

# **Guidance for Title III Program Under the Every Student Succeeds Act (ESSA)**

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## **STATE TITLE III STAFF**

SUSIE COULTRESS, STATE DIRECTOR

IDALIA IBAÑEZ, PROGRAM COORDINATOR



# Objectives

- Understand the basic requirements for Title III under the ESSA
- Become familiar with the Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA)

# References

## **Statute**

Sections 3102, 3111, 3113, 3201,3115, 3116, and 3121 of the *Elementary and Secondary Education Act (ESEA)* of 1965 as amended by the *Every Student Succeeds Act (ESSA)* of 2015

## **Guidance**

*Non-Regulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA)* issued September 23, 2016

## **Code of Federal Regulations**

C.F.R. 200, 225

## **Transition to ESSA's Title III**

- New statutory provisions under the ESSA for Title III will take effect for Fiscal Year (FY) 2017 grants awarded to SEAs on July 1, 2017.
- All statutory provisions in Title III of the ESEA, as amended by the ESSA will also be effective on July 1, 2017.



# Transition to ESSA's Title III Requirements – Section 3102 Program Purpose

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The purposes of this part are:

- (1). To help ensure that children who are limited English proficient **English learners**, including immigrant children and youth, attain English proficiency, and develop high levels of academic achievement in English, and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet;

## Transition to ESSA's Title III Requirements – Section 3102 Program Purpose

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The purposes of this part are:

(2). To assist all ~~limited English proficient children~~ **English learners**, including immigrant children and youth, to achieve at high levels in the core academic subjects so that ~~those children~~ **all English learners** can meet the same challenging State academic content **standards** and student academic achievement standards ~~as that~~ all children are expected to meet, ~~consistent with section 111(b)(1);~~

# Transition to ESSA's Title III Requirements – Section 3102 Program Purpose

(3). To assist teachers, (including preschool teachers), principals and other school leaders, developing high quality language instruction educational programs designed to assist State educational agencies, and local educational agencies in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching limited English proficiency children English Learners, including and serving immigrant children and youth.

(4). To assist teachers, (including preschool teachers), principals and other school leaders, State educational agencies, and local educational agencies to develop and enhance their capacity to provide high quality language instruction educational programs effective instructional programs designed to prepare limited English proficient children English learners, including immigrant children and youth to enter all-English instruction instructional settings

# Transition to ESSA's Title III – Section 3102 Program Purpose

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*(5): to promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of ~~limited~~ English-proficient children-English learners.*

*#7, 8, and 9 were removed.*

# Transition to ESSA Title III – Section 3115(a) Subgrants to Eligible Entities

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**(a) Purposes of Subgrants** - *In carrying out activities with such funds the eligible entity shall use **effective** approaches and methodologies based on scientifically based research ~~on~~ **for** teaching ~~limited English proficient children~~ **English learners** and immigrant children and youth for the following purposes:*

*(a)(1) Developing and implementing new language instruction educational programs.. ~~instruction~~ **instructional** programs for such ~~children, and such~~ **English learners and immigrant** children and youth including ~~programs of~~ early childhood education **programs**, elementary school programs, and secondary school programs.*

*(a)(2)-(a)(5) - ~~for such children, and such~~ **English learners and immigrant** children and youth*

# Transition to ESSA Title III – Section 3115

## Subgrants to Eligible Entities

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*(c) (1) to increase the proficiency of English proficient children English learners by providing high quality effective language instruction educational programs that are scientifically based research... meet the needs of English learners and demonstrate success..*

*(c)(3) to provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for English earners, which:*

- o (a). Shall include parent, family ad community engagement activities; and*
- o (b). May include strategies that serve to coordinate and align related programs.*

# Transition to ESSA Title III – Section 3115(d): Authorized Subgrantee Activities

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An entity receiving funds under section 3114(a) may use funds to achieve one of the purposes..(a) by undertaking one 1 or more of the following activities:

**(d)(2)** Improving the instructional programs for **English Learners**..

**(d)(3)** **Providing to English Learners-**

- (A) tutorials and academic or ~~veational~~ **career and technical education**
- (B) intensified instruction, which may include materials in a language that **the student can understand, interpreters and translators**

**(d)(4)** Developing and implementing **effective preschool**

**(d)(7)** Improving instruction of **English learners, which may include English learners with a disability**

## **Transition to ESSA Title III – Section 3115(d): Authorized Subgrantee Activities**

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**(d)(8) Offering early college high school or dual or concurrent enrollment programs or courses designed to help English earners achieve success in postsecondary education**

# Transition to ESSA Title III : Supplement not Supplant

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**(A-1, A-2, and A-3)**

**Several provisions in the ESEA regarding ELs have moved from Title III to Title I. (These will be shared in the following slide.)**

**Does the amended supplement-not-supplant provision in the ESEA that applies to Title I apply to Title III funds?**

Title III has its own provision prohibiting supplanting of other Federal, State, and local funds, and that provision has not changed by the ESSA. (Section 3115(g)). In general, it is presumed that supplanting has occurred:

- 1). If the LEA uses Federal funds to provide services that the LEA was required to make available under other laws;
- 2). If the LEA uses Federal funds to provide services that the LEA provided with other funds in the prior year.

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

# Transition to ESSA's Title III Requirements: Supplement not Supplant

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## (A-4)

Examples of activities that have moved from Title III to Title I:

- EL notifications regarding Language Instruction Educational Programs (LIEPs) and related information
- Parental participation (e.g., regular EL parent meetings)
- Reporting to the State on the number and percentage of ELs achieving English language proficiency

# Transition to ESSA Title III: Supplement not Supplant

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## (A-4)

States and LEAs may still use Title III funds for EL-related activities previously required under Title III 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 SEAs or LEAs civil rights obligation to the ELS under Title VI and the EEOA; and
- The LEA can demonstrate it is also using Title III funds to conduct activities required under Title III.

# Transition to ESSA Title III: Supplement not Supplant

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## (A-7)

- LEA's may not use Title III funds to administer the annual ELP assessment.
- LEAs may not use Title III funds for the purposes relating to identification of ELs, including a screening assessment, home language surveys, or other related tools.

# Transition to ESSA Title III: Required Activities

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**(A-18)**

Some required activities for LEAs receiving Title III funds:

- **Effective** Professional Development
- **Parental, family and community engagement**

**\*An LEA may also use Title III funds for a number of permissible activities listed in Section 3115(d).**

# Transition to ESSA Title III: New Authorized Required Activities

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**(A-18 – A-22)**

New permissible activities for LEAs receiving Title III funds:

- **Preschool language instruction educational programs**
- **Early college high school**
- **Dual or concurrent enrollment programs**

**\*There are other authorized activities that have not changed.**

# Transition to ESSA Title III: Authorized Activities

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**(A-23)**

Authorized activities for LEAs receiving Title III funds:

- An LEA may use title III funds to implement part of a comprehensive support and improvement plan if activities are allowable under Title III and are supplemental.
- *An LEA may not use Title III funds to provide supports to non-ELs in the school.*

# Transition to ESSA Title III: English Language Proficiency Standards

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**(B-3)**

ELP standards must be implemented in every LEA that enrolls ELs in the State.

# Transition to ESSA Title III: English Language Proficiency Standards

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**(B-4)**

State ELP Standards:

Must be aligned with the State academic content standards in reading/language arts, math, and science.

Should reflect language demands of each content area.

Should reflect research on the process of language acquisition.

Should be designed to assist teachers in moving ELs toward proficiency in English and proficiency on the State's academic content

# Transition to ESSA Title III: Educators of ELs

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## (D-1-D-7)

Section 3115 (c)(2) - LEAs must use Title III funds to provide effective professional development to classroom teachers, principals **and other school leaders**, administrators, and other school or community-based organizational personnel that is:

- (A) Designed to improve the instruction and student assessments of ELs
- (B) Designed to enhance the ability of such teachers, **principals and other school leaders to understand and use implement curricula, assessment practices and measures, and instructional strategies for ELs**

# Transition to ESSA Title III: Educators of ELs

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## (D-1-D-7)

Section 3115 (c)(2) –

(C) To provide professional development... that is **effective** in increasing children's English proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers

(D) of sufficient intensity and duration (which shall not include activities such as ~~one~~ **1-day** or short-term workshops and conferences) to have a positive and lasting impact on teachers' performance in the classroom,... **as appropriate**

# Transition to ESSA Title III: Parent, Family and Community Engagement

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## (E-1)

Title I now requires that Title I-funded LEAs must provide effective outreach to parents of ELs

Title III-funded LEAs must conduct parent, family, and community engagement

*All LEAs have language assistance obligations to LEP parents under Title V and the EEOA. The LEA may use Title III funds to supplement, but not supplant, its obligations under Title VI and EAOA.*

# Transition to ESSA Title III: Parent, Family and Community Engagement

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**(E-4)**

*3115(d)(6) – Providing community participation programs, family literacy, and parent **and family** outreach and training activities to **English learners** and their families-*

*(A) to improve the English language skills of **English learners**; and*

*(B) to assist parents **and families** in helping their children to improve their academic achievement and becoming active participants in the education of their children.*

# Transition to ESSA Title III: Early Learning

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**(F-1)**

*ESSA promotes the inclusion of inclusion of ELs in early learning programs as part of Title III.*

**Sections 3102(3) To assist teachers, (including preschool teachers), principals and other school leaders...**

**Sections 3115(D)(4) – Developing and implementing effective preschool, elementary, and secondary school language instruction educational programs that are coordinated with other relevant programs and services.**

**LEAs are encouraged to include preschool teachers in professional development.**

# Transition to ESSA Title III: Immigrant Students and Serving Immigrant Students

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**(G-4)**

LEAs must use immigrant subgrant to provide enhanced instructional opportunities for immigrant children and youth.

**Section 3115(e)(1)(A) – Family literacy, parent, and family outreach, and training activities designed to assist parents and families...**

# Transition to ESSA Title III: Title III Reporting and Data Collection

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**(H-1)**

Title I – LEAs required to report on ELs progress in:

- achieving English language proficiency;
- attainment of English language proficiency;
- academic achievement, and;
- high school graduation rates

# Transition to ESSA Title III: Title III Reporting and Data Collection

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(H-1)

LEA Title III reporting requirements:

- ✓ Title III programs and activities
- ✓ # and % of ELS attaining ELP and exiting LIEPs
- ✓ # and % of former ELS who meet content standards for four years
- ✓ # and % of ELS who have not exited after 5 years as an
- ✓ Any other information required by the SEA

# Transition to ESSA Title III: Title III Reporting: ELs with Disabilities (H-2)

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**(H-2, K-1)**

LEAs must disaggregate by ELs with disabilities

- # and % of ELs making progress toward English language proficiency
- # and % of former ELs meeting content standards for each of the four years after they are no longer receive Title III services

# Transition to ESSA Title III

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## Questions?

# Guidance for Title III Program Under the Every Student Succeeds Act (ESSA)

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SUSIE COULTRESS, STATE DIRECTOR

IDALIA IBAÑEZ, PROGRAM COORDINATOR



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