

Title III Spending Guidance

Title I Requirements Impacting the Use of Title III Funds

The Office of English Language Acquisition Services (OELAS) has created this guidance to assist Arizona LEAs to better understand Title I requirements as they pertain to parent notification of EL programs and services. It is important to remember that activities required under other Federal laws are not eligible to be funded through Title III. Doing so would violate the strict Title III supplement not supplant (SNS) requirement. Further guidance on Title III's SNS requirement can be found under the [Title III Funding Guidance](#) section of the OELAS website.

TITLE I PART A SEC. 1112. (e) PARENTS RIGHT-TO-KNOW.—

(3) LANGUAGE INSTRUCTION.—

(A) NOTICE.—Each local educational agency using funds under this part or Title III to provide a language instruction educational program as determined under Title III shall, not later than 30 days after the beginning of the school year, inform parents of an English learner identified for participation or participating in such a program, of—

- (i) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;
- (ii) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
- (iii) the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;
- (iv) how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child;
- (v) how such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
- (vi) the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under this part are used for children in high schools;
- (vii) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)); and
- (viii) information pertaining to parental rights that includes written guidance—
 - (I) detailing the right that parents have to have their child immediately removed from such program upon their request;
 - (II) detailing the options that parents have to decline to enroll their child in such program or to
 - (III) assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.

(B) SPECIAL RULE APPLICABLE DURING THE SCHOOL YEAR.—For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the local educational agency shall notify the children's parents during the first 2 weeks of the child being placed in a language instruction educational program consistent with subparagraph (A).

(C) PARENTAL PARTICIPATION.—

- (i) IN GENERAL.—Each local educational agency receiving funds under this part shall implement an effective means of outreach to parents of English learners to inform the parents regarding how the parents can—
- (I) be involved in the education of their children; and
 - (II) be active participants in assisting their children to—
 - (aa) attain English proficiency;

(bb) achieve at high levels within a well- rounded education; and

(cc) meet the challenging State academic standards expected of all students.

(ii) REGULAR MEETINGS.—Implementing an effective means of outreach to parents under clause (i) shall include holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of students assisted under this part or Title III. (D)BASIS FOR ADMISSION OR EXCLUSION.—A student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.

(4) NOTICE AND FORMAT.—The notice and information provided to parents under this subsection shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

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Office of English Language Acquisition Services

602.542.0753

<http://www.azed.gov/oelas/>