

Section I: General Assurances

This Consolidated Federal Programs Application (CFPA) is for Local Educational Agency (LEA) use in requesting LEA funds for covered programs under the *No Child Left Behind Act of 2001*. Each question in the application is directed by the legislation, and the parenthetical citation with each question indicates the section of legislation that requires the item to be addressed in this application.

The legislative purpose of these federal funds is to improve teaching and learning to meet student needs effectively. Ongoing broad-based planning and shared decision-making are essential for quality programming. This CFPA supports Mississippi LEAs in looking at increasing student learning and achievement through effective programming, professional development, parent and community involvement, and provision of a safe, orderly climate conducive to our teachers teaching and our students learning.

LEA Statement of Assurances

The School Board of **Tupelo Public School District** approved and recorded in its minutes the single set of assurances stated below at a meeting held on **April 26, 2011** and further authorized the Superintendent to sign such single set of assurances as required by Section 9306 and to submit an application to the Mississippi Department of Education as required by Section 9305 to receive grants under stated Titles of the *No Child Left Behind Act of 2001* and other applicable Federal programs. ***Please note the school board approval of these assurances includes the Schoolwide and/or Targeted Assistance Plan and Budget.***

General Assurances

1. Programs and services are and will be in compliance with Title VI and Title VII of the Civil Rights Act of 1964. A statement of compliance with Title VI of the Civil Rights Act of 1964 should be filed with the Superintendent.
2. Programs and services are and will be in compliance with Title IX (nondiscrimination on the basis of sex) of the Education Amendments of 1972.
3. Each program or activity conducted by the LEA will be conducted in compliance with the provisions of Chapter 2, Prohibition of Discrimination on the Basis of Sex, as well as all other applicable provisions of state law prohibiting discrimination on the basis of sex.
4. Programs and services are and will be in compliance with the Age Discrimination Act of 1975.
5. Programs and services for individuals with disabilities are in compliance with the Individuals with Disabilities Education Act. *(34 CFR 300, 303, and 504 of the Rehabilitation Act of 1973)*
6. When federal funds are made available, they will be used to supplement and, to the extent practical, increase the amount of state and local funds that would, in the absence of such federal funds, be made available for the uses specified in the state plan, and in no case supplant such state or local funds. Personnel, contracts, materials, supplies, and equipment purchased with Consolidated Program funds supplement the basic education program. *(34 CFR 200.44, 298.23)*
7. All state and federal statutes, regulations, program plans, and applications appropriate to each program under which

federal or state funds are made available through this application will be met by the applicant educational agency in its administration of each program.

8. The LEA will use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, state and federal funds paid to that educational agency under each program. *(34 CFR 200.20(a)(9))*
 9. The LEA will make reports to the state educational agency or board and to the Secretary of Education as may reasonably be necessary to enable the state educational agency or board and the Secretary to perform their duties and will maintain such records and provide access to those records as the state educational agency or board or the Secretary deems necessary. Such records will include, but will not be limited to, records which fully disclose the amount and disposition by the recipient of those funds, the total cost of the activity for which the funds are used, the share of that cost provided from other resources, and such other records as will facilitate an effective audit. The recipient shall maintain such records for three years after the completion of the activities for which the funds are used. *(34 CFR 76.722, 76.730, 76.731, 76.734, 76.760; 34 CFR 80.42)*
 10. Any application, evaluation, periodic program plan, or report relating to each program will be made readily available to parents and other members of the general public.
 11. Auditable records of each participating school program will be maintained on file. *(34 CFR 80.42(e))*
 12. The school site administrators are an integral part of collecting and reporting all school crime data to ensure that the Mississippi's Unsafe School Choice Option (USCO) Policy is accurately and consistently completed. The LEA shall submit individual incident data to the state educational agency. The reporting of individual incident data, rather than summary data, will enable more comprehensive and in-depth trend analyses of school crime, both at the local and statewide level.
 13. The LEA declares that it neither uses nor will use federal funds for lobbying activities and hereby complies with the certification requirements of 34 CFR Part 82.
 14. The LEA has complied with the certification requirements under 34 CFR Part 85 regarding debarment, suspension, and other responsibility matters.
 15. The LEA provides reasonable opportunity for public comment on the application and considers the comments. *(Section 14306(a)(7))*
 16. The LEA will adopt and use proper methods of administering each program including:
 - a. enforcement of any obligations imposed by law on agencies responsible for carrying out programs and
 - b. correction of deficiencies in program operations identified through audits, etc. *(Section 14306(a)(3)(B))*
 17. The LEA adheres to the applicable provision of the Education Department General Administrative Regulations (EDGAR): 34 CFR Parts 76, 77, 79, 80, 81, 82, 85, and 86.
 18. The LEA adheres to *OMB Circular-87* (the Cost Principles for State, Local, and Indian Tribal Governments.)
 19. The LEA assures the salary and wage charges will be supported by proper time reporting documentation that meets the requirements of *OMB A-87*.
- Constitutionally Protected School Prayer**
20. As a condition of receiving federal funds under the Elementary and Secondary Education Act, as amended by the *No Child Left Behind Act of 2001* (NCLB), the

LEA hereby certifies that no policy of the LEA prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary schools and secondary schools, as detailed in the current guidance issued pursuant to NCLB Section 9524(a).

Comparability

21. The LEA has established and implemented a district-wide salary schedule; has a policy to ensure equivalence among schools in teachers, administrators, and other staff; and has a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies. *(Section 1120A(c)(2)(i,ii,iii))*

Suspension and Debarment

22. The LEA assures that neither it, nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any Federal department or agency. *(34 CFR §85.225)*

Title I, Part A General Assurances

23. Each LEA will use the results of the student academic assessments required under Section 1111(b)(3) to ensure that all students meet the State's proficient level of achievement. The LEA will ensure that the results from the academic assessments are provided to parents and teachers as soon as it is practically possible. *(Section 1112(c)(1)(M,N))*
24. Each LEA receiving Title I funds is allocating time and resources to facilitate, coordinate, and integrate services with the regular program for students most at risk of failing and who may be an English Learner (also known as LEP), Individuals with Special Needs, homeless, migrant, American Indian, and neglected and delinquent students along with other

- health and welfare agencies, if appropriate. *(Section 1112(b)(1)(E)(ii))*
25. School eligibility is determined by District wide criteria for Title I Section 1112(b)(1)(G).
 26. Each Title I participant in a Targeted Assistance Program is identified as being most in need using consistently applied multiple objective educational criteria established by the LEA and supplemented by the school, except that children from preschool through grade two shall be selected solely on the basis of such criteria as teacher judgment, interviews with parents and developmentally appropriate measures. *(Section 1115(b)(1,2,3))*

27. The LEA will:

- a. If applicable use Title I, Part A as funds to provide early childhood development services to low income children and shall ensure that the services comply with the performance standards of Head Start, Reading First, Early Reading First, Even Start, and other Preschool programs. *(Section 1112(b)(1)(E)(i))*
- b. Work in conjunction with schools as the schools develop the schoolwide plans and implement SWP and Targeted Assistance programs. *(Section 1112(c)(1)(C))*
- c. Provide for services to current and eligible former students from migrant families. *(Section 1112(b)(1)(E)(ii))*
- d. Implement programs and early intervention for the educationally disadvantaged students based on scientifically based research. *(Section 1112(c)(1)(E,F))*
(§1001(9))
- e. Coordinate and collaborate as determined necessary with other agencies providing services to children, youth and families including health and social services. *(Section 1112(c)(1)(K))*
- f. Inform eligible schools and parents of schoolwide program authority. *(Section 1112((c)(1)(A))*
- g. Ensure that schools that operate schoolwide programs meet the Title I criteria. *(Section 1114)*
- h. Spend, at a minimum, a per child amount of the state and local funds, excluding amounts for state compensatory, as was present during the preceding fiscal year. *(Section 1120A(a))*

28. The LEA annually uses the State academic assessments and other indicators described in the State Plan to review the

progress of each school receiving Title I funds to determine whether the school is making adequate yearly progress. The LEA shall identify for program improvement any elementary or secondary school that fails for 2 consecutive years, to make adequate yearly progress as defined in the State's plan. For schools that are targeted assistance, the LEA may choose to review the progress of only the students in the school who are served, or are eligible for services under this part before identifying the school for program improvement, corrective action or restructuring under Section 1116. For schools identified as program improvement, the LEA agrees to the following:

- a. Year 1: Not later than the first day of the school year following identification, provide all students enrolled in the school with the option to transfer to another public school served by the LEA, which may include a public charter school, that has not been identified for program improvement. The LEA shall give priority to the lowest achieving children from low-income families. In addition, the LEA will:
 - i. assist the school in revising the school plan that shall cover a two-year period and will set aside 10% of school funds for teacher and principal professional development for the duration of the time the school is in program improvement;
 - ii. ensure provision of specified technical assistance during the development and implementation of the school plan.

- b. Year 2: For a school that fails to make adequate yearly progress after the first year, the LEA shall continue to provide all students enrolled in the school with the option to transfer to another public school and shall make supplemental educational services available.
- c. Year 3: For a school that fails to make adequately yearly progress after two years in program improvement, the LEA shall continue to provide all students enrolled in the school with the option to transfer to another public school; continue to provide supplemental services; and shall identify the school for corrective action and take at least one corrective action under clause (iv). The LEA shall publish and disseminate information regarding any corrective action taken. *(Section 1116(b)(7)(c))*
- d. Year 4: For a school that after one year in corrective action fails to make adequate yearly progress, the LEA shall continue to provide all students enrolled in the school with the option to transfer to another public school in the district; continue to make supplemental services available; and shall prepare a plan for alternative governance arrangements for the school as indicated in Section 1116(b)(8)(B).
- e. Year 5: For a school that after two years in corrective action fails to make adequate yearly progress, the LEA shall implement the alternative governance arrangement plan consistent with State law and with Section 1116(b)(8)(B).

For any case described for program improvement in years 1-4 above, the LEA shall provide or shall pay for the provision of transportation for the student to the public school the student attends. Unless a lesser amount is needed, the LEA shall spend an amount equal to 20% of its allocation under subpart 2 from which the agency shall spend:

- i. *An amount equal to 5% to pay for transportation costs;*
- ii. *An amount equal to 5% to provide supplemental education services;*
- iii. *An amount equal to the remaining 10% for transportation or supplemental services or both as the agency determines.*

In any case identified in years 1-4 above, if all public schools served by the LEA to which a student may transfer are identified as program improvement, the LEA shall to the extent practicable, establish a cooperative agreement with other LEAs in the area for transfer.

If any school identified for program improvement makes adequate yearly progress for two consecutive years, the LEA shall exit the school from program improvement upon notification by the State and shall no longer subject the school to the requirements of program improvement. (Section 1116(a)(1)(A), §1116(b)(1)(A),

§1116(b)(1)(E),
§1116(b)(3)(A),
§1116(b)(4)(A),
§1116(b)(5),
§1116(b)(7)(C),
§1116(b)(8)(A),
§1116(b)(8)(B),
§1116(b)(9), §1116(b)(10),
§1116(b)(11),
§1116(b)(12))

29. The LEA is maintaining fiscal efforts on behalf of eligible children to ensure that these funds supplement the regular program and not the local efforts to educate eligible children. (*Section 6322(A), Section 1120(A)*).

30. The LEA agrees to implement programs, activities, and procedures for the involvement of parents in programs assisted under and consistent with Title I Part A requirements. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents of participating children. Each LEA shall develop jointly with, agree on with, and distribute to parents of participating children, a written parental involvement policy. The policy shall be incorporated into the LEA local plan and describe how the LEA will:

- a. Involve parents in the joint development of the local plan and the process of school review for program improvement schools under Section 1116;
- b. Help schools to plan and implement effective parental involvement activities to improve student academic achievement and school performance;
- c. Build the schools' and parents' capacity for strong parental involvement;
- d. Coordinate and integrate parental involvement strategies under Part

A and under other programs as specified;

- e. Conduct with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy and use the findings of the evaluation to design more effective parental involvement; and
- f. Involve parents in the activities of the Title I schools. (*Section 1118(a)(2)*)

31. Parents shall be notified of the policy in an understandable and uniform format and to the extent practicable, provided in a language the parents can understand. The policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school.

32. To ensure effective involvement of parents each LEA shall provide:

- a. Assistance to parents of children served by the school or LEA, in understanding topics such as the State's content standards and academic assessments, the parental involvement requirements of Section 1118, and how to monitor a child's progress and work with educators to improve the achievement of their children.
- b. Training to teachers, counselors, principals and other staff in how to reach out to, communicate with, and work with parents as equal partner.
- c. Ensure to the extent feasible, the coordination and integration of various parental involvement programs.
- d. Ensure that information related to school and parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the

extent practicable, in a language the parents can understand.

- e. Other reasonable support for parental involvement activities as parents may request. *(Section 1118(e)(1,2,3,4,5,14))*
33. The LEA may also involve parents in activities as specified in Section 1118(e)(6)-(13). In carrying out the parental involvement requirements the LEA, to the extent practicable, shall provide full opportunities for the participation of parents with limited English proficiency, parents of children with disabilities, and parents of migratory children, including providing information and school reports required under Section 1111 in format and, to the extent practicable, in a language such parents understand. *(Section 1118(f))*
34. No later than the beginning of the 2002-2003 school year, the LEA will present in an understandable and uniform format and language that the parents can understand, the Annual LEA Report Cards. *(Section 1111(h)(2))*
35. The LEA shall provide high-quality professional development to enable teachers to become highly qualified and successful classroom teachers. *(Section 1119(a)(1)(B))* The LEA shall develop strategies for providing professional development for paraprofessionals, parents and other staff. *(Section 1119(b-h))*
36. Each LEA shall establish annual measurable objectives that include an annual increase in the percentage of highly qualified teachers at each LEA and school, to ensure that all teachers teaching in core academic subjects in each public elementary and secondary school are highly qualified not later than the end of the 2005-2006 school year. The LEA shall annually increase the percentage of teachers who are receiving high-quality professional development to enable such teachers to become highly qualified and successful classroom teachers. The LEA may include such other measures as the State educational agency determines to be appropriate to increase teacher qualifications. *(Section 1119(a)(2)(3))*
37. Classroom teachers who are being assisted by instructional aides retain their responsibility for the instruction and supervision of the pupils in their charge.
38. All paraprofessionals hired after the date of enactment of the *No Child Left Behind Act of 2001* and working in a program supported with funds under Title I shall have: completed at least two years of study in an institution of higher education; obtained an associate's (or higher) degree; met a rigorous standard of quality and can demonstrate, through a formal State or local academic assessment; have knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate. The LEA shall ensure that all paraprofessionals hired before the date of enactment of the *No Child Left Behind Act of 2001*, and working in a program supported with funds under this part shall, not later than 4 years after the date of enactment satisfy the requirements of subsection (c) New Paraprofessionals. *(Section 1119 (c) and (d))*
39. A local education agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve homeless children and children in local institutions or community day school programs for neglected children. *(Section 1113(c)(3)(A-C))*
40. The LEA has maintained fiscal effort - the combined fiscal effort per student or the aggregate expenditures of the LEA from State and local funds for free public education for the preceding year was not less than 90 percent of the combined

fiscal effort or aggregate expenditures for the second preceding year. (20 U.S.C. §8891), (PL 107-110, Title XIV. §14101 (10), and §14501(a))

41. The LEA has developed and implemented procedures for compliance with the comparability requirements and the compliance documents are updated biannually. (Section 1120A)

Title I, Part A – Reference Section 1114(b) (Schoolwide Programs)

42. The school services an eligible school attendance area in which not less than 40 percent of the children are from low-income families. (Section 1114(b))

43. The school has received high quality technical assistance and support from providers of assistance such as comprehensive technical center, regional laboratories, institutions of higher education, educational service agencies, or other local consortia. (Section 1114(b))

44. A participating school shall use funds only to supplement the amount of funds that would, in the absence of funds under this part, be made available from non-Federal sources for the school. (Section 1114(b))

45. A schoolwide program shall include these components:

- a. A comprehensive needs assessment of the entire school (including taking into account the needs of migratory children as defined in Sec. 1309(2)) that is based on information, which includes the achievement of children in relation to the State academic content standards, and the State student academic achievement standards described in Section 1111(b)(1)(A).

- b. Schoolwide reform strategies that –

- i. Provide opportunities for all children to meet the State’s proficient and

advanced levels of student performance described in Section 1111(b)(1)(D).

- ii. Use effective methods of instructional strategies, that are based on scientifically based research, that:

1. strengthen the core academic program in the school;
2. increase the amount and quality of learning time, such as providing an extended school year and before- and after-school and summer programs and opportunities, and help provide an enriched and accelerated curriculum; and
3. include strategies for meeting the educational needs of historically underserved populations;
4. include strategies to address the needs of all children in the school, but particularly the needs of low-achieving children and those at risk of not meeting the State student academic achievement standards who are members of the target population of any program that is included in the schoolwide program

which may include—

114(b)(1)(A)
and (B))

- a. counseling, pupil services, and mentoring services;
 - b. college and career awareness and preparation, such as college and career guidance, personal finance education, and innovative teaching methods, which may include applied learning and team-teaching strategies; and
5. the integration of vocational and technical education; and address how the school will determine if such needs have been met; and
- a. are consistent with, and are designed to implement, the State and local improvement plans, if any. *(Section*
- c. Instruction by highly qualified teachers. In accordance with Section 1119), high-quality and ongoing professional development for teachers, principals, and paraprofessionals and, if appropriate, pupil services personnel, parents, and other staff to enable all children in the school to meet the State’s student academic achievement standards. *(Section 1114(b)(1)(D))*
 - d. Strategies to attract highly qualified teachers to high-need schools. *Section 1114(b)(1)(E))*
 - e. Strategies to increase parental involvement in accordance with section 1118, such as family literacy services. *(Section 1114(b)(1)(F))*
 - f. Plans for assisting preschool children in the transition from early childhood programs, such as Head Start, Even Start, Early Reading First, to local elementary school programs. *(Section 114(b)(1)(G))*
 - g. Measures to include teachers in the decisions regarding the use of assessments described in Section 1111(b)(3) in order to provide information on, and to improve, the achievement of individual students and the overall instructional program. *(Section 114(b)(1)(H))*
 - h. Activities to ensure that students who experience difficulty mastering the proficient or advanced levels of academic achievement standards required by section 1111(b)(1) shall be provided with effective, timely additional assistance which shall

include measures to ensure that students' difficulties are identified on a timely basis and to provide sufficient information on which to base effective assistance. *(Section 114(b)(1)(I))*

- i. Coordination and integration of Federal, State, and local services and programs, including programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start, adult education, vocational and technical education, and job training. *(Section 1114(b)(1)(J))*

46. A participating school in consultation with the LEA and its technical assistance provider shall develop a comprehensive plan for reforming the total instructional program in the school. *(Section 1117)*
47. The school maintains a schoolwide process of developing improvement plans that are broadly reflective of the socio-economic composition of the school attendance area, principals, teachers, other school personnel, parents, and members of the community in the development of school improvement plans (including taking into account the needs of migratory children as defined in section 1909(2)). The school plan describes improvement efforts related to instruction, auxiliary services, school environment, and organization. *(Section 1114(b)(1))*

Title I, Part A, Reference Section 1112(b)(1)

48. The LEA will participate, if selected, in the State National Assessment of Educational Progress in 4th and 8th grade reading and mathematics carried out under section 303(b)(2) of the National Assessment of Educational Progress Authorization Act. *(Section 1112(b)(1)(F))*

Title I, Part A, Reference Section 1112(c)(1)

The LEA will:

49. Inform eligible schools and parents of schoolwide program authority and the ability of such schools to consolidate funds from Federal, State, and local sources;
50. Provide technical assistance and support to schoolwide programs;
51. Work in consultation with schools as the schools develop the schools' plans pursuant to section 1114 and assist schools as the schools implement such plans or undertake activities pursuant to section 1115 so that each school can make adequate yearly progress (AYP) toward meeting the State student academic achievement standards;
52. Fulfill such educational agency's school improvement responsibilities under Section 1116, including taking actions under paragraphs (7) and (8) of section 1116(b) (which discuss corrective action or even restructuring of low-performing schools);
53. Provide services to eligible children attending private elementary schools and secondary schools in accordance with Section 1120, and timely and meaningful consultation with private school officials regarding such services; additionally, the LEA authorizes participation in and Title I funds to be released for Cooperative projects and accepts administrative responsibility for the project or designates another LEA as the administrative and fiscal educational agency;
54. Take into account the experience of model programs for the educationally disadvantaged, and the findings of relevant scientifically based research indicating that services may be most effective if focused on students in the earliest grades at schools that receive funds under this part;

55. In the case of a LEA that chooses to use funds under this part to provide early childhood development services to low-income children below the age of compulsory school attendance, ensure that such services comply with the performance standards established under Section 641A(a) of the Head Start Act; (Section 1112(c)(1)(G))
56. Work in consultation with schools as the schools develop and implement their plans or activities under sections 1118 and 1119;
57. Comply with the requirements of Section 1119 regarding the qualifications of teachers and paraprofessionals and professional development;
58. Inform eligible schools of the LEA's authority to obtain waivers on the school's behalf under Title IX and, if the State is an Ed-Flex Partnership State, to obtain waivers under the Education Flexibility Partnership Act of 1999;
59. Coordinate and collaborate, to the extent feasible and necessary as determined by the LEA, with the State educational agency and other agencies providing services to children, youth, and families with respect to a school in school improvement, corrective action, or restructuring under Section 1116 if such a school requests assistance from the LEA in addressing major factors that have significantly affected student achievement at the school;
60. Ensure, through incentives for voluntary transfers, the provision of professional development, recruitment programs, or other effective strategies, that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers;
61. Use the results of the student academic assessments required under Section 1111(b)(3), and other measures or indicators available to the educational agency, to review annually the progress of

- each school served by the educational agency and receiving funds under this part to determine whether all of the schools are making the progress necessary to ensure that all students will meet the State's proficient level of achievement on the State academic assessments described in Section 1111(b)(3) within 12 years from the baseline year described in Section 1111(b)(2)(E)(ii);
62. Ensure that the results from the academic assessments required under Section 1111(b)(3) will be provided to parents and teachers as soon as is practicably possible after the test is taken, in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand; and
63. Assist each school served by the educational agency and assisted under this part in developing or identifying examples of high-quality, effective curricula consistent with Section 1111(b)(8)(D).

**Title I, Part A
(Education of Homeless Children and Youth)**

64. The LEA will reserve Title I, Part A funds to provide comparable services to homeless children to ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth. (*Section 1113(c)(3)(A)*)
65. LEAs need to satisfy the requirements of this section and coordinate with the McKinney-Vento Homeless Assistance Act. (*Section 1111(a)(1)*)
66. LEAs in the State will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless. (*PL 107-110, §722(g)(1)(i)*)

67. LEAs will designate an appropriate staff person, as a LEA liaison for homeless children and youths, to ensure equal access to the same free, appropriate public education. *(PL 107-110, §722(g)(J)(ii))*

68. LEAs will adopt policies and practices to ensure that transportation is provided to homeless children and youths, at the request of the parent or guardian, to and from the school of origin. *(PL 107-110, §722 (g)(J)(iii))*

Title I, Part A

Private Non-Profit School Participation

69. The 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 education services or other benefits that address their needs under the following programs:

- a. Title I, Part A
- b. Title II, Part A and D
- c. Title III, Part A
- d. Title IV, Part B

70. Educational services for 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 in the program and shall be provided in a timely manner. *(PL 107-110, §9501(a)(3))*

Title I, Part A

Participation of Private Non-Profit School Students

71. The LEA will provide services to eligible children attending private elementary and secondary schools in accordance with Section 1120, and timely and meaningful consultation with private school officials regarding such services. *(Section 1112(c)(1)(F))*

72. Title I services for private school students are on an equitable basis with public

school students, taking into account the number of students served and the special educational needs of such students. The expenditures are equal to the per pupil expenditures of the public schools. *(Section 1120(a))*

73. Private school representative(s) were consulted by public school officials during the planning of the compensatory education program regarding selection of participants, identification of needs, provision of services, program evaluation, capital expenses reimbursement, and preparation of the application. *(Section 1120; 34 CFR 200.51))*

74. The selection criteria for private school participants are the same as those for public school participants. *(Section 1120(b)(1)(A-E)); (34 CFR 200.31)*

75. Public school personnel providing services to private school students are not involved in the internal administration of the private schools nor are private school personnel given any control or authority over the internal decisions of the public school district's implementation of Title I programs for private school students. *(Section 1120(c)(1)-(3)); (34 CFR 200.50)*

76. LEAs receiving reimbursement for capital expenses under ESEA Title I will use such funds to serve eligible children in public and private schools who were adversely effected by the LEA's expenditure of these funds. *(Section 1120(e)(B)(3),(4)); (34 CFR 200.58)*

77. Title I services or other benefits, including materials and equipment, shall be secular, neutral, and non-ideological. *(Section 1120(a)(2))*

78. The LEA maintains and will provide upon request to the State educational agency a written affirmation signed by officials of each participating private school that the consultation required by Section 1120(b) of the *No Child Left Behind (NCLB) Act of 2001* has occurred. *(Section 1120(b))*

**Title I, Part A and Part D
Neglected or Delinquent Students
Program**

- 79. An LEA, serves each student who has been identified for funding purposes from 5 to 17 years of age and in a local neglected or delinquent institution program for a minimum of 20 hours per week. *(Section 1412(a)(1)(A)(ii))*
- 80. The needs of students are assessed upon enrollment and periodically thereafter, to identify students at risk of failing to meet State standards. Assessment results for students are on file at each participating site and/or custodial agency. *(Section 1112(b)(1), §1416, §1431)*

**Title II, Part A, Reference Section
2122(b)**

The LEA will:

- 81. Target funds to schools within the jurisdiction of the local educational agency that have the lowest proportion of highly qualified teachers, have the largest average class size, or are identified for school improvement under Section 1116(b);
- 82. Comply with Section 9501 (regarding participation by private school children and teachers).
- 83. The LEA conducted a comprehensive and collaborative needs assessment that involved teachers, paraprofessionals, principals, parents and other relevant school personnel. The results are used to create a plan that increases the number of highly qualified teachers in every classroom in core academic subjects, increase the percentage of teachers participating in high quality professional development including training on effective instructional strategies, and in use of State academic content standards and assessments. *(Section 2122(c))*
- 84. The LEA developed a plan for the use of Title II, Part A funds based on the needs assessment and that the plan

demonstrates the integration of other relevant Federal, State and local program funds. *(Section 2122(b)(1)(B)(3)(4))*

- 85. The LEA developed and incorporated in their plan an assessment that provides for annual yearly progress that objectively measures the impact of authorized activities such as professional development, teacher and principal incentives, class size reduction, recruitment and training of teachers, and how it results in significantly closing the achievement gap of low-income and minority students from other students. *(Section 1119(b)(1)(A))*
- 86. The LEA plan, and authorized activities, gives priority of resources for professional development and authorized activities to teachers in low-performing schools. *(Section 2122(3)(c))*
- 87. The LEA will use funds to meet the requirements contained in Title II, Part A, and all other applicable provisions of the ESEA Reauthorization of 2001 and will submit necessary documentation of compliance with requirements upon request. *(Section 2121)*
- 88. The LEA assures that neither it, nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any Federal department or agency. *(34 CFR 85.225)*

**Title IV, Part A, Reference Section
4114(d)**

The LEA will:

- 89. Fund activities or programs that comply with the principles of effectiveness described in Section 4115(a) and foster a safe and drug-free learning environment that supports academic achievement.
- 90. Use funds under this subpart (Title IV, Part A) to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this subpart, be made available for programs

and activities authorized under this subpart, and in no case supplant such State, local, and other non-Federal funds.

91. That the LEA is in compliance with the State law required by subsection (b) 107. requiring LEAs to expel from school for a period of not less than 1 year a student who is determined to have brought a firearm to a school, or to have possessed a firearm at a school, under the jurisdiction of LEAs in that State, except that such State law shall allow the chief administering officer of an LEA to modify such expulsion requirement for a student on a case-by-case basis if such modification is in writing. (*Section 4141(b)(1)*)

