

COVER SHEET FOR STATE PLAN ASSURANCES

Overview

Section 8304 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA),¹ provides that each State educational agency (SEA) that submits a consolidated State plan or individual program plan under the ESEA must have on file with the Secretary a single set of assurances. Each SEA must submit to the Secretary a signed set of the enclosed assurances **no later than June 2, 2017**, in order to receive Federal allocations for the following programs for fiscal year 2017:

- Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies
- Title I, Part C: Education of Migratory Children
- Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
- Title II, Part A: Supporting Effective Instruction
- Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
- Title IV, Part A: Student Support and Academic Enrichment Grants
- Title IV, Part B: 21st Century Community Learning Centers
- Title V, Part B, Subpart 2: Rural and Low-Income School Program
- Title VII, Subpart B of the McKinney-Vento Homeless Assistance Act: Education for Homeless Children and Youths

Instructions

An authorized representative of the SEA must sign the enclosed assurances and the standard forms attached in Appendix A, and demonstrate agreement by selecting the boxes provided, completing the fields below, and providing a signature in the space provided.

¹ Unless otherwise indicated, citations to the ESEA refer to the ESEA, as amended by the ESSA.

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Contact Information and Signatures

SEA Contact (Name and Position)

Telephone

Mailing Address:

Email Address:

By signing this document, the SEA, through its authorized representative, agrees to the enclosed and attached assurances and certifications.

Authorized SEA Representative (Printed Name)

Telephone:

Signature of Authorized SEA Representative

Date:

Identify the Federal programs for which the SEA is applying for funds for fiscal year 2017

- Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies
- Title I, Part C: Education of Migratory Children
- Title I, Part D: Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk
- Title II, Part A: Supporting Effective Instruction
- Title III, Part A: English Language Acquisition, Language Enhancement, and Academic Achievement
- Title IV, Part A: Student Support and Academic Enrichment Grants
- Title IV, Part B: 21st Century Community Learning Centers
- Title V, Part B, Subpart 2: Rural and Low-Income School Program
- Title VII, Subpart B of the McKinney-Vento Homeless Assistance Act: Education for Homeless Children and Youths

ESEA section 8304 assurances

For each program that an SEA includes in a consolidated State plan² or for which the SEA submits an individual program plan, the SEA assures that—

- Each program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;
- The control of funds provided under each program and title to property acquired with program funds will be in a public agency, an eligible private agency, institution, or organization, or an Indian Tribe, if the law authorizing the program provides for assistance to those entities; and
- The public agency, eligible private agency, institution, or organization, or Indian Tribe will administer those funds and property to the extent required by the authorizing law;
- The SEA will adopt and use proper methods of administering each such program, including—
 - 1) The enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program;
 - 2) The correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation; and
 - 3) The adoption of written procedures for the receipt and resolution of complaints alleging violations of law in the administration of the programs;
- The SEA will cooperate in carrying out any evaluation of each program conducted by or for the Secretary or other Federal officials;
- The SEA will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the State under each program;

² Under ESEA section 8302, an SEA may include the following ESEA programs in a consolidated State plan: Title I, Part A; Title I, Part C; Title I, Part D; Title II, Part A; Title III, Part A; Title IV, Part A; Title IV, Part B; Title V, Part B, Subpart 2: Rural and Low-Income School Program. Additionally, under the authority in ESEA section 8302(a)(1)(B), the Secretary has designated Title VII, Subpart B of the McKinney-Vento Homeless Assistance Act: Education for Homeless Children and Youths as a program that may be included in a consolidated State plan.

- The SEA will—
 - 1) Make reports to the Secretary as may be necessary to enable the Secretary to perform the Secretary’s duties under each program; and
 - 2) Maintain such records, provide such information to the Secretary, and afford such access to the records as the Secretary may find necessary to carry out the Secretary’s duties; and

- Before the consolidated State plan or an individual program plan was submitted to the Secretary (or will be submitted, should the State submit by September 18, 2017), the State afforded a reasonable opportunity for public comment on the plan and considered such comment.

Other Assurances

- The SEA assures that each such program will be administered in accordance with all applicable consultation requirements, including the State plan public posting requirements in ESEA section 1111(a)(8); and the State plan consultation requirements in ESEA sections 1111(a)(1)(A) for Title I, Part A; 1304(c)(3) for Title I, Part C; 2101(d)(3) for Title II, Part A; 3113(b)(2) and (b)(3)(G) for Title III, Part A; and 4203(a)(12)(A) for Title IV, Part B.

- Consistent with ESEA section 8532, the SEA certifies that it will establish and implement a statewide policy requiring that a student attending a persistently dangerous public elementary school or secondary school, including a public charter school, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.

- Consistent with 34 C.F.R. 76.104, the SEA certifies that:
 - 1) The SEA is eligible to submit the consolidated State plan or individual program plan.
 - 2) The SEA has authority under State law to perform the functions of the State under the program(s).
 - 3) The SEA legally may carry out each provision of the plan.
 - 4) All provisions of the plan are consistent with State law.
 - 5) A State officer, specified by title in the certification, has authority under State law to receive, hold, and disburse Federal funds made available under the plan.
 - 6) The State officer who submits the plan, specified by title in the certification, has authority to submit the plan.
 - 7) The SEA has adopted or otherwise formally approved the plan.
 - 8) The plan is the basis for State operation and administration of all the programs included in the plan.

- The SEA certifies and assures compliance with the following enclosed forms:
 - 1) Assurances for Non-Construction Programs (SF 424B Form).
 - 2) Disclosure of Lobbying Activities (SF LLL).
 - 3) Certification Regarding Lobbying (ED 80-0013 Form).