

ESSA: State Plan Assurances

Title I – Part A: State plan assurances for the receipt of Title I-A funds.		
IA.	ESSA Citation	Requirement
C.	§ 1111(a)(8)	Each State shall make the State plan publicly available for public comment for a period of not less than 30 days, by electronic means and in an easily accessible format, prior to submission to the Secretary for approval under this subsection. The State, in the plan it files under this subsection, shall provide an assurance that public comments were taken into account in the development of the State plan.
D.	§ 1111(b)(1)(A)	Must provide an assurance that the State has adopted challenging academic content standards and aligned academic achievement standards. <i>Academic standards must include no less than three levels of achievement that will be used by the State, LEAs, and its schools. The State is not required to submit the academic standards.</i>
OO.	§ 1111(g)(1)(E)	Must provide assurances that: (i) Any child described above* enrolls or remains in the child’s school of origin (pending an opposing decision made regarding the child’s best interest); (ii) When a determination is made that the school of origin is not in the child’s best interest, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment; (iii) The enrolling school must immediately contact the school last attended by the child to obtain relevant academic and other records; and, (iv) The SEA will designate an employee as a POC to oversee implementation of the State agency’s responsibilities. The POC may not serve as the State’s Coordinator for Education of Homeless Children and Youths (MV). <i>*children in foster care</i>
RR.	§ 1111(g)(2)(A)	Must provide an assurance that the State will make public any methods or criteria the State is using to measure teacher, principal, or other school leader effectiveness for the purpose of meeting the requirements in par. (1)(B). (Comparability/Disproportionate Rates)
SS.	§ 1111(g)(2)(B)	Must provide an assurance that the SEA will notify LEAs, Indian tribes and tribal organizations, schools, teachers, parents, and the public of the challenging State academic standards, academic assessments, and State accountability system, developed under Title I-A.
TT.	§ 1111(g)(2)(C)	Must provide an assurance that the SEA will assist each LEA and school affected by the State plan to meet the requirements of this part.
UU.	§ 1111(g)(2)(D)	Must provide an assurance that the State will participate in the biennial State academic assessments in reading and math in grades 4 and 8 of the National Assessment of Education Progress if the Secretary pays the costs of administering such assessments.

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VV.	§ 1111(g)(2)(E)	Must provide an assurance that the SEA will modify or eliminate State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources to improve educational opportunities and reduce unnecessary fiscal and accounting requirements.
WW.	§ 1111(g)(2)(F)	Must provide an assurance that the SEA will support the collection and dissemination to LEAs and schools of effective parent and family engagement strategies, including those under section 1116.
XX.	§ 1111(g)(2)(G)	Must provide an assurance that the SEA will provide the least restrictive and burdensome regulations for LEAs and individual schools participating in a program assisted under this part.
YY.	§ 1111(g)(2)(H)	Must provide an assurance that the SEA will ensure that LEAs, in developing and implementing programs under this part, will, to the extent feasible, work in consultation with outside intermediary organizations, or individuals, that have practical expertise in the development or use of evidence-based strategies and programs to improve teaching, learning, and schools.
ZZ.	§ 1111(g)(2)(I)	Must provide an assurance that the SEA has appropriate procedures and safeguards in place to ensure the validity of the assessment process.
AAA.	§ 1111(g)(2)(J)	Must provide an assurance that the SEA will ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification.
BBB.	§ 1111(g)(2)(K)	Must provide an assurance that the SEA will coordinate activities funded under this part with other Federal activities as appropriate.
CCC.	§ 1111(g)(2)(L)	Must provide an assurance that the SEA has involved the committee of practitioners established under section 1603(b) in developing the plan and monitoring its implementation.
DDD.	§ 1111(g)(2)(M)	Must provide an assurance that the State has professional standards for paraprofessionals working in a program supported with funds under this part, including qualifications that were in place under NCLB (prior to ESSA).
EEE.	§ 1111(g)(2)(N)	<p>Must provide an assurance that the SEA will provide the information described in clauses (ii), (iii), and (vii) of subsection (h)(1)(C) to the public in an easily accessible and user-friendly manner that can be cross-tabulated by, at a minimum, each major racial and ethnic group, gender, English proficiency status, and children with or without disability.</p> <p>This may be accomplished by including such information on the annual State report card described in (h)(1)(C); must be present in a manner that is first anonymized and does not reveal PII about an individual student, does not include a number of students in any subgroup that is insufficient to yield statistically reliable information or that would reveal PII, and is consistent with the requirements of section 444 of the GEPA (formerly FERPA).</p>

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Title I – Part C: State plan assurances for the receipt of Title I-C funds.		
IC.	ESSA Citation	Requirement
G.	§ 1304(c)(1)	Must provide an assurance that funds will be used only for programs and projects, including the acquisition of equipment, in accordance with section 1306, and to coordinate such programs and projects with similar programs and projects within the State and in other States, as well as with other Federal programs that can benefit migratory children and their families.
H.	§ 1304(c)(2)	Must provide an assurance that programs and projects will be carried out in a manner consistent with the objectives of section 1114, subsections (b) and (c) of section 1118, and part F.
I.	§ 1304(c)(3)	Must provide an assurance that the planning and operation of programs and projects at both the State and local agency operating level, there is consultation with parents of migratory children, including parent advisory councils, for programs not less than 1 school year in duration, and that all such programs and projects are carried out: (A) in a manner that provides for the same parental involvement as is required for programs and projects under section 1116, unless extraordinary circumstances make such provision impractical; and, (B) in a format and language understandable to the parents.
J.	§ 1304(c)(4)	Must provide an assurance that in planning and carrying out such programs and projects, there has been, and will be, adequate provision for addressing the unmet education needs of preschool migratory children and migratory children who have dropped out of school.
K.	§ 1304(c)(5)	Must provide an assurance that 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 LEAs under part A.
L.	§ 1304(c)(6)	Must provide an assurance that such programs and projects will provide for outreach activities for migratory children and their families to inform such children and families of other education, health, nutrition, and social services to help connect them to such services.
M.	§ 1304(c)(7)	Must provide an assurance that to the extent feasible, such programs and projects will provide for: (A) advocacy and other outreach activities for migratory children and their families, including helping such children and families gain access to other education, health, nutrition, and social services; (B) professional development programs, including mentoring, for teachers and other program personnel; (C) family literacy programs; (D) the integration of information technology into educational and related programs; and, (E) programs to facilitate the transition of secondary school students to postsecondary education or employment.

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N.	§ 1304(c)(8)	Must provide an assurance that the State will assist the Secretary in determining the number of migratory children under section 1303(a)(1).
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Title I – Part D: State plan assurances for the receipt of Title I-D funds.

ID.	ESSA Citation	Requirement
D.	§ 1414(a)(2)(D)	Must provide an assurance that the SEA will: (i) Ensure that programs assisted under Title I-Part D will be carried out in accordance with the State plan described in this subsection; and, (ii) Ensure that the State agencies receiving subgrants comply with all applicable statutory and regulatory requirements.
E.	§ 1414(a)(2)(E)	Must provide an assurance that the SEA has established: (i) Procedures to ensure the timely re-enrollment of each student who has been placed in the juvenile justice system in secondary school or in a re-entry program that best meets the needs of the student, including the transfer of credits that such student earns during placement; and, (ii) Opportunities for such students to participate in credit-bearing coursework while in secondary school, postsecondary education, or career and technical education programming.

Title II – Part A: State application assurances for the receipt of Title II funds.

IIA.	ESSA Citation	Requirement
G.	§ 2101(d)(2)(G)	Must provide an assurance that the SEA will monitor the implementation of Title II activities and provide technical assistance to LEAs carrying out such activities.
H.	§ 2101(d)(2)(H)	Must provide an assurance that the SEA will work in consultation with the entity responsible for teacher, principal, or other school leader professional standards, certification, and licensing for the State, and encourage collaboration between educator preparation programs, the State and LEAs to promote the readiness of new educators entering the profession.
I.	§ 2101(d)(2)(I)	Must provide an assurance that the SEA will comply with section 8501 (regarding participation by private school children and teachers).

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Title III – Part A: State plan assurances for the receipt of Title III funds.		
IIIA.	ESSA Citation	Requirement
B.	§ 3113(b)(2)	Must describe how the SEA will establish and implement, with timely and meaningful consultation with LEAs representing the geographic diversity of the State, standardized, statewide entrance and exit procedures , including an assurance that all students who may be ELs are assessed for such status within 30 days of enrollment in a school in the State.
C.	§ 3113(b)(3)	Must provide assurances that: (A) The SEA will ensure that eligible entities receiving a subgrant comply with requirement in section 1111(b)(2)(B)(ix) regarding assessment of ELs in English; (B) The SEA will ensure that eligible entities receiving a subgrant annually assess the English proficiency of all ELs participating in a Title III program; (C) The SEA will address the needs of school systems of all sizes and in all geographic areas (rural and urban) when making subgrants under 3114; (D) Subgrants will be of sufficient size and scope to allow entities to carry out effective LIEPs for ELs; (E) The SEA will require that eligible entities receiving a subgrant use it in ways that will build such recipients capacity to continue to offer effective LIEPs that assist ELs in meeting challenging State academic standards; (F) The SEA will monitor the entities receiving a subgrant for compliance with Federal fiscal requirements; and, (G) The plan has been developed in consultation with LEAs, teachers, administrators of Title III programs, parents of ELs and other relevant stakeholders.

Title IV – Part A: State plan assurances for the receipt of Title IV – Part A funds.		
IVA.	ESSA Citation	Requirement
C.	§ 4103(c)(2)(C)	Must provide an assurance that the SEA will: (i) Review existing resources and programs across the State and will coordinate any new plans and resources under this subpart with such existing resources and programs; (ii) Monitor the implementation of activities under Title IV-A and provide technical assistance to LEAs in carrying out such activities; and, (iii) Provide for equitable access for all students to the activities supported under Title IV-A, including aligning those activities with the requirements of other Federal laws.

Title IV – Part B: State application assurances for the receipt of Title IV – Part B funds.		
IVB.	ESSA Citation	Requirement
C.	§ 4203(a)(3)(A)	Must provide an assurance that the SEA will: (i) Make awards under this part to entities that serve students who primarily attend schools implementing comprehensive support and improvement activities or targeted support an improvement activities under 1111(d), and other schools determined by the LEA to be in need of intervention and support; and, (ii) The families of such students.
D.	§ 4203(a)(3)(B)	Must provide an assurance that the SEA will: (1) Will further give priority to eligible entities that propose in the application to serve students described in subclauses (I) and (II) of section 4204(i)(1)(A)(i).

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I.	§ 4203(a)(8)	Must provide an assurance that the SEA: (A) Will make awards for programs for a period of not less than 3 years and not more than 5 years; and, (B) Will require each eligible entity seeking such an award to submit a plan describing how the activities funded through the award will continue after funding under this part ends.
J.	§ 4203(a)(9)	Must provide an assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs.
K.	§ 4203(a)(10)	Must provide an assurance that the SEA will require eligible entities to describe in their applications under section 4204(b) how the transportation needs of participating students will be addressed.
M.	§ 4203(a)(12)(A)	Must provide an assurance that the application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, and other State agencies administering before and after school (or summer recess) programs and activities, the heads of the State health and mental health agencies or their designees, statewide after-school networks (where applicable) and representatives of teachers, local educational agencies, and community-based organizations.
S.	§ 4203(a)(15)	Must provide for timely public notice of intent to file an application and an assurance that the application will be available for public review after submission.

Title IV – Part C: State application assurances for the receipt of Title IV – Part C funds.		
IVC.	ESSA Citation	Requirement
I. – O.	§ 4303(f)(2)	Assurances that— (A) each charter school receiving funds through the State entity’s program will have a high degree of autonomy over budget and operations, including autonomy over personnel decisions; (B) the State entity will support charter schools in meeting the educational needs of their students, as described in paragraph (1)(A)(x); (C) the State entity will ensure that the authorized public chartering agency of any charter school that receives funds under the State entity’s program adequately monitors each charter school under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and English learners; (D) the State entity will provide adequate technical assistance to eligible applicants to meet the objectives described in clause (viii) of paragraph (1)(A) and subparagraph(B) of this paragraph; (E) the State entity will promote quality authorizing, consistent with State law, such as through providing technical assistance to support each authorized public chartering agency in the State to improve such agency’s ability to monitor the charter schools authorized by the agency, including by— (i) assessing annual performance data of the schools, including, as appropriate, graduation rates, student academic growth, and rates of student attrition; (ii) reviewing the schools’ independent, annual audits of financial statements prepared in accordance with generally accepted accounting principles, and ensuring that any such audits are publically reported; and (iii) holding charter schools accountable to the academic, financial, and operational quality controls agreed to between the charter school and the authorized public chartering agency involved, such as through renewal, non-renewal, or revocation of the school’s charter; (F) the State entity will work to ensure that charter schools are included with the traditional public schools in decisionmaking about the public school system in the State; and (G) the State entity will ensure that each charter school receiving funds under the State entity’s program makes publicly available, consistent with the dissemination requirements of the annual State report card under section 1111(h), including on the website of the school, information to help parents make informed decisions about the education options available to their children, including— (i) information on the educational program;

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		<ul style="list-style-type: none"> (ii) student support services; (iii) parent contract requirements (as applicable), including any financial obligations or fees; (iv) enrollment criteria (as applicable); and (v) annual performance and enrollment data for each of the subgroups of students, as defined in section 1111(c)(2), except that such disaggregation of performance and enrollment data shall not be required in a case in which the number of students in a group is insufficient to yield statically reliable information or the results would reveal personally identifiable information about an individual student.
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Title IV – Part E: State application assurances for the receipt of Title IV – Part E funds.

IVE.	ESSA Citation	Requirement
**	§ 4503(b)(6)	<p>An assurance that the applicant will—</p> <ul style="list-style-type: none"> (A) establish a special advisory committee, the membership of which includes— <ul style="list-style-type: none"> (i) parents, who shall constitute a majority of the members of the special advisory committee; (ii) representatives of education professionals with expertise in improving services for disadvantaged children; (iii) representatives of local elementary schools and secondary schools, including students; (iv) representatives of the business community; and (v) representatives of State educational agencies and local educational agencies; (B) use not less than 65 percent of the funds received under this part in each fiscal year to serve local educational agencies, schools, and community-based organizations that serve high concentrations of disadvantaged students, including students who are English learners, minorities, students with disabilities, homeless children and youth, children and youth in foster care, and migrant students; (C) operate a statewide family engagement center of sufficient size, scope, and quality to ensure that the center is adequate to serve the State educational agency, local educational agencies, and community-based organizations; (D) ensure that the statewide family engagement center will retain staff with the requisite training and experience to serve parents in the State; (E) serve urban, suburban, and rural local educational agencies and schools; (F) work with— <ul style="list-style-type: none"> (i) other statewide family engagement centers assisted under this part; and (ii) parent training and information centers and community parent resource centers assisted under sections 671 and 672 of the Individuals with Disabilities Education Act (20 U.S.C. 1471; 1472); (G) use not less than 30 percent of the funds received under this part for each fiscal year to establish or expand technical assistance for evidence-based parent education programs; (H) provide assistance to State educational agencies, local educational agencies, and community-based organizations that support family members in supporting student academic achievement; (I) work with State educational agencies, local educational agencies, schools, educators, and parents to determine parental needs and the best means for delivery of services to address such needs; (J) conduct sufficient outreach to assist parents, including parents who the applicant may have a difficult time engaging with a school or local educational agency; and (K) conduct outreach to low-income students and parents, including low-income students and parents who are not proficient in English. <p>(7) An assurance that the applicant will conduct training programs in the community to improve adult literacy, including financial literacy.</p>

Title VIII: General Provisions – Part C: Consolidated State Application

VIII-C.	ESSA Citation	Requirement
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B.	§ 8304(a)	<p>General Assurances required under Consolidated State Plan:</p> <p>A State educational agency, in consultation with the Governor of the State, that submits a consolidated State plan or consolidated State application under this Act, whether separately or under section 8302, shall have on file with the Secretary a single set of assurances, applicable to each program for which the plan or application is submitted, that provides that—</p> <ol style="list-style-type: none"> (1) each such program will be administered in accordance with all applicable statutes, regulations, program plans, and applications; (2) (A) 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; (3) the State will adopt and use proper methods of administering each such program, including— <ol style="list-style-type: none"> (A) 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 (C) the adoption of written procedures for the receipt and resolution of complaints alleging violations of law in the administration of the programs; (4) the State will cooperate in carrying out any evaluation of each such program conducted by or for the Secretary or other Federal officials; (5) the State will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, Federal funds paid to the State under each such program; (6) the State will— <ol style="list-style-type: none"> (A) make reports to the Secretary as may be necessary to enable the Secretary to perform the Secretary’s duties under each such program; and (B) maintain such records, provide such information to the Secretary, and afford such access to the records as the Secretary may find necessary to carry out the Secretary’s duties; and (7) before the plan or application was submitted to the Secretary, the State afforded a reasonable opportunity for public comment on the plan or application and considered such comment.
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Title VIII: General Provisions – Part F: Uniform Provisions		
VIII-F.	ESSA Citation	Requirement
**	§ 8537(b)	<p>DISCIPLINARY RECORDS.—In accordance with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g), not later than 2 years after the date of enactment of this part, each State receiving Federal funds under this Act shall provide an assurance to the Secretary that the State has a procedure in place to facilitate the transfer of disciplinary records, with respect to a suspension or expulsion, by local educational agencies to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll, on a full- or part-time basis, in the school.</p>

Title IX: General Provisions – McKinney-Vento Homeless Assistance Act		
IX-M.	ESSA Citation	Requirement
M.	42 U.S.C. 11431, § 722(g)(1)(J)(i)	<p>Must provide an assurance that the SEA and LEAs will adopt policies and practices to ensure that homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.</p>

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N.	42 U.S.C. 11431, § 722(g)(1)(J)(ii)	Must provide an assurance that the LEAs will designate an appropriate staff person, able to carry out the duties described in par. (6)(A), who may also be a coordinator for other Federal programs, as a LEA liaison for homeless children and youths.
O.	42 U.S.C. 11431, § 722(g)(1)(J)(iii)	<p>Must provide an assurance that the State and the LEAs will adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin (see par. (3)), in accordance with the following, as applicable:</p> <p>(I) If the child or youth continues to live in the area served by the local educational agency in which the school of origin is located, the child’s or youth’s transportation to and from the school of origin shall be provided or arranged by the local educational agency in which the school of origin is located.</p> <p>(II) If the child’s or youth’s living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing the child’s or youth’s education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child or youth with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.</p> <p>(III) The State and the local educational agencies in the State will adopt policies and practices to ensure participation by liaisons described in clause (ii) in professional development and other technical assistance activities provided pursuant to paragraphs (5) and (6) of subsection (f), as determined appropriate by the Office of the Coordinator.</p>

Additional Assurances from Proposed Regulations		
	Citation	Requirement
	§ 200.24(b)(9)	An assurance that each school the LEA proposes to serve will receive all of the State and local funds it would have received in the absence of funds received under this section.
	§ 299.13(c)	An SEA that submits either a consolidated State plan or an individual program State plan must submit to the Secretary the assurances included in section 8304 of the Act. An SEA also must include the following assurances when submitting either a consolidated State plan or an individual program State plan for the following programs:
		<p>(1) Title I, part A.</p> <p>(i) The SEA will assure that, in applying the same approach in all LEAs to determine whether students who are enrolled in the same school for less than half of the academic year as described in § 200.20(b) who exit high school without a regular high school diploma and do not transfer into another high school that grants a regular high school diploma are counted in the denominator for reporting the adjusted cohort graduation rate using one of the following:</p> <p>(A) At the school in which such student was enrolled for the greatest proportion of school days while enrolled in grades 9 through 12; or</p> <p>(B) At the school in which the student was most recently enrolled.</p> <p>(ii) The SEA will ensure that an LEA receiving funds under title I, part A of the Act will provide children in foster care transportation, as necessary, to and from their schools of origin, consistent with the procedures developed by the LEA in collaboration with the State or local child welfare agency under section 1112(c)(5)(B) of the Act, even if the LEA and local child welfare agency do not agree on which agency or agencies will pay any additional costs incurred to provide such transportation.</p>
		(2) I Title III, part A. In establishing the statewide entrance procedures required under section 3113(b)(2) of the Act, the SEA will ensure that:

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		<p>(i) All students who may be English learners are assessed for such status using a valid and reliable instrument within 30 days after enrollment in a school in the State;</p> <p>(ii) It has established procedures for the timely identification of English learners after the initial identification period for students who were enrolled at that time but were not previously identified; and</p> <p>(iii) It has established procedures for removing the English learner designation from any student who was erroneously identified as an English learner, which must be consistent with Federal civil rights obligations.</p>
		<p>(3) Title V, part b, subpart 2. The SEA will assure that, no later than March of each year, it will submit data to the Secretary on the number of students in average daily attendance for the preceding school year in kindergarten through grade 12 for LEAs eligible for funding under the Rural and Low-Income School program, as described under section 5231 of the Act.</p>
	§ 299.13(d)	<p>Process for submitting an initial consolidated State plan or individual program State plan. When submitting an initial consolidated State plan or an individual program State plan, an SEA must adhere to the following timeline and process.</p> <p>(1) Assurances. In order to receive Federal allocations for the programs included in paragraph (j) of this section for fiscal year 2017, no later than March 6, 2017, the SEA must submit the required assurances described in paragraph (c) of this section.</p>