



TITLE III, PART A LANGUAGE PROGRAM HANDBOOK

For Georgia Title III-A
Directors

The documents included in this Guidance for Title III, Part A Program Management are intended to provide an overview of the authorizing statute, and not an exhaustive description. This Guidance should be used in conjunction with Georgia's Federal Programs Handbook, Federal Programs Monitoring guidance, Federal Programs Consolidation of Funds Manual, Federal Programs Equitable Services resources on the Ombudsman website, and the U.S. Department of Education guidance. Special thanks are given to all internal and external reviewers, who provided feedback and suggestions.

Title IIIA Program Handbook Update Tracking

Updates made to this Program Handbook will be organized in this chart.

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Title III, Part A: Language Instruction for English Learners and Immigrant Students - Overview and Purpose:

Title III of the Elementary and Secondary Education Act, as amended by the *Every Student Succeeds Act*, was established with the intent and purpose that children and youth who are English Learners attain English proficiency, develop high levels of academic achievement in English, and meet the same challenging state academic content standards all students are expected to meet.

This guidance is intended for Georgia administrators of supplemental federally funded Title III, Part A¹ Language Programs. Title III, Part A funds shall be used to provide supplemental services that improve the English language proficiency (ELP) and academic achievement of English learners (ELs), through the provision of supplemental language instruction educational programs (LIEPs), professional learning activities that increase the knowledge and skills of teachers who serve ELs, and language-focused outreach activities toward EL families, parents and communities to enhance and supplement the LIEP. All services provided to ELs using Title III, Part A funds must supplement, and not supplant, the services that must be provided to EL students under Title VI of the Civil Rights Act of 1964 (Title VI), the Equal Educational Opportunities Act of 1974 (EEOA), and other requirements, including those under State or local laws.²

Specifically, all schools and school districts or Local Education Authorities (LEAs), including but not limited to Title III-A subgrantees, must provide ELs with effective English language development instruction using state (ESOL QBE/FTE) and/or local funding as required under Title VI of the Civil Rights Act of 1964 and the EEOA. According to these laws all States and LEAs must ensure that ELs participate meaningfully and equally in educational programs and services. **To meet state/local obligations under Title VI and the EEOA, LEAs must:**

- Identify and assess all potential EL students in a timely, valid, and reliable manner.
- Provide EL students with a language assistance program that is educationally sound and proven successful, consistent with *Castañeda v. Pickard* and the Supreme Court decision in *Lau v. Nichols*.
- Provide sufficiently well-prepared and trained staff to support the language assistance programs for EL students.
- Ensure that EL students have equal opportunities to meaningfully participate in all curricular and extracurricular activities.

- Avoid unnecessary segregation of EL students.
- Ensure that EL students who have or are suspected of having a disability under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 are identified, located, and evaluated in a timely manner and that the language needs of students who need special education and disability related services because of their disability are considered in evaluations and delivery of services.
- Meet the needs of EL students who opt out of language assistance programs.
- Monitor and evaluate EL students in language assistance programs to ensure their progress with respect to acquiring English proficiency and grade level content knowledge, exit EL students from language assistance programs when they are proficient in English, and monitor exited students to ensure they were not prematurely exited and that any academic deficits incurred in the language assistance program have been remedied.
- Evaluate the effectiveness of a school district's language assistance program(s) to ensure that EL students in each program acquire English proficiency and that each program is reasonably calculated³ to allow EL students to attain parity of participation in the standard instructional program within a reasonable period of time.
- Ensure meaningful communication with limited English proficient (LEP) parents.

¹ Title III, Part A includes two types of subgrants to LEAs: EL formula subgrants (See ESEA section 3111 and 3114(a)) and Immigrant children and youth subgrants. (ESEA section 3114(d)).

² As recipients of Federal financial assistance under ESEA and other Department-funded grant programs, and as public entities, States and LEAs must also not discriminate against ELs in their educational programs based on race, color, national origin, sex, age, or disability

³ As further explained in the 2015 EL DCL (e.g., page 6), *Castañeda v. Pickard* requires that the program and practices used by the school (as part of the language assistance program) be reasonably calculated to implement effectively the educational theory adopted by the school.

Title III, Part A: General Grant Information

Legislative and Fiscal Data

Identical for both Title III, Part A: Language Instruction for English Learners (ELs) and Immigrant grants

Fiscal Year: 7/01/2020 – 9/30/2021

Georgia Department of Education

Title III, Part A Allocations

Federal Agency: U.S. Department of Education

FAIN: S365A200010

DUNS: 806743159

CFDA: 84.365A English Language Acquisition, Language Enhancement and Academic Achievement Program for Limited English Proficient Children

Title III, Part A Grant Timeline

Spring

- High EL-population LEAs begin planning in the Systems of Continuous Improvement framework (CLIP and Title III, Part A Program Information and Budget), ensuring EL elements are included across these five systems and appear in the LEA's CLIP.
- Low EL-population LEAs consider forming a consortium with nearby low-incidence LEAs. Fiscal agent/lead LEA initiates with participating members collaborative planning sessions to develop consortium's Title III, Part A initiatives. All consortium members include EL elements in their individual LEA Systems Plans (CLIP).
- If using Logic Model for evidence-based practices, LEAs gather and review data from Title III, Part A language activities for EL students, their families, and their teachers.
- LEAs evaluate the effectiveness of their Title III, Part A Programs.
- LEAs review EL students' progress toward learning English (ACCESS progress to proficiency score) and achieving State standards (GA Milestones Closing the Gap progress).
- LEAs evaluate EL students' needs for the upcoming year and start selecting evidence-based strategies, activities, and interventions to address EL students' needs, as that of their families and their teachers.

Summer

- USDE announces Title III, Part A state award amount to all states
- GaDOE calculates LEA subgrants based on LEAs' EL student population (drawn from the March FTE EL student count + private schools' EL student counts)
- Small-allocation LEAs are advised of their approximate per-EL allocation to aid in consortium-membership decisions
- Consortia fiscal agent/lead LEAs submit consortium's MOU/agreement to GaDOE Title III, Part A office
- Independent and Consortia LEA subgrant Title III, Part A English learner allocations are presented to the State Board for review and approval
- LEAs continue researching the level of effectiveness (strong, moderate, promising) for proposed Title III, Part A activities, strategies, and interventions
- LEAs design Logic Models to be used for proposed Title III, Part A activities, strategies, and interventions when strong, moderate, or promising research evidence is not available.
- Title III-grantee LEAs participate in Federal Programs Overarching Budget Training Webinar

Fall

- GaDOE Grants Accounting Unit begins loading funds into GaORS
- Title III-grantee LEAs participate in Title III, Part A Budget Training Webinar
- LEAs ensure all expenditures match the approved budget to close the previous fiscal year and prepare the Title IIIA Completion Reports - due **October 30**.
 - LEAs submit final amendments to previous fiscal year Title IIIA budgets no later than September 30.
 - Title IIIA budget amendments may be submitted any time prior to closing the fiscal year – or, if necessary, a fiscal year may be reopened to submit a final amendment and ensure expenditures and budgets match.
 - There is no 25% leeway at the Function or Object level in Title IIIA due to Supplement Not Supplant.
- As district CLIPs are approved, Independent LEAs and Consortia Lead LEAs complete Title III, Part A Program Information, and corresponding budget line item descriptions per Title IIIA Chart of Accounts and Guiding Questions for Budget Development tools.
- LEA's Title III, Part A English Learner Budget for the current fiscal year is due **October 1**.

- LEAs ensure EL and Immigrant students are coded correctly in the Student Information System before October FTE Count.
- First FTE Count (1st Tuesday in October) – Title IIIA Immigrant funding is calculated from this FTE Count.
- GaDOE calculates Immigrant funding for eligible LEAs.
- Immigrant allocations are presented to GaDOE State Board of Education.
- After State Board of Education approval, Immigrant funds are loaded by GaORS
- LEAs participate in Title III, Part A Immigrant Budget Webinar
- All LEAs participate in ACCESS Assessment Webinars and trainings along with their District Assessment Director/Coordinator – See GaDOE [Assessment's ACCESS for ELLs](#) webpage for more information.

[Winter](#)

- Administer the WIDA ACCESS for ELLs® or Alternate ACCESS assessment to each English learner in the LEA, including those whose parents have waived ESOL services and EL/SWD who may not be receiving ESOL services either, to ensure 100% EL ACCESS Participation Rate
- Prepare for Federal Programs' CFM monitoring, when applicable.

English Learner & Immigrant Subgrant Allocations

In July of each year, the U.S. Department of Education (ED) awards the Georgia Department of Education (GaDOE) multiple formula grants, including the Title III Language Instruction for English Learners and Immigrant Students grant. Upon receipt of this grant, the state must calculate each LEA's individual Title III, Part A English Learner, and Immigrant allocations. LEAs receive Title III, Part A funding based on a formula described in Title III, Part A statute, Sec. 3111.

ED's formula first requires states to reserve a portion of the grant for use with Immigrant students. No more than 15% of the Title III, Part A grant may be reserved for this purpose, and since the majority of Georgia's immigrant students also receive support under the **English Learner** subpart of Title III, Georgia elects to reserve 5% of its award for this *non-linguistic, socio-cultural integration support* of Immigrant students. This results in 95% of the Title III, Part A funds provided to LEAs being used for the purpose of **language support** and 5% used for **immigrant cultural and social integration activities**.

Language support funding is based annually on the number of English learners reported as "EL=Y" on the March FTE student count plus the total number of ELs in private

schools participating in Title IIIA. The total funds to be allocated are divided by the total number of EL=Y students across the state. This results in a per-EL allocation amount – or per-pupil allocation (PPA). After that, the individual LEA's EL=Y count is multiplied by the per-EL allocation amount. The product is the LEA's Title III, Part A English learner grant award.

Federal regulations [Sec. 3114(b)] require a minimum allocation of \$10,000 to receive a Title III, Part A English Learner subgrant. The state publishes the number of EL students needed to meet the \$10,000 threshold. LEAs whose EL population is at or above the minimum number of ELs then qualify to receive Title III, Part A English learner subgrants and are referred to as **Independent Title III, Part A LEAs**.

Forming a Regional LEA Title III, Part A English Learner Consortium

LEAs that do not qualify for an allocation of at least \$10,000 may choose to partner with other small EL population LEAs to form a regional LEA **Title III, Part A Consortium**. This is permitted in Title III, Part A law, provided that the total English learner allocation for the LEAs participating in this regional consortium is greater than or equal to the \$10,000 minimum award amount.

Thus, LEAs are permitted to create their own consortia. Together, regional LEA Consortium members must qualify for at least a \$10,000 allocation to be approved for a grant as a Title III, Part A Consortium. LEAs that wish to combine their allocations must select one member-LEA to act as fiscal agent and lead for the consortium. Like Independent Title III, Part A LEAs, the fiscal agent/lead is permitted to use up to 2% of the consortium's grant for direct administrative costs.

The fiscal agent/lead of an LEA Title III, Part A Consortium bears the following responsibilities:

- a. Maintenance of the written MOU or agreement regarding consortium members' participation, uploaded to the Consolidated Application as a budget attachment.
- b. Submission of the consortium's collaboratively developed Title III, Part A Program Plan, Assurances and Budget (including Amendments) in the Consolidated Application.
- c. Ensuring that Title III, Part A funds are shared and spent to fully carry out the Program Plan, benefit all consortium members equally, and ensure fulfillment of Title III, Part A-required activities.

- d. Control of all fiscal transactions of the consortium (requisitions, purchases, payments, etc.).
- e. Maintenance of records of all inventory lists and financial transactions carried out on behalf of the consortium.
- f. Expenditure monitoring of all participating LEAs to ensure compliance with Title III, Part A supplement, not supplant requirements.
- g. Fulfillment of data gathering, reporting and documentation submission requirements, on behalf of the Consortium, for Title III, Part A monitoring and reporting purposes.

Members of a regional LEA consortium must work closely and collaboratively during each phase of the yearly planning (CLIP, Title III, Part A EL Program Plan, Title III, Part A Budget and Assurances) to ensure that each LEA's needs are adequately addressed – and then combined and jointly submitted in the consortium's Title III, Part A EL Program Plan and Budget. For this reason, it is recommended that regional LEA Title III, Part A consortia consist of no more members than can be supported by a single LEA fiscal agent. More than four LEA members in a consortium may prove challenging to the fiscal agent from the standpoint of coordination of effort and data reporting. (See [Title III, Part A website](#) for sample LEA consortium forms and guidance.)

The GaDOE considers consortium memberships finalized by **July 1** of each year. It is important to note that requests to join or exit a consortium will not be accepted after **July 1**, except in the case of an LEA choosing to exit the consortium because their final allocation was \$10,000 or more and suddenly they became an independent LEA.

Title III, Part A EL Program Requirements

All independent Title III, Part A LEAs and members of regional Title III, Part A consortia must adhere to several general requirements of the law as well as perform the three **Required Subgrantee Activities** described in Title III, Part A, **Sec. 3115(c)**.

General Assurances

1. The LEA assures compliance with the standardized, statewide English learner (EL) entrance and exit procedures and identifies students for EL status within 30 days of enrollment in a school in Georgia and within 10 days for students who enroll after the beginning of the school year [Sections 3113(b)(2) and 1112(e)(3)].
2. The LEA assures compliance with Sec. 1112(e), Parents Right-to-Know, prior to, and throughout, each school year as of the date of application [Sec. 3116(b)(4)(A)].
3. The LEA assures that it is not in violation of any State Law, including State constitutional law, regarding the education of English learners, consistent with Sections 3125 and 3126 [Sec. 3116(b)(4)(B)].
4. **Beginning 2020-2021:** The LEA assures that each school with English learner students receives funds from non-Federal sources to fulfill the LEA's obligations under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act (EEOA), before using Title III, Part A funds for languages services to EL students [Sec. 3115(g)].
5. The LEA assures that it complies with the requirement in section 1111(b)(2)(B)(ix) regarding assessment of English learners in English [Sec. 3113(b)(3)(A)].
6. The LEA assures that it annually assesses the English proficiency of all English learners participating in a program funded under this subpart, consistent with section 1111(b)(2)(G).
7. The LEA assures that consultation took place with teachers, researchers, school administrators, and parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing its educational plan for English learners [Sec. 3116(b)(4)(C)].
8. **Beginning 2020-2021:** The LEA assures that it has selected one or more methods or forms of effective instruction to be used in Title III-funded programs and activities to assist EL students attain English proficiency and meet challenging state academic standards [Sec. 3115(f)(1)].
9. The LEA assures that, if applicable, it will coordinate activities and share relevant data under its plan with local Head Start and Early Head Start agencies, including migrant and seasonal head Start agencies, and other early childhood education providers [Sec. 3116(b)(4)(D)].

10. The LEA assures that all teachers in any Title III-funded language instruction educational program are fluent in English and any other language used for instruction, including having written and oral communications skills [Sec. 3116(c)].
11. The LEA consults with officials of private schools in a timely and meaningful manner to make available equitable Title III, Part A services to eligible English learners and immigrant children attending private schools located within the LEA's geographical boundaries [Sec. 9501].

Required Activities for English Learner Subgrant

Portions of the Title III, Part A subgrant must be used for each one of the following activities required in Title IIIA statute, under the ESSA:

1. Provide **effective, supplemental language instruction educational programs** that **demonstrate success** in increasing EL students' English proficiency and content achievement. [See Section 3115(c)(1)]
2. Provide **effective** professional development (PD) for **teachers, administrators and other school personnel**. This PD must:
 - a. Be designed to **improve the instruction and assessment of ELs**; and
 - b. Be designed to **enhance participants' ability** to understand and implement curricula, assessment practices and instructional strategies for ELs; and
 - c. **Prove effective** in increasing ELs' English proficiency **or** substantially increasing participants' subject matter knowledge, teaching knowledge or teaching skills; and
 - d. **Be of sufficient intensity and duration** to have a positive and lasting impact on teachers' performance in the classroom. [See Sec. 3115(c)(2)]
3. Provide and implement **parent, family and community engagement activities that enhance or supplement the Title III, Part A-funded language activities/programs**. This may include strategies that serve to coordinate and align related programs. [Section 3115(c)(3)]

Authorized Activities for English Learner Subgrant

Due to the limited size of Title III, Part A allocations, most LEAs will expend the entirety of their funds on the fulfillment of the three required subgrantee activities. Should some Title III, Part A funds remain unencumbered after developing a needs-based program

plan based on the three required activities, LEAs are authorized to undertake additional specific activities. These include upgrading program objectives, improving ELs' instructional program, providing ELs with tutorials and intensified instruction, developing and implementing effective Pre-K language programs, providing outreach programs and family literacy services, improving EL instruction – including ELs with special needs – by providing supplemental technology or access and offering programs or courses designed to help ELs achieve success in postsecondary education. [See Sec. 3115(d)]

Coding English learners as Title III-served in the LEA's Student Information System (SIS).

- For federal reporting purposes as required under the ESEA/ESSA, all English learners who are receiving Title III supplemental language services must be coded in the LEA's SIS as Title III-served.
- Only English learners who are receiving services in the state-funded core ESOL language instruction program are eligible to receive supplemental Title III language services as well.
- EL students whose parents have opted them out of the state-funded core ESOL language program, or who are not receiving ESOL language instruction segments of services for other reasons, are not eligible to receive Title III supplemental language services either and **must not be** coded as Title III-served in the District's SIS.

See Section 13, p. 7, of the *January 2019 Addendum to September 23, 2016 Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA)*.

Title III, Part A: Immigrant Children & Youth Subgrant

How Immigrant Subgrant Allocations are Determined

Per Title III, Part A law, a reservation of funds is made to provide cultural and social supports to students identified as immigrants. In Georgia, the amount reserved is 5% of the overall state Title III, Part A grant.

The definition of *immigrant* under Title III, Part A law is unique. A student is considered by Title III, Part A to be an immigrant if he/she meets three (3) requirements:

1. Born outside of the U.S. or Puerto Rico
2. Enrolled in U.S. schools for less than 3 years (or 36 cumulative months)
3. Is between the ages of 3 and 21

In the LEA's Student Information System (SIS), LEAs report their immigrant population to the state during the October FTE count using three data elements:

1. Student's birth country (PLACE OF BIRTH)

2. Date entered U.S. schools, and
3. Using an immigrant flag to indicate “in US less than 3 years).

The immigrant flag is a data element used to identify immigrant students who have not been in U.S. schools for more than three years (or 36 cumulative calendar months, not necessarily consecutive) due to a break or gap months/years in the student’s enrollment in U.S. schools, even though the date they entered U.S. schools was more than three years ago. This may require a comprehensive review of enrollment records.

When the state or the LEA runs a report of foreign-born students by date entered U.S. schools, a student with a break in enrollment or several months or a year of non-enrollment in U.S. schools would not be captured in this report. However, LEAs with knowledge of the student’s enrollment gaps will flag the student as an immigrant using the immigrant flag in their SIS, thus allowing the state to capture these students who still qualify as immigrant.

It is important for LEAs to establish procedures that require personnel to review students with the immigrant flag in September **each year** to determine whether the immigrant flag is still accurate. If the student has completed the “three years in U.S. schools” since the last immigrant student count, the LEA would remove the immigrant flag prior to October 1st to ensure an accurate immigrant count for the October FTE report.

Foreign-born students who entered U.S. schools beginning September 1 three years prior to the immigrant count year will automatically qualify as immigrant students for the October immigrant student count. In addition, all students flagged as immigrant students by the LEA will automatically be counted by the state as immigrant students. Therefore, the LEA must ensure that immigrant student’s with gaps in enrollment are flagged, and that the flag is removed when the three years or 36 cumulative calendar, not school, months is complete.

LEAs qualify for the Title III, Part A Immigrant subgrant if they show a *significant increase* in Immigrant student enrollment. Per law, this increase must be measured against the previous two years’ average. For example, if in 2017 an LEA enrolled 104 qualified immigrant students and in 2018 it served 111 immigrant students, its two-year average is 58. To receive an Immigrant grant in 2019, it must show a *significant increase* (defined at 10% increase in Georgia) from the previous two-year average. Title III, Part A requires that the increase in immigrant students be significant and the grant award be of sufficient size and scope to allow the recipient LEA to build future capacity to serve its immigrant population.

In Georgia, an LEA *may* qualify for an Immigrant subgrant if, based on the October FTE **count**, its most recently reported immigrant student population is 50 or more. If this is

the case, the GaDOE calculates whether the LEA's current population constitutes a *significant increase* over the previous two-year average. If the current Immigrant count represents an increase of 10% or more over the previous two-year average, the LEA then qualifies to receive an Immigrant grant. (See [Immigrant Eligibility Matrix](#).)

The total Title III-A Immigrant portion is divided by the total current year Immigrant student population (counted in October FTE) in the qualifying LEAs to calculate a per-Immigrant student allocation. LEAs receive a Title IIIA Immigrant subgrant equal to the current number of Immigrant students multiplied by the state's per-Immigrant student allocation amount (PPA – per pupil allocation).

The Title III-A English Learner \$10,000 minimum allocation requirement does not apply to Immigrant grants; therefore, it is possible for an LEA to receive an Immigrant allocation despite not receiving a Title IIIA EL allocation, and it is possible for an LEA to receive a smaller Title III, Part A Immigrant allocation.

[Authorized Immigrant Activities](#)

LEAs awarded Immigrant subgrants must use the funds to pay for activities that provide supplemental instructional opportunities for immigrant children and families. *It is important to note that **student language instruction** is not the purpose of the Title III, Part A Immigrant subgrant.* English learner grants support English language instruction, whereas Immigrant grants provide cultural and social supports.

LEAs must use Immigrant awards for one or more of the following activities as outlined in Section 3115(e):

- Family literacy, parent and family outreach and training designed to assist caregivers in becoming active participants in their child's education
- Recruitment of and support for personnel who have been specifically trained to provide services to immigrant students
- Immigrant student tutorials, mentoring and academic or career counseling
- Instructional supplies or transportation costs that are *directly attributable to the presence of immigrant students* in the LEA
- Other instructional services to assist immigrant students in achieving in U.S. schools, such as programs of introduction to the U.S. educational system and civics education

- Offering comprehensive community services in coordination with entities that have expertise in working with immigrants, and
- Curricular materials, educational software or technology that supports the instructional or community services provided by this grant for immigrant students and families.

Immigrant Subgrant Assurances in Consolidated Application

Title III, Part A - Immigrant Programs

1. The LEA assures compliance with Sec. 1112(e) (Parent's Right-To-Know) prior to, and throughout, each school year as of the date of application [Sec. 3116(b)(4)(A)].
2. The LEA assures that it is not in violation of any State Law, including State constitutional law, regarding the education of English learners, consistent with Sections 3125 (State ESOL code) and 3126 (Federal Civil Rights) [Sec. 3116(b)(4)(B)]
3. The LEA assures that consultation took place with teachers, researchers, school administrators, and parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing its educational plan for English learners [Sec. 3116(b)(4)(C)].
4. The LEA assures that it has selected one or more methods or forms of effective instruction to be used in Title III-funded programs and activities to assist immigrant students attain English proficiency and meet challenging state academic standards [Sec. 3115(f)(1)].
5. The LEA assures that, if applicable, it will coordinate activities and share relevant data under its plan with local Head Start and Early Head Start agencies, including migrant and seasonal head Start agencies, and other early childhood education providers [Sec. 3116(b)(4)(D)].
6. The LEA assures that all teachers in any Title III-funded language instruction educational program are fluent in English and any other language used for instruction, including having written and oral communications skills [Sec. 3116(c)].
7. The LEA consults with officials of private schools in a timely and meaningful manner to make available equitable Title III, Part A services to eligible English learners and immigrant children attending private schools located within the LEA's geographical boundaries [Section 9501].

Consolidated Application, Part 1: The Comprehensive LEA Improvement Plan (CLIP)

The needs of English learner and Immigrant students should be addressed in the LEA's Consolidated LEA Improvement Plan (CLIP), just as any other subgroup, regardless of whether the LEA is receiving a Title IIIA subgrant or not. See [the Federal Programs' Handbook](#) and [CLIP guidance](#) for more information. Whether the LEA chooses to submit an S-CLIP or an online SLDS CLIP, several important elements must be present.

1. LEAs must include an ESOL teacher and/or ESOL Coordinator or Title IIIA director and parents of ELs in the CLIP decision-making processes. In the S-CLIP, the LEA must describe how EL teachers and parents of ELs were engaged in these processes. (See Sec.3116(b)(2)(C) and Title IIIA assurances.)
2. LEAs must describe the Strengths and Challenges of their EL Language Program – whether just an ESOL language program, or both an ESOL and a supplemental Title I/Title III EL Language Program. This description must be based on an analysis of English language proficiency (ELP) data and academic achievement data of English learners such as data found in CCRPI Progress toward proficiency ACCESS data and Closing the Gaps GA Milestones data. Other data may be used to inform the strengths & challenges section, such as demographic data, formative or LEA-gathered data, and perception data.
3. When determining root causes and identifying goals and action steps in the District Improvement Plan (DIP) of the SLDS CLIP, LEAs may want to address root causes directly affecting EL student progress towards English proficiency and/or academic achievement. If action steps are marked as Title IIIA action steps in the CLIP, these must be related to the three required activities in Title IIIA, i.e. must be Title IIIA-allowable.

Consolidated Application, Part 2: Title III, Part A Program-Specific Elements

To receive any federal Title III, Part A funding, LEAs must complete an English Learner (EL) Program Plan annually. The LEA must provide details of how the LEA is fulfilling the federal requirements of the core English language program (ESOL) and assuring the needs of ELs are met. The LEA Title III, Part A Plan includes elements found in the CLIP and the EL Program Information Tab (sometimes called the budget worksheet).

General Title III, Part A Assurances

The Title IIIA assurances are included as a component of the online consolidated application ([MyGaDOE portal](#)) and must be accepted by the LEA superintendent prior to submission to the GaDOE, as part of the budget review/approval process to receive a Title III, Part A subgrant. This applies to all Independent Title III, Part A LEAs and LEAs acting as Lead Fiscal Agent for a regional LEA Title III, Part A consortium.

Accessing the Title III, Part A Components of the Consolidated Application

1. Access the Consolidated Application using your personal login at the following link <https://portal.doe.k12.ga.us/login.aspx>

This website requires Cookies be enabled in your browser.

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2. Click Consolidated Application>Application>Title Programs

Welcome to MyGaDOE

You have (0) new messages.

Consolidated Application

Program Status

District Name :	Barrow County	District Code :	607																																																		
Fiscal Year :	2019																																																				
Programs Planning Prayer Certification Attachments Audit Trail																																																					
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3. Using the drop-down menu to add programs, select *Title III, Part A Language Instruction for English Learners* to add the program to your list.

Application

Reports

Online Help

Tammie Smith

Account Information

Add to Favorites

Help - Dticket

Hide Navigation 

Title I-C Migrant Education	Single District	Program Manager Revision Requested	New	Amendment No. 2
Title II-A Improving Teacher Quality	Single District	Approved	Program Manager Signed Off	Original
Title II-A Improving Teacher Quality	Single District	Approved	New	Amendment No. 1
Title II-A Improving Teacher Quality	Single District	New	New	Amendment No. 2
Title VI-B Rural and Low Income	Single District	Approved	Program Manager Signed Off	Original
Title VI-B Rural and Low Income	Single District	Approved	Program Manager Signed Off	Amendment No. 1
Title VI-B Rural and Low Income	Single District	Superintendent Signed Off	Program Manager Signed Off	Amendment No. 2
Federal Grants				
Title III-A Immigrant - 681	Single District	Approved	New	Original
Title III-A Immigrant - 681	Single District	Approved	New	Amendment No. 1
Title III-A Language Instruction for English Lear	Single District	Approved	New	Original
Title III-A Language Instruction for English Lear	Single District	Approved	New	Amendment No. 1
Title III-A Language Instruction for English Lear	Single District	Approved	New	Amendment No. 2
State Grants				
Professional Learning	Single District	Approved	New	Original

Best viewed with Internet Explorer 6.0 or higher and Screen Resolution 1024 x 768 or greater

4. Open the program tab by clicking on *Title III, Part A Language Instruction for English Learners*

5. Within the Title III, Part A page click the tab titled *Program Information*.

Welcome to MyGaDOE

You have (0) new messages.

Consolidated Application

Status : New (Date: Jul 25 2018 11:40AM)

Program Information [Budget](#) [Audit Trail](#) [Assurance](#) [Programs](#) [Attachments](#)

STEP 1: Language Instruction for Limited English Proficient and Immigrant Students

Note: This ESOL program to be described in Question 1 is NOT the LEA's Title III-funded program, as described in Questions 2 through 5. The ESOL program must not rely upon federal funds and must be: 1. Based on sound educational theory, 2. Adequately resourced and 3. Periodically evaluated for success. (Castañeda v. Pickard, 1981)

1. STATE-FUNDED TITLE III LANGUAGE PROGRAM: Describe the LEA's state/federally-funded ESOL program, activities and materials. [Sec. 3121 (a)(1)] For LEAs in which schools are consolidating Title III funds, the entirety of the language support program (federal, state and local) will be described here.

characters left

Include in this response the number of ESOL personnel funded (fully or partially) through state/local QBE

Number of ESOL teachers:

Number of ESOL coaches, if any:

Number of district level ESOL support staff, if any (e.g. interpreters, translators, admissions staff, counselors, etc.):

Note: Questions 2, 3 and 4 do not apply to an LEA consolidating all its Title III funds in its Title I schoolwide schools

2. SUPPLEMENTAL TITLE III PROGRAMS & EVIDENCE OF EFFECTIVENESS: Provide evidence of the effectiveness of programs and activities proposed to be developed, implemented and administered under Title III that will help ELs increase their English language proficiency and meet the challenging state academic standards as identified in the CNA. Include extended learning opportunities, summer school, and any other innovative programs that are planned. [Sec. 3116 (b)(1)] [In lieu of response, LEA may attach a completed Effectiveness Levels template (and Logic Model template, as needed) for each Title III-funded academic program/activity.]

6. Use the text boxes provided to respond to each of the five questions. However, questions #2 & #3 do not apply to an LEA consolidating all its Title III, Part A funds in its Title I schoolwide schools and Question #5 only applies to LEAs distributing Title III, Part A funds directly to elementary and/or secondary schools via the Consolidation of Funds. If a question does not apply to your LEA, please enter N/A in the text box.

Completing the Title III, Part A Program Information

The LEA's EL Program Information is reviewed during the budget review/approval process, in addition to elements of the CLIP, to ensure that the LEA plans to provide supplemental, effective language instruction educational programs (LIEPs), effective EL-focused professional learning and effective EL parent/family engagement activities to supplement/enhance the LIEPs [See Section 3115(c)(1)(2)(3)].

The EL Program Plan questions are as follows:

1. Describe the LEA's state/locally funded ESOL program, activities, and materials. [Sec. 3121 (a)(1)] (For LEAs in which schools are consolidating Title III, Part A funds, the entirety of the language support program (federal, state, and local) will be described here.)
2. Provide evidence of the effectiveness of programs and activities proposed to be developed, implemented and administered under Title III, Part A that will help ELs increase their English language proficiency and meet the challenging state academic standards as identified in the CNA. Include extended learning opportunities, summer school, and any other innovative programs that are planned. [Sec. 3116 (b)(1)]. This question does not apply to an LEA consolidating all its Title III, Part A funds in its Title I schoolwide schools.
3. Describe the effective professional development planned to be provided to educators working with English learners that is designed to improve their instruction and assessment of English learners as well as their ability to understand and implement practices, measures and strategies specific to ELs. [Sec. 3115(c)(2)]. This question does not apply to an LEA consolidating all its Title III, Part A funds in its Title I schoolwide schools.
4. Describe the other activities and strategies put in place to enhance or supplement English learner language programs and specify how these activities and strategies incorporate an aspect of parent, family, and community

engagement. [Sec. 3116(b)(3)]. This question does not apply to an LEA consolidating all its Title III, Part A funds in its Title I schoolwide schools.

5. Describe how the LEA will ensure that elementary schools and secondary schools receiving funds under the subpart assist English learners in 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 meeting the State's challenging academic standards. [Sec. 3116(b)(2)]. This question only applies to LEAs distributing Title III, Part A funds directly to elementary and/or secondary schools via the Consolidation of Funds.

Supplement Not Supplant in Title III, Part A

The LEA Title IIIA Director must oversee, manage, and monitor its Title III, Part A expenditures to ensure that the funds are used to supplement, and not supplant, state, local, and other federal funds. The GaDOE Title III, Part A Language Program verifies compliance with this requirement during onsite and desktop Federal Programs' Cross-functional monitoring of independent Title III, Part A LEAs and Regional Consortium Lead LEAs.

It is important to note that the often-discussed provision in Section 1118(b) of the ESEA setting forth requirements for a **Title I R/AMP methodology does not apply to Title III, Part A. Title III, Part A statute** specifically prohibits supplanting of other Federal, State, and local funds, and this provision was not changed by the ESSA. (See Section 3115(g) of the ESEA).

Title III, Part A Sec. 3115(g) SUPPLEMENT, NOT SUPPLANT. – “Federal funds made available under this subpart shall 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.”

In general, it is presumed that supplanting has occurred:

- 1) if the SEA or LEA uses Federal funds to provide services that the State Educational Agency (SEA) or LEA was required to make available under other laws; or
- 2) the SEA or LEA uses Federal funds to provide services that the SEA or LEA provided with non-Federal funds in the prior year. See OMB Compliance Supplement, Department of Education Cross-Cutting Section, Part 4, Section 84

Section III.G.2.2, at 4-84.000-16, available at <https://www.whitehouse.gov/wp-content/uploads/2018/05/2018-Compliance-Supplement.pdf>.

Therefore, just as prior to enactment of the ESEA, as amended by the ESSA, Title III, Part A funds cannot be used to fulfill an LEA's obligations under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act (EEOA).

What Must Title III Funds NOT be used for?

See [September 26, 2016, Nonregulatory Guidance: English Learners and January 2019 Title III, Addendum Selected Topic 6](#): Because section 3113(b)(2) of the ESEA requires a State to implement statewide exit procedures, a student who meets the exit procedures is no longer an EL for ESEA purposes, and the State may no longer use Title III funds for services for that student. This includes services for monitored EL students (those coded as EL=1 and EL=2).

Schools Legal Obligations to ELs under Title VI of the Civil Rights Act of 1964 and the EEOA – CANNOT BE FUNDED UNDER TITLE III, PART A

1. Identify and assess all potential EL students in a timely, valid, and reliable manner.
2. Provide EL students with a language instruction program that is educationally sound and proven successful.
3. Provide sufficiently well prepared and trained staff and support the language assistance programs for EL students.
4. Ensure that EL students have equal opportunities to meaningfully participate in all curricular and extracurricular activities.
5. Avoid unnecessary segregation of EL students.
6. Ensure that EL students who have or are suspected of having a disability under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 are identified, located, and evaluated in a timely manner and that the language needs of students who need special education and disability related services because of their disability are considered in evaluations and delivery of services.
7. Meet the needs of EL students who opt out of language assistance programs.
8. Monitor and evaluate EL students in language instruction programs to ensure their progress with respect to acquiring English proficiency and grade level content knowledge, exit EL students from language instruction programs when they are proficient in English, and monitor exited students to ensure they were not prematurely exited and that any academic deficits incurred in the language assistance program have been remedied.

9. Evaluate the effectiveness of a school district's language instruction program(s) to ensure that EL students in each program acquire English proficiency and that each program is reasonably calculated to allow EL students to attain parity of participation in the standard instructional program within a reasonable period of time.
10. Ensure meaningful communication with limited English proficiency (LEP) parents.

Title III, Part A Budgeting Process

All fiscal requirements for federal programs ([*Federal Programs Handbook*](#), Chapter 4) must be implemented in the Title III, Part A program as well. These include Internal Controls, such as written procedures for financial management, time and effort, methods of procurement, period of performance, suspension, and debarment. In addition, all federal fiscal regulations in the Education Department Guidance and Regulations (EDGAR) and in the Uniform Grants Guidance (UGG) must be implemented in Title III, Part A as for all federal programs.

Budget Timeline

Please follow the Federal Programs Budget Submission Timeline found in the [*Federal Programs Handbook*](#)

- [August 1](#) – Budget Submission is open, once LEA CLIP is approved
- [July 1](#) – Fiscal Year Begins
- [September 30](#) – Fiscal Year Ends (15-months following the July 1 opening)

Budget Training

The GaDOE Title III, Part A Program Specialist Team provides LEAs with budget training via webinars scheduled after the Federal Programs Overall Budget Training Webinar. Additionally, the Title III, Part A Language Program has developed several resources, such as the *Chart of Accounts* and *Guiding Questions Budget Chart* which are included in **Appendices E and F**. The *Budget Guiding Questions Chart* will assist LEAs in determining the allowability, allocability, reasonableness, and necessity of expenditure items.

The Title IIIA team has also prepared a *Budget Checklist* with guiding questions for each Function and Object Code in this Chart of Accounts. By ensuring that the accompanying budget line item description answers all the questions in the Checklist, an LEA director will be providing the information necessary to easily determine that the budget item meets federal cost principles: allowable, allocable, reasonable, and necessary.

The chart also may act as a budget review checklist to ensure all Function & Object Codes are correctly attributed. Adhering to budget guidelines and verifying complete and correct accounting *prior to* submission, greatly supports the budget review/approval process.

Supporting the EL Budget in the CLIP and Program Information Tab

Georgia's Systems of Continuous Improvement framework was designed to support LEAs' need for flexibility in using federal funds to supplement state and local funds to better meet the individual needs of their student population. Therefore, it is expected that EL-related needs will be addressed where applicable in the CLIP and that Title III, Part A funds may be used as source funds for EL-related action steps. Including ELs in Title III, Part A-allowable Action Steps and Supplemental Supports provides context and rationale for related expenditures found in the Title III, Part A Budget.

Creating the Budget

The Title III, Part A Chart of Accounts provides LEA directors with an overall perspective of the statewide uniform computerized budget and accounting system in relation to Title IIIA programs. This Title IIIA Chart of Accounts is updated annually and posted on the Title IIIA Program website.

The following section provides answers to many frequently asked questions related to Title III, Part A EL & Immigrant Budgets. Please feel free to contact the Title III, Part A Regional Program Specialist assigned to your LEA if you have any questions that are not addressed on the following pages.

Federal Cost Principles

The LEA's Title III, Part A Budget must only include items that comply with the four Federal Cost Principles: **allowable, allocable, reasonable, and necessary**. The burden of proof resides on the LEA to provide evidence of such. Please see the [Uniform Grant Guidance](#) for more information.

Note: Title III, Part A will follow Federal Programs guidance for determining reasonableness of expenditures. (See the [Federal Programs Handbook](#))

For example, costs for additional compensation to employees working outside their contractual hours should adhere to the District's Federal Programs pre-determined hourly wage for such activities. Typically, an hourly wage for off-contract work is calculated as the employee's state salary hourly wage without the local supplement.

Federal Programs Chart of Accounts

The [Title III, Part A Budgeting Tools - Chart of Accounts](#) has been created for you directly from the state Chart of Accounts. The Title III, Part A *Chart of Accounts*

indicates which Functions and Object codes are available for use in the Consolidated Application. If you need a different function or object code, please contact the Title IIIA Program Manager.

Functions, Object Codes, & Line Item Descriptions

- Use the appropriate Function & Object Codes per the state Chart of Accounts
- Follow the Title III, Part A [Chart of Accounts](#)
- Provide as much detail as possible in the line item descriptions. See the [Budget Guiding Questions](#) document on the [Title IIIA Program website](#) and some common errors listed below.
- Include the level of effectiveness (strong, moderate, promising, or logic model) for any item purchased under Function Codes 1000, 2100, 2210, and 2213.
- See also the [Budget Submission Checklist](#) and the [Title III Budget FAQs](#) on the [Title IIIA Program website](#).

Direct Administrative Expenses – 2% Cap

Title III, Part A law allows LEAs to expend no more than 2% of the subgrant on direct administrative expenses. [Sec. 3115(b)].

- To ensure school districts use the maximum percentage for direct administrative expenses allowed in Title III, Part A, the LEA may set aside 2% of the original allocation for this purpose.
- The [Federal Programs Handbook](#) provides a table showing each federal program's maximum percentage for Administration. These percentages represent the maximum set aside amounts allowed by each program.
- Please remember to “round-down” when calculating the allowable 2% administrative costs, instead of using traditional mathematical practices of rounding up, since Title IIIA statute limits the administrative costs to 2% of the original allocation.
- All expenditures in Function # Codes 2230 and 2300 (not to include indirect costs) should be calculated in the 2% Direct Administrative Cost.

Administrative funds may be consolidated across all federal programs. Please see the [Federal Programs Handbook](#) for more information.

Indirect Costs

Although not required, under the ESSA, LEAs are permitted to charge the Title IIIA subgrant a portion of the school district's indirect costs to run the program, when these are reasonable for the size of the allocation and the required activities that must be implemented. The LEA must use the district's negotiated Restricted Indirect Cost Rate as published on the [Title I, Part A Other Resources](#) website and the Indirect Cost worksheet published on the [Title III, Part A Program](#) website under *Budget Development Tools*.

Indirect costs may only apply on expenditures and are drawn down as a percentage on the funds to date. For more information, see the [Federal Programs Handbook](#).

Evidence-based Practices –

The [Federal Programs Handbook](#), Overarching Requirements, Chapter 9, is the best source to understand the new ESSA requirements for demonstrating the effectiveness of federally funded activities, strategies, and interventions. LEAs must abide by the principals and processes established in [this guiding document](#) found on the [Federal Programs](#) website.

Under the ESSA, LEAs must identify the level of effectiveness for activities, strategies and interventions budgeted in Functions 1000, 2100, and 2210/2213. If the LEA cannot find a strong, moderate, or promising level of effectiveness for an activity, strategy, or intervention, a Logic Model may be designed and implemented instead to collect effectiveness data. Templates for LEA use can be found on the [Federal Programs](#) website and the [Title III, Part A Program](#) website.

Common Budgeting Errors:

Lack of consistency

- If a salary or proportion of a salary is in the budget, ensure that the benefits and tools or supplies for the position align proportionally.
- If substitutes are in the budget, ensure their benefits are also in the budget and vice versa.

Lack of specificity

- Specify conferences to be attended, curricula, book titles, etc. to be purchased, vendor names, etc. to ensure they are English language focused.
- Indicate the percentage of voice/data costs to be charged to Title III, Part A, when applicable. Correlate any voice/data charges to the proportion of salary charged to Title III, Part A.

Title IIIA Expenditures

Uniform Grant Guidance

The LEA Title III, Part A Director is expected to manage Title III, Part A expenditures by adhering to the [Uniform Grant Guidance](#), parts **EDGAR, 2CFR, Part 200, §200.403, §200.404, §200.405, §200.303 and §200.302**.

Internal Controls

The LEA ensures that it complies with the procedure for ensuring that federal funds are expended according to program requirements, evaluated, and monitored for effectiveness and adhere to cost principles outlined in [Uniform Grant Guidance](#), **EDGAR, 2CFR, Part 200, §200.303**.

Supporting Documentation

The LEA maintains accounting records that are sufficient to permit preparation of reports, tracing of funds to a level of expenditures, identification of the source and use of funds, and budgetary control. The LEA maintains accounting records that are supported by source documentation and costs are allowable under applicable laws and regulations. See [Uniform Grant Guidance](#), **EDGAR, 2CFR, Part 200, §200.302**.

Examples of Supporting Documentation:

- Tutoring Documentation
 - List of Students tutored
 - Student Sign-In Sheets/Dated/Signed
 - Teacher Sign-In Sheets/Dated/Signed, Teacher Lesson Plans
- Record of Inventory
 - Include Fiscal Year's Federal Grant Award Identification Number (FAIN) on Inventory record
 - Written inventory procedures for all Federal Programs in LEA
- Professional Learning Activities
 - Agendas
 - Sign-in Sheets - Dated/Signed, indicating Role of participants
 - Handouts
 - Artifacts created by teachers during PD activities (lesson plans, unit plans, etc.)
 - Walk-through observations after PD demonstrating teachers have implemented new learning
- After-the-Fact Periodic Certifications
 - Written plan detailing when after-the-fact periodic certifications will be conducted (Federal Programs)
- Detailed Time Logs

- Written procedures & written or digital evidence of LEA verification for suspension and debarment.
- *Strong, Moderate, Promising* or Logic Model Evidence for expenditures charged to function codes 1000, 2100, 2210 & 2213 that student interventions improve English proficiency and academic achievement, that teacher and administrator PD is of a high-quality, personalized, and increases their capacity to teach ELs, and that parent, family, & community engagement strategies are effective
 - “Demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes, and includes ongoing efforts to examine the effects of such activity, strategy, or intervention.”
 - GaDOE Federal Program staff will guide LEAs to consider the levels of evidence when budget planning/review, monitoring activities, and support the use of available websites/resources. Please refer to the document called “*Is this an Evidence-Based Strategy or Intervention?*” found on the Title III, Part A website.

Compensation

- All Title III, Part A-funded positions or proportionate positions, additional compensation, stipends, etc. should be supported by narrative in the LEA’s CLIP, Program Information Tab, and budget description. Uploading a Logic Model will not suffice for a description of an EL Program Plan with funded positions.
- Stipends for professional learning activities are paid according to state requirements (see [GaDOE Board Rule 160-3-3-.04 PROFESSIONAL LEARNING](#)) that PL participants provide evidence of learning and implementing. See the Federal Programs Handbook and Title IIA program requirements for more information.
- All salaried positions must be accompanied with a formal Job Description. If the salary is funded from two fund sources, the job description must indicate the tasks performed for each funding sources, by percentage. If the LEA cannot revise an existing Job Description due to Board rules, the LEA must submit a Job Description amendment specifying which activities/tasks are funded with Title IIA and which are not.
- If the LEA budgets additional compensation to employees working off-contractual hours, then an informal job description of the Title III-compensated additional work to be performed and expected deliverables must be uploaded in the Attachments section and submitted along with the budget.

Contracted Services

- Indicate whether the contracted services are provided by internal staff or outside consultants
- Identify who the District will contract with for these services; how the District complies with Federal requirements for contracted services (suspension/debarment requirements) and whether the District will enter into a written contractual agreement.

Travel Expenses

- Travel costs must adhere to the LEA's Federal Programs policies, procedures, and processes
- Meals and mileage are reimbursed according to state travel guidelines
- USDE is not allowing out-of-country travel with Title III, Part A funds

Draw Downs

See the [*Federal Programs Handbook*](#), pg. 37-41 for procedures on drawing down Title IIIA funds. Funds must be drawn down in a timely manner that aligns with the approved program plan and budget. LEA directors must work with their financial staff to ensure monthly drawdowns align with Title IIIA expenditures.

Completion Reports

A completion report defines the total amount of the original grant award and the total amount of funds that were expended by an LEA during the initial 15-month period of availability. The GaDOE Grants accounting uses completion reports to determine the amount of unexpended funds and the amount of funds available for carryover for each LEA.

Completion reports are due on October 30. LEA Directors should monitor the completion report to ensure it matches the final approved budget. See the [*Federal Programs Handbook*](#).

Carry-Over Amounts

ESSA permits LEAs to carryover 100% of Title III, Part A funds. Although there is no federal statutory limitation to the amount of Title III, Part A funds that an LEA can carry over from the first year to the next, an LEA would be in violation of its approved local plan if it does not operate a Title III program in a given fiscal year consistent with its approved local plan.

- Districts are strongly encouraged to spend 100% of their Title III, Part A subgrant during the 15-month period of performance. Any carried-over funds must be

completely spent in that fiscal year. Any unexpended grant funds at the end of 27 months for that grant are returned to the GaDOE.

- Any unexpended administrative funds may be used for administration in the carryover-amended budget as well. The LEA should calculate the portion of unexpended administrative funds to re-budget in the carryover amendment and ensure the district is not budgeting more than 2% of the original (previous year's) allocation on administration. In this way, any unexpended administrative set-aside funds from the previous year can be added to the current year's 2% administrative funds.
- LEAs typically receive official letter from the GADOE Grants Accounting Office announcing the carry-over amount.

Amendment Process

Per **EDGAR 2 CFR Part 200, §200.308 (b)** *Recipients are required to report deviations from budget or project scope or objective and request prior approvals from Federal awarding agencies for budget and program plan revisions, in accordance with this section. See the [Federal Programs Handbook](#) for more information on the high bar for supplanting in Title IIIA.*

- After the LEA's budget is approved by the GaDOE, any transfer of funds from one function or object code to another requires a budget amendment to be submitted. Title IIIA does not allow a 25% variation in any function code prior to an amendment submission as do other federal programs.
- Any budget amendment must be supported by EL-related elements in the LEA's CLIP to show alignment with LEA initiatives.
- Any budget amendment must include changes to the EL Program Plan to ensure both the Plan and the Budget align.
- LEAs may submit a budget amendment in the Consolidated Application Portal if the fiscal year has not been closed (Completion Report Submitted).
- Budget amendments are subject to a comprehensive review process, which includes a review of the original budget.
- Please Note:
Budget amendments should clearly indicate where and why INCREASES were made and/or DECREASES were made to the originally approved budget. In addition, if any new activity, strategy, intervention is in the amendment, the LEA must amend the EL Program Plan to align with the Amended Budget as well.
- Budget amendments must be approved before funds are expended.

Required Attachments

Job Descriptions

All fully or partially funded positions included in the Title III, Part A Budget (including positions coded to Object Code 199) must be accompanied with a **Job Description** uploaded in the Title III, Part A Attachments Tab in the ConApp for review along with the budget. The document naming conventions for Job Descriptions include the Fiscal Year, District Name, Specific Grant Name and Job Title *that matches the Job Title in the Grant from which the full or proportional salary is being funded.* **Example:** FY20ApplingTitleIII-A_SIOPInstructionalCoachJobDescription.

- The Job Descriptions must specify which tasks are funded with state/local funds and which tasks are funded with federal funds.
- Any administrative duties should be reflected in the job description.
- The phrase “and any other tasks as assigned” is not acceptable in a federally funded Job Description. This type of “duty” must be funded with state/local funds.
- Federally funded positions cannot manage/oversee non-federally funded positions.
- The Job Description Title must match the Job Title in the Budget

Title III Educational Field Trip Approval Form

All requests for student field trips in either the Title III, Part A English Learner or Title III, Part A Immigrant Budgets **must** be accompanied by a completed *Field Trip Approval Form* uploaded in the Title III Attachments section of the ConAPP. This form will be reviewed by GaDOE federal programs staff along with the Title III, Part A budget. The Field Trip Form should follow these naming conventions: Fiscal Year, District Name, Specific Grant Name, and Document Title. **Example:** FY20ApplingTitleIII-A_ELFIELDTRIPForm

The *Field Trip Approval* forms (one for English Learner Field Trips and one for Immigrant Field Trips) template can be found in the Budget Development tools section of the [Title III, Part A Program](#) website.

Immigrant Program Information & Budget

For LEAs that receive an Immigrant subgrant, the Immigrant Program Information tab must be completed and submitted with the Immigrant budget. Activities led by the LEA using Immigrant funds must be described in a detailed narrative in the Immigrant Program Information Tab. Each expenditure noted in the IMM budget must be linked to the activities specified in the Immigrant Program and may only be made in support of allowable activities under the grant. [See Section 3115(e)]

Districts must be careful to ensure that Immigrant supports are not language-focused but rather are focused on cultural and social-adjustment to U.S. schools. In fact, Districts must identify who the Immigrant students are, what their needs are, and what their families' needs are as well. Many immigrant students are already fluent in English and are not English Learners and do not need EL services.

Note: If IMM and EL funds are co-mingled to fund the same type of activities, LEAs must clarify the percentage of funds used from each Title IIIA program in relation to the percentage of EL and/or IMM students benefiting from those activities.

GaDOE Monitoring Processes

Note: The FY21 CFM cycle has been postponed until FY22. The LEAs who rescheduled their FY20 CFM date for fall 2020 will only be DESKTOP monitored. All information about CFM monitoring can be found on the [Federal Programs Monitoring website](#) including the posted monitoring cycle.

Self-Monitoring

See *Federal Programs Handbook*, Chapter 7, pg. 110.

Inventory Management

See *Federal Programs Handbook*, Chapter 6, pp. 91-101.

Cross-Functional Monitoring (CFM)

Under Sec. 3113(b)(8), states awarding Title III, Part A subgrants to LEAs must monitor the progress of each eligible entity receiving the subgrant to ensure English Learners achieve English proficiency and further assist the LEAs if the strategies funded under this subgrant are not effective. Federal Programs Cross-Functional Monitoring (CFM) of LEAs takes place on a four-year cycle; however, LEAs may be monitored outside a monitoring year based on a Federal Programs risk assessment or a GaDOE audit risk assessment. See *Federal Programs Handbook*, Chapter 7.

Preparing for a Title III, Part A Monitoring Visit

Three types of Title III, Part A-funded LEAs are eligible for Title III, Part A monitoring, as part of CFM process:

1. Those receiving **Independent** Title III, Part A EL Allocations,
2. Those acting as **Lead LEA** in a Consortium, and
3. **Any LEA** in receipt of Immigrant funds.

After the Federal Programs statewide CFM Webinar each year, the regional Title III, Part A Specialists will provide training to the LEAs on the current monitoring cycle.

Thus, the LEAs preparing to be monitored will receive communication directly from the assigned Title III, Part A regional specialist, which will include the date, time and link for the training session to give LEAs an opportunity to learn the details about the monitoring process and the required submissions as well as to ask questions.

It is important to note that changes and improvements are made to the CFM process each year. Therefore, a training webinar held in a prior year – though helpful – may not be comprehensive or fully aligned to the current year's monitoring process. For this reason, it is **highly encouraged** that LEAs preparing to be monitored attend the current year's Federal Programs training webinar and the Title IIIA regional training. Questions related to these sessions should be directed to the LEA's assigned regional Title III, Part A Program Specialist.

Supporting Documentation

LEAs must review the most current [Cross-Functional Monitoring Indicators document](#) on the [Federal Programs Monitoring website](#)

The Title III Program Specialists will monitor **five Overarching Indicators (1, 2, 3, 4, and 5)** and five Title III, Part A-specific indicators (**Indicators 18.1, 18.2, 18.3, 18.4, & 18.5**) in the CFM Indicators document for a total of ten indicators.

Title III, Part A Language Program website, [Title III, Part A Monitoring Documents](#), has all the documents LEAs need to prepare documentation for review.

- Title IIIA Monitoring Guide (provides guiding questions for the Indicators)
- Title IIIA Monitoring Data Rosters (Excel spreadsheet to be populated by LEAs with EL and Immigrant student data)
- Title IIIA Monitoring Training PPT
- Letter to Parents regarding telephone interviews

All LEAs are encouraged to review these documents to become familiar with what is required and will be requested of them during Federal Programs CFM process. *Those previewing these documents outside of their assigned monitoring cycle, however, must recognize that monitoring processes may change slightly from one year to the next.* The CFM training webinars and Programs Specialists' individual training will provide specific guidance on how LEAs should use these documents as they prepare to be monitored.

The supporting documentation must be organized in files named after each *CFM Indicator/Element Number*. These files, along with the *LEA Monitoring Data Rosters* excel spreadsheet must be submitted to the GaDOE in the secure SLDS Monitoring Portal, on the following dates: Documentation is submitted to the GADOE via the secure

ConAPP portal **as indicated in the Lead Specialist's letter**. The EL Data Rosters and the fiduciary documentation will be submitted to the GaDOE **two weeks** prior to the scheduled CFM date.

After the October FTE reporting process is closed, the LEA will be provided with an **English Learner Data Roster** excel spreadsheet, pre-populated. These Rosters must be reviewed and updated by the LEA to ensure the data is correct and **current**. For instance, all new EL students enrolled in the Fall (Kinder and other) must be added to the roster. Withdrawn EL students must be deleted.

After this data cleaning process, this LEA's EL Data Rosters must be submitted **two (2) weeks before** the CFM date. **Note:** Because these rosters contain Personally Identifiable Information (PII), the file must be submitted through the secure Portal email system to the regional Title IIIA Program Specialist assigned to monitor that LEA.

If the LEA receives funding from the Title III, Part A Immigrant subgrant, the supporting documentation will be submitted along with the supporting documentation for the EL subgrant, as indicated in the Monitoring Checklist. If only the Title III, Part A Immigrant Program is chosen for a monitoring review, this documentation will also be submitted per the Federal Programs Monitoring Indicators and submission process.

Title IIIA Monitoring Components

Interview questions and a list of required core documentation will be provided to the LEA during CFM training.

1. EL Parent Telephone Interviews

- a. Complete EL Parent information on the LEA EL DATA ROSTER/
- b. Download the English and translated invitation letter **templates** from the Title III-A Monitoring website. Complete the templates with District letterhead and appropriate dates.
- c. Send (can be mailed) Invitation-to-Interview Letters to all parents of ELs in LEA **two weeks prior to the CFM onsite visit**. LEAs may choose to do a telephone message blast in lieu of the letters, if desired.
- d. The Title III, Part A bilingual Parent Liaison will use the information on the EL Parent Roster to call parents and ask them interview questions in Spanish.

2. Title III-funded staff Group Interviews

- a. Complete staff information on the appropriate tab of the LEA's EL DATA ROSTER.
- b. The Title III, Part A Specialist will select a sample of Title III-funded personnel to interview.

- c. The Title III, Part A Specialist will inform the LEA **one week prior to the onsite visit** of the names of the selected personnel for the group interviews.
- d. Group interviews (lasting 45-50 min each) will be conducted per schedule sent **one week in advance** by Title III, Part A Specialist. These can be virtual.

3. EL Student Record Review

- a. The LEA will review a pre-populated EL DATA Roster (delivered via ConAPP from Data Collections) and update or complete it (aka “clean it up”) to submit to the GaDOE **2 weeks prior to the onsite visit**.
- b. The Title III, Part A Specialist will review the information submitted in the LEA’s EL DATA ROSTERs.
- c. The Specialist will notify the LEA **1 week prior to the onsite visit** which EL student records will be reviewed onsite.
- d. The LEA will provide the Title IIIA Specialists with the EL Student Records to review on the CFM date. On page 25 of the [EL Language Programs – State Guidance](#), posted on the [ESOL Language Program](#) website LEAs will find a list of the core EL documents that will be reviewed onsite.

4. Title III, Part A Director Interview

The Title IIIA Program Specialist will schedule a telephone interview with the Title III, Part A LEA Director to discuss the monitoring documentation and clarify any further questions.

Post-Monitoring

Following the CFM review, the Title III, Part A Program Specialist will complete a CFM Report submitted electronically through the GaDOE Monitoring Portal. The Title III, Part A Program Manager reviews the Program Specialist’s CFM Report before submitting it to the Federal Programs Director for final review and approval. Once fully approved, it will be released to the LEA for review and corrective action response when applicable.

Note: Each LEA has self-selected the staff that are permitted access to the Monitoring Portal. If not provided with Monitoring Portal access, a Title III, Part A Director expecting a monitoring report should communicate with Portal-approved colleagues to ensure that he/she is advised when the LEA’s Title III, Part A report is submitted to the LEA from the GaDOE.

If Title III, Part A findings were assigned to the LEA, a “Corrective Action Plan” (CAP) must be developed to address and correct the findings. A Title III-A CAP template is attached to the Indicators in the Title III, Part A monitoring reports that have findings and

a separate template must be submitted to describe the plan for resolving each finding. LEAs submit their CAP(s) as attachments in the GaDOE Monitoring Portal using a Title IIIA CAP Template. The LEA's CAP must fully correct the findings in written processes which the LEA is expected to fully implement. Subsequent monitoring of the LEA will include a review of any previous CAP processes and implementation.

Corrective Action Plans are due **on the date designated** in the CFM Portal by the Federal Programs Director. The Regional Title III, Part A Specialist reviews the CAP(s) and either approves the plans or suggests changes. The CAP is approved in the Monitoring Portal process by the Program Specialist, Program Manager, and Federal Programs Director. After that, the LEA may implement the CAP. Once the LEA has completed its year-long corrective action process, the Title III, Part A Program Specialist will conduct a follow-up interview with the LEA to discuss progress to ensure the CAP has been fully implemented as planned.

Questions about this post-monitoring process should be directed to the LEA's regional Title III, Part A Program Specialist.

[**Process for Reimbursement of Title III, Part A funds based on Supplement Not Supplant Findings during Cross-functional Monitoring**](#)

(coming soon)

Monitoring LEA's English Language Proficiency (ELP) Assessment Participation Rate

According to Title I, Part A statute in ESEA/ESSA §1111(b)(2)(G), “local educational agencies (LEAs) in the State will provide for an annual assessment of English proficiency of all English learners in the schools served by the State educational agency (SEA)”. Furthermore, 34 CFR § 200.6(h)(1)(ii) requires “each LEA to use such assessment to assess annually the English language proficiency, including reading, writing, speaking, and listening skills, of all English learners in kindergarten through grade 12 in schools served by the LEA.” Additionally, 34 CFR §200.6(5) states, “A State must provide for an alternate English language proficiency assessment for each English learner covered under paragraph (a)(1)(ii) of this section who cannot participate in the assessment under paragraph (h)(1) of this section even with appropriate accommodations.”

And finally, Title III, Part A statute in ESEA/ESSA § 3113(b)(3)(B), requires the SEA to ensure that eligible LEAs receiving Title III funds annually assess the English proficiency of all English learners, consistent with the Title I, Part A statute.

The annual English language proficiency (ELP) assessment in Georgia is the WIDA ACCESS for ELLs® 2.0 and the Alternate ACCESS. The ELP assessment participation requirement includes EL students whose parents have waived ESOL language program services or who may not be receiving ESOL services for other reasons. Please review state guidance on this requirement in [EL Language Programs – State Guidance](#), posted on the [ESOL Language Program](#) website.

Therefore, each year, the Division of Federal Programs Title I, Part A and Title III, Part A review LEAs’ annual ELP Assessment Participation rates based on the previous school year’s test administrations of the Alternate ACCESS and ACCESS for ELLs 2.0. These rates will be posted for LEAs and SEA to review in the ELP Assessment Participation application in the MyGaDOE Portal.

Prior to calculating the ELP Assessment Participation rates, each LEA would have received information from the GaDOE Assessment and Accountability division about identifying the reasons why some students did not have an overall ACCESS composite proficiency level. This process will take place in Accountability’s Non-Participation application each summer.

If an LEA’s ELP Assessment Participation Rate is less than 100%, a best practice would be to establish and implement procedures based on the LEAs investigation of the

reason why some students did not have an overall composite ACCESS proficiency level score.

If the LEA's ELP Assessment Participation Rate is less than 95%, and if the LEA is being cross-functional monitored that year, the LEA will need to submit a corrective action plan on how the LEA will establish and implement procedures based on the LEAs investigation of the reason why some students did not have an overall composite ACCESS proficiency level score.

Process for the NEW ELP Assessment Participation Application in MyGaDOE Portal

1. All LEAs should review their ELP Assessment Participation Rate in the MyGaDOE Portal.
2. The ELPAP application provides three (3) resources to support LEAs:
 - *Application User Navigation Guide*
 - *Corrective Action Plan Template*
 - *ACCESS Non-Participation Examples & Solutions*
3. If the LEA's ELP Assessment Participation Rate was less than 95%, a corrective action plan (CAP) is required.
4. Using the CAP Template, develop a plan to address ACCESS/Alt. ACCESS Non-Participation
 - LEA will identify the applicable reasons for non-participation
 - LEA will establish procedures/steps to ensure all ELs are assessed annually (procedures to put in place, name the person/roles to monitor the procedures, timeline, etc.).
 - Action steps should be designed in collaboration with the System Testing Coordinator (STC), ESOL Coordinator, and the Student Information System (SIS) Director, as applicable.
5. In 2021, LEAs will submit the ELPAP CAP as an attachment in the General Attachments Tab of the ConAPP by the Federal Programs' designated date.
 - Title I, Part A and Title III, Part A Education Program Specialists will review the CAPs and acknowledge their submission.
6. LEAs will implement their 2021 ELP Assessment Participation CAP immediately to ensure non-participation reasons are being solved during the current ACCESS/Alt. ACCESS Testing window.
7. **NOTE:** In 2021, Title I, Part A and Title III, Part A Education Program Specialists will contact all LEAs whose ELP Assessment Participation Rate was below 95% in both 2019 and 2020 to discuss supports and services the GaDOE can provide to help them meet the federal goal of assessing all English learners' English language proficiency annually.

Important timelines affecting the ELP Assessment participation:

- Registration Processes – Ongoing
- EL Exit Date Corrections – Oct FTE
- ACCESS/Alt. ACCESS Testing Window
- Test Data Validation Windows

District leaders may want to contact their Title IIIA Specialist or the state ESOL Specialist for ideas on best practices regarding identification of English learners during the testing window. Another contact resource is the GaDOE Assessment Specialist or System Testing Coordinator (STC) for ideas on best practices regarding testing ELs and coding reasons for missing language subtests. The district Student Information Systems (SIS) director is another resource for collaboration to ensure the ELP Assessment Participation Rate is above 95% each year.

Additional Information:

As the LEA reviews the non-participation reasons for missing language subtests, district leaders (Title I, Title III, and Assessment) may want to consider the following questions:

- Were some language subtests not administered? Why not? Were they administered, but not scored? Why not?
- Was the reason incorrectly reported for not scoring or not administering a language subtest?
- Were there any technical glitches that prohibited online testing but paper testing was not requested instead?
- Did we not know these students were coded as English learners?
- Did these students transfer to our district from another school district and our registration process did not identify student status fast enough during the testing window?
- Did we fail to ensure transfer EL students were tested?
- Did we incorrectly think EL/SWD students did not need to be tested?
- Did we incorrectly think we did not have to administer the tests to students whose parents waived ESOL language instruction services, or students not in ESOL?

Consolidating Federal & Local Funds

Please become familiar with the guidance on p. 11 of the *Nonregulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA), September 23, 2016* below:

A-11. May an LEA consolidate its Title III subgrants with other funds as a part of a schoolwide program under Title I?

Yes. An LEA may consolidate its Title III funds in a schoolwide program pursuant to the requirements of Section 1114(a) of the ESEA. Under that Section, the LEA is not required to maintain separate fiscal accounting records by program if it maintains records that demonstrate that the schoolwide program, considered as a whole, addresses the intent and purpose of each Federal program from which it consolidates funds.

In addition, in a school that consolidates Title III funds in a schoolwide program, the Title III supplement-not-supplant provision would not apply to the Title III funds; rather, the specific non-supplanting provision in Section 1114(a)(2)(B) of the ESEA would apply. An LEA must ensure that each schoolwide program school receives funds from non-Federal sources to provide services that are required by law for students with disabilities and ELs before using Title I funds in the school (ESEA Section 1114(a)(2)(B)).

All Federal Programs information regarding the consolidation of Federal and local/state funds is available to schools and school districts (LEAs) on the [Consolidation of Funds](#) website. Please refer to those resources first. The information below is simply a summary of the information in the [Consolidation of Funds \(CoF\) Manual](#).

A sample of Title IIIA Intents and Purposes Statements can be found in the [Intents & Purposes Sample](#) on the [Consolidation of Funds](#) website. Even though these sample statements are repeated on the next page, LEAs who are consolidating federal and local/state funds are expected to follow the COF guidance, templates, and resources found on the Federal Programs [Consolidation of Funds](#) website.

Programs	Brief Summary of Purpose	SAMPLE Ways to Meet Purpose	Examples of Monitoring Documentation that would Support Intents and Purposes
Title III, Part A English Learners	To assist English learners to attain English proficiency and develop high levels of academic achievement by (1) providing effective <i>supplemental</i> English language instruction to select EL students based on need and (2) providing effective EL-focused professional learning for all staff (teachers and school leaders) and (3) providing language-focused outreach programs for EL parents and families.	<ul style="list-style-type: none"> • Extra English language support to select EL students based on need • English language instructional software programs • After- or before-school or summer tutorial language-focused programs • Language-focused training (stand-alone or embedded) • EL-focused book studies in PLCs • EL math specialist • Data analysis to design language programs • Language programs' curriculum mapping/development • Instructional coaching • Literacy classes for non-English-speaking parents • EL parent training meetings on how to support English development of children at home 	Agendas (PL & parent); Attendance rosters for tutorials, with EL students highlighted; Coaching Logs; Data analysis documentation (pictures, charts, spreadsheets, etc.); Invoices with Title IIIA intents/purposes highlighted; Job Descriptions; Observation records; PPTs (PL & parent); Products from PLCs; Sign-In Sheets (PL & parent); Stipend Agreements; Any other relevant documents
Title III, Part A Immigrant Students	Based on an assessment of immigrant students' unique needs, to assist immigrant children and youth (both ELs and nonEL immigrants) attain English proficiency (when applicable) and develop high levels of academic achievement.	Any of the above and/or any of the following: <ul style="list-style-type: none"> • Diversity training for teachers & staff • Recruitment of personnel specifically trained to provide services to immigrant students, such as tutoring for high school immigrant students. • Mentoring and/or academic or career counseling for immigrant students • Programs of introduction to U.S. school system and civics education for immigrant students and their families • Identification, <i>development</i>, and acquisition of curricular materials, educational software, and technologies • Sociocultural adaptation activities for immigrant students and their families • Introduction to and providing community services for immigrant families (can be in coordination with community-based organizations/institutions) • Family literacy, parent <i>and</i> family outreach, and training activities designed to assist parents <i>and</i> families to become active participants in the education of their children; 	Community services flyers, newspaper articles, etc.; Family activity flyers, promotional materials, etc.; Special program flyers, materials, etc.; Attendance rosters for tutorials, with Immigrant students highlighted; Counselor mentoring schedules; Event schedules, community calendars, etc.; Any other relevant documents See also documentation in <i>Title III, Part A English Learners</i> section

Allocating Title IIIA funds to Non-Consolidating Schools

After doing a data analysis, if there is a need to support English learners in non-Title IA schools, then the LEA would set aside Title IIIA funds to fund a Title IIIA program for the identified students, their teachers, and their parents. **NOTE:** There is NO poverty allocation methodology for allocating Title III, Part A funds to schools.

Comprehensive Needs Assessment

The LEA will want to determine which Title I schools have greater need for supplemental language services for their EL students. For instance, school leaders could prepare a chart or graph showing the characteristics and needs of the English Learners, their teachers and their families in each school which could help determine which schools need more Title IIIA funds and which need less.

Since the Title III, Part A subgrant is allocated to an LEA and not to individual schools, it is important that the LEA **in collaboration with the school leaders** identify the characteristics and needs of the English Learners in each school to determine how best to allocate the consolidated funds in order to meet these needs. An LEA would want to consider distributing the Title III funds at different percentages to each school, since each one has a different set of English Learners with a different set of needs.

Chart 1: Example: Comparing English Learner Data across Schools

			Number & Percentage of ELs at each Proficiency Level Source: SLDS Data						
Name of School	School level (Elem, Mid, High)	EL Pop. & Share of Pop.	ACCESS Level 1	ACCESS Level 2	ACCESS Level 3	ACCESS Level 4	ACCESS Level 5	# of ESOL Endorsed Teachers	# of EL-focused PD opportunities last year

Additional information could be used to inform these decision-making processes, such as,

- Number of Students with Limited or Interrupted Formal Education (SLIFE)? _____
- Number of newly arrived English Learners? _____
- Number of English Learners with Disabilities? _____
- How are the EL students doing on GA Milestones in each school?
 - In which grade level or subject matter do the EL students need more support? _____
 - CCRPI Closing the GAP – EL performance flags? _____
 - CCRPI Academic Achievement – EL subgroup performances? _____
- What is the **EL Exit Rate** at each school? _____
- What is the EL Progress toward Proficiency Score for each school? _____ (CCRPI Progress Indicator)
- What is the ESOL language program already offering for EL students at each school?
- How are Title I funds already being used to support English Learners progress toward English and academic proficiency?
- What are the EL parents' and families' needs? How are Title I funds already being used to support these needs?
- Who are the Immigrant students at each school?
 - What are their needs? Academic? Cultural adaptation? Linguistic? _____

After the information and data have been reviewed, school leaders will be able to identify schools with greater need for Title IIIA funds – funds to specifically help EL students learn academic English to be successful in school. The following characteristics are listed from greatest to least with regards to increasing students' risk for failure in school based on not being proficient in the language of instruction and assessment – English.

- Research shows that it takes, on average, 3-5 years to learn English as a 2nd language and 5-7 years to learn academic English – if there are no extenuating circumstances or characteristics as in the list in Chart 2.

Chart 2: List of EL Characteristics & other Factors that Increase Students' Risk for Failure in English-only Schools

- | |
|--|
| <ol style="list-style-type: none"> 3. Newly arrived and/or immigrant status 4. Interrupted or limited or no formal prior education 5. Undiagnosed learning difficulties/differences/disabilities 6. Students' previous experiences/background
(Refugee from war-torn area? Emotional/social instability? Poverty? Health issues?
Etc.) 7. Students' AGE factors – <ol style="list-style-type: none"> a. Overage for grade-level? Adult? b. Number of years left for student to learn English before aging-out of school 8. Students' grade level – Number & complexity of state academic standards to meet
(Amount of English required increases at each successive grade level) 9. Students' literacy level in primary language 10. Number of years EL students have been in the ESOL Language Program 11. Teachers' & school leaders' professional qualifications to meet EL students' needs 12. Teachers' & school leaders' level of cultural proficiency 13. Students' primary language distance from English
(Does primary language have a written code like English? A similar sound system?
Etc.) |
|--|

In what kind of schools would an LEA consider allocating more Title III funds?

- Example: A Title I schoolwide high school or middle school with a large number and percentage of EL students who are either newly arrived immigrants with interrupted or limited prior formal education or may have suspected learning differences and have been in the ESOL program since Kindergarten.
- Example: Schools with high EL populations and low number of staff professionally qualified or with capacity to meet the needs.

In what kind of school would an LEA consider allocating less Title III funds?

- Example: In a primary school where the majority of the English Learners were born and raised in the U.S., attended U.S. since PreK or K, and who may be Generation 2.5 (Grandparents were 1st-time immigrants), who are doing well in school compared to their English-only peers, who are showing progress on the ACCESS, and who are being promoted, not placed each school year.
- Example: Schools with low EL populations and most of the staff has the professional qualifications and capacity to meet the needs.

Title IIIA EL & Immigrant Program Plans for COF LEAs

The LEA must also answer Questions #1 and #5 in the budget **EL Program Plan** (or Immigrant Program Plan, when applicable) which includes a description of the LEA's OCR-required language program and a description of how the LEA will ensure that elementary and secondary schools receiving Title IIIA funds assist English learners in (A) achieving English proficiency based on the State's English language proficiency (ELP) 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; [See Section 3116(b)(2)].

Please see the [Consolidation of Funds \(CoF\) Manual](#) on the [Consolidation of Funds](#) website for detailed information on the CoF initiative in school districts.

Title III, Part A Equitable Services for Participating Private/Non-Profit Schools

Students identified as English learners as well as teachers, principals and other school leaders in private, non-profit schools are eligible to participate in Title III, Part A equitable services. The use of funds must be to improve the English language proficiency of identified English learners, educators' professional knowledge related to working with English learners in their classroom and/or engagement with parents and families of English learners in the private school. Funds may also be directed toward costs related to the assessment of the quality of Title III services rendered to the private school(s).

All information regarding equitable services in private schools participating in Federal Programs may be found on the Federal Programs' [Ombudsman](#) website and in the [Federal Programs Handbook](#), pp. 75-90. This website includes templates, a handbook, and the districts' current Equitable Services Allocations (Proportionate Share) per Federal Program.

Private School Notification Requirements

Please see the [Federal Programs Handbook](#), pg. 76-78 for all notification guidelines. Title III, Part A and Title VIII of ESSA require that public LEAs annually contact appropriate officials of all private schools within the geographic boundaries of the LEA to determine if they want to participate in the Language Instruction for English Learners and Immigrant Students program, regardless of previous participation decisions made by those private school officials.

Private School Consultation and Planning

LEA subgrantees are required to consult with all private schools within the geographic boundaries of the district, after which these schools have the option to participate in Title III, Part A equitable services. See [Federal Programs Handbook](#), p. 78 for Consultation & Planning Requirements.

Private schools must participate in meaningful consultation with the LEA per Federal Programs Requirements as described in the Federal Programs Handbook and the [State Ombudsman website](#). See also the nonregulatory Guidance for Title IIIA Equitable Services found on the [Title III, Part A Program](#) website.

Allocations

LEAs with private schools participating in Title III, must collaborate with the private non-profit schools to identify the English Learners at each private school. The LEA will submit this private school EL count to the GaDOE in the spring of every year.

Allocations and the methodology used to determine the allocations are posted to the State [Ombudsman's website](#). Title III, Part A allocations are determined based on the prior year's reported number of identified English learners in each private school in an LEA. The private school's share of the Title III, Part allocation would be calculated as the LEA subgrant, minus 2% administration costs (if the LEA is reserving this portion), divided by the total number of both LEA and private school English Leaners. This results in a smaller per pupil allocation (PPA) than the original LEA received.

Proportionate Share

Section 8501(a)(4) of the ESEA, as amended by the ESSA, requires that expenditures for educational services and other benefits for eligible private school children, their teachers, and other educational personnel serving those children, under Title III, Part A, be equal to expenditures for the public-school program, considering the number and educational needs of the children to be served.

The State Educational Agency (SEA) receives the federal funding and disperses it to the LEAs and informs the private school officials of the amount of funding available to serve their students, their parents and their teachers in each of the programs. GADOE will also inform private school officials about how their proportionate share of funding was calculated. This information is posted on the [Ombudsman's website](#). In addition, the [Title III-A Method for Calculating Proportionate Share](#) is on this webpage. (See [Federal Programs Handbook](#)) An LEA may not expend more Title IIIA funds on private schools' equitable services than what has been allocated.

Calculating Proportionate Share for Equitable Services under Title III, Part A

Georgia determines the amount required for Title III, Part A equitable services to participating private schools based on the total enrollment of private and public-school English learner (EL) students in a school district, assuming these numbers also accurately reflect the relative needs of EL students and their teachers in the public and private schools.

Chart 7: Example of formula to determine amount for Title III, Part A equitable expenditures

A. Number of English Learner (EL) Students	
A1: LEA EL Enrollment	100
A2: Participating Private School EL Enrollment	10
A3: Total EL Enrollment = A1 + A2	110
B. Title III, Part A Allocation	
B1: Total LEA Allocation	\$15,000
B2: 2% Administrative Costs (if LEA is reserving the 2% admin. costs)	\$300
B3: LEA Allocation minus Admin Costs = B1 – B2	\$14,700
C. Per Pupil Rate	
C1: B3 divided by A3	\$133.64
D. Equitable Services	
Amount LEA must reserve for equitable services for private school children, their teachers, and other educational personnel = A2 x C1	\$1336.36

Eligible Activities

LEAs providing private school equitable services to English learners and/or their educators may do so in accordance with all allowable use of funds. Title III, Part A requires services to be in support of English learners' development of English proficiency, EL-related professional learning opportunities and/or school engagement with parents of English learners.

See the [Federal Programs Handbook](#) for Program Implementation & Record Keeping; for Complaints; and for the Role of the state Ombudsman.

Please visit the [Ombudsman website](#) for a wide variety of forms, resources, and training PPTs. In addition, it is important to become familiar with the Private School Application in SLDS – ES4PS.

Carryover for private schools

LEAs submit a form to the state Ombudsman with the carryover amounts and reason requested for each federal program with participating private schools including Title III, Part A. **Carryover amounts must be rounded down, if cents are involved.**

Frequently Asked Questions (FAQs)

April 2020 FAQs posted by the GaDOE Ombudsman concerning Equitable Services in Private Schools participating in Title III, Part A:

- 1. Who is responsible for administering the objective criteria to identify English Learners (ELs)? Who is responsible for administering the objective criteria to determine if a student is an English Learner and qualifies for services? Is that criteria an initial ELP screener and annual ELP assessment? May a private school use Title III, Part A funds to train a person to administer an initial ELP screener or annual ELP assessment (for example: part-time counselor, teacher on planning)?**

According to non-regulatory guidance, an LEA is responsible for ensuring that private school students are appropriately identified as ELs and cannot require a private school to administer an initial ELP screener or annual ELP assessment as a condition for a private school's ELs to receive a Title IIIA proportionate share. LEA representatives may work with the private school official to identify a time when LEA staff can administer the initial ELP screener and annual ELP assessment to those private school students. Alternately, the LEA may provide training to private school officials and/or teachers so that they may administer the initial ELP screener and annual ELP assessment themselves. In either instance, the LEA must indicate which children have been identified as ELs. (*2015 Title IIIA Equitable Services NRG E-2*)

- 2. If an LEA and private school agree in consultation on objective identification criteria that includes an initial ELP screener and annual ELP assessment, who is responsible for purchasing the screener and annual test? Out of what funds?**

An LEA may use the private school's proportionate share of Title III funds to pay for the initial ELP screener and annual ELP assessment for private school students in cases where the use of such funds would not supplant state, local, or other federal funds that would otherwise be used for such purposes. Although, under Section 3115(g) of the ESEA says that an LEA may not use Title III funds to pay for costs that would be covered by state, local, or other federal funds in the absence of the Title III grant, Georgia considers the use of these funds as supplemental, since the state does not require private schools to screen or assess for English language proficiency.

Given that, in Georgia, the use of Title III funds for the initial ELP screener and annual ELP assessment for private school students does not violate the supplanting prohibitions of Title III, Part A, an LEA may include the costs of administering the initial ELP screener and annual ELP assessment, LEA training to private school officials on assessment administration, and analysis of private school student results in the equitable services allocation. (*2015 Title IIIA Equitable Services NRG E-4*)

3. May a private school use a different objective criterion (initial ELP screener/annual ELP assessment) than the LEA?

- To be eligible for Title III services for ELs, a private school student must be enrolled in a nonprofit private elementary or secondary school in the geographic area served by an LEA that receives a Title III subgrant for ELs and must meet the definition of “Limited English Proficient” (LEP) [Under ESSA 8101 “English Learner”] under Section 9101(25) of the ESEA. (2015 NRG E-1)
 - **ESSA Section 8101 (20) ENGLISH LEARNER.**—The term “English learner”, when used with respect to an individual, means an individual— (A) who is aged 3 through 21; (B) who is enrolled or preparing to enroll in an elementary school or secondary school; (C)(i) who was not born in the United States **or whose native language is a language other than English**; (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and (II) *who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency*; or (iii) who is migratory, *whose native language is a language other than English*, and who comes from an environment where a language other than English is dominant; and (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual— (i) the ability to meet the challenging State academic standards; (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or (iii) the opportunity to participate fully in society.

In Georgia’s statewide standardized English Learner entrance procedures the information for (B) and (C) of the ESSA definition in Section 8101 are collected during initial enrollment on the Home Language Survey (three state-required questions) and (D) depends on the results on the initial ELP screener, when applicable.

- While a private school may develop its own annual ELP assessment for the continued identification of ELs, this assessment must be valid and reliable, and must utilize objective criteria that would be comparable to an ELP assessment used by the State to identify public school ELs. Thus, to the extent a private school has a process for identifying ELs, this process should be discussed during the timely and meaningful consultation process between the LEA and private school officials. As with all decisions regarding the provision of Title III equitable services, the LEA, after timely and meaningful consultation with private school officials, makes the final decision regarding

the process for identifying ELs. (2015 NRG E-5) *GaDOE is confirming with USDE (Title III, Part A and ONPE program offices) that this is still applicable under ESSA.*

- Title III does not require an LEA to administer the State's annual ELP assessment for ELs in private schools. If the LEA and private school official, after the timely and meaningful consultation, decide to administer the State's annual ELP assessment to the private school's ELs, the cost for that assessment may be paid for with the Title III equitable services allocation in cases where the use of such funds would not supplant other Federal, State, or local funds that may be used for such purposes, and where the assessment would be supplemental to the level of services that the private school students would receive in the absence of the Title III services. (NRG E-6) *GaDOE is confirming with USDE (Title III, Part A and ONPE program offices) that this is still applicable under ESSA.*

4. How does timing of the initial ELP screener and annual ELP assessment impact allocations?

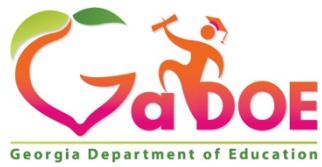
- 2020-2021
 - In determining EL counts for private schools GaDOE will include
 - Students first identified in 2019-2020 using ELP screeners administered between March 2019 FTE and March 2020 FTE, and
 - Students who have not 'exited' English learner status based on the most recently available ELP assessment. With federal and statewide waivers in place for assessments, this may mean that ELP assessments administered in Spring 2019 are the assessments results most recently available.
- 2021-2022
 - In determining EL Counts for private schools GaDOE will include
 - Students first identified in 2020-2021 using ELP screeners administered between July 1, 2020 and March 2, 2021 and
 - Students who have not 'exited' based on the most recently available ELP assessment. With federal and statewide waivers in place for assessments, this may mean that ELP assessments administered in Spring 2019 are the assessments results most recently available.
- Typically, EL counts for Equitable Services in Georgia are based on
 - Students first identified in 2020-2021 using ELP screeners administered between March 2020 FTE and March 2021 FTE and
 - Students who have not 'exited' English learner status based on the most recently available ELP assessment. With federal and statewide waivers in place for assessments, this may mean that ELP

assessments administered in Spring 2019 are the assessments results most recently available.

In Georgia, counts should be based on any student enrolled as of the March FTE date who meet the above criteria. This date 1) allows for maximum screening time, 2) reduces likelihood of duplicate counts, and 3) considers students who exited in the prior year but does not yet reduce the allocation for students who will exit in the current year.

5. Is there any flexibility in funding?

GaDOE is looking into options with USDE. 2008 FAQs on the ONPE website address ‘equitable’ and discusses spending equal amounts of funds. In addition, an April 2018 Ombudsman Update with ‘Answers from Ed’ states that expenditures should be equal considering number of children and their educational needs. The response added that while many LEAs based allocations on relative enrollment, they could also consider need.



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