



Frank Edelblut
Commissioner

Christine M. Brennan
Deputy Commissioner

STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
101 Pleasant Street
Concord, N.H. 03301
TEL. (603) 271-3495
FAX (603) 271-1953

TO: Superintendents/Charter School Administrators

CC: Federal Program Managers
ESOL Directors
Special Education Directors
Career Technical Education Directors

FROM: Heather Gage, Director
Division of Learner Support

DATE: April 29, 2019

SUBJECT: Program Assurances

Attached are the 2019-20 (SY) **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;
- Individuals with Disabilities Education Act, Part B; and
- Carl D. Perkins Strengthening Career and Technical Education for the 21st Century Act

As the Superintendents/Charter School Administrator you must carefully review and sign each funding source that you will be accepting for the 2019-20 school year. The signature blocks are at the bottom of each program 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 attached to the ***District Page*** in the online Grants Management System before an application for funds can be substantially approved. **This feature will be available by May 15, 2019.**

At the end of this document you will find **Section 427** which requires each LEA applying for any 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 any 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 an agreement about 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 you receive.

The Process:

Please read each step carefully:

1. The Superintendent/Charter School Administrator carefully reviews the Federal program(s) in which the LEA is participating and consults with the LEA school board/board of trustees about the content and responsibilities of the LEA.
2. The Superintendent/Charter School Administrator signs and dates the bottom of the Program Assurance document(s) for each of the grants to which they are participating.
3. **All** Superintendent/Charter School Administrators (or designee) must complete the GEPA section at the end of this document.
4. **The assurances must then be scanned and attached on the District Page of the online Grants Management System (GMS). Please scan this entire document and post as one document.**
5. If an LEA is not participating in a particular grant, the LEA does not need to sign for that grant and can leave that page blank.

Please contact your federal program manager on the next page if you have any questions.

Thank you!

Title I	Title II	Title III
<p>Deborah Fleurant 603-271-3838 Deborah.Fleurant@doe.nh.gov</p> <p>Ashlee Fye 603-271-7382 Ashlee.fye@doe.nh.gov</p> <p>Ashley Greene 603-271-3840 Ashley.Greene@doe.nh.gov</p>	<p>Dr. Nate Greene 603-271-5252 Nathanial.Greene@doe.nh.gov</p> <p>Kathryn "Joey" Nichol 603-271-6087 Kathryn.Nichol@doe.nh.gov</p>	<p>Aaron Hughes 603-271-2034 Aaron.Hughes@doe.nh.gov</p>
Title IV, Part A	IDEA	Perkins
<p>Dr. Nate Greene 603-271-5252 Nathanial.Greene@doe.nh.gov</p> <p>Marcia McCaffrey 603-271-3193 Marcia.McCaffrey@doe.nh.gov</p> <p>Ashley Frame 603-271-6579 Ashley.Frame@doe.nh.gov</p> <p>Stan Freeda 603-271-5132 Stanley.Freeda@doe.nh.gov</p>	<p>Lisa Moody 603-271-3738 Lisa.Moody@doe.nh.gov</p>	<p>Jeff Beard 603-271-3729 Jeffry.Beard@doe.nh.gov</p>

New Hampshire Department of Education
School Year 2019-2020

GRANT PROGRAM ASSURANCES DOCUMENT

Local Education Agencies (LEAs) must submit a signed copy of these Grant Assurances to the Department of Elementary and Secondary Education **prior** to receiving formula funds for grants under the Every Student Succeeds Act (ESSA), Individuals with Disabilities Education Act (IDEA) and Carl D. Perkins Strengthening Career and Technical Education for the 21st 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
- **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 21st 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 (NH DOE) that pursuant to requires 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, when requested by the NH DOE, 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. Title I costs must be allowable and must 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 School 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 Targeted Assistance 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 agency 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 agency'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 copy of this form 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: (I) 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 STABILITY 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 a 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. These transportation procedures 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 for Title I, Part A and will ensure the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances 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 the LEA electronically attaches this signed document in the online Grants Management System and 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 requires 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 copy of this form 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 for Title II, Part A, and will ensure the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances 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 the LEA electronically attaches this signed document in the online Grants Management System and 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 requires 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 copy of this form 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 ELs, 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).*

Title III	
LEA CERTIFICATION ON TEACHERS' FLUENCY IN ENGLISH	
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>	
Signature of the Superintendent / Charter School Administrator	Date

By signing this document, I attest I have read and understand the obligations of all the assurance statements above for Title III, Part A, and will ensure the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances 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 the LEA electronically attaches this signed document in the online Grants Management System and 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 requires 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 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 copy of this form 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 for Title IV, Part A, and will ensure the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances 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 the LEA electronically attaches this signed document in the online Grants Management System and 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 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 local education agency (LEA) hereby assures the New Hampshire Department of Education that pursuant to requirements in IDEA, Part B, the LEA will:

- E-1. Assure that the LEA meets each of the conditions in 34 CFR §300.201 through §300.213, including:

§300.201 Consistency with State policies.

The LEA, in providing for the education of children with disabilities within its jurisdiction, must have in effect policies, procedures, and programs that are consistent with the State policies and procedures established under Sec. Sec. 300.101 through 300.163, and Sec. Sec. 300.165 through 300.174. (Authority: 20 U.S.C. 1413(a)(1))

§300.202 Use of amounts.

(a) General. Amounts provided to the LEA under Part B of the Act--

(1) Must be expended in accordance with the applicable provisions of this part;

(2) Must be used only to pay the excess costs of providing special education and related services to children with disabilities, consistent with paragraph (b) of this section; and

(3) Must be used to supplement State, local, and other Federal funds and not to supplant those funds.

(b) Excess cost requirement.

(1) General.

(i) The excess cost requirement prevents an LEA from using funds provided under Part B of the Act to pay for all of the costs directly attributable to the education of a child with a disability, subject to paragraph (b)(1)(ii) of this section.

(ii) The excess cost requirement does not prevent an LEA from using Part B funds to pay for all of the costs directly attributable to the education of a child with a disability in any of the ages 3, 4, 5, 18, 19, 20, or 21, if no local or State funds are available for nondisabled children of these ages. However, the LEA must comply with the non-supplanting and other requirements of this part in providing the education and services for these children.

(2) (i) An LEA meets the excess cost requirement if it has spent at least a minimum average amount for the education of its children with disabilities before funds under Part B of the Act are used.

(ii) The amount described in paragraph (b)(2)(i) of this section is determined in accordance with the definition of excess costs in Sec. 300.16. That amount may not include capital outlay or debt service.

(3) If two or more LEAs jointly establish eligibility in accordance with Sec. 300.223, the minimum average amount is the average of the combined minimum average amounts determined in accordance with the definition of excess costs in Sec. 300.16 in those agencies for elementary or secondary school students, as the case may be. (Authority: 20 U.S.C. 1413(a)(2)(A))

§300.203 Maintenance of effort.

(a) *Eligibility standard.* (1) For purposes of establishing the LEA's eligibility for an award for a fiscal year, the SEA must determine that the LEA budgets, for the education of children with disabilities, at least the same amount, from at least one of the following sources, as the LEA

spent for that purpose from the same source for the most recent fiscal year for which information is available:

- (i) Local funds only;
- (ii) The combination of State and local funds;
- (iii) Local funds only on a per capita basis; or
- (iv) The combination of State and local funds on a per capita basis.

(2) When determining the amount of funds that the LEA must budget to meet the requirement in paragraph (a)(1) of this section, the LEA may take into consideration, to the extent the information is available, the exceptions and adjustment provided in §§ 300.204 and 300.205 that the LEA:

- (i) Took in the intervening year or years between the most recent fiscal year for which information is available and the fiscal year for which the LEA is budgeting; and
- (ii) Reasonably expects to take in the fiscal year for which the LEA is budgeting.

(3) Expenditures made from funds provided by the Federal government for which the SEA is required to account to the Federal government or for which the LEA is required to account to the Federal government directly or through the SEA may not be considered in determining whether an LEA meets the standard in paragraph (a)(1) of this section.

(b) *Compliance standard.* (1) Except as provided in §§ 300.204 and 300.205, funds provided to an LEA under Part B of the Act must not be used to reduce the level of expenditures for the education of children with disabilities made by the LEA from local funds below the level of those expenditures for the preceding fiscal year.

(2) An LEA meets this standard if it does not reduce the level of expenditures for the education of children with disabilities made by the LEA from at least one of the following sources below the level of those expenditures from the same source for the preceding fiscal year, except as provided in §§ 300.204 and 300.205:

- (i) Local funds only;
- (ii) The combination of State and local funds;
- (iii) Local funds only on a per capita basis; or
- (iv) The combination of State and local funds on a per capita basis.

(3) Expenditures made from funds provided by the Federal government for which the SEA is required to account to the Federal government or for which the LEA is required to account to the Federal government directly or through the SEA may not be considered in determining whether an LEA meets the standard in paragraphs (b)(1) and (2) of this section.

(c) *Subsequent years.* (1) If, in the fiscal year beginning on July 1, 2013 or July 1, 2014, an LEA fails to meet the requirements of § 300.203 in effect at that time, the level of expenditures required of the LEA for the fiscal year subsequent to the year of the failure is the amount that would have been required in the absence of that failure, not the LEA's reduced level of expenditures.

(2) If, in any fiscal year beginning on or after July 1, 2015, an LEA fails to meet the requirement of paragraph (b)(2)(i) or (iii) of this section and the LEA is relying on local funds only, or local funds only on a per capita basis, to meet the requirements of paragraph (a) or (b) of this section, the level of expenditures required of the LEA for the fiscal year subsequent to the year of the failure is the amount that would have been required under paragraph (b)(2)(i) or (iii) in the absence of that failure, not the LEA's reduced level of expenditures.

(3) If, in any fiscal year beginning on or after July 1, 2015, an LEA fails to meet the requirement of paragraph (b)(2)(ii) or (iv) of this section and the LEA is relying on the combination of State and local funds, or the combination of State and local funds on a per capita basis, to meet the requirements of paragraph (a) or (b) of this section, the level of expenditures required of the LEA for the fiscal year subsequent to the year of the failure is the amount that would have been

required under paragraph (b)(2)(ii) or (iv) in the absence of that failure, not the LEA's reduced level of expenditures.

(d) *Consequence of failure to maintain effort.* If an LEA fails to maintain its level of expenditures for the education of children with disabilities in accordance with paragraph (b) of this section, the SEA is liable in a recovery action under section 452 of the General Education Provisions Act (20 U.S.C. 1234a) to return to the Department, using non-Federal funds, an amount equal to the amount by which the LEA failed to maintain its level of expenditures in accordance with paragraph (b) of this section in that fiscal year, or the amount of the LEA's Part B sub grant in that fiscal year, whichever is lower. (Approved by the Office of Management and Budget under control number 1820-0600) (*Authority: 20 U.S.C. 1413(a)(2)(A), Pub. L. 113-76, 128 Stat. 5, 394 (2014), Pub. L. 113-235, 128 Stat. 2130, 2499 (2014)*)

§ 300.204 Exception to maintenance of effort.

Notwithstanding the restriction in Sec. 300.203(a), an LEA may reduce the level of expenditures by the LEA under Part B of the Act below the level of those expenditures for the preceding fiscal year if the reduction is attributable to any of the following:

(a) The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel.

(b) A decrease in the enrollment of children with disabilities.

(c) The termination of the obligation of the agency, consistent with this part, to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by the SEA, because the child--

(1) Has left the jurisdiction of the agency;

(2) Has reached the age at which the obligation of the agency to provide FAPE to the child has terminated; or

(3) No longer needs the program of special education.

(d) The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.

(e) The assumption of cost by the high cost fund operated by the SEA under Sec. 300.704(c).

(*Authority: 20 U.S.C. 1413(a)(2)(B)*)

§300.205 Adjustment to local fiscal efforts in certain fiscal years.

(a) Amounts in excess. Notwithstanding Sec. 300.202(a)(2) and (b) and Sec. 300.203(a), and except as provided in paragraph (d) of this section and Sec. 300.230(e)(2), for any fiscal year for which the allocation received by an LEA under Sec. 300.705 exceeds the amount the LEA received for the previous fiscal year, the LEA may reduce the level of expenditures otherwise required by Sec. 300.203(a) by not more than 50 percent of the amount of that excess.

(b) Use of amounts to carry out activities under ESEA as amended by ESSA. If an LEA exercises the authority under paragraph (a) of this section, the LEA must use an amount of local funds equal to the reduction in expenditures under paragraph (a) of this section to carry out activities that could be supported with funds under the ESEA as amended by ESSA regardless of whether the LEA is using funds under the ESEA as amended by ESSA for those activities.

(c) State prohibition. Notwithstanding paragraph (a) of this section, if an SEA determines that an LEA is unable to establish and maintain programs of FAPE that meet the requirements of section 613(a) of the Act and this part or the SEA has taken action against the LEA under section 616 of the Act and subpart F of these regulations, the SEA must prohibit the LEA from reducing the level of expenditures under paragraph (a) of this section for that fiscal year.

(d) Special rule. The amount of funds expended by an LEA for early intervening services under Sec. 300.226 shall count toward the maximum amount of expenditures that the LEA may reduce under paragraph (a) of this section. (*Authority: 20 U.S.C. 1413(a)(2)(C)*)

§300.206 School wide programs under title I of the ESEA as amended by ESSA.

(a) General. Notwithstanding the provisions of Sec. 300.202 and 300.203 or any other provision of Part B of the Act, an LEA may use funds received under Part B of the Act for any fiscal year to carry out a schoolwide program under section 1114 of the ESEA as amended by ESSA, except that the amount used in any schoolwide program may not exceed--

(1) (i) The amount received by the LEA under Part B of the Act for that fiscal year; divided by

(ii) The number of children with disabilities in the jurisdiction of the LEA; and multiplied by

(2) The number of children with disabilities participating in the schoolwide program.

(b) Funding conditions. The funds described in paragraph (a) of this section are subject to the following conditions:

(1) The funds must be considered as Federal Part B funds for purposes of the calculations required by Sec. 300.202(a)(2) and (a)(3).

(2) The funds may be used without regard to the requirements of Sec. 300.202(a)(1).

(c) Meeting other Part B requirements. Except as provided in paragraph (b) of this section, all other requirements of Part B of the Act must be met by an LEA using Part B funds in accordance with paragraph (a) of this section, including ensuring that children with disabilities in schoolwide program schools--

(1) Receive services in accordance with a properly developed IEP; and

(2) Are afforded all of the rights and services guaranteed to children with disabilities under the Act. *(Authority: 20 U.S.C. 1413(a)(2)(D))*

§300.207 Personnel development.

The LEA must ensure that all personnel necessary to carry out Part B of the Act are appropriately and adequately prepared, subject to the requirements of Sec. 300.156 (related to personnel qualifications) and section 2122 of the ESEA as amended by ESSA. *(Authority: 20 U.S.C. 1413(a)(3))*

§300.208 Permissive use of funds.

(a) Uses. Notwithstanding Sec. 300.202, 300.203(a), and 300.162(b), funds provided to an LEA under Part B of the Act may be used for the following activities:

(1) Services and aids that also benefit nondisabled children. For the costs of special education and related services, and supplementary aids and services, provided in a regular class or other education-related setting to a child with a disability in accordance with the IEP of the child, even if one or more nondisabled children benefit from these services.

(2) Early intervening services. To develop and implement coordinated, early intervening educational services in accordance with Sec. 300.226.

(3) High cost special education and related services. To establish and implement cost or risk sharing funds, consortia, or cooperatives for the LEA itself, or for LEAs working in a consortium of which the LEA is a part, to pay for high cost special education and related services.

(b) Administrative case management. An LEA may use funds received under Part B of the Act to purchase appropriate technology for recordkeeping, data collection, and related case management activities of teachers and related services personnel providing services described in the IEP of children with disabilities that is needed for the implementation of those case management activities. *(Authority: 20 U.S.C. 1413(a)(4))*

§300.209 Treatment of charter schools and their students.

(a) Rights of children with disabilities. Children with disabilities who attend public charter schools and their parents retain all rights under this part.

(b) Charter schools that are public schools of the LEA.

- (1) In carrying out Part B of the Act and these regulations with respect to charter schools that are public schools of the LEA, the LEA must--
- (i) Serve children with disabilities attending those charter schools in the same manner as the LEA serves children with disabilities in its other schools, including providing supplementary and related services on site at the charter school to the same extent to which the LEA has a policy or practice of providing such services on the site to its other public schools; and
 - (ii) Provide funds under Part B of the Act to those charter schools--
 - (A) On the same basis as the LEA provides funds to the LEA's other public schools, including proportional distribution based on relative enrollment of children with disabilities; and
 - (B) At the same time as the LEA distributes other Federal funds to the LEA's other public schools, consistent with the State's charter school law.
- (2) If the public charter school is a school of an LEA that receives funding under Sec. 300.705 and includes other public schools--
- (i) The LEA is responsible for ensuring that the requirements of this part are met, unless State law assigns that responsibility to some other entity; and
 - (ii) The LEA must meet the requirements of paragraph (b)(1) of this section. (*Authority: 20 U.S.C. 1413(a)(5)*)

§300.210 Purchase of instructional materials.

(a) General. 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.

(b) Rights of LEA.

(1) Nothing in this section shall be construed to require an LEA to coordinate with the NIMAC.

(2) If an LEA chooses not to coordinate with the NIMAC, the LEA must provide an assurance to the SEA that the LEA will provide instructional materials to blind persons or other persons with print disabilities in a timely manner.

(3) Nothing in this section relieves an LEA of its responsibility to ensure that children with disabilities who need instructional materials in accessible formats but are not included under the definition of blind or other persons with print disabilities in Sec. 300.172(e)(1)(i) or who need materials that cannot be produced from NIMAS files, receive those instructional materials in a timely manner. (*Authority: 20 U.S.C. 1413(a)(6)*)

§300.211 Information for SEA.

The LEA must provide the SEA with information necessary to enable the SEA to carry out its duties under Part B of the Act, including, with respect to Sec. Sec. 300.157 and 300.160, information relating to the performance of children with disabilities participating in programs carried out under Part B of the Act. (*Authority: 20 U.S.C. 1413(a)(7)*)

§300.212 Public information.

The LEA must make available to parents of children with disabilities and to the general public all documents relating to the eligibility of the agency under Part B of the Act. (*Authority: 20 U.S.C. 1413(a)(8)*)

§300.213 Records regarding migratory children with disabilities.

The LEA must cooperate in the Secretary's efforts under section 1308 of the ESEA as amended by ESSA to ensure the linkage of records pertaining to migratory children with disabilities for the purpose of electronically exchanging, among the States, health and educational information regarding those children. (*Authority: 20 U.S.C. 1413(a)(9)*)

E-2 PRIVATE SCHOOL PARTICIPATION

Provide for services on behalf of students with disabilities enrolled in private schools as required by IDEA. *(Authority: 20 U.S.C. 1412(a)(10)).*

E-4. IEP SERVICES CONSISTENT WITH LAW

Provide all services specified in eligible students' accepted individualized education programs (IEPs) consistent with the requirements of State and Federal special education law and regulations. *(Authority: 20 U.S.C. 1414(d); NH PART Ed1109).*

By signing this document, I attest I have read and understand the obligations of all the assurance statements above for 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 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 the LEA electronically attaches this signed document in the online Grants Management System and a copy will be kept on file at the LEA.

Additionally, I agree that the LEA has engaged in the Private School Participation 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 the Strengthening Career and Technical Education for 21st 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 21st 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 requirement in the Strengthening Career and Technical Education for 21st Century Act, the LEA will:

- F-1 Administer each program, service or activity covered the LEA local application in accordance with all applicable statutes and regulations governing the Strengthening Career and Technical Education for 21st Century Act and in accordance with *Section 135 Local Uses of Funds*.
- F-2 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.
- F-3 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)*).
- F-4 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)*).
- F-5 Comply with all reporting requirements in a timely manner and ensure that the information reported is valid, reliable, and accurate.
- F-6 Not discriminate on the basis of sex, race, color, national origin or handicap in the educational programs, services or activities being provided. (*Section 122(b)(9)(B)*).

By signing this document, I attest I have read and understand the obligations of all the assurance statements above for the Strengthening Career and Technical Education for the 21st Century Act, and will ensure the LEA complies with the assurances. I further attest that I have provided a copy of all the assurances 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 the LEA electronically attaches this signed document in the online Grants Management System 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?