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**TO:** Superintendents/Charter School Administrators

**FROM:** Timothy Carney  
Bureau of Federal Compliance

**DATE:** April 15, 2020

**SUBJECT:** FY21 Program Assurances

Attached are the 2020-21 school year (SY) New Hampshire Department of Education (NHDOE) **Program Assurances** for the following federal formula grants:

- Every Student Succeeds Act
  - Title I, Part A;
  - Title II, Part A;
  - Title III, Part A;
  - Title IV, Part A;
  - Title V, Part B, Subpart 2
- Individuals with Disabilities Education Act, Part B; and
- Carl D. Perkins Strengthening Career and Technical Education for the 21<sup>st</sup> Century Act

As the Superintendent/Charter School Administrator you must carefully review and sign for each funding source that you will be accepting for the 2020-21 SY. The signature blocks are at the end of each assurance section. If the local education agency (LEA) is not eligible for and/or does not intend to apply for a particular grant program, no signature is required and that section can be skipped. Assurances must be signed and uploaded to the *District Page* of the online Grants Management System before an application for funds can be substantially approved.

At the end of this document you will find the General Education Provisions Act (GEPA) Section 427 which requires each LEA applying for federal funds to include in its application a description of the steps the LEA proposes to take to ensure equitable access to and participation in its federally assisted programs for students, teachers, and other program beneficiaries with special needs. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, et al from such access to, or participation in, the federally funded projects or activities.

**All LEAs accepting federal grants must provide a description of how it will ensure equitable access for students and teachers to participate in federally assisted programs.** Please provide a clear and succinct description of how you plan to address those barriers that are applicable to the LEAs circumstances.

Please remember that Program Assurances are reviewed and signed by you, the Superintendent/Charter School Administrator as a way of indicating your agreement with the laws and regulations specific to certain grant types. The assurances below are not all-inclusive as to the entire scope of requirements for the LEA. Superintendents/Charter School Administrators are responsible for understanding all requirements of the grants they receive.

**Due to the ongoing COVID-19 pandemic, the NHDOE recognizes that the Federal government may implement changes to grant requirements (time extensions, waivers to reporting requirements, modifications to regulations, etc.) that may impact these program assurances. As the potential changes are not known at this time, the NHDOE may issue future amendments to these program assurances as deemed necessary to address any changes required by our Federal partners.**

**The Process:**

Please read each step carefully:

1. The Superintendent/Charter School Administrator carefully reviews the assurances for each federal program in which the LEA is participating and consults with the LEA School Board/Board of Trustees about the assurances.
2. The Superintendent/Charter School Administrator signs and dates the bottom of the Program Assurance document(s) for each grant program in which they are participating.
3. **All** Superintendent/Charter School Administrators (or designee) must complete the GEPA section.
4. The assurances must then be scanned and uploaded to the District Page of the online Grants Management System (GMS).
5. If an LEA is not participating in a particular grant program, the LEA does not need to sign for the assurances that program. For example, if an LEA is not the fiscal agent for Perkins V, they do not need to sign the assurances for the Perkins V program.

Please contact your NHDOE program manager as listed on the next page if you have any questions.

## NHDOE PROGRAM CONTACTS

Title I	Title II	Title III
<p>Ashlee Fye 603-271-7382 <a href="mailto:Ashlee.Fye@doe.nh.gov">Ashlee.Fye@doe.nh.gov</a></p> <p>Katherine Adams 603-271-3838 <a href="mailto:Kathering.Adams@doe.nh.gov">Kathering.Adams@doe.nh.gov</a></p> <p>Chrisy Dotson 603-271-3840 <a href="mailto:Christina.Dotson@doe.nh.gov">Christina.Dotson@doe.nh.gov</a></p>	<p>Kathryn "Joey" Nichol 603-271-6087 <a href="mailto:Kathryn.Nichol@doe.nh.gov">Kathryn.Nichol@doe.nh.gov</a></p>	<p>Aaron Hughes 603-271-2034 <a href="mailto:Aaron.Hughes@doe.nh.gov">Aaron.Hughes@doe.nh.gov</a></p>
Title IV, Part A	Perkins V	IDEA
<p>Ashley Frame 603-271-6579 <a href="mailto:Ashley.Frame@doe.nh.gov">Ashley.Frame@doe.nh.gov</a></p> <p>Stan Freeda 603-271-5132 <a href="mailto:Stanley.Freeda@doe.nh.gov">Stanley.Freeda@doe.nh.gov</a></p>	<p>Jeff Beard 603-271-3729 <a href="mailto:Jeffry.Beard@doe.nh.gov">Jeffry.Beard@doe.nh.gov</a></p>	<p>Lisa Moody 603-271-3738 <a href="mailto:Lisa.Moody@doe.nh.gov">Lisa.Moody@doe.nh.gov</a></p>

**New Hampshire Department of Education  
School Year 2020-2021**

**GRANT PROGRAM ASSURANCES DOCUMENT**

Local Education Agencies (LEAs) must submit a signed copy of these Grant Assurances to the New Hampshire Department of Education **prior** to receiving formula funds for grants awarded under the Every Student Succeeds Act (ESSA), Individuals with Disabilities Education Act (IDEA) and Carl D. Perkins Strengthening Career and Technical Education for the 21<sup>st</sup> Century Act. By signing these Grant Assurances the LEA assures that it will accept and administer these formula funds in accordance with all applicable Federal and State statutes and regulations.

- **EVERY STUDENT SUCCEEDS ACT (ESSA)**
  - Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies
  - Title II, Part A: Supporting Effective Instruction
  - Title III, Part A: Language Instruction for English Learners and Immigrant Students
  - Title IV, Part A: Student Support and Academic Enrichment Grants
  - Title V, Part B, Subpart 2: Rural and Low-Income School Program
- **INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)**
  - Part B: Entitlement and Discretionary Preschool and School-Age Program
- **CARL D. PERKINS STRENGTHENING CAREER AND TECHNICAL EDUCATION FOR THE 21<sup>st</sup> CENTURY ACT (PERKINS V)**

**Section A: Assurances for ESSA - Title I, Part A**

*All Sections cited are from the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act through P.L. 114-95, unless otherwise noted.*

**The local education agency (LEA) hereby assures the New Hampshire Department of Education that pursuant to the requirements in ESSA, Title I, Part A the LEA will:**

**A-1 USE FEDERAL FUNDS ONLY TO SUPPLEMENT, NOT SUPPLANT, OTHER RESOURCES**

Use federal funds received under this part only to supplement the funds that would, in the absence of such federal funds, be made available from non-federal sources for the education of students participating in programs assisted under Title I, and not to supplant such funds. *Section 1118(b).*

Under ESSA, LEAs must demonstrate that the methodology they use to allocate state and local funds to schools provides each Title I school with all of the state and local money it would receive if it did not participate in the Title I program. This should expand Title I's spending options. Title I costs must still be allowable and must still support eligible students among other requirements.

**A-2 MEET COMPARABILITY OF SERVICES REQUIREMENTS**

Ensure compliance with all comparability requirements, including establishing and implementing on a grade-span by grade-span basis or a school-by-school basis: (a) a local educational agency-

wide salary schedule; (b) a policy to ensure equivalence among schools in teachers, administrators, and other staff; and (c) a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies. *Section 1118(c)*.

**A-3 INFORM SCHOOLS ABOUT SCHOOLWIDE PROGRAM OPTIONS AND PROVIDE TECHNICAL ASSISTANCE TO SCHOOLWIDE PROGRAMS**

Inform eligible schools (40% poverty and above) and parents of schoolwide program authority and the ability of such schools to consolidate funds from federal, state, and local sources under *Section 1114*.

Provide technical assistance and support to schoolwide programs, including a one-year planning period (exceptions provided in *Section 1114 (b)(1)*), in consultation with stakeholders described in *Section 1114(b)(2)* resulting in a written plan that addresses the required components pursuant to *Section 1114*.

**A-4 PROVIDE SERVICES TO ELIGIBLE STUDENTS IN TARGETED ASSISTANCE SCHOOLS**

Provide supplementary services to educationally disadvantaged students in Title I schools. Eligible students are children identified by the school as failing, or most at risk of failing, to meet the state's challenging student academic achievement standards on the basis of multiple, educationally related, objective criteria, pursuant to *Section 1115*.

**A-5 PROVIDE ASSISTANCE TO SCHOOLS TO CLOSE THE ACIEVIEMENT GAP**

Ensure that all children receive a high-quality education and close the achievement gap between children meeting the challenging State academic standards and those children who are not meeting such standards. *Section 1112(b)*.

**A-6 ENSURE QUALIFIED AND EFFECTIVE EDUCATORS IN ALL LEA SCHOOLS**

Ensure, through incentives for voluntary transfers, the provision of professional development, recruitment programs, or other effective strategies, that students from low-income families and minority students are not taught at higher rates than other students by unqualified, out-of-field, or beginning educators. *Section 1111(g)(1)(B)*.

Ensure that all teachers and paraprofessionals working in a program supported with Title I funds meet applicable state certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification. *Section 1111(g)(2)(J)*.

At the beginning of each school year, the LEA receiving funds under this Part shall notify the parent(s) of each student attending any school receiving funds under this Part that the parents may request, and the LEA will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following: (i) Whether the students' teacher (I) has met State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; (II) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and, (III) is teaching in the field of discipline of the certification of the teacher. *Section 1112(e)(1)*.

**A-7 USE INTERVENTIONS THAT IMPROVE OUTCOMES FOR STUDENTS**

Take into account the strength of the evidence when selecting curricula and relevant interventions, identifying supports, services, and interventions that are likely to be effective for improving student outcomes. Title I, Section 1003 requires the use of evidence-based

interventions that meet higher levels of evidence for schools identified for Comprehensive or Targeted Support and Improvement. *Section 1003 (b)(1)(B)* and *Section 8101(21)(A)*.

**A-8 ASSIST SCHOOLS TO INCREASE PARENT AND FAMILY ENGAGEMENT**

Develop and maintain a written policy on parent and family engagement and work in consultation with schools as they develop and implement their plans for activities under *Section 1116*. Parents shall be notified of this policy in an understandable and uniform format and to the extent practicable, provided in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school. *Section 1116(b)(1)*.

Conduct outreach to all parents and family members and implement programs, activities, and procedures for the involvement of parents and family members in programs assisted under this Part consistent with this Section. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents of participating children. Each LEA shall develop jointly with, agree on with, and distribute to, parents and family members of participating children a written parent and family engagement policy. The policy shall establish the LEA's expectations and objectives for meaningful parent and family involvement. *Section 1116(a)(1-2)*.

**A-9 ALIGN EARLY CHILDHOOD SERVICES WITH HEAD START STANDARDS**

In the case of an LEA that chooses to use funds under this Part to provide early childhood education services to low-income children below the age of compulsory school attendance, ensure that such services comply with the performance standards established under *Section 641A(a)* of the Head Start Act (*42 USC §9836a(a)*). *Section 1112(c)(7)*.

**A-10 PROVIDE EQUITABLE SERVICES FOR ELIGIBLE STUDENTS IN PRIVATE SCHOOLS:**

Provide, after timely and meaningful consultation with private school officials, equitable services to eligible students attending private elementary and secondary schools in accordance with *Section 1117*.

The LEA must consult with each non-public school about the Title I, Part A grant. The LEA must maintain a written record of the consultation in its records and provide a copy to the SEA by posting the signed document on the online Grants Management System.

**A-11 IMPLEMENT THE STATEWIDE ASSESSMENT PROGRAM AND USE ASSESSMENT RESULTS TO REVIEW AND ASSESS PROGRESS:**

Comply with the statewide assessment program requirements under *Section 1111 (b)(2)* or Innovative Assessment and Accountability Demonstration Authority under *Section 1204(b)(1)*, (i.e. Performance Assessment for Competency Education). Use the results of the statewide assessment and other measures or indicators available to the LEA, to review annually the progress of each school served by the LEA and receiving funds under this Part. In addition, make widely available through public means (includes posting in a clear and easily accessible manner on the LEA's website and, where practicable, on the website of each school served by the LEA for each grade level served, information on each assessment required by the State to comply with *Section 1111*, other assessments required by the State, and where such information is available and feasible to report, assessments required by the LEA, including: (i) subject matter assessed; (ii) the purpose for which the assessment is designed and used; (iii) the source of the requirement for the assessment; and (iv) where such information is available: (l) the amount of

time students will spend taking the assessment and the schedule for the assessment; and (II) the time and format for disseminating results.

**A-12 PARTICIPATE IN THE NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS (NAEP), GRADES 4 and 8, READING AND MATHEMATICS:**

Participate, if selected, in NAEP for reading and mathematics in grades 4 and 8 carried out under *Section 303(b)(3)* of the NAEP Authorization Act (*20 USC SEC 9622(b)(3)*).

**A-13 PROVIDE TIMELY STUDENT REPORTS TO PARENTS AND TEACHERS**

Ensure that the results from the statewide academic assessments required under *Section 1111(b)(2)* and *Section 1204(b)(1)* will be provided to parents and teachers as soon as practicable after the assessment is taken, in an understandable and uniform format and, to the extent feasible, in a language that the parents can understand.

**A-14 PUBLICLY DISSEMINATE ANNUAL LEA AND SCHOOL REPORT CARDS**

Disseminate LEA and school report cards containing, at a minimum, information on teacher quality, assessment, and school and LEA accountability to all schools in the LEA and to all parents of students attending those schools in an understandable and uniform format and, to the extent practicable, in a language that the parents can understand, and make the information available through public means. *Section 1111(h)(2)*.

**A-15 COORDINATE WITH OTHER EDUCATIONAL SERVICES**

Coordinate and integrate services provided under this Part with other educational services at the LEA or individual school level, such as services for English Learners, children with disabilities, migratory children, American Indian, Alaska Native, and the Native Hawaiian children, and homeless children and youths, in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program.

In compliance with *Section 1112*, coordinate and integrate services with other programs under this Act (including Title I, Part C, Title II, Title III, etc.), the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Carl D. Perkins Career and Technical Education Act of 2006, the Workforce Innovation and Opportunity Act, the McKinney-Vento Homeless Assistance Act, the Head Start Act, the Adult Education and Family Literacy Act, and other Acts, as appropriate. Equity of services will be met for disadvantaged students, to include:

- Selecting migratory children who are eligible to receive services on the same basis as other children who are selected to receive services;
- Conducting outreach to identify homeless children and youth and working in consultation with shelters and other community agencies to identify and remove barriers to enrollment;
- Assuring space is available in Title I programs for students in foster care, homeless children and youth, and that homeless students are eligible for Title I services by virtue of their homelessness;
- Complying with the requirements of Immigrant Data Collection Survey located in the NH DOE Education Statistics System on an annual basis to ensure appropriate services are provided to English language learners; and
- If the LEA uses Title I or Title III funds to provide a language instruction educational program as determined under Title III, the LEA must comply and coordinate parent services for English learners as outlined in *Section 1112(3)(A-D)*.

**A-16 ENSURE THE EDUCATIONAL STABILTY OF STUDENTS IN FOSTER CARE**

Enroll foster youth or allow the foster youth to remain in their school of origin, unless a determination is made that it is not in the child's best interest to attend that school. Best interest factors include, but are not limited to, appropriateness of the current educational setting and proximity to the school in which the child is enrolled at the time of placement. *Section 1111(g)(1)(E)(i).*

Ensure that if a determination is made that it is not in the child's best interest to remain in the school of origin, the child will be immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment. *Section 1111(g)(1)(E)(ii).* LEAs will immediately contact the school of origin to obtain relevant academic and other records. *Section 1111(g)(1)(E)(iii).*

Develop and implement clear written procedures governing transportation for students in foster care in their school of origin when in their best interest. The procedure will be provided, arranged, and funded for the duration of their time in foster care, and ensure that students promptly receive that transportation. The transportation procedure must describe how this requirement will be met in the event of a dispute regarding which agency or agencies (LEA, multiple LEAs or child welfare agency) will pay any additional costs incurred in providing transportation, and must describe which agency or agencies will initially pay the additional costs so that transportation is provided promptly during the pendency of the dispute. *Section 1112(c)(5); 34 Code of Federal Regulations §299.13(c)(1)(ii).*

Designate a point of contact (POC) if the corresponding child welfare agency notifies the LEA in writing that it has designated an employee to serve as a POC for the LEA. *Section 1111(g)(1)(E)(iv).*

**A-17 COORDINATION REQUIREMENTS:**

Coordinate activities described under Section 1119 (b) with Head Start agencies and, if feasible, other entities carrying out early childhood development programs. Each LEA shall develop agreements with such Head Start agencies and other entities to carry out such activities, i.e., systematic procedures for receiving records of preschool children, communication, parent and family engagement, teachers and Head Start to discuss needs of children, joint transition-related training and linking LEA educational services with Head Start agencies. *Section 1119.*

**A-18 EDUCATION FOR HOMELESS CHILDREN AND YOUTHS**

Reserve Title I, Part A funds as necessary to provide comparable services to homeless children and youth that assist them to effectively take advantage of educational opportunities as provided to children in schools funded under Title I, Part A. These comparable services shall be provided to homeless children and youth in public schools, shelters and other locations where children may live (institutions for neglected children and, where appropriate, local institutions such as local community day school programs). This reservation requirement is not formula driven. The method of determination of such funds shall be determined as follows:

- Based on the total allocation received by the LEA; and,
- Prior to any allowable expenditure or transfers by the LEA. *Section 1113(c)(3)(A).*

**By signing this document, I attest I have read and understand the obligations of all the assurance statements above (A-1 through A-18) for Title I, Part A and will ensure that the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances for these programs the LEA will participate in to the LEA School Board/Board of Trustees and have consulted with them, including explaining the obligations of the LEA under these assurances. I will ensure that the LEA electronically attach this signed document in the online Grants Management System – District page and that a copy will be kept on file at the LEA.**

**Additionally, I agree that the LEA has engaged in the Equitable Services Consultation process to provide services to eligible students in private schools (if applicable).**

**LEA Name:** \_\_\_\_\_

**Signature of Superintendent/Charter School Administrator:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## **Section B: Assurances for ESSA - Title II, Part A**

*All Sections cited are from the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act through P.L. 114-95, unless otherwise noted.*

**The local education agency (LEA) hereby assures the New Hampshire Department of Education that pursuant to the requirements in ESSA, Title II, Part A the LEA will:**

### **B-1 ENGAGE IN CONSULTATION AND USE DATA**

Use data (*Section 2102(b)(2)(D)*) and ongoing consultation described in *Section 2102(b)(3)* to continually update and improve activities supported under this Part.

### **B-2 TARGET FUNDS TO NEEDIEST SCHOOLS**

Target funds to schools within the jurisdiction of the LEA that are implementing comprehensive support and improvement activities under *Section 1111(d)* and have the highest percentage of low income children counted under *Section 1124(c)*. *Section 2102(c)*

### **B-3 ENSURE PRIVATE SCHOOL PARTICIPATION**

Comply with *Section 8501* regarding equitable participation by private school teachers in professional development activities. Provide for the equitable participation of private school teachers, and other educational personnel in private schools, and engage in meaningful consultation, in a timely manner, with private school officials during the design and development of their Title II, Part A program. *Section 2102(b)(2)(E)*.

The LEA must consult with each non-public school about the Title II, Part A grant. The LEA must maintain a written record of this consultation in its records and provide a copy to the SEA by posting the signed document on the online Grants Management System.

### **B-4 PROVIDE PROFESSIONAL DEVELOPMENT ACTIVITIES**

Ensure that all professional development activities provided are evidenced-based and intended to improve the subject matter knowledge and the teaching and leadership skills of teachers, principals, and administrators and, in appropriate cases, paraprofessionals, and coordinated with professional development activities authorized under this Part with professional development activities provided through other Federal, State, and local programs. *Section 2102(b)(2)(F)*.

### **B-5 SUPPLEMENT, NOT SUPPLANT**

Ensure that Title II, Part A funds shall only be used to supplement, and not supplant, non-federal State and local funds that would otherwise be used for activities authorized under Title II, Part A. *Section 2301*.

**By signing this document, I attest I have read and understand the obligations of all the assurance statements above (B-1 through B-5) for Title II, Part A and will ensure that the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances for these programs the LEA will participate in to the LEA School Board/Board of Trustees and have consulted with them, including explaining the obligations of the LEA under these assurances. I will ensure that the LEA electronically attach this signed document in the online Grants Management System – District page and that a copy will be kept on file at the LEA.**

**Additionally, I agree that the LEA has engaged in the Equitable Services Consultation process to provide services to eligible students in private schools (if applicable).**

**LEA Name:** \_\_\_\_\_

**Signature of Superintendent/Charter School Administrator:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## **Section C: Assurances for ESSA - Title III, Part A**

*All Sections cited are from the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act through P.L. 114-95, unless otherwise noted.*

**The local education agency (LEA) hereby assures the New Hampshire Department of Education that pursuant to the requirements in ESSA, Title III, Part A the LEA will:**

### **C-1 CONSULT WITH OTHERS ON PLAN DEVELOPMENT**

Assure consultation has occurred with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing the Title III plan. *Section 3116(b)(4)(C).*

### **C-2 ASSESS ENGLISH PROFICIENCY ANNUALLY**

Assess annually the English proficiency of all English learners participating in a program funded under Title III, consistent with *Section 1111(b)(2)(B) and (G). Section 3113(b)(3)(A) and (B).*

### **C-3 USE EFFECTIVE APPROACHES AND METHODOLOGIES**

Use effective approaches and methodologies for teaching English learners and immigrant children and youth to: 1) develop and implement new language instruction educational programs and academic content instructional programs for English learners and immigrant children and youth, including early childhood education programs, elementary school programs, and secondary school programs, 2) carry out highly focused, innovative, locally designed activities to expand or enhance existing language instruction educational programs and academic content instructional programs for English learners and immigrant children and youth, 3) implement, within an individual school, school-wide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learner and immigrant children and youth, 4) implement, within the entire jurisdiction of a local educational agency, agency-wide programs for restructuring, reforming, and upgrading all relevant program, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth. *Section 3115(a)(1-4).*

### **C-4 COMPLY WITH PRIVATE SCHOOL PARTICIPATION REQUIREMENTS**

After timely and meaningful consultation with appropriate private school officials, provide to children who are enrolled in private elementary and secondary schools in areas served by such agency, consortium, or entity and to their teachers or other educational personnel, on an equitable basis, educational services or other benefits that address their needs under Title III the program. *Section 8501.*

The LEA must consult with each non-public school about the Title III, Part A grant. The LEA must maintain a written record of the consultation in its records and provide a copy to the SEA by posting the signed document on the Online Grants Management System.

### **C-5 ASSESS ENGLISH LEARNERS IN ENGLISH**

Comply with the requirement in *Section 1111(b)(2)(B)(ix)* regarding assessment of English learners in English. *Section 3113(b)(3)(A).*

**C-6 BE IN COMPLIANCE WITH STATE LAWS**

Assure, by signing in this section, that the LEA is not in violation of any State law, including State constitutional law, regarding the education of English learners (EL), consistent with Sections 3125 and 3126. *Section 3116(b)(4)(B).*

**C-7 USE TITLE III FUNDS TO ONLY SUPPLEMENT, NOT SUPPLANT, OTHER RESOURCES**

Use Title III funds in order to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for English learner and Immigrant children and youth, and in no way supplant such Federal, State, and local public funds. *Section 3115(g).*

**C-8 USE OF FUNDS**

Use Title III funds to increase the English language proficiency of English learners, provide effective professional development, and implement effective parent, family, and community engagement activities and strategies that enhance or supplement language instruction educational programs for ELs. *Section 3115(c).*

**C-9 SELECT METHODS OF EFFECTIVE INSTRUCTION**

Select one or more methods or forms of effective instruction to be used in the programs and activities undertaken by the entity to assist English learners to attain English language proficiency and meet challenging State academic standards. *Section 3115(f)(1)*

**C-10 COMPLY WITH PARENT REQUESTS FOR INFORMATION ABOUT STAFF EDUCATING THEIR CHILDREN**

Ensure that each LEA that is included in the eligible entity is complying with Section 1112(e) prior to, and throughout, each school year. *Section 3116(b)(4)(A).*

**C-11 COORDINATE WITH HEAD START AND EARLY HEAD START**

Coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers. *Section 3116(b)(4)(D).*

**C-12 USE OF IMMIGRANT SET-ASIDE FUNDS**

Understand that by accepting Title III Immigrant Set-Aside funds, if applicable, to use these funds to support activities that provide enhanced instructional opportunities for immigrant children and youth and agree to comply with all associated program requirements. *Section 3115(e).*

<b>Title III</b>	
<b>LEA CERTIFICATION ON TEACHERS' FLUENCY IN ENGLISH</b>	
I certify that all teachers in any language instruction educational program for English learners that is, or will be, funded under Title III are fluent in English and any other language used for instruction, including having written and oral communication skills. <i>Section 3116(c).</i>	
<b>Signature of the Superintendent / Charter School Administrator</b>	<b>Date</b>

**By signing this document, I attest I have read and understand the obligations of all the assurance statements above (C-1 through C-12) for Title III, Part A and will ensure that the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances for these programs the LEA will participate in to the LEA School Board/Board of Trustees and have consulted with them, including explaining the obligations of the LEA under these assurances. I will ensure that the LEA electronically attach this signed document in the online Grants Management System – District page and that a copy will be kept on file at the LEA.**

**Additionally, I agree that the LEA has engaged in the Equitable Services Consultation process to provide services to eligible students in private schools (if applicable).**

**LEA Name:** \_\_\_\_\_

**Signature of Superintendent/Charter School Administrator:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## **Section D: Assurances for ESSA - Title IV, Part A**

*All Sections cited are from the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act through P.L. 114-95, unless otherwise noted.*

**The local education agency (LEA) hereby assures the New Hampshire Department of Education that pursuant to the requirements in ESSA, Title IV, Part A the LEA will:**

### **D-1 USE FEDERAL FUNDS ONLY TO SUPPLEMENT, NOT SUPPLANT, OTHER RESOURCES**

Use Title IV, Part A funds only to supplement, not supplant, non-Federal funds that would otherwise be used for Title IV, Part A activities. *Section 4110.*

### **D-2 PRIORITIZE THE DISTRIBUTION OF FUNDS TO SCHOOLS**

Prioritize the distribution of Title IV, Part A funds to schools that:

- (a) are among the schools with the greatest need (as determined by the LEA);
- (b) have the highest percentages of low-income students;
- (c) are identified for comprehensive support and improvement;
- (d) have consistently underperforming subgroups;
- (e) are identified as a persistently dangerous public elementary school or secondary school under *Section 8532.*

*Section 4106(e)(2).*

### **D-3 PROVIDE EQUITABLE SERVICES FOR ELIGIBLE STUDENTS IN PRIVATE SCHOOLS:**

The LEA will provide, after timely and meaningful consultation with private, nonprofit (*ESSA Section 8101*) school officials, equitable services to eligible students attending private, non-profit elementary and secondary schools in accordance with *Section 8501.*

The LEA must consult with each non-public school about the Title IV, Part A grant. The LEA must maintain a written record of this consultation in its records and provide a copy to the SEA by posting the signed document on the Online Grants Management System.

### **D-4 CONDUCT A NEEDS ASSESSMENT**

LEAs that receive an allocation of at least \$30,000 must conduct a comprehensive needs assessment that includes, at minimum, a focus on the three priority areas (*See Use of Funds below*) of Title IV, Part A, at least once every three years.

### **D-5 USE TITLE IV, PART A FUNDS FOR STUDENT SUPPORT AND ACADEMIC ENRICHMENT:**

The LEA will assure that the conditions under *Section 4106(e)(2)* or the conditions under *Section 4106(f)* shall apply:

- If the LEA receives a Title IV-A allocation in an amount less than \$30,000, shall be required to meet only one of the assurances below. If the LEA receives a Title IV-A allocation greater than \$30,000, the LEA shall be required to meet all three of the assurances below:
  - use **not less than 20 percent** of funds received under Title IV-A to support one or more of the activities authorized under section 4107; activities to support well-rounded educational opportunities.
  - use **not less than 20 percent** of funds received under Title IV-A to support one or more of the activities authorized under section 4108; activities to support safe and healthy students.
  - use a portion of funds received under Title IV-A to support one or more activities authorized under section 4109(a), including an assurance that the local

educational agency, or consortium of local educational agencies, will comply with section 4109(b); activities that support the effective use of technology.

**D-6 ANNUAL REPORTING TO THE STATE:**

Annually report to the State for inclusion in the report described in *Section 4104(a)(2)* how funds are being used under Title IV-A to meet the State's Title IV-A Program requirements.

**By signing this document, I attest I have read and understand the obligations of all the assurance statements above (D-1 through D-6) for Title IV, Part A and will ensure that the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances for these programs the LEA will participate in to the LEA School Board/Board of Trustees and have consulted with them, including explaining the obligations of the LEA under these assurances. I will ensure that the LEA electronically attach this signed document in the online Grants Management System – District page and that a copy will be kept on file at the LEA.**

**Additionally, I agree that the LEA has engaged in the Equitable Services Consultation process to provide services to eligible students in private schools (if applicable).**

LEA Name: \_\_\_\_\_

Signature of Superintendent/Charter School Administrator: \_\_\_\_\_

Date: \_\_\_\_\_

## **Section E: Assurances for ESSA - Title V, Part B, Subpart 2**

*All Sections cited are from the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act through P.L. 114-95, unless otherwise noted.*

The local education agency (LEA) hereby assures the New Hampshire Department of Education that pursuant to the requirements in ESSA, Title V, Part A, Subpart 2 the LEA will:

**E-1 USE FEDERAL FUNDS ONLY TO SUPPLEMENT, NOT SUPPLANT, OTHER RESOURCES**

Use Title V, Part A, Subpart 2 funds only to supplement, not supplant, non-Federal funds that would otherwise be used for Title V, Part A, Subpart 2 activities. *Section 5232.*

By signing this document, I attest I have read and understand the obligations of all the assurance statements above (E-1) for Title V, Part A, Subpart 2 and will ensure that the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances for these programs the LEA will participate in to the LEA School Board/Board of Trustees and have consulted with them, including explaining the obligations of the LEA under these assurances. I will ensure that the LEA electronically attach this signed document in the online Grants Management System – District page and that a copy will be kept on file at the LEA.

Additionally, I agree that the LEA has engaged in the Equitable Services Consultation process to provide services to eligible students in private schools (if applicable).

LEA Name: \_\_\_\_\_

Signature of Superintendent/Charter School Administrator: \_\_\_\_\_

Date: \_\_\_\_\_

## **Section F: Assurances for IDEA, Part B**

*All Sections cited are from the Individuals with Disabilities Education Act as amended by P.L. 108-446, and the IDEA Regulations (34 CFR §300.201 through §300.213) unless otherwise noted.*

**The LEA hereby assures the New Hampshire Department of Education that for purposes of implementing the Individuals with Disabilities Education Act (IDEA), the LEA requesting special education funds will make the following assurances as required by IDEA Part B, 20 U.S.C. §§ 1411 et seq., and 34 C.F.R. Part 300:**

### **F-1 COMPILE AND MAINTAIN FINANCIAL REPORTING REQUIREMENTS**

Comply with federal requirements under the IDEA. Prescribed formulas and financial records specified in statute or regulations must be compiled and maintained by the submitting agency, be submitted with applications when required, and be available for audit review annually.

The LEA must document its adherence to Maintenance of Effort requirements (34 CFR § 300.203-205), which provide that the LEA must budget for and spend at least the same total or per capita amount from the combination of state and local funds, for the education of students with IEPs as it spent for that purpose in the most recent fiscal year in which it met maintenance of effort from that same source of combined state and local funds. Such planning budgets shall be made available to the New Hampshire Department of Education upon request.

### **F-2 POLICY AND PROCEDURES**

In providing for the education of children with disabilities within its jurisdiction, the LEA must have in effect policies, procedures, and programs that are consistent with the State policies and procedures established under 34 CFR §§ 300.101-300.163, and 34 CFR §§ 300.165-300.174.

### **F-3 PRIVATE SCHOOL STUDENT PARTICIPATION**

Provide for equitable services to students with disabilities ages 3-21 enrolled by their parents in private schools located within the LEA's boundaries, regardless of where the students reside, and home schooled students, consistent with the requirements of federal law. This includes child find, child count, timely and meaningful consultation, and expenditure of a proportionate share of federal IDEA funds. 34 C.F.R. §§ 300.130-300.144.

### **F-4 FREE AND APPROPRIATE PUBLIC EDUCATION IN THE LEAST RESTRICTIVE ENVIRONMENT**

Provide that each eligible child with a disability receives a free appropriate public education in the least restrictive environment according to the description in the child's accepted Individualized Education Program (IEP) consistent with 20 U.S.C. § 1412(a)(5) and 34 C.F.R. §§ 300.114-300.119, and applicable state special education laws, regardless of funding for such services.

### **F-5 PROVISION OF ACCESSIBLE INSTRUCTIONAL MATERIALS**

**Timely delivery of accessible materials** - The LEA hereby assures that it will take all reasonable steps to provide print instructional materials in accessible formats to students with disabilities (who need those materials) at the same time as other students receive print instructional materials in accordance with 34 CFR § 300.172. Not later than December 3, 2006, an LEA that chooses to coordinate with the National Instructional Materials Access Center (NIMAC), when purchasing print instructional materials, must acquire those instructional materials in the same manner, and subject to the same conditions as an SEA under Sec. 300.172.

**F-6 MONITORING: PRIOR MONITORING AND AUDIT FINDINGS MUST BE CORRECTED**

In accordance with requirements from the federal Office of Special Education Programs, special education monitoring and/or audit findings must be corrected as soon as possible but no later than one year after the finding is made. See OSEP Memorandum 09-02 (October 17, 2008).

**F-7 PROVISION**

In providing for the education of children with disabilities within its jurisdiction, the LEA assures that it will meet each of the conditions in 34 CFR §300.201 through §300.213.

**By signing this document, I attest I have read and understand the obligations of all the assurance statements (F-1 through F-7) above for the Individuals with Disabilities Education Act, and will ensure the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances for these programs the LEA will participate in to the LEA School Board/Board of Trustees and have consulted with them, including explaining the obligations of the LEA under these assurances. I will ensure that the LEA electronically attaches this signed document in the online Grants Management System – District page and that a copy will be kept on file at the LEA.**

**Additionally, I agree that the LEA has engaged in the Equitable Services Consultation process to provide services to eligible students in private schools (if applicable).**

LEA Name: \_\_\_\_\_

Signature of Superintendent/Charter School Administrator: \_\_\_\_\_

Date: \_\_\_\_\_

## **Section G: Assurances for the Strengthening Career and Technical Education for 21<sup>st</sup> Century Act (Perkins V).**

*All Sections cited are from the Carl D. Perkins Career and Technical Education Act of 2006, as amended by the Strengthening Career and Technical Education for the 21<sup>st</sup> Century Act P.L. 115-224, unless otherwise noted.*

**The local education agency (LEA) hereby assures the New Hampshire Department of Education that pursuant to the requirements in the Strengthening Career and Technical Education for 21st Century Act, the LEA will:**

**G-1 ADMINISTRATION**

Administer each program, service or activity covered by the LEA local application in accordance with all applicable statutes and regulations governing the Strengthening Career and Technical Education for 21<sup>st</sup> Century Act and in accordance with *Section 135 Local Uses of Funds*.

**G-2 CIVIL RIGHTS ACT**

Be in compliance with *Executive Order 12246; Title VI of the Civil rights Act of 1964, as amended; Title IX Regulations; Section 504 of the Rehabilitation Act of 1973, as amended; Individuals with Disabilities Education Act* and any other federal or state laws, regulations and policies which apply to the operation of the programs.

**G-3 FINANCIAL AUDIT**

Comply with the requirement of the Act and the provisions of the State plan, including the provision of a financial audit of funds received under the Act which may be included as part of an audit of other Federal or State programs. (*Section 122(d)(13)(A)*).

**G-4 CONFLICT OF INTEREST**

Not to expend funds under the Act to acquire equipment (including computer software) in any instance in which such acquisition results in a direct financial benefit to any employee of the acquiring entity, or any organization affiliated with such an employee. (*Section 122 (d)(13)(B)*).

**G-5 REPORTING**

Comply with all reporting requirements in a timely manner and ensure that the information reported is valid, reliable, and accurate.

**G-6 DISCRIMINATION**

Comply with the guidelines for eliminating discrimination and denial of services on the basis of race, color, national origin, sex, and handicap on vocational education programs (*34 CFR Part 100, Appendix B*).

**By signing this document, I attest I have read and understand the obligations of all the assurance statements above (G-1 through G-6) for the Strengthening Career and Technical Education for the 21st Century Act, and will ensure that the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances for the program the LEA will participate in to the LEA School Board and have consulted with them, including explaining the obligations of the LEA under these assurances. I will ensure that the LEA will electronically attach this signed document in the online Grants Management System District page and a copy will be kept on file at the LEA.**

LEA Name: \_\_\_\_\_

Signature of Superintendent: \_\_\_\_\_

Date: \_\_\_\_\_

## General Education Provisions Act (GEPA) – Section 427

SAU Number:

LEA Name:

### Name, Telephone and Email Address of person completing the GEPA:

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Superintendent/Charter School Administrator Signature: \_\_\_\_\_

### GEPA 427 General Educational Provisions Act

<http://www2.ed.gov/fund/grant/apply/appforms/gepa427.doc>

Section 427 requires each LEA applying for funds to include in its application a description of the steps the LEA proposes to take to ensure equitable access to and participation in its federally assisted programs for students, teachers, and other program beneficiaries with special needs. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, et al from such access to, or participation in, the federally funded project or activities.

1. How does the LEA ensure equitable access for students and teachers to participate in federally assisted programs?