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| ***Elementary and Secondary***  ***Education Act of 1965* (ESEA),**  as Amended by the  ***Every Student Succeeds Act of 2015* (ESSA)**  **Title IV, Part A**  **Student Support and Academic**  **Enrichment Grants**   |  | | --- | | Individual Application **Guidelines Instructions Assurances** |   **Application Submission Date:**  **July 1, 2024**  **ESEA Grant Award Period:**  **July 1, 2024 – September 30, 2025**  **Virginia Department of Education**  **Department of Teaching and Learning**  **Office of ESEA Programs**  **P. O. Box 2120**  **Richmond, VA 23218-2120** |

# **Application Guidelines**

# **Purpose of Program and General Use of Funds**

The purpose of this grant is to improve students’ academic achievement by increasing the capacity of States, local educational agencies, schools, and local communities to:

* provide all students with access to a well-rounded education;
* improve school conditions for student learning; and
* improve the use of technology in order to improve the academic achievement and digital literacy of all students.

# **Application Submission and Approval Deadline**

* The individual application submission date is by July 1, 2024; the application may be submitted prior to the due date.
* A school division that submits an approvable application by July 1, 2024, will have the 2024-2025 funds available on a reimbursement basis as of July 1, 2024. A school division that submits an approvable application after July 1, 2024, will have the 2024-2025 funds available on a reimbursement basis as of the date the application is received at the Department.
* The division should make every effort to submit program applications by the due date.
* Failure to adhere to the submission deadline indicates that the division may not have a process in place to ensure that it implements only approved programs and services and that funds are allocated only on approved activities.

**Submissions to the Department of Education**

* Applications will be submitted using the web-based Online Management of Education Grant Awards (OMEGA) system. See instructions for the electronic application completion and submission process on page 3. Instructions for accessing OMEGA are on page 4.
* The application cover page signed by the division superintendent and the local school board chairperson should be retained and filed at the division level, and should not be submitted to the Virginia Department of Education. **The application cover page must include the local officials’ names and the signature dates to indicate compliance with application assurances.** Additional information on assurances is included in the “General Assurances and Program Specific Assurances” section on page 3.

**Revisions and Amendments to Applications**

* Revisions are changes that are necessary to the program application or budget ***before*** approval can be granted. Revisions to the application are made after the original submission only if the application is denied.
* Amendments are changes that are made to the program application or budget ***after*** the approval of the application. If the amendment involves only programmatic changes, a budget transfer request is not required. If the amendment involves budget changes, a budget transfer must also be submitted.
* The division should make every effort to submit revisions and amendments in a timely manner.
* NOTE: Any changes to the program budget should first be reflected in an amended application, followed by a budget transfer within 7 business days of approval of the amended application.  Budget transfers are not accepted without an approved amended application reflecting budget changes.
* Revisions and amendments should be identified on the first page of the application in the upper- right-hand corner. Indicate whether a revision or an amendment is being submitted and include the date. Next, select the “Explain” link. A section will be displayed where details about the changes to the application should be provided. Please be specific. Provide the number and date of the revision or amendment.
* All changes, whether submitted in a revision or amendment, should be made to the original or most recently approved version of the application. The file should then be resubmitted using OMEGA in a similar manner as was used for the original submission of the application file.

**Administrative Cost**

* Indirect costs claims are subject to the availability of funds and statutory or administrative restrictions. Because the administrative cap applies to the combined claims for indirect costs and direct administrative costs, divisions may not be able to claim the entirety of their indirect costs. The amount unrecovered may not be shifted to another federal award.

**Release of Federal Funds and Grant Award Period**

* At the conclusion of the approval process, Title IV, Part A, funds are released to school divisions on a reimbursement basis. The grant award period is July 1, 2024, through September 30, 2025.  Under the Tydings Amendment, school divisions have until September 30, 2025 to encumber 2023-2024 funds (for more information on encumbering funds, refer to the [*Definition of Obligation of Funds*](https://www.doe.virginia.gov/home/showpublisheddocument/32423/638047209054070000)).
* Final reimbursements must be submitted to the Department by mid-November 2024. Reimbursements are submitted using the OMEGA system.
* If the 2024-2025 allocation amounts are not available to school divisions by the application submission date, the 2023-2024 ESEA Title IV, Part A allocation may be used as the estimated amount for budget purposes. When the eligible school division’s final 2024-2025 Title IV, Part A federal allocations have been received, program applications must be revised or amended to reflect the final award amount.

**General Assurances and Program Specific Assurances**

* Assurances represent policies, procedures, and activities that must be developed by the school division to carry out the provisions of the law. The “General Assurances and Program Specific Assurances” are located in the application and in Appendix A of this document and must be retained at the division level.
* **The superintendent’s/designee’s and board chairperson’s signatures on the application cover page certify that the local educational agency will implement the general and program specific assurances. The signed original of the application cover page must be retained at the division level.**

**Instructions for Electronic Completion and Submission of Application**

* The application has been created as a Microsoft Excel form. Users will be allowed to enter information only in areas of the application in which they see a white cell. (Blue cells have been added to the budget summary page to facilitate budgeting for private school services and calculations. These cells have also been enabled to allow users to enter figures.) The “Tab” key should be used to move from cell to cell. Do notuse the “Enter” key to advance to the next cell.
* The completed application must be saved as an Excel document with the following name: “XXXTitleIVPtA24-25.xlsm” (the “XXX” should be replaced by the three-digit LEA/Payee Code for your particular division). For example, Accomack County’s Title IV, Part A, application should be saved as “001TitleIVPtA24-25.xlsm” in the electronic files on your computer. **The file name cannot exceed 50 characters.**
* The completed application should be uploaded to the OMEGA system by selecting the appropriate options to indicate the type of application (individual or consolidated) and then the appropriate federal program(s) in the application(s). Print copies will not be accepted.
* OMEGA can be accessed through the Virginia Department of Education’s (VDOE’s) Single Sign-on for Web System (SSWS) located at <https://p1pe.doe.virginia.gov/ssws/login_page.do>
* A log-in ID and password are necessary to access the system which is requested through an [OP1 form](https://www.doe.virginia.gov/home/showpublisheddocument/38654/638063893856770000).
* If additional technical support is needed, please e-mail [OMEGA.Support@doe.virginia.gov](mailto:OMEGA.Support@doe.virginia.gov).

All other correspondence should be directed as follows:

* School divisions located in Superintendents’ Regional Study Groups I and II should contact Michael Courtney, Title IV Specialist, at [Michael.Courtney@doe.virginia.gov](mailto:Michael.Courtney@doe.virginia.gov) or (804) 750-8605.
* School divisions located in Superintendents’ Regional Study Groups IV, V, and VI should contact Anthony Tyler, Title IV Specialist, at [Anthony.Tyler@doe.virginia.gov](mailto:Anthony.Tyler@doe.virginia.gov) or (804) 750-8623.
* School divisions located in Superintendents’ Regional Study Groups III, VII, and VIII should contact Dr. Rob Wright, Title IV Specialist, at [Rob.Wright@doe.virginia.gov](mailto:Rob.Wright@doe.virginia.gov) or (804) 750-8658.

###### Instructions for Completing the Application

**Main Page Tab**

Select the school division from the drop down box in cell F13. This feature will automatically insert your school division name and number throughout the application.

**Application Directory**

By clicking the buttons in this directory, you can navigate to specific sections of the application. To return to the directory, choose the “Back to Main Page” button in any section.

**Budget Check Tab**

This section is designed to warn you if there are errors in the alignment of budgets. If column D is blank after the Budget Summary and Transferability tabs have been updated, then the budgets are balanced. If there are error messages in column D, then please make the necessary corrections.

**A. Cover Page (Narrative Tab, Pages 1-3)**

1. Complete the school division information section. Select the drop down box that appears in the “Applicant” (Legal Name of Agency) cell and locate your school division name. Select your school division name. This feature will automatically insert your school division name and number throughout the application.
2. The designated division representative will complete the Local Educational Agency Certification by securing all appropriate signatures and by indicating the date of the school board meeting.
3. The local school board must review and approve the application prior to submission to the Department of Education.
4. On page 2, in the far-right column labeled “2024-2025 Allocation Total,” enter the school division’s allocation for Title IV, Part A, to be included in the 2024-2025 Individual Application.
5. Complete the Transferability section on page 2 and the [transferability form](https://www.doe.virginia.gov/home/showpublisheddocument/20993/638043651793770000), if funds will be transferred into or out of the Title IV, Part A, program. PRIOR APPROVAL IS REQUIRED.

\* NOTE: If transferring 100% of your allocation to another federal program, you will only need to complete pages 1, 2, and Box 1 on page 4.

**B. Program Overview (Narrative Tab, Pages 4-9)**

In narrative format:

**Box 1a.** Local education agencies must conduct a needs assessment.

The description of the needs assessment should include:

1. when the needs assessment was conducted;
2. who participated in the assessment process and determining the division’s priorities;
3. what data was collected and analyzed; and
4. how the identified schools receiving services were identified as meeting one of the following criteria listed under section 4106(e)(2)(A) provided on the Program Specific Assurances tab.

For local education agencies receiving allocations of $30,000 or greater, conduct and provide a description of a comprehensive needs assessment (once every three years) that was conducted to examine needs for improvement in the areas of—access to, and opportunities for, a well-rounded education for all students:

1. access to, and opportunities for, a well-rounded education for all students;
2. school conditions for student learning in order to create a healthy and safe school environment; and
3. access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.

LEA's transferring funds to another federal program must complete a needs assessment for the three Title IV, Part A, categories and describe why funds are of greater need in the identified federal program funds will be transferred to. If the activities are allowable under Title IV, Part A, describe the local education agency's rationale for transferring the funds to another program.

**Box 1b.** In accordance with ESEASection 4106(e) (2) and (f), each school division/grantee or consortium of school divisions receiving Title IV, Part A, funds will prioritize the distribution of funds to schools served based on one or more of the following criteria—

* 1. Are among the schools with the greatest needs;
  2. Have the highest percentages or numbers of children counted under Section 1124(c) (i.e., children counted for purposes of basic grants to LEAs under Title I, Part A of the ESEA);
  3. Are identified for comprehensive support and improvement under Section 1111(c)(4)(D)(i) (i.e., are among the lowest-achieving schools);
  4. Are implementing targeted support and improvement plans as described in Section 1111(d)(2) (i.e., have consistently underperforming student subgroups); or
  5. Are identified as a persistently dangerous public elementary school or secondary school under Section 8532. (ESEASection 4106(e)(2)(A));

Describe, if applicable, how funds the distribution of funds to schools served was prioritized.

**Box 2.** Describe, if applicable, how funds will be used for activities related to supporting well-rounded education, including the use of evidence-based practices.

**Box 3.** Describe, if applicable, how funds will be used for activities related to supporting safe and healthy students.

**Box 4.** Describe, if applicable, how funds will be used for activities related to supporting the effective use of technology.

**Box 5.** Describe how the local education agency, or consortium of such agencies, will periodically

evaluate the effectiveness of the activities carried out under this section based on such objectives and outcomes.

**Box 6**. **PROFESSIONAL DEVELOPMENT:** If funds are to be used for professional development,

describe how they meet the statutory definition of professional development in Section 8101(42), which requires that professional development be: sustained; intensive; collaborative; job-embedded; data-driven; and classroom focused. Describe the alignment to overarching division strategic goals. (Section 2103(b)(3)(E)) (If funds are not used for professional development, indicate N/A.) Examples of professional development activities may include items from any object code, such as mentors, professional development/instructional coaches, contracted services, conferences, professional learning communities (PLC); leadership development and associated costs.

**C. Coordination of Services (Narrative Tab, Page 9)**

Describe the partnerships within the LEA among the programs in this application and other federal, state and/or local programs in the delivery of services to the targeted population(s). Describe the collaboration of program staff, parents, and the community to provide services and activities that will contribute to the attainment of the measurable objectives in this application and how they align to agency priorities (set high expectations for student performance; ensure every K-12 student has a high quality, licensed teacher; create innovative pathways for every learner; invest in safe and health schools and centers; and promote parents as partners). Describe 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.

**D. Measurable Objectives (Narrative Tab, Pages 10-12)**

In the tables, state up to six measurable objectives that will guide the development of the program to be funded with the requested federal funds.

1. Describe the evidence-based services and activities (programs, models, instructional methods and techniques) that will be implemented to achieve each objective and that will be supported by the requested funds.
2. Measurable objectives should focus on student and/or teacher outcomes.
3. A definition and examples of measurable objectives are listed below.

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| **What is a Measurable Objective?**  A measurable objective has four components:   1. Subject (Who is the target or focus?); 2. Behavior (What will be changed/improved?); 3. Specific criteria for assessing improvement, readiness, or achievement and tools to be used to measure effectiveness; and 4. Time period for performance or assessment. |
| **Examples:**   1. By May 2025, 100 percent of students enrolled in Health & PE10 will receive CPR training and at least 20 percent of those students will gain certification as evidenced by a list of persons receiving a certificate. 2. By June 2025, 100 percent of teachers at designated high-needs schools will participate in bullying prevention training, as evidenced by sign-in sheets. |

It is anticipated that 2023-2024 *student-level* Standards of Learning (SOL) test results will arrive in the school divisions prior to the application deadline.  Though these data may be incomplete for the 2023-2024 school year, schools and school divisions may examine these data for student progress trends that may be used to determine needed activities to improve student achievement.

For the purposes of establishing measurable objectives, a division may use 2023-2024 SOL results, the results of the Virginia Remote Student Progress Tests, or other measures such as MAP testing or benchmark testing as applicable.

**E. Progress Toward Meeting Measurable Objectives (Reporting Tab, Page 13)**

Section 4104(a)(2) of ESSA requires that States report the degree to which divisions have made progress toward meeting the objectives and outcomes in their approved applications.

Describe the division's progress towards meeting the measurable objectives. Evidence toward meeting the objective must be reported even if the objective is still in progress or the division was unable to collect all data needed to determine the final outcome. Address each measurable objective for which activities were implemented in the previous year. Indicate the application year (ex: 2021-2022 or 2022-2023) for the measurable objective and include relevant data.

**F.** **Budget Tab (Page 14)**

1. In Columns A, B, and C, provide the summary budget for Title IV, Part A, by object codes. Use only the allocation amount after transferability, if any funds were transferred. The private school set-aside for 2024-2025 should be entered after the overall estimated budget has been entered and the equitable service amount has been calculated on the private school set-aside page.
2. The administrative set-aside is limited to 2 percent or less of the allocation amount after transferability, if any funds were transferred.
3. If the allocation is $30,000 or greater, funds must be allocated as follows:

* At least 20 percent of funds for activities to support well-rounded educational opportunities (ESEASection 4107);
* At least 20 percent of funds for activities to support safe and healthy students (ESEASection 4108); and
* A portion of funds for activities to support the effective use of technology (ESEASection 4109).

**Special Rule:** No more than 15 percent of funds for activities to support the effective use of technology may be used "for purchasing technology infrastructure as described in subsection (a)(2)(B), which includes technology infrastructure purchased for the activities under subsection (a)(4)(A)." To clarify, LEAs or consortiums of LEAs may not spend more than 15 percent of funding in this content area on devices, equipment, software applications, platforms, digital instructional resources and/or other one-time IT purchases. (ESEA section 4109(b)).

**G. Detailed Budget Breakdown (Budget Tab Pages 15-21)**

1. All items included in the budget must contribute to the measurable objectives stated in the application and be identified by selecting the corresponding number of the measurable objective that it aligns to from the drop down menu in the budget.
2. The applicable detail budget breakdown sheets must be completed. NOTE: For the equitable services set-aside calculation on the private school tab, administrative costs in object codes 1000, 2000, and 6000, and indirect costs in object code 5000, are not included in the amount used for the equitable services calculation.
3. All program expenditures must be supplemental and allowable under the grant. Guidelines on supplement, not supplant and allowability are provided in the [*Spending Handbook for Title I, Part A; Title II, Part A; Title III, Part A; and Title IV, Part A.*](https://www.doe.virginia.gov/home/showpublisheddocument/19583/638042896402170000)
4. Provide a detailed description of all expenditures. The allowability of expenditures listed in the detailed budget with a general description such as, materials and supplies, cannot be determined until a detailed description is provided. If that detailed description is not provided in the application but rather in a request for reimbursement, it may be unallowable and therefore, the request for reimbursement will be denied.

**H. Transferability Tab (Page 22)**

This section must be completed by divisions transferring funds under the ESSA transferability provision.

Under ESSA, divisions may transfer funds from Title II, Part A, or Title IV, Part A, into: Title I, Part A; Title I, Part C; Title I, Part D; Title II, Part A; Title III, Part A; Title IV, Part A; or Title V, Part B. There is no limit to the amount of funding that can be transferred from Title II, Part A, or Title IV, Part A. Please note that prior approval is required to transfer funds. The [transfer request form](https://www.doe.virginia.gov/home/showpublisheddocument/20993/638043651793770000) and [transfer instructions](https://www.doe.virginia.gov/home/showpublisheddocument/20973/638043651189430000) are on the transferability webpage.

Excluding Title I, Part D, and Title V, Part B, each program covered by the transferability is subject to the equitable services requirements under Title I or VIII, which may not be waived. Before a division may transfer funds from a program subject to equitable services requirements, it must engage in timely and meaningful consultation with appropriate private school officials to be submitted with the [transfer request form](https://www.doe.virginia.gov/home/showpublisheddocument/20993/638043651793770000). With respect to the transferred funds, the division must provide private school students and teachers equitable services 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.

Enter the amount budgeted in each object code on lines 11 through 35. A green “**Yes**” will appear on line 40, “Does Budget Match Amount Transferred to Program?” if entered correctly. Provide an explanation of the uses of transferability funds in the program narrative section provided on the transferability tab.

Refer to the private school tab to identify the additional value of services that will be provided to participating private schools as a result of Transferability funds. Adjust budget lines on the Transferability budget tab to reflect this amount.

**I. Detailed Budget Breakdown (Transferability Tab Pages 23-29)**

1. Provide a detailed description of all expenditures. The allowability of expenditures listed in the detailed budget with a general description such as, materials and supplies, cannot be determined until a detailed description is provided. If that detailed description is not provided in the application but rather in a request for reimbursement, it may be unallowable and therefore, the request for reimbursement will be denied.

### J. Private School Participation (Private School Tab, Pages 30-32)

* All divisions must complete this section, indicating all eligible private schools located within the geographic boundaries of the school division. Eligible private schools must be contacted annually and provided with the opportunity to engage in meaningful consultation regarding Title IV, Part A, equitable services.
* **Step 1:** Check either “Yes” or “No” to indicate whether there are any private schools located within the boundaries of the school division. If the answer is “No” then it is not necessary to complete the remainder of the page.
* **Step 2:** Indicate the methods used to notify the private schools of the availability of services.
* **Step 3:** Enter the school division’s projected K-12 enrollment for 2024-2025.
* **Step 4:** The amount of the set-aside for private school services will be calculated automatically by subtracting administrative expenses from the overall Title IV, Part A, budget.
* **Step 5:** The additional set-asides as a result of transferability will be calculated automatically by subtracting the administrative expenses from the overall transferability budget amount.
* **Step 6:**
  + - * + In Column A, list all eligible private schools in the geographic boundaries of the school division.
        + In column B, select either “Yes” or “No” to indicate the participation status of the listed private school(s) for the 2023-2024 award year, as a result of consultation.
        + In column C, enter the K-12 enrollment of private schools participating in services for the 2024-2025 award year.
        + Column D will automatically calculate the value of services for the 2024-2025 award year.
        + In Column E, indicate the method of notification for each private school.
* Once the funding source and the enrollment figures for the public and private schools have been entered, the Estimated Value of Services will be calculated automatically.
* **Step 7:** Enter the Value of Services amount in cell B38 of the application on the Budget tab in the budget summary as “Private School Set-Aside” in the appropriate object codes. In the budget detail, list as “Private School Set-Aside” under the appropriate object codes.
* **Step 8:** Enter the Value of Additional services amount in cell F38 of the application on the Transferability tab in the appropriate object codes. In the budget detail section on the same tab, list as “Private School Set-Aside” under the appropriate object codes.
* Public school division personnel should coordinate with private schools to determine the manner in which equitable services will be provided.
* **Step 9**: Provide a description of how Title IV, Part A, funds will be used to support services, activities, and other expenditures for the private schools, if applicable.

**K. General Education Provisions Act (GEPA) Section 427 (GEPA Tab, Page 33)**

Section 427 of the General Education Provisions Act (GEPA) requires applicants for federal funds to include in their applications a description of the steps the applicant will take to ensure equitable access to, and participation in, federally-assisted programs for students, teachers, and other program beneficiaries with special needs. The provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, the applicant should determine whether these or other barriers may prevent students, teachers, etc., from such access or participation in the federally-funded project or activity. The description in the application of steps to be taken to overcome these barriers need not be lengthy; the application may provide a clear and succinct description of how the applicant plans to address those barriers that are applicable to their circumstances.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the federal funds awarded to it eliminate barriers it identifies.

In the space provided, describe the steps the division will take to ensure equitable access to, and participation in, grant-funded program for students, teachers, and other program beneficiaries with special needs as required by the *General Education Provisions Act* (GEPA) 427, OMB Control No. 1894-00045, Section 427. You may consider the following examples in your description:

* Ensuring that events are held in accessible facilities; ensuring that materials are appropriate and accessible to all participants
* Translating documents into other languages as needed
* Conducting outreach or other activities to address gender or race inequities in mathematics, science, or other programs
* Efforts to involve diverse stakeholders in program planning and implementation

Expenditure Accounts Description Tab (Pages 34-36)

Provides definitions for the object codes. Please review carefully.

## Local Uses of Funds

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| **Overview of Examples of Allowable Uses of Funds – from USED** [**Non-Regulatory Guidance**](https://www2.ed.gov/policy/elsec/leg/essa/essassaegrantguid10212016.pdf)**:** | | |
| Well-Rounded Educational Opportunities  (ESEA Section 4107) | Safe and Healthy Students  (ESEA Section 4108) | Effective Use of Technology  (ESEA Section 4109) |
| • Improving access to foreign language instruction, arts, and music education  • Supporting college and career counseling, including providing information on opportunities for financial aid through the early FAFSA  • Providing programming to improve instruction and student engagement in science, technology, engineering and mathematics (STEM), including computer science, and increasing access to these subjects for underrepresented groups  • Promoting access to accelerated learning opportunities including Advanced Placement (AP) and International Baccalaureate (IB) programs, dual or concurrent5 enrollment programs and early college high schools  • Strengthening instruction in American history, civics, economics, geography, government education, and environmental education | • Promoting community and parent involvement in schools  • Providing school-based mental health services and counseling  • Promoting supportive school climates to reduce the use of exclusionary discipline and promoting supportive school discipline  • Establishing or improving dropout prevention  • Supporting re-entry programs and transition services for justice-involved youth  • Implementing programs that support a healthy, active lifestyle (nutritional and physical education)  • Implementing systems and practices to prevent bullying and harassment  • Developing relationship building skills to help improve safety through the recognition and prevention of coercion, violence, or abuse  • Establishing community partnerships | • Supporting high-quality professional development for educators, school leaders, and administrators to personalize learning and improve academic achievement  • Building technological capacity and infrastructure  • Carrying out innovative blended learning projects  • Providing students in rural, remote, and underserved areas with the resources to benefit from high-quality digital learning opportunities  • Delivering specialized or rigorous academic courses and curricula using technology, including digital learning technologies and assistive technology |
| \*Note: This table provides examples of allowable activities and is not an exhaustive list. Please consult the statute for more information. The text of the ESEA, as amended by ESSA, is available at: [http://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20Of%202365.pdf](http://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20Of%201965.pdf). | | |

SEC. 8526. [20 U.S.C. 7906] PROHIBITED USES OF FUNDS

No funds under this Act may be used—

(1) for construction, renovation, or repair of any school facility, except as authorized under this Act;

(2) for transportation unless otherwise authorized under this Act;

(3) to develop or distribute materials, or operate programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual;

(4) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds;

(5) to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or

(6) to operate a program of contraceptive distribution in schools.

**Appendix A**

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| **ASSURANCES**  The assurances should be kept on file in the division. |

**GENERAL ASSURANCES**

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| Title I, Part A | – | Improving Basic Programs Operated by Local Educational Agencies |
| Title I, Part C | – | Education of Migratory Children |
| Title I, Part D, Subpart 2 | – | Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk |
| Title II, Part A | – | Supporting Effective Instruction |
| Title III, Part A | – | Language Instruction for English Learners and Immigrant Students |
| Title IV, Part A | – | Student Support and Academic Enrichments Grants |
| Title V, Part B, Subpart 2 | – | Rural and Low-Income School Program |

The school division/grantee assures:

1. Each program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;
2. The control of funds provided under each program and title to property acquired with program funds will be in a public agency, a nonprofit private agency, institution, organization, or an Indian tribe, if the law authorizing the program provides for assistance to those entities;
3. The public agency, nonprofit private agency, institution, organization, or Indian tribe, will administer the funds and property to the extent required by the authorizing statutes;
4. It will adopt and use proper methods of administering each program, including⎯
   1. The enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program;

B. The correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation and that:

1. It will maintain fiscal effort in support of free public education;
2. It will provide services with state and local funds that are at least comparable to services provided in schools and areas not receiving special federal funds;
3. The majority of the resources in the school division are derived from nonfederal funds;
4. It is in compliance with the requirements in Title VIII, Section 8524 and has no policy that prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary and secondary schools;
5. It will comply with the audit requirements for each program;
6. The federal funds are used to supplement, not supplant regular nonfederal funds;
7. It will cooperate in carrying out any evaluation of each program conducted by or for the state educational agency, the Secretary, or other federal officials;
8. It will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, federal funds paid to the applicant under each program;
9. It will submit such reports to the state educational agency (which shall make the reports available to the Governor) and the Secretary of Education as the state educational agency and Secretary may require to enable the state educational agency and the Secretary to perform their duties under each program;
10. It will maintain such records for five years, provide such information, and afford such access to the records as the state educational agency (after consultation with the Governor) or the Secretary may reasonably require to carry out the state educational agency’s or the Secretary’s duties;
11. It consulted with teachers, school administrators, parents, members of the community, nonprofit organizations and other interested parties in the development of this plan;
12. It afforded a reasonable opportunity for public comment on the plan or application and considered such comment before the application was submitted;
13. It will provide information in an understandable and uniform format and, to the extent practicable, be provided in a language that the parents can understand;
14. It is in compliance with the requirement regarding equal access to public school facilities as specified in Title VIII, Section 8525;
15. It is in compliance with the requirement regarding the prohibition on aiding and abetting sexual abuse as specified in Title VIII, Section 8546;
16. It will comply with the other application requirements outlined in

Section 8501. Private School Children;

Section 8502. Bypass; and

Section 8522. Maintenance of Effort under Title VIII –Other Provisions;

1. It will ensure that funds are expended in accordance with the school division’s approved application or amended application. In the event the local division needs to expend funds in any manner other than stipulated in the approved application, the plan must be amended using the amendment process provided by the Department of Education. The application must be amended before funds can be expended for activities not approved in the original application;
2. It will collect and disseminate information collected under Section 1111 in a

manner that protects the privacy of individuals;

D. It will adhere to the provisions of the [Federal Funding Transparency and Accountability Act (FFATA),](https://www.doe.virginia.gov/home/showpublisheddocument/38105/638060894925800000) and will obtain a valid DUNS number prior to applying for funds;

E. It will comply with the provisions of 2 CFR part 200 section 200.116, which prohibits the purchase of certain telecommunications and video surveillance services or equipment as described in Public Law 115-232, section 889.

1. It will comply with Section 22.1-277.07, of the *Code of Virginia* that requires the expulsion for one year of any student determined to have brought a firearm to school. A description of each incident, the name of the school concerned, the number of students expelled from each school, and the type of firearm used in each instance of expulsion will be reported to the Virginia Department of Education in compliance with provisions under Section 8561 (Gun-Free Schools Act). This agency has a policy that requires referral to the criminal justice or the juvenile delinquency system of any student who brings a firearm or weapon to school; and
2. It will participate, if selected, in the state National Assessment of Educational Progress in 4th and 8th grade reading and mathematics carried out under Section 303 of the National Assessment of Educational Progress Act.

**PROGRAM SPECIFIC ASSURANCES**

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

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

1. Prioritize the distribution of funds to schools served based on one or more of the following criteria—
   1. Are among the schools with the greatest needs;
   2. Have the highest percentages or numbers of children counted under Section 1124(c) (i.e., children counted for purposes of basic grants to LEAs under Title I, Part A of the ESEA);
   3. Are identified for comprehensive support and improvement under Section 1111(c)(4)(D)(i) (i.e., are among the lowest-achieving schools);
   4. Are implementing targeted support and improvement plans as described in Section 1111(d)(2) (i.e., have consistently underperforming student subgroups); or
   5. Are identified as a persistently dangerous public elementary school or secondary school under Section 8532. (ESEASection 4106(e)(2)(A));
2. Divisions or consortia that receives $30,000 or more will use—
   1. Not less than 20 percent of funds to support one or more of the activities authorized under Section 4107 pertaining to well-rounded educational opportunities;
   2. Not less than 20 percent of funds to support one or more activities authorized under Section 4108 pertaining to safe and healthy students; and
   3. A portion of funds to support one or more activities authorized under Section 4109(a) pertaining to the effective use of technology, including an assurance that it will not use more than 15 percent of the remaining portion for purchasing technology infrastructure as described in Section 4109(b).(ESEASection 4106(e)(2)(C)-(E));
3. Reserve not more than 2 percent for the direct administrative costs of carrying out the division’s responsibilities (ESEA Section 4105(c));
4. Comply with Section 8501-8504, regarding equitable participation of private school children and

teachers (ESEASection 4106(e)(2)(B)); and

1. Complete an annual State report regarding how funds for the SSAE program are being used

(ESEASection 4106(e)(2)(F)).