



State of Arizona
Department of Education
 Office of English Language Acquisition Services



TITLE III FAQs

FUNDING FOR ENGLISH LEARNERS

What Title III subgrants are available to LEAs?

The Arizona Department of Education (ADE) administers sub-grants under Title III to meet the needs of English learners (ELs), and immigrant children and youth.

Two types of Title III funding applications are available in the Grants Management Enterprise (GME) system for “formula” subgrants for English learners, including immigrant children and youth. Those applications are *Title III LEP* and *Title III Consortium*.

An additional funding application is available to Local Educational Agencies (LEAs) who have experienced a significant increase in the number of immigrant children and youth enrolled within their schools. Qualifying LEAs apply for these “targeted” subgrants using the *Emergency Immigrant Education Program* application.

How does the Arizona Department of Education (ADE) allocate Title III funds to eligible local educational agencies (LEAs)?

The ADE provides subgrants to LEAs for English learners (ELs) on the basis of a formula. The formula is as follows:

- The total number of identified ELs as determined by a current Arizona English Language Learner Assessment (AZELLA) and program participation must be entered by the LEA into the Arizona Education Data Standards system (AzEDS).
- The total federal allocation is divided by the total number of students reported throughout the state.
- This results in a single per pupil dollar amount.
- The per pupil dollar amount is then multiplied by the number of eligible EL students in each LEA.

APPLYING FOR TITLE III SUBGRANTS

How does an LEA apply for EL funds under Title III?

The Arizona Department of Education sends out allocation letters to notify LEAs of available funding. Allocation letters and lists can be found [here](#) under the *Title III Allocations* link on the OELAS website. The LEA must access the Arizona Department of Education Grants Management Enterprise system (GME) for the appropriate grant application (*Title III LEP Program*, *Title III Consortium*, *Emergency Immigrant Education Program*). Once an application for the Title III funding is received by ADE, it undergoes fiscal and programmatic reviews. Upon approval, the LEA may begin to draw down funding via reimbursement requests in GME. To be eligible for a direct-funded Title III sub-grant, LEAs must be scheduled to receive a sub-grant of \$10,000 or more. If the allocation is less than \$10,000.00, the LEA must join a consortium. (See below)

Is an LEA required to submit a plan to ADE?

In addition to the funding application, the LEA Integrated Action Plan (LIAP) is the vehicle LEAs will use to submit the plan required under [Title III Section 3116 \(a\)](#). LEAs receiving Title III subgrants must submit a plan to the State describing the programs and activities being implemented and administered to assist ELs in increasing English language proficiency and meeting challenging State academic standards. The plan will also describe how the LEA will assist ELs in achieving English proficiency. Additionally, the plan will describe the LEA's efforts to promote parent, family, and community engagement in the education of English learners.

The LIAP, submitted through the Planning Tool in Grants Management Enterprise (GME) system in ADEConnect, is required to be completed by any LEA applying for Title III funds and is necessary for funding application approval.

What determines the makeup of a Consortium?

Any LEA may choose to participate in a consortium, regardless of the allocation amount. However, an LEA scheduled to receive a Title III sub-grant of less than \$10,000 **must** enter into an agreement to form or join a consortium in which the total amount of the members' sub-grants collectively totals \$10,000 or more, excluding carryover [[Title III Section 3114 \(b\)](#)]. In the case of a consortium of LEAs, only the lead LEA/fiscal agent is the grantee, and that lead LEA is responsible for submitting the funding application and application revisions, dispensing funds, proper record-keeping, and providing all information to the ADE. Each LEA member is responsible for completing and revising its own IAP.

Must an LEA reapply each year for Title III funds?

Yes, in order to receive funds, eligible LEAs must apply for Title III funds annually through the GME system to ensure compliance with Title III laws and regulations. LEAs must meet all evaluation and reporting requirements (Title III, Sections 3114, 3115, 3116, 3121). Additionally, LEAs must comply with the Title III Program Assurances and data collection elements appended to the subgrant fiscal application.

Are there required activities for LEAs who receive Title III funds?

Under the reauthorization of funds in the Every Student Succeeds Act (ESSA), LEAs must provide **three required activities** for funding. Title III funds **must be used** to -

- increase the English proficiency of English learners and immigrant children and youth by providing effective language instruction educational programs (LIEPs) and,
- provide effective professional development to classroom teachers, principals, and other school or community-based organizational personnel
- provide parent, family and community engagement activities which enhance or supplement language instruction educational programs (LIEPs) for ELs.

The funding application and its corresponding LEA Integrated Action Plan are reviewed to ensure that all the required activities found in [Title III SEC.3115 \(c\)](#) are included. The legislation does not require that a specific amount or percentage of the funding be used for any of these purposes. In addition to the three required activities, nine additional *authorized* activities can be found in Section 3115 (d).

How can funds be used to provide the required professional development?

Effective professional development activities required under [Title III Section 3115\(c\)\(2\)](#) shall be provided 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. These activities must be-

- designed to improve the instruction and assessment of limited English proficient children;
- 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;
- effective in increasing children’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
- 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.

How can funds be used to provide the required parent and community engagement?

Specific parent and community engagement activities are not mandated under ESSA. However, [Title III Section 3115\(d\)\(6\)](#) states that the community participation programs, family literacy services, and parent and family outreach and training activities provided to English learners and their families shall -

- improve the English language skills of ELs,
- assist parents and families in helping their children to improve their academic achievement, and
- assist parents in becoming active participants in the education of their children.

What do the terms “supplement” and “supplant” mean?

[Title III Section 3115\(g\)](#), requires that funds available under a sub-grant 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 English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds."

There are criteria that an LEA should check before requesting funding. Remember, programs and services provided through Title III must be in addition to, and not to replace, the following:

- services and activities which are made available to ALL students,
- what the LEA must do to meet its civil rights obligations to EL students,
- services the LEA is required to offer by other Federal, State and local laws or regulations, and
- programs, services, and activities previously funded with other Federal, State, or local funding.

If a particular activity last year was paid with non-federal funds, the same activity this year cannot be paid with federal funds. State-mandated activities may not be paid for with Title III funds. Additional guidance regarding the Title III supplement not supplant requirement can be found [here](#) on the OELAS website.

Is it allowable to use Title III funds to pay for administrative costs?

Yes, it is allowable to use Title III funds to pay for **direct** administrative costs to implement or manage the Title III program. Per Title III Section 3115 (g), the amount of Title III funds which may be used for this purpose must not exceed 2% of the current year allocation. If the local education agency (LEA) contracts with an outside vendor to provide Title III services, the LEA must require that the contractor break out any direct administrative costs, which are included within the 2% limit, as well. Additional information for this administrative restriction can be found [here](#) on the OELAS website.

Does Title III allow indirect costs?

Yes, it is allowable to use Title III funds to pay for indirect costs. An LEA may apply its indirect cost rate to the portion of the allocation amount not reserved for allowable direct administrative costs (maximum 2%) and capital items over the capitalization threshold. Indirect costs are an annually negotiated agreement and are applied for through the GME system. Additional information regarding the relationship between indirect costs and the Title III grant can be found [here](#) on the OELAS website.

Can Title III funds be used to pay stipends as extra duty pay for staff to carry out Title III-specific activities?

As long as the activity is Title III-specific and does not violate the supplement, not supplant provision, (and meets all other supporting conditions, such as reasonable, allowable, and allocable, etc.) it is permissible. Extra duty pay refers to Title III-specific activities performed by staff outside their regular contract time. LEAs must maintain the appropriate records for time and effort reporting requirements.

Can Title III funds be used to send a teacher to a conference such as a conference on English Language Development or Structured English Immersion?

Yes, this is a permissible expense and likely meets LEA's required obligation for professional development. Conferences funded with Title III must be for the purpose of enhancing English proficiency of ELs and/or increasing the knowledge and skills of EL staff. Conferences and trainings are permissible as long as all other supporting conditions are met (e.g., it is reflected in the application and Integrated Action Plan; it is determined to be reasonable, allowable, and allocable; it does not violate the supplement, not supplant provision, etc.). It is a permissible use of Title III funds to pay for registration fees, travel related expenses, and extra duty stipends for EL staff to attend the approved Title III-specific activities.

Can Title III funds be used to fund a coach's or mentor's salary?

Yes, this is allowable provided the duties meet the requirements of Title III and do not violate the supplement, not supplant provision. If approved, the district must maintain time and effort records showing the salary or portion of the salary charged to Title III funds and the duties being performed.

What materials may be purchased?

Title III funds may only be used to provide additional supplementary materials [Title III Section 3115 (d) (2), (3)]. **Basic instructional materials (for core curriculum) may not be purchased with Title III funds.** Determining allowable supplemental materials is situation specific in each LEA due to the strict supplement, not supplant requirements of Title III.

Can Title III funds be used for employee benefit payouts at the time of retirement?

The Education Department General Administrative Regulations (EDGAR), 34 C.F.R. section 80.22 indicates that employee benefits are an allowable cost under a Federal grant "to the extent that benefits are reasonable and are required by law, governmental unit-employee agreement, or an established policy of the governmental unit." In addition, such benefits must be allocable to Title III; that is, the costs must be relative to the benefits received. A cost that is allocable under a particular award may not be charged to another award to overcome fund deficiencies, to avoid restrictions imposed by law or terms of the award, or for other reasons. OMB Circular A-87 provides that "Payments for unused leave when an employee retires or terminates employment are allowable in the year of payment provided they are allocated as a general administrative expense to all activities of the governmental unit or component."

Is an LEA required to submit a report on the use of Title III funding?

At the conclusion of each project period, each LEA is required to submit a final annual fiscal report (Completion Report) of all Title III expenditures. Completion reports are found within the funding application. Additional information on requirements and procedures for completion reports and related fiscal issues can be found in the Grants Management Resource Library in GME.

Each year, LEAs will be randomly selected for a fiscal desk monitoring. LEAs selected are required to submit thorough information regarding their Title III final expenditures. Documentation requested for fiscal desk monitoring may include a detailed expenditure report, time and effort documentation, purchase orders, invoices, capital inventory and other evidence needed to support grant expenditures.

May an LEA carry over Title III funds from one school year to another?

Yes, LEAs may carry over Title III funds from one year to the next. Upon approval of the Title III Completion Report, 100% of unspent funding may be carried over to the following year's application. Title III carryover funds expire after 27 months. This 27-month period begins the first day of the fiscal year in which funds were awarded. Any carryover funds not obligated by the expiration date will automatically be forfeited.

EL ACCOUNTABILITY

What are the Title III accountability provisions?

Accountability provisions for Title III, as amended by ESSA, have moved to Title I. These new accountability requirements related to State reporting on the number and percentage of ELs achieving English language proficiency can now be found in the Elementary and Secondary Education Act (ESEA) in Section 1111(h)(2).

PARENTAL NOTIFICATION

Is parental notification required under Title III?

LEA activities related to parent notification for Title III, as amended by ESSA, have moved to Title I. EL parent notification requirements regarding language instruction educational programs, including participation in or withdrawal from services, and other related program information can now be found in the Elementary and Secondary Education Act (ESEA) Section 1112(e)(3). LEAs must use the State form, titled "Parental Notification and Consent Form" for this purpose. This form may be found on the OELAS website at: <http://www.azed.gov/oelas/forms/>. Additionally, many of the federal parental notification requirements overlap with state requirements. If a student is enrolled in a district that does not receive Title I or Title III funds, then only the state notification requirements apply.

PRIVATE SCHOOLS

Are private schools eligible to receive funding from Title III?

Private schools are not eligible to receive Title III funds directly; however, EL and immigrant students enrolled in private schools should receive Title III services provided by the public schools in their geographical jurisdiction (Title IX, Part E Section 9501) The LEA must provide timely and equitable services to the private schools.

Are ELs in private schools eligible to receive Title III LEP programs, services, and materials?

Yes, as long as the students are identified in an appropriate manner (see below), ELs in a private school may participate in programs and receive services and materials funded by Title III. After timely and meaningful consultation with the private school, the LEA must provide the private school with equitable services. Private schools may not receive funds directly. The control of funds used to provide services and the title to materials and equipment purchased with those funds must be retained by the LEA. In addition, services for private school children and educational personnel must be provided by employees of the LEA or through a contract made by the LEA with a third party.

What process should be used to identify EL students in private schools?

The Arizona Department of Education recommends that private schools establish an agreement with the LEA to use procedures parallel to those used by public schools. The process is as follows:

- A home language survey and an enrollment form should be completed by the parents of private school students. Private schools should use the same home language survey as that used in the LEA.
- If an answer on either the enrollment form or the home language survey is something other than English, an English-language assessment should be administered to determine the proficiency level of the student. Private schools do not have access to the AZELLA, therefore; the LEA must provide the testing materials.

How much of an LEA's Title III allocation must be used to support programs, services, and materials in private schools?

Based on results from the Title III Private School Survey distributed by OELAS, additional Title III funds are allocated to those public districts that report the numbers of identified ELs in private schools. Title IX, Part E, Section 9501 specifies that assistance to EL students in private schools should be "comparable" to that of EL students in public schools. Comparability would be determined by multiplying the number of private school ELs with the per pupil dollar amount found on the Title III Allocations List. <http://www.azed.gov/oelas/title-iii/>

FUNDING FOR IMMIGRANT CHILDREN AND YOUTH

What defines immigrant children and youth?

The term "immigrant children and youth" means individuals who—

- (A) are aged 3 through 21;
- (B) were not born in any State; and
- (C) have not been attending one or more schools in any one or more States for more than 3 full academic years.

What determines funding eligibility for immigrant children and youth?

The Arizona Department of Education awards subgrants to eligible entities in the State that have experienced a significant increase, as compared to the average of the 2 preceding fiscal years, in the percentage or number of immigrant children and youth, who have enrolled, during the fiscal year for which the subgrant is made, in public and nonpublic elementary schools and secondary schools in the geographic areas under the jurisdiction of, or served by, such entities.

How does ADE allocate Immigrant Children and Youth funds to LEAs?

The Department provides sub-grants to LEAs for immigrant students on the basis of a formula. The formula is as follows:

- An LEA must identify immigrant students at registration and enter an Immigrant Need code into the Arizona Education Data Standards (AzEDS) system for those students who qualify as an “immigrant”,
- Allocations are based on the total number of identified immigrants submitted for qualifying LEAs,
- The total federal allocation is divided by the total number of students reported by the qualifying LEAs,
- This results in a single per pupil dollar amount,
- The per pupil dollar amount is then multiplied by the number of immigrant students reported by the qualifying LEA.

Is an LEA required to submit a plan to ADE?

In addition to the funding application, eligible LEAs electing to apply for immigrant funding must submit a plan to the ADE. The LEA Integrated Action Plan (LIAP) is the vehicle LEAs will use to submit the plan required under Title III Section 3116 (a). LEA plans must describe how funds will be used to pay for activities that provide enhanced instructional opportunities for immigrant children and youth. The LIAP, submitted through the Grants Management Enterprise (GME) system in ADEConnect, is necessary for funding application approval.

How does an LEA apply for Emergency Immigrant Education Program funds?

Based upon the number of identified immigrants each LEA has reported in AzEDS, the Arizona Department of Education sends out funding allocation letters. The LEA must access the Arizona Department of Education Grants Management Enterprise (GME) system for the appropriate grant application (*Emergency Immigrant Education Program*). Once an application for the Emergency Immigrant Education Program funding is received by ADE, it undergoes fiscal and programmatic review. Upon approval, the LEA may begin to draw down funding via reimbursement requests in GME.

Must an LEA reapply each year for Immigrant funds?

Yes, eligible LEAs must apply for Immigrant funds annually as the number of students from one year to the next determines if an LEA will qualify for funding.

How may Emergency Immigrant Education Program funds be used?

Emergency Immigrant Education Program funding is to be used to provide enhanced instructional opportunities for immigrant children and youth. [Title III Section 3115, (e) (1)]. The following is a list of authorized activities:

- family literacy, parent outreach, and training activities designed to assist parents to become active participants in the education of their children;
- support for personnel, including teacher aides who have been specifically trained, or are being trained, to provide services to immigrant children and youth;
- provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;
- identification and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with funds;
- basic instruction services that are directly attributable to the presence in the school district involved of immigrant children and youth, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instruction services;
- other instruction services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and

- 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 of immigrant children and youth by offering comprehensive community services.

Do other Title III rules apply to Emergency Immigrant Education Program funds?

Yes, because Emergency Immigrant Education Program funds are a subgrant of Title III funding, there are some similarities in requirements. Emergency Immigrant Education Program funds follow the same regulations for the supplement, not supplant provision, direct administrative expenses, and indirect costs (see above in Title III).

Is an LEA required to submit a report on the use of Emergency Immigrant Education Program funding?

At the conclusion of each project period, each LEA is required to submit a final annual fiscal report (Completion Report) of all Emergency Immigrant Education Program expenditures. Completion reports are found within the funding application. Additional information on requirements and procedures for completion reports and related fiscal issues can be found in the Document Library in GME.

May an LEA carry over Immigrant funds from one school year to another?

Yes, LEAs may carry over Title III funds from one year to the next. Upon approval of the Emergency Immigrant Education Program Completion Report, 100% of unspent funding may be carried over to the following year's application. Emergency Immigrant Education Program carryover funds expire after 27 months. This 27-month period begins the first day of the fiscal year in which funds were awarded. Any carryover funds not obligated by the expiration date will automatically be forfeited.