## Language Instruction for English Learners and Immigrant Students

§1112 (e)(3)

3111(b)(2)(D)

§3113(b)(2)

§3114(d)

§3115(c)-(e)

[2 C.F.R. 200.332(d)](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=04315fc38a051ee8615a9591b771dd0d&mc=true&n=pt2.1.200&r=PART&ty=HTML#se2.1.200_1332)(1)

Description:

The purpose of Title III is to help ensure that English learners (ELs) including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English. A State educational agency (SEA) may reserve up to 5 percent of its Title III grant to carry out state activities. In addition, each SEA receiving Title III funds must reserve no more than 15 percent of its Title III grant to award at least one subgrant to one or more eligible entities that have experienced a significant increase in the percentage or number of immigrant children and youth in public and nonpublic elementary schools and secondary schools in geographic areas served by the entities. The remaining amount must be awarded as subgrants to eligible entities to support ELs.

After timely and meaningful consultation with local educational agencies (LEAs) representing the geographic diversity of the State, an SEA must establish and implement standardized statewide entrance and exit procedures for ELs, including a requirement that all students who may be ELs are assessed for such status within 30 days of enrollment.

In carrying out activities with Title III funds, the eligible entity must carry out three required activities as described in the Elementary and Secondary Education Act of 1965 (ESEA) section 3115(c), all of which must be supplemental: provide an effective language instruction educational program (LIEP); provide effective professional development; and provide and implement other effective activities and strategies that enhance or supplement LIEPs, which must include parent, family, and community engagement activities. In addition to the three required activities, ESEA section 3115(d) contains a list of authorized activities that a Title III subgrantee may carry out using Title III funds, which are broadly defined, including upgrading instructional strategies, acquiring educational technology, and numerous other activities, including those that are consistent with the purposes of ESEA section 3115 (i.e., assisting children to learn English and meet challenging State academic standards).

An LEA that receives a Title III subgrant for immigrant children and youth must use those funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include activities related to serving immigrant children and youth and their families outlined in ESEA section 3115(e)(1).

Instructions: Please respond to each self-assessment question using the survey. For items requesting a brief response, please provide a narrative answer and/or submit responsive documentation and indicate in the survey response (a) the document(s) that are responsive to each question and (b) the specific page or pages of the relevant documents that address each question. Based on U.S. Department of Education (Department) review of SEA responses, Department staff will determine appropriate on-site follow up questions.

Recommended Participants: Title III or EL directors

Subtopics:

* Standardized, Statewide Entrance and Exit Procedures
* Sub-recipient Monitoring
* Uses of Funds
* Activity by Agencies Experiencing Significant Increases in Immigrant Children and Youth
* Parental Notification
* Parental Participation
* Required and Authorized Subgrantee Activities

#### SEA

#### Self-Assessment Questions

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| **Subtopic** | **Citation** | **Questions** | ***SEA Response*** | **Suggested Documentation** |
| Standardized, Statewide Entrance and Exit Procedures | 3113(b)(2) | Describe the standardized statewide entrance and exit procedures, including how ELs are assessed within 30 days of enrollment. | *Enter brief response here or provide responsive documentation here* | Documentation (or description) of the standardized entrance and exit procedures.  Protocols for identifying students, which may include rubrics, forms, and other standardized materials used as part of the identification process.  Protocols for reclassifying students who exit status as an EL. |
| Sub-Recipient Monitoring | [2 C.F.R. 200.332(d)(1)](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=04315fc38a051ee8615a9591b771dd0d&mc=true&n=pt2.1.200&r=PART&ty=HTML" \l "se2.1.200_1332) | How does the SEA ensure that LEAs are applying the entrance and exit procedures consistently? | *Enter brief response or provide responsive documentation here* | Memos, guidance documents or training materials related to entrance and exit procedures.  Monitoring protocols and timeline; sample monitoring reports and corrective action plans, as applicable. |
| Subawards | 3114(a) | Does the SEA award Title III-A subgrants and, if so, to what entities and how does the SEA allocate the funds? How does the SEA ensure that the Title III-A funds are either awarded as subgrants or, if are not awarded as subgrants, obligated in a timely manner? | *Enter brief response here* | Evidence of dates of subawards from the previous year. |
| Uses of Funds | 3115(c)  3115(d) | Provide examples of LEA uses of Title III funds in your State. | *Enter brief response here* | Guidance to LEAs on Title III uses of funds |
| Title III Supplement Not Supplant Requirements | 3115(g) | How does the SEA ensure compliance with the Title III, Part A requirement that expenditures supplement the level of Federal, State, and local funds that, would otherwise be expended for programs for English learners and immigrant children and youth? | *Enter brief response here* | Documented procedures for evaluating LEA compliance with Title III supplement not supplant requirements.    Guidance and/or technical support has the SEA provided to LEAs and schools regarding supplement not supplant requirements |
| Title III Supplement Not Supplant Requirements, LEA Corrective Actions | 3115(g) | Where the SEA learns, whether through an audit, monitoring or other evaluation process, that an LEA has failed to comply with Title III supplanting requirements, what steps does the SEA take or require the LEA to take to correct non-compliance? | *Enter brief response here* | Sample documentation of corrections made to an LEA’s Title III program budget/allocation because of supplanting violations. |
| Activities By Agencies Experiencing Significant Increases in Immigrant Children and Youth | 3114(d) | Did the SEA administer an immigrant children and youth subgrant? | *Yes/ No* | Sample award notification |
| Activities By Agencies Experiencing Significant Increases in Immigrant Children and Youth | 3114(d) | How does the SEA determine which eligible entities will receive Title III subgrants as a result of experiencing significant increases in the percentage or number of immigrant children and youth? |  | Definition of “significant increase.” |
| Parental Notification | §1112 (e)(3)(A)-(B) | How does the SEA ensure that LEAs using Title I, Part A or Title III funds to provide an LIEP provide the required notification to parents of an English learner no more than 30 days after the beginning of the school year or within 2 weeks of the child being placed in a language instruction educational program if placement occurs after the start of the school year? | *Enter brief response here or provide responsive documentation here* | Guidance to LEAs on parental notification requirements  Monitoring and oversight plan related to this requirement |
| Parental Participation | §1112 (e)(3)(C) | How does the SEA ensure that LEAs receiving Title I, Part A funds implement an effective means of outreach to parents of English learners to inform the parents of how they can be involved in their children’s education, including holding, and sending notices regarding, regular meetings for such parents, to formulate and respond to parent recommendations from parents of students assisted under Title I, Part A or Title III? | *Enter brief response here or provide responsive documentation here* | Guidance to LEAs on outreach to parents  Monitoring and oversight plan related to this requirement |
| Required and Authorized Subgrantee Activities | 3115(c)(2) | Of the professional development provided using Title III funds, how does the SEA ensure that LEAs 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 English learners;   + designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for English learners;   + effective in increasing children’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and   + of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers’ performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher’s supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate? | *Enter brief response here or provide responsive documentation here* | Written guidance or instructions for LEAs  Training materials for LEAs  Monitoring and oversight plan related to this requirement |
| Required and Authorized Subgrantee Activities | 3115(c)(1) | How does the SEA ensure the effectiveness of its language instruction educational programs? |  | Sample of an effective LIEP.  Guidance from SEA to LEAs on implementing effective LIEPs. |
| Additional Documentation |  | For all subtopics, provide any additional documentation that would serve as evidence for the questions asked. | (*Enter list of documents response here)* | Other documentation that would serve as evidence for the questions asked |

#### On-site/Desk Review Questions

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| **Subtopic** | **Citation** | **Questions** | ***SEA Response*** |
| Use of Funds | 3115(c)(1); 3111(b)(2)(D)(i) | How does the SEA assist eligible entities if the LIEPs funded under this subpart are not effective? |  |