

**Washington State Title I Part C
Migrant Education Program
Assurance Page**

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for the correct program
period.

A local educational agency who accepts a subgrant to implement a local Title I Part C Migrant Education Program assures the Office of Superintendent of Public Instruction that it will do so under the following conditions:

A. Use of Funds

Funds for Migrant Education Program (MEP) will be used only:

1. For programs and projects, including the acquisition of equipment in accordance with 20 United States Code (USC) sections 6396(b) and 6394[c][1][A]
2. To coordinate such programs and projects within the State and other states, as well as with Federal programs that can benefit migratory children and their families. (20 USC 6394[c][1][B])
3. Programs and projects funded for MEP will be carried out in a manner consistent with the objectives of Section 6314, subsections (b) and (d) of Section 6315, subsections (b) and (c) of Section 6321, and subsections (b) and (c) of Section 6321 of 20 USC, and Part F of 20 USC, Chapter 70, Subchapter 1. (20 USC 6394 [c][2])

B. Program Purpose

1. To assist States in supporting high-quality and comprehensive educational programs and services during the school year and, as applicable, during summer or intersession periods, that address the unique educational needs of migratory children.
2. To ensure that migratory children who move among the States are not penalized in any manner by disparities among the States in curriculum, graduation requirements, and challenging State academic standards.
3. To ensure that migratory children receive full and appropriate opportunities to meet the same challenging State academic standards that all children are expected to meet.
4. To help migratory children overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to succeed in school.
5. To help migratory children benefit from State and local systemic reforms.

C. Authorized Activities

1. MEP funds shall be used, first, to meet the identified needs of migratory children that:
 - a. Result from the effects of their migratory lifestyle, or are needed to permit migratory children to participate effectively in school
 - b. Are not addressed by services provided under other programs under Improving Basic Programs Operated by Local Educational Agencies, 20 USC 6311
2. Migrant children who are eligible to receive services pursuant to Improving Basic Programs Operated by Local Educational Agencies, 20 USC 6311
3. A school that receives MEP funds shall continue to address the identified needs described in 4, above. (20 USC 6396[b][3])

D. Program Planning, Operation, and Evaluation

The LEA will ensure that:

1. In the planning and operation of programs and projects, there is appropriate consultation with parent advisory councils for programs of one school year in duration, and
2. All such programs and projects are carried out in a manner that provides for the same parental involvement as is required for programs and projects under 20 USC 6318, and
3. Programs and projects are carried out in a format and language understandable to the parents. (20 USC

6394[c][3]).

4. The LEA will make available to the Migrant Education Program all student academic assessment, immunization, and other health information data for the purpose related to student assessment, program services planning, and the transfer of student records. (20 USC Section 6398[b][2])
5. The transfer of school records without parental consent is permitted if the local educational agency transfers the records to other school officials within the agency (whom the agency has determined to have legitimate educational interest) or to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll. (See 34 Code of Federal Regulations [CFR] 99.31) This exception applies only if the local operating agency notifies parents annually of this policy. (34 CFR 99.34). In addition, the notification of this exception is recorded via parent/guardian signature on the Certificate of Eligibility (COE) form
6. The availability of funds from other federal, state, and local programs must be taken into account. (20 USC 6394(b)[5])
7. In planning and carrying out such programs and projects, there will be adequate provision for addressing the unmet educational needs of preschool migratory children (20 USC 6394[c][4])
8. The effectiveness of such programs and projects will be determined, where feasible, using the same approaches and standards that will be used to assess the performance of students, schools, and local educational agencies under Improving Basic Programs Operated by Local Educational Agencies, 20 USC 6311 et seq. (20 USC 6394[c][5]).
9. Such programs and projects will provide for:
 - a. Advocacy and outreach activities for migratory children and their families, including informing such children and families of, or helping such children and their families gain access to, other education, health, nutrition and social services,
10. Professional development programs, including mentoring, for teachers and other program personnel
11. Family literacy programs,
12. The interaction of information technology into educational and related programs, and
13. Programs that facilitate the transition of secondary school students to postsecondary education or employment. (20 USC 6394[c][6]).
14. It will assist the SEA in identifying, and recruiting eligible children, and will provide its local Migrant Education Region and the SEA with eligibility and needs assessment information, by which the SEA can complete its reporting and subgranting activities. (20 USC 6394[c][7]).
15. The LEA will implement a program to monitor the eligibility requirements of children and youths enrolled in the Migrant Education Program.
16. Will establish and implement a system of quality controls for the proper identification and recruitment of eligible migratory children. (34 CFR 200.89[c]).

E. Priority for Services

In providing services with funds received under this part, each recipient of such funds shall give priority to migratory children who have made a qualifying move within the previous 1-year period and who— **(1)** are failing, or most at risk of failing, to meet the challenging State academic standards; or **(2)** have dropped out of school (20 USC 6394[d]). See Washington State Priority for Service definition.

F. Continuation of Services

Notwithstanding any other provision of 20 USC 6394,

1. A child who ceases to be a migratory child during a school term shall be eligible for services until the end of such term,
2. A child who is no longer a migratory child may continue to receive services for one additional school year, but only if comparable services are not available through other programs, and
3. Secondary school students who were eligible for services in secondary school may continue to be served through credit accrual programs until graduation. (20 USC 6394[e])

G. Schoolwide Programs

1. Before the school chooses to consolidate in its Schoolwide program funds received under part C of Title I of the ESEA,
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the school must:

- a. Use these funds, in consultation with parents of migratory children or organizations representing those parents, or both, first to meet the unique educational needs of migratory students that result from the effects of their migratory lifestyle, and those other needs that are necessary to permit these students to participate effectively in school, as identified through the comprehensive Statewide needs assessment under 34 CFR 200.83, and
- b. Document that these needs have been met. (34 CFR 200.29[c][1])
- c. Funds available under Part C of Title I may be used in a Schoolwide program subject to the requirements of 34 CFR 200.29[c][1].

H. Unique MEP Functions

LEAs are to assist in the conduct of any and all of the following activities as deemed necessary by the State:

1. Statewide identification and recruitment of eligible migratory children,
2. Interstate and intrastate coordination of the State MEP and its local projects with other relevant programs local projects in the State and in other States,
3. Procedures for providing for educational continuity for migratory children through the timely transfer of educational and health records, beyond that required generally by State and local agencies,
4. Collecting and using information for accurate distribution of subgrant funds,
5. Development of a statewide needs assessment and a comprehensive State plan for MEP service delivery,
6. Supervision of instructional and support staff, including health nurse
7. Establishment and implementation of a State parent advisory council, and
8. Conducting an evaluation of the effectiveness of the State MEP. (34 CFR 200.82)

I. MEP Assessment and Evaluation

1. The LEA shall determine the effectiveness of its program and projects in providing migratory children with the opportunity to meet the same challenging State content and performance standards. (20 USC 6394 and 34 CFR 200.83[a])
2. Evaluations of program and project effectiveness shall, wherever feasible, use the same high- quality yearly student assessments or transitional assessments that the State establishes for use in meeting the requirements of 34 CFR Section 200.2. (20 USC 6394)
3. In a project where it is not feasible to use the same student assessments that are being used to meet the requirements of 34 CFR Section 200.2, the operating agency must carry out some other reasonable process or processes for examining the effectiveness of the project. (20 USC 6394 and 34 CFR 200.84)
4. Operating agencies shall use the results of the assessments carried out under 34 CFR Section 200.84 to improve the services provided to migratory children. (20 USC 6396 and 34 CFR 200.85)

J. Migratory Children in Private Schools

Operating agencies must conduct Migrant programs and projects in a manner consistent with the basic requirements of section 9501 of the ESEA. (2 CFR 200.87).

K. Audits and Fiscal Procedures/Cash Management

1. Operating agencies agree to maintain fiscal and programmatic records and use fiscal control and operating procedures in accordance with state and federal laws and regulations including those found in Section 435 (b)(2) and (5) of General Education Provisions Act (GEPA) and 2 CFR 200.302, 200.327, 200.328).
2. Operating agencies agree to comply with the audit requirements of 34 CFR 76.910 and the cost principles in Subpart E of 2 CFR Part 200 and the audit requirements in Subpart F of 2 CFR Part 200. As required in 2 CFR 200.305, LEA's must demonstrate the ability to minimize the time elapsing between the receipt and disbursement of migrant funds (Cash Management). LEA's must promptly pay the federal agency any interest greater than \$500 per year that they earned on the cash advances. LEA's must minimize the time between the receipt and disbursement of the federal migrant funds. (2 CFR 200.305(b))
3. Operating agencies agree to repay the OSPI any amounts of Title I Part C funds determined to be expended for non-

approvable purposes or in violation of federal or state laws and regulations in accordance with GEPA procedures in 20 USC 1231b-2. (2 CFR 200.338)

4. Operating agencies agree to cooperate with the Inspector General and his/her representatives in the conduct of audits authorized by the Inspector General Act of 1978. Cooperation shall include providing access to records and personnel for the purpose of obtaining clarifications, explanations, and other related information. (2 CFR 200.333-337, and 200.344)
5. Operating agencies agree to expend MEP funds solely on the basis of activities and functions described in grant applications and district service agreements approved by the OSPI's Migrant Education Program.
6. Operating agencies agree to keep fiscal records and make fiscal accounting reports for the MEP.

L. Comparability

1. The local educational agencies (LEAs) may receive funds under Title I Comparability, 20 USC 6321(c), only if State and local funds will be used in participating schools to provide services that, taken as a whole, are at least comparable to services that the LEA is providing in schools not receiving Title I, Part A or Migrant Education Program funds. A LEA may determine comparability on a district wide basis or on a grade span basis if the LEA files with the state educational agency (SEA) a written assurance that it has established and implemented:
 - a. A LEA-wide salary schedule
 - b. A policy to ensure equivalence among schools in teachers, administrators, and other staff
 - c. A policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies. (20 U.S.C. 6321[c])
2. The LEA may also use other measures to determine comparability such as comparing the average number of students per instructional staff or the average staff salary per student in each school receiving Title I, Part A or MEP funds with those in schools that do not receive Title I, Part A or MEP funds. If all the schools are served by Title I, Part A or MEP, a LEA must use state and local funds to provide services that, taken as a whole, are substantially comparable in each school. (20 U.S.C. 6321[c])
3. The LEA may exclude schools with fewer than 100 students from its comparability determinations. The comparability requirements do not apply to an LEA that has only one school for each grade span. (20 U.S.C. 6321[c])
4. The LEA has developed procedures for complying with comparability requirements and must maintain records that are updated biennially documenting compliance with those requirements. (20 U.S.C. Section 6321[c])
5. The LEA is required by federal regulations to develop procedures and maintain records that are updated biennially to document compliance with requirements in 20 U.S.C. Section 6321(c).
6. Annual documentation of implementation should include, but not limited to, calculations, a process or procedure that demonstrates how staff were distributed or assigned.
7. The LEA's failure to comply with the requirements may result in the loss of Title I funds and/or Migrant Education funds.

M. Sub Grantee

It is agreed that "Operating agency" means a local educational agency operating under a sub grant of state migrant education funding pursuant to a special arrangement with the department to directly implement the State's migrant education program or projects (20 USC 6399[1])

N. Needs Assessment

LEAs agree to identify the needs of migratory students in alignment with the State Service Delivery Plan.

O. Summer School Services

Operating agencies who accept Summer Program funds agree to conduct summer school programs for eligible migrant students in accordance with state and local requirements and Title I Part C.

P. Articulation and Coordination

1. Operating agencies agree to operate programs and services for migrant children and their families, which are articulated and coordinated with existing resources from school districts and other state and federal programs.
2. Operating agencies will solicit and make provisions for the active participation of the parents and guardians of eligible migrant students, including but not limited to, review and comment on the annual program application by the members of the parent advisory council.

Q. Staff Development and Support

1. Operating agencies agree to provide adequate professional support to staff serving migrant children and their families. Support must include, but is not limited to, training opportunities, materials, counseling, program review, and leadership.
2. Operating agencies agree to professional learning that addresses the needs staff may have to effectively serve migrant children and their families. ESSA

R. Parent Advisory Councils (PACs)

Operating agencies agree to establish and operate parent advisory councils in accordance with federal and state laws and regulations, such that:

- a. The membership of each parent advisory council shall be comprised of members who are knowledgeable of the needs of migrant children.
- b. At least 51% of the members of each parent advisory council shall be the parents of migrant children.
- c. Nominees to the council shall be done through a general meeting in which parents of migrant children are present.
- d. The council shall establish bylaws that outline:
 - i. the purpose of the council
 - ii. establish its authority to advise the local program in the planning, implementation, and evaluation of the local Title I Part C Migrant Education Program
 - iii. establish the number of council members
 - iv. outline the process of council nominations/elections;
 - v. determine term limits for council members;
 - vi. determine the number of meetings the council will hold during the program period, and
 - vii. include other components needed to guide the council in carrying out its duties.
- e. Parents shall be informed, in a language they understand, of the purpose and intent of the council.
- f. All parent candidates for the council shall be nominated or selected by parents of migrant students.
- g. Parents of migrant students shall be notified in a timely manner of all PAC meetings.

S. Evaluation Reports

Local educational agencies agree to submit end-of-year reports, including information on pupil progress as aligned to the State Service Delivery Plan by the state

Name of Applicant: _____

Region/District: _____

Printed Name of Authorized Representative: _____

Signature: _____ Date: _____