

# Fiscal Year 2019 Title III Compliance

The Ohio Department of Education monitors districts and community schools participating in the Title III Language Instruction for English Learners and Immigrant Students grant for compliance annually with the survey below. The Title III compliance items are part of the Office of Federal Programs' Consolidated Elementary and Secondary Education Act (ESEA) Grants survey. The Department presents the Title III section of the survey to help subgrantees' prepare for Title III monitoring. Annually, the Department assigns subgrantees a self-, desk- or on-site survey. The compliance items are identical across the three surveys.

**Item Format.** Each item is numbered 1-12 and has a short title for reference. Text then describes the requirement for subgrantee compliance. Links to federal and state statute and policy assist in understanding the requirements. The evidence subgrantees submit to the Department is bulleted below each item. Evidence marked with an asterisk (\*) is required. Bullets without an asterisk are suggested indications of compliance.

## Question 1 – Title III Consortium Participants

A local education agency (LEA) in a Title III consortium complies with the same requirements as other Title III grantees. Therefore, consortium members and the fiscal agent must have the required documentation for the below indicated sections of Title III compliance.

- ☐ Not applicable. LEA does not belong to a Title III consortium.
  - ☐ Meeting notes, minutes, agreements, etc., demonstrating participation in the consortium
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## Question 2 – Providing an Effective Program

The LEA has a local program plan or handbook describing its effective English learner (EL) program(s) and activities undertaken by the LEA to assist ELs ([1990 U.S. Office of Civil Rights Memorandum](#); Equal Educational Opportunity Act (EEOA) [20 U.S. Code § 1703\(f\)](#); and Every Student Succeeds Act (ESSA) [§3115\(f\)\(1\)](#), [§3116\(a-b\)](#)).

- ☐ \*EL program handbook/manual or a written description of the program(s) and activities for ELs
  - ☐ \*List of EL program staff with position descriptions, names, titles, workload, grade assignments, and duties
  - ☐ \*Evidence demonstrating increase in ELs' English proficiency and academic achievement
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## **NEW!** Question 3 – Identification of English Learners

The LEA adheres to Ohio's standardized procedures for identifying English learners by administering the [Language Usage Survey](#) and [Ohio English Language Proficiency Screener](#) (OELPS)) (ESSA §[3111\(b\)\(2\)\(A\)](#)).

- ☐ \*documented use of Language Usage Survey (sample of completed surveys and results is okay)
  - ☐ \*results of OELPS (sample of results is okay)
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## **NEW!** Question 4 – Assessment and Exit of English Learners

The LEA administers annually the Ohio English Language Proficiency Assessment (OELPA) to all English learners. Parents are notified of student status and progress. Students who attain proficiency on the OELPA are exited from EL program (ESSA §[1111\(b\)\(2\)\(G\)](#); §[3111\(b\)\(2\)\(A\)](#)).

- ☐ \*Sample of OELPA results for the LEA's English learners
  - ☐ \*Notifications to parents/guardians of OELPA results
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## **NEW!** Question 5 – Providing Meaningful Access

No student is denied access to any course of activity because of his/her language or cultural background. ELs and immigrant youth have access to grade-level curricula and have equal opportunities to participate in all programs, including pre-kindergarten, magnet, gifted and talented, career and technical education, arts, and athletics programs; Advanced Placement (AP) and International Baccalaureate (IB) courses; clubs; and honor societies ([1991 OCR Memorandum](#); Title VI of the Civil Rights Act; EEOA).

- ☐ \*Communications to ELs and their parents or guardians in an understandable format about the available programs and activities
  - ☐ \*Age-appropriate placement of ELs
  - ☐ EL-specific learning materials, such as supplementary textbook materials and educational software, that support ELs' access to age-appropriate grade-level content
  - ☐ Professional development for content area teachers on effective instruction strategies for ELs
  - ☐ Initiatives contributing to school culture that are inclusive of cultural and linguistic diversity
  - ☐ Documentation of the number of ELs in the LEA's programs and activities
  - ☐ Inclusion of EL program staff in the selection of learning materials, such as textbooks
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## **NEW!** Question 6 – Monitoring Former English Learners

LEAs have a process for monitoring the academic progress of former ELs for at least two years after exiting to ensure that 1) students have not been prematurely exited; 2) any academic deficits they incurred resulting from

the EL program have been remedied; and 3) they are meaningfully participating in the educational programs comparable to their peers who were never EL students (Title VI of the Civil Rights Act; EEOA).

- ☐ \*Monitoring forms or written description of monitoring process
  - ☐ Description of LEA's protocol for re-identifying a student as an EL
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## Question 7 – Required Activities

LEAs receiving Title III funds shall use the funds across the three required Title III activities as planned in the Title III budget details: 1) to increase the English language proficiency of English learners by providing a more effective programs and services; 2) to provide effective professional development that improves the education of ELs and enhances the ability of school staff to understand and implement curricula; and 3) to promote engagement with the parents, family and community of English learners (ESSA §[3115\(c\)\(1-3\)](#)). LEAs who do not use Title III funds in all three categories should show how other funds are used to complete the required activities.

- ☐ \*Records indicating use of Title III funds in each of the required categories
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## Question 8 – Supplement, Not Supplant

Federal funds shall be used to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds (ESSA §[3115\(g\)](#)).

- ☐ \*Financial records documenting the use of federal, state and local funds for the EL program and related activities
  - ☐ LEA leaders can explain how the EL program satisfies obligations to English learners and how Title III funds are used to supplement the core program and services
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## Question 9 – Parents Right to Know

Within 30 days of the start of the school year (or within two weeks of placement if not identified prior to the beginning of school year), the LEA notifies parents of their child's identification as an EL and eligibility for participation in the language instruction educational program in an understandable and uniform format (ESSA §[1112\(e\)\(3\)\(A-B\)](#))

- ☐ \*Notification in English sent by the LEA to parents for students newly identified during the current fiscal year
  - ☐ \*Notification in language(s) other than English sent by the LEA to parents or explanation of how the LEA ensured the information was understood by limited English proficient parents
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## Question 10 – Teacher Qualification

Teachers in the EL program are properly certified or licensed and are fluent in English and other language(s) used for instruction, including written and oral communication skills (ESSA §[1112\(c\)\(6\)](#); §[3116\(c\)](#); and [Ohio Revised Code 3319.074](#)).

- ☐ \*Evidence of teachers' qualification (licenses, endorsements, certifications, permits)
  - ☐ \*Description of LEA's process for ensuring teachers' linguistic fluency
  - ☐ Documentation of teachers' fluency in English and other languages
  - ☐ Documentation of teachers' progress toward TESOL certification (licensure or endorsement)
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## Question 11 – EL Program Evaluation

Each LEA provides the Ohio Department of Education, at the conclusion of every second fiscal year (odd fiscal years) during which the Title III funds are received, with a report on the activities conducted and children served by the EL program, which will include the seven required criteria of §[3121\(a\)](#) and is used by the LEA to inform program improvement (ESSA §[3121\(a\)](#)).

- ☐ \*Complete EL program evaluation
  - ☐ \*Alignment of past EL program evaluation with use of Title III funds
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## **NEW!** Question 12 – Immigrant Children & Youth Activities

LEAs receiving a Title III Immigrant award use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth (ESSA §[3115e](#)).

- ☐ Records indicating use of Title III Immigrant funds.
  - ☐ N/A. LEA did not receive Title III Immigrant funds in FY19
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