

TITLE III PROGRAM ASSURANCES

Please note: This is a pdf version of the *Title III Program Assurances* found in the Program Details section of the funding application. This copy is for reference only and does not need to be signed or uploaded to the Title III application.

ELIGIBILITY REQUIREMENTS

The Arizona Department of Education provides Title III sub-grants to LEAs for English learners (ELs) on the basis of a formula. The formula is as follows:

- a) Allocations are based on the total number of identified ELs, as determined by the Arizona English Language Learner Assessment (AZELLA) and program participation, submitted by all local educational agencies (LEAs).
- b) The total Federal allocation is divided by the total number of students reported.
- c) This results in a single per pupil amount.
- d) The per pupil amount is then multiplied by the number of identified EL students in an LEA.

Section 3114(b) excludes LEAs from getting an award under section 3114(a) if they qualify for less than \$10,000.

An LEA that would not otherwise qualify for a direct-funded sub-grant under section 3114(a) because it does not qualify for an award of at least \$10,000 may submit a joint (consortium) application with one or more other LEAs in order to qualify. The combined Title III allocations of all participating LEAs in the consortium must meet or exceed \$10,000.

PURPOSES OF SUBGRANTS

Per SEC. 3115 (a), a State educational Agency may make subgrants to eligible entities only if the entity agrees to expend the funds to improve the education of English learners by assisting the children 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 English learners and immigrant children and youth for the following purposes:

(1) Developing and implementing new language instruction educational programs and academic content instructional programs for English learners and immigrant children and youth, including early childhood education programs, elementary school programs, and secondary school programs.

(2) Carrying out highly focused, innovative, locally designed activities to expand or enhance existing language instruction educational programs and academic content instructional programs for English learners and immigrant children and youth.

(3) Implementing, within an individual school, schoolwide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

(4) Implementing, within the entire jurisdiction of a local educational agency, agency wide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

DIRECT ADMINISTRATIVE COSTS

Title III Sec. 3115(b) outlines allowable **direct** administrative expenses in your Title III program. Each eligible entity receiving funds under section 3114(a) for a fiscal year may use not more than 2 percent of such funds for the cost of administering this subpart.

REQUIRED SUBGRANTEE ACTIVITIES

Title III Sec. 3115(c) Required Subgrantee Activities: An eligible entity receiving funds under section 3114(a) shall use the funds

(1) to increase the English language proficiency of English learners by providing effective language instruction educational programs that meet the needs of English learners and demonstrate success in increasing—

- (A) English language proficiency; and
- (B) student academic achievement;
- (2) to provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals and other school leaders, administrators, and other school or community-based organizational personnel, that is—
 - (A) designed to improve the instruction and assessment of English learners;
 - (B) designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for English learners;
 - (C) effective in increasing children’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
 - (D) of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers’ performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher’s supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate; and
- (3) to provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for English learners, which—
 - (A) shall include parent, family, and community engagement activities; and
 - (B) may include strategies that serve to coordinate and align related programs.

SELECTION OF METHOD OF INSTRUCTION

Title III Sec. 3115(f) states that in order to receive a subgrant from a State educational agency under this subpart, an eligible entity shall select one or more methods or forms of effective instruction to be used in the programs and activities undertaken by the entity to assist English learners to attain English language proficiency and meet challenging State academic standards. Such selection shall be consistent with Title III section 3124 through 3126.

SUPPLEMENT, NOT SUPPLANT

Title III Sec. 3115(g) requires that funds available under this subgrant shall be used so as 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 English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.

Before requesting Title III funding, four criteria noted below must be considered to determine whether the supplement, not supplant requirement is being violated. Remember, services provided through Title III must be **above and beyond**:

- a) instructional programs/services/materials which are provided to support non-EL students and their families,
- b) what the LEA does to meet Federal requirements for the identification and placement of ELs,
- c) services the LEA is required to offer by other Federal, State and local laws or regulations (including but not limited to requirements under Title I, Title VI of the Civil Rights Act, EEOA, or the SEI models), and
- d) programs/services/materials previously funded with other Federal, State, or local funding.

PRIVATE SCHOOL SERVICES

Under Title IX, Part E, SEC. 9501, LEAs receiving Title III funds must provide equitable and effective educational services to English learners and educational personnel in private schools that are located in the geographic area served by the LEA. Services for eligible private school children and educational personnel may be provided by the LEA receiving the Title III funds or through third-party contracts. LEAs must ensure:

- timely and meaningful consultation with appropriate private school officials,
- services provided shall be secular, neutral, and nonideological, and
- services are equitable in comparison to services/benefits for public school children and educational personnel.

Expenditures for educational services and other benefits provided for eligible private school children, their teachers, and other educational personnel serving those children shall be equal to the expenditures for participating public school children. The LEA shall maintain control of funds and property for services provided to the private school.

CARRYOVER FUNDS

Carryover of Title III funds is allowed. Unspent Title III funds from an approved application may carry over from one year to the next, for a maximum of twenty-seven months beginning July 1 of the award year. There is no cap on the percentage of funding that may be carried over for Title III.

LANGUAGE CERTIFICATION

Under Title III Sec. 3116(c), each eligible entity receiving a subgrant under section 3114 shall certify that all teachers in any language instruction educational program for English learners that is, or will be, funded under this part are fluent in English and any other language used for instruction, including having written and oral communications skills.

INTEGRATED ACTION PLAN (IAP)

Under Title III Sec. 3116(a), each eligible entity desiring a subgrant from the State educational agency under section 3114 shall submit a plan to the State educational agency at such time, in such manner, and containing such information as the State educational agency may require.

Under Title III Sec. 3116(b) CONTENTS, each plan submitted under subsection (a) shall—

(1) describe the effective programs and activities, including language instruction educational programs, proposed to be developed, implemented, and administered under the subgrant that will help English learners increase their English language proficiency and meet the challenging State academic standards;

(2) describe how the eligible entity will ensure that elementary schools and secondary schools receiving funds under this subpart assist English learners in—

(A) achieving English proficiency based on the State's English language proficiency assessment under section 1111(b)(2)(G), consistent with the State's long-term goals, as described in section 1111(c)(4)(A)(ii); and

(B) meeting the challenging State academic standards;

(3) describe how the eligible entity will promote parent, family, and community engagement in the education of English Learners;

(4) contain assurances that—

(A) each local educational agency that is included in the eligible entity is complying with section 1112(e) prior to, and throughout, each school year as of the date of application;

(B) the eligible entity is not in violation of any State law, including State constitutional law, regarding the education of English learners, consistent with sections 3125 and 3126;

(C) the eligible entity consulted with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing such plan; and

(D) the eligible entity will, if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers.

Within the Integrated Action Plan, all items requested for Title III funding (includes salaries, benefits, professional development, capital/equipment/supplies, etc.) **must** be identified in Action Steps and tagged with the Title III tag. Programs and services offered to ELLs but **not** funded with Title III funds should be tagged with the ELL tag. Strategies and Action Steps may be positioned under any Principle in the Integrated Action Plan; however, placement should be based on the LEA's needs assessment results.