

ASSURANCES

The assurances should be kept on file in the division.

GENERAL ASSURANCES

Title I, Part A	– Improving Basic Programs Operated by Local Educational Agencies
Title I, Part C	– Education of Migratory Children
Title I, Part D, Subpart 2	– Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
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 Enrichments Grants
Title V, Part B, Subpart 2	– Rural and Low-Income School Program

The school division assures:

- I. Each program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;
- II. The control of funds provided under each program and title to property acquired with program funds will be in a public agency, a nonprofit private agency, institution, organization, or an Indian tribe, if the law authorizing the program provides for assistance to those entities;
- III. The public agency, nonprofit private agency, institution, organization, or Indian tribe, will administer the funds and property to the extent required by the authorizing statutes;
- IV. It will adopt and use proper methods of administering each program, including—
 - A. The enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program;
 - B. The correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation and that:
 1. It will maintain fiscal effort in support of free public education;
 2. It will provide services with state and local funds that are at least comparable to services provided in schools and areas not receiving special federal funds;
 3. The majority of the resources in the school division are derived from nonfederal funds;
 4. It is in compliance with the requirements regarding school prayer as specified in P.L. 114-95, Title VIII, Section 8524;
 5. It will comply with the audit requirements for each program;
 6. The federal funds are used to supplement, not supplant regular nonfederal funds;
 7. It will cooperate in carrying out any evaluation of each program conducted by or for the state educational agency, the Secretary, or other federal officials;
 8. It will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, federal funds paid to the applicant under each program;
 9. It will submit such reports to the state educational agency (which shall make the reports available to the Governor) and the Secretary of Education as the state educational agency and Secretary may require to enable the state educational agency and the Secretary to perform their duties under each program;
 10. It will maintain such records for five years, provide such information, and afford such access to the records as the state educational agency (after consultation with the Governor) or the Secretary may reasonably require to carry out the state educational agency's or the Secretary's duties;
 11. It consulted with teachers, school administrators, parents, members of the community, nonprofit organizations and other interested parties in the development of this plan;
 12. It afforded a reasonable opportunity for public comment on the plan or application and considered such comment before the application was submitted;

13. It will provide information in an understandable and uniform format and, to the extent practicable, be provided in a language that the parents can understand;
 14. It is in compliance with the requirement regarding equal access to public school facilities as specified in P. L. 114-95, Title VIII, Section 8525;
 15. It is in compliance with the requirement regarding the prohibition on aiding and abetting sexual abuse as specified in P. L. 114-95, Title VIII, Section 8546;
 16. It will comply with the other application requirements outlined in
Section 8501. Private School Children;
Section 8502. Bypass; and
Section 8521. Maintenance of Effort under Title VIII –Other Provisions;
 17. It will ensure that funds are expended in accordance with the school division's approved application or amended application. In the event the local division needs to expend funds in any manner other than stipulated in the approved application, the plan must be amended using the amendment process provided by the Department of Education. The application must be amended before funds can be expended for activities not approved in the original application;
- C. It will collect and disseminate information collected under Section 1111 in a manner that protects the privacy of individuals;
 - D. It will adhere to the provisions of the Federal Funding Transparency and Accountability Act (FFATA), and will obtain a valid DUNS number prior to applying for funds.
- V. The division shall comply with Section 22.1-277.07, of the *Code of Virginia* that requires the expulsion for one year of any student determined to have brought a firearm to school. A description of each incident, the name of the school concerned, the number of students expelled from each school, and the type of firearm used in each instance of expulsion will be reported to the Virginia Department of Education in compliance with provisions under Section 8561 (Gun-Free Schools Act). This agency has a policy that requires referral to the criminal justice or the juvenile delinquency system of any student who brings a firearm or weapon to school; and
 - VI. It will participate, if selected, in the state National Assessment of Educational Progress in 4th and 8th grade reading and mathematics carried out under Section 303 of the National Assessment of Educational Progress Act.

PROGRAM SPECIFIC ASSURANCES

TITLE IV, PART A, STUDENT SUPPORT AND ACADEMIC ENRICHMENT GRANTS

In accordance with *ESEA* section 4106(e) (2) and (f), each school division or consortium of school divisions receiving Title IV, Part A, funds will:

- I. Prioritize the distribution of funds to schools served based on one or more of the following criteria—
 - a. Are among the schools with the greatest needs;
 - b. Have the highest percentages or numbers of children counted under section 1124(c) (*i.e.*, children counted for purposes of basic grants to LEAs under *Title I*, Part A of the *ESEA*);
 - c. Are identified for comprehensive support and improvement under section 1111(c)(4)(D)(i) (*i.e.*, are among the lowest-achieving schools);
 - d. Are implementing targeted support and improvement plans as described in section 1111(d)(2) (*i.e.*, have consistently underperforming student subgroups); or
 - e. Are identified as a persistently dangerous public elementary school or secondary school under section 8532. (*ESEA* section 4106(e)(2)(A));
- II. Divisions or consortia that receives \$30,000 or more will use—
 - a. Not less than 20 percent of funds to support one or more of the activities authorized under section 4107 pertaining to well-rounded educational opportunities;
 - b. Not less than 20 percent of funds to support one or more activities authorized under section 4108 pertaining to safe and healthy students; and
 - c. A portion of funds to support one or more activities authorized under section 4109(a) pertaining to the effective use of technology, including an assurance that it will not use more than 15 percent of the remaining portion for purchasing technology infrastructure as described in section 4109(b). (*ESEA* section 4106(e)(2)(C)-(E));
- III. Comply with section 8501-8504, regarding equitable participation of private school children and teachers (*ESEA* section 4106(e)(2)(B)); and
- IV. Complete an annual State report regarding how funds for the SSAE program are being used (*ESEA* section 4106(e)(2)(F)).