

Title III – Attachment 2

Selected provisions of Title III of the No Child Left Behind Act:

Purposes of Title III Subgrants (Section 3115(a)); Required and Authorized Activities Using Title III Funds (Sections 3115(c) and (d)); Supplement, Not Supplant Requirement (Section 3115 (g)); Administrative Expenses (Section 3115(b)); Contents of Local Plan (Section 3116(b))

PURPOSES OF SUBGRANTS: The state may make Title III subgrants to eligible entities that agree to use subgrants to improve the education of limited English proficient children, by assisting the children to learn English and meet challenging State academic content and student academic achievement standards. In carrying out activities with Title III funds, the entity shall use approaches and methodologies that are based on scientifically based research on teaching limited English proficient children and immigrant children and youth for the following purposes:

1. Developing and implementing new language instruction educational programs and academic content instruction programs for such children, and such children and youth, including programs of early childhood education, elementary school programs, and secondary school programs.
2. Carrying out highly focused, innovative, locally designed activities to expand or enhance existing language instruction educational programs and academic content instruction programs for such children, and such children and youth.
3. Implementing, within an individual school, schoolwide programs for restructuring, reforming, and upgrading all relevant programs, activities and operations relating to language instruction educational programs and academic content instruction for such children, and such children and youth.
4. Implementing, within the entire jurisdiction of a local educational agency, agencywide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for such children, and such children and youth.

Section 3115(a)

REQUIRED SUBGRANTEE ACTIVITIES - An eligible entity receiving funds under section 3114(a) shall use the funds —

- (1) to increase the English proficiency of limited English proficient children by providing high-quality language instruction educational programs that are based on scientifically based research demonstrating the effectiveness of the programs in increasing —
 - (A) English proficiency; and
 - (B) student academic achievement in the core academic subjects; and
- (2) to provide high-quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, administrators, and other school or community-based organizational personnel, that is —
 - (A) designed to improve the instruction and assessment of limited English proficient children;
 - (B) designed to enhance the ability of such teachers to understand and use curricula, assessment measures, and instruction strategies for limited English proficient children;
 - (C) based on scientifically based research demonstrating the effectiveness of the professional development in increasing children's English proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
 - (D) of sufficient intensity and duration (which shall not include activities such as one-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers' performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher's supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher.

Section 3115(c)

AUTHORIZED SUBGRANTEE ACTIVITIES - Subject to subsection (c), an eligible entity receiving funds under section 3114(a) may use the funds to achieve one of the purposes described in subsection (a) by undertaking one or more of the following activities:

- (1) Upgrading program objectives and effective instruction strategies.
- (2) Improving the instruction program for limited English proficient children by identifying, acquiring, and upgrading curricula, instruction materials, educational software, and assessment procedures.
- (3) Providing —
 - (A) tutorials and academic or vocational education for limited English proficient children; and
 - (B) intensified instruction.
- (4) Developing and implementing elementary school or secondary school language instruction educational programs that are coordinated with other relevant programs and services.
- (5) Improving the English proficiency and academic achievement of limited English proficient children.
- (6) Providing community participation programs, family literacy services, and parent outreach and training activities to limited English proficient children and their families —
 - (A) to improve the English language skills of limited English proficient children; and
 - (B) to assist parents in helping their children to improve their academic achievement and becoming active participants in the education of their children.
- (7) Improving the instruction of limited English proficient children by providing for —
 - (A) the acquisition or development of educational technology or instructional materials;
 - (B) access to, and participation in, electronic networks for materials, training, and communication; and
 - (C) incorporation of the resources described in subparagraphs (A) and (B) into curricula and programs, such as those funded under this subpart.
- (8) Carrying out other activities that are consistent with the purposes of this section.

Section 3115(d)

SUPPLEMENT, NOT SUPPLANT-Federal funds made available under this subpart shall be used so as to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for limited English proficient children and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.

Section 3115(g)

ADMINISTRATIVE EXPENSES – Each eligible entity receiving funds under section 3114(a) for a fiscal year may not use more than 2 percent of such funds for the costs of administering this subpart.

Section 3115(b)

LOCAL PLAN REQUIREMENTS.

CONTENTS.—Each plan submitted under subsection (a) shall—

- (1) describe the programs and activities proposed to be developed, implemented, and administered under the subgrant;
- (2) describe how the eligible entity will use the subgrant funds to meet all annual measurable achievement objectives described in section 3122;
- (3) describe how the eligible entity will hold elementary schools and secondary schools receiving funds under this subpart accountable for—
 - (A) meeting the annual measurable achievement objectives described in section 3122;
 - (B) making adequate yearly progress for limited English proficient children, as described in section 1111(b)(2)(B); and
 - (C) annually measuring the English proficiency of limited English proficient children, so that such children served by the programs carried out under this part develop proficiency in English while meeting State academic content and student academic achievement standards as required by section 1111(b)(1);
- (4) describe how the eligible entity will promote parental, and community participation in programs for limited English proficient children;
- (5) contain an assurance that the eligible entity consulted with teachers, researchers, school administrators, and parents, and, if appropriate, with education-related community groups and nonprofit organizations, and institutions of higher education, in developing such plan; and
- (6) describe how language instruction educational programs carried out under the subgrant will ensure that limited English proficient children being served by the programs develop English proficiency.

Section 3116 (b)