

LEA Consolidated Grant Application Assurances 2011 – 2012

7.0 Certification of Compliance and Assurances

01. General Education Provisions Act (GEPA)

A. Any LEA receiving funding under this program will have on file with the State a set of assurances that meets the requirements of section 442 of the General Education Provisions Act (GEPA) (20 U.S.C. 1232e).

B. To the extent applicable, an LEA will include in its local application a description of how the LEA will comply with the requirements of section 427 of GEPA (20 U.S.C. 1228a). The description must include information on the steps the LEA proposes to take to permit students, teachers, and other program beneficiaries to overcome barriers (including barriers based on gender, race, color, national origin, disability, and age) that impede access to, or participation in, any program.

02. Education Department General Administrative Regulations (EDGAR)

A. The LEA will comply with the all of the Education Department General Administrative Regulations (EDGAR- Title 34, Code of Federal Regulations (CFR), Parts 74-86 and 97-99).

03. Additional Federal

A. All regulations as stated in OMB Circular A-133 and OMB Circular A-87 will be adhered to and records will be readily made available when audited for a period of time of at a minimum of three years after successful audit.

04. State of Delaware

A. The LEA will comply with all requirements put forth by the State of Delaware Office of the Governor, Delaware Office of Management and Budget, and Delaware Department of Education.

05. General Elementary and Secondary Education Act (ESEA)

A. It is assured that each ESEA program will be administered in accordance with all applicable statutes, regulations, program plans, and applications.

B. It is assured that the control of funds provided under each ESEA program and title to property acquired with program funds will be in a public agency or in a nonprofit private agency, institution, organization, or Indian tribe, if the law authorizing the program provides for assistance to those entities; and that the public agency, nonprofit private agency, institution, or organization will administer the funds and property to the extent required by the authorizing statutes

C. It is assured that the applicant will adopt and use proper methods of administering each ESEA program, including: (A) the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program; and (B) the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation

D. It is assured that the applicant will cooperate in carrying out any evaluation of each ESEA program conducted by or for the State educational agency, the Secretary, or other Federal officials

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E. It is assured that the applicant 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 ESEA program

F. It is assured that the applicant will: (A) submit reports to the State educational agency (which shall make the reports available to the Governor) and the Secretary as the State educational agency and Secretary may require to enable the State educational agency and the Secretary to perform their duties under each ESEA program; and (B) maintain such records, 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

G. It is assured that before the application was submitted, the applicant afforded a reasonable opportunity for public comment on the application and considered such comment

H. It is assured that the LEA will comply with the all of the legislative and regulatory requirements of ESEA programs for which it receives funds, including all applicable sections of Title IX.

I. It is assured that the LEA will comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, the Americans With Disabilities Act of 1991, and all regulations, guidelines, and standards lawfully adopted under the above statutes by the United States Department of Education.

J. It is certified that the LEA does not have any policy that prevents or otherwise denies participation in constitutionally protected prayer in the elementary and secondary schools under its authority as set forth in the U.S. Department of Education guidance to the extent that the guidance does not conflict with controlling precedent.

K. It is assured that in any publication or public announcements, the LEA will clearly identify any program assisted under the No Child Left Behind Act (ESEA) as a federal program funded under the specific title.

06. Specific Curriculum/Professional Development

A. It is assured that funds will be used for developing and implementing curriculum based on the content standards established by the Curriculum Frameworks Commission as approved by the State Board of Education or for other professional development activities, including but not limited to: discipline, special education/inclusion, collaboration/consensus building, conflict resolution, shared decision making, and educational technology.

B. It is assured that the curriculum and/or professional development supported by these funds is directly related to an analysis of student performance data by each school.

07. Specific IDEA

A. It is assured that the LEA has received a copy of, reviewed, and is familiar with all requirements of the IDEA, as amended by the Individuals with Disabilities Improvement Act of 2004;

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B. It is assured that agency personnel administering the IDEA program for the LEA are familiar with requirements of the Education Department General Administrative Requirements (EDGAR), General Education Provisions Act (GEPA) and the cost Principles for State, Local and Indian Tribal governments as outlined in OMB circular A-87, Rev.

C. It is assured that the agency will comply with all of the requirements of the IDEA ('the Act') found in PL 108-446 as amended including: (1) all of the policies and procedures as contained in the Delaware Department of Education Special Education Regulations, (2) all of the eligibility requirements of Section 612 of the Act, and (3) all of the requirements of Section 613 of the Act throughout the period of this subgrant award.

08. Specific Perkins

A. It is assured that the career and technical education program is of sufficient size, scope, and quality as to result in improvement in the quality of education.

09. Specific Title I

A. The agency will participate, if selected, in the State National Assessment of Educational Progress in 4th and 8th grade reading and mathematics carried out under section 411(b)(2) of the National Education Statistics Act of 1994;

B. The local educational agency will inform eligible schools and parents of schoolwide program authority and the ability of such schools to consolidate funds from Federal, State, and local sources;

C. The local educational agency will provide technical assistance and support to schoolwide programs;

D. The local educational agency will 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 toward meeting the State student academic achievement standards;

E. The local educational agency will fulfill such agency's school improvement responsibilities under section 1116, including taking actions under paragraphs (7) and (8) of section 1116(b);

F. The local educational agency will 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;

G. The local educational agency will 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;

H. The local educational agency will in the case of a local educational agency 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;

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- I.** The local educational agency will work in consultation with schools as the schools develop and implement their plans or activities under sections 1118 and 1119;
- J.** The local educational agency will comply with the requirements of section 1119 regarding the qualifications of teachers and paraprofessionals and professional development;
- K.** The local educational agency will inform eligible schools of the local educational agency'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;
- L.** The local educational agency will coordinate and collaborate, to the extent feasible and necessary as determined by the local educational agency, 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 local educational agency in addressing major factors that have significantly affected student achievement at the school;
- M.** The local educational agency will 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;
- N.** The local educational agency will use the results of the student academic assessments required under section 1111(b)(3), and other measures or indicators available to the agency, to review annually the progress of each school served by the 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 end of the 2001-2002 school year;
- O.** The local educational agency will 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;
- P.** The local educational agency will assist each school served by the agency and assisted under this part in developing or identifying examples of high-quality, effective curricula consistent with section 1111(b)(8)(D).
- Q.** The local educational agency will provide (i) a local educational agency-wide salary schedule; (ii) a policy to ensure equivalence among schools in teachers, administrators, and other staff; and (iii) a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

10. Specific Title I, Part D

- A.** It is assured that each agency shall reserve not less than 15 percent and not more than 30 percent of the amount such agency receives under this subpart for any fiscal year to support? (1) projects that facilitate the transition of children and youth from State-operated institutions to schools served by local educational agencies; or(2) the successful reentry of youth offenders, who are age 20 or younger and have received a secondary school diploma or its recognized equivalent, into postsecondary education, or vocational and technical training programs, through strategies designed to expose the youth to, and prepare the youth for, postsecondary education, or vocational and technical training programs, such as? (A) preplacement programs that allow adjudicated or incarcerated youth to audit

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or attend courses on college, university, or community college campuses, or through programs provided in institutional settings; (B) worksite schools, in which institutions of higher education and private or public employers partner to create programs to help students make a successful transition to postsecondary education and employment; and (C) essential support services to ensure the success of the youth, such as? (i) personal, vocational and technical, and academic counseling; (ii) placement services designed to place the youth in a university, college, or junior college program; (iii) information concerning, and assistance in obtaining, available student financial aid; (iv) counseling services; and (v) job placement services.

B. It is assured that any State agency that desires to receive funds to carry out a program under this subpart shall submit an application to the State educational agency that: (1) describes the procedures to be used, consistent with the State plan under section 1111, to assess the educational needs of the children to be served under this subpart; (2) provides an assurance that in making services available to children and youth in adult correctional institutions, priority will be given to such children and youth who are likely to complete incarceration within a 2-year period; (3) describes the program, including a budget for the first year of the program, with annual updates to be provided to the State educational agency; (4) describes how the program will meet the goals and objectives of the State plan; (5) describes how the State agency will consult with experts and provide the necessary training for appropriate staff, to ensure that the planning and operation of institution-wide projects under section 1416 are of high quality; (6) describes how the State agency will carry out the evaluation requirements of section 9601 and how the results of the most recent evaluation will be used to plan and improve the program; (7) includes data showing that the State agency has maintained the fiscal effort required of a local educational agency, in accordance with section 9521; (8) describes how the programs will be coordinated with other appropriate State and Federal programs, such as programs under Title I of Public Law 105-220, vocational and technical education programs, State and local dropout prevention programs, and special education programs; (9) describes how the State agency will encourage correctional facilities receiving funds under this subpart to coordinate with local educational agencies or alternative education programs attended by incarcerated children and youth prior to their incarceration to ensure that student assessments and appropriate academic records are shared jointly between the correctional facility and the local educational agency or alternative education program; (10) describes how appropriate professional development will be provided to teachers and other staff; (11) designates an individual in each affected correctional facility or institution for neglected or delinquent children and youth to be responsible for issues relating to the transition of children and youth from such facility or institution to locally operated programs; (12) describes how the State agency will endeavor to coordinate with businesses for training and mentoring for participating children and youth; (13) provides an assurance that the State agency will assist in locating alternative programs through which students can continue their education if the students are not returning to school after leaving the correctional facility or institution for neglected or delinquent children and youth; (14) provides assurances that the State agency will work with parents to secure parents' assistance in improving the educational achievement of their children and youth, and preventing their children's and youth's further involvement in delinquent activities; (15) provides an assurance that the State agency will work with children and youth with disabilities in order to meet an existing individualized education program and an assurance that the agency will notify the child's or youth's local school if the child or youth: (A) is identified as in need of special education services while the child or youth is in the correctional facility or institution for neglected or delinquent children and youth; and (B) intends to return to the local school; (16) provides an assurance that the State agency will work with children and youth who dropped out of school before entering the correctional facility or institution for neglected or delinquent children and youth to encourage the children and youth to reenter school once the term of the incarceration is completed or provide the child or youth with the skills necessary to gain employment, continue the education of the child or youth, or achieve a secondary school diploma or its recognized equivalent if the child or youth does not intend to return to school; (17) provides an assurance that teachers and other qualified staff are trained to work with children and youth with disabilities and other students with special needs taking into consideration the unique needs of such students; (18) describes any additional services to be provided to children and youth, such as career counseling, distance learning, and assistance in securing student loans and grants; and (19) provides an assurance that the program under this subpart will be coordinated with any programs operated under the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) or other comparable programs, if applicable.

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11. Specific Title II, Part A

- A.** It is assured that the LEA shall conduct an assessment of local needs for professional development and hiring.
- B.** It is assured that the LEA shall target funds to schools that have the lowest proportion of highly-qualified teachers, the largest class size particularly at the primary level, and/or are identified for school improvement.
- C.** It is assured that the LEA shall comply with Section 9501 regarding consultation with private schools in order to provide professional development services for private school teachers.
- D.** It is assured that all teachers paid by the LEA with Title II, Part A funds for class size reduction are highly qualified.
- E.** The planning, implementation, and evaluation of the professional development plan are conducted by a professional development team that includes a majority of teachers and one or more administrators, curriculum specialists, parents, and others identified in the plan.
- F.** The professional development plan focuses on improving student performance and teacher practice as identified through data analysis
- G.** The professional development plan describes professional development that a) is aligned with state content standards and the common core anchors and grade level standards, b) is aligned with Delaware Professional Development Standards, c) is articulated within and across grade levels, d) is continuous and sustained, e) indicates how classroom instruction and teacher practice will be improved and assessed, f) indicates how each teacher in the LEA will participate, and g) reflects congruence between student and teacher needs evidenced in DPAS II evaluations and the Success Plan needs analysis.
- H.** The plan describes how the effectiveness of the professional development will be evaluated, and indicates how activities will be adjusted in response to that evaluation.
- I.** The LEA will implement the state's mentoring program for new teachers and new administrators.
- J.** The LEA will implement the state's DPAS II evaluation system and ensure all evaluators are certified by the DDOE
- K.** All teachers holding a continuing license will have ample opportunity to complete 90 clock hours of professional development every 5 years.
- L.** All professional staff, paraprofessionals, and long-term substitute teachers will have the opportunity to participate in professional development activities.
- M.** The plan or the annual update to the plan was adopted at a public meeting by the local Board of Education.

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12. Specific Title III

A. It is assured that the LEA will not use more than 2 percent of the funds for the cost of administration.

B.(1) It is assured that the LEA shall, not later than 30 days after the beginning of the school year, inform the parent or guardian of an English language learner ;(ELL) student in language that is understandable, and to the extent practicable, in the native language: a. the reasons for the identification of their child(ren) of English proficiency, b. the assessment used and the level of English proficiency, c. the type of program or instruction and how that program will assist in the development of English proficiency and meet the state content standards, d. the exit criteria for the program, e. how the program meets the objectives of the IEP for the ELL/Special Education student, f. the right that parents have upon request to remove or to refuse to enroll their ELL child(ren) in a program. (2) It is assured that the LEA shall inform the parent or guardian of an ELL student of the failure of the program to make progress on the annual measurable achievement objectives set by the state, no later than 30 days after the failure occurs. (3) It is assured that if a student registers after the beginning of a school year, the parent or guardian shall be informed of 1) (a) through (f) within two weeks of placement in a program.

C. It is assured that the LEA will inform the parents of English Language Learners in any given year when it has failed to meet the progress and/or attainment annual measurable achievement objective target.

D. It is assured that the LEA shall comply with Title IX, Part E, Section 9501, to provide consultation to private school officials in a timely and meaningful way to address services that can be provided under the Title III, Part A program.

E. It is assured that the LEA will annually assess the English proficiency of all identified English language learners (ELLs).