), Statutory Requirements.

Per Section 22.0834 of the Texas Education Code (TEC), any person offered employment by any entity that contracts with TEA or receives grant funds administered by TEA (i.e., a grantee or subgrantee) is subject to the fingerprinting requirement. TEA is prohibited from awarding grant funds to any entity, including nonprofit organizations, that fails to comply with this requirement. For details, refer to the [General and Fiscal Guidelines](#), Fingerprinting Requirement.

The programs included in this consolidated grant application are authorized by the Every Student Succeeds Act (ESSA) which reauthorizes the Elementary and Secondary Education Act of 1965 (ESEA) and replaces its predecessor, the No Child Left Behind Act of 2001 (NCLB).

TEA Program Requirements

See the [General and Fiscal Guidelines](#), TEA Program Requirements.

In addition to the statutory requirements, TEA has established the following program requirements. The applicant must comply with each of these requirements in the application to be considered for funding:

1. All TXMEP grant recipients must operate and implement the program in accordance with all the Provisions and Assurances of Title I, Part C.
2. For each required activity, the school system or fiscal agent is responsible for maintaining written documentation locally to support the implementation of each activity.

Note: Because this is a consolidated application, activities selected on the application, or included in this document, are representative of SSAs. It is the responsibility of the fiscal agent to maintain documentation for activities carried out by each member district.

3. School systems that elect not to apply for Title I, Part C funds through the Applicant Designation and Certification Form (ADC) by the established application deadline will have their allocated funds reallocated to the respective regional ESC. These funds will be administered through the ESC Basic Services Grant to deliver MEP services to eligible students on behalf of the school system.
4. The school system or fiscal agent is responsible for sharing and incorporating planned activities from the following to include in the District Improvement Plan (DIP):
 - Priority for Service (PFS) Action Plan;
 - LNA Strategy Implementation Plan; and
 - Identification and Recruitment Plan
5. Title I, Part C activities shall be used to do the following:
 - To meet the identified and unique educational needs of eligible migratory children that result from their migratory lifestyle, and to permit these children to participate effectively in school; and
 - To address the unique educational needs of eligible migratory children that are not addressed by services available from other federal or nonfederal programs, except that eligible migratory children who are eligible to receive services under Title I, Part A, may receive those services through funds provided under that part.
6. **Identification and Requirement (ID&R)** - The identification and recruitment of all eligible migratory children and youth, including Out-of-School Youth (OSY) residing in the school system, must be conducted on a year-round basis and done in accordance with the *Texas Manual for the Identification and Recruitment of Migratory Children*. The process must be documented in the school system's Identification and Recruitment (ID&R) Plan.

- Annual residency verification of eligible migratory children must be completed in accordance with the procedures outlined in the aforementioned manual.
 - The Title I, Part C Coordinator or its equivalent must share the Identification and Requirement Plan activities to be included in the District Improvement Plan.
 - The ID&R Plan must include a section that describes the quality control process, timelines, recruitment methods, and strategies to be used to identify and recruit migratory children on a year-round basis.
7. **TX-NGS** - Data Entry and Utilization- Eligible migratory student data collection, data entry, and required activities in the TX-New Generation System (TX-NGS) must be conducted **on a year-round basis** as outlined in the *TX-NGS/MSIX Manual*.
- Designate a person(s) to encode data into TX-NGS.
 - Designate a person(s) to encode data into TX-NGS during the summer months. This person(s) should have access to migratory student records.
 - School systems or fiscal agents are to develop and implement local quality control procedures to ensure the accuracy of data encoded into TX-NGS.
8. In planning, implementing, and evaluating Title I, Part C activities, the LEA or fiscal agent assures that the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of schools, are identified, and addressed through [Section 1304(b)(1)]:
- Full range of services that are available for migratory children from appropriate local, state, and federal educational programs;
 - Joint planning among local, state, and federal programs serving migratory children, including language instruction educational programs under Title III, Part A;
 - Integration of services available under Title I, Part C, and those provided by other programs; and
 - Measurable program objectives and outcomes.
9. **Preschool Children** - Within the first 60 days of the school year that eligible preschool-eligible migratory children, ages 3-5, are in the school system, determine 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).
10. **Out of School Youth** – Address the educational needs of migratory children who have dropped out of school.
- Ensure that the individual needs for OSY have been identified and addressed through instructional and/or support services.

- Include a plan to identify, recruit, and serve migratory eligible OSY in the school system's ID&R Plan.

11. Interstate Coordination [Section 1308(a)]

- Coordinate with the Texas Migrant Interstate Program (TMIP) during the regular school year and the summer months in order to serve students from Texas who may attend out-of-state migrant program.
- **MSIX** – Data requests and Move Notices:
 - Promote and respond to interstate coordination and timely records exchange within 4 working days of receiving the request; and
 - Respond to move notices in a timely manner.

12. Comprehensive Needs Assessment (CNA)/Local Needs Assessment (LNA) [Section 1306(a)(1)] - Conduct LNA utilizing the guidance and tools provided in the LNA Toolkit to:

- Determine the needs of the eligible migratory students;
- Design local services to meet the needs of the eligible migratory students;
- Identify the students to receive the services;
- Develop a LNA Strategy Implementation Plan to identify specific needs by grade levels and/or academic areas to meet the measurable program outcomes (MPOs) outlined in the Service Delivery Plan (SDP) and include MEP-funded activities in the District Improvement Plan (DIP).

Maintain documentation of the LNA process and results used to identify and address the needs of migratory children in the school system.

13. Service Delivery Plan (SDP) [Section 1306(a)(1)] -

- Provide migratory children the opportunity to meet the same challenging state academic standards that all children are expected to meet by:
 - Implementation of the required strategies outlined in the Texas Service Delivery Plan; refer to the [Project Plan and Logic Model within the SDP](#) for ideas on strategy implementation and possible resources.
 - Ensuring each Title I, Part C LEA or fiscal agent is accountable for the Measurable Program Outcomes (MPOs).

14. Program Evaluation [Section 1306(a)(1)(C)] – The LEA or fiscal agent conducts an annual evaluation of their Title I, Part C program to improve and/or modify the program to:

- Determine whether the program is effective and document its impact on eligible migratory children;
- Improve program planning by comparing the effectiveness of different types of intervention;

- Determine the degree to which projects are implemented as planned and identify problems that are encountered in program implementation;
 - Identify areas in which children may need different Title I, Part C services;
 - Develop and maintain documentation of the evaluation process, including the data review and analysis conducted; and
 - Develop a Title I, Part C evaluation of the Title I, Part C program, evaluating the effectiveness of the migratory program.
15. **Priority for Service (PFS)** - In providing services with Title I, Part C, funds, LEAs shall give priority to Priority for Service (PFS) migratory children before using MEP 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 state's academic standards; or (2) who have dropped out of school. [Section 1304(d)] The school system is to follow the PFS Implementation Process as outlined in [TMEP Portal PFS Section](#).
- The LEA or fiscal agent will develop a PFS Action Plan for serving PFS students. The plan must clearly articulate the criteria for defining student success, including timelines for achieving stated goals and objectives.
 - Conduct a PFS student progress review at least twice a year to determine student needs.
 - The Title I, Part C coordinator or MEP staff will share a copy of the PFS Action Plan activities to be included in the District Improvement Plan..
 - The LEA or fiscal agent is required to run the PFS report on TX-NGS monthly to identify eligible migratory children who require priority services.
16. **Title I, Part C Services Coordination** - 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. To extent possible, LEAs will provide for [Section 1304(c)(7)]:
- Advocacy and outreach activities for eligible migratory children and their families, including coordination to inform such children and their families of other education, health, nutrition, and social services;
 - Professional development programs, including mentoring, for teachers and other program personnel;
 - Family literacy programs;
 - Integration of information technology into educational and related programs; and
 - Programs to facilitate the transition of secondary school students to postsecondary education or employment.

17. **Secondary Credit Accrual and Recovery** - Coordinate with available programs offering options for credit accrual and recovery to ensure that eligible migratory secondary students are accessing opportunities available to earn needed credits and make up courses lacking due to late entry or early withdrawal.
 - Provide opportunities for partial and full credit accrual for eligible migratory students with late entry and early withdrawal. (e.g. iSOSY resources)
18. **Ensuring Continuity of Services** [1304(b)(3)] - Coordinate and collaborate with sending and receiving LEAs or fiscal agents to ensure continuity of services for eligible migratory children as they move from district to district. (Refer to [TMEP Portal](#) to access the AIIMS (Assisting Interstate/Intrastate Mobile Students) Portal for outlined recommended procedures and processes.
19. **Parental Engagement** [Section 1304(c)(3)] - To ensure parental participation and engagement, the Title I, Part C-funded LEA or fiscal agent will establish a local Parent Advisory Council (PAC) where the majority is composed of parents of migratory children. PAC meetings:
 - Must be conducted in a format and language that is understandable to parents of eligible migratory children.
 - Should be held at times convenient for the parents of eligible migratory children, and transportation and childcare should be offered to encourage parent participation.
 - Should include opportunities for meaningful consultation from parents.

Note: In the case of Title I, Part C-funded SSAs, the fiscal agent may establish a region-wide Title I, Part C parent advisory council elected by parents of eligible migratory children from the respective LEA in the SSA.

Unique Educational Needs of Eligible Migratory Children as Outlined in the Texas MEP Service Delivery Plan (SDP)

The Texas MEP has identified the unique educational and educationally-related needs of eligible migratory children through its Statewide Comprehensive Needs Assessment. [Section 1306(a)(1)] The needs assessment is a comprehensive review of the identified needs. As part of the Continuous Improvement Cycle, review the [Texas Service Delivery Plan](#) for 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. Please refer to the [Project Plan and Logic Model within the SDP](#) for ideas on strategy implementation and possible resources. The required strategies specific to eligible migratory children and youth in Texas, as outlined in the Texas Service Delivery Plan, are as follows:

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 (regular school year and summer).

1-2) Coordinate/provide supplemental mathematics instruction to eligible migratory students in grades K-2 during the performance period (regular school year and summer).

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 students.

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.

Program-Specific Assurances

See the [General and Fiscal Guidelines](#), Provisions, Assurances, and Certifications.

The program-specific assurances for this grant program are listed in the SAS. Refer to Schedule CS7000—Provisions, Assurances, and Certifications.

Allowable Activities and Use of Funds

Refer to the [Budgeting Costs Guidance Handbook](#) on the Grants Administration Division's [Grant Resources](#) page for general guidance on allowable activities and use of funds.

Note regarding travel costs, if allowable per guidance below: Any personnel approved in this grant must be reimbursed for travel according to the applicant's written policies and procedures; however, reimbursement may not exceed State of Texas mileage allowance, General Services Administration (GSA) hotel rate, and per diem rate existing in the current Texas State Appropriations Act. The state travel guidelines require only reimbursement of actual costs paid and, therefore, prohibit per diem payments to travelers without reconciliation to actual costs expended. Note: Contractor travel is paid as it is described in the individual contract, not to exceed the State rates, and may or may not be delineated out specifically in the contract.

Allowable activities and use of funds for this grant include only the following:

Recipients of Title I, Part C funds will perform all state-identified program functions, such as identification and recruitment, data collection into the TX-NGS, and establishment of a Title I, Part C PAC.

Title I, Part C statute requires the following:

1. The activities and services your organization funds must align with the results of the statewide comprehensive needs assessment and the requirements of the statewide service delivery plan;
2. You must first use Title I, Part C funds to meet the identified needs of eligible migratory children that result from their migratory lifestyle and to permit these children to participate effectively in school; and
3. You must use Title I, Part C funds to meet the unique needs of eligible migratory children that are not addressed by services available from other federal or nonfederal programs for which these students are eligible.
4. In providing services with Title I, Part C funds, LEAs shall give priority to serving 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 state's academic standards; or (2) have dropped out of school.

You must be able to respond appropriately to and maintain documentation for each of the following questions to determine whether an expenditure would be allowable:

1. How is the expenditure reasonable and necessary to carry out the intent and purpose of the program?
2. What need, as identified in the comprehensive needs assessment, does the capital expenditure address? Explain how the capital expenditure addresses this need.

3. How will the expenditure be evaluated to measure a positive impact on student achievement?
4. How does this expenditure address the needs of migratory children that are not addressed by services from other federal and non-federal programs for which the students are eligible?

Although you may spend Title I, Part C funds on many types of allowable activities, some of these activities do not constitute a service (for example, identification and recruitment or parental involvement activities).

Services are those educational or educationally-related activities that do the following:

- **Directly benefit an eligible migratory child;**
- Address a need of an **eligible** migratory child consistent with the state Title I, Part C comprehensive needs assessment and service delivery plan;
- Are grounded in scientifically based research, or the case of support services, are allowed under the state Title I, Part C service delivery program; and
- Are designed to enable the program to meet its measurable outcomes and contribute to the achievement of the state's performance targets.

Because eligible migratory student success is the overarching goal of the Title I, Part C program, services are a vital aspect of the program. In providing services, priority must be given to eligible migratory children who have made a qualifying move within the previous 1-year period and (1) are failing or are most at risk of failing to meet the state's academic standards, or (2) have dropped out of school.

In general, school systems may use Title I, Part C funds for the following to address the unmet educational needs of eligible migratory children, including migratory preschool and migratory children who have dropped out of school:

- Supplemental
 - Credit accrual such as distance learning coursework;
 - Educational support such as training and support to eligible migratory students on how to effectively use Reading or Mathematic resources and tools;
 - Supplemental instruction such as tutorials (for example, extended-day tutorials, tutoring in core or content areas; extended-day Statewide Assessment tutorials; Reading instruction by a teacher; or Mathematic instruction by a teacher; homebased programs for 3- and 4-year old, or supplemental support by a teacher for migratory pre-kindergarten or Kindergarten students performing below the expected level of development);
 - Summer Programs (Project SMART for grades K-8);
 - School and social engagement for grades 6-12 (e.g. migratory student extracurricular club or leadership organizations specific to eligible migratory secondary students).

- Support services (e.g. providing clothing, providing access to health, nutrition, and social service providers, or providing migratory families with necessary educational supplies).
- Professional development (e.g. professional development for Title I, Part C staff who provide needs-based supplemental reading or mathematics instruction to migratory students; and for Title I, Part C staff on services for eligible migratory students in grades 9-12 and OSY).
- Title I, Part C PAC, and other parental engagement activities for parents of eligible migratory students.
- Identification and Recruitment including providing electronic devices to encode data for utilizing an electronic Certificate of Eligibility (eCOE).
- TX-NGS related activities, including having a TX-NGS specialist.
- Coordination of activities with other agencies, both within the state and with other states nationwide, including the transfer of student records.
- Comprehensive needs assessment (CNA) activities.
- Service Delivery Plan (SDP) required and optional activities.
- Evaluation of the Title I, Part C Program.

Note: All grants in the ESSA Consolidated Federal Grant Application may be consolidated with the exception of Title I, Part C – Education of Migratory Children. Grantees must request special permission from the Texas Education Agency to add Title I, Part C, to the consolidation and must be documented as part of the ESSA Consolidated Federal Grant Application process. Section 1306(b)(4) of the statute and sections 200.29(c)(I) and 200.86 of the regulations require schools to first use the Title I, Part C funds, in consultation with eligible migratory parents, to meet the special educational needs of eligible migratory children before they may combine Title I, Part C funds in a schoolwide program. The State has identified these needs in its comprehensive statewide needs assessment and Service Delivery Plan. An LEA must have evidence of these needs being met before considering consolidation of these funds. **The grantee 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.**

General Allowable Activities and Use of Funds

- Payroll costs
- Professional and contracted services
- Consumable and durable supplies and materials
- Debt services (lease liabilities for terms greater than 12 months) — allowable costs include:
 - Subscription-based Information Technology Arrangement (SBITA) – Principal Costs (6514)
 - Subscription-based Information Technology Arrangement (SBITA) – Interest Costs (6526)

- Capital Lease Liability — Principal Costs (6512)
 - Capital Lease Liability – Interest Costs (6522)
 - Interest on Debt Costs (6523)
- Capital outlay
- Operating transfers out
- In-state travel as necessary to meet the program requirements of this grant. Travel costs must follow the travel guidance provided at the beginning of this Allowable Activities and Use of Funds section.
- Costs for travel for students to conferences may be funded under the grant program (does not include field trips). Travel costs should be minimal and must follow the grantee's written travel policy. Documentation must be maintained locally and made available to TEA upon request. Travel cost reimbursement must follow the travel guidance provided at the beginning of this Allowable Activities and Use of Funds section. Only travel costs for students to the following types of conferences may be allowable:
 - Participation in student youth leadership forums/institutes/programs not funded by other local, state or federal programs
- Non-employee travel may be funded under the grant program. Costs for this travel must be reasonable. Any transportation costs must be reasonable in comparison to the intended objectives of the trip. Only the following is allowable:
 - Travel for parents to conferences related to program objectives
- An advisory council may be funded under the grant program. Only the following types of advisory council costs may be allowable:
 - Establishment of and participation in a district-wide Title I, Part C Parent Advisory Council (PAC); and
 - Establishment of and participation in a region-wide Title I, Part C Parent Advisory Council (PAC).

Other Allowable Operating Costs Requiring Specific Approval in the Grant Application (6400)

Out-of-State Travel

Out-of-state travel costs are allowable. Out-of-state travel costs should be minimal. Travel costs are allowable as long as the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee's regular business operations and written travel policy. Travel cost reimbursement must follow the travel guidance provided at the beginning of this Allowable Activities and Use of Funds section.

Out-of-state travel will require a written justification form to be maintained locally and made available to TEA upon request. To access the Justification for Out-of-State Travel form, refer to the [Forms for Prior Approval, Disclosure, and Justification](#) page.

Educational Field Trips

Educational field trips may be funded under the grant program. Specific field trip costs must have a documented programmatic purpose. Only the following types of field trips may be allowable:

- Educationally related field trips which support the Texas Essential Knowledge and Skills (TEKS); and
- Visits to colleges and universities to encourage interest in the pursuit of higher education

Field trips will require a written justification form to be maintained locally and made available to TEA upon request. To access the Justification for Educational Field Trips form, refer to the [Forms for Prior Approval, Disclosure, and Justification](#) page.

Unallowable Activities and Use of Funds

Refer to the [Budgeting Costs Guidance Handbook](#) on the Grants Administration Division's [Grant Resources](#) page for general guidance on unallowable costs.

In addition, unallowable activities and use of funds for this grant include, but are not limited to, the following:

- Audit services for federally funded grants, unless the subrecipient meets the Uniform Grant Guidance (UGG) threshold and is required to conduct the federal audit.
- Stipends for non-employees
- Travel costs for officials such as executive director, superintendent, or board members
- Cost of membership in any civic or community organization
- Hosting or sponsoring of conferences
- Any activity not specified above in the Allowable Activities and Use of Funds section

Federal Grant Requirements

Equitable Access and Participation

See the [General and Fiscal Guidelines](#), Equitable Access and Participation.

This requirement does apply to this federally funded grant program.

Private Nonprofit School Participation

See the [General and Fiscal Guidelines](#), Private Nonprofit School Participation.

This requirement does apply to this federally funded grant program.

A LEA shall:

After timely and meaningful consultation with appropriate private school officials, 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. [Section 8501(a)(1)]

All educational services or other benefits, including materials and equipment, must be secular, neutral, and nonideological. [Section 8501(a)(2)]

Special Rule

A. In General - Equitable Services

Educational services and other benefits for such 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 shall be provided in a timely manner. Services are not required to be the same as those provided to public school children or even those provided at the same grade level(s). [Section 8501(a)(3)(A)]

B. Ombudsman

To help ensure equitable services are provided to private school children, teachers, and other educational personnel, the TEA shall direct the ombudsman designated by the agency under section 1117 to monitor and enforce the requirements of this section. [Section 8501(a)(3)(B)]

Expenditures

Expenditures for educational services and other benefits provided for eligible private school children, their teachers, and other educational personnel serving those children shall be equal, considering the number and educational needs of the children to be served, to the expenditures for participating public school children. [Section 8501(a)(4)(A)]

Obligation of Funds

Funds allocated to a LEA for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received. [Section 8501(a)(4)(B)]

Provision of Services

The LEA may provide services directly or through contracts with public and private agencies, organizations, and institutions. [Section 8501(a)(5)]

Consultation

To ensure timely and meaningful consultation, a LEA shall consult with appropriate private school officials. [Sections 8501(c)(1)] The LEA and private school officials shall both have the goal of reaching an agreement on how to provide equitable and effective programs for eligible private school children. The process shall include consultation on:

- How the children's needs will be identified;
- What services will be offered;
- How, where, and by whom the services will be provided;
- How the services will be assessed and how the results of that assessment will be used to improve those services;
- What size and scope of the equitable services are to be provided to the eligible private school children, teachers, and other educational personnel, and the amount of funds is determined;
- How and when the LEA will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers; and
- Whether the LEA will provide services directly or through a separate government agency, consortium, entity, or third-party contractor; and
- Whether to provide equitable services to eligible private school children-
 - by creating a pool or pools of funds with all the funds allocated based on all the children from low-income families in a participating school attendance area who attend private schools; or
 - In the LEA's participating school attendance area, students who attend private schools with the proportion of funds allocated based on the number of children from low-income families who attend private schools.

Disagreement

If an LEA disagrees with the views of private school officials, it shall provide in writing to private school officials the reasons why it disagrees. [Section 8501(c)(2)]

Timing

Such consultation shall occur before the school system makes any decisions that affect the opportunities of eligible private school children, teachers, and other educational personnel to participate and shall continue throughout the implementation and assessment of services provided. [Section 8501(c)(3)]

Discussion

Such consultation shall include a discussion of service delivery mechanisms a school system can use to provide equitable services to eligible private school children, teachers, administrators, and staff. [Section 8501(c)(4)]

Documentation

The LEA shall maintain in the district record and provide to the 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 private school officials do not provide a signature on the written Affirmation of Consultation within a reasonable period of time, the LEA shall forward the documentation that such consultation has or attempts at such consultation have taken place to the TEA. [Section 8501(c)(5)]

Compliance

1. **In General.** If the consultation required is with a LEA or educational service agency, a private school official shall have the right to file a complaint with the TEA that the consultation required under this section was not meaningful and timely, did not give due consideration to the views of the private school official, or did not make a decision that treats the private school or its students equitably as required. [Section 8501(c)(6)(A)]
2. **Procedure.** If the private school official wishes to file a complaint, the private school official shall provide the basis of the noncompliance, and all parties shall provide the appropriate documentation to the appropriate officials. [Section 8501(c)(6)(B)]
3. **Services.** TEA shall provide services directly or through contracts with public and private agencies, organizations, and institutions, if the appropriate private school officials have—
 - i. requested that the TEA provide such services directly; and

- ii. demonstrated that the school system involved has not met the requirements in accordance with the procedures for making such a request, as prescribed by the TEA. [Section 8501(c)(6)(C)]

Public Control of Funds

1. **In General.** The control of funds used to provide services and title to materials, equipment, and property purchased with those funds shall be in a public agency for the uses and purposes provided, and a public agency shall administer the funds and property. [Section 8501(d)(1)]

2. **Provision of Services.**

- A. **In General.** The provision of services under this section shall be provided—

- i. by employees of a public agency; or
 - ii. through a contract by the public agency with an individual, association, agency, organization, or other entity.

[Section 8501(d)(2)(A)]

- B. **Independence - Public Agency.** In the provision of those services, the employee, person, association, agency, organization, or other entity shall be independent of the private school and of any religious organization, and the employment or contract shall be under the control and supervision of the public agency. [Section 8501(d)(2)(B)]
 - C. **Commingling of Funds Prohibited.** Funds used to provide services shall not be commingled with non-Federal funds. [Section 8501(d)(2)(c)]

Schedule PS3099: Private School Equitable Services

The PS3099, Private School Equitable Services schedule, is in the eGrants ESSA Consolidated Federal Grant Application. PS3099 incorporates the formula for determining private school equitable services in the ESSA Consolidated Federal Grant Application. For **Title I, Part C - Migrant**, the LEA must use the total student enrollment of children, **ages 3-21**, participating to calculate equitable services on the PS3099 schedule.

If there are grant allocation changes, the PS3099 schedule must be amended to reflect revised equitable services for participating PNP schools. Within a reasonable time, PNP school official(s) must be notified of any revised equitable services amounts. The grantee must keep written documentation of the consultation meeting in which it shared revised equitable services with each participating PNP school.

Maintenance of Effort (MOE)

See the [General and Fiscal Guidelines](#), Maintenance of Effort (MOE).

This requirement does apply to this federally funded grant program.

Section 8521 states that “a local educational agency may receive funds under a covered program for any fiscal year only if the state educational agency finds that either the combined fiscal effort per student or the aggregate expenditures of such agency and the state with respect to the provision of free public education by such agency for the preceding fiscal year was not less than 90% of such combined fiscal effort or aggregate expenditures for the second preceding fiscal year.”

In order for TEA to determine if the grantee is maintaining the appropriate fiscal effort, it requires that LEAs be responsible for maintaining effort and for documenting maintenance of effort (MOE) using the PEIMS database. TEA verifies each LEA’s MOE and notifies the grantee if fiscal effort has not been maintained. The final grant amount will be reduced in exact proportion to that by which the LEA fails to meet 90% of the combined fiscal effort per student and aggregate expenditures (using the measure more favorable to the LEA).