

# Federal Funding Conference

## Title III, Part A

### English Learners

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# Title III, Part A Session Goals

- To define relevant terms
- To explain allowable uses of Title III funds
- To clarify what's new for Title III within ESSA



# Define Relevant Terms

- Terminology (alphabet soup)
- English Learner defined
- English Learners in Wisconsin
- Coding in student data systems
- District Title III funding determinations



# To clarify what's new in ESSA

- Immigrant and youth grant
- Data collections
- Statewide EL entry/exit classification procedures



# Terminology

- EL

- ELP

- LIEP

- LEP

- Lau

# Terminology

- **EL- English Learner**
- **ELP - English Language Proficiency**
- **LIEP - Language Instruction Education Program**
- **LEP – Limited English Proficient (parents)**
- **Lau Law or remedies**

# English Learner



According to the federal definition as described in the ESEA, an EL student is defined as:

A student

- (A.) who is aged 3 through 21;
- (B.) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C.)(i.) who was not born in the United States or whose native language is a language other than English; and who comes from an environment where a language other than English is dominant;

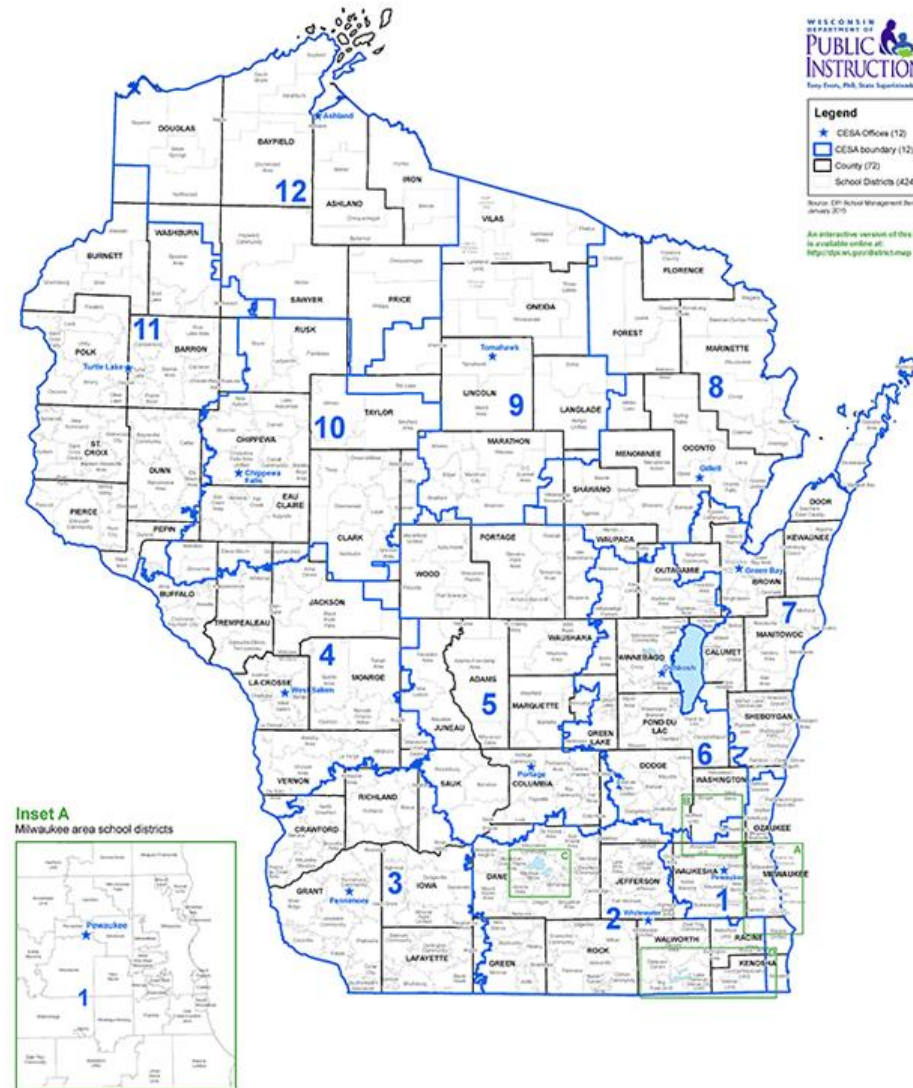


445 LEAs (Districts)

350+ LEAs with identified ELs

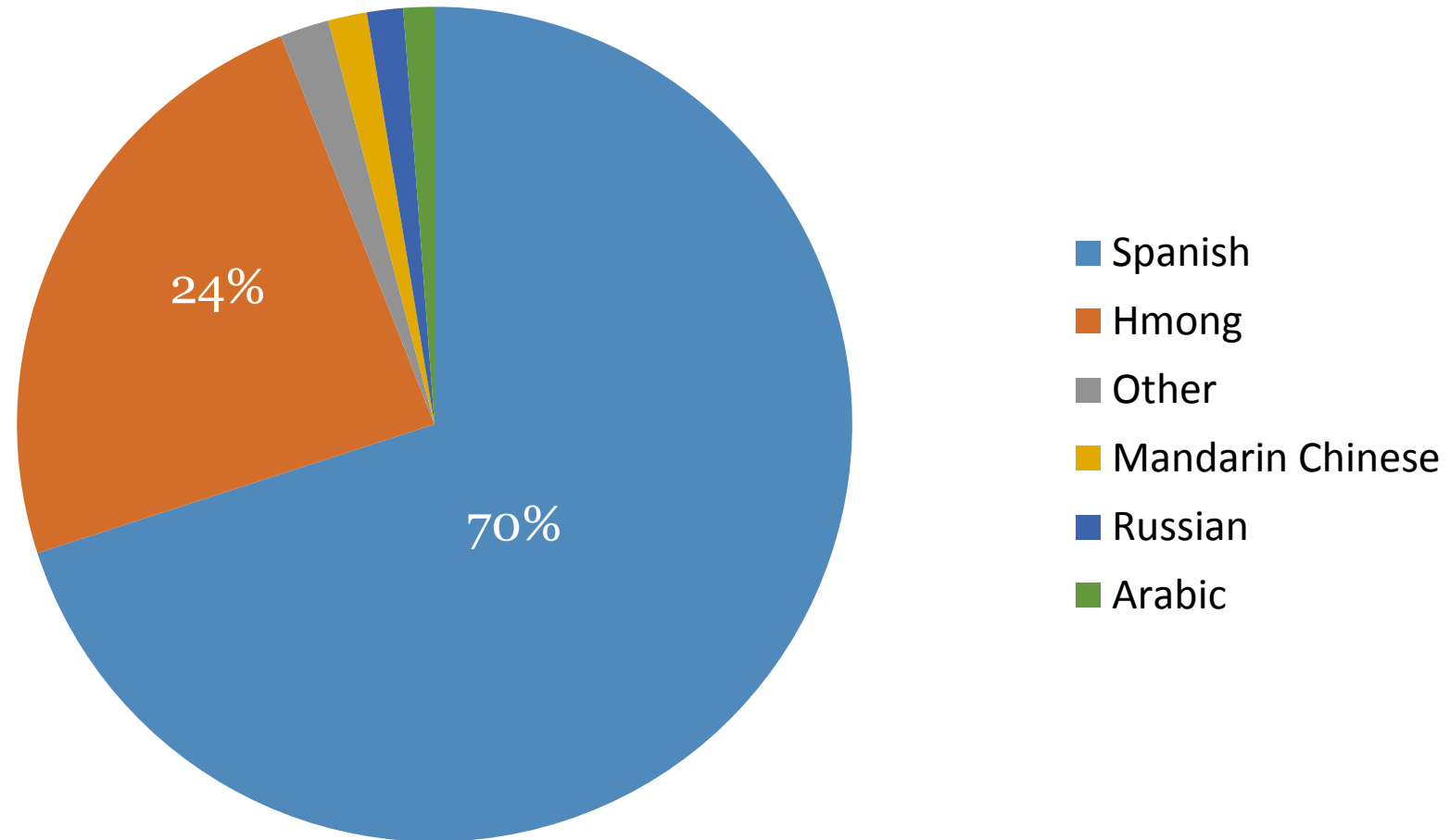
52 Bilingual-Bicultural program

## Wisconsin Public School Districts





# WISCONSIN EL STUDENTS NATIVE LANGUAGES



# ELP Coding in Student Data Systems

English language proficiency (ELP) classifications are defined in PI 13.08 Wis. Admin Code.

English language proficiency classifications must be determined by DPI approved instruments and rubrics.

Students with ELP classifications of 1-5 are considered English learners\* or Limited English Proficient (LEP) as defined in the ESEA - Title IX sec. 9101(25)



# ELP Coding in State Data Collections

- 1 = ELL/EL/LEP Beginning Preproduction. (WIDA label: Entering)**
- 2 = ELL/EL/LEP Beginning Production. (WIDA label: Beginning)**
- 3 = ELL/EL/LEP Intermediate. (WIDA label: Developing)**
- 4 = ELL/EL/LEP Advanced Intermediate. (WIDA label: Expanding)**
- 5 = ELL/EL/LEP Advanced. (WIDA label: Bridging)**
- 6 = Formerly ELL/EL/LEP, now fully English proficient**
- 7 = Fully English proficient, never ELL/EL/LEP**



# Title III funding determinations

Total funds available (TF) to the state for subgrantees divided by number of tested students

An LEAs allocation equals the Per Pupil Allocation (PPA) multiplied by number of EL students administered the ACCESS test previous year's testing cycle.

$$\text{Total funds/\# of students tests} = \text{PPA}$$

2016-17 District G =

EL students tested in 2015-16 (ELP 1-5) in grades K-12 X PPA

$$61 \text{ public school students} \times \$145 = \$8,885$$

$$7 \text{ non-public school students} \times \$145 = \$1,015$$

$$\begin{array}{r} \text{-----} \\ \$10,000 \end{array}$$

# Explain allowable uses of Title III funding

- Requirements to support EL students and parents
- Purpose of Title III funds
- Allowable uses
- Supplement verses supplant
- Administrative costs
- Consortia
- Title I/III
- Specific cases and case studies



# Requirements to support EL students

**Under the Title IV of the Civil Rights Act of 1964 and Equal Education Opportunities Act (EEOA), all states and districts must:**

- **Ensure the ELs can participate meaningfully and equally in educational programs and services.**
- **Identify and assess all potential EL students in a timely, valid, and reliable manner.**
- **Provide students with a language assistance program that is educationally sound and proven successful, consistent with *Casteñada v. Pickard* and *Lau v. Nichols*.**

# **Requirement to communicate with LEP parents**

**LEAs have an obligation to communicate meaningfully with limited English proficient (LEP) parents and to notify LEP parents adequately of information about any program, service, or activity called to the attention of non-LEP parents.**

**LEAs must have a process to identify LEP parents and provide them with free and effective language assistance, such as translated materials or an appropriate and competent interpreter.**

# A-Fiscal Supplement-not-Supplant

The amended supplement-not-supplant provision in the ESEA that applies to Title I does not apply to Title III funding.

Title III has its own provision prohibiting supplanting of other Federal, State, and local funds. (Section 3115(g)).

Title III funds cannot be used to fulfill an LEA's obligations under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act (EEOA).





# A-Fiscal Supplement-not-Supplant

**LEAs may not use Title III funds to administer the annual ELP assessment.**

**LEAs may not use Title III funds for purposes relating to identification of ELs.**





Title III funds

Local, State, and Other  
Federal Requirements  
including Title I

Lau Requirements and Title  
VI Requirements

# General Purpose of Title III

To help ensure that English Learners, including immigrant children and youth, attain English language proficiency and meet the same standards that all children are expected to meet. (Section 3102 of the ESEA, as amended by the ESSA)



# LEA Uses of Funds

An LEA was required to use its Title III funds for two required activities: professional development and providing a Language Instruction Education Program (LIEP).

**New** LEAs must now also conduct a third activity: providing and implementing other effective activities and strategies that enhance or supplement LIEPs for ELs, which must include parent, family, and community engagement activities, and may include strategies that serve to coordinate and align related programs.



# A-Fiscal Supplement-not-Supplant

In general, it is presumed that supplanting has occurred IF

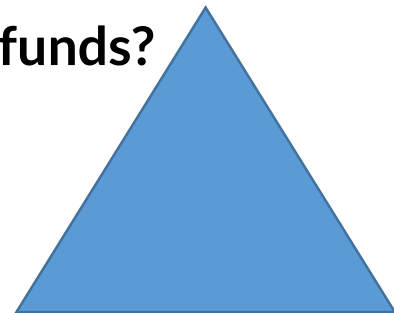
- The SEA or LEA uses Federal funds to provide services that the SEA or LEA was required to make available under other laws; or
- The SEA or LEA uses Federal funds to provide services that the SEA or LEA provided with other funds in the prior year.



# Supplement not Supplant Requirement

## Questions to Ask When Considering Whether Title III Funds Can be Used Without Violating the Supplement not Supplant Requirement

1. What is the instructional program/service provided to all students?
2. What does the LEA do to meet *Lau* requirements?
3. What services is the LEA required by other Federal, State, and local laws or regulations to provide?
4. Was the program/service previously provided with State, local, and Federal funds?



# Supplement not Supplant Test?

**Based on the answers to these questions, would the proposed funds be used to provide an instructional program/service that is in addition to or supplemental to an instructional program/service that would otherwise be provided to EL students (or be required to be provided by other laws/regulations) in the absence of a Title III grant?**



# Supplement vs Supplant – WISEgrant Coding

## HELPFUL HINT

Application approval may be expedited if the LEA can provide sufficient details to communicate that the activity is an allowable use of funds and supplanting may not have occurred.





# Fiscal Direct Administrative Costs

- **2% cap on LEA funds for administrative costs –for direct administrative costs. Any funds the LEA reserves for administrative costs may be used only for direct administrative costs.**
- **LEAs may consolidate Title III funds in a schoolwide program.**
- **LEAs may combine Some Title I and Title III funds for the same EL-related purpose. Must be allocable.**



# Fiscal Indirect Costs

**An LEA may apply its restricted indirect cost rate to the portion of its subgrant that it does not reserve for administrative costs for up to 98% of its Title III award since an LEA may use no more than 2% for administrative costs.**



# Fiscal Supplement not Supplant Title I/III

**A State and LEAs may still use Title III funds for EL-related activities previously required under Title III and now required under Title I as long as:**

- **the use of funds is consistent with the purpose of Title III and are “reasonable and necessary costs;”**
- **the use of funds is supplemental to the SEA’s or LEA’s civil rights obligations to ELs under Title VI and the EEOA; and**
- **the SEA or LEA can demonstrate it is also using Title III funds to conduct activities required under Title III.**



# Fiscal Supplement not Supplant Title I/III

Examples include:

- EL parent notification about language programming
- Parent participation
- Reporting about ELs



# **“Effective” Language Instruction Education Programs**

**LIEPs should demonstrably result in improved English language proficiency and academic achievement for ELs to be considered “effective” for purposes of the Title III requirement.**

**States are required to monitor districts implementing Title III and take steps to further assist districts in reaching this goal.**



# Consortia

**Districts receiving less than \$10,000 are required to participate in consortia to access Title III funds.**

**Signature Designee must sign funds over to Consortia within the WISEgrant application.**

**Districts are still responsible for year-end reporting requirements and serving ELs within their districts.**



# Specific Cases and Case Studies

**Translators and interpreters  
Professional Development**



# Interpreters and Translators

**Interpreters** provide oral translation and communications from one language to another

**Translators** offer written communications from one language to another.

When can Title III funds be used to pay for interpreters and translators?





# Interpreters and Translators

Translating the Home Language Survey into Spanish or Mandarin?

**No**

**School districts have the federal requirement to meet the language needs of parents not proficient in English.**



# Test your knowledge: interpreting/translating

Interpreting for potential English learners at  
for school enrollment or registration?

**No**

**School districts have the obligation to meet  
the language needs of parents not proficient in  
English.**



# Test your knowledge: interpreting/translating

interpreting for students and their parents at the Parent-Teacher conferences?

**Mostly No**

**Parent/teacher conferences are made available to all students and generally a time when teachers connect with all parents including required information about such items as report cards or progress reports.**



# Test your knowledge: interpreting/translating

Can Title III funds be used for interpreting for students and their parents at the Parent-Teacher conferences?

**Sometimes Yes**

**If the translation is used to cover communications specific to Title III or for specific events or activities available to parents of English learners such as when the event includes:**  
**A training specific to EL parents on how to use the schools internet and grading programs,**  
**A targeted family engagement activity to connect families or to share information about supplemental EL supports and services.**



# Bilingual Aid Assistants and Paraprofessionals

Can Title III funds be used to pay staff salaries for paraprofessionals to directly working with students in a classroom?

**Maybe Yes**

**If paraprofessional if the staff's time is not funded under other programs such as Title I or bilingual bicultural programmatic activities  
AND  
the school is meeting its Lau requirement**



# Bilingual Aid Assistants and Paraprofessionals

Can Title III funds be used to pay staff salaries for paraprofessionals to translator for IEP meetings?

**No**

This is an IDEA obligation.

For translating for state tests?

**No**

Assessing ELs is a Title I, Title IV and state requirements, no funding for assessment administration including hiring a translators are permitted.



# Bilingual Assistants and Paraprofessionals

## Reminder

**All paraprofessionals working with ELs, must be under the supervision of an ESL/Bilingual teacher. The school would not be meeting its Lau Compliance otherwise.**

**Staff's time should be allocated by % fulltime equivalent to allowable T3 program activities.**



# Case Study: Professional Development

A district's comprehensive EL program includes multiple program models. This year, the district rolled out a new co-teacher initiative. The district wants the teachers to have a better understanding of how to support ELs in a push-in co-teaching model.

**Can the following activities be funding as part of Title III?**





# Case Study: Professional Development

EL teacher to attend out-of-state training on the co-teaching?

2<sup>nd</sup> grade teacher to attend instate DP on Co-teaching?

Travel to conference/s?

Substitute teacher for the EL teacher?

Substitute teacher for the 2<sup>nd</sup> grade teachers?



# Case Study: Professional Development

EL teacher to attend out-of-state training on the co-teaching?

Yes (so long as it's sustainable and includes practices relevant to English learners.)

2<sup>nd</sup> grade teacher to attend instate DP on Co-teaching? Yes

Principal or curriculum director to attend PD on co-teaching?

Yes. (Rules for 1 and 2 above apply)

Travel to conference/s?

Yes, must be reasonable and allocable. (trip to Bahamas -- no)

Substitute teacher for the EL teacher? Yes

Substitute teacher for the 2<sup>nd</sup> grade teachers? No



# Professional Development and Travel

Must be of sufficient intensity and duration to have a positive and lasting impact on the teacher's performance in the classroom.

Must be designed to improve the instruction and assessment of EL students; designed to enhance the ability of teachers to understand and use curricula, assessment measures, and instructional strategies; and based on research in increasing students' English proficiency.

Shall not include activities, such as one-day or short-term workshops and conferences, unless they are a part of a comprehensive professional development plan that is based on an assessment of the needs of the teacher, the supervisor, and the students.



# Personnel/Instruction – Position *and* Assignment

Program Type	Purchase Item	Purchase Item Detail	Object Number	Function Numb	Description	Vendor	Amount
Purchased Services							
Professional Development	Employee Travel	Professional Development (Instructional Staff)	342	221300	EL Staff to attend co-teaching conference		1200
Professional Development	Private Vendor Contract for Support Services	TIII Prof. Development (Instructional Staff)	310	221300	Center for Teaching for Biliteracy	Center on Co-teaching	4500
Parent/Community Involvement	Private Vendor Contract for Support Services	Translator/Interpreter	310	219000		Copper Translators	1500
Non-Capital Objects							
Instruction	Textbooks / Workbooks	TIII Instruction	470	171000	Testing materials for LAS and Poder		1100

Not e: testing materials not state standardized or required tests, these are supplemental instructional tools to improve assessment

# Personnel/Instruction – Position *and* Assignment ?

## Personnel Section (100 & 200 Objects) - Instructional Budget

Program Type:	Instruction
Position:	Aide
WUFAR-Description:	Aide-Substitut Bus Driver Instructional Coord/Coach Paraprofessional Paraprofessional-Substitute Teacher Teacher-Extended Contract Teacher-Substitute Translator/Interpreter
Name:	
FTE (.01 to 1.0):	
Estimated Salary:	
Detailed Description:	
Activity Detail	

Assignment:

Local WUFAR Detail:

Bilingual Aide  
TIII Before/After School  
TIII Summer School



# EL Accountability

**Accountability for ELs shifts from Title III to Title I.**

**There are no longer Annual Measureable Objectives (AMAO) accountability requirements under Title III.**

**Instead, under ESSA Title I, states are required to develop long-term goals with interim measures for ELs for both proficiency on content assessments and for increases in the percentage of ELs making progress in achieving English language proficiency as measured by the state's ELP assessment.**

# Statewide EL Entry/Exit Procedures

**ESSA includes a new requirement in Title III for states to establish and implement, after consultation with districts representing the geographic diversity of the state, standardized EL entrance and exit procedures.**

# Reporting Requirements

## Districts are required to report:

- a description of the language programs and activities;
- the number and percent of EL students making progress in ELP;
- the number and percent of EL students attaining English proficiency;
- the number and percent of EL students being reclassified;
- the number and percent of EL students meeting academic standards for each of the four years after they have been reclassified (previously this was two years);
- the number and percent of ELs who do not reach English proficiency after five years (new); and
- identification and count of ELs with disabilities (new).



# Immigrant Children and Youth (IY):

- are aged 3 through 21;
- were not born in any state (including Puerto Rico); and
- have not been attending one or more schools in
- any one or more states for more than three full
- academic years\*.

ESEA, Section 3301(6)



# **Immigrant Children and Youth Grant**

**State reservation – not more than 15% of the State Title III allocation for immigrant subgrants to LEAs with “significant increase” in % of immigrant children and youth**

# Immigrant Children and Youth

- **“Significant increase” in immigrant children and youth – now based on current fiscal year compared to the average of the last two fiscal years**

# Thank you

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