



## District Business & Advisory Services

Nimrat Johal: Director- DBAS: 408-453-6599

Cathy McKim, Manager-DBAS: 408-453-6588

### Apportionment Notice: 13-311

Date: September 12, 2012

To: District Fiscal Directors

From: Cathy McKim

Re: Notice of Apportionments –  
Fourth Apportionment, Title III – LEP, Fiscal Year 2011–12

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The purpose of this e-mail is to notify you that the California Department of Education (CDE) has sent the following apportionment to the State Controller's Office for payment.

#### Fourth Apportionment, Title III – LEP, Fiscal Year 2011–12

This apportionment, in the amount of \$39,399,045, is made from federal funds provided to the state under Title III of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, in support of grants awarded to eligible local educational agencies for supplementary programs and services to Limited English Proficient students.

I have attached the schedule and the letter for this apportionment for your convenience; however, they are also posted on the CDE Categorical Web page under the program name, and fiscal year at:

<http://www.cde.ca.gov/fg/aa/ca/> .

*Please distribute this memo within your District as deemed appropriate.*

California Department of Education (<http://www.cde.ca.gov/fg/fo/r14/lep11apptltr4.asp>)  
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CALIFORNIA  
DEPARTMENT OF  
EDUCATION

**TOM TORLAKSON**

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

September 5, 2012

Dear County Superintendents of Schools:

**NOTICE OF THE FOURTH APPORTIONMENT FOR TITLE III,  
ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND  
ACADEMIC ACHIEVEMENT FOR LIMITED ENGLISH PROFICIENT STUDENTS  
NO CHILD LEFT BEHIND ACT OF 2001  
FISCAL YEAR 2011-12**

This apportionment, in the amount of \$39,399,045, is made from federal funds provided to the state under Title III of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act of 2001 (NCLB), in support of grants awarded to eligible local educational agencies (LEAs) for supplementary programs and services to Limited English Proficient (LEP) students. This apportionment provides payments to LEAs that reported their cash balance in July 2012 via the Cash Management Data Collection (CMDC) system, reported English Learner counts in the March 2010 R-30 Language Census Report, applied for the program on the 2011-12 Consolidated Application Part I, and have an approved LEA plan.

The CMDC was implemented by the California Department of Education (CDE) for Title III, LEP in order to adhere to the cash management requirements established in federal statute and regulations, and reduce the time elapsing between the receipt and disbursement of federal funds. More detailed information about the CMDC is posted at <http://www.cde.ca.gov/fg/aa/cm/>.

The amount paid to an LEA in this apportionment depends on whether it had amounts unpaid from its 2010-11 Title III, LEP entitlement as of the July 2012 cash reporting period, and whether the unpaid balance was greater or less than the amount owed. If an LEA had no unpaid 2010-11 entitlement, its payment in this apportionment is equal to 25 percent of its 2011-12 entitlement for Title III, LEP minus its reported cash balance for Title III, LEP, with a maximum payment equal to the unpaid balance of its 2011-12 entitlement. If an LEA had an unpaid 2010-11 entitlement, the amount owed is equal to 25 percent of its 2010-11 entitlement for Title III, LEP minus its reported cash balance. That amount owed up to the amount of the unpaid 2010-11 entitlement is being paid in a separate apportionment from 2010-11 funds. Any remaining amount owed after the 2010-11 payment is being paid in this apportionment from 2011-12 funds, with a maximum payment equal to the unpaid balance of the 2011-12 entitlement.

Each LEA's 2011-12 entitlement is equal to the number of English Learner students reported on the March 2010 R-30 Language Census Report, multiplied by a rate of \$111.15.

Direct-funded charter schools must apply individually for this program. The amount of funding for a direct-funded charter school is identified separate from the district or county amount. All other charter schools must apply through their authorizing agency; associated funding for these charter schools is included in the district or county amount.

The United States Department of Education (ED) grant award number for this funding is S365A110005. The Catalog of Federal Domestic Assistance subprogram number is 84.365A (English Language Acquisition Grants). This grant award is subject to the provisions of Title III, Part A, of the ESEA, as applicable, and the General Education Provisions Act. This grant is also subject to the regulations in Part 299 of Title 34 of the *Code of Federal Regulations (CFR)* and the federal *Education Department General Administrative Regulations* in 34 *CFR* parts 76, 77, 80, 81, 82, 85, and 86.

The funding is appropriated in Schedule (2) of Item 6110-125-0890 of the Budget Act of 2011 (Chapter 33, Statutes of 2011). The California sub-allocation (pass-through) number is Program Cost Account (PCA) 14346.

Under the federal Tydings Amendment, Section 421(B) of the General Education Provisions Act, 20 U.S.C. 1225(b), any funds that are not obligated at the end of the federal funding period, July 1, 2011, through September 30, 2012, shall remain available for obligation for an additional period of 12 months, through September 30, 2013.

Title 34 of *CFR*, Section 80.21(i), also requires that any interest earned by LEAs on federal dollars be returned to the ED at least quarterly. LEAs may keep interest amounts up to \$100 per year for administrative expenses. LEAs should forward interest payments for remittance to the ED to:

California Department of Education  
Cashier's Office  
P.O. Box 515006  
Sacramento, CA 95851

To ensure proper posting of payments, please include the program's PCA number (PCA 14346) and identify the payment as "Federal Interest Returned."

Warrants will be mailed to each county treasurer approximately three weeks from the date of this Notice. For standardized account code structure coding, use Resource Code 4203, NCLB: Title III, LEP Student Program, and Revenue Object Code 8290, All Other Federal Revenue.

The county superintendents of schools were notified of this apportionment by e-mail which was sent to their CDEfisc e-mail addresses. The CDE requested that the e-mail be forwarded to all school districts and charter schools in the county, and included the links to this letter and the apportionment schedules which are posted on the CDE Web pages at <http://www.cde.ca.gov/fg/aa/ca/>.

If you have any questions regarding the program, please contact Patty Stevens, Associate Governmental Program Analyst, Language Policy and Leadership Office, by phone at 916-323-5838 or by e-mail at [pstevens@cde.ca.gov](mailto:pstevens@cde.ca.gov). If you have any questions regarding this apportionment or the payment process, please contact Karen Almquist, Fiscal Consultant, Categorical Allocations and Management Assistance Office, by phone at 916-327-4406 or by e-mail at [kalmquis@cde.ca.gov](mailto:kalmquis@cde.ca.gov).

Sincerely,

Jeannie Oropeza, Deputy Superintendent  
Services for Administration, Finance, Technology, and Infrastructure Branch

Last Reviewed: Tuesday, September 11, 2012

**SCHEDULE OF THE FOURTH APPORTIONMENT FOR TITLE III,  
ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND  
ACADEMIC ACHIEVEMENT FOR LIMITED ENGLISH PROFICIENT STUDENTS  
NO CHILD LEFT BEHIND ACT OF 2001  
FISCAL YEAR 2011-12**

County Code	District Code	Charter Number	Index Code	Local Educational Agency	Entitlement	Current Apportionment	Balance
<b>SANTA CLARA COUNTY</b>							
43	10439			Santa Clara County Office of Education	\$64,022	\$17,731	\$3,663
43	69369			Alum Rock Union Elementary	\$753,375	\$251,234	\$32,755
43	69377			Berryessa Union Elementary	\$334,339	\$116,245	\$98,932
43	69385			Cambrian	\$44,571	\$145	\$5,868
43	69393			Campbell Union	\$268,761	\$79,472	\$49,010
43	69419			Cupertino Union	\$193,179	\$26,528	\$0
43	69427			East Side Union High	\$483,058	\$120,868	\$0
43	69435			Evergreen Elementary	\$400,585	\$38,811	\$0
43	69450			Franklin-McKinley Elementary	\$618,439	\$66,949	\$0
43	69484			Gilroy Unified	\$351,679	\$89,057	\$61,679
43	69518			Los Altos Elementary	\$33,567	\$10,163	\$3,119
43	69575			Moreland Elementary	\$105,037	\$30,616	\$0
43	69583			Morgan Hill Unified	\$230,970	\$56,000	\$148,731
43	69591			Mountain View Whisman	\$221,300	\$175,901	\$45,399
43	69617			Mt. Pleasant Elementary	\$183,398	\$29,279	\$12,675
43	69625			Oak Grove Elementary	\$397,139	\$165,609	\$48,054
43	69633			Orchard Elementary	\$38,903	\$30,259	\$0
43	69641			Palo Alto Unified	\$119,042	\$4,389	\$114,653
43	69666			San Jose Unified	\$899,537	\$233,720	\$0
43	69674			Santa Clara Unified	\$532,297	\$86,215	\$10,203
43	69682			Saratoga Union Elementary	\$19,451	\$7,301	\$0
43	69690			Sunnyvale	\$271,539	\$20,601	\$0
43	69708			Union Elementary	\$62,133	\$16,900	\$18,860
43	73387			Milpitas Unified	\$312,887	\$70,070	\$74,592
43	69666	0287	C287	Downtown College Preparatory	\$14,783	\$3,695	\$0
43	10439	0850	C850	Rocketship Mateo Sheedy Elementary	\$39,569	\$9,893	\$0
43	10439	1061	S061	Rocketship Si Se Puede Academy	\$40,125	\$10,032	\$0
<b>County Total</b>					<b>\$7,033,685</b>	<b>\$1,767,683</b>	<b>\$728,193</b>
<b>Apportionment Total</b>					<b>\$142,911,339</b>	<b>\$39,399,045</b>	<b>\$27,560,017</b>
California Department of Education							
School Fiscal Services Division							
September 5, 2012							