

2022-2023 Coordinated Monitoring

New York State Education Department
Office of ESA-Funded Programs
Room 320 EB
89 Washington Avenue
Albany, NY 12234

2022-2023 Coordinated Monitoring Indicators and Evidence Guide

The New York State Education Department uses the process of Coordinated Monitoring to review local educational agencies (LEAs) for compliance with programmatic and fiscal requirements under the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). This work follows up on the Consolidated Application for ESA-Funded Programs that LEAs submit each year.

Section I – Programmatic Compliance

General Programmatic Compliance Requirements

INDICATOR	EVIDENCE
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Title I, Part A: Improving Basic Programs Operated by LEAs
Schoolwide Program Requirements

INDICATOR	EVIDENCE
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Targeted Assistance Program Requirements

INDICATOR	EVIDENCE
<p>1. LEAs with schools implementing Targeted Assistance Programs provided evidence that schools are providing services to eligible participating students.</p> <p>ESEA Section 1115(b)(2)</p>	<ul style="list-style-type: none"> • LEA AIS/RTI Plan or description of methodology for identifying students at -risk academically, including any relevant data • A selection of AIS/RTI student lists <p>Note: For LEAs serving more than 10 Title I schools provide a sample of requested evidence for 25% or at least 2-3 schools from each grade span</p>
<p>2. The LEA demonstrates that schools implementing Targeted Assistance Programs minimize the removal of children from the regular classroom during regular school hours for instruction.</p> <p>ESEA Section 1115(b)(2)(G)(ii)</p>	<ul style="list-style-type: none"> • A selection of AIS/RTI teacher schedules, highlighting push in and pull out services • A selection of Title I student schedules <p>Note: For LEAs serving more than 10 Title I schools provide a sample of requested evidence for 25% or at least 2-</p>

INDICATOR	EVIDENCE
<p>Engagement Policy in improving the academic quality of all Title I schools, including identifying —</p> <ul style="list-style-type: none"> (i) barriers to greater participation by parents in activities authorized Title I, Part A; (ii) the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and (iii) strategies to support successful school and family interactions. <p>ESEA Section 1116(a)(2)(D)</p>	<ul style="list-style-type: none"> • Evidence to show: <ul style="list-style-type: none"> ○ Which barriers were identified by parents ○ What needs were identified ○ How the LEA responded to those barriers and needs such as dated emails, minutes from administrators' meetings, examples of outreach to address problems, etc.
<p>5. The LEA involves parents of participating children in decisions regarding how funds for parent and family engagement activities are allotted.</p> <p>ESEA Section 1116(a)(3)(B)</p>	<ul style="list-style-type: none"> • Evidence of dated meetings with Title I parents discussing use of funds for parent and family engagement activities, such as meeting notifications, agendas, sign-in sheets, minutes, or emails (Not applicable for districts that are not required to reserve 1% of their Title I allocation for parent and family engagement activities)

6. The LEA provides materials and training to help parents work with their children to improve achievement, such as literacy training and using technology (including education about the harms of copyright piracy) to foster parental involvement.

ESEA Section 1116(e)(2)

- Evidence of dated events designed to help parents work with their children to improve achievement, including event notifications, agendas, sign-in sheets, presentations, pamphlets, or other training materials in r t4r thmwr b2-2u.0(ch)-6.(ca)- 8 (t)--7.2 (n)-11 (b2-20.8 (t)-6.(ia)-5)]

INDICATOR	EVIDENCE
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8. The LEA ensures that information related to school and parent programs, meetings, notifications and other activities is sent to parents of participating children in a format and, to the extent practicable, in a language the parents can understand.
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ESEA Section 1116(e)(5)

INDICATOR	EVIDENCE
<p>11. Each Title I school conducts an annual Title I parent meeting which informs parents of their school's participation in Title I, the requirements of the Title I program, and the rights of the parents to be involved in their child's education.</p> <p>ESEA Section 1116(c)(1)</p>	<ul style="list-style-type: none"> Evidence that the annual Title I meetings have occurred at ALL Title I <u>schools</u>, including informational materials from the meetings such as agendas, presentations, or minutes that show that the requirements of the Title I program and parents' rights to be involved were discussed <p>Note: For LEAs serving more than 10 Title I schools provide a sample of requested evidence for 25% or at least 2 -3 schools from each grade span</p>

12. The LEA ensures that each Title I school, with parents, jointly develops and(v)5.1 (2.4 a34.88 Tt5.1 ()0.88 Tt 0 Tw 15 Td [(p/564 432.84 0.72 96.601 re 42a2 96.601 re n BT -0.001 Tc 0.002 Tw 9.96 -0 0 9.96 382.8 43

LEA Requirements

INDICATOR	
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INDICATOR	EVIDENCE
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Title I, Part C: Education of Migratory Children Requirements

INDICATOR	EVIDENCE
<p>1. Evidence of annual verification of Migrant Student Data, in consultation and coordination with the regional Migrant Education Tutorial and Support Services (METS) program centers. See: https://www.nysmigrant.org/map</p> <p>ESEA Section 1304(b)(3)</p>	<ul style="list-style-type: none"> • Email sign-off and attestation from local METS Director
<p>2. Evidence that the LEA maintains a current and up-to-date list of all migrant -eligible students based on official Certificates of Eligibility (COEs) issued by the State Migrant Education Program.</p> <p>ESEA Section 1304(b)(3)</p>	<ul style="list-style-type: none"> • List of migrant-eligible students with personally identifying information (PII) redacted, AND/OR • Email sign-off and attestation from local METS Directors • NOT APPLICABLE if the district does not have any migranteligible children or youth, as evidenced in #1 above.

3. Identify the practices, including the use of the *ID&R Parent Survey*

- Increasing program effectiveness by sharing critical educational and health information for migrant-eligible students, as applicable, to ensure continuity of services to migratory children and youth by the METS program centers.

ESEA Sections 1304(b)(1); 1306(a)(1)(A); and 1408(b)(2)(A)

- other standardized test data
- immunization records
- NOT APPLICABLE if the district does not have any migranteligible children or youth, as evidenced in #1 above.

Title I, Part D: Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or at Risk Requirements

INDICATOR	EVIDENCE
<p>1. The LEA has written formal agreement(s) with each locally operated neglected and/or delinquent facility outlining the programs and services to be provided and the roles and responsibilities of each entity (LEA, facility, BOCES, etc.) providing services to students with Title I, Part D funds.</p> <p>ESEA Section 1423(2) and 34 CFR 200.90(c)</p>	<ul style="list-style-type: none"> • Signed written formal agreement for each facility, which must be for the 2022-23 school year. <p>Note: Agreements should spell out roles and responsibilities of each party (LEA, facility, BOCES)</p>
<p>2. The LEA coordinates with facilities to ensure that children and youth are participating in an education program comparable to one operating in the local school such youth would attend.</p> <p>ESEA Section 1423(3)</p>	<ul style="list-style-type: none"> • Evidence of the curriculum provided/programming offered to students residing at the facility, AND/OR •

McKinneyVento Homeless Education Program Requirements

INDICATOR	EVIDENCE
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1. The LEA has an enrollment policy and practice that ensures:

- the immediate enrollment and full participation of children and youth experiencing homelessness in the LEA even though they may not have

3. The LEA has policies that remove barriers to the identification, enrollment and attendance of students who are homeless, including barriers due to outstanding fees or fines, or absences. The LEA has demonstrated that any programs, activities, and services offered by the LEA that condition participation on a seat-time or minimum attendance requirement have an exception for students who have missed school for reasons related to their homelessness. 2.8 (en)7

6. The McKinney-Vento liaison demonstrates knowledge of what services can be provided to students experiencing homelessness and there is a process by which the liaison can access the Title I set-aside funding to provide such services.

ESEA Section 1112(b)(6) and 1113(c)(3)(A)

- If available, written procedures for homeless liaison to request Title IA homeless set-aside funding for services, OR
- List of services to students experiencing homelessness during 2022-23, AND
- Written explanation of how the McKinney-Vento liaison demonstrates knowledge of what services can be provided to students experiencing homelessness and there is a process by which the liaison can access the Title I set-aside funding to provide such services

Note: For information regarding allowable/unallowable use of funds:

http://www.nysed.gov/common/nysed/files/programs/essa/homeless-allowable-unallowable_052920.pdf

10. The LEA administers a Housing Questionnaire (<https://www.nysteachs.org/post/fillablepdf-housingquestionnaire>) to all students seeking enrollment in the LEA and all students who enroll in the LEA who seek a change of address. The Housing Questionnaire is placed at the front of the enrollment/registration packet.

- Student Housing Questionnaire placement in enrollment packet

Note:

42 U.S.C. 11432(g)(1)(I)

<p>services, early intervention services, Head Start, Early Head Start, and other early care and education programs available in the community.</p> <p>42 U.S.C. 11432(g)(6)(A)(iii)</p>	<p>receiving CPSE services</p>
<p>14. The LEA demonstrated that all 11th and 12th grade students who are homeless receive individualized assistance from counselors to advise such youths and prepare and improve the readiness of such youths for college. A school guidance counselor or college counselor has verified that all 11th and 12th grade students identified as homeless have received individualized college counseling and college readiness services.</p> <p>42 U.S.C. 11432(g)(1)(K)</p>	<ul style="list-style-type: none"> • Guidance plan for high school counselors and how they meet academic and college/career goals of students OR • Description of supports provided to high school students who are homeless to ensure they graduate on time AND • Schedules, calendars, of school counselors showing meetings with students experiencing homelessness
<p>15. The LEA has demonstrated that all unaccompanied youth who are homeless in the 12th grade are notified that they are eligible to apply as independent students for purposes of the Free Application for Federal Student Aid (FAFSA) and are provided with verification of their status as unaccompanied homeless youth.</p> <p>42 U.S.C. 11432(g)(6)(A)(x)(III)</p>	<ul style="list-style-type: none"> • Samples of notification letters • Guidance counselor documentation of counseling session on this issue • Sample FAFSA copies

Foster Care Transportation Requirements

INDICATOR	EVIDENCE
<p>1. Evidence that the LEA has developed and implemented clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care.</p> <p>ESEA Section 1112(c)(5)(B)</p>	<ul style="list-style-type: none"> • Written transportation procedures specific to transportation of foster care students <p>Note: See page 33 of 48 of the Foster Care Toolkit for guidance on written transportation procedures: "Local Transportation Agreement for Students in Foster Care", Foster Care Toolkit:</p> <hr style="border: 0.5px solid blue;"/> <p>Note: For additional information regarding Foster Care and NYSED: http://www.p12.nysed.gov/sss/pps/fostercare.html</p>

INDICATOR	EVIDENCE
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| <p>3. The LEA has periodically evaluated the effectiveness of funded activities based on the outcomes and objectives identified in the Consolidated Application for ESSA-funded programs.</p> | <ul style="list-style-type: none"> • A description, and the findings/outcomes, of periodic evaluation of the Title IVA program, along with a schedule of when periodic evaluation took place during the school year - for each content area (WRE, SHS, EUT) to determine if the needs for the content areas are being evaluated and modified as necessary • Examples include a narrative describing the LEA's periodic evaluation of the Title IVA |
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ESEA Section 4106(e)(1)(E)

Section II–Equitable Services to Private Schools Compliance

General Equitable Services Requirements

INDICATOR	EVIDENCE
<p>1. The LEA engaged in timely, meaningful and ongoing consultation with appropriate private school officials with the goal of reaching agreement about the use of funds and provided the equitable calculation of the private schools' allocation.</p> <p>ESEA Section 1117(a)(1) and (b)(1,3) ESEA Section 8501(a)(3)(A), (a)(4)(C), and (c)(1)</p>	<ul style="list-style-type: none"> • Evidence of initial <i>and ongoing</i> consultation with private schools, such as dated meeting minutes, emails, call logs, letters, and presentation materials regarding the use of services funded by Title IA, IIA, IIIA, and IVA • Other dated evidence to demonstrate ongoing consultation on services provided throughout the year <p>Note: Consultation topics can be found on the Written Affirmation of LEA Consultation with Private School Officials Form</p>
<p>2. All services, such as professional development or supplies and materials, encumbered and/or delivered to the teachers and other educational personnel of the nonpublic/private are secular, neutral and non-ideological in content and design.</p> <p>ESEA Section 11 17(a)(2) and ESEA Section 8501(a)(2)</p>	<ul style="list-style-type: none"> • Curriculum materials, brochures, or list of sessions from workshops and conferences funded by Title IA, IIA, IIIA, and IVA • Vendor contracts funded by funded by Title IA, IIA, IIIA, and IVA • Course descriptions from college catalogs funded by Title IIA and/or IVA
<p>3. Expenditures for educational services and other benefits provided for eligible private school children, their teachers, and other educational personnel serving those children shall be equal, taking into account the number and educational needs of the children to be served, to the expenditures for participating public school children.</p> <p>ESEA Section 1117(a)(4)(A)(i) and 8501(a)(4)(A)</p>	<ul style="list-style-type: none"> • Dated expenditure reports, purchase orders, and/or invoices demonstrating that the LEA is on track to expending according to the correct proportionate shares calculated for Title IA, IIA, IIIA, and IVA

INDICATOR	EVIDENCE
<p>4. Funds allocated for private school services are obligated in the fiscal year for which the funds are received by the LEA.</p> <p>ESEA Section 1117(a)(4)(b) and ESEA Section 8501(a)(4)(B)</p>	<ul style="list-style-type: none"> • Dated financial records such as purchase orders, invoices, expenditure/encumbrance reports (preferred) , or third party contracts showing funds that have been expended on private schools services to date for services funded by for services funded by Title IA, IIA, IIIA, and IVA

5. If the LEA disagreed with the private school officials on the provision of services through a contract, provide evidence of the written explanation given to the nonpublic as to why the LEA chose not to use the contractor.

ESEA Section 1117(b)(2) and ESEA Section 8501(c)(2)

INDICATOR	EVIDENCE
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8. Services, such as professional development, were delivered by employees of a public agency or through contract by the public agency with an

Title I, Part A Equitable Services Requirements

Section II-

INDICATOR

EVIDENCE

INDICATOR	EVIDENCE
<p>11. The LEA has sufficient internal controls to ensure the proper payment of invoices to the correct Federal program.</p> <p>34 CFR 76.702 and 2 CFR 200.303</p>	<ul style="list-style-type: none"> Accounting Procedures Manual section showing who is responsible and the process for entering purchase orders and invoice into the accounting system and who is responsible for ensuring accuracy of data entry.

Title I, Part A Fiscal Requirements

INDICATOR	EVIDENCE
<p>1. The LEA set aside and is expending an appropriate amount of Title I funds to meet the needs of students experiencing homelessness.</p> <p>ESEA Section 1112(b)(6) and 1113(c)(3)(A)</p>	<ul style="list-style-type: none"> • Expenditure/encumbrance reports from the LEA accounting system, purchase orders/invoices, or payroll records OR • Information about alternative funding sources being used to provide services to homeless students
<p>2. Where appropriate, the LEA has reserved and is expending Title I, Part A neglected reserve funds to provide services to children in local institutions for neglected (not delinquent) children.</p> <p>ESEA Section 1113(b)(3)(iii)</p>	<ul style="list-style-type: none"> • Expenditure/encumbrance reports, purchase orders/invoices, or payroll records
<p>3. The LEA uses the same measure of poverty to identify Title I eligible schools (ex. FRPL); to determine the ranking of each school; and to determine school allocations based on the total number of children from low-income families in each school.</p> <p>ESEA Section 1113(c)</p>	<ul style="list-style-type: none"> • Data or reports on low-income status of each building, such as those provided (in) 8 (s65f)1.8 ()0re f 74

Title I, Part D Fiscal Requirements

INDICATOR	EVIDENCE
<ul style="list-style-type: none"> • Actual expenditures for Title ID match those that were allowable, budgeted and approved within the Consolidated Application for ESSA Funded Programs. <p>ESEA Section 8306(a)(1)</p>	<ul style="list-style-type: none"> • Expenditure reports from LEA accounting system AND • Invoices OR • Purchase orders OR • Payroll records

Title II, Part A Fiscal Requirements

INDICATOR	EVIDENCE
<p>1. The LEA has demonstrated that Title IIA funds supplement, and do not supplant, non-Federal funds that would otherwise be used for activities authorized under this title.</p>	<ul style="list-style-type: none"> • Documentation, which may include payroll records, invoices, or purchase orders, that demonstrate the funded activity was not previously funded out of state or local funds • To overcome a presumption of supplanting

ESEA Section 2301

Title IV, Part A Fiscal Requirements

INDICATOR	EVIDENCE
<p>1. The LEA has demonstrated that Title IVA funds supplement, and do not supplant, non-Federal funds that would otherwise be used for activities authorized under this title.</p>	<ul style="list-style-type: none"> • Documentation, which may include payroll records, invoices, or purchase orders, that demonstrate the funded activity was not previously funded out of state or local funds • To overcome a presumption of supplanting, LEAs must demonstrate that LEAs do not have funds

ESEA Section 4110

Other Program Fiscal Requirements

INDICATOR	EVIDENCE
<p>1. Actual expenditures for Title VB match those that were allowable, budgeted and approved within the Consolidated Application for ESSA Funded Programs.</p> <p>ESEA Section 8306(a)(1)</p>	<ul style="list-style-type: none"> • Expenditure reports from LEA accounting system AND • Invoices OR • Purchase orders OR • Payroll records
<p>2. If the LEA accepted American Rescue Plan Homeless Children and Youth (ARP HCYI) as a single applicant, please provide evidence that actual expenditures match those allowable, budgeted and approved activities, services, supplies, materials and equipment.</p>	

INDICATOR	EVIDENCE
<p>activities, services, supplies, materials and equipment.</p> <p>McKinney -Vento: § 722(e)(1) and § 723 Uniform Guidance: Subpart D (Post Federal Award Requirements), Subpart E (Cost Principles), and Subpart F (Audit Requirements) EDGAR: 34. C.F.R. Part 76 ESEA: § 1124; § 1124A; § 1125; § 1126</p>	<ul style="list-style-type: none"> • Payroll records <p>Note: If services are provided by the Consortium LEAD, please provide evidence of services provided</p>
<p>5. If the LEA accepted American Rescue Plan Homeless Children and Youth (ARP HCY II as part of a consortium, as the Lead, please provide the share amount, as well as evidence that actual expenditures match those allowable, budgeted and approved activities, services, supplies, materials and equipment.</p> <p>McKinney -Vento: § 722(e)(1) and § 723 Uniform Guidance: Subpart D (Post Federal Award Requirements), Subpart E (Cost Principles), and Subpart F (Audit Requirements) EDGAR: 34. C.F.R. Part 76 ESEA: § 1124; § 1124A; § 1125; § 1126</p>	<ul style="list-style-type: none"> • Documentation of share amount agreed upon by the consortium • Dated Expenditure reports AND • Invoices OR • Purchase orders OR • Payroll records

6. If the LEA accepted American Rescue Plan Homeless Children and Youth (ARP HCY II as a single applicant, please provide evidence that actual expenditures match those allowable, budgeted and approved activities, services, supplies, materials and equipment.

McKinney -Vento: § 722(e)(1) and § 723
Uniform Guidance: Subpart D (Post Federal Award Requirements), Subpart E (Cost

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APPENDIX A: ESEA Funded Program Assurances

Section 8306 Assurances

STATE AND FEDERAL ASSURANCES

Supplement Not Supplant

1. ESEA Section 1118(b) requires that a local educational agency (LEA) use Federal funds received under this part only to supplement the funds that

- and in accordance with Section 475(4)(A) of the Social Security Act (42 U.S.C. 675(4)(A)); and
- (ii) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the local educational agency will provide transportation to the school of origin if—
 - I. the local child welfare agency agrees to reimburse the local educational agency for the cost of such transportation;
 - II. the local educational agency agrees to pay for the cost of such transportation; or
 - III. the local educational agency and the local child welfare agency agree to share the cost of such transportation;
 - (6) ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and ~~license~~ requirements, including any requirements for certification obtained through alternative routes to certification; and
 - (7) in the case of a local educational agency that chooses to use funds under this part to provide early childhood education 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 (42 U.S.C. 9836a(a)).
7. ESEA Section 1115(b)(2)(G) requires that "To assist targeted assistance schools and local educational agencies to meet their responsibility to provide for all their students served under this part the opportunity to meet the challenging State academic ~~standards~~, each targeted assistance program under this Section shall ~~serve~~ participating students identified as eligible children under subsection (c), including ~~by~~ providing to the local educational agency assurances that the school will—
- (i) help provide an ~~accelerated~~, high quality curriculum;
 - (ii) minimize the removal of children from the regular classroom during regular school hours for instruction provided under this part; and
 - (iii) on an ongoing basis, review the progress of eligible children and revise the ~~targeted~~ assistance program under this Section, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.
8. ESEA Section 1116 requires that local educational agencies may receive Title I funds ~~only~~ if s

(iii) a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies.

Title II Assurances

10.

~~SPECIAL RULE~~ Any local educational agency receiving an allocation under section 4105(a)(1) in an amount less than \$30,000 shall be required to provide only one of the assurances described in subparagraphs (C), (D), and (E) of subsection (e)(2).

McKinney-Vento Assurances

15. The LEA assured that it will comply with all applicable laws and regulations regarding the rights of students experiencing homelessness, including but not limited to 42 U.S.C. 11431, et seq., Education Law Section 3209, and 8 NYCRR Section 100.2(x).

Migrant Education Program Assurances

16. The LEA assured that, to the extent that it has migrant eligible students as evidenced by their Certificates of Eligibility (COEs) issued by the Statewide Identification & Recruitment/MIS2000/MSIX (ID&R) Program Center, the LEA will properly code students in its Student Information Management System and that the LEA will timely respond to any request(s) for data and information from a regional Migrant Education Tutorial and Support Services (METS) Program Center in conformance with all applicable laws and regulations, including but not limited to the federal Family Educational Rights and Privacy Act ("FERPA") (20 U.S.C. Section 1232g; 34 CFR Part 99).

rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (~~646~~) which provide for fair and equitable treatment of persons displaced whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ ~~5501~~ and 7324 7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis Bacon Act (40 U.S.C. §§ 276a to 276a 7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ ~~323~~), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. ~~293~~) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. ~~990~~) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. ~~523~~); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. ~~593~~).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a1 et seq.).
14. Will comply with P.L. 9348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND
OTHER RESPONSIBILITY MATTERS

These certifications shall be treated as a material representation of fact upon which reliance will be placed

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION OF COVERED TRANSACTIONS

The terms “debarment,” “suspension,” “excluded,” “disqualified,” “ineligible,” “participant,” “person,” “principal,” “proposal,” and “voluntarily excluded” as used in this certification have the meanings set forth in 2

New York State Department of Education
ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) ASSURANCES

These assurances are required for programs funded under the Elementary and Secondary Education Act as amended by the Every Student Succeeds Act of 2015.

As the chief school officer of the applicant, by signing the Application Cover Page, I certify that:

1. the applicant will comply with the requirements of Education Law § 3214(3)(d) and (f) and the Free Schools Act (20 U.S.C. § 7151);
2. the applicant will comply with the requirements of 20 U.S.C. § 7908 on military recruiter access;
3. the applicant will comply with the requirements of 20 U.S.C. § 7904 on constitutionally protected prayer in public elementary and secondary schools;
4. the applicant will comply with the requirements of Education Law § 2802(7), and any state regulation implementing such statute and 20 U.S.C. § 7912 on unsafe school choice; and
5. the applicant will comply with all fiscal requirements that apply to the program, including but not limited to any applicable supplement not supplant or local maintenance of effort requirements.
6. the applicant understands the importance of privacy protections for students and is aware of the responsibilities of the grantee under section 20 U.S.C. 1232g (FERPA) (ESSA §854