

PROGRAM GUIDELINES
2022-2023 EVERY STUDENT
SUCCEEDS ACT (ESSA)
CONSOLIDATED FEDERAL
GRANT APPLICATION

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

Department of Grant Compliance and Administration
Special Populations Division
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Contents

Introduction to the Program Guidelines	5
Requirement for User Name and Password	5
Application Submission through eGrants	6
Adding Attachments	6
General Instructions	6
Naming Attachments.....	6
Scanning Documents	6
Zipping Files	6
Attaching Files to an eGrants Application.....	7
Reference to the General and Fiscal Guidelines.....	7
Applicant Assistance.....	7
Contacts for Clarifying Information.....	7
Funding Contact.....	7
Program Contacts	7
Errata Notices.....	8
Email Bulletins.....	8
Grant Timeline	9
Grant at a Glance.....	9
Authorizing Legislation	9
Application Funding.....	9
Limitation of Administrative Funds	9
Indirect Costs.....	9
Maintenance of Effort	10
Pre-Award Costs	10
Programs Included in the Consolidated Application	10
Title I, Part A—Improving Basic Programs Operated by LEAs.....	10
US Department of Education Appropriations.....	10
Eligible Applicants.....	10
Intent and Purpose.....	11
Intended Program Beneficiaries	11
General Program Requirements	11
Allowable Activities and Use of Funds.....	13
Unallowable Activities and Use of Funds	15
Title I, Part A, Section 1117 Participation of Children Enrolled in Private Schools	17

Private School Participation	17
US Department of Education Appropriations.....	20
Eligible Applicants.....	20
Intent and Purpose.....	21
Intended Program Beneficiaries	21
General Program Requirements	21
Unique Educational Needs of Migratory Children as Outlined in the Texas MEP Service Delivery Plan.....	23
Allowable Activities and Use of Funds.....	24
Unallowable Activities and Use of Funds	27
Supplement, Not Supplant	27
Shared Services Arrangements	27
Equitable Access and Participation	28
Private Nonprofit School Participation	28
Title I, Part D, Subpart 1—Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk—State Agency (SA) Programs.....	31
US Department of Education Appropriations.....	31
Eligible Applicants.....	31
Intent and Purpose.....	31
Intended Program Beneficiaries	32
General Program Requirements	32
Program Requirements for Correctional Facilities Receiving Title I, Part D, Subpart 1 Funds	32
Allowable Activities and Use of Funds [ESSA, Section 1415(a)]	33
Institution-wide Projects [ESSA, Section 1416]	34
Transition Services (Section 1418).....	35
Expenditures.....	35
Out-of-State Travel	35
Unallowable Activities and Use of Funds	36
Shared Services Arrangements	36
Equitable Access and Participation	37
Private Nonprofit School Participation	37
Title I, Part D, Subpart 2—Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk	37
US Department of Education Appropriations.....	37
Eligible Applicants.....	37
Intent and Purpose [ESSA, Section 1421].....	37
Intended Program Beneficiaries	38

General Program Requirements	38
Allowable Activities and Use of Funds [Section 1424]	39
Unallowable Activities and Use of Funds	41
Supplement, Not Supplant	41
Shared Services Arrangements	42
Equitable Access and Participation	42
Private Nonprofit School Participation	42
Title I, Part D – Subpart 3 General Provisions	42
Program Evaluations [Section 1431(a)].....	42
Title II, Part A—Supporting Effective Instruction	43
US Department of Education Appropriations.....	43
Eligible Applicants.....	43
Intent and Purpose.....	43
Intended Program Beneficiaries	44
General Program Requirements	44
Allowable Activities and Use of Funds.....	44
Unallowable Activities and Use of Funds	46
Supplement, Not Supplant	46
Shared Services Arrangements	46
Equitable Access and Participation	46
Private Nonprofit School Participation	46
Title III, Part A—English Language Acquisition, Language Enhancement, and Academic Achievement.....	50
US Department of Education Appropriations.....	50
Eligible Applicants.....	50
Intent and Purpose.....	50
Intended Program Beneficiaries	50
General Program Requirements	50
Allowable Activities and Use of Funds.....	51
Unallowable Activities and Use of Funds	54
Supplement, Not Supplant	54
Shared Services Arrangements	54
Equitable Access and Participation	54
Private Nonprofit School Participation	54
Title III, Part A—Immigrant Children and Youth	58
US Department of Education Appropriations.....	58
Eligible Applicants.....	58

Intent and Purpose.....	58
Intended Program Beneficiaries	58
General Program Requirements	58
Allowable Activities and Use of Funds.....	59
Unallowable Activities and Use of Funds	61
Supplement, Not Supplant	61
Shared Services Arrangements	61
Equitable Access and Participation	61
Private Nonprofit School Participation	61
Title IV, Part A, Subpart 1—Student Support and Academic Enrichment.....	64
US Department of Education Appropriations	64
Eligible Applicants.....	65
Intent and Purpose.....	65
Intended Program Beneficiaries	65
General Program Requirements	65
Allowable Activities and Use of Funds.....	68
Unallowable Activities and Use of Funds	72
Supplement, Not Supplant	73
Shared Services Arrangements	74
Equitable Access and Participation	74
Private Nonprofit School Participation	74
Title V, Part A —Funding Transferability for State and Local Educational Agencies	77
Intent and Purpose.....	77
Intended Program Beneficiaries	77
General Program Requirements	77
Allowable Activities and Use of Funds.....	78
Title V, Part B, Subpart 1—Rural Education Achievement Program (REAP)	82
Intent and Purpose.....	82
Intended Program Beneficiaries	82
General Program Requirements	82
Allowable Activities and Use of Funds.....	82

Introduction to the Program Guidelines

TEA, as the pass-through entity¹, is the grantee² from the U.S. Department of Education (USDE) and TEA awards subgrants to non-federal entities³ such as local educational agencies (LEAs), including school districts, charter schools, and education service centers, and to a lesser degree institutions of higher education (IHEs), and nonprofit organizations (NPOs) who are the agency's subgrantees⁴. These guidelines apply to all subgrantees of TEA, regardless of whether referenced herein as subgrantee or grantee. For purposes of this document, TEA may use the terms grantee and subgrantee synonymously for its subrecipients.

This part of the request for application (RFA), Program Guidelines, is to be used in conjunction with the General and Fiscal Guidelines and the schedule instructions. The Standard Application System (SAS) consists of all schedules (i.e., forms) to be completed in order for the applicant to be eligible for funding. The application to which these instructions refer can be submitted electronically through the eGrants system.

For applicants selected for funding, all guidelines and instructions will be incorporated by reference into the Notice of Grant Award (NOGA).

Requirement for User Name and Password

To access eGrants and apply for this grant, you must have access to the TEA Login (TEAL). Follow these steps to apply for a user name and password on TEAL:

1. Visit the [TEA Login \(TEAL\)](#) page of the TEA website. Select [Request New User Account](#) to begin the process of applying for a TEAL account online.
2. Once you have been assigned a TEA Login (TEAL) account, log into TEAL and under Self-Service select My Application Accounts.
3. The My Accounts tab will open. Select Request New Account and find eGrants in the list and follow the instructions to submit your request.

¹ Pass-through entity is defined as a non-federal entity that provides a subaward to a subrecipient to carry out part of a federal program. (2 CFR 200.74)

² Grantee is defined as the legal entity to which a grant is awarded and that is accountable to the federal government for the use of the funds provided. The term "grantee" does not include any secondary recipients, such as subgrantees and contractors that may receive funds from a grantee. (34 CFR 77)

³ Non-federal entity is defined as a state, local government, Indian tribe, institution of higher education, or nonprofit organization that carries out a federal award as a recipient or subrecipient. (2 CFR 200.69)

⁴ Subgrantee is defined by TEA to be the same as a subrecipient which is defined as a non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program; but does not include an individual that is a beneficiary of such program. (2 CFR 200.93) Subgrantee is defined in 34 CFR 77 as the legal entity to which a subgrant is awarded and that is accountable to the grantee for the use of the funds provided.

Application Submission through eGrants

Submit the application for these grant programs electronically through the TEA eGrants system. Refer to the [General and Fiscal Guidelines](#) for more specific information about accessing eGrants and obtaining the required TEA Login (TEAL) user ID and password.

Applications must be submitted as follows:

- Those submitted by public LEAs must be signed electronically by the superintendent of the school district or a designee.
- Applications submitted by regional Education Service Centers (ESCs) must be signed electronically by the executive director or a designee.
- Applications submitted by open-enrollment charter schools must be signed electronically by the chief operating officer of the school or a designee.
- Campuses and campus charter schools must apply through their public-school district, and the application must be signed electronically by the superintendent or designee.

Adding Attachments

The instructions in the following sections describe how to attach files to an eGrants application.

General Instructions

The size of each attachment cannot exceed 10MB. If you have a larger file, use a different scanning setting or zip the file to make it take up less space.

Documents only need to be attached once. Do not attach duplicate documents with each amendment. Only attach more than once if the attachment is being revised.

Naming Attachments

Name the files you are going to attach with no spaces (for example, outofstatetravel.doc or field_trip.doc). Use a meaningful name that identifies the specific document.

Make sure that each attachment has a file extension (.pdf, .doc, .rtf, .xls, .bmp, .zip, .txt).

Note that attachments with very long names may not be able to be uploaded. If you have difficulty, try renaming the file and starting over.

Scanning Documents

If a document must be scanned to create an electronic copy, use the following hints to ensure that the document size is as small as possible:

- Use an OCR or DPI setting of 200 DPI.
- Try to avoid creating .jpg files. If possible, create PDF documents with the scanner.

Zippping Files

If your files are too large, add them to a zip file to save space ([download a free version of WinZip and find instructions on creating zip files](#)).

Attaching Files to an eGrants Application

1. Ensure that the security level for your internet browser is set to Medium (Tools > Internet Options, Security tab).
2. On the Grant Summary Table of Contents, select the Attach File icon.
3. Consult the instructions for naming files, outlined under Technical Instructions on the Attach File Page.
4. Ensure that the document is saved on your computer according to the naming instructions.
5. Enter the Document Title of the attachment.
6. Select the Browse button. A standard Windows browser appears. Find the file.
7. Select Attach.
8. Select Refresh to see the name of the document in the Documents Submitted in This Version pane. If the attachment does not appear, you may have to rename your document with a shorter name and start over.
9. Repeat this process to attach all your documents.

Reference to the General and Fiscal Guidelines

The Program Guidelines provide information specifically relevant to these grant programs. The [General and Fiscal Guidelines](#) provide information relevant to all TEA grant programs. Throughout the Program Guidelines, cross-references are given to applicable sections of the [General and Fiscal Guidelines](#). **It is critical that you review all referenced sections of the [General and Fiscal Guidelines](#) when preparing your application.**

Applicant Assistance

The following types of assistance are available to applicants for this grant program.

Contacts for Clarifying Information

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

Funding Contact

Grants Administration Division
grants@tea.texas.gov
Phone: (512) 463-8525

Program Contacts

The following TEA divisions should be contacted with questions about the RFA, the grant program, or for information regarding allowable uses of funds.

Title I, Part A; Title I, Part D, Subpart 1; Title I, Part D, Subpart 2

Federal Program Compliance Division

ESSAsupport@tea.texas.gov

Phone: (512) 463-9499

Title I, Part C - Migrant

Federal Program Compliance Division

Migrant.ed@tea.texas.gov

Phone: (512) 463-9499

Title II, Part A

Federal Program Compliance Division

ESSAsupport@tea.texas.gov

Phone: (512) 463-9499

Title III, Part A, ELA; Title III, Part A, Immigrant

Special Populations Division

EnglishLearnerSupport@tea.texas.gov

Phone: (512) 463-9414

Title IV, Part A, Subpart 1

Federal Program Compliance Division

ESSAsupport@tea.texas.gov

Phone: (512) 463-9499

Title V, Part A; Title V, Part B

Federal Program Compliance Division

ESSAsupport@tea.texas.gov

Phone: (512) 463-9499

ESSA Private Nonprofit Participation, TEA Ombudsman

Federal Program Compliance Division

PNPombudsman@tea.texas.gov

Phone: (512) 463-9499

Errata Notices

See the [General and Fiscal Guidelines](#), Errata Notices.

Email Bulletins

See the [General and Fiscal Guidelines](#), Email Bulletins.

Grant Timeline

For all dates related to the grant, including reporting dates, see the [TEA Grant Opportunities](#) page. If a report due date falls on a weekend or holiday, the report will be due the following business day. All dates except the grant ending date may vary slightly as conditions require.

Grant at a Glance

This section provides fundamental information pertinent to the grant program.

Authorizing Legislation

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

Application Funding

See the following sections of the [General and Fiscal Guidelines](#):

- Continuation Funding
- Use of Funds
- Fund Management

Limitation of Administrative Funds

See the [General and Fiscal Guidelines](#), Administrative Costs.

The authorizing statute limits the amount of funds that may be budgeted to administer the program, including direct administrative costs, to no more than the following percentage of the total grant awarded for any fiscal year:

- Title I, Part A: 8%
- Title I, Part C: Not allowed
- Title I, Part D, Subpart 1: 8%
- Title I, Part D, Subpart 2: 8%
- Title II, Part A: 8%
- Title III, Part A, ELA: 2%
- Title III, Part A, Immigrant: 8%
- Title IV, Part A, Subpart 1: 2%

Indirect Costs

The grantee may claim a maximum for indirect costs equal to their current approved restricted indirect cost rate for this grant program.

Maintenance of Effort

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

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

Pre-Award Costs

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

Pre-award costs are not permitted for this grant.

Programs Included in the Consolidated Application

Title I, Part A—Improving Basic Programs Operated by LEAs

US Department of Education Appropriations

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

Category	Amount
Total funds available for this project	Approximately \$1,457,025,678
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$1,457,025,678
Percentage to be financed from non-federal sources	0%
Amount of non-federal funds	\$0

Fund Code: 211

Eligible Applicants

Local educational agencies (LEAs) in Texas are eligible to apply for a grant under ESSA Consolidated, Title I, Part A.

Intent and Purpose

Title I, Part A, provides supplemental resources to LEAs to help schools with high concentrations of students from low-income families provide high-quality education that will enable all children to meet the challenging state academic standards. Title I, Part A, supports campuses in implementing either a schoolwide program (SWP) or a targeted assistance program (TAP).

Campuses operating a SWP must conduct a Comprehensive Needs Assessment (CNA) and develop a Campus Improvement Plan (CIP) with the involvement of parents, other members of the community and individuals including teachers, principals, other school leaders, paraprofessionals, administrators, the local educational agency, and to the extent feasible, tribes and tribal organizations present in the community, and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, and if the plan relates to a secondary school, students, and other individuals determined by the school, who will carry out such plan. The plan must ensure all students are provided opportunities to meet the challenging State academic standards and be regularly evaluated and revised as necessary based on student needs as described in Section 1114, Schoolwide Programs.

Campuses operating a TAP will determine which students will be served on the basis of multiple, educationally related, objective criteria established by the LEA and serve participating students as described in Section 1115, Targeted Assistance Schools.

Intended Program Beneficiaries

The intended program beneficiaries are students who experience difficulties meeting the State's challenging academic standards.

General Program Requirements

Local Educational Agencies (LEAs)

Each LEA that receives Title I, Part A, funding must do the following:

- Disseminate the state, LEA, and campus-level report cards to the following:
 - All LEA campuses;
 - Parents of all enrolled students; and
 - Make the information widely available through public means such as posting on the Internet, distribution to the media, or distribution through public agencies.

Title I, Part A, participating LEAs are required to annually submit comparability data by conducting comparability testing on an electronic form provided by TEA: The Title I, Part A Comparability Computation Form (CCF).

In accordance with Section 1112 Local Education Agency Plans, the LEA must develop a plan to ensure all children receive a high-quality education and to close any achievement gaps [Section 1112(b)] and provide assurances that the LEA will:

1. Ensure migratory children and formerly migratory children eligible to receive services are selected to receive services on the same basis as other children [Section 1112(c)(1)].
2. Provide services to eligible children attending private schools in accordance with section 1117, and timely and meaningful consultation with private school officials [Section 1112(c)(2)].

3. Participate, if selected, in the National Assessment of Educational Progress in reading and math in grades 4 and 8 [Section 1112(c)(3)].
4. Coordinate and integrate services with other services for English learners, children with disabilities, migratory children, American Indian, Alaska Native, and Native Hawaiian children, and homeless children and youths to increase program effectiveness, eliminate duplication, and reduce fragmentation [Section 1112(c)(4)]. LEAs are encouraged to include students in foster care.
5. Collaborate with State or local child welfare agencies [Section 1112(c)(5)].
6. Ensure all teachers and paraprofessionals working in Title I, Part A, supported programs meet applicable State certification and licensure requirements [Section 1112(c)(6)].
7. For LEAs using Title I, Part A funds to provide early childhood education services to low-income children, ensure that services comply with performance standards of the Head Start Act [Section 1112(c)(7)].
8. Notify the parents of each student attending any school receiving Title I, Part A funds of the Parents' Right-To-Know [Section 1112(e)(1)].
9. Notify the parents of each student attending any school receiving Title I, Part A funds of Testing Transparency [Section 1112(e)(2)].
10. Implement an effective means of outreach to parents of English learners [Section 1112(e)(3)(C)].

Schoolwide Programs (SWP)

An eligible school operating a schoolwide program shall develop a comprehensive CIP that:

1. Is developed during a one-year period [Section 1114(b)(1)].
2. Is developed with the involvement of parents, other members of the community and individuals including teachers, principals, other school leaders, paraprofessionals, administrators, the local educational agency, and to the extent feasible, tribes and tribal organizations present in the community, and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, and if the plan relates to a secondary school, students, and other individuals determined by the school, who will carry out such plan [Section 1114(b)(2)].
3. Remains in effect for the duration of the school's participation in the SWP and is regularly monitored and revised as necessary based on student needs to ensure all students are provided opportunities to meet the challenging State academic standards [Section 1114(b)(3)].
4. Is available to parents and the public, and the information contained is in an understandable and uniform format and, to the extent practicable, provided in a language parents can understand [Section 1114(b)(4)].
5. If appropriate and applicable, is developed in coordination and integration with other Federal, State, and local services, resources, and programs [Section 1114(b)(5)].
6. Is based on a Comprehensive Needs Assessment (CNA) of the entire school taking into account information on the academic achievement of children in relation to the challenging State academic standards, particularly the needs of children who are failing, or at-risk of failing, to meet the challenging State academic standards [Section 1114(b)(6)].
7. Includes a description of strategies the school will be implementing to address school needs [Section 1114(b)(7)(A)].
8. Includes a description of, if programs are consolidated, the specific State educational agency and LEA programs and other Federal program that will be consolidated in the SWP [Section 1114(b)(7)(B)].
9. For schoolwide programs, LEAs may consolidate with other Federal, State, and local funds to upgrade the entire educational program of a school [Section 1114(a)(1)]. All

grants in the ESSA Consolidated Application may be consolidated on a schoolwide campus with the exception of Title I, Part C-Migrant. LEAs must have special permission from the Agency to add Title I, Part C-Migrant, to the consolidation. There are some other federal and state grants that have restrictions with consolidation; please read grant rules and regulations before consolidating these grants.

Targeted Assistance Schools (TAP)

A Title I, Part A, TAP must 1) determine which students will be served; and 2) serve participating students identified as eligible children by [Section 1115(b)]:

1. Using resources to help eligible children meet the challenging State academic standards necessary to provide a well-rounded education [Section 1115(b)(2)(A)].
2. Using methods and instructional strategies to strengthen the academic program of the school [Section 1115(b)(2)(B)].
3. Coordinating with and supporting the regular education program which may include transition from early childhood education programs to elementary school programs [Section 1115(b)(2)(C)].
4. Providing professional development with resources to school personnel who work with eligible children in TAP or in the regular education program [Section 1115(b)(2)(D)].
5. Implementing strategies to increase the involvement of parents of eligible children [Section 1115(b)(2)(E)].
6. If appropriate and applicable, coordinating and integrating Federal, State, and local services and programs such as violence prevention, nutrition, housing, Head Start, adult education, career and technical education and comprehensive support and improvement activities or targeted support and improvement activities [Section 1115(b)(2)(F)].
7. Providing assurance to the LEA that the school will [Section 1115(b)(2)(G)]:
 - help provide an accelerated, high-quality curriculum;
 - minimize the removal of children from the regular classroom during regular school hours; and
 - on an ongoing basis, review the progress of eligible children and revise the targeted assistance program.

Allowable Activities and Use of Funds

Title I, Part A, funds must be expended for programs, activities, and strategies that are scientifically based on research and meet needs (identified in the campus' comprehensive needs assessment process) that are listed in the comprehensive plan.

Funds may be used to increase the per-pupil amount allocated to each Title I, Part A, campus or to serve new Title I, Part A, campuses. Regardless, a campus with a lower low-income percentage may not receive a higher per-pupil allocation than a campus with a higher low-income percentage.

There are exceptions to the allocation instructions in the paragraph, above. If necessary, the LEA should contact TEA to discuss its situation and to determine if approval for an exception is appropriate.

SWPs

On SWP campuses, you may use Title I, Part A, funds for activities that are part of the comprehensive plan to improve student performance and upgrade the entire educational program. Funds must be expended for allowable uses based on the type of consolidation

(Title I, Part A, funds only; federal funds only; or state, local, and federal funds) of funding the campus has chosen to implement on the schoolwide campus.

TAPs

In targeted assistance schools, you may only use Title I, Part A, funds to meet the needs of children identified as being in the greatest need of services. Students must be selected using multiple, educationally-related, objective criteria established by the LEA.

Use of Funds

Regardless of which types of Title I, Part A, program you operate (SWP or TAP), it is possible that some Title I, Part A, administrative, professional development, parental involvement, or even instructional activities are conducted through the central office. For all Title I, Part A programs, the LEA must be able to respond appropriately to and maintain documentation for each of the following steps and requirements to determine whether an expenditure would be allowable:

1. The campus in question must be a Title I, Part A campus.
2. LEAs must have a valid Supplement Not Supplant methodology for allocating State and local funds, or Statement of Exemption. [Note: For funds reserved at the LEA level, the LEA must ensure that it is using State and local funds that are retained at the LEA level in a Title I neutral manner. Then any Title I, Part A funds that are reserved at the LEA level are also considered to be supplemental in nature, although they must be used only for Title I, Part A purposes, as indicated in the LEA's approved ESSA Consolidated Federal Grant Application. Any Title I, Part A funds that are reserved at the LEA level must be used for activities that meet the intent and purpose of Title I, Part A, as well as items 3-5, below.] For additional guidance concerning the Title I, Part A Supplement, Not Supplant requirement, refer to the [Supplement, Not Supplant Handbook](#)
3. LEAs should ensure that activities and/or resources are:
 - Identified in the Comprehensive Needs Assessment;
 - Included in the Campus Improvement Plan;
 - a. The plan addresses how the activity/resource identified will be evaluated; and
 - b. The plan addresses how the needs of students at risk of not meeting State Standards are being met.
 - Reasonable;
 - Necessary to carry out the intent and purpose of the Title I, Part A program;
 - Allocable; and
 - Allowable under Title I, Part A
4. The LEA assures that the expenditure(s) meet all EDGAR requirements.
5. The LEA assures that all district policies and procedures were followed.

Field Trips

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

Out-of-State Travel

Out-of-state travel costs are allowable; however, they should be minimal, reasonable and necessary to meet the intent and purpose of the grant program. Grantees must retain documentation that participation of an individual in a conference is necessary for the project.

Travel costs are allowable as long as the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee's regular business operations and written travel policy.

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

See the Allowable Cost and Budgeting Guidance section of the [Training and Other Resources](#) page for general guidance on allowable activities and use of funds.

Unallowable Activities and Use of Funds

Advisory Council

An advisory council may not be funded under the grant program.

Exception: An Advisory Council is allowed under Title I, Part A Parent and Family Engagement. The LEA may establish a districtwide parent advisory council to provide advice on all matters related to parental involvement.

Cost of Membership in Any Civic or Community Organization

The cost of membership in any civic or community organization may not be funded under the grant program.

Hosting or Sponsoring of Conferences

Conferences may not be hosted or sponsored under the grant program until further guidance is available from USDE.

Travel Costs for Officials such as Executive Director, Superintendent, or Board Members

Travel costs for officials such as the executive director, superintendent, or board members may not be funded under the grant program until further guidance is available from USDE.

Supplement, Not Supplant

Title I, Part A of ESSA provides for a more streamlined approach for documenting compliance with the SNS requirement. The SNS Methodology described below meets the SNS requirement for the following programs:

- Title I, Part A
- Title I School Improvement programs [Section 1003(e)(2)]

SNS Methodology and Required Documentation

The term "supplement, not supplant" has traditionally meant that federal funds cannot be used to perform a service that would normally be paid for with state or local funds. The new SNS methodology requirement for Title I, Part A represents a shift in mindset. For Title I, Part A, LEAs no longer look at whether an individual cost meets the traditional SNS requirement. Instead, the LEA's allocation of State and local funds to campuses is examined as a whole to ensure that Title I, Part A funds are supplemental. The LEA demonstrates through its SNS Methodology that its distribution of State and local funds to

campuses has been accomplished in a Title I-neutral manner. In other words, the LEA allocates State and local funds to its campuses without regard to their Title I status. Each campus receives all the State and local funds it would otherwise receive if it were not receiving assistance under Title I. Once that is accomplished, either through a Title I-neutral SNS Methodology or through a valid Statement of Exemption, the supplemental requirement for Title I, Part A funds at the campus level has been met.

For district-level funds, the LEA must ensure that it is using State and local funds that are retained at the LEA level in a Title I-neutral manner. Then any Title I, Part A funds that are reserved at the LEA level are also considered to be supplemental in nature, although they must be used only for Title I, Part A purposes, as indicated in the LEA's approved ESSA Consolidated Federal Grant Application.

NOTE: This does NOT mean that Title I, Part A funds have no restrictions on their use. Title I, Part A funds must still be used for allowable activities. All Title I, Part A expenditures must still be for activities that—

- support a need that is identified in the Comprehensive Needs Assessment;
- are included in the Campus Improvement Plan;
- are reasonable in cost;
- are necessary to carry out the intent and purpose of the Title I, Part A program;
- are allocable under the grant; and
- are allowable under Title I, Part A.

The LEA must also ensure that the expenditures meet all EDGAR requirements and that all LEA policies and procedures are followed.

Each LEA that receives Title I, Part A funds must have either:

- A Statement of Exemption; or
- A written SNS Methodology that describes how the LEA allocates its state and local funds to its campuses

For additional information, including examples and templates for the Methodology and the Statement of Exemption, visit the [Supplement, Not Supplant Handbook](#).

Shared Services Arrangement

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

Shared Services Arrangements (SSAs) are allowed as part of the grant program.

Equitable Access and Participation

You are required to report on equitable access and participation to apply for this grant program.

Title I, Part A, Section 1117 Participation of Children Enrolled in Private Schools

Private School Participation

An LEA shall:

- After timely and meaningful consultation with appropriate private school officials provide children, on an equitable basis special educational services, instructional services, counseling, mentoring, one-on-one tutoring, or other benefits (i.e., dual or concurrent enrollment, educational radio and television, computer equipment and materials, other technology, and mobile educational services and equipment) that address their needs; and
- Ensure that teachers and families of the children participate, on an equitable basis in services and activities developed pursuant to section 1116.

All educational services, including materials and equipment, must be secular, neutral, and nonideological. [Sections 1117(a)(2)]

Equitable Services

Educational services and other benefits for such private school children must be equitable in comparison to services and other benefits for participating public school children and must be provided in a timely manner. Services are not required to be the same as provided to public school children or even those provided at the same grade level(s). [Section 1117(a)(3)]

Expenditures

Title I, Part A expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools. [Section 1117(a)(4)(1)]

Funds allocated to an LEA for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received by the agency. [Sections 1117(a)(4)(B)]

The proportional share of funds shall be determined based on the total amount of funds received by the LEA prior to any allowable reservations, expenditures, or transfers. The LEA may determine the equitable share each year.

Provision of Services

The LEA may provide services directly or through contracts with public and private agencies, organizations, and institutions. [Sections 1117(a)(5)]

Consultation

To ensure timely and meaningful consultation, an LEA shall consult with appropriate private school officials during the design and development. [Sections 1117(b)] The LEA and private school officials shall both have the goal of reaching an agreement on providing equitable and effective programs for eligible private school children. The process shall include consultation on:

- How the children’s needs will be identified
- What services will be offered
- How, where, and by whom the services will be provided
- How the services will be academically assessed, and how the results of that assessment will be used to improve those services
- What size and scope of the equitable services are to be provided to the eligible private school children, and how that proportion of funds is determined
- What method or sources of data are to be used under subsection (c) and section 1113(c)(1) to determine the number of children from low-income families in participating school attendance areas who attend private schools
- How and when the LEA will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers
- How, if the LEA disagrees with the views of the private school officials on the provision of services through a contract, the LEA will provide written rationale to private school officials as to why the LEA has decided against contractor
- Whether the LEA will provide services directly or through a separate government agency, consortium, entity, or third-party contractor
- Whether to provide equitable services to eligible private school children-
 - By creating a pool or pools of funds with all the funds allocated based on all the children from low-income families in a participating school attendance area who attend private schools; or
 - In the LEA’s participating school attendance area who attend private schools with the proportion of funds allocated based on the number of children from low-income families who attend private schools
- When, including the approximate time of day, services will be provided

Disagreement

If an LEA disagrees with the views of private school officials, the LEA shall provide in writing to private school officials the reasons why the LEA disagrees. [Sections 1117(a)(5)(b)(2)]

Timing

Such consultation shall include meetings of LEA and private school officials and shall occur before the LEA makes any decisions that affects the opportunities of eligible private school children to participate in programs. Such meetings shall continue throughout implementation and assessment of services provided. [Sections 1117(a)(5)(b)(3)]

Discussion

Such consultation shall include a discussion of service delivery mechanisms an LEA can use to provide equitable services to eligible private school children. [Sections 1117(a)(5)(b)(4)]

Allocation for Equitable Service to Private School Students

1. LEAs shall have the final authority to calculate the number of children, ages 5 through 17, who are from low income families and attend private schools by: [Section 1117(a)(5)(c)]
 - A. Using the same measure of low income used to count public school children;
 - B. Using the results of a survey that protects the identity of families of private school students and allow results to be extrapolated if complete actual data are unavailable;

- C. Applying the low-income percentage of each participating public-school attendance area to the number of private school children who reside in school attendance area; or
 - D. Using an equated measure of low income correlated with the measure of low income used to count public school children.
2. Complaint Process—Any dispute regarding Title I, Part A low-income data for private school students shall be subject to the complaint process authorized in section 8503 [Section 1117(a)(6)(c)(2)].
 3. Public Control of Funds—
 - General—The control of funds and title to materials, equipment, and property purchased with such funds, shall be with the LEA which administers funds, materials, equipment, and property. Services shall be provided by employees of LEAs or through contract. Contractors must be independent of private school and of any religious organization and under the control and supervision of the LEA.

Private Nonprofit School Calculation

Expenditures made by an LEA for private nonprofit school children and teachers must be equal on a per-pupil basis to the amount of funds expended for participating public school children and teachers.

Children in private nonprofit schools must be assured equitable participation in the purposes and benefits of such programs and projects.

LEAs must pay for the reasonable and necessary administrative costs of providing services to children attending public and private nonprofit schools and to their teachers from the LEA's total allocation.

- The LEA equitable services amount per PNP participating program is calculated through the PS3099 Private School Equitable Services Schedule, Part 2. The LEA must use eligible private school children ages 5-17 when calculating equitable services on the PS3099 schedule. The LEA must keep documentation and calculations of equitable services amounts per participating PNP campus on file.

Documentation

The LEA shall maintain in its records and provide to the TEA Federal Program Compliance Division, by the designated deadline, a written Affirmation of Consultation with Private Non-Profit (PNP) School Officials form, signed by officials of each participating private school that the consultation required has occurred. [Sections 1117(a)(5)(b)(5)]

The written affirmation shall provide the option for private school officials to indicate its belief that timely meaningful consultation has not occurred, or that the program design is not equitable with respect to eligible private school children. If officials do not provide affirmation within a reasonable period of time, the LEA shall forward the documentation that such consultation has, or attempts at such consultation have, taken place to the TEA Federal Program Compliance Division.

Compliance

[Sections 1117(a)(5)(b)(6)]

1. A private school official shall have the right to file a complaint to the TEA Ombudsman asserting that the LEA did not engage in consultation that was meaningful and timely, did

- not give due consideration to the views of the private school official, or did not make a decision that treats the private school students equitably as required by this section.
2. If the private school official files a complaint, the official shall provide the basis of the noncompliance by the LEA to the TEA Ombudsman. TEA will request documentation from both parties for review.
 3. TEA shall provide services under this section directly or through contracts with public or private agencies, organizations, or institutions, if the appropriate private school officials have— (i) requested that the TEA provide such services directly; and (ii) demonstrated that the LEA involved has not met the requirements of this section in accordance with the procedures for making such a request, as prescribed by the TEA.

Schedule PS3099: Private School Equitable Services

The PS3099, Private School Equitable Services schedule, is in the eGrants ESSA Consolidated Federal Grant Application. PS3099 incorporates the formula for determining private school equitable services in the ESSA Application. For **Title I, Part A**, the LEA must use eligible low-income children, **ages 5-17**, attending private schools who reside in a participating (or skipped) Title I attendance area to calculate equitable services on the PS3099 schedule.

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

Title I, Part C—Education of Migratory Children

US Department of Education Appropriations

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

Category	Amount
Total funds available for this project	Approximately \$16,142,019
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$16,142,019
Percentage to be financed from non-federal sources	0%
Amount of non-federal funds	\$0

Fund Code: 212

Eligible Applicants

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

Intent and Purpose

The purpose of the Title I, Part C-Migrant Education Program (MEP) is to do all of the following:

1. Support high-quality and comprehensive educational programs and services during the school year and, as applicable, during the summer or intersession periods, that address the unique educational needs of migratory children;
2. Ensure that migratory children who move among the states are not penalized in any manner by disparities among the states in curriculum, graduation requirements, and challenging state academic standards;
3. Ensure that migratory children receive full and appropriate opportunities to meet the same challenging state academic standards that all children are expected to meet;
4. Design programs to help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to succeed in school; and
5. Ensure that migratory children benefit from state and local systemic reforms (ESSA Title I, Part C).

Intended Program Beneficiaries

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

General Program Requirements

1. All Migrant Education Program grant recipients must operate and implement the program in accordance with all the Provisions and Assurances of Title I, Part C.
2. For each required activity, the LEA is responsible for maintaining written documentation on file at the LEA level to support the implementation of each activity.

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

3. The LEA is responsible for incorporating all MEP activities, services, plans, and guidelines into a migrant-specific section of the District Improvement Plan (DIP) and updating it on a yearly basis.
4. MEP activities shall be used to do the following:
 - To meet the identified and unique educational needs of migratory children that result from their migratory lifestyle, and to permit these children to participate effectively in school; and
 - To address the unique educational needs of migratory children that are not addressed by services available from other federal or nonfederal programs, except that migratory children who are eligible to receive services under Title I, Part A, may receive those services through funds provided under that part.
5. In providing services with Title I, Part C, funds, LEAs shall give priority to serving Priority for Service (PFS) migratory children with MEP funds before using migrant funds to address the needs of other migratory children. PFS students are defined as migratory children who have made a qualifying move within the previous 1-year period and (1) who are failing or most at risk of failing to meet the state's academic standards; or (2) have dropped out of school. [Section 1304(d)] The Title I, Part C Migrant Coordinator will include a Priority for Service Action Plan as a separate section in the District Improvement Plan labeled or identified (e.g., "Migrant PFS Action Plan").

6. Migratory student data collection and data entry in the TX-New Generation System (NGS) must be conducted on a year-round basis as outlined in the Texas Data Management Requirement Manual for NGS & Migrant Student Information Exchange (MSIX).
7. Utilize MSIX to promote interstate coordination and timely records exchange. Coordinate with the Texas Migrant Interstate Program (TMIP) during the summer months in order to serve students from Texas who may attend out-of-state migrant summer programs.
8. **Designate and enter into TX-NGS a district summer contact person who will be available throughout the summer months and will have access to migratory student records.**
9. The identification and recruitment of all eligible migratory children and youth residing in the LEA must be conducted on a year-round basis and done in accordance with the Texas Manual for the Identification and Recruitment of Migrant Children and must be documented in each LEA's Identification and Recruitment (ID&R) Plan. Annual residency verification of eligible migratory children must be completed in accordance with the procedures outlined in the aforementioned manual.
10. In planning, implementing, and evaluating its MEP activities, the LEA assures that the unique educational needs of migratory children, including preschool migratory children and migratory children who have dropped out of schools, are identified, and addressed through {Section 1304(b)(1)}:
 - a. A full range of services that are available for migratory children from appropriate local, State, and Federal education programs;
 - b. Joint planning among other local, state, and federal education programs serving migratory children including language instruction educational programs under Part A of Title III;
 - c. Measurable program objectives and outcomes.
11. In planning, implementing, and evaluating its MEP activities, the LEA assures that local and regional data has been used to determine and provide services to migratory children in coordination with other stakeholders.
12. The LEA's MEP will provide for advocacy and outreach activities for migratory children and their families, including coordination to inform such children and their families of other education, health, nutrition, and social services (Migrant Services Coordination). [Section 1304(c)(6)]
13. To ensure parental participation in the MEP, the migrant-funded LEA will establish an LEA-wide migrant parent advisory council (PAC) which will be elected by the parents of eligible migratory students, nominated, by volunteering, and which will be composed of a majority of such parents. PAC meetings must be conducted in a format and language that is understandable to migrant parents. To ensure full parent participation, PAC meetings should be held at times convenient for the migrant parents and transportation and childcare should be offered. [Section 1304(c)(3)]

Note: In the case of migrant-funded SSAs, the fiscal agent will establish an SSA-wide migrant parent advisory council elected by migrant parents from the respective LEA in the SSA.
14. In planning, implementing, and evaluating the MEP, there has been and will be adequate provision for addressing the unmet needs of preschool migratory children and migratory children who have dropped out of school, as well as the identification and recruitment of such children. [Section 1304(c)(4)]
15. Coordinate with available program offering options for credit accrual and recovery to ensure that migratory secondary students are accessing opportunities available to earn needed credits and make up courses lacking due to late entry or early withdrawal.

16. Develop and implement a set of procedures that (1) outline a variety of strategies for partial and full credit accrual for migratory students with late entry and early withdrawal; and (2) saved course slots in elective and core subject areas based on LEA's history of student migration.
17. Coordinate and collaborate with sending and receiving LEAs to ensure continuity of services for migratory children as they move from district to district.
18. The LEA's MEP will provide information regarding family literacy programs.
19. The LEA must conduct an evaluation of their Migrant Education Program by June 30th. [Section 1306(A)(1)]

Unique Educational Needs of Migratory Children as Outlined in the Texas MEP Service Delivery Plan

The Texas MEP has identified the unique educational and educationally-related needs of migratory children through its Statewide Comprehensive Needs Assessment. [Section 1306(A)(1)] The needs assessment is a comprehensive review of the identified needs. Review the [Texas CNA and SDP](#) for a comprehensive list of needs and plan for service delivery including Measurable Program Outcomes (MPOs) that describe what every ESC and LEA will be accounted for. The required strategies specific to migratory children and youth in Texas, as outlined in the Texas Service Delivery Plan, are as follows:

Goal 1: Reading and Mathematics Service Delivery Strategies:

- 1-1) Coordinate/provide needs-based supplemental reading and/or mathematics instruction to migratory students in grades K-12 using results of disaggregated formal/informal assessments during the regular and summer terms (e.g., tutoring, virtual sessions, home based instruction).
- 1-2) Coordinate/provide training/support to migratory students on the use of academic tools and resources to increase success in reading and mathematics (e.g., training on the use of calculators, tablets, laptops, online programs).
- 1-3) Utilize Project SMART when providing summer supplemental mathematics instruction to migratory students in grades K-8.

Goal 2: School Readiness Service Delivery Strategies:

- 2-1) Coordinate with local education agency (LEA) and/or community-based school readiness programs to provide migratory children ages 3-5 (who are not in kindergarten) with access to school readiness services.
- 2-2) Provide the TEA-approved early literacy program (A Bright Beginning) for migratory children ages 3-5 who are not served by other programs (during the regular school year, summer, virtual, face-to-face, home-based, center-based).

Goal 3: High School Graduation/Services to OSY Service Delivery Strategies:

- 3-1) Coordinate/provide opportunities to confer with migratory students and out-of-school youth (OSY) to increase awareness and access to credit accrual options (e.g., annual preliminary and summative transcript review with MEP and/or non-MEP staff).
- 3-2) Coordinate/provide appropriate and targeted supplemental instruction to migratory students in grades 9-12 and OSY including late enrollments and early withdrawal students (e.g., student orientation, tutoring).
- 3-3) Coordinate/provide post-secondary and high school equivalency (HSE) program information to secondary-aged migratory students and parents (e.g., graduation

requirements, dropout recovery programs, HSE, SAT/ACT, informational videos, interactive links).

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

Goal 4: Non-Instructional Support Services Service Delivery Strategies:

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

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

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

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

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

Allowable Activities and Use of Funds

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

Title I, Part C-Migrant statute requires the following:

1. The activities and services your organization funds must align with the results of the statewide comprehensive needs assessment and the requirements of the statewide service delivery plan;
2. You must first use MEP funds to meet the identified needs of migratory children that result from their migratory lifestyle and to permit these children to participate effectively in school; and
3. You must use MEP funds to meet the unique needs of migratory children that are not addressed by services available from other federal or nonfederal programs.
4. In providing services with MEP funds, LEAs shall give priority to serving Priority for Service (PFS) migratory children with MEP funds before using migrant funds to address the needs of other migratory children. PFS students are defined as migratory children who have made a qualifying move within the previous 1-year period and (1) who are failing or most at risk of failing to meet the state's academic standards; or (2) have dropped out of school.

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

1. How is the expenditure reasonable and necessary to carry out the intent and purpose of the program?
2. What need, as identified in the comprehensive needs assessment, does the capital expenditure address? Explain how the capital expenditure addresses this need.
3. How will the expenditure be evaluated to measure a positive impact on student achievement?
4. How is the expenditure supplemental to other federal and nonfederal programs?

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

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

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

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

In general, LEAs may use MEP funds for the following, which should include addressing the unmet educational needs of preschool migratory children and migratory children who have dropped out of school:

- Supplemental
 - Credit accrual such as distance learning coursework
 - Educational support such as training and support to migratory students on how to effectively use Reading or Mathematic resources and tools
 - Supplemental instruction such as tutorials (for example, extended-day tutorials, tutoring in core or content areas; extended-day Statewide Assessment tutorials; Reading instruction by a teacher; or Mathematic instruction by a teacher; homebased programs for 3- and 4-year old’s, or supplemental support by a teacher for migratory pre-kindergarten or Kindergarten students performing below the expected level of development)
 - Summer Programs (Project SMART for grades K-8)
 - School and social engagement for grades 6-12 (for example, migrant extracurricular club or leadership organizations specific to migratory secondary students)
- Support services (for example, providing clothing, providing access to health, nutrition, and social service providers, or providing migratory families with necessary educational supplies)
- Professional development (for example, professional development for MEP staff who provide needs-based supplemental reading or mathematics instruction to migratory students; and for MEP staff on services for migratory students in grades 9-12 and OSY)
- Migrant PAC and other migrant parental involvement activities
- Identification and Recruitment including providing electronic devices to encode data for utilizing an electronic Certificate of Eligibility (COE)
- TX-NGS relate activities, including having a TX-NGS specialist
- Coordination of activities with other agencies, both within the state and with other states nationwide, including the transfer of student records
- Comprehensive needs assessment (CNA) activities
- Service Delivery Plan (SDP) required and optional activities
- Evaluation of the MEP

Note: All grants in the ESSA Consolidated Application may be consolidated with the exception of Title I, Part C, Migrant. LEAs must request special permission from the Texas

Education Agency to add Title I, Part C, Migrant to the consolidation and must be documented as part of the ESSA Consolidated Application process. Section 1306(b)(4) of the statute and sections 200.29(c)(l) and 200.86 of the regulations require schools to first use the MEP funds, in consultation with migratory parents, to meet the special educational needs of migratory children before they may combine MEP funds in a schoolwide program. The State has identified these needs in its comprehensive statewide needs assessment and Service Delivery Plan. An LEA must have evidence of these needs being met before considering consolidation of these funds. **The LEA must have documentation that these identified unique educational and educationally-related needs of migratory children have been met before requesting to consolidate Title I, Part C funds into a schoolwide program.**

Field Trips

Educational field trips may be funded under the grant program. Each field trip must address a documented, unmet migrant-specific need. Costs for the field trip must be reasonable. Any entrance fees and transportation costs must be reasonable in comparison to the intended objectives of the trip. See the Allowable Cost and Budgeting Guidance section of the Administering a Grant page for further clarification of field trips.

Only the following types of field trips are allowable:

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

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

Travel for Students to Conferences

Travel for students to conferences may be funded under the grant program. Costs for this trip must be reasonable. This is limited to conference costs not afforded to migratory students by any other local, state, or federal program. Any conference fee and transportation costs must be reasonable in comparison to the intended objectives of the trip. Only the following is allowable:

- Participation in student youth leadership forums/institutes/programs.

Advisory Council

An advisory council may be funded under the grant program. Only the following types of advisory councils are allowable:

- Establishment of and participation in a district-wide Migrant Parent Advisory Council (PAC); and
- Establishment of and participation in a region-wide Migrant Parent Advisory Council (PAC).

Non-employee Travel

Non-employee travel may be funded under the grant program. Costs for this travel must be reasonable. Any transportation costs must be reasonable in comparison to the intended objectives of the trip. Only the following is allowable:

- Travel for students to conferences for students (participation in student youth leadership forums/institutes/programs not funded by other local, state or federal programs)

- Travel for parents to conferences related to program objectives.

Out-of-State Travel

Out-of-state travel costs are allowable. Out-of-state travel costs should be minimal. Travel costs are allowable as long as the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee's regular business operations and written travel policy. See the Allowable Cost and Budgeting Guidance section of the [Training and Other Resources](#) page for further clarification of out-of-state travel.

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

See the Allowable Cost and Budgeting Guidance section of the [Training and Other Resources](#) page for general guidance on allowable activities and use of funds.

Unallowable Activities and Use of Funds

Cost of Membership in Any Civic or Community Organization

The cost of membership in any civic or community organization may not be funded under the grant program.

Hosting or Sponsoring of Conferences

Conferences may not be hosted or sponsored under the grant program.

Stipends for Non-Employees

Stipends for non-employees may not be funded under the grant program.

Travel Costs for Officials such as Executive Director, Superintendent, or Board Members

Travel costs for officials such as the executive director, superintendent, or board members may not be funded under the grant program.

Supplement, Not Supplant

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

For supplement, not supplant guidance see the *Supplement, Not Supplant Handbook* at the [Training and Other Resources](#) page under the Handbooks and Other Guidance section.

Shared Services Arrangements

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

Shared Services Arrangements (SSAs) are allowed as part of the grant program.

Equitable Access and Participation

You are required to report on equitable access and participation to apply for this grant program.

Private Nonprofit School Participation

An LEA shall:

After timely and meaningful consultation with appropriate private school officials provide to those children and their teachers or other educational personnel, on an equitable basis, special educational services or other benefits that address their needs. [Section 8501(a)(1)]

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

Special Rule

A. In General - Equitable Services

Educational services and other benefits for such private school children, teachers, and other educational personnel shall be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating shall be provided in a timely manner. Services are not required to be the same as provided to public school children or even those provided at the same grade level(s). [Section 1117(a)(3)(A)]

B. Ombudsman

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

Expenditures

Expenditures for educational services and other benefits provided for eligible private school children, their teachers, and other educational personnel serving those children shall be equal, taking into account the number and educational needs of the children to be served, to the expenditures for participating public school children. [Section 8501(a)(1)(4)(A)]

Obligation of Funds

Funds allocated to an LEA for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received. [Section 8501(a)(1)(4)(B)]

Provision of Services

The LEA may provide services directly or through contracts with public and private agencies, organizations, and institutions. [Section 8501(a)(1)(5)]

Consultation

To ensure timely and meaningful consultation, an LEA, shall consult with appropriate private school officials. [Sections 8501(c)(1)] The LEA and private school officials shall both have the

goal of reaching an agreement on how to provide equitable and effective programs for eligible private school children. The process shall include consultation on:

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

Disagreement

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

Timing

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

Discussion

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

Documentation

The LEA shall maintain in the district records, and provide to the TEA, a written affirmation signed by officials of each participating private school that the meaningful consultation required has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children.

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

Compliance

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

Public Control of Funds

- 1. **In General.** The control of funds used to provide services and title to materials, equipment, and property purchased with those funds, shall be in a public agency for the uses and purposes provided, and a public agency shall administer the funds and property. [Section 8501(d)(1)]
- 2. **Provision of Services.**
 - A. **In General.** The provision of services under this section shall be provided—
 - i. by employees of a public agency; or
 - ii. through contract by the public agency with an individual, association, agency, organization, or other entity.
 [Section 8501(d)(2)(A)]
 - B. **Independence - Public Agency.** In the provision of those services, the employee, person, association, agency, organization, or other entity shall be independent of the private school and of any religious organization, and the employment or contract shall be under the control and supervision of the public agency. [Section 8501(d)(2)(B)]
 - C. **Commingling of Funds Prohibited.** Funds used to provide services shall not be commingled with non-Federal funds. [Section 8501(d)(2)(c)]

Schedule PS3099: Private School Equitable Services

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

LEA final grant allocations are generally available in late Fall. If there are LEA grant allocation changes, the PS3099 schedule must be amended to reflect revised equitable services for participating PNP schools. Within a reasonable time, PNP school official(s) must be notified of any revised equitable services amounts. The LEA must keep written documentation of the

consultation meeting in which it shared revised equitable services with each participating PNP school.

Title I, Part D, Subpart 1—Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk—State Agency (SA) Programs

US Department of Education Appropriations

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

Category	Amount
Total funds available for this project	Approximately \$2,971,731
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$2,971,731
Percentage to be financed from non-federal sources	0%
Amount of non-federal funds	\$0

Fund Code: 215

Eligible Applicants

The two state agencies in Texas, Texas Juvenile Justice Department and the Windham School District, are eligible to apply for a grant under the ESSA Consolidated Application, Title I, Part D, Subpart 1.

Intent and Purpose

[ESSA, Section 1401(a)]

The purpose of Title I, Part D, Subpart 1 is to do the following:

1. Improve educational services for children and youth in local and state institutions for neglected or delinquent children and youth so that such children and youth have the opportunity to meet the same challenging state academic content standards and student academic achievement standards that all children are expected to meet;
2. Provide such children and youth with the services needed to make a successful transition from institutionalization to further schooling or employment; and
3. Prevent at-risk youth from dropping out of school and provide dropouts and children and youth returning from jails or institutions for neglected or delinquent children and youth with a support system to ensure their continued education and the involvement of their families and communities.

Intended Program Beneficiaries

The Texas Juvenile Justice Department (TJJD) and the Windham School District are the eligible state agencies in Texas.

To participate in the state agency Title I, Part D, Subpart 1, program, the child or youth must be 21 years of age or younger, entitled to free public education not above Grade 12, and enrolled in a regular program of instruction at either an eligible neglected or delinquent institution, adult correctional institution, or community day program for the required length of time (20 hours per week if in an institution or community day program for neglected or delinquent youth; 15 hours per week if in an adult correctional institution).

A SA that receives Title I, Part D, Subpart 1, funds must assess, on the basis of educationally objective criteria, the educational needs of all eligible children and youth in eligible institutions and community day programs. The needs assessment enables the SA to identify the unique educational needs of these children and youth and the general instructional areas on which the program will focus. Using the assessment data, an SA can select those most in need of special assistance and determine the specific needs of participating children and youth to ensure that the services provided will be of sufficient size, scope, and quality to enable the participants to make significant progress toward meeting state performance standards. If available funds are insufficient to meet the needs of all eligible youth, those most in need should be served first.

A student aged 21 or younger who is otherwise eligible to receive services under Title I, Part D, Subpart 1, and who has earned a certificate of high school equivalency but takes courses that lead to a high school diploma is eligible to receive Title I, Part D, Subpart 1, services. Earning a high school diploma would fall within the definition of “regular program instruction” found in 34 CFR 200.90(b) of the Title I, Part D, Subpart 1, regulations that is limited to an educational program not beyond Grade 12. Title I, Part D, Subpart 1, funds also may be used for dual-enrollment courses in which a student concurrently earns high school and college credit but may not be used for courses that award college credits only. Additionally, Title I, Part D, Subpart 1, funds may be used for placement services designed to place the youth in a university, college, or junior college program, such as SAT and ACT preparation courses, as well as for fees associated with college applications.

General Program Requirements

A SA is eligible for assistance [ESSA, Section 1411] if it is responsible for providing free public education for eligible children and youth who are:

1. In an institution for neglected or delinquent children and youth;

Note: TEA may request description of services and use of funds documentation later through a compliance report or other TEA reports. SA must keep documentation of allowable activities and expenditures locally and make available upon TEA request.

2. Attending community day programs for neglected or delinquent children and youth; or
3. In adult correctional institutions.

Program Requirements for Correctional Facilities Receiving Title I, Part D, Subpart 1 Funds

[ESSA, Section 1414(c)]

1. Describe how the SA will assess the educational needs of children served and provide for assessment upon entry into the correctional facility.

2. Describe the SA program and budget with annual updates provided to TEA.
3. Describe how the program will meet the goals and objectives of the State plan.
4. Describe the consultation with experts and staff training to ensure planning and operation of institution-wide projects (Section 1416) are high quality, if applicable.
5. Describe how evaluation results (Section 8601) will be used to plan and improve the program.
6. Include data showing the fiscal effort requirement is met (Section 8521).
7. Describe coordination of the program with others such as Title I of the Workforce Innovation and Opportunity Act, career and technical education, State and local dropout prevention programs, and special education.
8. Describe how coordination with LEAs or alternative education programs attended by children and youth before and after incarceration will ensure that student assessments and appropriate academic records are shared jointly between the correctional facility and the LEA or alternative education program to facilitate transition.
9. Describe teacher and staff professional development plans and processes.
10. SA must designate an individual per facility to provide transition services (Section 1418) of children and youth between facility and locally operated programs.
11. Describe coordination with businesses for training and mentoring participating children and youth.
12. Describe additional services to be provided to children and youth, such as career counseling, distance learning, and assistance in securing student loans and grants.
13. Describe how the SA will—
 - Note when a youth has come into contact with both the child welfare and juvenile justice systems; and
 - Deliver services and interventions designed to keep youth in schools that are evidence-based (to the extent the TEA determines that such evidence is reasonably available).

Allowable Activities and Use of Funds [ESSA, Section 1415(a)]

TEA may request description of services and use of funds documentation later through a compliance report or other TEA reports. SA must keep documentation of allowable activities and expenditures locally and make available upon TEA request. Under the authorizing statute, the Texas Juvenile Justice Department and Windham School District must use Subpart 1 funds to support educational services that do the following:

- Are consistent with the TEA State plan, once submitted
- Provide children and youth with the knowledge and skills needed to make a successful transition to secondary school completion, career and technical education, further education, or employment

Programs and projects

- May include-
 - The acquisition of equipment
 - Pay-for-success initiatives; or
 - Providing targeted services for youth who have come in contact with both the child welfare system and juvenile justice system
- Shall be designed to support educational services that-

- Except for institution-wide projects under section 1416, are provided to children and youth identified as failing, or most at-risk of failing, to meet the challenging State academic standards;
- Respond to the educational needs of children and youth, by supplementing and improving quality of the educational services provided to such children and youth; and
- Afford such children and youth an opportunity to meet challenging State academic standards.
- Shall be carried out in a manner consistent with fiscal requirements (Section 1118 and part F) (as applicable).

Projects may use Subpart 1 funds to pay the necessary and reasonable costs that provide a variety of services such as:

- Providing reading, mathematics, and language arts programs that include academic classroom instruction, as long as these are supplementary services and materials
- Providing pay-for-success initiatives, career and technical training programs, personal and academic counseling, job placement services, college preparatory and placement services
- Hiring additional teachers, aides, educational counselors, and other staff members to provide supplemental instruction in the areas of greatest need
- Training and providing professional development opportunities for teachers, aides, and other staff members who are actively involved in providing Title I, Part D, Subpart 1 services
- Procuring supplemental educational materials and equipment for Title I, Part D, Subpart 1 instruction- including books, computers, audiovisual equipment and supplies, and classroom materials for academic, career, and technical skill programs
- Hiring transition coordinators or purchasing new equipment to assist students' transitions (for example, purchasing scanners to scan individualized education program (IEP) documents)
- Increasing the total number of hours of instruction in any subject area that students receive with state or local funds

Institution-wide Projects [ESSA, Section 1416]

Funds may be used to serve all children in, and upgrade the entire educational effort if the SA has developed and TEA approved, a comprehensive plan for TJJD or Windham School District that -

- Provides for a comprehensive assessment of the educational needs of all children and youth
- Provides for a comprehensive assessment of the educational needs of youth aged 20 and younger in adult facilities who are expected to complete incarceration within a 2-year period
- Describes the steps the SA has taken, or will take, to provide all children and youth under age 21 with the opportunity to meet challenging State academic standards in order to improve the likelihood that the children and youth will attain a regular high school diploma or its recognized equivalent, or find employment after leaving the institution
- Describes the institutional program, specialized instructional support services, and procedures that will be used to meet the needs described in bullet 1, including, to the extent feasible, the provision of mentors for the children and appropriate academic

records and plans regarding the continuation of educational services for such children or youth are shared jointly between the SA and LEA in order to facilitate transition

- Describes how funds will be used
- Describes the measures and procedures that will be used to assess and improve student achievement
- Describes how the agency has planned, and will implement and evaluate, the institution-wide or program-wide project in consultation with personnel providing direct instructional services and support services in institutions or community-day programs for neglected or delinquent children and youth, and with personnel from TEA
- Includes assurance that the SA has provided for appropriate training for teachers and other instructional and administrative personnel to enable teachers and personnel to carry out the project effectively

Transition Services (Section 1418)

SA shall reserve between 15-30% of total allocation for transition services to support -

- Facilitating transition of children and youth between State-operated or Secretary of the Interior institutions and schools served by LEAs or Bureau of Indian Education; or
- Successful reentry of youth offenders who are age 20 or younger and have received a regular high school diploma or high school equivalency certificate into postsecondary education or career and technical training programs such as –
 - Preplacement programs that allow youth to audit or attend college courses (via campus-based or institutional settings);
 - Worksite schools – institutes of higher education and private/public employers partner to create programs to assist successful transition to postsecondary education and employment; and
 - Essential support services such as -
 - Personal, career and technical, and academic counseling;
 - Placement services in university, college, or junior college program;
 - Student financial aid information and assistance;
 - Counseling services; and
 - Job placement services.

Expenditures

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

1. How is the expenditure reasonable and necessary to carry out the intent and purpose of the program?
2. What need, as identified in the comprehensive needs assessment, does the capital expenditure address? Explain how the capital expenditure addresses this need.
3. How will the expenditure be evaluated to measure a positive impact on student achievement?
4. How is the expenditure supplemental to other nonfederal programs?

Out-of-State Travel

Out-of-state travel costs are allowable. Out-of-state travel costs should be minimal, reasonable, and meet the intent and purposes of the program. Grantees must retain documentation that participation of an individual in the conference is necessary for the project. Travel costs are

allowable as long as the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee's regular business operations and written travel policy.

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

See the Allowable Cost and Budgeting Guidance section of the [Training and Other Resources](#) page for general guidance on allowable activities and use of funds.

Unallowable Activities and Use of Funds

Advisory Council

An advisory council may not be funded under the grant program.

Cost of Membership in Any Civic or Community Organization

The cost of membership due in any civic or community organization may not be funded under the grant program. Membership dues or fees for professional and technical organizations directly related to and necessary to carry out the objectives of the grant are allowable (see TEA Budgeting Costs Guidance Handbook).

Field Trips

Field trips may not be funded under the grant program.

Hosting or Sponsoring of Conferences

Conferences may not be hosted or sponsored under the grant program.

Travel Costs for Officials such as Executive Director, Superintendent, or Board Members

Travel costs for officials such as the executive director, superintendent, or board members may not be funded under the grant program.

Supplement, Not Supplant

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

For supplement, not supplant guidance see the *Supplement, Not Supplant Handbook* at the [Training and Other Resources](#) page under the Handbooks and Other Guidance section.

A program under this subpart that supplements the number of hours of instruction students receive from State and local sources shall be considered to comply with the supplement, not supplant requirement of section 1118 (as applied to this part) without regard to areas in which instruction is given during those hours.

Shared Services Arrangements

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

Shared Services Arrangements (SSAs) are not allowed as part of the grant program.

Equitable Access and Participation

You are required to report on equitable access and participation to apply for this grant program.

Private Nonprofit School Participation

Title I, Part D, Subpart 1, programs may not be operated in private schools.

Title I, Part D, Subpart 2—Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk

US Department of Education Appropriations

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

Category	Amount
Total funds available for this project	Approximately \$9,869,507
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$9,869,507
Percentage to be financed from non-federal sources	0%
Amount of non-federal funds	\$0

Fund Code: 211

Eligible Applicants

LEAs in Texas are eligible to apply for a grant under ESSA Consolidated, Title I, Part D, Subpart 2.

Intent and Purpose [ESSA, Section 1421]

The purpose of Title I, Part D, Subpart 2, is to do the following:

- To carry out high quality education programs to prepare children and youth for secondary school completion, training, employment, or further education;
- Provide children and youth with the services needed to make a successful transition from institutionalization to further education or employment; and
- To operate programs in local schools, including schools operated or funded by the Bureau of Indian Education for children and youth returning from correctional facilities and programs which may serve at-risk children and youth.

Intended Program Beneficiaries

Intended beneficiaries are LEAs with high numbers or percentages of children and youth residing in locally operated (including county operated) correctional facilities for children and youth.

An institution for neglected or delinquent children and youth is defined as:

- A public or private residential facility, other than a foster home, that is operated for the care of children who have been committed to the institution or voluntarily placed in the institution under applicable State law, due to abandonment, neglect, or death of their parents or guardians; or
- A public or private residential facility for the care of children who have been adjudicated to be delinquent or in need of supervision.

NOTE: TEA may request description of services and use of funds documentation later through compliance reports or other TEA reports. LEAs must keep documentation of allowable activities and expenditures locally and make available upon TEA request.

General Program Requirements

[ESSA, Section 1423]

LEAs must collaborate with locally operated neglected and delinquent facilities to do the following:

1. Provide a description of the program.
2. Provide a description of formal agreements between the LEA and correctional facilities and alternative school programs, including Secretary of the Interior and Indian tribes.
3. Provide a description of coordination with facilities working with delinquent children and youth ensuring their participation in comparable local school education programs.
4. Provide a description of programs to facilitate successful transition of children and youth returning from correctional facilities and types of services offered.
5. Provide a description of the characteristics (including learning difficulties, substance abuse problems, and other special needs) of the children and youth returning from correctional facilities. Describe how the LEA will coordinate existing education programs to meet unique educational needs of children and youth.
6. Provide a description of how the LEA will coordinate with existing social, health, and other services to meet the needs of students returning from correctional facilities - including prenatal health care and nutrition services, parenting and child development classes, childcare, targeted reentry and outreach program, referrals to community resources, and flexibility.
7. Provide a description of partnerships with institutions of higher education or local businesses to facilitate postsecondary and workforce success for children and youth returning from correctional facilities – i.e., credit-bearing coursework, enrollment in postsecondary education, participation in career and technical education programming, and mentoring services.
8. Provide a description of how the program will involve parents and family members to prove the educational achievement of their children, assist in dropout prevention activities and prevent the involvement in delinquent activities.
9. Provide a description of coordination with other Federal, State, and local programs, i.e., Title I of the Workforce Innovation and Opportunity Act and career and technical education programs.

10. Provide a description of coordination with Juvenile Justice and Delinquency Prevention Act of 1974, if applicable.
11. Provide a description of coordination and collaboration with probation officers to assist children and youth.
12. Provide a description of efforts to ensure correctional facilities are aware of the child's existing individualized education program.
13. Provide a description of steps the LEA will take to find alternative placements for children and youth interested in continuing their education but unable to participate in a traditional public school program.

Allowable Activities and Use of Funds [Section 1424]

TEA may request description of services and use of funds documentation later through a compliance report or other TEA reports. LEAs must keep documentation of allowable activities and expenditures locally and make available upon TEA request.

1. Programs that serve children and youth returning to local schools from correctional facilities and assist in the transition;
2. Dropout prevention programs serving at-risk children and youth;
3. Coordination of health and social services for youth to improve likelihood of youth completing education;
4. Special programs to meet unique academic needs, including career and technical education, special education, career counseling, curriculum-based youth entrepreneurship education, and financial aid assistance for postsecondary education;
5. Mentoring and peer mediation programs;
6. At-risk Indian children and youth in correctional facilities in LEA's served area operated by the Secretary of the Interior or Indian tribes; and
7. Pay for success initiatives.

Program Requirements for Correctional Facilities Receiving Title I, Part D, Subpart 2 Funds [Section 1425]

Each correctional facility entering into an agreement with a local educational agency under section 1423(2) to provide services to children and youth under this subpart shall—

1. Ensure educational programs are coordinated with the student's home school, particularly with respect to a student with an individualized education program under Part B of the Individuals with Disabilities Education Act;
2. Notify LEA if the child or youth is identified as in need of special education services while in the correctional facility;
3. Provide transition assistance to help the child or youth stay in school, including coordination of services for the family, counseling, assistance in accessing drug and alcohol abuse prevention programs, tutoring, and family counseling;
4. Provide support programs that encourage children and youth who have dropped out of school to reenter school and attain a regular high school diploma or provide children and youth with the skills necessary to gain employment or seek a regular high school diploma or high school equivalency certificate;
5. Ensure correctional facility is staffed with teachers and other qualified staff who are trained to work with children and youth with disabilities;
6. Ensure educational programs are related to assisting students to meet the challenging State academic standards;

7. Use technology to assist in coordinating educational programs between the correctional facility and the community school;
8. Involve parents in efforts to improve the educational achievement of their children and prevent the further involvement of delinquent activities;
9. Coordinate funds with other local, State, and Federal funds available to provide services - i.e., Title I of the Workforce Innovation and Opportunity Act, and career and technical education funds;
10. Coordinate programs with activities funded under the Juvenile Justice and Delinquency Prevention Act of 1974, if applicable;
11. Work with local businesses to develop training, curriculum-based youth entrepreneurship education, and mentoring programs for children and youth;
12. Work with the child's or youth's family members and the LEA that most recently provided services to the child or youth to ensure relevant and appropriate academic records and plans are shared jointly; and
13. Consult with the LEA for a period jointly determined necessary by the correctional facility and LEA upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child's or youth's achievement.

Accountability [Section 1426]

TEA may:

1. Reduce or terminate funding for projects under this subpart if an LEA does not show progress in the number of children and youth attaining a regular high school diploma or high school equivalency certificate; and
2. Require correctional facilities or institutions for neglected or delinquent children and youth to demonstrate, after receiving assistance for 3 years, that there has been an increase in the number of children and youth returning to school, attaining a regular high school diploma or high school equivalency certificate, or attaining employment after such children and youth are released.

Expenditures

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

1. How is the expenditure reasonable and necessary to carry out the intent and purpose of the program?
2. What need, as identified in the comprehensive needs assessment, does the capital expenditure address? Explain how the capital expenditure addresses this need.
3. How will the expenditure be evaluated to measure a positive impact on student achievement?

Out-of-State Travel

Out-of-state travel costs are allowable. Out-of-state travel costs should be minimal, reasonable, and meet the intent and purposes of the program. Grantees must retain documentation that participation of an individual in the conference is necessary for the project. Travel costs are allowable as long as the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee's regular business operations and written travel policy.

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

The TEA [Title I, Part D, Subpart 2 webpage](#) provides further information on the allowable uses of Title I, Part D, Subpart 2, funds for LEAs.

See the Allowable Cost and Budgeting Guidance section of the [Training and Other Resources](#) page for general guidance on allowable activities and use of funds.

Unallowable Activities and Use of Funds

Advisory Council

An advisory council may not be funded under the grant program.

Cost of Membership in Any Civic or Community Organization

The cost of membership in any civic or community organization may not be funded under the grant program. Membership dues or fees for professional and technical organizations directly related to and necessary to carry out the objectives of the grant are allowed (see TEA Budgeting Costs Handbook).

Field Trips

Field trips may not be funded under the grant program.

Hosting or Sponsoring of Conferences

Conferences may not be hosted or sponsored under the grant program.

Travel Costs for Officials such as Executive Director, Superintendent, or Board Members

Travel costs for officials such as the executive director, superintendent, or board members may not be funded under the grant program.

Supplement, Not Supplant

A program under this subpart that supplements the number of hours of instruction students receive from State and local sources shall be considered to comply with the SNS requirement of section 1118 (as applied to this Part) without regard to the subject area in which the instruction is given during those hours. This means that Title I, Part D, Subpart 1 is subject to SNS requirements, but the USDE's non-regulatory guidance is clear that because the initial allocation of Part D funds is made to the State, rather than at the LEA level, the "specific requirements pertaining to the methodology...do not apply." Refer to **Section A** of the SNS Handbook for the traditional SNS requirements.

For additional information visit the SNS Handbook located at: [Supplement, Not Supplant Handbook](#)
https://tea.texas.gov/sites/default/files/SNS%20Handbook_4.0--revised%209-5-2019.pdf

Shared Services Arrangements

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

Shared Services Arrangements (SSAs) are allowed as part of the grant program.

Equitable Access and Participation

You are required to report on equitable access and participation to apply for this grant program.

Private Nonprofit School Participation

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

Title I, Part D, Subpart 2, programs may not be operated in private schools.

Title I, Part D – Subpart 3 General Provisions

Program Evaluations [Section 1431(a)]

Each SA or LEA that conducts a program under subparts 1 or 2 shall evaluate the program, disaggregating data on participation by gender, race, ethnicity, and age while protecting individual student privacy, not less than once every 3 years, to determine the program's impact on the ability of participants -

1. To maintain and improve educational achievement and to graduate from high school in the number of years established by the TEA;
2. To accrue school credits that meet State requirements for grade promotion and high school graduation;
3. To make the transition to a regular program or other education program operated by an LEA or school operated or funded by the Bureau of Indian Education;
4. To complete high school (or high school equivalency requirements) and obtain employment after leaving the correctional facility or institution for neglected or delinquent children and youth; and
5. To participate in postsecondary education and job training programs.

Program Evaluation Exception [Section 1431(b)]

The disaggregation required under section 1431(a) shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information.

Evaluation Measures and Results [Section 1431(c-d)]

In conducting each evaluation under section 1431(a), a SA or LEA shall use multiple and appropriate measures of student progress.

Each SA and LEA shall-

- Submit evaluation results to the TEA
- Use the results of evaluations to plan and improve subsequent programs for participating children and youth

Definitions [Section 1432]

Adult Correctional Institution – A facility in which persons (including persons under 21 years of age) are confined as a result of a conviction of a criminal offense.

At-Risk – A school-aged individual who is at-risk of academic failure, dependency adjudication, or delinquency adjudication, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system or child welfare system in the past, is at least 1 year behind the expected grade level for the age of the individual, is an English learner, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.

Community Day Program – A regular program of instruction provided by a SA at the community day school operated specifically for neglected and delinquent children and youth.

Institution for Neglected or Delinquent Children and Youth - (1) a public or private residential facility, other than a foster home, that is operated for the care of children who have been committed to the institution or voluntarily placed in the institution under State law, due to abandonment, neglect, or death of parents or guardians, or (2) a public or private residential facility for the care of children who have been adjudicated to be delinquent or in need of supervision.

Title II, Part A—Supporting Effective Instruction

US Department of Education Appropriations

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

Category	Amount
Total funds available for this project	Approximately \$215,167,182
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$215,167,182
Percentage to be financed from non-federal sources	0%
Amount of non-federal funds	\$0

Fund Code: 255

Eligible Applicants

LEAs in Texas are eligible to apply for a grant under ESSA Consolidated, Title II, Part A.

Intent and Purpose

The intent and purpose of the Title II, Part A, program is to provide resources to LEAs to do the following:

1. Increase student achievement consistent with the challenging State academic standards;
2. Improve the quality and effectiveness of teachers, principals, and other school leaders;
3. Increase the number of teachers, principals and other school leaders who are effective in improving student academic achievement in schools; and

4. Provide low-income and minority students greater access to effective teachers, principals, and other school leaders.

Intended Program Beneficiaries

Intended beneficiaries are teachers, principals, and other school leaders.

General Program Requirements

Title II, Part A, program activities are required to do the following:

1. Address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students;
2. Be aligned with the challenging state academic standards;
3. Be sustained, intensive, collaborative, job embedded, data-driven, personalized, or based on information from an evaluation and support system, and classroom-focused rather than professional development activities that stand alone and do not connect to a larger school-wide or individualized plan; and
4. Be coordinated with other professional development activities provided through other federal, state, local and community programs.

Allowable Activities and Use of Funds

LEAs must use Title II, Part A, funds to implement one or more of the following allowable activities specifically authorized in statute:

1. Developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, or other school leaders;
2. Developing and implementing initiatives to assist in recruiting, hiring, and retaining effective teachers in high-need schools;
3. Recruiting qualified individuals from other fields to become teachers, principals, or other school leaders;
4. Reducing class size to a level that is evidence based and used to improve student achievement through the recruiting and hiring of additional effective teachers;
5. Providing high-quality, personalized professional development that is evidence-based for teachers, instructional leadership teams, principals, or other school leaders, that is focused on improving teaching and student learning and achievement;
6. Developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities and English learners;
7. Providing programs and activities to increase the knowledge base of teachers, principals, or other school leaders on instruction in the early grades and on strategies to measure whether young children (through age 8) are progressing;
8. Providing training, technical assistance, and capacity-building to assist teachers, principals, or other school leaders with the selection, design and data analysis of assessments as tied to improving student instruction and academic achievement;
9. Carrying out in-service training for school personnel to meet the mental health needs of students;
10. Providing training to support the identification of students who are gifted and talented;
11. Supporting the instructional services provided by effective school library programs;
12. Providing training for all school personnel regarding how to prevent and recognize child sexual abuse;

13. Developing and providing professional development and other comprehensive systems of support to promote high-quality instruction and instructional leadership in science, technology, engineering, and mathematics (STEM) subjects;
14. Developing feedback mechanisms to improve school working conditions;
15. Providing high-quality professional development on effective strategies to integrate rigorous academic content, career and technical education, and work-based learning (if appropriate);
16. Carrying out other activities that are evidence-based.

For all Title II, Part A activities, the LEA must be able to respond appropriately to and maintain documentation for each of the following steps and requirements to determine whether an expenditure would be allowable:

1. LEAs must apply the traditional presumptions of Supplant to determine if the use of funds is supplemental. For additional guidance concerning the Title I, Part A Supplement, Not Supplant requirement, refer to the [Supplement, Not Supplant Handbook](#).
2. Ensure that the LEA has prioritized Title II, Part A funds for use at Title I, Part A campuses identified for School Improvement and campuses serving Title I, Part A students.
3. Ensure that activities and/or resources are:
 - Identified in the Comprehensive Needs Assessment;
 - Included in the District Improvement Plan;
 - i. The plan addresses how the activity/resource identified will be aligned with the challenging State academic standards; and
 - ii. The planning process meets the requirements for meaningful consultation and coordination.
 - Reasonable;
 - Necessary to carry out the intent and purpose of the Title II, Part A program;
 - Allocable; and
 - Allowable under Title II, Part A.
4. Ensure that the expenditure(s) meet all EDGAR requirements.
5. Ensure that all LEA policies and procedures were followed.

Out-of-State Travel

Out-of-state travel costs are allowable. Out-of-state travel costs should be minimal. Travel costs are allowable as long as the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee's regular business operations and written travel policy. Out-of-state travel with Title II, Part A, funds must be due to the absence of in-state opportunities to satisfy the same Title II, Part A, specific needs.

Out-of-state costs are allowable if:

1. No similar opportunity exists in the state
2. If for recruiting, it is for the recruitment of effective teachers (teachers who have demonstrated competency in the field(s) in which they will teach)

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

Travel Costs for Officials such as Executive Director, Superintendent, or Board Members

Travel costs for officials such as the executive director, superintendent, or board members may be funded under the grant program. Only the following travel costs are allowable for these positions:

- Reasonable and necessary travel costs for the recruitment of effective teachers

See the Allowable Cost and Budgeting Guidance section of the [Training and Other Resources](#) page for general guidance on allowable activities and use of funds.

Unallowable Activities and Use of Funds

Field Trips

Field trips may not be funded under the grant program.

Advisory Council

An advisory council may not be funded under the grant program.

Cost of Membership in Any Civic or Community Organization

The cost of membership in any civic or community organization may not be funded under the grant program.

Hosting or Sponsoring of Conferences

Conferences may not be hosted or sponsored under the grant program.

Supplement, Not Supplant

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

For supplement, not supplant guidance see the *Supplement, Not Supplant Handbook* at the [Training and Other Resources](#) page under the Handbooks and Other Guidance section.

Shared Services Arrangements

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

Shared Services Arrangements (SSAs) are allowed as part of the grant program.

Equitable Access and Participation

You are required to report on equitable access and participation to apply for this grant program.

Private Nonprofit School Participation

An LEA shall:

After timely and meaningful consultation with appropriate private school officials provide to those children and their teachers or other educational personnel, on an equitable basis, special educational services or other benefits that address their needs. [Section 8501(a)(1)]

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

Special Rule

A. In General - Equitable Services

Educational services and other benefits for such private school children, teachers, and other educational personnel shall be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating shall be provided in a timely manner. Services are not required to be the same as provided to public school children or even those provided at the same grade level(s). [Section 1117(a)(3)(A)]

B. Ombudsman

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

Expenditures

Expenditures for educational services and other benefits provided for eligible private school children, their teachers, and other educational personnel serving those children shall be equal, taking into account the number and educational needs of the children to be served, to the expenditures for participating public school children. [Section 8501(a)(1)(4)(A)]

Obligation of Funds

Funds allocated to an LEA for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received. [Section 8501(a)(1)(4)(B)]

Provision of Services

The LEA may provide services directly or through contracts with public and private agencies, organizations, and institutions. [Section 8501(a)(1)(5)]

Consultation

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

- A. How the children's needs will be identified;
- B. What services will be offered;
- C. How, where, and by whom the services will be provided;
- D. How the services will be assessed and how the results of that assessment will be used to improve those services;

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

Disagreement

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

Timing

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

Discussion

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

Documentation

The LEA shall maintain in the district records, and provide to the TEA, a written affirmation signed by officials of each participating private school that the meaningful consultation required has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children.

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

Compliance

- A. **In General.** If the consultation required is with an LEA or educational service agency, a private school official shall have the right to file a complaint with the TEA that the consultation required under this section was not meaningful and timely, did not give due consideration to the views of the private school official, or did not make a decision that treats the private school or its students equitably as required. [Section 8501(c)(6)(A)]

- B. **Procedure.** If the private school official wishes to file a complaint, the private school official shall provide the basis of the noncompliance and all parties shall provide the appropriate documentation to the appropriate officials. [Section 8501(c)(6)(B)]
- C. **Services.** TEA shall provide services directly or through contracts with public and private agencies, organizations, and institutions, if the appropriate private school officials have—
 - i. requested that the TEA provide such services directly; and
 - ii. demonstrated that the LEA involved has not met the requirements in accordance with the procedures for making such a request, as prescribed by the TEA. [Section 8501(c)(6)(C)]

Public Control of Funds

1. **In General.** The control of funds used to provide services and title to materials, equipment, and property purchased with those funds, shall be in a public agency for the uses and purposes provided, and a public agency shall administer the funds and property. [Section 8501(d)(1)]
2. **Provision of Services.**
 - A. **In General.** The provision of services under this section shall be provided—
 - i. by employees of a public agency; or
 - ii. through contract by the public agency with an individual, association, agency, organization, or other entity.
 [Section 8501(d)(2)(A)]
 - B. **Independence - Public Agency.** In the provision of those services, the employee, person, association, agency, organization, or other entity shall be independent of the private school and of any religious organization, and the employment or contract shall be under the control and supervision of the public agency. [Section 8501(d)(2)(B)]
 - C. **Commingling of Funds Prohibited.** Funds used to provide services shall not be commingled with non-Federal funds. [Section 8501(d)(2)(c)]

Schedule PS3099: Private School Equitable Services

The PS3099, Private School Equitable Services schedule, is in the eGrants ESSA Consolidated Federal Grant Application. PS3099 incorporates the formula for determining private school equitable services in the ESSA Application. For **Title II, Part A**, the LEA must use total student enrollment of children, **ages 5-17**, in participating calculate equitable services on the PS3099 schedule.

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

Title III, Part A—English Language Acquisition, Language Enhancement, and Academic Achievement

US Department of Education Appropriations

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

Category	Amount
Total funds available for this project	Approximately \$117,795,874
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$117,795,874
Percentage to be financed from non-federal sources	0%
Amount of non-federal funds	\$0

Fund Code: 263

Eligible Applicants

LEAs in Texas are eligible to apply for a grant under ESSA Consolidated, Title III, Part A.

Intent and Purpose

Title III, Part A, provides supplemental resources to LEAs to help ensure that children who are English learners, including immigrant children and youth, attain English proficiency at high levels in academic subjects and can meet the same challenging State academic standards that all children are expected to meet.

Intended Program Beneficiaries

Intended beneficiaries are English learners, including immigrant children and youth.

General Program Requirements

The requirements help ensure that English learners, including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English by doing the following:

1. Assisting all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that all English learners can meet the same challenging State academic standards that all children are expected to meet;
2. Assist teachers (including preschool teachers), principals and other school leaders, state educational agencies, LEAs, and schools in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching English learners, including immigrant children and youth;
3. Assist teachers (including preschool teachers), principals and other school leaders, state educational agencies, and LEAs to develop and enhance their capacity to provide

effective instructional programs designed to prepare English learners, including immigrant children and youth, to enter all-English instructional settings; and

4. Promoting parental, family, and community participation in language instruction educational programs for parents, families, and communities of English learners.

Note: Title III, Part A, ELA funds shall be used to supplement and not supplant any other federal, state, or local funds.

For example, if an LEA is using their bilingual education allotment (BEA) state funds to provide a service to English learners, and now replaces those state funds with Title III, Part A - ELA funds, then the LEA has supplanted state funds with federal funds. To avoid supplanting funds, the LEA would have to demonstrate services to English learners provided with Title III, Part A - ELA funds are above and beyond any services provided with state funds.

Allowable Activities and Use of Funds

An LEA receiving Title III, Part A, funds must use the funds to do the following:

1. Increase the English proficiency of English learners by providing effective language-instruction educational programs that meet the needs of English learners and demonstrate success in increasing English proficiency and student academic achievement
2. Provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language-instruction educational programs), principals and other school leaders, administrators, and other school or community-based organizational personnel, that is -
 - Designed to improve the instruction and assessment of English learners
 - Designed to enhance the ability of such teachers, principals and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for English learners
 - Effective in increasing children’s English proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers
 - Of sufficient intensity and duration to have a positive and lasting impact on the teachers’ performance in the classroom

Note: The last bullet point does not include activities such as one-day or short-term workshops and conferences unless these activities are components of a long-term, comprehensive professional development plan established by a teacher and the teacher’s supervisor and are based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any LEA employing the teacher as appropriate.

3. Provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for English learners that meet the following:
 - Shall include parent, family, and community engagement activities
 - May include strategies that serve to coordinate and align related programs

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

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

3. How will the expenditure be evaluated to measure a positive impact on student achievement?
4. How is the expenditure supplemental to other federal and nonfederal programs?

You may also use Title III, Part A, ELA funds to achieve one of the program purposes by undertaking one or more of the following activities:

- Upgrading program objectives and effective instructional strategies
- Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures
- Providing the following:
 - Tutorials and academic or career and technical education for English learners; and
 - Intensified instruction which may include materials in a language that the student can understand
- Developing and implementing effective preschool, elementary school or secondary school language-instruction educational programs that are coordinated with other relevant programs and services
- Improving the English proficiency and academic achievement of English learners
- Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families to do the following:
 - To improve the English language skills of English learners; and
 - To assist parents and families in helping their children to improve their academic achievement by becoming active participants in the education of their children
- Improving the instruction of English learners, which may include English learners with disabilities by providing for the following:
 - The acquisition or development of educational technology or instructional materials;
 - Access to and participation in electronic networks for materials, training, and communication; and
 - Incorporation of these resources into curricula and programs
- Offer early college high school or dual or concurrent enrollment programs or courses designed to help English learners achieve success in postsecondary education

Field Trips

Field trips may be funded under the grant program. Only the following types of field trips are allowable:

- Benefits only English learners, including immigrant children and youth
- Align with the intent and purpose of the LEA's Title III language instruction educational program of increasing English proficiency and academic achievement of English learners and immigrant students in core academic subjects
- Include a measure of positive impact on student achievement
- Address Texas Essential Knowledge and Skills (TEKS) and English Language Proficiency Standards (ELPS)
- Adhere to the Supplement, not Supplant provision. The LEA must be able to demonstrate that the field trip is above and beyond any English learners' services provided with other federal, state, or local funds

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

Non-Employee Costs for Conferences

Travel costs for students to conferences may be funded under the grant program. Only the following types of conferences are allowable:

- Benefits only English learners, including immigrant children and youth
- Align with the intent and purpose of the LEA's Title III language instruction educational program of increasing English proficiency and academic achievement of English learners and immigrant students in core academic subjects
- Include a measure of positive impact on student achievement
- Address Texas Essential Knowledge and Skills (TEKS) and English Language Proficiency Standards (ELPS)
- Adhere to the Supplement, not Supplant provision. The LEA must be able to demonstrate that the field trip is above and beyond any English learners' services provided with other federal, state, or local funds

Travel costs for parents of English learners, including immigrant children and youth may be funded under the grant program.

Out-of-State Travel

Out-of-State travel is allowable. Out-of-state travel costs should be minimal, reasonable, and meet the intent and purpose of the program. Grantees must retain documentation that participation of an individual in the conference is necessary for the program. Travel costs are allowed as long as the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee's regular business operations and written travel policy.

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

See the Allowable Cost and Budgeting Guidance section of the [Training and Other Resources](#) page for general guidance on allowable activities and use of funds.

Hosting or Sponsoring of Conferences

Conferences may be hosted or sponsored under the grant program.

For purposes of TEA's policy restricting hosting conferences, a "conference" is defined as a meeting, retreat, seminar, symposium, workshop or event whose primary purpose is the dissemination of technical information beyond the non-federal entity (for other non-federal entities that are not part of the grant award) and is necessary and reasonable for successful performance under the federal award.

Travel Costs for Officials such as Executive Director, Superintendent, or Board Members

Travel costs for officials such as the executive director, superintendent, or board members may be funded under the grant program.

Note: Registration fees for school leaders to participate in effective professional development opportunities (e.g., Title III symposium, ESC trainings, etc.) is an allowable expense (Sec. 3115(c)(2)).

Note: Direct administrative costs are restricted to no more than 2% of the current-year Title III, Part A—English Language Acquisition entitlement (referenced on page 5). Calculations must include information regarding administrative costs of third-party contractors.

Unallowable Activities and Use of Funds

Advisory Council

An advisory council may not be funded under the grant program.

Stipends for Non-employees

Stipends for non-employees other than those included in 6419, may not be funded under the grant program.

Cost of Membership in Any Civic or Community Organization

The cost of membership in any civic or community organization may not be funded under the grant program.

Supplement, Not Supplant

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

For supplement, not supplant guidance see the *Supplement, Not Supplant Handbook* at the [Training and Other Resources](#) page under the Handbooks and Other Guidance section.

Shared Services Arrangements

Shared Services Arrangements (SSAs) are allowed as part of the grant program.

When applying for Title III, Part A-English Language Acquisition, LEAs are required to join an SSA if their entitlement is less than \$10,000.

Equitable Access and Participation

You are required to report on equitable access and participation to apply for this grant program.

Private Nonprofit School Participation

An LEA shall:

After timely and meaningful consultation with appropriate private school officials provide to those children and their teachers or other educational personnel, on an equitable basis, special educational services or other benefit that address their needs. [Section 8501(a)(1)]

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

Special Rule

A. In General - Equitable Services

Educational services and other benefits for such private school children, teachers, and other educational personnel shall be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating shall be provided in a timely manner. Services are not required to be the same as provided to public school children or even those provided at the same grade level(s). [Section 1117(a)(3)(A)]

B. Ombudsman

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

Expenditures

Expenditures for educational services and other benefits provided for eligible private school children, their teachers, and other educational personnel serving those children shall be equal, taking into account the number and educational needs of the children to be served, to the expenditures for participating public school children. [Section 8501(a)(1)(4)(A)]

Obligation of Funds

Funds allocated to an LEA for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received. [Section 8501(a)(1)(4)(B)]

Provision of Services

The LEA may provide services directly or through contracts with public and private agencies, organizations, and institutions. [Section 8501(a)(1)(5)]

Consultation

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

- A. How the children's needs will be identified;
- B. What services will be offered;
- C. How, where, and by whom the services will be provided;
- D. How the services will be assessed and how the results of that assessment will be used to improve those services;
- E. What size and scope of the equitable services are to be provided to the eligible private school children, teachers, and other educational personnel, the amount of funds is determined;
- F. How and when the LEA will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers; and

- G. Whether the LEA will provide services directly or through a separate government agency, consortium, entity, or third-party contractor; and
- H. Whether to provide equitable services to eligible private school children-
 - i. by creating a pool or pools of funds with all the funds allocated based on all the children from low-income families in a participating school attendance area who attend private schools; or
 - ii. In the LEA's participating school attendance area who attend private schools with the proportion of funds allocated based on the number of children from low-income families who attend private schools.

Disagreement

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

Timing

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

Discussion

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

Documentation

The LEA shall maintain in the district records, and provide to the TEA, a written affirmation signed by officials of each participating private school that the meaningful consultation required has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children.

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

Compliance

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

- ii. demonstrated that the LEA involved has not met the requirements in accordance with the procedures for making such a request, as prescribed by the TEA.

[Section 8501(c)(6)(C)]

Public Control of Funds

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

2. **Provision of Services.**
 - A. **In General.** The provision of services under this section shall be provided—
 - i. by employees of a public agency; or
 - ii. through contract by the public agency with an individual, association, agency, organization, or other entity.
 [Section 8501(d)(2)(A)]
 - B. **Independence - Public Agency.** In the provision of those services, the employee, person, association, agency, organization, or other entity shall be independent of the private school and of any religious organization, and the employment or contract shall be under the control and supervision of the public agency. [Section 8501(d)(2)(B)]

 - C. **Commingling of Funds Prohibited.** Funds used to provide services shall not be commingled with non-Federal funds. [Section 8501(d)(2)(c)]

Schedule PS3099: Private School Equitable Services

The PS3099, Private School Equitable Services schedule, is in the eGrants ESSA Consolidated Federal Grant Application. PS3099 incorporates the formula for determining private school equitable services in the ESSA Application. For **Title III, Part A-ELA**, the LEA must use identified English Learner private school children, ages **3-21**, in participating private schools to calculate equitable services on the PS3099 schedule.

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

Title III, Part A—Immigrant Children and Youth

US Department of Education Appropriations

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

Category	Amount
Total funds available for this project	Approximately \$3,399,859
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$3,399,859
Percentage to be financed from non-federal sources	0%
Amount of non-federal funds	\$0

Fund Code: 263

Eligible Applicants

LEAs in Texas are eligible to apply for a grant under ESSA Consolidated, Title III, Part A.

Intent and Purpose

Title III, Part A - Immigrant, provides supplemental funds to LEAs who are experiencing substantial increases in immigrant children and youth for activities that provide enhanced instructional opportunities for immigrant children and youth.

Intended Program Beneficiaries

Intended beneficiaries are immigrant children and youth.

General Program Requirements

The requirements help ensure that immigrant children and youth attain English proficiency and develop high levels of academic achievement in English by doing the following:

1. Assist all immigrant children and youth achieve at high levels in academic subjects so they can meet the same challenging State academic standards that all children are expected to meet;
2. Assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, LEAs, and schools in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching immigrant children and youth;
3. Assist teachers (including preschool teachers), principals and other school leaders, State educational agencies and LEAs to develop and enhance their capacity to provide effective instructional programs designed to prepare immigrant children and youth to enter all-English instructional settings; and

4. Promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of immigrant children and youth.

Note: Title III, Part A-Immigrant funds shall be used to supplement and not supplant any other federal, state, or local funds.

For example, if an LEA has been funding educational software with Title III, Part A- ELA funds and now replaces those funds with Title III, Part A-Immigrant funds, then the LEA has supplanted federal funds with other federal funds. To avoid supplanting funds, the LEA would have to demonstrate that Title III, Part A-Immigrant funds are providing services to immigrant children and youth that are above and beyond what is being funded with Title III, Part A-ELA funds.

Allowable Activities and Use of Funds

An LEA receiving Title III, Part A-Immigrant funds shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include the following:

- Provide family literacy, parent and family outreach, and training activities designed to assist parents to become active participants in the education of their children;
- Provide tutorials, mentoring, and academic or career counseling for immigrant children and youth;
- Provide basic instructional services that are directly attributable to the presence of immigrant children and youth, including the payment of costs providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instructional services;
- Provide activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents of immigrant children and youth by offering comprehensive community services;
- Provide support for personnel, including teachers and paraprofessionals who have been specifically trained or are being trained to provide services to immigrant children and youth;
- Assist in identification and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with Title III, Part A – Immigrant funds; and
- Provide other instructional services designed to assist immigrant children and youth to achieve in elementary and secondary schools in the United States, such as programs of introduction to the educational system and civics education.

Field Trips

Field trips may be funded under the grant program. Only the following types of field trips are allowable:

- Benefit only immigrant children and youth
- Include a measure of positive impact on student achievement
- Adhere to the Supplement, not Supplant provision. The LEA must be able to demonstrate that the field trip is above and beyond any services provided with other federal, state, or local funds.

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

Non-Employee Costs for Conferences

Travel costs for students to conferences may be funded under the grant program. Only the following types of conferences are allowable:

- Benefits only immigrant children and youth
- Include a measure of positive impact on student achievement
- Adhere to the Supplement, not Supplant provision. The LEA must be able to demonstrate that the field trip is above and beyond any English learners' services provided with other federal, state, or local funds

Travel costs for parents of immigrant children and youth may be funded under the grant program.

Out-of-State Travel

Out-of-State travel is allowable. Out-of-state travel costs should be minimal, reasonable, and meet the intent and purpose of the program. Grantees must retain documentation that participation of an individual in the conference is necessary for the program. Travel costs are allowed as long as the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee's regular business operations and written travel policy.

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

See the Allowable Cost and Budgeting Guidance section of the [Training and Other Resources](#) page for general guidance on allowable activities and use of funds.

Hosting or Sponsoring of Conferences

Conferences may be hosted or sponsored under the grant program.

For purposes of TEA's policy restricting hosting conferences, a "conference" is defined as a meeting, retreat, seminar, symposium, workshop or event whose primary purpose is the dissemination of technical information beyond the non-federal entity (for other non-federal entities that are not part of the grant award) and is necessary and reasonable for successful performance under the federal award.

Travel Costs for Officials such as Executive Director, Superintendent, or Board Members

Travel costs for officials such as the executive director, superintendent, or board members may be funded under the grant program.

Note: Registration fees for school leaders to participate in effective professional development opportunities (e.g., Title III symposium, ESC trainings, etc.) is an allowable expense (Sec. 3115(c)(2)).

Unallowable Activities and Use of Funds

Advisory Council

An advisory council may not be funded under the grant program.

Stipends for Non-employees

Stipends for non-employees other than those included in 6419, may not be funded under the grant program.

Cost of Membership in Any Civic or Community Organization

The cost of membership in any civic or community organization may not be funded under the grant program.

Supplement, Not Supplant

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

For supplement, not supplant guidance see the *Supplement, Not Supplant Handbook* at the [Training and Other Resources](#) page under the Handbooks and Other Guidance section.

Shared Services Arrangements

Shared Services Arrangements (SSAs) are allowed as part of the grant program.

Equitable Access and Participation

You are required to report on equitable access and participation to apply for this grant program.

Private Nonprofit School Participation

An LEA shall:

After timely and meaningful consultation with appropriate private school officials provide to those children and their teachers or other educational personnel, on an equitable basis, special educational services or other benefits that address their needs. [Section 8501(a)(1)]

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

Special Rule

A. In General - Equitable Services

Educational services and other benefits for such private school children, teachers, and other educational personnel shall be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating shall be provided in a timely manner. Services are not required to be the same as provided to public school children or even those provided at the same grade level(s). [Section 1117(a)(3)(A)]

B. Ombudsman

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

Expenditures

Expenditures for educational services and other benefits provided for eligible private school children, their teachers, and other educational personnel serving those children shall be equal, taking into account the number and educational needs of the children to be served, to the expenditures for participating public school children. [Section 8501(a)(1)(4)(A)]

Obligation of Funds

Funds allocated to an LEA for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received. [Section 8501(a)(1)(4)(B)]

Provision of Services

The LEA may provide services directly or through contracts with public and private agencies, organizations, and institutions. [Section 8501(a)(1)(5)]

Consultation

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

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

Disagreement

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

Timing

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

Discussion

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

Documentation

The LEA shall maintain in the district records, and provide to the TEA, a written affirmation signed by officials of each participating private school that the meaningful consultation required has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children.

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

Compliance

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

Public Control of Funds

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

2. Provision of Services.

- A. **In General.** The provision of services under this section shall be provided—
 - i. by employees of a public agency; or
 - ii. through contract by the public agency with an individual, association, agency, organization, or other entity.
 [Section 8501(d)(2)(A)]

- B. **Independence - Public Agency.** In the provision of those services, the employee, person, association, agency, organization, or other entity shall be independent of the private school and of any religious organization, and the employment or contract shall be under the control and supervision of the public agency. [Section 8501(d)(2)(B)]

- C. **Commingling of Funds Prohibited.** Funds used to provide services shall not be commingled with non-Federal funds. [Section 8501(d)(2)(c)]

Schedule PS3099: Private School Equitable Services

The PS3099, Private School Equitable Services schedule, is in the eGrants ESSA Consolidated Federal Grant Application. PS3099 incorporates the formula for determining private school equitable services in the ESSA Application. For **Title III, Part A-IMM**, the LEA must use identified Immigrant private school children, **ages 3-21**, in participating private schools to calculate equitable services on the PS3099 schedule.

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

Title IV, Part A, Subpart 1—Student Support and Academic Enrichment

US Department of Education Appropriations

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

Category	Amount
Total funds available for this project	Approximately \$108,764,940
Percentage to be financed with federal funds	100%
Amount of federal funds	Approximately \$108,764,940
Percentage to be financed from non-federal sources	0%
Amount of non-federal funds	\$0

Fund Code: 289

Eligible Applicants

LEAs in Texas are eligible to apply for a grant under ESSA Consolidated, Title IV, Part A, Subpart 1.

Intent and Purpose

Title IV, Part A, Subpart 1, Student Support and Academic Enrichment (SSAE) grants are designed to improve the academic achievement of all students by increasing the capacity of LEAs, schools, and communities to (1) provide all students with access to a well-rounded education, (2) improve school conditions for student learning, and (3) improve the use of technology in order to enhance academic outcomes and digital literacy of students.

Recommended Uses of Funds for School Safety

The federal grant has many allowable uses that fall within the broad categories of 1) well-rounded education opportunities, 2) safe and healthy students, and 3) effective use of technology.

TEA recommends Title IV, Part A federal grant funds be prioritized to implement school safety on campuses, counseling and mental health programs, addressing ways to integrate health and safety practices into school or athletic programs, disseminating best practices and evaluating program outcomes relating to any LEA activities to promote student safety and violence prevention.

A safe learning environment for all students is crucial to advancing the purposes of the Title IV, Part A, Subpart 1 program. TEA further urges LEAs to submit Title IV, Part A applications that prioritize increased spending on allowable school safety training and activities.

Intended Program Beneficiaries

Intended program beneficiaries are local education agencies that receive funds under Title I, Part A.

General Program Requirements

Each LEA that receives Title IV, Part A, Subpart 1 funds must meet the following program requirements:

1. Engage in timely and meaningful consultation with a broad range of stakeholders in the area served by the LEA to identify relevant, evidence-based activities to carry out the goals of the grant program. An LEA must continue to consult with stakeholders to improve the activities it conducts under Title IV, Part A, and coordinate with other related strategies, programs, and activities.

ESSA, Title IV, Part A, Section 4106(c)(1-2) requires LEAs to develop its application through ongoing consultation with the following stakeholders:

- Parents;
- Teachers;
- Principals;
- Other school leaders;
- Specialized instructional support personnel;

- Students;
 - Community-based organizations;
 - Local government representatives (i.e., law enforcement, juvenile court, child welfare agency staff, or public housing agency);
 - Indian tribes or tribal organizations;
 - Charter school teachers, principals, and other school leaders (if such agency or consortium of such agencies supports charter schools); and
 - Others with relevant and demonstrated expertise.
2. For an LEA that receives at least \$30,000, conduct a comprehensive needs assessment prior to submitting its application and subsequent needs assessments at least once every three years. The comprehensive needs assessment must examine the LEA's needs for improvement of each of the following program content areas:
 - Access to, and opportunities for, a well-rounded education for all students
 - School conditions for student learning to create an environment that supports healthy and safe students
 - Access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.
 3. An LEA that receives an allocation in an amount less than \$30,000 is required to consult with required stakeholders.
 4. All LEAs are required to prioritize the distribution of funds to schools served by the LEA based on one or more of the following:
 - Are among the schools with the greatest needs as determined by the LEA;
 - Have the highest percentages or numbers of students from low-income families (as counted for purposes of the LEA's Title I, Part A, grant);
 - Are identified for comprehensive support and improvement under Title I, Part A;
 - Are implementing targeted support and improvement plans under Title I, Part A; or
 - Are identified as a persistently dangerous public elementary school or secondary school.
 5. For an LEA that receives at least \$30,000, use no less than 20 percent of funds to develop and implement programs and activities that support access to a well-rounded education and that—
 - Are coordinated with other schools and community-based services and programs;
 - May be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities; and
 - May include one or more activities or programs that provide well-rounded educational opportunities to all students.
 6. For an LEA that receives at least \$30,000, use no less than 20 percent of funds to develop, implement, and evaluate comprehensive programs and activities that—
 - Are coordinated with other schools and community-based services and programs and may be conducted in partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities described;
 - Promote the involvement of parents in the activity or program; and
 - May include one or more activities or programs that foster safe, healthy, drug-free, and supportive school environments that promote student academic achievement.
 7. For an LEA that receives at least \$30,000, use some portion of the remaining funds to improve the use of technology to improve the academic achievement, academic growth,

and digital literacy of all students, including by meeting the needs of the LEA that are identified in the required comprehensive needs assessment.

- May provide educators, school leaders, and administrators with the professional learning tools, devices, content, and resources;
- May use technology effectively in the classroom, including by administering computer-based assessments and blended learning strategies; and
- May implement and support school-and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning.

SPECIAL RULE: An LEA may not use more than 15 percent of the portion of funds identified for the effective use of technology to purchase technology infrastructure, *regardless of LEA allocation amount* including the purchase of—

- Devices, equipment, and software applications to address readiness shortfalls;
- Blended learning technology software and platforms;
- Digital instructional resources;
- Initial professional development activities; and
- One-time information technology purchases.

Purchases for technology infrastructure may not include significant construction or the renovation of facilities. The remaining 85% of the funds for this may be used for professional development in the use of technology and data.

SPECIAL RULE: An LEA receiving an allocation in an amount less than \$30,000 is required to provide only one of the assurances described in (5), (6), and (7) above. [Section 4106 (F)]

8. The LEA will increase opportunities and access for all students through grade 12 who are members of groups underrepresented, such as female students, minority students, English learners, children with disabilities, economically disadvantaged students, and students in rural, remote, and underserved areas.
9. Provide a description of the funded programs and activities related to supporting a well-rounded education, safe and healthy students, the effective use of technology in schools, and the program objectives and intended outcomes for those activities.
 - Periodically evaluate the effectiveness of the Title IV, Part A program activities carried out to support the program objectives and intended outcomes.
 - Districts must keep the most recent description of the process to evaluation effectiveness of Title IV, Part A-funded activities aligned to program objectives(s) and intended outcomes(s). [Section 4106(e)(1)(E)]
 - LEA keeps annual documentation and results of program effectiveness which meeting its Title IV, Part A objectives and outcomes available and on file for TEA and/or auditors upon request.
10. Annually submit a report regarding how funds for the Title IV, Part A, Student Support and Academic Enrichment Program, are being used to meet the distribution requirements in #4 above.
11. The LEA will maintain a description of the Title IV, Part A activities and programming that the LEA will carry out, including a description of:
 - A. any partnership with an institution of higher education, business, nonprofit organization, community-based organization, or other public or private entity with a demonstrated record of success in implementing activities under this subpart [Section 4106(e)(1)(A)];
 - B. if applicable, how funds will be used for activities related to supporting well-rounded education under section 4107 [Section 4106(e)(1)(B)];

- C. if applicable, how funds will be used for activities related to supporting safe and healthy students under section 4108 [Section 4106(e)(1)(C)];
- D. if applicable, how funds will be used for activities related to supporting the effective use of technology in schools under section 4109 [Section 4106(e)(1)(D)]; and
- E. the program objectives and intended outcomes for activities under this subpart, and how the LEA will periodically evaluate the effectiveness of the activities carried out under this section based on such objectives and outcomes [Section 4106(e)(1)(E)].

Note: The required descriptions are to be maintained locally and available upon request from TEA and/or an auditor.

Allowable Activities and Use of Funds

Through an annual LEA Compliance Report, TEA may request:

- description of the Title IV, Part A programs and activities;
- evaluation of effectiveness to support Title IV, Part A program objectives and intended outcomes; and
- documentation on the use of funds.

The LEA must keep documentation of allowable activities.

Activities and Use of Funds

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

1. How is the expenditure reasonable and necessary to carry out the intent and purpose of the program?
2. What need, as identified in the comprehensive needs assessment, does the expenditure address? Explain how the expenditure addresses this need.
3. How will the expenditure be evaluated to measure a positive impact on student achievement?
4. How is the expenditure supplemental to other nonfederal programs?

The Title IV, Part A, statute specifically authorizes the following types of activities in each of the three program content areas.

Well-Rounded Education

1. College and career guidance and counseling programs such as postsecondary education and career awareness and exploration activities, training counselors to effectively use labor market information in assisting students with postsecondary education and career planning, and financial literacy and federal financial aid awareness activities
2. Programs and activities that use music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution
3. Programming and activities to improve instruction and student engagement in science, technology, engineering, and mathematics (STEM) subject areas, including computer science. Such activities may include the following:
 - i. Increasing access to high-quality STEM courses for students who are members of groups, such as female students, minority students, English language learners, students with disabilities, and economically disadvantaged students, who are underrepresented in STEM fields

- Supporting the participation of low-income students in nonprofit competitions related to STEM subjects such as robotics, science research, invention, mathematics, computer science, and technology competitions
 - Providing hands-on learning and exposure to STEM subjects and supporting the use of field-based or service learning to enhance the students' understanding of STEM subjects
 - Supporting the creation and enhancement of STEM-focused specialty schools
 - Facilitating collaboration among school, after-school program, and informal program personnel to improve the integration of programming and instruction in STEM subject areas
 - Integrating other academic subjects, including the arts, into STEM programs to increase participation in STEM courses and activities, improve attainment of skills related to STEM, and promote a well-rounded education
4. Efforts to raise student academic achievement through accelerated learning programs. Accelerated learning programs are defined as programs that offer postsecondary-level courses accepted for credit at institutions of higher education (including dual credit or concurrent enrollment programs and Early College High Schools) or postsecondary-level instruction and examinations that are accepted for credit at institutions of higher education (including Advanced Placement and International Baccalaureate programs).

Examples of accelerated learning program activities include—

- Reimbursing low-income students to cover part or all of the costs of accelerated learning exam fees if the students are enrolled in accelerated learning course(s) and plan to take corresponding exam(s), including exams taken by low-income students
 - Increasing the availability of, and enrollment in, accelerated learning courses and exams, dual or concurrent credit programs, and Early College High School courses
5. Activities to promote the development, implementation, and strengthening of programs to teach traditional U.S. history, civics, economics, geography, or government education
6. Instruction, programs, or activities in languages other than English or environmental education
7. Programs and activities that promote volunteerism and community involvement
8. Programs and activities that support educational programs that integrate multiple disciplines, such as programs that combine arts and mathematics
9. Other activities and programs to support student access to, and success in, a variety of well-rounded education experiences.

Safe and Healthy Students

1. Evidence-based drug and violence prevention activities and programs, including—
- Programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and e-cigarettes
 - Professional development and training for school and specialized instructional support personnel and interested community members in prevention, education, early identification, intervention mentoring, recovery support services and, where appropriate, rehabilitation referral, related to drug and violence prevention
2. School-based mental health services, including—
- Early identification of mental health symptoms, drug use, and violence, and appropriate referrals to direct individual or group counseling services, which may be provided by school-based mental health services providers;
 - School-based mental health services partnership programs conducted in partnership with a public or private mental health entity or health care entity that provide

- comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school; and
- Evidence-based trauma-informed practices that are coordinated with early intervening services provided under the Individuals with Disabilities Education Act (IDEA) and provided by mental and behavioral professionals who are qualified, certified, or licensed to practice within their area of expertise.
3. Programs or activities that—
 - Integrate health and safety practices into school or athletic programs;
 - Support a healthy, active lifestyle, including nutritional education and regular, structured physical education activities and programs, that may address chronic disease management with instruction led by school nurses, nurse practitioners, or others to help maintain the well-being of students;
 - Help prevent bullying and harassment;
 - Improve instructional practices for developing relationship-building skills, such as effective communication, and improve safety through the recognition and prevention of coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment;
 - Provide mentoring and school counseling to all students, including children, who are at risk of academic failure, dropping out of school, involvement in criminal or delinquent activities, or drug use and abuse;
 - Establish or improve school dropout and re-entry programs; or
 - Establish learning environments and enhance students' effective learning skills that are essential for school readiness and academic success, such as by providing integrated systems of student and family supports.
 4. High-quality training for school personnel, including specialized instructional support personnel, related to—
 - Suicide prevention;
 - Effective and trauma-informed practices in classroom management;
 - Crisis management and conflict resolution techniques;
 - Human trafficking;
 - School-based violence prevention strategies;
 - Drug abuse prevention, including educating children facing substance abuse at home; and
 - Bullying and harassment prevention.
 5. Child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide
 - age- and developmentally-appropriate instruction for students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse;
 - and how to safely report child sexual abuse; and information to parents and guardians of students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child.
 6. Designing and implementing a locally-tailored plan to reduce exclusionary discipline practices in elementary and secondary schools that,
 - is consistent with best practices; and
 - includes evidence-based strategies; and
 - is aligned with the long-term goal of prison reduction through opportunities, mentoring, intervention, support, and other education services.
 7. Implementation of school-wide positive behavioral interventions and supports, including through coordination with similar activities carried out under the Individuals with

Disabilities Education Act (IDEA), in order to improve academic outcomes and school conditions for student learning.

8. Designating a site resource coordinator at a school or LEA to provide a variety of services such as—
 - Establishing partnerships within the community to provide resources and support for schools;
 - Ensuring that all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and
 - Strengthening relationships between schools and communities.

Effective Use of Technology

1. Providing educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—
 - Use data and technology to improve instruction;
 - Personalize learning to improve student academic achievement;
 - Discover, adapt, and share relevant high-quality educational resources;
 - Use technology effectively in the classroom, including by administering computer-based assessments and blended learning strategies; and
 - Implement and support school- and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning
2. Building technological capacity and infrastructure, which may include
 - procuring content and ensuring content quality; and
 - purchasing devices, equipment, and software applications in order to address readiness shortfalls
3. Developing or using effective or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology
4. Carrying out blended learning projects, which must include planning activities or ongoing professional development designed to support the implementation and academic success of the project aimed at teachers, principals, other school leaders or personnel. Planning activities may include—
 - Development of new instructional models, including blended learning technology software and platforms;
 - Purchase of digital instructional resources;
 - Initial professional development activities; and
 - One-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities
5. Providing professional development in the use of technology to enable teachers and instructional leaders to increase student achievement in STEM subjects, including computer science
6. Providing students in rural, remote, and underserved areas with the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators

Regarding Special Rule

In 4109(b), an LEA, *regardless of allocation amount*, may not use more than 15% of the funds identified to support the effective use of technology for the purchase of technology infrastructure, which includes constructing facilities, and the renovation and repair of a facility.

Field Trips

Educational field trips may be funded under the Title IV, Part A grant program. An educational field trip may be funded under the following conditions:

- Is identified in the Comprehensive Needs Assessment (CNA);
- Is included in the Campus Improvement Plan (CIP);
- Is allocable, reasonable, and necessary to carry out the intent and purpose of the grant program;
- Includes an instructional activity or activities that cannot be conducted through interactive activities in the classroom or on campus;
- Will result in a positive impact on student achievement;
- Includes instruction that addresses the Texas Essential Knowledge and Skills (TEKS); and
- Includes an evaluation of the field trip that measures the impact on student achievement.

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

Travel for Competitions

Travel costs to and from a specific and allowable Title IV, Part A, activity such as a robotics competition or other nonprofit competitions related to STEM subjects, are not prohibited and will be evaluated in accordance with federal and state guidance.

If an LEA plans on using grant funds for travel to competitions, it will be required to complete documentation at the local level. The LEA must keep and maintain documentation so that it may be provided to an independent auditor or to TEA monitors if selected for a review.

Out-of-State Travel

Out-of-state travel costs are allowable and should be minimal. Travel costs are allowable as long as the expenses for transportation, lodging, subsistence, and related items are only incurred by employees on official business of the grantee and follow the grantee's regular business operations and written travel policy.

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

See the Allowable Cost and Budgeting Guidance section of the [Training and Other Resources](#) page for general guidance on allowable activities and use of funds.

Unallowable Activities and Use of Funds

In general, refer to the Budgeting Cost Guidance Handbook on the [Training and Other Resources](#) page for unallowable costs.

Unallowable Activities

Section 4001(c) prohibits mandatory medication:

- Prohibition on Mandatory Medication. - No child shall be required to obtain a prescription for a controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802) as a condition of—

- (1) receiving an evaluation or other service described under this title; or
- (2) attending a school receiving assistance under this title. – Section 4001(c)

Unallowable Use of Funds

In general, refer to the Budgeting Cost Guidance Handbook on the [Training and Other Resources](#) page for unallowable costs.

The ESSA Statute specifically lists two unallowable uses of funds for this grant program:

- Prohibited Uses of Funds - Construction, renovation, or repair of any school facility - Section 8526
- Prohibited Use of Funds - Medical services or drug treatment or rehabilitation, except for integrated student supports, specialized instructional support services, or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs. - Section 4001(b)

The Supplement, Not Supplant provision prohibits LEAs from using Title IV, Part A funds for any programs, activities, and services mandated in state law, rule, and regulation, the State Board of Education (SBOE) rule, or local board policy.

Such State-required activities include, but are not limited to the following:

- Suicide prevention training for personnel and specialized support personnel;
- Mental health first aid training to fulfill required continuing education of personnel; and
- Nursing continuing education to fulfill yearly license renewal.

Advisory Council

An advisory council may not be funded under the grant program.

Cost of Membership in Any Civic or Community Organization

The cost of membership in any civic or community organization may not be funded under the grant program.

Hosting or Sponsoring of Conferences

Conferences may not be hosted or sponsored under the grant program.

Travel Costs for Officials such as Executive Director, Superintendent, or Board Members

The cost of travel costs for officials such as the executive director, superintendent, or board members may not be funded under the grant program.

Supplement, Not Supplant

Funds made available under this subpart shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this subpart. Refer to Section A of the SNS Handbook for compliance.

For additional information visit the SNS Handbook located at:

https://tea.texas.gov/sites/default/files/SNS%20Handbook_4.0--revised%209-5-2019.pdf

Shared Services Arrangements

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

Shared Services Arrangements (SSAs) are allowed as part of the grant program.

Equitable Access and Participation

LEAs are required to report on equitable access and participation to apply for the Title IV, Part A grant program.

Private Nonprofit School Participation

An LEA shall:

After timely and meaningful consultation with appropriate private school officials provide to those children and their teachers or other educational personnel, on an equitable basis, special educational services or other benefits that address their needs. [Section 8501(a)(1)]

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

Special Rule

A. In General - Equitable Services

Educational services and other benefits for such private school children, teachers, and other educational personnel shall be equitable in comparison to services and other benefits for public school children, teachers, and other educational personnel participating shall be provided in a timely manner. Services are not required to be the same as provided to public school children or even those provided at the same grade level(s). [Section 1117(a)(3)(A)]

B. Ombudsman

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

Expenditures

Expenditures for educational services and other benefits provided for eligible private school children, their teachers, and other educational personnel serving those children shall be equal, taking into account the number and educational needs of the children to be served, to the expenditures for participating public school children. [Section 8501(a)(1)(4)(A)]

Obligation of Funds

Funds allocated to an LEA for educational services and other benefits to eligible private school children shall be obligated in the fiscal year for which the funds are received. [Section 8501(a)(1)(4)(B)]

Provision of Services

The LEA may provide services directly or through contracts with public and private agencies, organizations, and institutions. [Section 8501(a)(1)(5)]

Consultation

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

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

Disagreement

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

Timing

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

Discussion

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

Documentation

The LEA shall maintain in the district records, and provide to the TEA, a written affirmation signed by officials of each participating private school that the meaningful consultation required has occurred. The written affirmation shall provide the option for private school officials to indicate such officials' belief that timely and meaningful consultation has not occurred or that the program design is not equitable with respect to eligible private school children.

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

Compliance

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

[Section 8501(c)(6)(C)]

Public Control of Funds

- 1. In General.** The control of funds used to provide services and title to materials, equipment, and property purchased with those funds, shall be in a public agency for the uses and purposes provided, and a public agency shall administer the funds and property. [Section 8501(d)(1)]
- 2. Provision of Services.**
 - A. In General.** The provision of services under this section shall be provided—
 - i. by employees of a public agency; or
 - ii. through contract by the public agency with an individual, association, agency, organization, or other entity.
 [Section 8501(d)(2)(A)]
 - B. Independence - Public Agency.** In the provision of those services, the employee, person, association, agency, organization, or other entity shall be independent of the private school and of any religious organization, and the employment or contract shall be under the control and supervision of the public agency. [Section 8501(d)(2)(B)]
 - C. Commingling of Funds Prohibited.** Funds used to provide services shall not be commingled with non-Federal funds. [Section 8501(d)(2)(c)]

Schedule PS3099: Private School Equitable Services

The PS3099, Private School Equitable Services schedule, is in the eGrants ESSA Consolidated Federal Grant Application. PS3099 incorporates the formula for determining private school equitable services in the ESSA Application. For **Title IV, Part A**, the LEA must use total student enrollment of children, **ages 5-17**, in participating private schools to calculate equitable services on the PS3099 schedule.

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

Title V, Part A —Funding Transferability for State and Local Educational Agencies

LEAs are eligible to apply for flexibility under ESSA, Title V, Part A, Section 5102.

Intent and Purpose

The purpose of Title V, Part A, Section 5102, is to allow you flexibility to target federal funds to federal programs and activities that most effectively address your unique needs.

Intended Program Beneficiaries

Intended beneficiaries are all LEAs. You may not transfer any funds from:

- Title I, Part A
- Title I, Part C
- Title I, Part D
- Title III, Part A
- Title V, Part B

General Program Requirements

You may transfer all or any lesser amount of funds to the following:

- Title I, Part A
- Title I, Part C
- Title I, Part D
- Title II, Part A
- Title III, Part A (ELA and Immigrant)
- Title IV, Part A
- Title V, Part B

From the following programs:

- Title II, Part A
- Title IV, Part A

Transferred funds are subject to the rules and requirements applicable to the funds under the provision to which the funds are transferred. If you transfer funds from a program that provides for the participation of students, teachers, or other educational personnel from private nonprofit schools, you must conduct private school consultation in accordance with section 8501.

Funds are not physically transferred on the SAS between fund codes or budget columns. Funds maintain their original fund code, class/object code, and other required accounting code structure following generally accepted accounting principles. Only the allowable uses of the funds are redirected to allowable alternative uses.

Funds transferred into Title I, Part A will be included in the total amount used to calculate Title I, Part A carryover to determine if the LEA has exceeded the 15% statutory limitation.

Allowable Activities and Use of Funds

Funding Transferability is program flexibility available to eligible LEAs. There is no funding provided under this flexibility.

You must notify TEA of your intention to implement the flexibility offered through Funding Transferability by submitting the appropriate schedule in either the original ESSA Consolidated Application for Federal Funding or through an amendment. Statute requires that you notify the state of your intention to transfer the use of funds through Funding Transferability at least 30 days before the transfer takes place. Therefore, the effective date for the transfer is 30 days after the stamp-in date of the application or amendment containing this completed schedule.

Funds remain in their original fund source and are reported as expenditures under the original fund source. It is only the use of the funds that is redirected. For example, if an LEA uses Funding Transferability to redirect the use of 50% of its Title II, Part A, funds into its Title I, Part A, program, the funds are still budgeted and reported under Title II, Part A, but the allowable uses of those funds are the same as the allowable uses under Title I, Part A.

You may transfer the use of up to a total of 100% of the non-administrative funds allocated under the following:

- Title II, Part A
- Title IV, Part A

For one fiscal year to allowable uses under the following programs:

- Title I, Part A
- Title I, Part C
- Title I, Part D
- Title II, Part A
- Title III, Part A (ELA and Immigrant)
- Title IV, Part A
- Title V, Part B

Note: Funds may be transferred into the above-mentioned programs but not from the above-mentioned programs except for Title II, Part A and Title IV, Part A.

Reminder: Before an LEA may transfer funds from a program subject to equitable services requirements, it must engage in timely and meaningful consultation with appropriate private school officials. The LEA must provide private school students and teachers equitable service under the program(s) to which, and from which, the funds are transferred, based on the total amount of funds available to each program after the transfer. An LEA must consult with the

private school officials prior to any transfer, however, the final decision about whether to transfer funds remains with the LEA.

	Title V, Part B, Subpart 1 REAP Flex (Alternative Funds Use Authority)	Title V, Part A Funding Transferability
Summary	Eligible LEAs are given flexibility in the use of certain federal formula funds. Funds are not actually transferred from one program to another. While the eligible funding may be used for local activities authorized under other ESEA programs, it is not subject to all of the rules and requirements of these programs.	LEAs may transfer all or a portion of the funds they received by formula under certain programs to other programs to better address local needs. When an LEA transfers funds, those funds become funds of the program to which they are transferred and are subject to the rules and requirements of these programs.
Which LEAs can exercise this authority?	LEAs eligible for Small Rural Schools Achievement Program (SRSA). LEAs do not need to receive an SRSA grant award, but only that the LEA must meet the statutory eligibility criteria for the SRSA program. For more information visit the SRSA program website .	All LEAs. No eligibility requirement. However, an LEA may only transfer eligible funds into a program for which that LEA receives an allocation in a particular fiscal year.
Which funds are eligible for this flexibility?	Title II, Part A and Title IV, Part A. LEAs may use some or all of their formula funds for activities authorized under certain other federal programs. An LEA must meet the relevant application and eligibility requirements for these funds regardless of whether it intends to use the funds for alternative uses under REAP.	Title II, Part A and Title IV, Part A. LEAs may use some or all of their formula funds for activities authorized under certain other federal programs. An LEA must meet the relevant application and eligibility requirements for these funds regardless of whether it intends to transfer those funds to other program allocations.
How may LEAs exercising this flexibility spend the eligible funds?	On local activities authorized under eligible ESEA programs. An eligible LEA may spend some or all of its formula Title II-A and IV-A funds on local activities authorized under one or more of these ESEA programs: Title I, Part A Title II, Part A Title III Title IV, Part A Title IV, Part B While Title II - A and Title IV - A funds may be used for local activities authorized under these programs, those funds are not subject to all of the rules and requirements of these programs. These funds would not be subject to the set aside requirements of those programs.	Under eligible ESEA programs which the LEA has transferred funds. An LEA may transfer some or all of its formula Title II-A or IV-A funds into its allocation under one or more of these ESEA programs: Title I, Part A Title I, Part C Title I, Part D Title III, Part A Title IV, Part A Title V, Part B When an LEA transfers funds, those funds become funds of the program to which they are transferred and are subject to all of the rules and requirements of that program.

	<p align="center">Title V, Part B, Subpart 1 REAP Flex (Alternative Funds Use Authority)</p>	<p align="center">Title V, Part A Funding Transferability</p>
	<p>Example: An LEA receiving \$30,000 or more Title IV-A funds use not less than 20% to support well-rounded education; 20% to support safe and healthy students; and a portion to support the effective use of technology.</p> <p>Additionally, an LEA does not have to receive funds under one of these programs in order to spend its Title II-A or IV-A funds on an allowable local activity under this program.</p> <p>Example: An LEA exercising REAP Flex that does not receive funds under Title I-A may use its formula Title II-A or IV-A funds for Title I activities.</p>	<p>Example: An LEA that receives RLIS funds could transfer all of its Title II-A funds into Title V-B allocation. Those funds would be considered RLIS funds and would be subject to the rules and requirements of the RLIS program.</p> <p>An LEA must receive an allocation in a particular fiscal year in order to transfer its Title II-A or IV-A funds for that fiscal year into that program.</p>
<p>What rules apply to the funds?</p>	<p>Eligible funds are not subject to all rules and requirements of the programs that authorize the activities for which funds are spent. If an LEA exercises REAP Flex with respect to its Title II- A or Title IV-A funds, those funds may be spent on local activities authorized under the eligible programs, but those funds are not subject to all of the rules and requirements of those programs.</p> <p>Example: An LEA exercising REAP Flex with Title IV-A funds may use those funds for any allowable activity under Title IV-A; it does not need to meet the requirements under Title IV-A that certain percentages of Title IV-A funds be spent on specific types of activities.</p> <p>An LEA should report its Title II-A and IV-A funds as expenditures under those programs even if it exercises REAP Flex to spend those funds on authorized activities under other eligible programs.</p>	<p>Rules and requirements of programs into which funds are transferred apply. The rules and requirements of the programs into which funds are transferred apply to the transferred funds.</p> <p>Funds remain in their original fund source and are reported as expenditures under the original fund source. It is only the use of the funds that is redirected.</p>
<p>Does an LEA need to receive funds under a given program in order to spend eligible funds under the program?</p>	<p>No. An eligible LEA does not have to receive funds under one of these programs in order to spend its Title II-A or IV-A funds on an allowable local activity under this program.</p> <p>Example: An LEA exercising REAP Flex that does not receive funds under Title I-A may use it formula Title II-A or IV-A funds for Title I-A activities.</p>	<p>Yes. An LEA must receive an allocation in a particular fiscal year in order to transfer its Title II-A or IV-A funds into that program.</p> <p>Example: Only LEAs that receive Title I-A funds in a particular fiscal year may transfer funds into a Title I-A allocation in that fiscal year.</p>

	<p align="center">Title V, Part B, Subpart 1 REAP Flex (Alternative Funds Use Authority)</p>	<p align="center">Title V, Part A Funding Transferability</p>
<p>What are LEAs responsibilities for providing equitable services under this authority?</p>	<p>LEAs must provide equitable services relative to Title II-A or IV-A funds. Participation in REAP Flex does not relieve an LEA of its responsibility to provide for equitable services for private school students and teachers relative to its Title II-A or IV-A funds. An LEA participating in REAP Flex must reserve for the benefit of private school students and teachers the proportion of its Title II-A and IV-A equal to the expenditures (including those under REAP Flex authority) for the public school program, taking into account the number and educational needs of the children to be served.</p> <p>After timely and meaningful consultation with private school officials an LEA determines how the reserved funds will be expended for the benefit of private school students and teachers. An LEA may exercise REAP Flex with respect to the reserved funds to use those funds on local activities under the eligible programs.</p> <p>Funds for private school students and teachers need not be expended under the same programs as funds for public school students and teachers and should serve to meet the needs of the private school students and teachers.</p> <p>Example: An LEA may use its Title II-A and IV-A funds for school improvement activities for public schools under Title I-A but use the Title II-A and IV-A funds reserved for the benefit of private schools for professional development for private school teachers under Title II-A.</p>	<p>LEAs must provide equitable services based on funds remaining after transfer. An LEA must provide private school students and teachers equitable services under the program(s) which, and from which, the funds are transferred based on the total amount of funds available to each program after the transfer. An LEA may not reserve Title II-A or IV-A funds solely to provide equitable services.</p> <p>An LEA must engage in timely and meaningful consultation with appropriate private school officials before transferring funds. Per the Title VIII Uniform Provisions governing the equitable services requirements of Title II-A and Title IV-A, the goal of the consultation is agreement and the LEA must give due consideration to the views of private school representatives.</p>
<p>What steps does an eligible LEA need to take to exercise this flexibility?</p>	<p>An SRSA eligible LEA may exercise REAP Flex without the approval of either TEA or USDE. However, before exercising REAP Flex, an eligible LEA must annually notify TEA of its intent to do so by the application notification deadline.</p>	<p>Notify TEA and submit an application. Before transferring funds, an LEA must conduct timely and meaningful consultation with appropriate private school officials, modify each affect local plan or application to reflect the transfer, notify TEA of the transfer 30 days before the transfers effective date.</p>

Title V, Part B, Subpart 1—Rural Education Achievement Program (REAP)

(Alternative Funds Use Authority (AFUA))

Intent and Purpose

The purpose of REAP, Section 5211, is to address the unique needs of rural school districts that frequently (1) lack the personnel and resources needed to compete effectively for federal competitive grants and (2) receive formula grant allocations in amounts too small to be effective in meeting their intended purposes.

Intended Program Beneficiaries

Intended beneficiaries are LEAs that meet the following: (1) the total number of students in average daily attendance at all of the schools it serves is fewer than 600 or each county in which a school served by the LEA is located has a total population density of fewer than 10 persons per square mile and (2) all campuses it serves are designated with a School Locale Code of 41, 42, or 43 as determined by the USDE's National Center for Education Statistics (NCES).

General Program Requirements

If you are eligible, you may redirect all or lesser amount of formula funds to the following applicable formula funds:

- Title I, Part A
- Title II, Part A
- Title III, Part A (ELA and Immigrant)
- Title IV, Part A
- Title IV, Part B

From the following applicable formula funds:

- Title II, Part A
- Title IV, Part A

Alternative use of the funds are **not** subject to each of the rules and requirements applicable to the funds under the provision to which the funds are transferred.

Funds are not physically transferred on the SAS between fund codes or budget columns. Funds maintain their original fund code, class/object code, and other required accounting code structure following generally accepted accounting principles. Only the allowable uses of the funds are redirected to allowable alternative uses.

Allowable Activities and Use of Funds

Alternative Fund Use Authority or REAP-Flex is program flexibility available to eligible LEAs. There is no funding provided under this flexibility.

Funds remain in their original fund source and are reported as expenditures under the original fund source. It is only the use of the funds that is redirected. For example, if an LEA uses REAP-Flex to redirect the use of 100% of its Title II, Part A, funds into its Title I, Part A,

program, the funds are still budgeted and reported under Title II, Part A, but the allowable uses of those funds are the same as the allowable uses under Title I, Part A.

If you are eligible, you may redirect the use of any or all funds received under the following:

- Title II, Part A
- Title IV, Part A

to carry out local activities authorized under ESSA for the following programs:

- Title I, Part A
- Title II, Part A
- Title III, Part A (ELA and Immigrant)
- Title IV, Part A
- Title IV, Part B

Applicable funds redirected for alternative uses must be operated under the rules, regulations, and guidelines of the program to which they are being redirected.

Note: Funds may be redirected into the above-mentioned programs but not from the above-mentioned programs except for Title II, Part A and Title IV, Part A.

Note: Title V, Part B allows for dual eligibility between Title V, Part B, Subpart 1 – Small Rural Schools Achievement (SRSA) Program and Title V, Part B, Subpart 2 – Rural and Low Income Schools (RLIS) Program. LEAs that are dual eligible and elect to apply for RLIS and not SRSA are still eligible for REAP-Flex.

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