

General Assurances

1. Programs and services are and will be in compliance with Title VI and Title VII of the Civil Rights Act of 1964; the California Fair Employment Practices Act, Government Code §11135; and Chapter 1, Subchapter 4 (commencing with §30) of Division I of Title 5, California Code of Regulations (5 CCR).
2. Programs and services are and will be in compliance with Title IX (nondiscrimination on the basis of sex) of the Education Amendments of 1972. Each program or activity conducted by the local educational agency (LEA) will be conducted in compliance with the provisions of Chapter 2, (commencing with §200), Prohibition of Discrimination on the Basis of Sex, of Part 1 of Division 1 of Title I of the California Education Code (EC), as well as all other applicable provisions of state law prohibiting discrimination on the basis of sex.
3. Programs and services are and will be in compliance with the affirmative action provisions of the Education Amendments of 1972.
4. Programs and services are and will be in compliance with the Age Discrimination Act of 1975.
5. Programs and services for individuals with disabilities are in compliance with the disability laws. (Public Law [PL] 105-17; 34 Code of Federal Regulations [CFR] 300, 303; and Section 504 of the Rehabilitation Act of 1973)
6. When federal funds are made available, they will be used to supplement the amount of state and local funds that would, in the absence of such federal funds, be made available for the uses specified in the state plan, and in no case supplant such state or local funds. (20 United States Code [USC] §6321; PL 114-95, §1118[b][1])
7. All state and federal statutes, regulations, program plans, and applications appropriate to each program under which federal or state funds are made available through this application will be met by the applicant agency in its administration of each program.
8. School site councils have developed and approved a School Plan for Student Achievement (SPSA) for schools participating in programs funded through the consolidated application process, and any other school program they choose to include, and that school plans were developed with the review, certification, and advice of any applicable school advisory committees. (EC §64001)
9. LEAs using their own school planning template in place of the SPSA have ensured that the content meets the statutory requirements of schoolwide programs and school improvement (comprehensive support and improvement, targeted support and improvement, and additional targeted support and improvement) under the Every Student Succeeds Act, as applicable. (EC §64001; 20 USC §6311; PL 114-95, §1111[d][1][2])
10. The LEA will use fiscal control and fund accounting procedures that will ensure proper disbursement for state and federal funds paid to that agency under each program. (5 CCR, §4202)

11. The LEA will make reports to the state agency or board and to the Secretary of Education as may reasonably be necessary to enable the state agency or board and the Secretary to perform their duties and will maintain such records and provide access to those records as the state agency or board or the Secretary deems necessary. Such records will include, but will not be limited to, records which fully disclose the amount and disposition by the recipient of those funds, the total cost of the activity for which the funds are used, the share of that cost provided from other sources, and such other records as will facilitate an effective audit. The recipient shall maintain such records for three years after the completion of the activities for which the funds are used. (34 CFR 76.722, 76.730, 76.731, 76.760; 2 CFR 200.333)
12. The local governing board has adopted written procedures to ensure prompt response to complaints within 60 calendar days, and has disseminated these procedures to students, employees, parents or guardians, district/school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR, §4600 et seq.)
13. The LEA declares that it neither uses nor will use federal funds for lobbying activities and hereby complies with the certification requirements of 34 CFR Part 82.
14. The LEA has complied with the certification requirements under 34 CFR Part 84 regarding debarment, suspension and other requirements for a drug-free workplace. (34 CFR Part 84)
15. The LEA will provide the certification on constitutionally protected prayer. (20 USC §7904; PL 114-95, §8524[b])
16. The control of funds provided under each such program and title to property acquired with program funds will be in a public agency, an eligible private agency, institution, or organization, or an Indian tribe, if the law authorizing the program provides for assistance to those entities; and (B) the public agency, eligible private agency, institution, or organization, or Indian tribe will administer those funds and property to the extent required by the authorizing law. (20 USC §7844; PL 114-95, §8304[a][2][A-B])
17. The LEA administers all funds and property related to programs funded for equitable services provided to students attending private schools. (20 USC §6320; PL 114-95, §1117[d][1])
18. The LEA will adopt and use proper methods of administering each program including enforcement of any obligations imposed by law on agencies responsible for carrying out programs and correction of deficiencies in program operations identified through audits, monitoring or evaluation. (20 USC §7846; PL 114-95, §8306[a][3][A-B])
19. The LEA will participate in the California Assessment of Student Performance and Progress. (EC §60640, et seq.)
20. The LEA assures that classroom teachers who are being assisted by instructional assistants retain their responsibility for the instruction and supervision of the students in their charge. (EC §45344[a])

21. The LEA governing board has adopted a policy on parent involvement that is consistent with the purposes and goals of EC Section 11502. These include all of the following: (a) to engage parents positively in their children's education by helping parents to develop skills to use at home that support their children's academic efforts at school and their children's development as responsible future members of our society; (b) to inform parents that they can directly affect the success of their children's learning, by providing parents with techniques and strategies that they may utilize to improve their children's academic success and to assist their children in learning at home; (c) to build consistent and effective communication between the home and the school so that parents may know when and how to assist their children in support of classroom learning activities; (d) to train teachers and administrators to communicate effectively with parents; and (e) to integrate parent involvement programs, including compliance with this chapter, into the school's master plan for academic accountability. (EC §§11502, 11504)
22. Results of an annual evaluation demonstrate that the LEA and each participating school are implementing Consolidated Programs that are not of low effectiveness, under criteria established by the local governing board. (5 CCR §3942)
23. The program using consolidated programs funds does not isolate or segregate students on the basis of race, ethnicity, religion, sex, sexual orientation or socioeconomic status. (United States Constitution, Fourteenth Amendment; California Constitution, Article 1, §7; California Government Code §§11135-11138; 42 USC §2000d; 5 CCR, §3934)
24. Personnel, contracts, materials, supplies, and equipment purchased with Consolidated Program funds supplement the basic education program. (EC §62002; 5 CCR, §§3944, 3946)
25. At least 85 percent of the funds for School Improvement Programs, Title I, Title VI and Economic Impact Aid (State Compensatory Education and programs for English learners) are spent for direct services to students. One hundred percent of Miller-Unruh apportionments are spent for the salary of specialist reading teachers. (EC §63001; 5 CCR, §3944[a][b])
26. State and federal categorical funds will be allocated to continuation schools in the same manner as to comprehensive schools, to the maximum extent permitted by state and federal laws and regulations. (EC §48438)
27. Programs and services are and will be in compliance with Section 8355 of the California Government Code and the Drug-Free Workplace Act of 1988, and implemented at CFR Part 84, Subpart F, for grantees, as defined at 34 CFR Part 84, Sections 84.105 and 84.110.
28. Federal grant recipients, sub recipients and their grant personnel are prohibited from text messaging while driving a government owned vehicle, or while driving their own privately owned vehicle during official grant business, or from using government supplied electronic equipment to text message or email when driving. Recipients must comply with these conditions under Executive Order 13513, "Federal Leadership on Reducing Text Messaging while Driving," October 1, 2009.

29. The Federal grant sub recipient has complied with the Federal Funding Accountability and Transparency Act, as defined in 2 CFR Part 25 (PL 109-282; PL 110-252) regarding the establishment of a Data Universal Numbering System (DUNS) number and maintaining a current/active registration in the [System for Award Management web page](#).
30. Tribal consultation is required for all Title programs covered by ESSA (ESEA section 1111[a][1][A]) when an LEA have received a Title VI Indian Education formula grant in the previous fiscal year that exceeds \$40,000, or have 50 percent or more (using enrollment from the previous year) of its student enrollment made up of American Indian/American Native (AI/AN) students. The total AI/AN enrollment data would include those students who self-identify as AI/AN alone and AI/AN in combination with one or more races, regardless of Hispanic ethnicity. A list of LEAs required to conduct tribal consultation can be found on the California Department of Education [Tribal Consultation web page](#). Each affected LEA shall maintain in the agency's records and provide to the state educational agency a written affirmation signed by the appropriate officials of the participating tribes—or tribal organizations approved by the tribes—that the consultation required by this section has occurred. (20 USC §7918; PL 114-95, §8538)

2024–25 Title III EL & Immigrant Assurances

Consolidated Application Title III English Learner (EL) and Immigrant Student Program Subgrant Assurances for fiscal year 2024–25.

Assurances from the Elementary and Secondary Education Act, as Amended by the Every Student Succeeds Act (ESSA):

1. The local educational agency (LEA) will use ESSA Title III, Part A funds according to the purposes of the ESSA. (20 United States Code [USC] §§6812, 6825; Public Law [PL] 114-95, §3102)
2. The LEA agrees to expend the funds to improve the education of English learner (EL) students and immigrant children and youth by assisting them to learn English and meet the challenging State academic standards. In carrying out activities with such funds, the eligible entity shall use effective approaches and methodologies for teaching EL and immigrant children and youth. (20 USC §6825; PL 114-95, §3115[a])
3. ESSA Title III funds shall be used to supplement the level of federal, state, and local public funds that, in the absence of such availability, would have been expended for programs for EL students and immigrant children and youth, and in no case to supplant such federal, state, and local public funds. (20 USC §6825; PL 114-95, §3115[g])
4. The LEA will maintain an updated Local Control and Accountability Plan (LCAP) Federal Addendum that addresses Title III provisions of the state and ESSA, Title III Section 3116 (20 USC §6826; PL 114-95, §3116). LEAs applying for Title III Subgrant funds for the first time must complete and submit to the California Department of Education (CDE) the LCAP

Federal Addendum. The LEA shall provide to the CDE a proposed budget per the Title III program requirements, as part of the Consolidated Application. (20 USC §§6824, 6825, 6826; PL 114-95, §§3114, 3115, 3116)

5. The LEA shall consult with appropriate private school officials in a timely and meaningful manner to provide Title III, Part A equitable services to eligible EL and Immigrant students attending private schools located within the LEA's geographical boundaries. (20 USC §7881; PL 114-95, §8501[c])

2024–25 Title III EL Student Subgrant Assurances

Consolidated Application Title III English Learner (EL) Student Program Subgrant Assurances for fiscal year 2024–25.

Assurances from the Elementary and Secondary Education Act, as Amended by the Every Student Succeeds Act:

1. Each local educational agency (LEA) receiving Title III English Learner (EL) funds agrees to use the funds to increase the English language proficiency and academic proficiency of EL students, provide effective professional development, and other effective activities and strategies that enhance or supplement language instruction educational programs including, but not limited to implementation of effective parent, family, and community engagement activities and strategies for EL students. (20 United States Code [USC] §6825; Public Law [PL] 114-95, §3115 [c]) Subject to this subsection, the LEA also may use the funds to achieve any of the authorized activities described in 20 USC §6825(d) as follows:
 - a. Upgrading program objectives and effective instructional strategies;
 - b. Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures;
 - c. Providing tutorials and academic or career and technical education; and intensified instruction to English learners;
 - d. Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services;
 - e. Improving the English language proficiency and academic achievement of English learners;
 - f. Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families;

- g. Improving the instruction of English learners, which may include English learners with a disability;
 - h. Offering early college high school or dual or concurrent enrollment programs or courses designed to help English learners achieve success in postsecondary education;
- 2. The LEA may use no more than 2 percent of the EL program subgrant for direct administrative costs for a fiscal year. (20 USC §6825; PL 114-95, §3115[b])
- 3. The LEA can apply its approved indirect rate to the portion of the subgrant that is not reserved for direct administrative costs. A list of approved indirect cost rates is available on the California Department of Education (CDE) [Indirect Cost Rates \(ICR\)](#) web page.
- 4. The LEA is not in violation of any state law, including State constitutional law, regarding the education of EL, consistent with 20 USC §6826; PL 114-95, §3116(b)(4)(B).
- 5. The LEA shall provide the CDE with a report every fiscal year addressing all elements under 20 USC §6841; PL 114-95, §3121(a).
- 6. The LEA assures that it annually assesses the English proficiency of all EL students enrolled in their schools using the state's English language proficiency assessment. (20 USC §6311; PL 114-95, §1111[b][2][G][i])

2024–25 Title III Immigrant Subgrant Assurances

Consolidated Application Title III Immigrant Student Program Subgrant Assurances for fiscal year 2024–25.

Assurances from the Elementary and Secondary Education Act, as Amended by the Every Student Succeeds Act:

- 1. Each local educational agency (LEA) receiving funds under 20 United States Code (USC) §6825(e)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include:
 - a. Family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children;
 - b. Recruitment of, and support for personnel, including teachers and paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth;
 - c. Provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;

- d. Identification, development, and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with awarded funds;
 - e. Basic instructional services that are directly attributable to the presence of immigrant children and youth in the LEA involved, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as directly attributable to such additional instructional services;
 - f. Other instructional services that are designed to assist immigrant children and youth to achieve in elementary and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and
 - g. Activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services. (20 USC §6825; Public Law [PL] 114-95, §3115[e])
2. Recommended direct administration expenses for a fiscal year may not exceed 2 percent of such funds for the cost of administering the program. (20 USC §6825; PL 114-95, §3115[b])
 3. LEAs are authorized to assess approved indirect costs to the portion of the subgrants that is not reserved for direct administrative costs. A list of approved indirect cost rates is available on the California Department of Education [Indirect Cost Rates \(ICR\)](#) web page.