

## 2023-2024 Targeted Monitoring Indicators and Evidence Guide

The New York State Education Department uses the process of Targeted Monitoring to review local educational agencies (LEAs) for compliance with programmatic and fiscal requirements under Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA)

Section I – Programmatic Compliance

General Programmatic Compliance Requirements

INDICATOR	EVIDENCE
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1. The 2023-24 Consolidated Application for ESEA-Funded Programs is developed with timely and meaningful consultation with appropriate stakeholders, as defined under each respective part.

ESEA Section 1112(a)(1)(A); 210 2(b)(3)(A); and 4106(c)(1)



### Targeted Assistance Program Requirements

INDICATOR	EVIDENCE
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1. LEAs with schools implementing Targeted Assistance Programs provided evidence that schools are providing services to eligible participating students.

- LEA Academic Intervention Services (AIS)/(Response to Intervention) RTI Plan or description of methodology for identifying students at -risk academically, including any relevant data
- A selection of AIS/RTI student lists

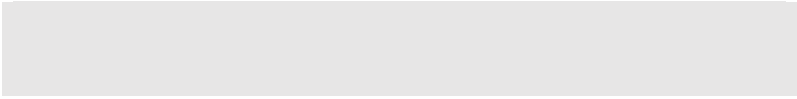
Note: For LEAs serving more than 10 Title I schools provide a sample of requested

ESEA Section 1115(b)(2)

## Parent and Family Engagement Requirements

INDICATOR	EVIDENCE
<p>1. The LEA has a written parent and family engagement policy that is developed jointly, agreed on with, and distributed to parents and family members of participating children.</p> <p>ESEA Section 1116(a)(2)</p>	<ul style="list-style-type: none"> <li>• Board of Education approved Title I LEA-level Parent &amp; Family Engagement Policy (PFEP) Please note: PFEP had to be updated under ESSA- beyond NCLB, after 2016</li> <li>• A combination of the following types of evidence of joint development:               <ul style="list-style-type: none"> <li>○ meeting minutes</li> <li>○ meeting notifications or agendas</li> <li>○ sign in sheets</li> </ul> </li> <li>• Evidence of distribution, any one of the following including:               <ul style="list-style-type: none"> <li>○ Web link</li> <li>○ Newsletter</li> <li>○ Email blast</li> <li>○ Parent handbook</li> </ul> </li> </ul>

## LEA Requirements



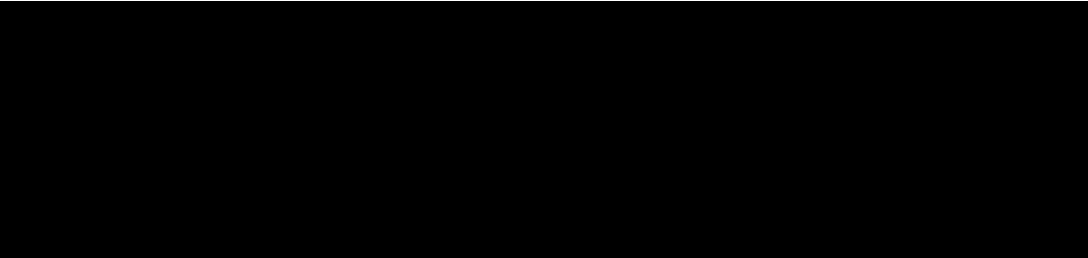


to migratory children and youth by the METS program



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"> <li>Signed written formal agreement for each facility, which must be for the 2021- 22 school year.</li> </ul> <p>Note: Agreements should spell out roles and responsibilities of each party (LEA, facility, BOCES)</p>



## McKinney-Vento Homeless Education Program Requirements

INDICATOR	EVIDENCE
<p>1. The LEA has an enrollment policy and practice that ensures:</p> <ul style="list-style-type: none"> <li>• 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</li> <li>• continued enrollment for students enrolled in the LEA who become homeless, including those students who are temporarily residing outside of the LEA's boundaries.</li> </ul> <p>42 U.S.C. 11432(g)(3)(A) &amp; 11432(g)(3)(C)(i)</p>	<ul style="list-style-type: none"> <li>• 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</li> <li>• If not detailed in the policy, provide specific procedures for immediate enrollment of students experiencing homelessness, including unaccompanied homeless youth, even if they are missing records</li> </ul> <p>Note: Enrollment, Transportation, Dispute Process may all be included in a single policy: Education for Homeless Children and Youth. If the LEA policy is inclusive of these items, requested in items 2, 3, 4, and 5, you can upload the policy one time in this indicator.</p>

2. The LEA has a transportation policy and practice that ensures:
- transportation to the school of origin for students who are homeless, including for preschoolers who attend a preschool of origin, for the duration of homelessness, through the remainder of the school year in which the student becomes permanently housed, and possibly an additional year if it is the student's terminal grade;

INDICATOR	EVIDENCE
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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 a ppeal to the State Education Department within 30 days, that the liaison is available to help with any appeal and providing a copy of the appeal papers.

- Updated, Board-approved LEAenrollment policy for youth experiencing homelessness, which includes dispute resolution procedures. All policies must have been adopted after October 1, 2016, to be in compliance with amendments adopted under ESSA OR
- LEA dispute resolution procedures regarding homeless eligibility, school selection, enrollment, and transportation

42 U.S.C. 11432(g)(3)(E); Education Law 275.16 & 310 & 3209(5)

INDICATOR	EVIDENCE
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6.



Title II, Part A: Supporting Effective Instruction Requirements

INDICATOR	EVIDENCE
<p>1. The LEA has prioritized the distribution of funds to schools implementing comprehensive support and improvement activities and targeted support and improvement activities and have the highest percentage of high-poverty children and those counted under section 1124 (c).</p> <p>ESEA Section 2102(b)(2)(C)</p>	<p>Based on the Title II Part A program within the district, provide some combination of the following:</p> <ul style="list-style-type: none"> <li>• Chart of IIA allocations or IIA funded activities at each building</li> <li>• Schedules or payroll records that show prioritized assignment of coaches or other IIA staff to TSI (Targeted Support and Improvement) and CSI (Comprehensive Support and Improvement) schools or placement of class size reduction teachers</li> <li>• Documentation showing PD choices are based on needs assessment in TSI and CSI schools or those that have the highest percentage of high-poverty children</li> </ul>
<p>2. The LEA uses data and ongoing consultation to continually update and improve activities supported under Title II Part A.</p> <p>ESEA Section 2102(b)(2)(D)</p>	<ul style="list-style-type: none"> <li>• Dated building or district leadership teams or PD committee meeting agendas,</li> </ul>

Title IV, Part A: Student Support and Academic Enrichment Requirements

INDICATOR	EVIDENCE
<p>1. The LEA has prioritized the distribution of funds to schools that align with one of the following:</p> <ul style="list-style-type: none"> <li>• are among the schools with the greatest needs as determined by such local educational agency or consortium;</li> <li>• have the highest percentages or numbers of children counted under Section 1124(c);</li> <li>• are identified for comprehensive support and improvement under Section 1111(c)(4)(D)(i);</li> <li>• are implementing targeted support and improvement plans as described in Section 1111(d)(2); or</li> <li>• are identified as a persistently dangerous public elementary school or secondary school under Section 8532.</li> </ul> <p>ESEA Section 4106(e)(2)(A)</p>	<ul style="list-style-type: none"> <li>• Indicate which method of prioritization was used AND one or more of the following:</li> <li>• District data analysis demonstrating the determination of prioritized needs such as one of the criteria identified under section 4106(e)(2)(A) listed in the indicator             <ul style="list-style-type: none"> <li>• Examples of evidence for each method of prioritization:                 <ul style="list-style-type: none"> <li>A formal comprehensive needs assessment for LEAs with an allocation of over \$30,000 and a needs assessment for all other LEAs</li> <li>Poverty count by school</li> <li>Needs assessment performed for TSI and CSI schools</li> <li>School Safety and Educational Climate (SSEC) Summary Data Collection Form that collects School Violence Index data.</li> </ul> </li> </ul> </li> <li>• Evidence, such as a spreadsheet, that clearly identify school building level Title IV allocations to align to the prioritization of the distribution of funds</li> </ul>
<p>2. 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> <p>ESEA Section 4106(e)(1)(E)</p>	<ul style="list-style-type: none"> <li>• 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</li> <li>• Examples include a narrative describing the LEA's periodic evaluation of the Title IVA program, a calendar demonstrating a timeline of periodic evaluation, findings/outcomes from periodic evaluation. Supporting evidence may include building or district leadership teams or PD committee meeting agendas, minutes, or presentations reviewing/evaluating IVA programs to inform future program activities or data such as teacher surveys, classroom observations, student performance.</li> </ul>





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"> <li>• 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, and IVA</li> <li>• Other dated evidence to demonstrate ongoing consultation on services provided throughout the year</li> </ul> <p>Note: Consultation topics can be found on the <a href="#">Written Affirmation of LEA Consultation with Private School Officials Form</a>.</p>

2. If the LEA disagreed with the private school officials on the provision of services through a contract, provide evidence of

Section III: Fiscal Compliance

General Fiscal Requirements

INDICATOR	EVIDENCE
<p>1. Job duties, work schedules, and/or activity records verify that the number and types of [ESSA] funded personnel match project budgets and, if applicable, the corresponding FTE and job duties in the approved application and FS-10.</p> <p>2 CFR 200.430</p>	<ul style="list-style-type: none"> <li>• Work schedules, payroll records, expenditure reports, job descriptions for staff funded by Titles IA, ID, IIA, IVA, and VB</li> </ul>
<p>2. Payroll documentation in the LEA records are supported by a system of internal controls which provide reasonable assurance that the charges are accurate, allowable and properly allocated AND support the distribution of salary and wages where an employee works on more than one cost objective or federal/state/local award.</p> <p>2 CFR 200.430(i)(i -vii)</p>	<ul style="list-style-type: none"> <li>• Evidence of how LEA “proves” the employee performed work in a federal program; at minimum, there must be a periodic documentation of work (suggested time frames: Sept-Dec &amp; Jan-June) performed with employee and/or supervisor sign off after the work has been performed for Titles IA, ID, IIA, IVA, and VB</li> <li>• As applicable, Employee Payroll Certifications (EPC)/Personal Activity Reports (PAR) for Titles IA, ID, IIA, IVA, and VB</li> </ul> <p>Note: For LEAs serving more than 10 Title I schools provide a sample of requested evidence for 25%</p>

INDICATOR	EVIDENCE
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5. If applicable, equipment expenditures (computers, copiers, etc.) have been pro-rated across programs according to use.

- Expenditure reports or inventory tracking

2 CFR 200.405

## Title I, Part A Fiscal Requirements

INDICATOR	EVIDENCE
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1. The LEA uses the same measure of poverty to identify Title I eligible schools (ex. FRPL-Free and Reduced Price Lunch); to determine the ranking of each school; and to determine

## Title I, Part D Fiscal Requirements

Title II, Part A Fiscal Requirements

INDICATOR	EVIDENCE
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## Title IV, Part A Fiscal Requirements

INDICATOR	EVIDENCE
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1. The LEA has demonstrated that Title IVA funds supplement, and do not supplant, non-Federal funds that would otherwise be used for activities that

### 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 ESSAFunded Programs.</p> <p>ESEA Section 8306(a)(1)</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>2. If the LEA accepted ARP HCY I as a single applicant, please provide 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"> <li>• Dateitette3 (i0 0 1d 1arTf 10.028 295.5 139.5 re W n BT -0.002 Tc 0.002 Tw 170 &gt;&gt;BDC 3.3 (b)</li> </ul>



materials and equipment.

McKinney-Vento: § 722(e)(1) and § 723

Uniform Guidance: Subpart D (Post Federal Award Requirements), Subpart E (Cost Principles), and Subpart

## APPENDIX A: ESEA Funded Program Assurances

### Section 8306 Assurances

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, eligible private agency, institution, or organization, or Indian Tribe will administer the funds and property to the extent required by authorizing statutes. SEC. 8306. [20 U.S.C. 7846](a)(2)(B)
4. The applicant will adopt and use proper methods of administering each such program, including the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program. SEC. 8306. [20 U.S.C. 7846](a)(3)(A)
5. The applicant will adopt and use proper methods of administering each such program, including the correction of deficiencies in program operations that are identified through audits, monitoring or evaluations. SEC. 8306. [20 U.S.C. 7846](a)(3)(B)
6. The LEA assured that the applicant will cooperate in carrying out any evaluations of each such program conducted by or for the state education agency, the Secretary, or other federal officials. SEC. 8306. [20 U.S.C. 7846](a)(4)
7. The LEA assured that the applicant will use fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, federal funds paid to the applicant under such program. SEC. 8306. [20 U.S.C. 7846](a)(5)
8. The LEA assured that the applicant will submit such reports to the state education agency (which will make the reports available to the Governor) and the Secretary as the state educational agency and the Secretary may require to enable the State educational agency and the Secretary to perform their duties under each such program. SEC. 8306. [20 U.S. 7846](a)(6)(A)
9. The LEA assured that the applicant will maintain such records, provide such information, and afford such access to the records as the state educational agency (after consultation with the Governor) or Secretary may reasonably require to carry out the state educational agency's or the Secretary's duties. SEC. 8306. [20 U.S.C. 7846](a)(6)(B)
10. The LEA assured that, before the application was submitted, the applicant afforded a reasonable opportunity for public comment on the application and considered such comment. SEC. 8306. [20 U.S.C. 7846](a)(7)

## 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 would, in the absence of such Federal funds, be made available from State and local sources for the education of students participating in programs assisted under this part, and not to supplant such funds.
2. ESEA Section 2301 requires that a local educational agency (LEA) use Federal funds made available under this subpart to supplement, and not supplant, Federal funds that would otherwise be used for activities authorized under this title.
3. ESSA Section 3115(g) requires that a local educational agency (LEA) use Federal funds made available under this subpart shall be used so as to supplement the level of Federal, State, and local



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

Title II Assurances

- 10. ESEA Section 2102(b)(2) requires that each application submitted under paragraph (1) shall include the following:
  - (E) an assurance that the local educational agency will comply with Section 8501 (regarding participation by private school children and teachers) and
  - (F) an assurance that the local educational agency will coordinate professional development activities authorized under this part with professional development activities provided through other Federal, State, and local programs.
- 11. The LEA assures that it will comply with all applicable laws and regulations regarding professional development, including but not limited to 20 U.S.C. 6612, 20 U.S.C. 6613, and 8 NYCRR Section 100.2(dd).

Title IV Assurances

- 12. ESSA Section 4001(a)(1)(A) requires that LEA obtains prior written, informed consent from the

**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).

## ASSURANCES ON CONSTRUCTION PROGRAMS

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.

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 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or 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 DeWison 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), 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. 93-293) 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. 91-90) 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 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 Clean 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. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
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



15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544 as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200, Audits of States, Local Governments, and NonProfit Organizations.
18. Will comply with all applicable requirements of all other Federal laws, exe-1 (mi (e)-2.1 d /LE



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

3.

New York State Department of Education  
ELEMENTARY AND SECONDARY EDUCATION ACTS (ESSA) 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 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 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 protection for students and is aware of the responsibilities of the grantee under section 20 U.S.C. 1232g (FERPA) (ESSA §854