Title III Statement of Assurances

**Assurances are hereby provided to the State Education Agency (SEA) that the Local Education Agency (LEA) or Charter School will:**

* use payments to be received under Every Student Succeeds Act, Title III and its authorization **(20 U.S.C. 6301 et seq., Sections § 3101, 3102, 3111-3116, & 3121-3128)** solely for services benefiting English learners, consistent with the purposes, requirements, and other conditions of use as stipulated under this program.
* **§ 3115(b)** not use more than 2 percent of allotted Title III funds for direct administrative expenses associated in administering this program.
* **§ 1112(c)(2)** contact yearly, private elementary schools and secondary schools in the local education agency (LEA) in accordance with section **§ 1117**, to have timely and meaningful consultation with private school officials regarding English learner services;
* **§ 3113(b)(2) as described in the North Carolina State ESSA Plan:** all students who may be English Learners must be assessed for such status within 30 days of enrollment in a school in the state
* **§ 3116(b)(4)(A) - § (1112)(e)(3)(A-B)** provide the following information to parents of English learners 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 via a uniform notification process in a language the parent can understand:
1. the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;
2. the child’s level of English proficiency, how such level was assessed, and the status of the child’s academic achievement;
3. 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;
4. how the program in which their child is, or will be, participating will meet the educational streng456 ths and needs of their 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 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;
7. 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

1. 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 choose another program or method of instruction, if available; and ‘‘(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.

**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).

* **§ 3116(b)(4)(B)** not be in violation of any State law, including State constitutional law, regarding the education of English learners, consistent with sections **§** **3125** and **§ 3126**. This district or school's participation in this program will be conducted in accordance with all federal, state, and local laws and all requirements set forth in policies and procedures issued by the North Carolina Department of Public Instruction.
* **§ 3116(b)(4)(C)** consult with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing the Title III program.
* **§ 3116(b)(4)(D)** if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers.
* **§ 3116(c)** All teachers in a Title III language instruction educational program for English learners are fluent in English and any other language used for instruction. Each eligible entity receiving a subgrant under section **§ 3114** shall include in its plan a certification that all teachers in any language instruction educational program for English learners that is, 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.
* abide by all assurances published under the above law regarding all statutes related to nondiscrimination and other compliance features listed in the **federal Standard Form** **424B** as revised for Non-Construction Programs, the federal Certification Regarding Lobbying, and the Federal Certification Regarding Drug-Free and Tobacco-Free Workplace Requirements.
* **§ EDGAR 76.730** maintain on file, all supporting documents for expenditures under Title III, in the business office of the school district in an orderly manner to permit expenditures audit and will be made available to appropriate officials upon request.
* comply with **Title VI, Section 601, of the Civil Rights Act of 1964** (race, color, national origin); **Section 504 of the Rehabilitation Act of 1973** (handicapped); **Title IX of the Education Amendments of 1971** (sex); the **Americans with Disabilities Act of 1990 and the Age Discrimination Act of 1975**.

**\*I hereby certify that all facts, figures, and representations made in this application are true and correct to the best of my knowledge,** and the school board of the local school agency (or agencies if the application is for a consortium) named in this application has/have authorized me as its/their representative.

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