



## **2021-2022 Desk Monitoring Review**

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





INDICATOR	EVIDENCE
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1. LEAs must maintain appropriate written documentation to support the removal of a student from the adjusted graduation rate cohort. •

**34 CFR Section 200.19(b)(1)(i)(iv)**



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1. The LEA has protocols/procedures in place to evaluate the Title I, Part D program(s) operating at residential facilities within the district.

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 the documents normally needed for enrollment (e.g. proof of immunizations, proof of residency, birth certificate, school records, etc.), including students with IEPs; and
  - continued enrollment for students enrolled in the LEA who become homeless, including those students who are temporarily residing outside of the LEA's boundaries.

- Updated, Board-approved LEA enrollment policy for youth experiencing homelessness. All policies must have been adopted after October 1, 2016, to be in compliance with amendments adopted under ESSA
- If not detailed in the policy, provide specific procedures for immediate enrollment

**42 U.S.C. 11432(g)(3)(A) & 11432(g)(3)(C)(i)**

**42 U.S.C. 11432(g)(1)(J)(iii) & NYS  
Education Law 3209(4)**

3. The LEA has dispute resolution procedures for the prompt resolution of disputes regarding homeless eligibility, school selection, enrollment, and transportation and such procedures include:
- enrollment and/or transportation pending resolution of the dispute; and
  - providing written notice to the parent/guardian/youth explaining the decision, the right to appeal to the State Education Department within 30 days, and that the liaison is available



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><b>ESEA Section 1112(c)(5)(B)</b></p>	<ul style="list-style-type: none"> <li>• Written transportation procedures specific to transportation of foster care students</li> </ul> <p><b>Note:</b> See page 18 of the Foster Care Toolkit for guidance on written transportation procedures: "Local Transportation Agreement for Students in Foster Care", Foster Care Toolkit: <a href="https://www.p12.nysed.gov/sss/documents/PUB_-5221_ESSATOOLKIT-PACKET_SEDadded.pdf">https://www.p12.nysed.gov/sss/documents/PUB_-5221_ESSATOOLKIT-PACKET_SEDadded.pdf</a></p> <p><b>Note:</b> For additional information regarding Foster Care and NYSED: <a href="http://www.p12.nysed.gov/sss/pps/fostercare.html">http://www.p12.nysed.gov/sss/pps/fostercare.html</a></p>



INDICATOR	EVIDENCE
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1. The LEA has prioritized the distribution of funds to schools that:
  - are among the schools with the greatest needs as determined by such local educational agency, or consortium;
  - have the highest percentages or numbers of children counted under Section 1124(c);
  - are identified for comprehensive support and improvement under Section 1111(c)(4)(D)(i);
  - are implementing targeted support and improvement plans as described in Section 1111(d)(2); or
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<b>INDICATOR</b>	<b>EVIDENCE</b>
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<p>1. 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><b>ESEA Section 1113(c)</b></p>	<ul style="list-style-type: none"> <li>Data or reports on low-income status of each building, such as those provided for child nutrition (FRPL) or direct certification data for CEP programs</li> </ul>

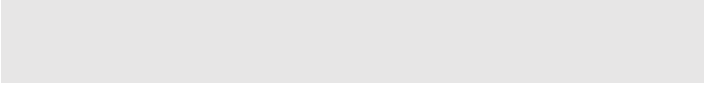
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<p>1. The LEA has demonstrated that Title IVA funds supplement, and do not supplant, non-Federal funds that would otherwise be used for activities authorized under this title.</p> <p><b>ESEA Section 4110</b></p>	<ul style="list-style-type: none"> <li>• 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</li> <li>• To overcome a presumption of supplanting, provide evidence the LEA does not have funds to implement state or local mandated activities being funded out of federal dollars</li> </ul>
<p>2. Actual expenditures for Title IVA match those that were allowable, budgeted and approved within the Consolidated Application for ESSA-Funded Programs.</p> <p><b>ESEA Section 8306(a)(1)</b></p>	<ul style="list-style-type: none"> <li>• Expenditure reports AND</li> <li>• Invoices OR</li> <li>• Purchase orders OR</li> <li>• Payroll records</li> </ul> <p><b>Note:</b> The LEA must clearly label items by Title IV content area (WRE, SHS, or EUT) to show alignment to the budget</p>



1. The LEA will administer programs in accordance with all applicable statutory and regulatory requirements that govern its uses. SEC. 8306. [20 U.S.C. 7846](a)(1)
2. The control of funds provided under such programs and title to property acquired with program funds will be in a public agency or in an eligible private agency, institution, organization, or Indian Tribe, if the law authorizing the program provides for assistance to those entities. SEC. 8306. [20 U.S.C. 7846](a)(2)(A)
3. The public agency in 3 (u)3.8 ( )0Tc 0.00.2 (r)..3 (s7 ( )0.7 (p)-Tay)-.1 ( )0.8 (in)-1.2 (e)-4.1 (n,)1.8 ( )0.8 (o)0.8 (







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).

**Note:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Education Department Program Contact listed in the Application. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, and by signing the Application Cover Page, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and



8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 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. §§ 327-333), 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. 93-234) 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. 91-190) and Executive Order (EO) 11514; (b) notification of violation of vocation of vm vAoAwutn (b n7-3.2 (t)38-3.2 (t)7.3 (i)-16

These certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

**1. LOBBYING**

### **3. DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER TIERED COVERED TRANSACTIONS**

The terms “debarment,” “suspension,” “excluded,” “disqualified,” “ineligible,” “participant,” “pe

**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 Gun-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 regulations 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