

## Title III, Part A Frequently Asked Questions (FAQ): Section Topics

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For information on English learner program services and instructional guidance detailing program implementation, see the [SY 20-21 English Learner Guidance](#) and [SY 20-21 English Learner Program Implementation Guidance](#) located on the [COVID-19 Support: Special Populations](#) webpage.

### Title III, Part A - General

#### 1. Where can a local education agency (LEA) access general information on the ESSA Consolidated Federal Grant Application?

The Grants Administration Division has provided a [Grant Resources](#) webpage to access recorded eGrant trainings, guidance handbooks for budgeting, and expenditure reports. For deadlines to amend your Title III, Part A program schedules (PS3106 and PS3114), please reference *critical events* under the current ESSA Consolidated Federal Grant Application searchable at [TEA Grants Opportunities](#).

#### 2. How does an LEA generate Title III, Part A funding?

An LEA generates Title III, Part A federal funding when a student has been identified as an English learner and/or meets the definition of an immigrant student. The student's enrollment reported in PEIMS is used in determining the entitled amount for the following school year. An LEA can access their Title III, Part A funding amounts on the TEA [Entitlements](#) webpage listed under *Every Student Succeeds Act (ESSA)*.

#### 3. What percentage should an LEA appropriate for administrative costs?

The Every Student Succeeds Act (ESSA), Sec. 3115(b), limits the amount of Title III, Part A – ELA funds that may be budgeted to administer the program, including direct administrative costs, to no more than **2%** of the total grant awarded for any fiscal year. Calculations must include information regarding administrative costs of third-party contracts.

An LEA may claim a maximum for indirect costs equal to their current approved restricted [indirect cost rate](#) for this grant program.

#### 4. Does an LEA have to support Private Non-Profit (PNP) schools with Title III funding?

An LEA has a responsibility to provide equitable Title III, Part A services to eligible private non-profit (PNP) schools' English learners, their teachers, and other educational personnel within the LEA's attendance boundary. Through consultation between the eligible PNP and the LEA, a variety of supplemental services may be agreed upon for the current academic year.

For additional guidance and resources on supporting PNPs with Title III, Part A funds, please see [Title III, Part A Services for Private Non-Profit Schools](#).

#### 5. Does an LEA have to complete the ESSA Compliance Report?

Yes, if the LEA applied and accepted Title III, Part A federal funds, it must complete the ESSA Compliance Report. The ESSA Compliance Report

- captures how the funds were expended,
- provides the state with data needed to report to the Department of Education
- documents accountability that the state is in compliance with ESSA.

**Note:** LEAs who joined a Shared Service Arrangement (SSA) with their Title III, Part A funds will need to coordinate with their fiscal agent who will be completing the ESSA Compliance Report on behalf of all members of the SSA.

#### 6. Where can guidance on allowable use of Title III funds be found?

Accessible on our [EL web portal](#) under *Quick Links*, LEAs can access two resource documents that address Title III funding.

- [Side-by-Side Guidance](#) - Outlines allowable use of state and federal funding for serving identified English learners.
- [Title III Allowable Use of Funds \(FAQ\)](#) – Provides common scenarios that LEAs encounter when determining if Title III funds are the most appropriate funding source and how the expenditure complies with rules of Supplement, Not Supplant.

For additional information on general federal funding, please see the [Federal Funding and Grants FAQ](#) located on the [TEA COVID-19 Support webpage under Federal Funding](#).

## ***Title III, Part A – English Language Acquisition***

### **1. What are the Title III, Part A – ELA requirements when an LEA applies and accepts these funds?**

Under ESSA, Sec. 3115(c), entities receiving funds under section 3114(a) shall use the funds to meet three requirements that are detailed on the [Clarifying Title III LEA Required Activities under ESSA](#) document:

- Support the effectiveness of the state-funded language instruction educational program with additional supplemental activities;
- Provide effective professional development; and
- Offer parent, family, and community engagement activities.

### **2. Why is the option to apply for Title III, Part A – ELA funds independently deactivated if identified English learners are enrolled?**

An LEA's entitled Title III, Part A - ELA funds are based on the number of identified English learners. Each year, the state determines a per pupil cost which is used in a formula to determine [ESSA Consolidated Planning Amounts](#) and released in late spring. The authorizing statute does not allow any state to award an LEA Title III, Part A – ELA funds if the amount is less than \$10,000. LEAs have the option to designate their funds to a fiscal agent by becoming a member of an SSA.

### **3. What are supplemental activities that an LEA can fund under PS3106 of the ESSA Consolidated Federal Grant Application?**

LEAs can access the ESSA Consolidated Federal Grant Application [Program Guidelines](#) (page 43) to see the allowable activities. The approved supplemental activities are to benefit English learners and their families in ensuring English learners attain English proficiency at high levels in academic subjects and can meet the same challenging State academic standards that all students are expected to meet.

### **4. Why must Title III-funded LEAs host separate engagement opportunities from those already hosted for all families?**

In addition to engagement opportunities open to all families, the LEA must offer supplemental opportunities to families of English learners, including immigrant students. Under ESSA, Sec. 3115(d)(6)(A)(B) requires Title III-funded LEAs to offer parent, family, and community engagement activities to families of English learners that increase English language skills, improve academic achievement, and help parents become more active participants in the education of their children.

**Note:** An LEA can coordinate funds and efforts with other programs to maximize participation and the success of an engagement event.

## Title III, Part A – Immigrant Students

### 1. What is the definition of an immigrant student to determine identification for PEIMS coding?

ESSA, Sec. 3201(5) defines an immigrant student as an individual who

- a) are aged 3 through 21;
- b) were not born in any US state; and
- c) have not been attending one or more schools in any one or more US states for more than 3 full academic years.

### 2. How does Texas define “3 full academic years” when determining eligibility of an immigrant student?

Texas has defined an academic year to equal 10 months with a total eligibility of 30 months of service for a student who meets the definition of an immigrant student. If a student has been enrolled in schools in multiple states, the student’s eligibility must not add up to a total of more than 3 full academic years.

**Note:** Academic years in schools defined for immigrant eligibility differs than the definition used for assessment purposes.

### 3. What is the difference between a newcomer and an immigrant student?

The term “Newcomer” encompasses any population of individuals who are not born in the United States (e.g., asylees, refugees, etc.), including immigrant students. Texas commonly uses the term *newcomer* when addressing the language instructional education program (bilingual or English as a second language-ESL) and *immigrant* for coding in PEIMS.

### 4. How does an LEA generate Title III, Part A – Immigrant funds?

There are two eligible methods for an LEA to generate the additional Title III, Part A -Immigrant funds.

#### **Method 1:** Significant Increase in ***Number*** of Immigrant Students

- LEA immigrant student counts are from the current and previous two years of PEIMS fall and eGrants PR7000 Private Non-profit data collections.
- A prior year average number is calculated from the two previous year’s student counts. This average is subtracted from current immigrant students reported and the difference must be a significant increase.
- A “significant increase” of immigrant students for an LEA to qualify for immigrant funds in number is defined as a difference of **100 or more** immigrant students.

#### **Method 2:** Significant Increase in ***Percentage*** of Immigrant Students

- LEA immigrant student counts are from the current and previous two years of PEIMS fall and eGrants PR7000 Private Non-profit data collections.
- A prior year average number is calculated from the two previous year’s student counts. This average is subtracted from current immigrant students reported to create a difference. The difference divided by the prior year average equals a percentage

increase or decrease.

- A “significant increase” of immigrant students for an LEA to qualify for immigrant funds in percentage is defined as a **50% or more** increase, and the current year immigrant student count must be 30 or more.

**5. Do the same limitations for Title III, Part A – ELA also apply to Title III, Part A – Immigrant funds?**

No. Title III, Part A – Immigrant funds do not have the 2% cap on administrative costs nor a limitation on the amount that can be awarded to an LEA who is entitled to Title III, Part A-Immigrant funds.

**6. Where can an LEA find what supplemental activities can be funded with the additional Title III, Part A – Immigrant funds?**

LEAs can access the ESSA Consolidated Federal Grant Application [Program Guidelines](#) (page 49) to see the allowable activities. The approved supplemental activities are to benefit immigrant students and their families in LEAs who are experiencing a substantial increase of immigrant students.

**7. Do an LEA’s Title III, Part A – Immigrant funds carry over from the previous academic school year even if they did not show a significant increase in the current school year?**

Yes. Any remaining Title III, Part A – Immigrant funds not expended from the previous year are eligible to carry over into the following school year. Carryover funds are applied to an LEA’s Notice of Grant Award (NOGA) in late fall, along with final amounts. The LEA will need to revise their budget schedule to account for the new funding amounts. If an LEA does not see the carryover amount, they will want to contact the Grant Administration Division at [Grants@tea.texas.gov](mailto:Grants@tea.texas.gov).

**8. Can an LEA split fund activities between both Title III funding, if available?**

Yes. It is allowable for an LEA to coordinate Title III, Part A funds to split-fund supplemental activities when the funding sources are to benefit the same student population.

## ***Additional Resource Links***

[ESSA Compliance Report Resources](#)

[Budgeting Cost Guidance Handbook](#) (April 2020)

[EDGAR Resources](#)

[Supplement, Not Supplant](#)

[Amending an Application](#)

[Grants Awarded Data](#) (State & Federal)

[Newcomer Toolkit](#) (Outside Source)

[EL Web Portal](#)