

GENERAL ASSURANCES

THE APPLICANT HEREBY ASSURES THE NEW MEXICO PUBLIC EDUCATION DEPARTMENT THAT:

The Local Educational Agency (LEA) will administer each program covered under funds received under grants from this application in accordance with all applicable statutes, regulations, program plans, and applications.

The control of funds provided under each program and title to property acquired with program funds will be in the local public education agency.

The LEA will administer funds received under grants from this application to the extent required by the authorizing statutes to include Education Department General Administrative Regulations (EDGAR) and title 2 of the Code of Federal Regulations (CFR), Part 200 as adopted at 2 CFR 3474 and other titles of the CFR as applicable.

The recipient of funds shall adopt and use proper methods of administering each program including:

- the enforcement of any obligations imposed by law on LEA's responsible for carrying out the program, and
- the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation.

The recipient of funds will cooperate in carrying out any evaluation of the programs conducted by or for the State Education Agency (SEA), the Secretary of the U.S. Department of Education or other Federal Officials.

The LEA shall:

- Make reports to the SEA and the Secretary of the U.S. Department of Education as may be necessary to enable such agency and the Secretary to perform their duties under this program.
- Maintain such records, provide such information and afford access to the records as the SEA or the Secretary of the U.S. Department of Education may find necessary to carry out their duties.
- Afford a reasonable opportunity for public comment on the application and consider such comment before the application is submitted.
- **Repay to the SEA with nonfederal funds or from federal funds for which no accountability is required to the federal government, any amounts which the U.S. Department of Education orders the SEA to repay because of the applicant's failure to comply with applicable statutes, regulations and requirements.**
- **Further repay to the SEA with nonfederal funds or from federal funds from which no accountability is required to the federal government, any amounts determined by the SEA to have been misspent or misapplied because of the applicant's failure to comply with applicable statutes, regulations and requirements.**
- To the extent consistent with the number of school-age children in the attendance area of an LEA receiving funds under the programs covered by this application, the LEA shall provide timely and meaningful consultation with the appropriate school officials during the development and design of the Title III program.

- Implement the approved programs described in the approved application.
- **Use funds from awards resulting from approval of this application to supplement current programs and activities, and that in no case will these funds be used to supplant local programs or activities already in place.**

SUPPLEMENTARY ASSURANCE FOR GENERAL EDUCATION PROVISIONS ACT (GEP)

The LEA will develop and describe the steps the LEA proposes to take to ensure equitable access to, and equitable participation in the project or activity to be conducted with such assistance by addressing the special needs of students, teachers, and other program beneficiaries in order to overcome barriers based on gender, race, color, national origin, disability, and age.

SUPPLEMENTARY ASSURANCES FOR TITLE III PART A

All district and school personnel (superintendent, principals, teachers, Title III directors, bilingual multicultural education directors, finance officers and support staff) shall be knowledgeable of the requirements below to comply with the Elementary and Secondary Education Act, as amended by Every Student Succeeds Act (ESSA), Title III, Part A.

LEAs shall:

- Develop and implement a plan that is based on effective approaches and methodologies for teaching English Learner (EL) students, including immigrant children and youth.
- 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.
- Ensure that it is not in violation of any state or federal laws regarding the education of ELs (Sec. 3125) nor of any Federal law guaranteeing a civil right (Sec. 3126).
- Be required to use funds to build capacity to continue to provide effective language instruction educational programs for ELs once the subgrant is no longer available (Sec. 3113 (b) (3) (E)).
- Certify that all teachers in a Title III language instruction educational program for ELs are fluent in English and any other language used for instruction (Sec. 3116 (c)).
- Ensure that students enrolled in this program participate in the New Mexico Standards-Based Assessment (SBA) Program. In those grades that students do not participate in the SBA, the public school district shall develop and implement an assessment and evaluation program (Sec. 3113 (b) (3) (A)).
- Assess EL students participating in a Title III supported program on an annual basis until proficiency in English is achieved. (Sec. 3113(b) (3) (B)). Note: ELs not participating in a Title III supported program must also be assessed for English language proficiency (Sec. 1111(b)(2)(G) and 6.29.5.11 NMAC)
- Notify parents of a child's placement in a language instruction educational program not later than 30 days after the beginning of the school year, or for later enrollment, within two weeks of the student's placement. The notification must be provided in an understandable and uniform format, and to the extent practicable, in a language that the parent can understand. The parent notification shall include (Sec. 1112(e)(3)(A)).

- Reasons for student's placement;

- The child's level of English language proficiency, how such level was assessed, and the status of the child's academic achievement;
- Description of the range of program models available and methods of instruction used in the program models;
- Description of how the program will meet the linguistic and academic needs of the child;
- Specific exit requirements for the EL status;
- Description of how the program meets the objectives of the Individualized Education Program of a child with a disability; and
- Parents' options to decline to enroll their child in the program or to choose another program, if available.
- Ensure that the programs and projects described in the application for funds were developed in consultation with teachers including vocational teachers, school administrators, parents, charter school representatives, and where appropriate, private school representatives, pupil services personnel and other relevant external groups (Sec. 3116 (b) (4)(C)).
- Be required to use its funds (Sec. 3115 (c)):

(1) to increase English language proficiency and academic achievement in the core academic subjects for ELs with activities including effective language instruction educational programs that meet the needs of ELs; and

(2) to provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, and other school leaders, administrators, and other school or community-based organizational personnel that is—

- designed to improve the instruction and assessment of ELs;
- designed to enhance the ability of such teachers to understand and implement curricula, assessment practices and measures and instructional strategies for ELs;
- effective in increasing the children's English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
- of sufficient of intensity and duration to have a positive and lasting impact on the teachers' performance in the classroom.

(3) to provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for ELs, which shall include parent, family and community engagement activities

- Be authorized to use its funds (Sec. 3115(d)):
 - (1) Upgrading program objectives and effective instructional strategies;
 - (2) Improving instruction by upgrading or developing curriculum, assessment information, educational software and instructional materials;
 - (3) Providing tutorials, academic or vocational education and intensified instruction, which may include materials in a language other than English that the student can understand, interpreters and translators.
 - (4) Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services.

(5) Improving English language proficiency and academic achievement;

(6) Community participation that improves English language skills of ELs and assists parents through family literacy programs and parent outreach training;

(7) Improving instruction of ELs, which may include ELs with a disability, through educational technology, instructional materials, access to and participation in electronic networks and incorporating technology resources; and

(8) Offering early college high school or dual or concurrent enrollment programs or courses designed to help ELs achieve success in postsecondary education.

(9) Other activities that are consistent with the purposes of Title III.

- Report accurate information in the New Mexico Student Teacher Accountability Reporting System (STARS), including:

- Student's classification/status;
- Student's home language;
- Student's ethnicity;
- Student's immigrant status;
- Student participation in EL program and/or service; and

- Report accurate information to the SEA including:

1. a description of the programs and activities conducted by the LEA with the funds received under subpart 1;

2. the number and percentage of ELs in the programs and activities who are making progress toward achieving English language proficiency, as described in section 1111(c)(4)(A)(ii), in the aggregate and disaggregate, at a minimum, by ELs with a disability;

3. the number and percent of ELs in the programs and activities attaining English language proficiency standards established under section 1111(b)(1)(G) by the end of each school year, as determined by the state's English language proficiency assessment under section 1111(b)(2)(G);

4. the number and percent of ELs who exit the language instruction educational programs based on their attainment of English language proficiency;

5. the number and percent of ELs meeting challenging State academic standards for each of the 4 years after such children are no longer receiving services under subpart 1, in the aggregate and disaggregated, at a minimum, by ELs with a disability;

6. the number and percent of ELs who have not attained English language proficiency within 5 years of initial classification as an English learner and first enrollment in the LEA;

7. any other information that the SEA may require

- The LEA and SEA use the report for improvement of programs and activities under Title III, Part A, subpart 1. (Sec. 3121 (b))

**2024-2025 TITLE III LOCAL PLAN
SIGNATURE PAGE**

District:	Signature	Date	Email	Phone #
Superintendent/Charter School Director				
Cody Diehl			cdiehl@fms.k12.nm.us	505-324-9840
Business Manager	Signature	Date	Email	Phone #
Bobbi Newland			bnewland@fms.k12.nm.us	505-324-9840
Title III Director	Signature	Date	Email	Phone #
Diane Arrington			darrington@fms.k12.nm.us	505-324-9840

The authorized representative of the above named applicant certifies to the New Mexico Public Education Department that the information contained in the Title III local plan is accurate and complete, and certifies compliance with the assurances contained in the local plan. The governing body of the above named applicant has approved this local plan and has authorized the individual signing above as its representative to submit this plan as recorded in the minutes of the local School Board Meeting.

SCHOOL BOARD MEETING

Board Meeting Date	
7-May-24	
Board President	Signature
Stephanie Thompson	Date

Title III Local Plans will be reviewed in the order that they are submitted; we encourage you to submit your local plan as soon as possible. Any

discrepancies will require the district/state charter school to complete necessary adjustments and resubmit for additional review and approval. The Title III Local Plan is due **May 21, 2024**. The aligned Title III budget in OBMS is due **June 14, 2024**.

Please submit the signed signature page as a PDF via SharePoint.