

## Side-by-Side: Title I, Part A and Title III, Part A

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### Fast Facts: Title I, Part A and Title III, Part A

Elementary and Secondary Education Act (ESEA) Program		
Fact	Title I, Part A	Title III, Part A
Purpose	Improve the teaching and learning of academically at-risk children so they can acquire the knowledge and skills needed to meet the State's academic achievement standards.	Help ensure that limited English proficient (LEP) children attain English language proficiency and acquire the knowledge and skills needed to meet the State's academic achievement standards.
FY 2008 (SY 2008-09) appropriation*	13.9 billion	646 million
Approximate number of LEP students served in SY 2006-07**	3,000,000	4,300,000
Approximate number of LEAs receiving funds annually**	14,000	4,300

\*Source: U.S. Department of Education Budget Service

\*\*Source: Consolidated State Performance Reports (CSPRs) for the 2006-07 school year

## Description of Selected Title I, Part A and Title III, Part A Fiscal Requirements

Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
<p><u>Funding Flow to SEAs and LEAs</u></p> <p><i>Title I, Part A</i> Sections 1124, 1124A, 1125, and 1125A of ESEA; §§ 200.70 – 200.75 of ED’s Regulations</p> <p><i>Title III, Part A</i> Sections 3111, 3114(d), 3115, and 3116 of ESEA</p>	<p><u>Type of program: Formula</u></p> <ul style="list-style-type: none"> <li>➤ The U.S. Department of Education (ED) distributes Title I, Part A funds through State educational agencies (SEAs) to local educational agencies (LEAs) under four statutory formulas.</li> <li>➤ SEAs adjust the ED-determined LEA allocations to account for LEAs that are not on ED’s LEA list and make SEA-level reservations from the LEA allocations.</li> </ul>	<p><u>Type of program: Formula</u></p> <ul style="list-style-type: none"> <li>➤ ED distributes Title III, Part A funds to SEAs through a statutory formula.</li> <li>➤ SEAs then make subgrants to LEAs under the State formula program and the immigrant children and youth program.</li> </ul>

## Elementary and Secondary Education Act (ESEA) Program

Requirement	Title I, Part A	Title III, Part A
<p><u>SEA Level Activities</u></p> <p><i>Title I, Part A</i> Sections 1003 and 1004 of ESEA</p> <p><i>Title III, Part A</i> Section 3111 of ESEA</p>	<ul style="list-style-type: none"> <li>➤ SEAs may reserve up to one percent of a base amount calculated by ED or \$400,000, whichever is greater, for State administration. SEAs also generally must reserve four percent of their total allocation for school improvement, including operating a Statewide system of support to strengthen achievement in schools identified for improvement, corrective action, or restructuring.</li> <li>➤ Where applicable, SEAs reserve funds for its State Academic Achievement Awards program to recognize schools that have exceeded their annual measurable objectives (AMOs) or significantly closed the achievement gap between subgroups of students.</li> </ul>	<ul style="list-style-type: none"> <li>➤ SEAs reserve up to five percent of funds or \$175,000, whichever is greater, for State level activities, which include professional development, planning, evaluation, and administration, and providing technical assistance.</li> <li>➤ SEAs also reserve funds to provide recognition to subgrantees that have exceeded their Title III annual measurable achievement objectives (AMAOs).</li> </ul>
<p><u>Funding to LEAs and schools</u></p> <p><i>Title I, Part A</i> Section 1113 of ESEA; §§ 200.77 – 200.78 of ED’s Title I Regulations</p> <p><i>Title III, Part A</i> Sections 3114 and 3115 of ESEA</p>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ After making the required SEA-level reservations, SEAs distribute the final LEA allocations to the LEAs.</li> </ul>	<ul style="list-style-type: none"> <li>➤ After making required SEA-level reservations, SEAs distribute the remainder of their allocation to LEAs (or consortia of LEAs) based on the number of limited English proficient (LEP) students in the LEAs. For the most part, SEAs must award 95 percent of their overall allocation to LEAs for subgrants.</li> <li>➤ SEAs must also reserve funds to distribute to LEAs that have experienced significant increases in the percentage or number of immigrant children and youth. SEAs must reserve no more</li> </ul>

The requirements presented in the tables do not include all Title I, Part A and Title III, Part A requirements.  
October 9, 2008

**Elementary and Secondary Education Act (ESEA) Program**

<b>Requirement</b>	<b>Title I, Part A</b>	<b>Title III, Part A</b>
	<ul style="list-style-type: none"> <li>➤ To determine which schools are eligible to receive Title I, Part A funds LEAs first rank their schools based on the percentage of low-income students in each school. (A school is eligible for Title I, Part A if its percentage of low-income students is at or above the LEA-wide average or is at least 35 percent.)</li> <li>➤ LEAs then distribute their Title I, Part A funds to eligible schools in rank order of poverty, with the size of each school’s allocation based on the number of low-income students in each school served.</li> </ul>	<p>than 15 percent of their total allocation for such subgrants. SEAs are required to make at least one immigrant children and youth subgrant.</p>
<p><b><u>Maintenance of Effort</u></b>  <i>Sections 1120A(a) and 9521 of ESEA; §299.5 of ED’s MOE Regulations</i></p>	<p><u>Description:</u> LEAs’ aggregate or per-pupil expenditures of State and local funds in the preceding fiscal year must be at least 90 percent of those in the second preceding fiscal year in order to receive their full allocation.</p>	<p><u>Description:</u> LEAs’ aggregate or per-pupil expenditures of State and local funds in the preceding fiscal year must be at least 90 percent of those in the second preceding fiscal year in order to receive their full allocation.</p>

Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
<p><u>Comparability</u></p> <p><i>Title I, Part A</i> <i>Section 1120A(c) of ESEA</i></p>	<p><u>Description:</u> An LEA may receive Title I, Part A funds only if it uses State and local funds to provide services in Title I schools that, taken as a whole, are at least comparable to the services provided in non-Title I schools. (If all schools in an LEA are Title I schools, an LEA must use State and local funds to provide services that, taken as a whole, are substantially comparable in each school.)</p>	<p>This requirement does not apply to Title III, Part A.</p>
<p><u>Supplement not Supplant</u></p> <p><i>Title I, Part A</i> <i>Section 1120A(b) of ESEA</i></p> <p><i>Title III, Part A</i> <i>Section 3115(g) of ESEA</i></p>	<p><u>Description:</u> Title I, Part A funds must be used only to supplement the amount of funds that would, in the absence of Title I funds, otherwise be made available from <i>non-Federal</i> sources for the education of pupils participating in Title I, Part A, and not to supplant such funds.</p>	<p><u>Description:</u> Title III, Part A funds must be used to supplement the level of <i>Federal, State, and local</i> public funds that, in the absence of such availability, would have been expended for programs for LEP children and immigrant children and youth, and in no case to supplant such <i>Federal, State, and local</i> funds.</p>
<p><u>Use of Funds</u></p> <p><i>Office of Management and Budget</i> <i>Circular A-87; EDGAR 76.533</i></p>	<p><u>Title I, Part A funds must:</u></p> <ul style="list-style-type: none"> <li>➤ Support activities that meet the intent and purposes of Title I, i.e., improve the teaching and learning of academically at-risk children so they can acquire the knowledge and skills needed to meet the State's academic achievement standards.</li> <li>➤ Be consistent with Office of Management and Budget (OMB) Circular A-87, which requires that activities funded by Title I be necessary and reasonable to the program's success and not prohibited by State or local laws, regulations, or</li> </ul>	<p><u>Title III, Part A funds must:</u></p> <ul style="list-style-type: none"> <li>➤ Support activities that meet the intent and purposes of Title III, i.e., improve the teaching and learning of LEP children so they can learn English and acquire the knowledge and skills needed to meet the State's academic achievement standards.</li> <li>➤ Be consistent with Office of Management and Budget (OMB) Circular A-87, which requires that activities funded by Title III be necessary and reasonable to the program's success and not prohibited by State or local laws, regulations, or</li> </ul>

The requirements presented in the tables do not include all Title I, Part A and Title III, Part A requirements.  
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Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
	<p>policies.</p> <ul style="list-style-type: none"> <li>➤ Not be used to acquire real property.</li> </ul>	<p>policies.</p> <ul style="list-style-type: none"> <li>➤ Not be used to acquire real property.</li> </ul>
<p><b>Resources related to requirements:</b></p> <ul style="list-style-type: none"> <li>➤ Elementary and Secondary Education Act (ESEA): <a href="http://www.ed.gov/policy/elsec/leg/esea02/index.html">http://www.ed.gov/policy/elsec/leg/esea02/index.html</a></li> <li>➤ ED's General Provisions Regulations (including MOE): <a href="http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr299_08.html">http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr299_08.html</a></li> <li>➤ ED's Title I Regulations: <a href="http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr200_08.html">http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr200_08.html</a></li> <li>➤ ED's General Administrative Regulations (EDGAR): <a href="http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html">http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html</a></li> <li>➤ Title I, Part A non-regulatory Fiscal Guidance: <a href="http://www.ed.gov/programs/titleiparta/fiscalguid.doc">http://www.ed.gov/programs/titleiparta/fiscalguid.doc</a></li> <li>➤ Title I, Part A non-regulatory guidance on SEA Allocation Adjustment: <a href="http://www.ed.gov/programs/titleiparta/seaguidanceforadjustingallocations.doc">http://www.ed.gov/programs/titleiparta/seaguidanceforadjustingallocations.doc</a></li> <li>➤ Title I, Part A non-regulatory guidance on Within-LEA Allocations: <a href="http://www.ed.gov/programs/titleiparta/wdag.doc">http://www.ed.gov/programs/titleiparta/wdag.doc</a></li> </ul>		

## Description of Selected Title I, Part A and Title III, Part A Programmatic Requirements

<b>Elementary and Secondary Education Act (ESEA) Program</b>		
<b>Requirement</b>	<b>Title I, Part A</b>	<b>Title III, Part A</b>
<p><u>LEA Application to SEA</u></p> <p><i>Title I, Part A</i> Sections 1112 and 9305 of ESEA</p> <p><i>Title III, Part A</i> Section 3116 of ESEA</p>	<p><u>Description:</u> To receive Title I funds, LEAs apply annually to the SEA by submitting either a specific Title I plan or a consolidated plan, which addresses the use of some or all Federal ESEA funds, including how Title I, Part A services will be coordinated with services to LEP students.</p>	<p><u>Description:</u> The same requirement applies to Title III, Part A, though LEAs must submit, in this case, a specific Title III plan or a consolidated plan, which addresses the use of some or all Federal ESEA funds, including how Title III, Part A services will be coordinated with other Federal funds.</p>
<p><u>LEA-level Program Activities</u></p> <p>§§ 200.77 – 200.78 of ED’s Title I Regulations</p> <p><i>Title III, Part A</i> Section 3115 of ESEA</p>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ LEAs must make required reservations for LEA-wide activities (e.g., parental involvement, homeless children, and children in locally operated institutions for neglected children) and may reserve funds for other allowable LEA-wide activities. LEAs then allocate the remainder of their funds to schools.</li> </ul>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ LEAs must use Title III State Formula Grant funds for two required activities:                             <ul style="list-style-type: none"> <li>○ High-quality language instruction educational programs; and</li> <li>○ Sustained professional development activities to teachers of LEP students and other educational personnel supporting the education of LEP students.</li> </ul> </li> <li>➤ LEAs must utilize Title III immigrant children and youth grant funds for specific activities to serve this population, as outlined in section 3115(e).</li> </ul>
<p><u>School-level Programs</u></p> <p><i>Title I, Part A</i> Sections 1114 and 1115 of ESEA; §§ 200.25 – 200.29 of ED’s Title I Regulations</p> <p><i>Title III, Part A</i></p>	<p><u>Description:</u> <u>Two types of Title I programs are operated by schools:</u></p> <ul style="list-style-type: none"> <li>➤ Schoolwide programs (SWP) use Title I funds to implement comprehensive strategies for improving the educational program of the whole school in schools with 40 percent or more low-income students to increase the achievement of</li> </ul>	<p><u>Description:</u> <u>Types of Title III programs are operated by the LEA in schools:</u></p> <ul style="list-style-type: none"> <li>➤ Implementing schoolwide programs to upgrade language instruction educational programs and academic content instruction for LEP students.</li> </ul>

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Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
<p><i>Section 3115 of ESEA</i></p>	<p>all students, particularly the lowest-achieving students.</p> <ul style="list-style-type: none"> <li>➤ Targeted Assistance programs (TAS) use Title I funds to provide supplemental instructional services for <u>specific students</u> who have been identified as failing, or most at risk of failing, to achieve proficiency on State achievement standards.</li> <li>➤ The instructional strategies supported by Title I, Part A funds used in SWP and TAS must be based on scientifically based research.</li> </ul>	<ul style="list-style-type: none"> <li>➤ High-quality language instruction educational programs for LEP students and professional development for personnel; and</li> <li>➤ Services for immigrant children and youth.</li> <li>➤ The instructional strategies supported by Title III, Part A funds used to serve LEP students must be based on scientifically based research.</li> </ul>
<p><u>Equitable Participation of Private School Children</u></p> <p><i>Title I, Part A</i>  <i>Section 1120 of ESEA; §§ 200.62 – 200.67, 200.77 – 200.78 of ED’s</i>  <i>Title I Regulations</i></p> <p><i>Title III, Part A</i>  <i>Section 9501 of ESEA</i></p>	<p><u>Description:</u> The requirements for LEAs include:</p> <ul style="list-style-type: none"> <li>➤ Providing equitable Title I, Part A services to private school children and their teachers and families.</li> <li>➤ Designing and implementing a Title I program for private school children and not delegating authority to private schools.</li> <li>➤ Consulting with private school officials during the design and implementation of the program services provided with Title I funds.</li> <li>➤ Assessing the progress of students enrolled in private schools participating in Title I, although their progress is not required to be measured based on State assessments. Title I students enrolled in private schools are not included in Title I annual measurable objectives (AMOs).</li> </ul>	<p><u>Description:</u> The requirements for LEAs include:</p> <ul style="list-style-type: none"> <li>➤ Providing equitable Title III, Part A services to private school children and educational personnel.</li> <li>➤ Designing and implementing a Title III program for private school children and not delegating authority to private schools.</li> <li>➤ Consulting with private school officials during the design and implementation of the program services provided with Title III funds.</li> <li>➤ Assessing the progress of LEP students enrolled in private schools participating in Title III, though it need not be done using the State English language proficiency assessment. LEP students enrolled in private schools are not included in Title III annual measurable</li> </ul>

The requirements presented in the tables do not include all Title I, Part A and Title III, Part A requirements.  
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Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
	<ul style="list-style-type: none"> <li>➤ The equitable services requirements for Title I, Part A are governed by section 1120 of ESEA and ED's Title I regulations.</li> </ul>	<p>achievement objectives (AMAOs).</p> <ul style="list-style-type: none"> <li>➤ The equitable services requirements for Title III, Part A are governed by section 9501 of ESEA.</li> </ul>
<p><u>Teacher Qualifications</u></p> <p><i>Title I, Part A</i> Section 1119 of ESEA</p> <p><i>Title III, Part A</i> Section 3116(c) of ESEA</p>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ All students in each State, including students served by Title I, Part A, must be taught by highly qualified teachers in core academic subjects.</li> </ul>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ All students in each State, including students served by Title III, Part A, must be taught by highly qualified teachers in core academic subjects.</li> <li>➤ Title III served LEAs must include a certification in their local plans that all teachers in any language instruction educational program for LEP children are fluent in English and any other language used for instruction, including having written and oral communication skills</li> </ul>
<p><u>Professional Development</u></p> <p><i>Title I, Part A</i> Sections 1114 and 1115 of ESEA</p> <p><i>Title III, Part A</i> Section 3111 and 3115 of ESEA</p>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ All LEAs receiving Title I, Part A must ensure that professional development is provided in SWP and TAS.</li> <li>➤ In TAS the professional development must be for classroom teachers, administrators, and others who work with Title I students.</li> </ul>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ All LEAs receiving Title III, Part A funds must provide professional development.</li> <li>➤ The professional development must be for classroom teachers, administrators, and others who work with LEP students.</li> </ul>

## Elementary and Secondary Education Act (ESEA) Program

Requirement	Title I, Part A	Title III, Part A
<p><b>Resources related to requirements:</b></p> <ul style="list-style-type: none"><li>➤ Elementary and Secondary Education Act (ESEA): <a href="http://www.ed.gov/policy/elsec/leg/esea02/index.html">http://www.ed.gov/policy/elsec/leg/esea02/index.html</a></li><li>➤ ED's Title I Regulations: <a href="http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr200_08.html">http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr200_08.html</a></li><li>➤ OMB Circular A-87: <a href="http://www.whitehouse.gov/omb/circulars/a087/a87_2004.html">http://www.whitehouse.gov/omb/circulars/a087/a87_2004.html</a></li><li>➤ Title I, Part A non-regulatory guidance on Schoolwide Programs: <a href="http://www.ed.gov/policy/elsec/guid/designingswpguid.doc">http://www.ed.gov/policy/elsec/guid/designingswpguid.doc</a></li><li>➤ Title I, Part A non-regulatory guidance on Services to Eligible Private School Students: <a href="http://www.ed.gov/programs/titleiparta/psguidance.doc">http://www.ed.gov/programs/titleiparta/psguidance.doc</a></li></ul>		

## Description of Selected Title I, Part A and Title III, Part A Standards Requirements

Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
<p><u>Standards</u></p> <p><u>Title I, Part A</u> Section 1111(b)(1) of ESEA; §200.1 of ED's Title I Regulations</p> <p><u>Title III, Part A</u> Section 3113(b)(2) of ESEA</p>	<p><u>Academic Content Standards:</u></p> <ul style="list-style-type: none"> <li>➤ Title I requires SEAs to develop academic content standards in reading, mathematics, and science that specify what all students, including those served by Title I and Title III, are expected to know and be able to do.</li>   <li>➤ The content standards must contain coherent and rigorous content and encourage the teaching of advanced learning.</li> </ul>	<p><u>English Language Proficiency Standards:</u> Title III requires States to develop English language proficiency standards based on the domains of speaking, listening, reading, and writing that are aligned with the achievement of State academic content and student academic achievement standards in section 1111(b)(1) of Title I, Part A.</p>

## Elementary and Secondary Education Act (ESEA) Program

Requirement	Title I, Part A	Title III, Part A
<p><u>Standards</u></p> <p><u>Title I, Part A</u> Section 1111(b)(1) of ESEA; §200.1 of ED's Title I Regulations</p> <p><u>Title III, Part A</u> Section 3113(b)(2) of ESEA</p>	<p><u>Academic Achievement Standards:</u></p> <ul style="list-style-type: none"> <li>➤ Title I requires SEAs to develop academic achievement standards in reading, mathematics, and science.</li> <li>➤ Academic achievement standards describe how well students are acquiring the knowledge and skills contained in academic content standards.</li> <li>➤ The achievement standards must:                             <ul style="list-style-type: none"> <li>○ Be aligned with the State's academic content standards;</li> <li>○ Include the following components for each content area:                                     <ul style="list-style-type: none"> <li>▪ Achievement levels that describe at least--   <ol style="list-style-type: none"> <li>(1) Two levels of high achievement--proficient and advanced--that determine how well students are mastering the material in the State's academic content standards; and</li> <li>(2) A third level of achievement--basic--to provide complete information about the progress of lower-achieving students toward mastering the proficient and advanced levels of achievement.</li> </ol> </li> <li>▪ Descriptions of the competencies associated with each achievement level.</li> <li>▪ Assessment scores ("cut scores") that differentiate</li> </ul> </li> </ul> </li> </ul>	<p><u>English Language Proficiency Standards:</u> Title III requires States to develop English language proficiency standards based on the domains of speaking, listening, reading, and writing that are aligned with the achievement of State academic content and student academic achievement standards in section 1111(b)(1) of Title I, Part A.</p>

The requirements presented in the tables do not include all Title I, Part A and Title III, Part A requirements.  
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Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
	among the achievement levels, and a description of the rationale and procedures used to determine each achievement level.	
<p><b>Resources related to requirements:</b></p> <ul style="list-style-type: none"> <li>➤ Elementary and Secondary Education Act (ESEA): <a href="http://www.ed.gov/policy/elsec/leg/esea02/index.html">http://www.ed.gov/policy/elsec/leg/esea02/index.html</a></li> <li>➤ ED's Title I Regulations: <a href="http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr200_08.html">http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr200_08.html</a></li> <li>➤ Title I, Part A non-regulatory guidance on Standards and Assessments: <a href="http://www.ed.gov/policy/elsec/guid/saaguidance03.doc">http://www.ed.gov/policy/elsec/guid/saaguidance03.doc</a></li> <li>➤ Title I, Part A non-regulatory guidance on LEA and School Improvement: <a href="http://www.ed.gov/policy/elsec/guid/schoolimprovementguid.doc">http://www.ed.gov/policy/elsec/guid/schoolimprovementguid.doc</a></li> <li>➤ Title I, Part A non-regulatory guidance on Assessment and Accountability for Recently Arrived and Former LEP Students: <a href="http://www.ed.gov/policy/elsec/guid/lepguidance.doc">http://www.ed.gov/policy/elsec/guid/lepguidance.doc</a></li> <li>➤ Title III non-regulatory guidance on the Title III State Formula Grant Program - Standards, Assessments, and Accountability: <a href="http://www.ed.gov/programs/nfdp/NRG1.2.25.03.doc">http://www.ed.gov/programs/nfdp/NRG1.2.25.03.doc</a></li> </ul>		

## Description of Selected Title I, Part A and Title III, Part A Assessment and Accountability Requirements

Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
<p><u>Student Assessments</u></p> <p><u>Title I, Part A</u> Section 1111(b)(3) of ESEA; §§ 200.2 - 200.6 of ED's Title I Regulations</p> <p><u>Title III, Part A</u> Section 3113(b)(3) of ESEA</p>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ Each State must implement academic assessments:                             <ul style="list-style-type: none"> <li>○ In reading/language arts and in mathematics in grades 3-8, and once in high school; and</li> <li>○ In science at least once in grades 3-5, 6-9, and 10-12.</li> </ul> </li> <li>➤ LEP students must be included in such assessments, and provided reasonable accommodations, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas.</li> </ul> <p>Students who have attended school in the U.S. (not including Puerto Rico) for 3 or more consecutive years must be assessed in reading/language arts in English, except if the LEA determines, on a case-by-case basis, that a student has not yet reached a sufficient level of English proficiency, and would benefit from a native language version of a reading/language arts assessment for two additional consecutive years.</p> <p>A State may exempt a recently arrived LEP student from one administration of the State's reading/language arts assessment. (A recently arrived LEP student is a student who has attended schools in the United States for fewer than 12 months.)</p>	<p><u>Description:</u> Section 3113 of ESEA requires Title III State plans to contain assurances that the SEA will abide by the Title I assessment requirement under section 1111(b)(7) to annually assess in English children who have attended school in the United States for 3 or more consecutive years.</p>

**Elementary and Secondary Education Act (ESEA) Program**

<b>Requirement</b>	<b>Title I, Part A</b>	<b>Title III, Part A</b>
<p><u>English Language Proficiency Assessment</u></p> <p><i>Title I, Part A</i> <i>Section 1111(b)(7) of ESEA</i></p> <p><i>Title III, Part A</i> <i>Sections 3113(b)(3)(D) and 3121(d)(1) of ESEA</i></p>	<p><u>Description:</u> SEAs must provide for an annual assessment of English language proficiency of all LEP students in the State in grades K-12 in the domains of reading, writing, listening, and speaking.</p>	<p><u>Description:</u> The SEA must ensure that LEAs provide for an annual assessment of English language proficiency of all LEP students in the State in grades K-12 in the domains of reading, writing, listening, speaking, and comprehension.</p> <p>Title III also requires LEAs and SEAs to report student progress in English comprehension. Although Title III requires SEAs and LEAs to be able to report a separate score for the domain of comprehension, a separate assessment instrument is not required for Title I and Title III. Comprehension can be demonstrated through reading and listening.</p>

## Elementary and Secondary Education Act (ESEA) Program

Requirement	Title I, Part A	Title III, Part A
<p><u>Annual Objectives</u></p> <p><i>Title I, Part A</i> Sections 1111(b)(2) and 1112 of ESEA; §§ 200.15 - 200.18 of ED's Title I Regulations</p> <p><i>Title III, Part A</i> Section 3122 of ESEA</p>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ To help determine if schools and LEAs make adequate yearly progress (AYP) Title I annual measurable objectives (AMOs) measure the progress in reading and mathematics of students as a whole and by subgroup, including LEP students, by setting targets for schools and LEAs on the percentages of students proficient or advanced on State assessments.</li> <li>➤ Under section 1112(g)(1)(B) of Title I, an LEA must separately notify parents of students participating in or identified for participation in Title III services if it does not meet any of the three Title III AMAOs.</li> </ul>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ Title III annual measurable achievement objectives (AMAOs) have three components: making progress in learning English (AMAO1), attaining English language proficiency (AMAO2), and making AYP for LEP students (AMAO3, i.e., the Title I AMO).</li> <li>➤ Under section 3302 of Title III, an LEA must separately notify parents of students participating in or identified for participation in Title III services if it does not meet any of the three Title III AMAOs.</li> </ul>
<p><u>Report Cards</u></p> <p><i>Title I, Part A</i> Section 1111(h) of ESEA</p>	<ul style="list-style-type: none"> <li>➤ SEAs and LEAs are required to provide information, among other things, on the performance of all students and specific subgroups of students, including the LEP student subgroup, on State assessments in reading, mathematics, and science through annual report cards.</li> </ul>	<ul style="list-style-type: none"> <li>➤ This requirement does not apply to Title III, Part A.</li> </ul>



Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
<p><u>School Accountability Timeline</u></p> <p><i>Title I, Part A</i>  <i>Section 1116(b) of ESEA; §§ 200.30 – 200.48 of ED’s Title I Regulations</i></p>	<p><u>Description:</u> SEA/LEA responsibilities:</p> <ul style="list-style-type: none"> <li>➤ Schools that do not make AYP for two consecutive years in reading/language arts or mathematics are identified for improvement and must develop and implement a school improvement plan.</li> <li>➤ For a school that does not make AYP for four years, the LEA is required to take corrective action to bolster student achievement in the school.</li> <li>➤ When a school fails to make AYP for five years, the LEA must plan to restructure the school and implement the restructuring plan should the school fail to make AYP for six years.</li> </ul>	<p>This requirement does not apply to Title III, Part A.</p>

Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
<p><u>LEA Accountability Timeline</u></p> <p><u>Title I, Part A</u> Section 1116(c) of ESEA; §§ 200.50 – 200.53 of ED’s Title I Regulations</p> <p><u>Title III, Part A</u> Section 3122 of ESEA</p>	<p><u>Description:</u> SEA/LEA responsibilities:</p> <ul style="list-style-type: none"> <li>➤ LEAs that do not make AYP for two consecutive years must be identified for improvement and develop an improvement plan.</li> <li>➤ If an LEA fails to make AYP for four years, the SEA must implement at least one of the corrective actions in section 1116 of ESEA (e.g., replace LEA personnel who were relevant to the LEA not making AYP).</li> </ul>	<p><u>Description:</u> SEA/LEA responsibilities:</p> <ul style="list-style-type: none"> <li>➤ Title III served LEAs that do not meet Title III AMAOs for two consecutive years must develop an improvement plan.</li> <li>➤ SEAs must require Title III served LEAs that do not meet Title III AMAOs for four consecutive years to modify curriculum, program, and method of instruction, or make a determination of whether the LEA should continue to receive funds and require the LEA to replace educational personnel.</li> </ul>
<p><u>Public School Choice and Supplemental Educational Services (SES)</u></p> <p>Section 1116 of ESEA; §§ 200.44 – 200.48 of ED’s Title I Regulations</p>	<p><u>Description:</u> SEA/LEA responsibilities:</p> <ul style="list-style-type: none"> <li>➤ Students in schools identified for improvement, corrective action, or restructuring must be given the option of transferring to another public school that has not been identified for improvement.</li> <li>➤ Students from low-income families in schools identified for their second year of improvement, corrective action, or restructuring must be offered supplemental educational services (SES).</li> <li>➤ LEAs must spend an amount equal to 20 percent of their Title I, Part A allocation on transportation for public school choice and SES services unless they meet demand with a lesser amount.</li> </ul> <p>Note: Students receiving support under Title III, Part A who attend Title I, Part A schools must be provided the same opportunities as other eligible students in Title I, Part A schools to participate in public school choice and SES, as appropriate.</p>	<p>This requirement does not apply to Title III, Part A.</p>

The requirements presented in the tables do not include all Title I, Part A and Title III, Part A requirements.  
October 9, 2008

Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
<u>Professional Development and Improvement</u>  <u>Title I, Part A</u> Section 1116 of ESEA	<u>Description:</u> Applies to schools and LEAs identified for improvement:  <ul style="list-style-type: none"> <li>➤ Schools identified for improvement must spend at least 10 percent of their Title I, Part A funds on professional development that directly addresses the academic problem that caused the school to go into improvement status.</li> <li>➤ LEAs identified for improvement must reserve 10 percent of their Title I, Part A allocation for professional development.</li> </ul>	This requirement does not apply to Title III, Part A.
<p><b>Resources related to requirements:</b></p> <ul style="list-style-type: none"> <li>➤ Elementary and Secondary Education Act (ESEA): <a href="http://www.ed.gov/policy/elsec/leg/esea02/index.html">http://www.ed.gov/policy/elsec/leg/esea02/index.html</a></li> <li>➤ ED's Title I Regulations: <a href="http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr200_08.html">http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr200_08.html</a></li> <li>➤ Title I, Part A non-regulatory guidance on Standards and Assessments: <a href="http://www.ed.gov/policy/elsec/guid/saaguidance03.doc">http://www.ed.gov/policy/elsec/guid/saaguidance03.doc</a></li> <li>➤ Title I, Part A non-regulatory guidance on LEA and School Improvement: <a href="http://www.ed.gov/policy/elsec/guid/schoolimprovementguid.doc">http://www.ed.gov/policy/elsec/guid/schoolimprovementguid.doc</a></li> <li>➤ Title I, Part A non-regulatory guidance on Assessment and Accountability for Recently Arrived and Former LEP Students: <a href="http://www.ed.gov/policy/elsec/guid/lepguidance.doc">http://www.ed.gov/policy/elsec/guid/lepguidance.doc</a></li> <li>➤ Title III non-regulatory guidance on the Title III State Formula Grant Program – Standards, Assessments, and Accountability: <a href="http://www.ed.gov/programs/nfdp/NRG1.2.25.03.doc">http://www.ed.gov/programs/nfdp/NRG1.2.25.03.doc</a></li> <li>➤ Title I, Part A non-regulatory guidance on Public School Choice and Supplemental Educational Services: <a href="http://www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc">http://www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc</a>  <a href="http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc">http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc</a></li> </ul>		

## Description of Selected Title I, Part A and Title III, Part A Parental Involvement Requirements

Elementary and Secondary Education Act (ESEA) Program		
Requirement	Title I, Part A	Title III, Part A
<p><u>Overview</u></p> <p><u>Title I, Part A</u> Sections 1111, 1112, 1116, and 1118 of ESEA</p> <p><u>Title III, Part A</u> Section 3302</p>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ Title I, Part A provides for substantive parental involvement, including the development of the State and local plan, evaluating the effectiveness of the required LEA parental involvement policy, and in implementing LEA and school improvement provisions to assist children served by the program reach proficiency on State assessments.</li> <li>➤ Examples of parental involvement activities:               <ul style="list-style-type: none"> <li>○ Assisting parents to help improve their child’s achievement;</li> <li>○ Provide literacy training to parents when appropriate; and</li> <li>○ Parent outreach.</li> </ul> </li> </ul>	<p><u>Description:</u></p> <ul style="list-style-type: none"> <li>➤ LEAs receiving subgrants under the Title III State formula grant program must implement effective outreach to parents of LEP children to inform them of how they can be involved in their children’s education and how they can assist their children to learn English and meet State content and academic achievement standards.</li> <li>➤ Examples of parental involvement activities:               <ul style="list-style-type: none"> <li>○ Assisting parents of LEP students to help improve their child’s achievement;</li> <li>○ Provide literacy training to parents of LEP students; and</li> <li>○ Parent outreach to parents of LEP students.</li> </ul> </li> </ul>

## Elementary and Secondary Education Act (ESEA) Program

Requirement	Title I, Part A	Title III, Part A
<p><u>Parental Notification</u></p> <p><u>Title I, Part A</u> Sections 1111, 1112, 1116, and 1118 of ESEA; §§ 200.30 – 200.53 of ED’s Title I Regulations</p> <p><u>Title III, Part A</u> Sections 3115, 3116, and 3302 of ESEA</p>	<p><u>Description:</u> The information parents must be provided includes:</p> <ul style="list-style-type: none"> <li>➤ The annual SEA/LEA report card results;</li> <li>➤ Individual student assessment;</li> <li>➤ Information on their right to know about the qualifications of their child’s teachers;</li> <li>➤ Schools/LEAs in the different accountability stages;</li> <li>➤ Public school choice and SES;</li> <li>➤ Building &amp; LEA parent involvement policies;</li> <li>➤ The parent compact;</li> <li>➤ A notification similar to that required under section 3302 of Title III for LEAs that use Title I funds to provide LEP students with a language instruction educational program; and</li> <li>➤ Information should be in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.</li> </ul>	<p><u>Description:</u> Parents must be provided:</p> <ul style="list-style-type: none"> <li>➤ Information regarding a child’s identification as LEP and placement in a language instruction educational program, including initial English language proficiency assessment results and program placement for LEP students, as well as other information, no later than 30 days after the beginning of the school year;</li> <li>➤ For a child who has not been identified for participation in a language instruction educational program prior to the beginning of the school year, the LEA must provide the notification regarding identification and placement within 2 weeks of the child being placed in such a program.</li> <li>➤ Separate notification if the LEA is Title III funded and did not meet any one of the three Title III AMAOs. This notification must be provided to parents of children identified for or participating in Title III programs not later than 30 days after the LEA receives information regarding AMAO determinations.</li> <li>➤ Both types of notification must be provided in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.</li> </ul>

## Elementary and Secondary Education Act (ESEA) Program

Requirement	Title I, Part A	Title III, Part A
<p><u>Funding for Parent Activities</u></p> <p><i>Title I, Part A</i> Section 1118 of ESEA; §§ 200.77 – 200.78 of ED’s Title I Regulations</p> <p><i>Title III, Part A</i> Sections 3102, 3115, 3116, and 3302</p>	<p><u>Description:</u> Title I, Part A parent activities occur at the LEA and school levels:</p> <ul style="list-style-type: none"> <li>➤ LEAs that receive \$500,000 or more in Title I, Part A funds must reserve at least one percent for parent involvement activities and allocate 95 percent of the one percent to schools for building-level parental involvement.</li> <li>➤ LEAs receiving less than \$500,000 must also provide parent involvement opportunities at the LEA and school levels.</li> </ul>	<p><u>Description:</u> Parent involvement activities are implemented by the LEA.</p>

**Resources related to requirements:**

- Elementary and Secondary Education Act (ESEA): <http://www.ed.gov/policy/elsec/leg/esea02/index.html>
- ED’s Title I Regulations: [http://www.access.gpo.gov/nara/cfr/waisidx\\_08/34cfr200\\_08.html](http://www.access.gpo.gov/nara/cfr/waisidx_08/34cfr200_08.html)
- Title I, Part A non-regulatory guidance on Public School Choice and Supplemental Educational Services:  
<http://www.ed.gov/policy/elsec/guid/schoolchoiceguid.doc>  
<http://www.ed.gov/policy/elsec/guid/suppsvcsguid.doc>
- Title I, Part A non-regulatory guidance on Parental Involvement: <http://www.ed.gov/programs/titleiparta/parentinvguid.doc>