**Title III, Part A:**

**Language Instruction for English Learners**

**Statewide Consortium Application: Guidelines, Instructions, and Assurances**

**Member Division Application Submission Date:**

**July 1, 2024**

**ESEA Grant Award Period:**

**July 1, 2024 – September 30, 2025**

**Virginia Department of Education**

**Division of Teaching and Learning**

**Office of ESEA Programs**

**P. O. Box 2120**

**Richmond, VA 23218-2120**

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# Application Guidelines – Fiscal Year 2024

# Purpose of Program and General Use of Funds of Title III – Language Instruction for English Learners (ELs)

The overarching purpose of the grant is to support student achievement under Virginia’s Accountability Plan provisions, including the following:

* Supporting student mastery of K-12 college-and career-ready reading and mathematics standards, and attainment of proficiency or better on corresponding assessments;
* For high schools with a graduating class, supporting on-time student completion of graduation requirements; and
* Ensuring that students are taught by effective teachers meeting Virginia licensing and professional teaching requirements and providing meaningful professional development and support to promote effective instruction to increase student achievement.

Title III, Part A, funds will be used:

* To help ensure that ELs, including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English;
* To assist all ELs, including immigrant children and youth, to achieve at high levels in academic programs so that all ELs can meet the same challenging State academic standards that all children are expected to meet;
* To assist teachers (including preschool teachers), principals and other school leaders, state educational agencies, and local educational agencies and schools to develop and enhance their capacity to provide effective LIEP services to prepare ELs, including immigrant children and youth, to enter all-English instructional settings; and
* To promote engagement activities for limited English proficient (LEP) parents, families, and communities.

Funding priorities for Title III include:

* Increasing the English language proficiency and academic achievement of ELs and immigrant children and youth by providing high-quality LIEP services;
* Providing sustained high-quality professional development to enable classroom teachers to deliver effectiveacademic programs and English language support to ELs and immigrant children and youth; and
* Promoting engagement activities for LEP parents, families, and communities.

**Supplement, Not Supplant, Provisions Under Title III, Part A**

Title III funds may be used to provide supplemental materials and services that improve the English language proficiency and academic achievement of ELs, including the provision of professional development activities that increase the knowledge and skills of teachers who serve ELs. All programs and services provided to ELs using Title III funds must supplement, not supplant, the programs and services that must be provided to ELs 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. Title III funds **cannot be used for**:

* Identifying, screening, placing, and assessing ELs;
* Implementing Language Instruction Educational Program (LIEP) services to meet EL academic and language needs.
* Hiring sufficient, qualified personnel to provide academic programs and LIEP services for ELs as required by federal, state, or local laws;
* Utilizing interpretation/translation services to the provide the same school-level, division-level, state, or federal information and programs to LEP parents and families that is provided to non-LEP parents.
* Implementing effective monitoring of formerly ELs (Level 6, Year 1, and Year 2); and
* Purchasing or administering the annual English language proficiency (ELP) assessment or providing training to administer the ELP assessment.

**Criteria for Application Approval**

* LIEP services are part of the core curriculum for ELs. Funds must supplement the core LIEP services provided to ELs as required under local, state, and federal laws.
* Funds must be used for programs that will increase the English language proficiency and academic achievement in core content classes for ELs and immigrant children and youth.
* Funds must be used to provide sustained high-quality professional development.
* Funds used for LEP parent and family engagement activities must 1) assist families with attaining English language proficiency and 2) assist their children with attaining academic achievement.
* Administrative costs are limited to **2** percent or less of the EL subgrant award including indirect costs.
* Indirect costs claims are subject to the availability of funds and statutory or administrative restrictions. Because the administrative cap applies to the combined claims for indirect costs and direct administrative costs, divisions may not be able to claim the entirety of their indirect costs. The amount unrecovered may not be shifted to another federal award.
* EL subgrants that fall below $10,000 require school divisions to apply as part of the Statewide Consortium.

## Overview of the Statewide Consortium

Under Section 3114(b) of the *Elementary and Secondary Education Act of 1965* (ESEA), states cannot award a Title III subgrant to divisions if the amount of the subgrant is less than $10,000. Divisions that do not qualify for a Title III allocation of at least $10,000 may submit a joint application with one or more divisions within a consortium to receive their allocation.

The Title III statewide consortium provides a means for divisions allocated under $10,000 in Title III funds to access these Title III funds for the purpose of enhancing or expanding existing LIEP services, providing professional development to LIEP and content teachers on instructional practices that help ELs achieve academically, and offering assistance to divisions regarding best practices for EL education.

In 2024-2025, the VDOE will provide a Title III statewide consortium for divisions awarded a Title III subgrant under $10,000 to:

* Ensure that all divisions receiving a Title III allocation under $10,000 can access their funds; and
* Provide high-quality professional development targeted specifically to the needs of divisions with low-incidence EL populations.

## Consortium Requirements:

* For the 2024-2025 grant award period, Virginia Polytechnic Institute and State University (VA Tech) will continue to serve as the fiscal lead for the Title III statewide consortium.
* The consortium must develop a plan that outlines how consortium member divisions will help ELs attain English language proficiency while meeting the same academic content standards as all students.
* The VDOE considers consortium memberships finalized by July 1 of each year. Requests to join or exit a consortium will not be accepted after July 31, 2024, except in the case of divisions with a final allocation of $10,000 or more that choose to exit the consortium and manage their Title III allocation independently.
* Each consortium member division is responsible for ensuring that all nonpublic schools within its boundaries are consulted and given the opportunity to participate in Title III activities in accordance with Section 8501 of ESSA.

## Application Details

The Title III statewide consortium will function as a single entity to meet programmatic and fiscal requirements under Title III, Part A, of ESEA. In order to develop a single, unified plan, consortium member divisions will submit to the consortium fiscal lead a description of local efforts to meet requirements under Sections 3116 and 3121 of ESEA. The consortium lead will compile the information received from divisions in the Title III statewide consortium application and the budget workbook (described below) to develop a single *Title III Statewide Consortium Plan*.

**The Title III Statewide Consortium Plan will address all of the following requirements under a single plan, which will be submitted to the VDOE by Virginia Tech as the fiscal agent:**

1. The use of Title III statewide consortium funds to supplement the LIEP services provided to ELs as required under local, state, and federal laws;
2. The instruction programs and services utilized by consortium member divisions designed to increase the English language proficiency and academic achievement of ELs and immigrant children and youth.
3. A program description including how the division provides effective professional development to educators of ELs.
4. Funds for engagement activities that 1) assist LEP parents and families with attaining English language proficiency and 2) assist their children with attaining academic achievement.
5. Evaluation of the effectiveness of academic programs and LIEP services for ELs.

## Division Participation in the Plan Development Process

Each consortium member division must complete and submit the following forms to the VDOE for review and programmatic and budgetary approval. Virginia Tech will then aggregate information from the applications into the comprehensive Title III statewide consortium application and submit this application to VDOE. The application contains 5 sections that require LEA completion:

1. Main Page (Division name – line 13)
2. Title III Budget (Budget Summary and Detailed Budget)
3. Title III Program (Description of LIEP services and objectives)
4. Private School Participation (Equitable Services)
5. General Education Provisions Act (GEPA) Section 427 (Tab 4: GEPA)

###### Instructions for Completing the Application –COMPLETE THE TITLE III STATEWIDE CONSORTIUM APPLICATION AND NOT THE INDIVIDUAL PROGRAM APPLICATION

**Main Page Tab**

Select the school division from the drop down box in cell F13. This feature will automatically insert your school division name and number throughout the application

**Application Directory**

By clicking the buttons in this directory, you can navigate to specific sections of the application. To return to the directory, choose the “Back to Main Page” button in any section.

**Budget Check Tab**

This section is designed to warn you if there are errors in the alignment of budgets. If column D is blank after the Budget Summary and Transferability tabs have been updated, then the budgets are balanced. If there are error messages in column D, please make the necessary corrections.

**Narrative Tab, (Pages 1-2)**

1. The local school board must review and approve the application prior to submission to the Virginia Department of Education.
2. The designated division representative should complete the Local Educational Agency Certification section by securing all appropriate signatures and by indicating the date of the school board meeting.
3. In cell F24 enter your allocation based on level funding from the previous year.
4. The designated division representative should complete the Local Educational Agency Certification by securing all appropriate signatures and by indicating the date of the school board meeting. **The signed original of the application cover page must be retained at the division level**

**Budget Tab (Page 3)**

1. Provide the summary budget by federal funding source and object code for the individual application.
2. The Budget Summary page should display a green “**Yes**” for each object code. “Do the totals equal the Detailed Budget sheet?”
3. Divisions that have entered into agreements to provide materials or services to private schools should provide the anticipated costs on the appropriate lines shaded in blue.
4. Administrative costs should be included in the appropriate lines shaded in yellow. The total cost of the yellow administrative lines (to include indirect costs) cannot exceed 2% of the total award.

**Detailed Budget (Budget Tab, Pages 4-10)**

1. The program budget must reflect resources needed to achieve the measurable objectives and services described in the program overview section. Please note that administrative costs are limited to two (2) percent of the Title III subgrant award including indirect costs.
2. Detail all expenditures to private schools in the narrative section specified
3. All program expenditures must be supplemental and allowable under the grant. Guidelines on supplement, not supplant and allowability are provided in the [*Spending Handbook for Title I, Part A; Title II, Part A; Title III, Part A; and Title IV, Part A.*](https://www.doe.virginia.gov/home/showpublisheddocument/23761/638043854973670000)

**Programs and Services for ELs and their families (Title III Program Tab, Pages 11-16)**

Consortium member divisions must provide programs and services for the education of ELs under Title VI of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974 (EEOA), *Lau* v *Nichols* (1974), *Castañeda* v *Pickard* (1981) and other civil rights laws and federal statutes and guidance. Federal funds, including Title III, cannot be used to meet the federal requirements for ELs.

**This section of the application consists of narrative boxes that describe how a division will support ELs using Local and/or State Funds**

**Box 1.** **Using Local and/or State Funds:** Identify how instruction is delivered to ELs at varying proficiency levels and grade span levels to develop their English language proficiency and increase their ability to meet challenging State academic standards. Include specialized programs for newcomer ELs, SLIFE, “opt-out” ELs, dually identified ELs, ELs at higher proficiency levels, and long-term ELs, if applicable. List the [LIEP Model(s)](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.doe.virginia.gov%2Fhome%2Fshowpublisheddocument%2F20424%2F638043624355500000&wdOrigin=BROWSELINK) used in the LEA.

**Box 2. Using Local and/or State Funds:** Describe the division’s plan to provide effective professional development that specifically relates to the teaching of ELs as identified in Box 1.

**English Language Proficiency (ELP) Progress Indicators**

EL baseline ACCESS data and measures of interim progress toward meeting the long-term goals for ELP, can be found in[*Virginia ESSA State Plan*](https://www.doe.virginia.gov/home/showpublisheddocument/40562/638078265189700000) (See Appendix C)

**English Learner Progress Targets**

**Accountability Years 2018-2019 through 2024-2025**

[**https://www.doe.virginia.gov/data-policy-funding/data-reports/statistics-reports/accreditation-federal-reports/federal-accountability#:~:text=English%20Learner%20Progress,58**](https://www.doe.virginia.gov/data-policy-funding/data-reports/statistics-reports/accreditation-federal-reports/federal-accountability#:~:text=English%20Learner%20Progress,58)**)**

***Timeframe for Completion***

 **Interim progress is measured annually. Long-term goals are set for 7 years.**

**Box 3a.** Provide the following information regarding the division wide EL population. ACCESS results can be based on the 2023-2024 Accountability Year (52%).

**Box 3b.** If the LEA did not meet State EL Progress targets for 2023-2024 (Accountability Year – 52%) in Box 3a, please outline the Corrective Action Steps using state, local and federal funds that have been taken in the 2023-2024 SY to address this achievement gap in order to reduce/eliminate it.

**Box 4.** Identify the amount of targeted language instruction for ELs the division determines appropriate at each proficiency level and/or grade span level.

* Example by Grade: K- 30 minutes, 5 times a week, LIEP Models – ELD.
* Example by ELP Level: Level 1: 45 minutes, 5 times a week, Grades K-2, LIEP Models – Newcomer and Content Classes with Integrated EL Support

Choose a reporting format that supports your division EL scheduling policy.

**Box 5.** Describe the division’s procedures to evaluate programs and services for ELs. Include the following information:

* A timeline for evaluation;
* Stakeholders involved in the evaluation process; and
* The data collected by the division to determine the effectiveness of the LIEP.
	+ EL academic achievement indicators by grade span or content area,
	+ Specific LIEP secondary courses,
	+ Student or parent surveys,
	+ EL graduation rates,
	+ ELs with disabilities,
	+ Long Term ELs,
	+ SLIFE (added for 2024),
	+ Formerly ELs (4.4+ on the ACCESS for ELLs assessment).

**Box 6.** If applicable, describe the LIEP modifications to be introduced to address specific concerns identified in the evaluation process.

**Box 7.** **Using Local and/or State Funds:** Describe how the division provides outreach to LEP parents and families to allow them the opportunity to participate in their student’s education. Include how the division provides language assistance, such as third party vendors, contracted interpreters and translators, or telephone or digital language services, to parents who may require it.

**Coordination of Services (Page 15)**

**Box 8.** Describe the partnership between this program community, organizations, and other local, state and/or federal programs within the division. Possible services could include community partnerships, specialized programs, such as the gifted program, college and career readiness, special education, preschool, Title I, Title II, and Title IV. Provide data if available to support the effective outcomes of these collaborations.

**This section of the application consists of narrative boxes that describe how a division will support ELs using Title III, Part A, Funds**

**Title III Application ESSA Compliance Information on using Title III Funds**

**Sec. 3115(g) Supplement Not Supplant:** Federal funds made available under this subgrant shall be used to supplement the level of federal, state, and local 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.

**Information Pertaining to Required and Allowable EL Subgrant and Immigrant Children and Youth Subgrant Activities**

The allowable activities are separated into the two Title III subgrant categories 1) EL subgrant, and 2) immigrant children and youth (IY) subgrant. EL and IY funds cannot be used for academic programs and LIEP services for ELs and immigrant children and youth that are required under other local, state, and federal laws to include Title VI of the *Civil Rights Act of 1964*, the Equal Educational Opportunities Act of 1974 (EEOA), and other requirements, including those under State or local laws.

##### **Required EL Subgrant Activities**

Programs and services using EL funds must be supplemental to other local, state, and federal requirements.

EL subgrant funds must be used to:

1. Increase the English proficiency of ELs by providing high-quality LIEP services that demonstrate effectiveness by increasing English proficiency and improving student academic achievement in the core academic subjects; and
2. Provide sustained 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–
	1. designed to improve the instruction and assessment of ELs.
	2. designed to enhance the ability of such teachers to understand and use curricula, assessment measures, and instruction strategies for ELs.
	3. based on 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
	4. 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 school division employing the teacher.

1. Provide and implement effective activities and strategies that enhance or supplement LIEP services for ELs, which must include **LEP parent, family, and community engagement activities**, and may include strategies that serve to coordinate and align related programs.

##### **Allowable EL Subgrant Activities**

EL subgrant funds may be used to:

1. Upgrade program objectives and effective instruction strategies.
2. Improve the instructional program for ELs by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures.
3. Provide tutorials, academic or career and technical education, and intensified instruction.
4. Develop and implement elementary or secondary LIEP services that are coordinated with other relevant programs and services.
5. Improve the English proficiency and academic achievement of ELs.
6. Provide community participation programs, family literacy services, and parent engagement activities to ELs and their families to improve the English language skills, and assist parents in

helping their children to improve their academic achievement and become active participants in the education of their children.

1. Improve the instruction of ELs by providing for the acquisition or development of educational technology or instructional materials, access to and participation in, electronic networks for materials, training, and communication, and incorporation of such resources into curricula and programs; and
2. Carry out other activities that are consistent with the purposes of this section.

**Box 9. Title III funded personnel, resources, and initiatives:** Describe how the LEA will use Title III funds to provide supplemental support to help ELs increase EL proficiency and meet the challenging State academic standards. The description must include a brief needs assessment with data, to demonstrate why the resources, materials, personnel, curriculum enhancement, coordination with other programs and other creative initiatives to be funded by Title III, will support an effective LIEP. This description must align with expenditures outlined in the Budget Summary and Detailed Budget Description in the Budget Tab.

**Box 10. Title III funded professional development:** Describe how the LEA will use Title III funds to provide supplemental support for effective professional development (PD) to support: 1) classroom teachers, 2) principals, 3) support staff, 4) administrators, and 5) others. This description must include a brief needs assessment with data, to demonstrate how Title III funds will support effective PD to improve EL educational outcomes. This description must align with expenditures outlined in the Budget Summary and Detailed Budget Description in the Budget Tab.

**Box 11.** **Title III funded parent engagement:** Describe how the LEA will use Title III funds to provide supplemental support to parent, family, and community engagement activities. Identify strategies used in coordination with other related programs, such as Title I, Part A, college and career readiness, and preschool programs. This description must include a brief needs assessment with data to demonstrate how Title III funds will support effective parent and family engagement to improve EL educational outcomes. This description must align with expenditures outlined in the Budget Summary and Detailed Budget Description in the Budget Tab.

### G. Title III Program Details (Title III Program Tab, Page 17)

**Required Subgrant Activities for CSPR Reporting**

**Box A: Sec. 3115(c)(1)(2)(3) –** LEA Required Subgrant Activities Respond **YES** or **NO** using the dropdowns if Title III funds will be used this year (2024-2025) to support required activities. The Title III Budget Tab and the Title III Program Narrative Tab boxes 8-11 should support the responses.

**Box B: Sec. 3116(d) (1-9) –** Possible Subgrantee Activities: Place an **X** next to the activities below if Title III funds in 2024-2025 to provide these activities.

**Box C. Sec.3201(7) of the ESEA –** Identify the language(s) of instruction if the LEA provides the Transitional Bilingual, Dual Language or Two-way Immersion Programs. If the LEA does not provide these LIEPs, mark **Not Applicable (N/A)**

**H. Measurable Objectives REQUIRED 2024-2025**

**Section 1** **(Title III Program Tab, Pages 18-19)**

In Section 1 of the MOs, the LEA must address each of the MOs in Section 2 of the previous year's application and report whether 1) the LEA met the intended outcomes/targets; 2) reasons why the intended outcomes/targets were not met; and 3) how the MO will be modified, if applicable. The LEA may also choose to use MOs from Section 1 of the application submitted two years previously. The LEA should include a description of the data analysis and process used to determine if the intended MO outcome/target was met. Be sure to address all of the following:

* Specify the measurable objective from the previous application.
* Specify the application year (2021-2022 or 2022-2023).
* State the original MO goal and then describe the actual data results; and
* Describe the activities implemented and the actual progress made towards reaching the MO.

**Section 2** - **(Title III Program Tab, Pages 20-23)**

In Section 2 of the MO’s the LEA **must identify between three to five measurable objectives**, that will support the goals of your LEA’s EL program. These objectives must be funded with identified Title III, Part A, federal funds as written in this application.
If state EL Progress targets were not met (Box 3b), you MUST identify an EL Progress target as a MO. Below are some additional areas of focus that could be identified as LEA measurable objectives, where Title III funds are used to provide supplemental support:
 • EL Absenteeism targets.
 • EL Graduation targets.
 • EL Parent engagement targets.
 • EL subgroup SOL targets.
 • EL Professional development targets.
 • LIEP curriculum development.
 • Increasing EL participation in CTE.
This is not an exhaustive list and MOs should be based on a LIEP needs assessment.

Describe the evidence-based research that supports the services and activities (programs, resources, people, and techniques) that will be implemented to achieve each objective. Review boxes 9, 10, and 11 in the Title III Program Tab to incorporate funding identified with measurable targets for the 2024-2025 SY. Be specific about how people, resources and professional development identified in the Budget Tab, are used to meet each measurable objective.

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| **What is a Measurable Objective?**A measurable objective has four components:1. Subject (Who is the target or focus?);
2. Behavior (What will be changed/improved?);
3. Specific criteria for assessing improvement, readiness, or achievement; and
4. Time period for performance or assessment.

Examples:1. In the spring of 2025, a (to be locally determined) percentage of the ELs taking the Standards of Learning reading or state-approved assessments linked to the Standards of Learning will score at the proficient level.
2. By the end of the 2024-2025 SY LEP parent participation in school transition and graduation/CTE meetings will have increased (to be locally determined) as per sign in documentation.
3. The EL subgroup will demonstrate (to be locally determined) a drop in EL absenteeism rates as compared to the prior SY.
4. By the end of the 2024-2025 school year, a (to be locally determined) percentage of ELs will demonstrate progress in acquiring English language proficiency as demonstrated by moving from one English language proficiency level to the next.
5. By the end of the 2024-2025 school year, a (to be locally determined) percentage of ELs will attain proficiency as demonstrated on the annual ACCCESS for ELLs English language proficiency assessment.
 |

It is anticipated that 2023-2024 *student-level* Standards of Learning (SOL) test results will arrive in the school divisions prior to the application deadline.  Though unofficial, schools and school divisions may examine these data points for student progress trends that may be used to determine needed activities to improve student achievement.

**G. Private Schools Tab (Pages 23-24)**

Divisions are expected to list **all** eligible private schools in the jurisdiction of the school division in column A regardless of whether these private schools are participating in Title III equitable services. In column C include the number of ELs in private schools participating in services and provide a description of the services for participating students in column D. **Complete question 1** **on line 6** to show the number of ELs level 1-4.3 in your school division. The proportionate share is calculated in the application based on these numbers. Remember to add the private school funds identified on this tab in the Title III Budget Tab on the lines shaded in blue. The total on Line 36 of the Budget Summary Tab MUST align with the total on Line 22 of the Private School Tab.

**H. General Education Provisions Act (GEPA) Section 427 (GEPA Tab Page 25)**

Section 427 of the General Education Provisions Act (GEPA) requires applicants for federal funds to include in their applications a description of the steps the applicant will take to ensure equitable access to, and participation in, federally-assisted programs for students, teachers, and other program beneficiaries with special needs. The provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, the applicant should determine whether these or other barriers may prevent students, teachers, etc., from such access or participation in the federally-funded project or activity. The description in the application of steps to be taken to overcome these barriers need not be lengthy; the application may provide a clear and succinct description of how the applicant plans to address those barriers that are applicable to their circumstances.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the federal funds awarded to it eliminate barriers it identifies.

In the space provided, describe the steps the division will take to ensure equitable access to, and participation in, grant-funded programs for students, teachers, and other program beneficiaries with special needs as required by the *General Education Provisions Act* (GEPA) 427, OMB Control No. 1894-00045, Section 427. You may consider the following examples in your description:

* Ensuring that events are held in accessible facilities; ensuring that materials are appropriate and accessible to all participants;
* Translating documents into other languages as needed;
* Conducting outreach or other activities to address gender or race inequities in mathematics, science, or other programs; and/or
* Efforts to involve diverse stakeholders in program planning and implementation

## Application Submission and Approval Deadlines

Completed Consortium Excel Applications must be submitted by participating divisions via the Title III statewide consortium mailbox at: **T3statewideconsortium@doe.virginia.gov** **no later than July 1, 2024.**

The VDOE will review each application for approval and may request clarifying information from divisions as necessary. Once all applications are approved, Virginia Tech will compile the division member applications into a single comprehensive Title III statewide consortium application inclusive of a consortium program description, consortium budget request, and consortium assurances affirmation.

*The following section is provided for informational purposes only and represents the responsibilities of the fiscal lead.  Member divisions do not have to take action on the information below.*

Virginia Tech, the consortium fiscal lead, will submit a final application on behalf of member divisions to the VDOE. An approvable consortium-wide application received by the deadline specified above will have the Fiscal Year 2024 funds available to the consortium on a reimbursement basis as of August 1, 2024. An approvable application received after the deadline, will have the Fiscal Year 2024 funds available on a reimbursement basis as of the date the approvable application is received at the VDOE.

## Release of Federal Funds and Grant Award Period

* At the conclusion of the approval process, Title III, Part A, funds are available to the consortium on a reimbursement basis. The grant award period is July 1, 2024, through September 30, 2025. Under the Tydings Amendment, the consortium lead has until September 30, 2026, to encumber Fiscal Year 2024 funds (for more information on encumbering funds, refer to the [*Definition of Obligation of Funds*](https://www.doe.virginia.gov/home/showpublisheddocument/32423/638047209054070000)).
* Divisions will submit reimbursement requests to Virginia Tech, the consortium fiscal lead.
* **Final reimbursements must be submitted by the consortium fiscal lead to the VDOE by September 30, 2026**. Applications for IY funds will be processed separately from the statewide consortium application. The application for IY funds is accessed and submitted through OMEGA. The application for supplemental IY funds, for divisions receiving these additional IY monies, will be complete in paper form and submitted to VDOE.

**Expenditure Accounts Description Tab (Pages 26-28)**

Provides definitions for the object codes. Please review carefully.

### ASSURANCES

### The assurances should be kept on file in the division.

### GENERAL ASSURANCES

Title I, Part A – Improving Basic Programs Operated by Local Educational Agencies

Title I, Part C – Education of Migratory Children

Title I, Part D, Subpart 2 – Prevention and Intervention Programs for Children and Youth Who

 Are Neglected, Delinquent, or At-Risk

Title II, Part A – Supporting Effective Instruction

Title III, Part A – Language Instruction for English Learners and Immigrant Students

Title IV, Part A – Student Support and Academic Enrichments Grants

Title V, Part B, Subpart 2 – Rural and Low-Income School Program

The school division/grantee assures:

1. Each program will be administered in accordance with all applicable statutes, regulations, program plans, and applications;
2. The control of funds provided under each program and title to property acquired with program funds will be in a public agency, a nonprofit private agency, institution, organization, or an Indian tribe, if the law authorizing the program provides for assistance to those entities;
3. The public agency, nonprofit private agency, institution, organization, or Indian tribe, will administer the funds and property to the extent required by the authorizing statutes;
4. It will adopt and use proper methods of administering each program, including⎯
	1. The enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program;
	2. The correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation and that:
5. It will maintain fiscal effort in support of free public education;
6. It will provide services with state and local funds that are at least comparable to services provided in schools and areas not receiving special federal funds;
7. The majority of the resources in the school division are derived from nonfederal funds;
8. It is in compliance with the requirements in Title VIII, Section 8524 and has no policy that prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary and secondary schools;
9. It will comply with the audit requirements for each program;
10. The federal funds are used to supplement, not supplant regular nonfederal funds;
11. It will cooperate in carrying out any evaluation of each program conducted by or for the state educational agency, the Secretary, or other federal officials;
12. It will use such fiscal control and fund accounting procedures as will ensure proper disbursement of, and accounting for, federal funds paid to the applicant under each program;
13. It will submit such reports to the state educational agency (which shall make the reports available to the Governor) and the Secretary of Education as the state educational agency and Secretary may require to enable the state educational agency and the Secretary to perform their duties under each program;
14. It will maintain such records for five years, provide such information, and afford such access to the records as the state educational agency (after consultation with the Governor) or the Secretary may reasonably require to carry out the state educational agency’s or the Secretary’s duties;
15. It consulted with teachers, school administrators, parents, members of the community, nonprofit organizations and other interested parties in the development of this plan;
16. It afforded a reasonable opportunity for public comment on the plan or application and considered such comment before the application was submitted;
17. It will provide information in an understandable and uniform format and, to the extent practicable, be provided in a language that the parents can understand;
18. It is in compliance with the requirement regarding equal access to public school facilities as specified in Title VIII, Section 8525;
19. It is in compliance with the requirement regarding the prohibition on aiding and abetting sexual abuse as specified in Title VIII, Section 8546;
20. It will comply with the other application requirements outlined in

 Section 8501. Private School Children;

Section 8502. Bypass; and

 Section 8522. Maintenance of Effort under Title VIII –Other Provisions;

1. It will ensure that funds are expended in accordance with the school division’s approved application or amended application. In the event the local division needs to expend funds in any manner other than stipulated in the approved application, the plan must be amended using the amendment process provided by the Department of Education. The application must be amended before funds can be expended for activities not approved in the original application;
2. It will collect and disseminate information collected under Section 1111 in a

manner that protects the privacy of individuals.

1. It will adhere to the provisions of the [Federal Funding Transparency and Accountability Act (FFATA),](https://www.doe.virginia.gov/home/showpublisheddocument/38105/638060894925800000) and will obtain a valid DUNS number prior to applying for funds;
2. It will comply with the provisions of 2 CFR part 200 section 200.116, which prohibits the purchase of certain telecommunications and video surveillance services or equipment as described in Public Law 115-232, section 889;
3. It will comply with Section 22.1-277.07, of the *Code of Virginia* that requires the expulsion for one year of any student determined to have brought a firearm to school. A description of each incident, the name of the school concerned, the number of students expelled from each school, and the type of firearm used in each instance of expulsion will be reported to the Virginia Department of Education in compliance with provisions under Section 8561 (Gun-Free Schools Act). This agency has a policy that requires referral to the criminal justice or the juvenile delinquency system of any student who brings a firearm or weapon to school; and
4. It will participate, if selected, in the state National Assessment of Educational Progress in 4th and 8th grade reading and mathematics carried out under Section 303 of the National Assessment of Educational Progress Act.

# PROGRAM SPECIFIC ASSURANCES

**Title III, Part A – Instruction for English Learners and Immigrant Children and Youth**

Title III funds cannot be used for academic programs and LIEP services provided to ELs that are required under other local, state, and federal laws to include Title VI of the Civil Rights Act of 1964, the Equal Educational Opportunities Act of 1974 (EEOA). The division will comply with the supplement, not supplant, provisions as described below:

**Section 3115**

(g) 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 English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.

The school division/grantee assures:

1. It will include in the plan under ESEA Section 3114 a certification that all teachers in any LIEP are, or will be, funded under this part are fluent in English and any other language used for instruction, including having written and oral communications skills;
2. All ELs will be identified within 30 days of enrollment
3. It will comply with the parental notification requirements as described below:
	1. Each eligible entity using funds provided under this title to provide a LIEP shall, not later than 30 days after the beginning of the school year, inform a parent or the parents of ELs identified for participation in, or participating in, such program of —
		1. the reasons for the identification of their child as an EL and in need of placement in a LIEP;
		2. the child’s level of English proficiency, how such level was assessed, and the status of the child’s academic achievement;
		3. the method 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, instruction goals, and use of English and a native language in instruction;
		4. how the program in which their child is, or will be participating, will meet the educational strengths and needs of the child;
		5. how such program will specifically help their child learn English, and meet age appropriate academic achievement standards for grade promotion and graduation;
		6. the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for ELs, and the expected rate of graduation from secondary school for such program if funds under this title are used for children in secondary schools;
		7. in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
		8. information pertaining to parental rights that includes written guidance —
			1. detailing —
				1. the right that parents have to have their child immediately removed from such program upon their request; and
				2. the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and
			2. assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the eligible entity.
	2. RECEIPT OF INFORMATION- The information required to be provided under subsection (a) to a parent shall be provided in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.
4. It will comply with the Parents Right-to-Know requirements in ESEA Section 1112(e);
5. It will annually assess the English proficiency of all ELs participating in programs funded under this part;
6. It will base its proposed plan on effective research on teaching ELs;
7. It will ensure that the programs will enable children to speak, read, write, and comprehend the English language and meet challenging state academic content and student academic achievement standards;
8. It will not violate any state law, including state constitutional law, regarding the education of ELs, consistent with ESEA Sections 3125 and 3126;
9. It consulted with teachers, researchers, school administrators and other school personnel, parents and family members, community members, public or private entities, institutions of higher education, and other stakeholders in developing the Title III local plan described in the program overview section;
10. It will, if applicable, coordinate activities and share relevant data under the plan with local Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers; and

##### Immigrant children and youth (IY) funds will be specifically targeted to eligible immigrant students and their families.

## Sample Wording for Developing a Budget

Refer to the line item examples below for sample wording when developing your application budget. The word choices with strike-throughs represent word choices that are too broad or general, raising potential supplanting concerns. More appropriate word choices are provided in the sentences without strike-throughs

