

Guide to Collecting and Reporting Title III Data

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This report is available online at <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/english-language-acquisition-state-grants/performance/>.

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Purpose and Overview

Each year, states are asked to meet a number of legislative requirements under Title III, Part A, section 3121 of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), related to providing demographic and outcome data for English learners (ELs). The U.S. Department of Education (ED) collects these data from state educational agencies (SEAs) through two related processes. The first is *EDFacts*, which is an ED initiative that centralizes ED’s data collections for use in education policy, management, and budget decision-making to improve outcomes for students. The second is the Consolidated State Performance Report (CSPR), which is a statutorily required report used to monitor states’ progress in implementing ESEA and to identify technical assistance and program management and policy needs. Data collected through *EDFacts* are aggregated and reported at the SEA, local educational agency (LEA), and school levels, as appropriate, which then prepopulate most of the data collected through the CSPR. These centralized collections of data allow ED to assess the effectiveness of states in helping ELs attain English language proficiency (ELP) and develop high levels of academic achievement in subjects such as mathematics, reading/language arts, and science. ED program staff use the Title III data submitted to identify technical assistance needs and plan monitoring activities that ensure states receive adequate support in providing Title III services in a way that results in student success. ED expects that State Title III Coordinators will also use the information for similar activities and local liaisons for EL programs will do the same within their own LEAs.

ED offers this *Guide to Collecting and Reporting Title III Data* (Guide) for school year (SY) 2021–22 as a resource to ensure that data collected is of the highest quality. The Guide addresses the common questions of who is responsible for data collection, what data should be collected, how to submit data to ED, when to submit data, what to do to ensure data quality, and what resources and help are available. While data on the EL population are often collected as a category in data related to programs other than Title III, this Guide focuses only on data on ELs collected by the Title III program and accountability data on ELs that have been incorporated into Title I. For simplicity, this Guide will refer to these data together as “Title III data” and will use this phrase interchangeably with “data on ELs.”

Please note that the information provided in this guidance document is only applicable to school year 2021–22. ED plans to issue an updated guide that incorporates changes based on *EDFacts* Modernization and newly-approved Office of Management and Budget (OMB) packages for the *EDFacts* and CSPR collections for SY 2022–23 and beyond.

Responsible Parties

Although data submission to ED occurs at the SEA level, data collection begins at the school and LEA levels, and many states have statewide information systems used to collect data at the LEA level. Each Title III-funded LEA or consortium of LEAs should have at least one staff member responsible for overseeing the grant; depending on how the LEA is organized, this staff member may also be responsible for overseeing the identification of ELs within the LEA. These local

program liaisons should work with the LEA data staff and review LEA data prior to its submission to the SEA to ensure the data are accurate and meet the required elements outlined in the *EDFacts* file specifications and the CSPR forms.

Each SEA should have an *EDFacts* Coordinator and a CSPR Coordinator who serve as the SEA's official representatives to ED concerning these data collections. The *EDFacts* Coordinator typically works with the SEA's Title III Coordinator to collect, review, and submit the Title III-related *EDFacts* data files while the CSPR Coordinator does the same for data submitted through the CSPR. In some states, the *EDFacts* Coordinator and CSPR Coordinator may be the same person.

SEA personnel who handle the data collection and data review can work with *EDFacts* Coordinators to devise training materials for LEA data staff and liaisons who are often responsible for providing counts of Title III-served students. Training materials should not only align with the data reporting requirements but also facilitate dialogue between the liaisons and data staff. Trainings can occur at the beginning of the school year, before the SEA's data collection window opens, or on a regular basis as the state finds appropriate.

There are different strategies SEAs take when collecting and reporting Title III data, and it is the responsibility of Title III Coordinators and *EDFacts*/CSPR Coordinators to ensure that the strategies employed yield high-quality data.

Noteworthy

State Title III Coordinators, *EDFacts*/CSPR Coordinators, and other SEA personnel have critical roles in safeguarding the quality of the data. They should be familiar with the guidance on what data should be collected, whether there are any special rules about how the data should be collected, and when the data should be submitted. Title III Coordinators should proactively provide information about these reporting requirements to the relevant staff at the LEA level in a format that they can easily share with others in their LEAs or with schools within the LEA.



EXAMPLE. Staff in the SEA's data division can provide the Title III Coordinator with information about the number and names of LEAs that have submitted data during the data collection window established by the SEA, which would allow Title III Coordinators to provide reminders to local liaisons and LEA data staff to submit the data. This practice would also allow Title III Coordinators to identify LEAs that may need additional technical assistance or are struggling with their data. Title III Coordinators can then work with *EDFacts*/CSPR Coordinators to help troubleshoot by either providing programmatic information to the LEAs to complete the requirements or referring them to the appropriate person within the SEA to assist with technical issues.

States may also find it useful to have a liaison between the data quality office and program office in the SEA to assist LEAs in the data submission process.

Title III Coordinators and *EDFacts*/CSPR Coordinators should begin their review of the LEA information shortly after LEAs submit it to the SEA. Additionally, EL data specialists, staff in the data quality office, program specialists in the Title III office, and assessment coordinators are a few examples of personnel who may play various roles in the collection and reporting of Title III data and should be involved in the review of the data. All relevant parties should work together to ensure accurate reporting of the state's Title III data and the timely submission of these data to ED. Since data on the EL population are often collected by programs other than Title III, Title III Coordinators should collaborate with coordinators and SEA staff overseeing these other programs to improve the data quality and alignment across programs. These collaborations may include reviewing each other's data and providing technical support and training related to each program.

What Data to Submit and How

Title III data are either submitted to ED using the *EDFacts* Submission System (ESS) or directly into the CSPR collection tool. ED collects EL/Title III-related data through the ESS on the following:

- Number of immigrant students by EL status, native language, and participation in immigrant programs funded by ESEA section 3114(d)(1) (FS045)¹
- Number of Title III-served ELs by ELP assessment administered, EL accountability status, and disability status (FS050)
- Number of teachers in Title III-supported language instruction educational programs (LIEPs)² by certification status (FS067)
- Number of ELs served in Title III-supported LIEPs by grade level (FS116)
- Number of ELs served in Title III-supported LIEPs by grade level and program type (FS116)
- Number of former Title III-served ELs by former EL year (year 1 to year 4), academic subject assessed, proficiency status, and disability status (FS126)
- Number of ELs by ELP assessment participation status (FS137)
- Number of ELs assessed for the first time by ELP assessment administered (FS137)
- Number of Title III-served ELs by ELP assessment participation status and disability status (FS138)
- Number of Title III-served ELs assessed for the first time by ELP assessment administered and disability status (FS138)
- Number of ELs by ELP assessment administered and EL accountability status (FS139)
- Number of ELs by grade level, native language, race/ethnicity, and disability status (FS141)

¹ File specifications are noted in parenthesis; see the section entitled "A Closer Look at *EDFacts* File Specifications" to learn more about the information they provide.

² See Appendix B: Glossary for the definition of language instruction educational programs.

- Number of Title III-served ELs who have attained and not attained ELP within 5 years of initial classification as an EL (FS210)
- Number of Title III-served ELs who, as of the reporting year, have exited and not exited an LIEP as a result of attaining ELP (FS211)

While the majority of data elements needed to complete the CSPR are collected through the ESS, SEAs are required to complete some sections of the CSPR by manually entering data via the CSPR Collection Tool. Exhibit 1 shows a crosswalk between the CSPR questions and ED*Facts* file specifications that have overlapping data elements related to Title III, and exhibit 2 shows the CSPR questions that are populated by manual entry only. SEAs may have statewide information systems that can pull the data needed to satisfy both the ED*Facts* and CSPR requirements.

Exhibit 1. Crosswalk of CSPR questions and ED*Facts* file specifications containing Title III data

CSPR Question #	CSPR Question	ED <i>Facts</i> File Spec	ED <i>Facts</i> Data Group	ED <i>Facts</i> Category Set	ED <i>Facts</i> Reporting Level
1.2.5.2	Performance of ELs on state ELP assessment	FS137; FS139	DG674; DG676	A–B	SEA
1.2.5.3	Performance of ELs in LEAs receiving Title III funds on state ELP	FS050; FS138	DG151; DG675	A–D	SEA
1.2.5.3.1	ELs in LEAs receiving Title III funds who have exited LIEP based on attaining ELP	FS211	DG865	A; EUT	SEA
1.2.5.3.2	ELs in LEAs receiving Title III funds who have not attained proficiency in 5 years	FS210	DG864	A; EUT	SEA
1.2.5.4.1	Students in LEAs receiving Title III funds who have exited EL status by year	FS126	DG668	A	SEA
1.2.5.4.2	Results for students in LEAs receiving Title III funds who have exited EL status in mathematics	FS126	DG668	B–C	SEA
1.2.5.4.3	Results for students in LEAs receiving Title III funds who have exited EL status in reading/language arts	FS126	DG668	B–C	SEA
1.2.5.4.4	Results for students in LEAs receiving Title III funds who have exited EL status in science	FS126	DG668	B–C	SEA
1.4.1.1	Number of all ELs enrolled in the state	FS141	DG678	D; EUT	SEA
1.4.1.2	Number of ELs in LEAs receiving Title III funds	FS116	DG648	EUT	SEA
1.4.2	LIEPs	FS116; manual entry	DG849; manual entry	A; manual entry	SEA; manual entry
1.4.3	Most commonly spoken languages in the state	FS141	DG678	B	SEA
1.4.4	Teacher information and professional development	FS067; manual entry	DG422; manual entry	A; manual entry	SEA; manual entry
1.4.7	Education programs and activities for immigrant students	FS045; manual entry	DG519; manual entry	C; EUT; manual entry	SEA; manual entry

Exhibit 2. CSPR manual entry questions containing Title III data

CSPR Question #	CSPR Question	Reporting Level
1.4.2	LIEPs (language(s) of instruction)	SEA (manual entry)
1.4.4	Teacher information and professional development (how many ESL/bilingual education-endorsed teachers will be needed for the succeeding 5 fiscal years)	SEA (manual entry)
1.4.5	Activities of subgrantees related to the teaching and learning of ELs	SEA (manual entry)
1.4.6	Assistance provided by SEAs under section 3111(b)(2)(D) of the ESEA	SEA (manual entry)
1.4.7	Education programs and activities for immigrant students (number of 3114(d)(1) subgrants)	SEA (manual entry)
1.4.8.1	State subgrant process	SEA (manual entry)
1.4.8.2	Steps to shorten the distribution of Title III funds to subgrantees	SEA (manual entry)
1.4.9.1	Termination of Title III language instruction educational programs	SEA (manual entry)

EDFacts Submission System (ESS)

Most Title III data reported to ED are submitted via the ESS, an online tool that allows states to submit data files to ED. Each state is required to have one EDFacts Coordinator, but states may grant access to additional system users. EDFacts Coordinators serve as the official contact for ED and submit the state’s overall submission plan each year.³ They also ensure that data files are transmitted in a timely manner, errors in data are corrected, and the SEA approves all files for storage in the EDFacts Data Warehouse. EDFacts Coordinators are responsible for working with other state officials, such as the SEA’s Title III Coordinator, CSPR Coordinator, data specialists, and assessment coordinators to collect, review, and submit the EL and Title III-related data files. In particular, Title III Coordinators must work closely with the EDFacts Coordinator and must review data prior to its submission to ED.

Title III Coordinators and any other SEA staff who collect, review, and submit the EDFacts data need to understand how EDFacts organizes data. Information contained in EDFacts is divided into topical data groups (DGs) that contain specific pieces of information gathered from the SEAs. For example, number of ELs enrolled in public elementary and secondary schools and the number by their grade level, native language, racial/ethnic category, and disability status are included in DG678.

File specification guidance, or file specs (FS), outline the rules for submitting data in the specific data groups and provide information about changes from previous versions of the file spec. For example, FS141 outlines the rules for submitting DG678, which contains data about all ELs enrolled in public elementary and secondary schools (exhibit 3). Another file spec, FS116,

³ State submission plans are used to measure the progress of SEAs data submissions and include information such as notes about data quality and timeliness. For more information, see the section entitled “SEA Communication With ED.”

outlines the rules for submitting two different data groups, DG648 and DG849, both of which collect data specifically on ELs served by Title III funds. DG648 contains data on the total number of ELs served in Title III-funded LIEPs while DG849 contains data on the number of ELs served in each type of Title III-funded LIEP. Data about ELs served by Title III funds require separate data groups and file specifications because not all ELs are served by Title III funds and not all ELs served by Title III funds participated in the same types of LIEPs.

i Noteworthy

File specifications indicated as being specific to Title III-served ELs should only include ELs who were served in LIEPs in LEAs receiving Title III funds. If at any point during the reporting period a parent of an EL opted for the student to discontinue participation in an LIEP in an LEA receiving Title III funds, the student would not be included in these files. However, the student would still be reported in any file specs that require reporting for all ELs and would still be categorized as an EL until the student meets the state’s EL exit criteria.

Exhibit 3. Data groups and file specifications containing Title III data⁴

DG Number	DG Name	File Spec	Population Included in Reporting
DG519	Immigrant	FS045	Students who meet the definition of immigrant children
DG151	Title III English language proficiency results	FS050	ELs in LEAs receiving Title III funds
DG422	Title III teachers	FS067	N/A
DG648	Title III students served	FS116	ELs in LEAs receiving Title III funds
DG849	Title III students served in English language instruction program	FS116	ELs in LEAs receiving Title III funds
DG668	Title III former EL students	FS126	Former ELs in LEAs receiving Title III funds
DG674	English language proficiency test	FS137	All ELs
DG675	Title III English language proficiency test	FS138	ELs in LEAs receiving Title III funds
DG676	English language proficiency results	FS139	All ELs
DG678	English learners enrolled	FS141	All ELs
DG864	Title III English learners five years	FS210	Current and former ELs in LEAs receiving Title III funds
DG865	Title III English learners exited	FS211	ELs in LEAs receiving Title III funds

To get a clear picture of the student demographics and their academic outcomes, ED collects data at the school, LEA, and SEA levels. This means that for a single data point, an SEA may need to submit three files: one containing school-level data, one containing LEA-level data, and one containing SEA-level data. However, not all types of data are required at every level. The reporting period for which education units are expected to submit the data also varies by file spec. Exhibit 4 shows which data must be submitted to ED for each education unit as well as the reporting period by file spec.

⁴ For a visual representation of the data group definitions and reporting requirements, please refer to the "Title III ED Facts Data Collections" infographic and associated crosswalks, at https://oese.ed.gov/files/2023/01/TitleIII_Crosswalk.pdf.

Exhibit 4. Education units required to report Title III data and reporting period by file specification⁵

File Spec	File Spec Name	Required for Schools	Required for LEAs	Required for SEAs	Reporting Period
FS045	Immigrant	No	Yes	Yes	School year
FS050	Title III English language proficiency results	Yes	Yes	Yes	State ELP assessment testing window
FS067	Title III teachers	No	Yes	Yes	School year
FS116	Title III students served	No	Yes	Yes	DG648: October 1 (or closest school day) DG849: School year
FS126	Title III former EL students	No	Yes	Yes	School year
FS137	English language proficiency test	Yes	Yes	Yes	State ELP assessment testing window
FS138	Title III English language proficiency test	Yes	Yes	Yes	State ELP assessment testing window
FS139	English language proficiency results	Yes	Yes	Yes	State ELP assessment testing window
FS141	English learners enrolled	Yes	Yes	Yes	October 1 (or closest school day)
FS210	Title III English learners five years	No	Yes	Yes	School year
FS211	Title III English learners exited	No	Yes	Yes	School year

The Business Rules Single Inventory (BRSI), located online at <https://www2.ed.gov/about/inits/ed/edfacts/business-rules-guide.html>, is an important resource for SEAs as they review the data submitted by LEAs and prepare for the data submission to ED. This document includes the data quality rules that ED will apply to state data submitted through the ESS during its data quality review process. Any data not following these rules will result in a data issue flag that the SEA will be asked to address either by resubmitting the data or by submitting a data note that explains why the data are accurate. Title III and ED*Facts* Coordinators and other SEA data staff should be aware of the business rules related to Title III data and incorporate this knowledge into the collection and reporting of these data as well as other activities, such as trainings for LEA staff. ED typically uploads the updated version of the BRSI for each reporting school year before the start of the first submission window (see the section entitled “When to Submit Data” for submission timelines). SEAs should make sure to use the most updated version of the BRSI for their own data validation.

To help SEAs interpret the Title III data-related business rules, data issues that would be flagged by these rules are discussed in detail in two later sections in this Guide. The section entitled “A Closer Look at ED*Facts* File Specifications” lays out the data issues associated with each specific file spec and the section entitled “Data Quality Checklist” lays out the data issues associated with multiple file specs.

⁵ For a visual representation of the data group definitions and reporting requirements, please refer to the "Title III ED*Facts* Data Collections" infographic and associated crosswalks, at https://oese.ed.gov/files/2023/01/TitleIII_Crosswalk.pdf.

Unduplicated Data

An unduplicated count is one that counts students only once, even if they enrolled in a school or LEA multiple times within the reporting period. Unless noted otherwise in the file spec, data submitted at each level must be unduplicated to the extent possible.



EXAMPLE. An EL was served in a transitional bilingual program and then switched to a dual language program in LEA A in the fall of a reporting school year. In January, the student moved to LEA B and was served in a dual language program in LEA B for the remainder of the school year.

LEA's data submission to the SEA

For the total count of ELs served in DG648 of FS116, LEA A **would only count this student once** even though the student was served in two different types of LIEPs in the LEA. LEA B **would not count this student** in its total count of ELs served because the reporting period for DG648 is October 1 (or the closest school day to October 1), and the student was not served in LEA B on that date.

For the total counts of ELs served by LIEP type in DG849 of FS116, LEA A **would count the student two times**—one for each type of LIEP the student was served in, which were a transitional bilingual program and a dual language program. LEA B **would count the student one time** for the single type of LIEP the student was served in, which was a dual language program.

SEA's data submission to ED

For LEA-level data, the SEA would include the student as reported in LEA A's counts and LEA B's counts for both data groups.

For SEA-level data, the SEA **would count the student one time** in the total count of ELs served in DG648 of FS116, consistent with LEA A's data. For the total counts of ELs served by LIEP type in DG849 of FS116, the SEA **would count the student two times**. Although the student was served in three LIEPs over the course of the school year, two of these LIEPs were of the same type and the student should be counted only once for each LIEP type.

Removing multiple counts of individual students at the SEA level and at each distinct LEA for data groups that collect unduplicated counts is essential to program management and development. Otherwise, the data overestimate the number of ELs served and distort outcome measures and other analyses calculated based on these data. At the same time, including ELs that received Title III services in multiple LEAs in the LEA level data file also provides important information about student mobility and the number of LIEPs being accessed in an LEA.

Additional Considerations

Reporting within states

While LEAs and SEAs may not be required to submit data at the school level for a particular data element, they still may need to track school-level data internally to meet other requirements.



EXAMPLE. School-level counts of former ELs are not submitted to *EDFacts* in FS126; only LEAs and SEAs are required to submit counts. However, in order to provide data at the LEA and SEA levels, schools must track which ELs are meeting and not meeting the state academic standards as measured by proficiency for each of the 4 years after such children are no longer receiving services under Title III.

In addition, states may choose to disaggregate data for ELs based on characteristics other than those required by *EDFacts* to gain a more nuanced understanding of how subpopulations of ELs are faring. Examining data at various levels provides critical information about the success and needs of ELs that might otherwise be missed. Looking at school-level data also provides a snapshot of smaller groups of students than LEA-level data. For example, it allows for the identification of schools in which ELs are making particularly high or low progress on ELP assessments.

Note that for states with Title III consortia, data should be reported by the individual LEAs.

Grade level

In general, the data should include ELs in grades K–12—and also grade 13, if specified—during the reporting period. The grade 13 designation is typically intended for students who have completed grade 12 and stay in high school for more than 4 years to participate in a program that bridges the high school and college degree-earning experience, such as an early or middle college program. Note that a student who has “completed grade 12” means a student who has successfully completed his or her grade 12 school year and does not necessarily mean a student who has completed his or her academic requirements for graduation.

The grade 13 designation is not dependent on where classes are taken; what is essential is that the student is still enrolled in high school beyond grade 12 and is taking courses for college and high school credit. The grade 13 designation is not to be used for students who are repeating courses to meet high school requirements and are not enrolled in college courses. Other students earning dual credits or Advanced Placement (AP) credits should be designated in the grade to which they are assigned. For more information on the use of this permitted value, see the guidance in FS052 Membership and FS039 Grades Offered available at <https://www2.ed.gov/about/inits/ed/edfacts/sy-21-22-nonxml.html>.

Consolidated State Performance Report

The CSPR is a statutorily required report as authorized under section 8303 of the ESEA, as amended, that combines the reporting requirements for Title III, Part A with those for eight

other ESEA programs to reduce the burden on SEAs completing their annual reports. Combining the performance reports into a single document also provides SEAs the opportunity to engage in greater cross-program coordination, planning, and service delivery. While many of the data elements needed to complete the CSPR are collected through the ESS, there are several manual entry sections collected through separate CSPR, Part I and CSPR, Part II collections. The manual entry sections that collect data on Title III and LIEPs are included in CSPR, Part I.

Each state is required to have at least one CSPR Coordinator, but the CSPR Coordinator may grant others access to the CSPR manual submission system as necessary. State Title III Coordinators should work with their CSPR Coordinators to provide data and insert data quality notes as needed. They should also review the manual entry information prior to its submission to ED and work with the CSPR Coordinators to ensure all information is submitted into the report in a timely and accurate manner. Additional information on the CSPR manual entry collections may be found at <https://oese.ed.gov/offices/office-of-administration/about-us/consolidated-state-performance-reports/>.

Starting with the SY 2019–20 collection, the CSPR tool is no longer prepopulated with *EDFacts* data submitted through the ESS that feed into the CSPR questions. While the required *EDFacts* data files will continue to be submitted through the ESS, the CSPR tool is now limited to manual entry fields only.

Similar to the *EDFacts* data collections, there are also business rules associated with each CSPR manual entry question that ED applies to state data submitted through the CSPR collection tool to verify the data quality. These business rules are posted on the CSPR website, located at <https://oese.ed.gov/offices/office-of-administration/about-us/consolidated-state-performance-reports/>, for each reporting school year. Title III and CSPR Coordinators and other SEA data staff should develop an understanding of the business rules related to Title III CSPR data and incorporate this knowledge into the collection and reporting of these data as well as other activities, such as trainings for LEA staff. SEAs should make sure to use the most updated version of the CSPR business rules for their own data validation. Data issues that would be flagged by these rules for the current reporting school year (SY 2021–22) are discussed in detail in the section entitled “A Closer Look at CSPR Part I Manual Entry Requirements” later in this Guide.

When to Submit Data

EDFacts coordinators are required to submit the Title III-related *EDFacts* data files by the posted due date, which is the same for all Title III file specs for SY 2021–22 (see exhibit 5). Once files are submitted, they are reviewed for data quality errors. If a data issue is identified, states will be asked to resubmit their information to correct those errors or provide an explanation for the anomaly. More information is provided on the data quality review process in the section entitled “Once Data Are Submitted.”

Exhibit 5. EDFacts file specification due dates

File Spec Name	File Spec	Due Date	Resubmission Due Date*
Immigrant	FS045		
Title III English language proficiency results	FS050		
Title III teachers	FS067		
Title III students served	FS116		
Title III former EL students	FS126	December 21, 2022 (same for all Title III file specifications)	April 5, 2023 (same for all Title III file specifications)
English language proficiency test	FS137		
Title III English language proficiency test	FS138		
English language proficiency results	FS139		
English learners enrolled	FS141		
Title III English learner five years	FS210		
Title III English learner exited	FS211		

* Approximate and subject to change.

Each part of the CSPR has an initial open and a second open period. CSPR Coordinators are required to submit all Title III-related CSPR manual entry data during the initial open of the CSPR Part I. Once the initial collection closes, the data are reviewed for completeness and accuracy. If a data issue is identified, states will be asked to submit data corrections during the second open. See exhibit 6 for the CSPR Part I initial open and close and second open and close dates for SY 2021–22.

Exhibit 6. CSPR Part I key dates

CSPR Part I	Date
Initial open	December 5, 2022
Initial close	December 22, 2022
Second open	March 23, 2023 (estimated)
Second close	April 26, 2023 (estimated)

A Closer Look at EDFacts File Specifications

State Title III Coordinators should work with liaisons and data staff at both the local and state levels to submit high quality data to EDFacts. The following information pertains to specific data required by the different file specs and the common mistakes made by LEAs and SEAs when providing information to ED. The individual file specs are located online at <https://www2.ed.gov/about/inits/ed/edfacts/sy-21-22-nonxml.html>.

File specifications are coded according to the following categories:

Population/Participation	Outcome	Longitudinal
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Population/Participation: FS045 Immigrant

Data group

FS045 includes DG519. It provides information on how to report the unduplicated number of students who meet the definition of immigrant children and youth and are enrolled in public elementary and secondary schools for the following categories and totals:⁶

- By EL status (Category Set A in DG519)
- By native language (Category Set B in DG519)
- For students who participated in immigrant programs funded by ESEA section 3114(d)(1) (Category Set C in DG519)
- For the education unit total

Students included in FS045 data are those who are ages 3–21; who were not born in any of the 50 states, the District of Columbia, or the Commonwealth of Puerto Rico; and who have not been attending one or more schools in one or more states or aforementioned entities for more than 3 full academic years (ESEA section 3201(5)). Students who were born to U.S. citizens abroad are considered immigrants if they meet all the criteria in the definition of immigrant children and youth.

With regard to criteria that immigrant students have not been attending schools in any states for more than 3 full academic years, the months of attendance used to calculate the 3 full academic years do not need to be consecutive months and can be summed across multiple school years.



EXAMPLE. A student was born in another country and moved to the United States, where she attended school for the first time, for one full school year, at the age of 7. During that first year in a U.S. school, she qualified as an immigrant student. The student then moved to another country for a year and subsequently came back to the United States and has been attending a U.S. school for another 2 full school years. During these 2 school years, she continued to qualify as an immigrant student. However, at the end of these 2 school years, this student has now been attending U.S. schools for a total of 3 full academic years and has therefore met the 3-year threshold where she will no longer qualify as an immigrant student for the purpose of Title III, Part A formula grants.

⁶ Reporting categories are described in this manner for narrative clarity; please refer to the file specification for the official category structure.

While some immigrant students are also ELs and some ELs are also immigrant students, it is not correct to assume that all immigrant students are ELs.



EXAMPLE. An 8-year-old girl was born in England and English is the language that she and her parents normally use. Last year, she moved with her family to the United States for the first time. When she enrolled in a U.S. school last year, the responses on her home language survey confirmed that she was not a potential EL, given that she and her parents normally use English at home. Therefore, while this child is **not** an EL, she **does** currently meet the definition of an immigrant student, having attended school in the United States for less than 3 full academic years to date.



EXAMPLE. A 15-year-old boy was born in Mexico and Spanish is the language that he and his parents normally use, but while living in Mexico he studied English at a private language institute. Last year, he moved with his family to the United States for the first time, qualifying him as an immigrant student. While the family's response to the home language survey may flag him as a potential EL, whether or not he is an EL depends on the results of his ELP screener when he first enrolled in a U.S. school. He may score proficient on the ELP screener due to his prior instruction in English.

Similarly, it is not correct to assume that all ELs are immigrant students.



EXAMPLE. A 5-year-old boy in Texas enrolled in kindergarten for the first time. Even though he was born in the United States, he comes from a home where the parents normally use Spanish. Therefore, his native language is not English and he could still be categorized as an EL, depending on the ELP screener results.



EXAMPLE. A student is Native American and comes from an environment where a language other than English has had a significant impact on the student's level of ELP. This student was born in the United States but could still be categorized as an EL, depending on the ELP screener results.

Reporting level and reporting period

The file should be submitted for both the LEA and SEA levels. Only include the student in the data count one time for the SEA-level data file. When submitting the LEA file, include the student in the count at any LEA where the student is enrolled in an elementary or secondary school. Data should be reported for the school year.

Guidance for specific data elements

Category Set B: Native language, previously referred to as home language, is the language normally used by students or normally used by the parents of students. This file uses most of the permitted values and codes for language from [ISO 639-2](#) (although the ISO 639-3 standard is now available, SEAs should continue using ISO 639-2). However, ED has identified a list of permitted values that it either considers improbable or are codes indicating missing data. The list will be updated annually and can be accessed on the [EDFacts Community Website](#).

If a native language is not on the list of permitted values, it should be reported to the extent possible under its language family (*e.g.*, the Maay language would be reported under “Cushitic (Other)” with a comment in the explanation field that some students in this category speak the Maay language). In the rare case where a language code does not map to another code that is part of the ISO 639-2, students speaking that language should be left out of the count by native language but still included in the education unit total. Note that the following languages and their corresponding ISO codes have been added to EDFacts for SY 2021–22: Afghan Persian, Dari (PRS); K'iche', Quiché (QUC); and Kabuverdianu (KEA).

Category Set C: Counts for students participating in immigrant programs in this file should *only* include students who participated in programs for immigrant children and youth that were funded under ESEA section 3114(d)(1) using funds reserved for immigrant education programs/activities. They should exclude immigrant students who received services in Title III LIEPs under sections 3114(a) and 3115(a) if the LEA did not receive a subgrant under section 3114(d) for immigrant children and youth.

Therefore, it is not required that every LEA report counts for Category Set C, since not every LEA receives funds under ESEA section 3114(d)(1) for immigrant subgrants. However, each SEA is required to award at least one immigrant subgrant under ESEA section 3114(d)(1).

Data validation checks

States can use the following list to validate their data and should take steps to investigate whether corrections are needed if any of the statements apply. Issues classified as errors will prevent the data from being accepted by the system, while issues classified as warnings will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

FS045



At the SEA level, the total number of immigrant enrolled students changed by more than 20 percent and 100 students or more when compared with the prior year.



At the SEA level, the sum of the number of immigrant enrolled students **by EL status** does not equal the reported education unit total number of immigrant enrolled students—the two values should be equal.



At the SEA level, the sum of the number of immigrant enrolled students **by native language** does not equal the reported education unit total number of immigrant enrolled students—the two values should be equal.



The sum of the number of immigrant students enrolled at the LEA level is less than the number of Title III immigrant students enrolled at the SEA level—the LEA sum should be greater than or equal to the SEA number.



For any LEA, the sum of the number of immigrant enrolled students **by EL status** does not equal the reported education unit total number of immigrant enrolled students—the two values should be equal.



For any LEA, the sum of the number of immigrant enrolled students **by native language** does not equal the reported education unit total number of immigrant enrolled students—the two values should be equal.



Any LEA reported a nonzero count for one (indicating immigrant students are enrolled) but not all of the required data elements: EL status, native language, and education unit total.



Warning

Outcome: FS050 Title III English Language Proficiency Results

Data group

FS050 includes DG151. It provides information on how to report the unduplicated number of ELs who were assessed on the annual state ELP assessment and who received services in an English LIEP supported with Title III of ESEA funds (*i.e.*, LIEPs in LEAs receiving Title III funds). The reporting categories include a count of ELs receiving services under Title III by ELP assessment administered (regular or alternate) and EL accountability status (attained proficiency, making progress, and did not make progress), among all students (Category Set A in DG151) as well as students with disabilities as defined by the Individuals with Disabilities Education Act (IDEA) (Category Set B in DG151).

Reporting level and reporting period

The file should be submitted for the school, LEA, and SEA levels. For each level, only include the student in the data count one time. Data should be reported for ELs served in LIEPs in LEAs receiving Title III, Part A funds who were assessed during the state ELP assessment testing window. For states with Title III consortia, data should be reported for the individual LEAs.

Guidance for specific data elements

All ELs in grades K–12 who took the annual ELP assessment and received services in a Title III EL program should be reported. The state’s definition of “making progress” can include students who “attained proficiency.” Therefore, students could be reported at the school, LEA, and SEA levels as both “making progress” and “attained proficiency.” Since the data group for this reporting element is based on students who were assessed on the annual ELP assessment, only students reported as “participated” in FS138 should have their proficiency results reported in FS050. Furthermore, students counted as “assessed first time” in FS138 will have only one data point and, as such, cannot be reported under the “making progress” category.

Relationship with other file specs

This file reports results of the state ELP assessment for ELs receiving services under Title III, while FS139 reports the results for *all* ELs. The number of students receiving services under Title III who were enrolled at the time of the state ELP assessment is reported in FS138.

Data validation checks

States can use the following list to validate their data and should take steps to investigate whether corrections are needed if any of the following statements apply. Issues classified as errors will prevent the data from being accepted by the system, while issues classified as warnings will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

FS050



At the SEA level, the number of Title III ELs⁷ that attained proficiency is greater than the number of Title III ELs making progress—the number attaining proficiency should be less than or equal to the number making progress.



The number of Title III ELs that attained proficiency at the SEA level differs by more than 10 percent from the sum of the number of Title III ELs that attained proficiency at the **LEA** level.



The number of Title III ELs that attained proficiency at the SEA level differs by more than 10 percent from the sum of the number of Title III ELs that attained proficiency at the **school** level.



At the SEA level, the percentage of Title III ELs making progress in the current school year differs by more than 20 percentage points compared with the prior school year.



At the SEA level, the number of Title III ELs that attained proficiency in the current school year differs by more than 10 percent compared with the prior school year.



The SEA has not submitted a valid count or submitted a count of zero for permitted values for each category set (a count is not required for “Missing”).



Warning



Error

⁷ The term “Title III ELs” in the BRSI should be interpreted as ELs in LEAs receiving Title III, Part A funds.

Teachers: FS067 Title III Teachers

Data group

FS067 includes DG422. It provides information on how to report the unduplicated headcount of teachers who taught in Title III-supported LIEPs (*i.e.*, LIEPs in LEAs receiving Title III funds) designed for ELs by teachers' certification status (fully certified/licensed or not fully certified/licensed; Category Set A in DG422). Certification status indicates whether or not the teachers hold the certification or licensure required by their assignments.

Reporting level and reporting period

The file should be submitted for both the LEA and SEA levels. Only include the teacher in the data count one time for the SEA level data file. When submitting the LEA file, include the teacher in the count at any LEA receiving Title III funds where the teacher taught in an LIEP. For instance, for a teacher who teaches in LIEPs in multiple LEAs receiving Title III funds, report the teacher once for each LEA in which they provide instruction in an LIEP. Data should be reported for the school year. For states with Title III consortia, data should be reported for the individual LEAs.

Guidance for specific data elements

All teachers who teach in LIEPs in LEAs receiving Title III funds should be included, regardless of the source of their salaries. The determination of certification status is based on each state's own requirements for certification of teachers in LIEPs.

Data validation checks

States can use the following list to validate their data and should take steps to investigate whether corrections are needed if any of the statements apply. Issues classified as errors will prevent the data from being accepted by the system, while issues classified as warnings will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

FS067



At the SEA level, the number of fully certified or licensed Title III teachers⁸ and/or the number of not fully certified or licensed Title III teachers changed by more than 25 percent compared with the prior year.



The sum of the number of Title III teachers at the LEA level is less than the number of Title III teachers at the SEA level—the LEA sum should be greater than or equal to the SEA number.



At the SEA level, the number of uncertified Title III teachers is greater than or equal to 20 percent of all Title III teachers.



Warning

⁸ The term "Title III teachers" in the BRSI should be interpreted as teachers in LEAs receiving Title III, Part A funds.

Population/Participation: FS116 Title III Students Served

Data group

FS116 includes DG648 and DG849. It provides information on how to report the number of ELs served by an LIEP supported with Title III funds (*i.e.*, ELs in LIEPs in LEAs receiving Title III funds) for each data group. DG648 reports the unduplicated student counts by grade level (Category Set A in DG648) and the education unit total on October 1 or the closest school day to October 1, while DG849 reports student counts by grade level and LIEP type (Category Set A in DG849) for the entire school year.

Reporting level and reporting period

Both data groups should be submitted for the LEA and SEA levels. For DG648, only include the student in the data count one time for the SEA-level data file and only include the student in the data count one time for each LEA in which the student was served by Title III LIEPs on the reporting date for the LEA-level data file (in other words, even if an EL was served in multiple LIEPs in a given LEA, the student is still only counted once for the LEA). However, for reporting DG849 SEA-level data, the student should be included in the data count once for each Title III LIEP program type the student was served by during the school year (*i.e.*, if a student received services in multiple LIEPs of the same program type, the student should be counted once; if a student received services in multiple LIEPs of different types, the student should be counted multiple times). Additionally, at the LEA level, the student should be counted once for each LEA and Title III LIEP program type the student was served by during the school year (*i.e.*, a student who received services in multiple LIEPs of different program types in a given LEA would be counted multiple times for that LEA).

Noteworthy

Duplicate counts within DG849 are to be expected, and the total number of students will likely differ between DG648 and DG849 at both the LEA and SEA levels due to differences in reporting periods and type of counts reported.



EXAMPLE. A student moved in the middle of the school year from one LEA in the state to another LEA in the state, but in both LEAs the student received services in a transitional bilingual LIEP program type. For the DG849 SEA-level data reporting, the student would be counted only once by being included in the transitional bilingual LIEP program type.



EXAMPLE. Another student moved in the middle of the school year from one LEA in the state to another LEA in the state. In the first LEA the student was in a newcomer LIEP, and in the second LEA the student was in a transitional bilingual LIEP. For the DG 849 SEA-level data reporting, the student would be counted once under the newcomer LIEP program type and also once under the transitional bilingual LIEP program type.

For states with Title III consortia, data should be reported for the individual LEAs.

Guidance for specific data elements

An LIEP is a course in which an EL is placed in order to develop and attain English proficiency while meeting challenging state academic standards. An LIEP may include instruction in English and a child’s native language, and English proficient children may participate in the course if it is designed to enable all participating children to become proficient in English and a second language. The types of English LIEPs that can be reported in DG849 include the following:

- Transitional bilingual education or early-exit bilingual education
- Dual language or two-way immersion
- English as a second language (ESL) or English language development (ELD)
- Content classes with integrated ESL support
- Newcomer programs
- Other

Counts for both data groups in this file should include ELs in grades K–12⁹ served by LIEPs in LEAs receiving Title III, Part A funds. Prekindergarten students should *not* be reported or included in the “Ungraded” count.

Noteworthy

ELs whose parents have declined LIEP services should not be included in this file. If at any point during the data collection period a parent of an EL opted for the student to discontinue participation in an LIEP in an LEA receiving Title III funds, the student would not be included in this file.

Data validation checks

States can use the following list to validate their data and should take steps to investigate whether corrections are needed if any of the statements apply. Issues classified as errors will prevent the data from being accepted by the system, while issues classified as warnings will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

DG648 only



The sum of the number of Title III-served ELs¹⁰ at the LEA level is less than the number of Title III-served ELs at the SEA level—the LEA sum should be greater than or equal to the SEA number.



At the SEA level, the sum of the number of Title III-served ELs by grade is not equal to the reported education unit total of Title III-served ELs—the two values should be equal.



At the SEA level, the total number of Title III-served ELs changed by more than 25 percent compared with the prior year.

⁹ If applicable, also include ELs in grade 13.

¹⁰ The term “Title III-served ELs” in the BRSI should be interpreted as ELs in LEAs receiving Title III, Part A funds.



For any LEA, the sum of the number of Title III-served ELs by grade is not equal to the reported education unit total of Title III-served ELs—the two values should be equal.



For any LEA, the number of Title III-served ELs changed by more than 50 percent and 100 students or more compared with the prior year.



The SEA has not submitted a valid count for all values in the category Grade Level (Basic) (a count is not required for “Missing,” “Ungraded,” and “Grade 13”).

DG648 and DG849



At the SEA level, the sum of the number of Title III-served ELs by LIEP type (DG849) is less than the reported education unit total of Title III-served ELs (DG648)—the sum by LIEP type should be greater than the education unit total.



For any LEA, the sum of the number of Title III-served ELs by LIEP type (DG849) is less than the reported education unit total of Title III-served ELs (DG648)—the sum by LIEP type should be greater than or equal to the education unit total.



Any LEA reported a nonzero count for one (indicating ELs are served) but not all of the required data elements: grade (DG648), grade and LIEP type (DG849), and education unit total (DG648).



Warning



Error

Longitudinal: FS126 Title III Former EL Students

Data group

FS126 includes DG668. It provides information on how to report the number of former ELs who are meeting and not meeting the challenging state academic standards as measured by proficiency for each of the 4 years after such children are no longer receiving services under Title III (*i.e.*, exited EL status in LEAs receiving Title III funds). The reporting categories include the following:¹¹

- All former ELs, by year after no longer receiving services under Title III (first, second, third, or fourth) (Category Set A in DG668)
- All former ELs, by year after no longer receiving Title III services, academic subject assessed in (mathematics, reading/language arts, and science), and proficiency status (attained proficiency or not proficient) (Category Set B in DG668)
- Former ELs with disabilities as defined by the IDEA, by year after no longer receiving Title III services, academic subject assessed in (mathematics, reading/language arts, and science), and proficiency status (attained proficiency or not proficient) (Category Set C in DG668)

Reporting level and reporting period

The file should be submitted for both the LEA and SEA levels. Students should be counted one time at the SEA level for the counts by year after no longer receiving Title III services and in each academic subject even if they are served by multiple LEAs. When submitting the LEA file, include the student in the count *only at the LEA in which the student is being monitored as a former EL* and only count the student once for each academic subject. Data should be reported for the school year. For states with Title III consortia, data should be reported for the individual LEAs.

Guidance for specific data elements

Counts by academic subject should include all grades assessed in a state. This means grades 3–8 and once in high school (grades 9–12) for reading/language arts and mathematics and at least one grade in each of the following grade spans for science: grades 3–5, grades 6–9, and grades 10–12. If a state administers assessments in more than one grade in any of these grade spans for science or in multiple grades in high school for reading/language arts and mathematics, the state should report the results for each of the grades in which its assessments are administered.

Data should be reported for each of the 4 years after students in grades K–12 are no longer identified as ELs and no longer receive services under Title III.

¹¹ Reporting categories are described in this manner for narrative clarity; please refer to the file specification for the official category structure.

For example, for SY 2021–22, report the following students:

- “1YEAR”—students who exited EL status by the end of SY 2020–21 (as first year of monitoring)
- “2YEAR”—students who exited EL status by the end of SY 2019–20 (as second year of monitoring)
- “3YEAR”—students who exited EL status by the end of SY 2018–19 (as third year of monitoring)
- “4YEAR”—students who exited EL status by the end of SY 2017–18 (as fourth year of monitoring)

The following is a list of students who should *not* be reported in this file:

- Students who are ELs
- ELs receiving services under Title III during the reporting period
- Students who exited EL status by the end of the reporting period (*e.g.*, for SY 2021–22, do not report students who exited EL status by the end of SY 2021–22)
- Students who exited EL status more than 4 years before the reporting period (*e.g.*, for SY 2021–22, do not report students who exited EL status by the end of SY 2016–17 or previous school years)
- Prekindergarten students

Data validation checks

States can use the following list to validate their data and should take steps to investigate whether corrections are needed if any of the statements apply. Issues classified as errors will prevent the data from being accepted by the system, while issues classified as warnings will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

FS126



At the SEA level, the total number of former ELs in their *second* year of monitoring reported in the current reporting school year differs by 20 percent or more and 50 or more students from the number of former ELs in their *first* year of monitoring reported in the prior school year.



At the SEA level, total number of former ELs in their *third* year of monitoring reported in the current reporting school year differs by 20 percent or more and 50 or more students from the number of former ELs in their *second* year of monitoring reported in the prior school year.



At the SEA level, the total number of former ELs in their *fourth* year of monitoring reported in the current reporting school year differs by 20 percent or more and 50 or more students from the number of former ELs in their *third* year of monitoring reported in the prior school year.



At the SEA level, the proficiency rate of former ELs aggregated across all years monitored in mathematics in the current reporting school year differs by 10 percentage points or more and 50 or more students from the prior school year.



At the SEA level, the proficiency rate of former ELs aggregated across all years monitored in reading/language arts in the current reporting school year differs by 10 percentage points or more and 50 or more students from the prior school year.



At the SEA level, the proficiency rate of former ELs aggregated across all years monitored in science in the current reporting school year differs by 10 percentage points or more and 50 or more students from the prior school year.



The number of former ELs reported at the SEA level differs by more than 10 percent from the sum of the number of former ELs reported at the LEA level.



The SEA has a zero count reported for any of the 4 former EL years.



At the SEA level, the number of former ELs assessed in reading/language arts aggregated across all years monitored exceeds the total number of former ELs monitored.



At the SEA level, the number of former ELs assessed in science aggregated across all years monitored exceeds the total number of former ELs monitored.



At the SEA level, the number of former ELs assessed in mathematics aggregated across all years monitored exceeds the total number of former ELs monitored.



Warning



Error

Outcome: FS137 English Language Proficiency Test

Data group

FS137 includes DG674. It provides information on how to report the unduplicated number of ELs who were enrolled at the time of the state annual ELP assessment. The reporting categories include a count of all ELs by ELP assessment participation status (participated, did not participate, or medical exemption; Category Set A in DG674) and a count of ELs who took the ELP assessment for the first time by ELP assessment administered (regular or alternate; Category Set B in DG674).

Reporting level and reporting period

The file should be submitted for the school, LEA, and SEA levels. For each level, only include the student in the data count one time. Data should be reported for all ELs enrolled during the state ELP assessment testing window. For states with Title III consortia, data should be reported for the individual LEAs.

Guidance for specific data elements

Noteworthy

Under the ESEA, all ELs in grades K–12 must be annually assessed for ELP, including those whose parents refuse their participation in LIEP services.

The data should include ELs in grades K–12. ELs who participated in the alternate ELP assessment for students with the most significant cognitive disabilities who are unable to participate in the regular state ELP assessment with or without accommodations should be included and counted as participating in the state ELP assessment.

Students assessed for the first time should only include ELs who took their first ever ELP assessment in the current reporting year and should be a subset of all ELs reported in this file.

Relationship with other file specs

This file reports *all* ELs enrolled at the time of the state ELP assessment regardless of whether they received services under Title III, while FS138 reports the number of ELs receiving services under Title III who were enrolled at the time of the state ELP assessment. The results of the state ELP assessment for *all* ELs are reported in FS139.

Data validation checks

States can use the following list to validate their data and should take steps to investigate whether corrections are needed if any of the statements apply. Issues classified as errors will prevent the data from being accepted by the system, while issues classified as warnings will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

FS137



At the SEA level, the number of ELs not participating in the annual state ELP assessment is greater than zero.



At the SEA level, the number of ELs reported as participants is less than or equal to the number of ELs reported as first assessed—the number of participants should be greater than the number reported as first assessed.



The number of ELs participating in the annual state ELP assessment at the SEA level differs by more than 10 percent from the sum of the number of ELs participating in the annual state ELP assessment at the **LEA** level.



The number of ELs participating in the annual state ELP assessment at the SEA level differs by more than 10 percent from the sum of the number of ELs participating in the annual state ELP assessment at the **school** level.



The SEA has not submitted a valid count for all required data elements: participation status (participated and did not participate), assessed for the first time in regular ELP assessment, and assessed for the first time in alternate ELP assessment.



Warning



Error

Outcome: FS138 Title III English Language Proficiency Test

Data group

FS138 includes DG675. It provides information on how to report the unduplicated number of ELs who were enrolled during the time of the state ELP assessment and who received services in an English LIEP supported with Title III funds (*i.e.*, ELs in LIEPs in LEAs receiving Title III funds). The reporting categories include the following:¹²

- ELs in LIEPs in LEAs receiving Title III funds by ELP assessment participation status (participated, did not participate, or medical exemption) (Category Set A in DG675)
- ELs in LIEPs in LEAs receiving Title III funds who took the ELP assessment for the first time by ELP assessment administered (regular or alternate) (Category Set B in DG675)
- Title III-served ELs with disabilities as defined by the IDEA, by ELP assessment participation status (participated, did not participate, or medical exemption) (Category Set C in DG675)
- Title III-served ELs with disabilities as defined by the IDEA who took the ELP assessment for the first time by ELP assessment administered (regular or alternate) (Category Set D in DG675)

Reporting level and reporting period

The file should be submitted for the school, LEA, and SEA levels. For each level, only include the student in the data count one time. Data should be reported for ELs served in LIEPs during the state ELP assessment testing window. For states with Title III consortia, data should be reported for the individual LEAs.

Guidance for specific data elements

ELs who participated in the alternate ELP assessment for students with the most significant cognitive disabilities who are unable to participate in the regular state ELP assessment with or without accommodations should be included and counted as participating in the state ELP assessment. Students assessed for the first time, students with disabilities, and students with disabilities assessed for the first time should be subsets of all ELs reported in this file. Specifically, students assessed for the first time should only include students receiving services under Title III who took the ELP assessment for the first time ever in the current reporting year, whose progress cannot be determined, and who were not included in the making progress calculations.

Relationship with other file specs

This file reports students receiving services under Title III who were enrolled at the time of the ELP assessment, while FS137 reports the count for *all* ELs who were enrolled at the time of the ELP assessment. FS050 reports ELP results for students receiving services under Title III, and FS139 reports ELP results for *all* ELs.

¹² Reporting categories are described in this manner for narrative clarity; please refer to the file specification for the official category structure.

Data validation checks

States can use the following list to validate their data and should take steps to investigate whether corrections are needed if any of the statements apply. Issues classified as errors will prevent the data from being accepted by the system, while issues classified as warnings will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

FS138



At the SEA level, the number of Title III-served ELs¹³ not participating in the state ELP assessment is greater than zero.



The number of Title III-served ELs participating in the annual state ELP assessment at the SEA level differs by more than 10 percent when compared with the sum of the number of Title III-served ELs participating in the annual state ELP assessment at the **LEA** level.



The number of Title III-served ELs participating in the annual state ELP assessment at the SEA level differs by more than 10 percent when compared with the sum of the number of Title III-served ELs participating in the annual state ELP assessment at the **school** level.



The number of Title III-served ELs first assessed on the annual state ELP assessment at the SEA level differs by more than 10 percent when compared with the sum of the number of Title III-served ELs first assessed on the annual state ELP assessment at the **LEA** level.



The number of Title III-served ELs first assessed on the annual state ELP assessment at the SEA level differs by more than 10 percent when compared with the sum of the number of Title III-served ELs first assessed on the annual state ELP assessment at the **school** level.



The SEA has not submitted a valid count for all required data elements: participation status (participated and did not participate) for all Title III-served ELs, assessed for the first time in regular ELP assessment, and assessed for the first time in alternate ELP assessment.



Warning



Error

¹³ The term “Title III-served ELs” in the BRSI should be interpreted as ELs in LEAs receiving Title III, Part A funds.

Outcome: FS139 English Language Proficiency Results

Data group

FS139 includes DG676. It provides information on how to report the unduplicated number of ELs who took the annual state ELP assessment by ELP assessment administered (regular or alternate) and EL accountability (attained proficiency, making progress, and did not make progress) (Category Set A in DG676).

Reporting level and reporting period

The file should be submitted for the school, LEA, and SEA levels. For each level, only include the student in the data count one time. Data should be reported for all ELs who were assessed during the state ELP assessment testing window. For states with Title III consortia, data should be reported for the individual LEAs.

Guidance for specific data elements

All ELs, regardless of whether they received services under Title III, should be included in the file. The state's definition of "making progress" can include students who "attained proficiency." Therefore, students could be reported at the school, LEA, and SEA levels as both "making progress" and "attained proficiency." Since the data group for this reporting element is based on students who were assessed on the annual ELP assessment, only students reported as "participated" in FS137 should have their proficiency results reported in FS139. Furthermore, students counted as "assessed first time" in FS137 will have only one data point and, as such, cannot be reported under the "making progress" category.

Relationship with other file specs

This file reports the ELP assessment results for *all* ELs while FS050 reports the results for students receiving services under Title III. The count of *all* ELs enrolled at the time of the ELP assessment is reported in FS137 and the count of students receiving services under Title III who were enrolled at the time of the ELP is reported in FS138.

Data validation checks

States can use the following list to validate their data and should take steps to investigate whether corrections are needed if any of the statements apply. Issues classified as errors will prevent the data from being accepted by the system, while issues classified as warnings will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

FS139



The number of ELs who attained proficiency on the annual state ELP assessment at the SEA level differs by more than 10 percent when compared with the sum of the number of ELs who attained proficiency on the annual state ELP assessment reported at the **LEA** level.



The number of ELs who attained proficiency on the annual state ELP assessment at the SEA level differs by more than 10 percent when compared with the sum of the number of ELs who attained proficiency on the annual state ELP assessment reported at the **school** level.



The SEA has not submitted a valid count for all permitted values in the category set.



Warning



Error

Population/Participation: FS141 English Learners Enrolled

Data group

FS141 includes DG678. It provides information on how to report the unduplicated number of ELs enrolled in an elementary or secondary school for the following categories and totals:¹⁴

- By grade level (Category Set A in DG678)
- By native language (Category Set B in DG678)
- By race/ethnicity (Category Set C in DG678)
- For students with disabilities as defined by the IDEA (Category Set D in DG678)
- For the education unit total

Reporting level and reporting period

The file should be submitted for the school, LEA, and SEA levels. Students should be counted one time at the SEA level based on enrollment as of the reporting period of October 1 or the closest school day to October 1. When submitting the LEA and school files, include the student once in the count for any LEA/school in which the student was enrolled as of the reporting period of October 1 or the closest school day to October 1. For instance, if a student attended different schools and/or LEAs for part of the school day, the student would be counted multiple times, once for each school and/or LEA the student attended. For states with Title III consortia, data should be reported for the individual LEAs.

Guidance for specific data elements

Category Set A: Reporting for an LEA or school needs to only include those grade levels offered at the LEA or school. For example, if the highest grade at an LEA is grade 8, the record for that LEA does not need to include grades 9–12.

Category Set B: Native language, previously referred to as home language, is the language normally used by students or normally used by the parents of the students. This file uses most of the permitted values and codes for language from [ISO 639-2](#) (although the ISO 639-3 standard is now available, SEAs should continue using ISO 639-2). However, ED has identified a list of permitted values that it either considers improbable or are codes indicating missing data. The list will be updated annually and can be accessed on the [EDFacts Community Website](#).

If a native language is not in the list of permitted values, it should be reported to the extent possible under its language family (*e.g.*, the Maay language would be reported under “Cushitic (Other)” with a comment in the explanation field that some students in this category speak the Maay language). In cases where the language codes do not map to another code that is part of the ISO 639-2, students speaking these languages should be left out of the count by native language but still included in the education unit total. Note that the following languages and their corresponding ISO codes have been added to EDFacts for SY 2021–22: Afghan Persian, Dari (PRS); K'iche', Quiché (QUC); and Kabuverdianu (KEA).

¹⁴ Reporting categories are described in this manner for narrative clarity; please refer to the file specification for the official category structure.

Category Set C: This file reports the general racial category that most clearly reflects individuals' recognition of their community or with which the individuals most identify. The permitted values include American Indian or Alaska Native, Asian, Black or African American, Hispanic/Latino, Native Hawaiian or Other Pacific Island, Two or more races, and White.

Data validation checks

States can use the following list to validate their data and should take steps to investigate whether corrections are needed if any of the statements apply. Issues classified as errors will prevent the data from being accepted by the system, while issues classified as warnings will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

FS141



For any language at the SEA level, the number of ELs enrolled changed by more than 20 percent and 100 students or more when compared with the prior reporting year.



At the SEA level, languages identified as no longer spoken are reported with a nonzero count.



At the SEA level, the total number of ELs enrolled changed by more than 25 percent when compared with the prior reporting year.



The sum of the number of ELs enrolled at the **LEA** level is less than the number of ELs enrolled at the SEA level—the LEA sum should be greater than or equal to the SEA number.



The sum of the number of ELs enrolled at the **school** level is less than the number of ELs enrolled at the SEA level—the school sum should be greater than or equal to the SEA number.



At the SEA level, 20 or more ELs enrolled are reported in any of the following permitted values, indicating that the ELs do not have an identified language: “Undetermined,” “Uncoded,” “Missing,” or “No Linguistic Content.”



At each of the SEA, LEA, and school levels, the sum of the number of ELs enrolled **by grade** is not equal to the reported education unit total of ELs—the two values should be equal.



At each of the SEA, LEA, and school levels, the sum of the number of ELs enrolled **by language** is not equal to the reported education unit total of ELs—the two values should be equal.



At each of the SEA, LEA, and school levels, the sum of the number of ELs enrolled **by race/ethnicity** is not equal to the reported education unit total of ELs—the two values should be equal.



At the LEA level, the number of ELs enrolled changed by more than 50 percent and 50 students or more when compared with the prior reporting year.



At each of the SEA and LEA levels, English is one of the top 10 native languages reported.



Any LEA or school reported a nonzero count for one (indicating ELs are enrolled) but not all of the required data elements: grade level, language, race/ethnicity, and education unit total.



Warning

Longitudinal: FS210 Title III English Learner Five Years

Data group

FS210 includes DG864. It provides information on how to report the number of ELs who have attained and not attained ELP, as by the annual ELP assessment, within 5 years of initial classification as an EL and first enrollment in an LEA that receives Title III funds. The reporting categories include a count by the proficiency status of ELs within 5 years (proficient or not proficient; Category Set A in DG864) and the education unit total.

Reporting level and reporting period

The file should be submitted for both the LEA and SEA levels. For each level, only include the student in the data count one time. Data should be reported for the school year. For states with Title III consortia, data should be reported for the individual LEAs.

Guidance for specific data elements

This file should only include ELs who were served in LIEPs in LEAs receiving Title III funds for the duration of their identification as an EL. If at any point during this period a parent of an EL opted for the student to discontinue participation in an LIEP in an LEA receiving Title III funds, the student would not be included in this file.

In addition to reporting ELs in LIEPs who have attained proficiency on the annual ELP assessment within 5 years of initial classification and first enrollment, LEAs that receive Title III funds must report on all ELs in LIEPs who have not attained proficiency within 5 years of identification as an EL and first enrollment in the LEA. For instance, for reporting SY 2021–22 data, the reporting should include the following:

- Students first identified as ELs and first enrolled in the LEA in SY 2017–18 who have attained proficiency on the annual ELP assessment by the end of SY 2017–18, SY 2018–19, SY 2019–20, SY 2020–21, or SY 2021–22, included in the “proficient within five years” group
- Students first identified as ELs and first enrolled in the LEA in SY 2017–18 who have not attained proficiency by the end of SY 2021–22, included in the “not proficient within five years” group
- Students first identified as ELs and first enrolled in the LEA *prior* to SY 2017–18 who have not attained proficiency by the end of SY 2021–22, included in the “not proficient within five years” group

Students who were first identified as ELs and first enrolled in the LEA *prior* to SY 2017–18 and attained proficiency on the annual ELP assessment in SY 2021–22 should *not* be included in either group. ELs who were not assessed on the ELP assessment in their 5th year should be counted as *not proficient*.

i Noteworthy

This file should only include ELs who were served in LIEPs in LEAs receiving Title III funds for the duration of their identification as an EL. However, it does not require that a student is enrolled in the same LEA for all 5 years in order to be included.

ELs who have not attained proficiency but were in EL status for less than 5 years should not be included in this file. However, include any ELs who have attained proficiency on the annual ELP assessment in 5 years or less but are not enrolled in the current reporting year (either due to graduation or other reason for leaving school prior to the reporting year), as long as such ELs continuously received services in LIEPs in LEAs receiving Title III funds until they tested proficient.

This reporting requirement does not require that a student is enrolled in the same LEA for all 5 years in order to be included. LEAs receiving Title III funds may include ELs who first enroll in their LEA and are identified as an EL, transfer to another LEA, and then transfer back to their LEA without resetting the identification timeline when the EL re-enrolls in their LEA. However, ED acknowledges that LEAs may be unable to accurately track an EL's identification timeline for students who transfer in and out of their LEA. In these cases, the LEA receiving Title III funds may reset the identification timeline for ELs re-entering their LEA or entering for the first time even though they were previously identified as an EL in another LEA. To ensure ED can accurately interpret the data submitted, SEAs should indicate the following in their State Submission Plan (SSP):

- Whether the LEAs receiving Title III funds can track ELs who transfer in and out of the LEA
- If students can be tracked across LEAs, how they are being accounted for in this data group

States should contact the Partner Support Center (PSC) at EDFacts@ed.gov for any state-specific questions regarding EL mobility across LEAs.

Outcome: FS211 Title III English Learner Exited

Data group

FS211 includes DG865. It provides information on how to report the number of ELs in programs receiving Title III funds (*i.e.*, ELs in LIEPs in LEAs receiving Title III funds) who have exited and not exited an LIEP as a result of meeting the SEA's EL exit criteria. The reporting categories include a count by the exit status of ELs (exit or did not exit; Category Set A in DG865) and the education unit total.

Reporting level and reporting period

The file should be submitted for both the LEA and SEA levels. For each level, only include the student in the data count one time. Data should be reported for the school year. For states with Title III consortia, data should be reported for the individual LEAs.

Guidance for specific data elements

This file should only include ELs who were served in LIEPs in LEAs receiving Title III funds. If at any point during the data collection period, a parent of an EL opted for the student to discontinue participation in an LIEP in an LEA receiving Title III funds, the student would not be included in this file.

If a particular SEA has standardized statewide exit procedures that include measures in addition to a score of proficient on the statewide ELP assessment, the SEA would not report all ELs who attained a score of proficient on the ELP assessment; rather, it would report only those ELs who met the standardized statewide exit procedures and therefore no longer receive EL services.

i Noteworthy

In reporting these data, an LEA must include students who have met the standardized statewide exit procedures required under section 3113(b)(2) of the ESEA and no longer receive language services by the end of the reporting year (*i.e.*, ELs who were in LIEPs during the school year and who exited EL status by the end of the school year reporting period).

Relationship with other file specs

There are some differences between FS210 and FS211. The first is the time span for which data must be collected. While FS210 collects data spanning from the current reporting school year to the previous 4 school years, FS211 only collects data for the current reporting school year. The second is how ELP is measured. For FS210, ELP is measured by the annual ELP assessment, while for FS211, ELP is measured by the SEA's EL exit criteria.

A Closer Look at CSPR Part I Manual Entry Requirements

In addition to data submitted through the ESS, State Title III Coordinators should work with liaisons and data staff at both the local and state level to submit high-quality data to the CSPR. The following information pertains to specific manual entry requirements in CSPR Part I, Section 1.4 Title III and Language Instructional Programs and the common mistakes made by states when providing these data to ED. Section 1.4 collects annual performance and accountability data on the implementation of Title III programs at the SEA level. The complete CSPR forms are available online at <https://oese.ed.gov/offices/office-of-administration/about-us/consolidated-state-performance-reports/>, along with other resources including the CSPR User Guides and recorded webinars.

1.4.2 LIEPs

Associated with FS116, which includes DG849, this question collects a comma-separated list of the languages of instruction used for each type of LIEP implemented in the state.

The term “LIEP,” as defined by section 3201(7), means an instruction course (A) in which an EL is placed for the purpose of developing and attaining English proficiency, while meeting challenging state academic standards; and (B) that may make instructional use of both English and a child’s native language to enable the child to develop and attain English proficiency and may include the participation of English proficient children if such course is designed to enable all participating children to become proficient in English and a second language. The types of LIEPs that can be reported in this question include the following:

- Transitional bilingual education or early-exit bilingual education
- Dual language or two-way immersion
- English as a second language (ESL) or English language development (ELD)
- Content classes with integrated ESL support
- Newcomer programs
- Other

If the state enters a language(s) for “Other,” the “other” types of LIEPs must be described in the comment box provided.

States can use the following list to validate the manual entry information as well as consistency between the manual entry fields and data submitted through the ESS. States should take steps to investigate whether corrections are needed if any of the statements apply. These issues will trigger an error flag during ED’s data review, which will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

- A language of instruction is reported for an LIEP type, but the number of students served in that LIEP type as reported in FS116 (DG849) is zero or null.
- No language of instruction is reported for an LIEP type, but the number of students served in that LIEP type as reported in FS116 (DG849) is greater than zero.

- Values reported for the language(s) of instruction is not a language or comma-separated list of languages (*e.g.*, student counts or check marks are reported instead of the language(s) of instruction).
- A language of instruction is provided for the LIEP type “Other” but no comments are provided to describe the “other” LIEP type(s).

1.4.4 Teacher Information and Professional Development

Associated with FS067, which includes DG422, this question collects the number of ESL/bilingual education-endorsed teachers that will be needed for the next 5 fiscal years within the SEA. This number should be the *total additional* teachers needed for the next 5 years, not the number needed for each year, and it should not include the number of teachers currently working in Title III English LIEPs. States that do not require teachers to have an ESL/bilingual education endorsement should report the number of teachers with the highest level of certification or licensure required by the state to teach ELs in LIEPs that will be needed for the next 5 fiscal years.

States should take steps to investigate whether corrections are needed in their data submission if the number of ESL/bilingual education-endorsed teachers needed in the next 5 years is reported to be zero or not reported. This issue will trigger an error flag during ED’s data review, which will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

1.4.5 Activities of Subgrantees Related to the Teaching and Learning of ELs

This question collects aggregated data on the number of LEAs in the state that conducted LEA-level activities that support the education of ELs with Title III funds. The activities serving ELs in LEAs receiving Title III funds include the following:

- Supporting the development and implementation of LIEPs
- Enhancing existing LIEPs and programs for restructuring and reforming schools with ELs
- Supporting implementation of schoolwide programs
- Professional development to teachers and other personnel serving ELs
- Parent and community engagement activities
- Supporting the development and implementation of preschool programs
- Improving LIEPs by upgrading curricula, instructional materials, software, and assessment procedures
- Improving instruction of ELs with disabilities
- Providing tutorials, career and technical education
- Offering programs to help ELs achieve success in postsecondary education
- Other

Note that the first three of these activities are mandatory for use of Title III funds under section 3115 of the ESEA and should have data entered for them. If a state reports a nonzero count of LEAs under “Other,” a response must be provided in the comment box to describe the activities that were conducted during SY 2021–22. For states with Title III consortia, data should be reported for the individual LEAs.

States can use the following list to validate the manual entry information and should take steps to investigate whether corrections are needed if any of the statements apply. These issues will trigger an error flag during ED’s data review, which will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

- A nonzero number of LEAs are reported as conducting the activity type “Other” but no description of the activity is provided in the comment box.
- Any of the three mandatory activities is reported as zero or not reported.

1.4.6 Assistance Provided by SEAs under Section 3111(b)(2)(D) of the ESEA

This question collects information on technical assistance and other forms of assistance provided by the SEA to LEAs that are receiving Title III subgrants. The types of activities states can report on include the following:

- Identifying and implementing effective LIEPs and curricula for teaching ELs
- Helping ELs meet the same challenging state academic standards that all children are expected to meet
- Identifying/developing and implementing measures of English proficiency
- Strengthening and increasing parent, family, and community engagement in programs that serve ELs
- Providing recognition, which may include financial awards, to recipients of subgrants under section 3115 that have significantly improved the achievement and progress of ELs
- Other

If “Other” is checked, a response must be submitted in the comment box to provide information on the types of technical assistance provided by the SEA to LEAs that aren’t captured by the first five types of activities.

States can use the following list to validate the manual entry information and should take steps to investigate whether corrections are needed if any of the statements apply. These issues will trigger an error flag during ED’s data review, which will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

- None of the listed technical assistance activities are checked by the state.
- “Other” is checked as a form of technical assistance provided to LEAs but no text is provided in the comment box.

1.4.7 Education Programs and Activities for Immigrant Students

Associated with FS045, which includes DG519, this question collects the number of 3114(d)(1) subgrants for education programs and activities for immigrant students.

3114(d) subgrants are made in the state under section 3114(d) of the ESEA, with funds reserved for immigrant children and youth. Do *not* include in the count LEAs that receive Title III English language acquisition subgrants made under section 3114(a) of the ESEA but that do not receive subgrants under section 3114(d) of the ESEA, even if immigrant students are enrolled in those LEAs.

If a state reports zero subgrants, an explanation must be provided in the comment box, as SEAs are expected to make a reservation under 3114(d)(1) to issue at least one immigrant subgrant.

States can use the following list to validate the manual entry information and should take steps to investigate whether corrections are needed if any of the statements apply. These issues will trigger an error flag during ED’s data review, which will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

- No number is reported for 3114(d)(1) subgrants.
- The number of 3114(d)(1) subgrants is reported to be zero but no comments are provided.

1.4.8.1 State Subgrant Process

This question collects information about the time between states’ receipt of Title III allocation from ED, normally on July 1 of each year for the upcoming school year, and their distribution of these funds to subgrantees for the intended school year. States are required to report the date when the SEA received the Title III allocation from ED, the date when Title III funds were made available to approved subgrantees, and the number of days of distribution.

The number of days of distribution is the average number of days for states receiving Title III funds to make subgrants to subgrantees beginning from July 1 of each year, except under conditions where funds are being withheld.



EXAMPLE. If a state received SY 2021–22 funds on July 1, 2021, and made these funds available to subgrantees on August 1, 2021, for SY 2021–22 programs, the number of days of distribution is 30 days.

SEAs that distribute Title III funds to subgrantees during a date range should report the *average* date when funds were available rather than the first date funds were available. The number of days of distribution will then be calculated based on this average by subtracting the “Date State Received Allocation” value from the “Date Funds Available to Subgrantees” value.

States can use the following list to validate the manual entry information and should take steps to investigate whether corrections are needed if any of the statements apply. These issues will trigger an error flag during ED’s data review, which will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

- Dates entered for “Date State Received Allocation” and “Date Funds Available to Subgrantees” are before 2021 or after 2022.
- The number of days of distribution is not reported even though the “Date State Received Allocation” date is between July 1, 2021, and June 30, 2022.
- The number of days of distribution reported differs from the number calculated by subtracting the date reported for “Date State Received Allocation” from the date reported for “Date Funds Available to Subgrantees.”

1.4.8.2 Steps to Shorten the Distribution of Title III Funds to Subgrantees

This question collects information on how states can shorten the process of distributing Title III funds to subgrantees. There is no predefined list. Responses must be provided in the comment box.

1.4.9.1 Termination of Title III Language Instruction Educational Programs

This question collects data on the termination of Title III programs or activities as required by section 3122(b)(7) of the ESEA. States are asked if any Title III LIEPs or activities were terminated for failure to reach program goals during the reporting school year, and if so, to provide the number of LIEPs or activities terminated.

States can use the following list to validate the manual entry information and should take steps to investigate whether corrections are needed if any of the statements apply. These issues will trigger an error flag during ED's data review, which will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

- Neither "Yes" nor "No" is checked to indicate whether any Title III LIEPs or activities were terminated in SY 2021–22.
- "Yes" is checked indicating that there were Title III LIEPs or activities terminated in SY 2021–22 for failure to reach program goals, but the number of LIEPs or activities terminated is not provided in the comment box.

Data Quality Checklist

In addition to the checklist included for each ED*Facts* file and CSPR data element in the previous two sections, the following list presents possible data issues that State Title III Coordinators, local liaisons, ED*Facts* Coordinators, and others reviewing the Title III data can check for to validate the data across multiple files.¹⁵ For any of the following statements that is true, Title III Coordinators should take steps to investigate the reason and work with either local liaisons or the LEA data staff submitting the information to make corrections. If no correction is necessary or a correction is needed but not possible, Title III Coordinators should draft appropriate data notes to support the data submitted and work with SEA data staff to ensure the data notes are included. Liaisons are expected to review LEA data prior to its submission to the SEA; likewise, Title III Coordinators are expected to review data prior to its submission to ED. Note that issues classified as errors will prevent the data from being accepted by the system during data submission, while issues classified as warnings will require the SEA to either resubmit the data or submit a data note explaining why the data are accurate.

Noteworthy

Why does ED have these business rules?
According to the most recent *Biennial Report to Congress on the Implementation of the Title III State Formula Grant Program* (available online at <https://ncela.ed.gov/files/biannual-reports/OELA-BiReport16-18.508.pdf>), in SY 2017–18, about 96 percent of all ELs across states participated in LIEPs from LEAs with Title III subgrants. In six states, 100 percent of ELs participated in LIEPs from LEAs with Title III subgrants. Based on these results, ED generally expects a close alignment between data reported for all ELs and data reported for ELs served by Title III for any common data elements.

FS050 and FS138



At the SEA level, the number of Title III ELs attaining proficiency in FS050 is greater than the number of Title III ELs participating in the annual state ELP assessment in FS138—the number attaining proficiency should be less than or equal to the number of participants.



At the SEA level, the number of Title III ELs making progress in FS050 is greater than the number of Title III ELs participating in an ELP assessment minus those students first assessed in FS138—the number making progress should be less than or equal to the number of participants minus first assessed.



At the SEA level, the sum of Title III ELs who are making progress and those who are not making progress in FS050 differs by more than 10 percent when compared with the number of students who are participating minus students first assessed in FS138.

¹⁵ This list aligns to the Business Rules Single Inventory (BRSI) used by ED*Facts* staff to ensure data quality. The BRSI is located online at <https://www2.ed.gov/about/inits/ed/edfacts/business-rules-guide.html>.



At the *LEA* level, the number of Title III ELs making progress in FS050 is greater than the number of Title III ELs participating in an ELP assessment minus those students first assessed in FS138—the number making progress should be less than or equal to the number of participants minus first assessed.



At the *LEA* level, the number of Title III ELs attaining proficiency in FS050 is greater than the number of Title III ELs participating in the annual state ELP assessment in FS138—the number attaining proficiency should be less than or equal to the number of participants.

FS050, FS137, FS138, and FS139



At the SEA level, the percentage of Title III ELs attaining proficiency based on the number of students attaining proficiency in FS050 and the number of students participating in annual state ELP assessment in FS138 differs by 10 percentage points or more when compared with the percentage of *all* ELs attaining proficiency based on the number of students attaining proficiency in FS139 and the number of students participating in the annual state ELP assessment in FS137.

FS116 and FS138



At the SEA level, the total number of Title III ELs reported in FS138 (the sum of ELs participating in, not participating in, and exempted for medical reasons from state ELP assessment) is different from the total number of Title III ELs reported in FS116/DG648 by more than 10 percent and 50 or more students.

FS116 and FS141



For any grade and the education unit total at the SEA level, the number of ELs enrolled reported in FS141 is less than the number of ELs receiving Title III services in FS116/DG648—the number in FS141 should be greater than or equal to the number in FS116/DG648.



At the LEA level, the total number of ELs enrolled reported in FS141 is less than the total number of ELs receiving Title III services in FS116/DG648—the number in FS141 should be greater than or equal to the number in FS116/DG648.

FS116, FS137, FS138, and FS141



At the SEA level, the percentage of *all* ELs not participating in the ELP assessment based on the number of students not participating reported in FS137 and the total number of ELs reported in FS141 differs by more than 1 percentage point when compared with the percentage of Title III ELs not participating in the ELP assessment based on the number of students not participating reported in FS138 and the number of Title III ELs reported in FS116/DG648.

FS126 and FS211



At the SEA level, the total number of former ELs in their first monitoring year reported for the current reporting school year in FS126 differs by 20 percent or more and 50 students or more when compared with the total number of ELs exiting reported in FS211 for the prior school year.

FS137 and FS139



At the SEA level, the number of ELs attaining proficiency in FS139 is greater than the number of ELs participating in the annual state ELP assessment in FS137—the number attaining proficiency should be less than or equal to the number of participants.



At the SEA level, the sum of ELs who are making progress and those who are not making progress in FS139 differs by more than 10 percent when compared with the number of students who are participating minus students first assessed in FS137.



At the LEA level, the number of ELs making progress in FS139 is greater than the number of ELs participating in an ELP assessment minus those students first assessed in FS137—the number making progress should be less than or equal to the number of participants minus first assessed.



At the LEA level, the number of ELs attaining proficiency in FS139 is greater than the number of ELs participating in the annual state ELP assessment in FS137—the number attaining proficiency should be less than or equal to the number of participants.

FS137 and FS141



At the SEA level, the total number of ELs reported in FS137 (the sum of ELs participating in, not participating in, and exempted for medical reasons from state ELP assessment) is 10 percent or more and 50 students or more when compared with the total number of ELs reported in FS141.



Warning



Error

SEA Communication With ED

Useful Information to Provide in the SSP

As part of the process for submitting files to the ESS, *EDFacts* Coordinators prepare and maintain SSPs for each reporting year through the *EDFacts* Metadata and Process System (*EMAPS*). The information SEAs provide in SSPs is used to measure the progress of the SEA's data submission.



EXAMPLE. A system report can be generated to compare a state's current number of SEA, LEA, and school files submitted and marked as complete against the total number of files expected to be submitted over the school year as stated in the SSP to measure completeness.

The report can also measure timeliness by comparing the state's file submissions against the file due dates. For each file submission and each required reporting unit (SEA, LEA, or school), *EDFacts* Coordinators should indicate the following in the SSP:

- Whether the file will be submitted on time
- The expected late submission date (if applicable)
- Whether there is a known data anomaly
- Current file status (No data in ESS, Data in ESS, Not required to submit, and Submission complete)

If an SEA will not be able to submit complete files by the original file due date, a comment is required to be entered in the *Not Timely Comments* field. Likewise, if an SEA will not be submitting a file, a detailed comment is required in the *Not Required to Submit Comments* field explaining the justification for not submitting the file. If an SEA indicates that there is an existing data anomaly in the data submitted for a file, a comment is required in the *Data Anomaly Comments* field. States are allowed to provide ED with general comments related to their file submission in the *General Comments* field. This field is optional.

Information provided in the SSP brings important context for ED to determine submission progress and evaluate data quality. *EDFacts* Coordinators should keep this information updated throughout the reporting year, especially if there are concerns or issues related to the state's data. The following are a few scenarios in which accurate and timely updates to the SSP would be extremely valuable to ED data reviewers:



EXAMPLE. An SEA has noticed a data anomaly in its submitted data and has concerns about ED using its submitted data. In this case, the SEA is strongly advised to leave the file status as "Data in ESS," change the *Timely* flag to "No," and provide an expected date of complete file submission along with a comment explaining why the data are not yet considered final.



EXAMPLE. An SEA has submitted preliminary data and expects to submit revised versions later but before the file due date. The SEA should leave the file status as “Data in ESS” and provide a general comment explaining why the data are not considered final.



EXAMPLE. An SEA has marked a file status as “Submission Complete” but later realize some data are incorrect or missing. The SEA should revert the file status to “Data in ESS” before submitting the revised data to ESS. After finalizing the data, the file status can be changed to “Submission Complete” again.

The EMAPS State Submission Plan and LEAD Report User Guide is located online at <https://www2.ed.gov/about/inits/ed/edfacts/emaps-state-submission-plan-and-lead-report-user-guide.pdf>. Additional questions about the process can be directed to the PSC at EDFacts@ed.gov.

Best Practices for Communicating with PSC and CSPR Inboxes

Questions about the ED*Facts* data collections, including issues with the ESS and EMAPS systems, should be directed to the PSC inbox at EDFacts@ed.gov, while questions about the CSPR collections should be directed to the CSPR inbox at CSPR@ed.gov (see the section entitled “Resources and Help” for more information). To allow sufficient time for response and further correspondence, SEAs should aim to reach out to these resources early in the reporting window or as soon as a question or issue is identified.

Questions submitted to the PSC or the CSPR inbox should *clearly* explain the problem, and if applicable, indicate the data file(s) impacted by the problem. SEAs may contact these inboxes to report or seek guidance on issues concerning the reporting and collection of Title III data within the state, but these communications are *not* substitutes for the data notes that can be submitted along with the final data. If an issue is not resolved by data submission, the SEA should still submit a data note to notify ED of the issue. See appendix A for examples of such data comments.

Once Data Are Submitted

Title III data are submitted through the ESS or directly into the CSPR collection tool. In both systems, in addition to the data submitted, states may submit explanatory comments to inform the reader of any known errors in the data or variables that may have impacted it. Once states submit their data, ED conducts a data quality review of the data and related comments. ED then contacts states and, based on any potential errors identified in the data, asks the SEA to review the data to verify its accuracy, asks the SEA to correct the data if the data is determined by the SEA as inaccurate, or asks the SEA to provide an explanation for why the data are correct as submitted. (See appendix A for more information on drafting data notes pertaining to potential data errors or anomalies.) The data quality rules ED applies to the data submitted through the ESS are documented in the Business Rules Single Inventory (BRSI), which is located

online at <https://www2.ed.gov/about/inits/ed/edfacts/business-rules-guide.html>. ED maintains additional business rules for the review of CSPR data, which are accessible from the CSPR website at <https://oese.ed.gov/offices/office-of-administration/about-us/consolidated-state-performance-reports/>. Note that flexibility is built into the review process to account for differences between the states, such as the size of the student population, noted initiatives that the state has undertaken, or events known to have occurred in the state that would potentially impede the data reporting efforts or impact the comparability of data. Any state with significant unexplained data changes will be identified for state review.

i Noteworthy

It is very important that Title III Coordinators, ED*Facts*/CSPR Coordinators, local liaisons, and LEA data technicians work together prior to submitting data to ensure the data are of a high quality and to review the BRSI prior to submission. If a potential error is noted during the review process, it is equally important for the data staff, the Title III Coordinator, and local liaisons to work together to identify reasons for anomalies in the data and respond to ED's request for a response during the data review period.

States may use the data quality review reopening period to respond to and correct errors in the data. Any remaining errors become a permanent part of the state's data and are included with future reports. For example, data posted on websites for ED and submitted to Congress, publications and data products released to the public, state profile pages, any additional reports done in coordination with other federal agencies, along with news stories that use ED*Facts* or CSPR data, typically include disclaimers about errors in a state's data. Failure to provide complete and timely data as required by federal law can also lead to consequences ranging from citations and monitoring by ED's Risk Management Services to the assignment of conditions to grant funds or even the withholding of grant funds.

To make corrections to ED*Facts* data, Title III Coordinators should work with their ED*Facts* Coordinator to resubmit data files. To submit comments to ED, Title III Coordinators should provide updated data notes to their ED*Facts* Coordinators. To make corrections to CSPR data, Title III Coordinators should work with their CSPR Coordinator to resubmit via the CSPR tool. To submit data quality comments to ED, Title III Coordinators should provide updated comments to their CSPR Coordinators.

How ED Uses Title III Data

Title III data submitted by states are used by ED for multiple purposes:

- Every 2 years, ED produces the [*Biennial Report to Congress on the Implementation of the Title III State Formula Grant Program*](#), which, among other topics, records the state-level progress toward ensuring ELs attain proficiency in English and match their peers in achievement in content domains such as mathematics, reading/language arts, and science.
- Data on ELs are also used by ED to respond to congressional inquiries for information related to ELs and to make [budget request justifications](#) to Congress, which include

the calculation of program performance on Government Performance and Results Act (GPRA) measures.

- ED uses data submitted by states to evaluate the effectiveness of states in implementing Title III, Part A and other federal programs; track accountability and conduct performance reviews for states; and understand the overall academic progress achieved by ELs in LIEPs. The state ELP assessment participation data is a component of the allocation of Title III funds to SEAs.
- Data submitted as well as issues noticed during the collection and reporting of the data are used by ED to inform technical assistance and plan monitoring activities that ensure states receive adequate support in the implementation of Title III services.

Title III data are also made publicly available to view and download through the [CSPR webpage](#) and [ED Data Express](#). In addition, the Office of English Language Acquisition (OELA) synthesizes key topical data on ELs and publishes [fact sheets](#) on different EL-related topics on a regular basis.

Changes to File Specs and Reporting Requirements

New for SY 2021–22

FS116 includes revised instructions regarding the reporting requirements (reporting period and type of count) for DG648 as well as a new table explaining all the reporting requirements for DG849. Please refer to the section entitled “A Closer Look at ED*Facts* File Specifications” for the specific reporting requirements for these two data groups. This file spec also clarifies that the file should include ELs served by a Title III LIEP in grades K–12 and, if applicable, grade 13.

FS126 provides revised responses to questions about which students should and should not be reported. Please refer to the section entitled “A Closer Look at ED*Facts* File Specifications” for the specific requirements.

FS138 includes updated information clarifying that category sets B, C, and D should be subsets of category set A. Please refer to the section entitled “A Closer Look at ED*Facts* File Specifications” for more details.

FS210 provides revised examples explaining how LEAs may track Title III ELs who transfer out and then back into the LEA during a 5-year time span. Please refer to the section entitled “A Closer Look at ED*Facts* File Specifications” for detailed instructions on the different ways LEAs are allowed to track these students over time.

Major Changes in Recent Years

FS210 and FS211 were collected for the first time in SY 2020–21. FS204, which included DG840 and DG841, were retired in SY 2019–20.

For SY 2019–20, in response to the COVID-19 pandemic, all states were granted waivers related to the submission of ELP assessment data and data that would require EL status tracking for at least 2 years. No states were required to submit data for FS050, FS126, FS137, FS138, FS139, FS210, and FS211 for SY 2019–20. Even though the waivers were no longer in place in SY 2020–21, ED recognizes that reporting for the count of ELs making and not making progress

in FS050 and FS139 might still be impacted as some SEAs might not have the appropriate data from SY 2019–20 to derive these counts. No file specs in SY 2021–22 should be impacted by the COVID-19 waivers.

Prior to SY 2019–20, the CSPR collections included sections populated with *EDFacts* data submitted through the ESS. Starting with the SY 2019–20 collection, these sections no longer appear in the CSPR tool, and the tool is limited to manual entry fields only.

Upcoming Changes to *EDFacts* and CSPR

The data collection packages for SYs 2022–23, 2023–24, and 2024–25 were recently approved. The SY 2022–23 file specifications will be made available on the *EDFacts* website as they are finalized and approved. Please check the *EDFacts* and CSPR resource pages listed in the section entitled “Resources and Help” for any future updates.

Resources and Help

The collection and coordination of data, along with the use of that data to improve student outcomes, can be a challenging task. As a result, several resources are available to State Coordinators and other stakeholders in the data process.

EDFacts

The list of SY 2021–22 *EDFacts* file specifications is located at <https://www2.ed.gov/about/inits/ed/edfacts/sy-21-22-nonxml.html>.

An additional listing of past and upcoming file specifications is located at <http://www2.ed.gov/about/inits/ed/edfacts/file-specifications.html>.

The *EDFacts* BRSI is an inventory of data quality business rules applied to *EDFacts* data throughout its lifecycle. The BRSI is located at <https://www2.ed.gov/about/inits/ed/edfacts/business-rules-guide.html>.

The *EDFacts* Data Submission Organizer, accessible at <https://edfacts.communities.ed.gov/#program/data-submission-organizer>, provides a searchable list of *EDFacts* file specs that allows users to search for the due date of a specific file, analyze data group use across multiple files, and search for Common Education Data Standards (CEDS) Connections on *EDFacts* files.

CSPR

The CSPR Submission Guides, previously referred to as the CSPR User Guides, are available on the CSPR webpage for each data collection cycle. The CSPR webpage is located at <https://oese.ed.gov/offices/office-of-administration/about-us/consolidated-state-performance-reports/>.

For SY 2021–22, the CSPR Submission Guides are located at the following links:

- Part I: <https://oese.ed.gov/files/2022/12/CSPR-Submission-Guide-Part-I-SY2021-22.pdf>
- Part II: https://oese.ed.gov/files/2023/01/CSPR-Submission-Guide-Part-II-SY2021-22_508.pdf

For SY 2021–22, the CSPR BRSI documents—an inventory of data quality business rules applied to data that states submit through the CSPR—are located at the following links:

- Part I: https://oese.ed.gov/files/2022/11/SY2122_CSPR_PartI_BRSI_v1.xlsx
- Part II: https://oese.ed.gov/files/2023/01/SY2122_CSPR_PartII_BRSI.xlsx

States can also email the CSPR inbox at CSPR@ed.gov.

ED Data Express

Select ED*Facts* data, including Title III data at the SEA and LEA levels, are available for public download through the ED Data Express at <https://eddataexpress.ed.gov/>.

Partner Support Center (PSC)

The PSC is available to assist states with technical difficulties when submitting data to ED*Facts*, such as resetting passwords or when a file fails to upload correctly. The PSC uses an issue tracking system to ensure the resolution of all requests for assistance and to plan technical amendments to the data collection process based on past requests. The PSC is available from 8 am to 6 pm EST, Monday through Friday, by phone or email using the following contact information:

- Toll Free: 877-457-3336 (877-HLP-EDEN)
- TTY: 888-403-3336 (888-403-EDEN)
- Fax: 888-329-3336 (888-FAX-EDEN)
- Federal Relay Service: 800-877-0996 (Voice/TTY)/federalrelay@sprint.com
- Email: EDFacts@ed.gov

Title III Resources

The OESE Title III office leads a data quality initiative that supported the creation of this data guide as well as the following resources:

- A series of quarterly meetings with SEA Title III and ED*Facts* Coordinators to address questions and concerns related to Title III data that states submit to ED
- A Community of Practice (CoP) for Title III and ED*Facts* Coordinators focused on supporting districts to improve EL and Title III data quality
- Visual guides summarizing the Title III data reporting process and a crosswalk of EL ED*Facts* data

These resources, including transcripts and presentation slides for the webinars, are available on the Title III Reporting and Performance page under the “Title III Data Quality Effort” section, at <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/english-language-acquisition-state-grants/performance/>.

The OESE Title III “Resources” webpage has a list of additional resources to support SEAs in developing and improving programs for ELs. The page is located at <https://oese.ed.gov/offices/office-of-formula-grants/school-support-and-accountability/english-language-acquisition-state-grants/resources/>.

States can also email OESE.Titleiii-a@ed.gov with any Title III-related questions or concerns.

Capacity Building

Regional Educational Laboratories (RELs) partner with educators and policymakers to apply evidence to improve learner outcomes. Information about how RELs can support state and local education research can be found at <https://ies.ed.gov/ncee/rel/About>, or by using the following contact information:

- Telephone: 202-245-6940
- Email: Contact.IES@ed.gov

Regional Comprehensive Centers can provide technical assistance for improving student outcomes. Go to <https://compcenternetwork.org/> for more information.

Other Resources

The CEDS is an education data management initiative whose purpose is to streamline understanding of data. Visit the website at <https://ceds.ed.gov/> for more information.

The Office of the Chief Data Officer (OCDO) has other resources available at <https://www2.ed.gov/about/offices/list/oepd/ocdo/index.html>.

Appendix A: Data Comments

SEAs are required to respond to the data quality feedback sent to them by ED. Additionally, SEAs are allowed to submit comments with their data within the SSP, ESS, and the CSPR. The comments should be concise, explain a problem or large change contained with the data, explain why data have not been submitted, explain steps the SEA is taking to correct the data, or explain why the data are accurate even though an ED business rule was triggered. The three most common mistakes SEAs make with regard to including comments with their data are as follows:

1. Using the same comment that was used for the previous collection window, even though it is out of date and no longer relevant
2. Including comments for a data point that do not apply to that data
3. Including comments that are unclear or confusing

The following are examples of comments that are vague or do not indicate what steps were taken to address the concern noted by ED during the data review and are therefore likely to result in a data flag:

- Data are correct.
- We do not think this is a data error.
- This is the same methodology we used last year.

In contrast, the following are examples of different types of comments that help clarify data and therefore are likely to reduce the number of corrections the SEA will be asked to make:

Explanation for incomplete or incorrect data (for reasons out of SEA's control)

- We encountered an error in the system and were unable to complete the upload. Partner Support has been contacted for assistance (Ticket No. XXXX).
- Our state was unable to provide data for this question due to a security breach that erased the data from our system.
- We realize that the data are incorrect; we will correct them during the reopening period.
- We realize that the data are incorrect. LEAs have been contacted to correct this issue; however, we will not be able to resubmit the corrected data during the reopening period. We will work with LEA and school staff to prevent this error in future submissions. If it is acceptable, please let us know how we can resubmit the corrected data for this school year when they are ready.

Policy changes or other statewide non-data-related changes that may impact the data reported

- Due to a restructuring of our Title III statewide consortium, there was a large drop in the number of LEAs receiving Title III funds in our state. A large difference compared to last year in the number of LEAs included in the file is expected.

- Our exit criteria changed in SY XX–XX, which resulted in significantly more students leaving Title III services. Any comparison involving SY XX–XX and prior years would be impacted by this change.
- Due to a change in our state’s definition of achieving Proficient on the ELP assessment and more ELs meeting the definition in SY XX–XX, we had an increased number of Year 2 monitored former ELs. This increase will be present in the former EL data until this cohort of students is no longer reported in the file.

State-specific situations or practices that can potentially result in data flags

- The number of immigrant students has increased as our general population has increased. Accuracy of student identification has also improved with training of school staff. Both factors may result in larger changes than expected compared with the prior year. The current counts reflect more accurate identification.
- Due to demographic changes, the number of ELs/the number of ELs participating in the annual ELP assessment increased more than XX percent during the last 5 years.
- The data are accurate as reported. We have data validations in place to ensure native language is reported for all ELs. However, a student’s native language is not always reported in time for the data to be certified for reporting.
- Due to a small EL population in our state, most of our LEAs have difficulty employing teachers who are fully certified ESL teachers.
- Some LEAs do not have any students who have been served by Title III programs for more than 5 years or have exited the programs.
- We included LEAs with zero counts in the data this year but not for last year.

Appendix B: Frequently Used Terms

Disclaimer: Some definitions included below are not part of the Elementary and Secondary Education Act (ESEA) or federal guidance. They are provided for the purpose of clarifying the data elements required for the federal data collection that is reviewed by the Title III program. These definitions enable submission of consistent data based on the same interpretation of terminology by LEAs and SEAs.

ALTERNATE ENGLISH LANGUAGE PROFICIENCY (ELP) ASSESSMENT: As required under 34 CFR §200.6(h)(5), a state must provide for an alternate English language proficiency assessment for a child with the most significant cognitive disabilities who cannot participate in the annual English language proficiency assessment even with appropriate accommodations.

ENGLISH LEARNER WITH A DISABILITY: As defined in section 3201(4) of ESEA, the term “English learner with a disability” means an EL who is also a child with a disability, as the term “child with a disability” is defined in section 602 of the IDEA.

CONSOLIDATED STATE PERFORMANCE REPORT (CSPR): The CSPR is a data collection tool administered annually by the Office of Elementary and Secondary Education (OESE). The CSPR tool collects information relating to activities and outcomes of specific ESEA programs.

CONSORTIA: See TITLE III CONSORTIA.

CSPR COORDINATOR: An individual in the SEA whose responsibilities generally include coordination of the preparation and certification of the annual CSPR submissions. The CSPR Coordinator can usually be found in a federal programs or accountability division of the SEA.

DATA GROUP: A specific aggregation (*i.e.*, group) of related data that are stored in the *EDFacts* Data Warehouse to satisfy the specific information need of one or more ED program offices. Thus, an *EDFacts* data group does not represent a single data entry but rather a set of related data entries governed by the file specs. Each *EDFacts* data group is intended to be discrete, concise, universally understood, and nonredundant.

EDFACTS: An ED initiative to put performance data at the center of policy, management, and budget decisions for all educational programs. *EDFacts* centralizes preK through high school completion performance data supplied by LEAs and SEAs with other data assets, such as financial grant information. This enables better analysis and use of data in policy development, planning, and management. Data are submitted to *EDFacts* through the *EDFacts* Submission System (ESS).

EDFACTS COORDINATOR: An individual in the SEA who is generally responsible for submitting a wide range of data that has been collected from the SEA and LEAs, including data that prepopulates the CSPR. The *EDFacts* Coordinator is usually assigned to the information technology or data division of the SEA. The *EDFacts* Initiative only allows for one designated *EDFacts* Submission System (ESS) user per state. This person is most likely the state *EDFacts* Coordinator and is the only person authorized to submit data to the ESS. In some states, the *EDFacts* Coordinator and CSPR Coordinator may be the same person.

ENGLISH LANGUAGE PROFICIENCY (ELP) ASSESSMENT: As required in ESEA section 1111(b)(2)(G), each LEA must administer an annual statewide assessment of English proficiency of all English learners in the schools served by the SEA. The assessment must be aligned with the State’s English language proficiency standards that

- i. are derived from the 4 recognized domains of speaking, listening, reading, and writing;
- ii. address the different proficiency levels of English learners; and
- iii. are aligned with the challenging State academic standards (ESEA section 1111(b)(1)(F)).

ENGLISH LEARNERS (ELs): The *EDFacts Workbook for SY 2021–22* describes that in coordination with the definition in section 8101(20) of the ESEA, the term ‘English learner’, when used with respect to an individual, means an individual –

- (A) who is aged 3 through 21;
- (B) who is enrolled or preparing to enroll in an elementary school or a secondary school;
- (C) (who is i, ii, or iii):
 - i. who was not born in the United States or whose native language is a language other than English;
 - ii. (who is I and II)
 - I. who is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - II. who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or
 - iii. who is migratory, whose native language is a language other than English, and who come from an environment where a language other than English is dominant; and
- (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual i or ii or iii below:
 - i. the ability to meet the challenging State academic standards;
 - ii. the ability to successfully achieve in classrooms where the language of instruction is English; or
 - iii. the opportunity to participate fully in society.

To be classified as an EL, an individual must meet the criteria of A, B, C, and D in the definition above. To meet the criteria for C, an individual can meet the criteria of any of i, ii, or iii. If the criterion to meet C is ii, then the individual must meet the criteria of both I and II. In order to meet the criteria for D, an individual must be denied one of the three things listed (i, ii, or iii).

ENGLISH LEARNERS SERVED UNDER TITLE III: ELs who participate in LIEPs in LEAs that receive Title III subgrants.

ESL/BILINGUAL EDUCATION-ENDORSED TEACHER: A teacher who meets state requirements (*e.g.*, holds a certification or licensure required by the state) to teach in an English as a second language (ESL) or bilingual education program. Requirements vary by state.

EVERY STUDENT SUCCEEDS ACT (ESSA): Federal legislation enacted on December 10, 2015, to amend and reauthorize the Elementary and Secondary Education Act of 1965 (ESEA).

FILE SPECIFICATIONS: File specifications or “file specs” (FS) are *EDFacts* documents which provide detailed technical information including definitions and reporting indicators for data collected by *EDFacts* and included in the CSPR.

FULLY CERTIFIED OR LICENSED TEACHER: A teacher who meets state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.¹⁶

GRADE 13: This grade level, for reporting purposes, is usually included for those LEAs or schools that offer a specific program related to earning postsecondary credit, a CTE degree, or CTE certification, that extends beyond the traditional 4 grade high school structure. See FS039 (Grades Offered).

IMMIGRANT CHILDREN AND YOUTH: As defined in section 3201(5) of ESEA, the term “immigrant children and youth” means individuals who

- A. Are aged 3 through 21;
- B. Were not born in any state; and
- C. Have not been attending one or more schools in any one or more states for more than 3 full academic years.

When determining whether a student meets the definition, the months in attendance do not need to be consecutive. The term “state” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico (ESEA section 3201(13)).

LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM (LIEP): As defined in section 3201(7) of ESEA, a language instruction educational program (LIEP) is an instruction course

- A. In which an EL is placed for the purpose of developing and attaining English proficiency, while meeting challenging state academic standards; and
- B. That may make instructional use of both English and a child’s native language to enable the child to develop and attain English proficiency and may include the participation of English proficient children if such course is designed to enable all participating children to become proficient in English and a second language.

¹⁶ Definition based on ESEA section 1112(e)(1)(A)(i).

Examples of LIEPs may include, but are not limited to, the following:¹⁷

- **Transitional bilingual education (TBE) or early-exit bilingual education:** This program generally utilizes a student’s primary language in instruction. The program generally maintains and develops skills in the primary language and culture while introducing, maintaining, and developing skills in English. The primary purpose of a TBE program is to facilitate the EL’s transition to an all-English instructional program while receiving academic subject instruction in the native language to the extent necessary.
- **Dual language or two-way immersion:** The goal of these bilingual programs is generally for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually composed of half native English speakers and half native speakers of the other language.
- **English as a second language (ESL) or English language development (ELD):** A program of techniques, methodology, and special curriculum generally designed to teach ELs English language skills, which may include listening, speaking, reading, writing, study skills, content vocabulary, and cultural orientation. ESL/ELD instruction is usually in English with little use of native language.
- **Content classes with integrated ESL support:** This approach generally makes use of instructional materials, learning tasks, and classroom techniques from academic content areas as the vehicle for developing language, content, cognitive, and study skills. English is used as the medium of instruction.
- **Newcomer programs:** Newcomer programs are generally separate, relatively self-contained educational interventions designed to meet the academic and transitional needs of newly arrived immigrants. Typically, students attend these programs before they enter more traditional interventions (*e.g.*, ELD programs or mainstream classrooms with supplemental ESL instruction).

LANGUAGE OF INSTRUCTION: The language used by teachers to teach and communicate in a class.

LOCAL EDUCATIONAL AGENCY (LEA): As defined in ESEA section 8101(30), an LEA is:

(A) In general, a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or of or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools.

The term includes:

(B) any other public institution or agency having administrative control and direction of a public elementary school or secondary school;

¹⁷ Descriptions of LIEPs based on OCR Developing Programs for English Language Learners: Glossary, <https://www2.ed.gov/about/offices/list/ocr/ell/glossary.html>.

(C) an elementary school or secondary school funded by the Bureau of Indian Education but only to the extent that including the school makes the school eligible for programs for which specific eligibility is not provided to the school in another provision of law and the school does not have a student population that is smaller than the student population of the local educational agency receiving assistance under this Act with the smallest student population, except that the school shall not be subject to the jurisdiction of any State educational agency other than the Bureau of Indian Education;

(D) educational service agencies and consortia of those agencies; and

(E) the State educational agency in a State in which the State educational agency is the sole educational agency for all public schools.

NATIVE LANGUAGE As defined in section 3201(10) of ESEA, when used with reference to an individual of limited English proficiency, native language means

A. The language normally used by such individual; or

B. In the case of a child or youth, the language normally used by the parents of the child or youth.

SECTION 3114(a) FUNDS/SUBGRANTS: The SEA receives funds for both Title III state formula subgrants for ELs and subgrants for immigrant children and youth based on the number of ELs and immigrant children and youth in the state. The SEA may reserve a small percentage of its grant to carry out state-level activities and for program administration and uses the rest to make subgrants to individual LEAs or to consortia of LEAs.¹⁸ Subgrants made under section 3114(a) of the ESEA are to eligible entities based on their relative number of ELs.

SECTION 3114(d) FUNDS/SUBGRANTS FOR IMMIGRANT CHILDREN AND YOUTH: The SEA receives funds for both Title III state formula subgrants for ELs and subgrants for immigrant children and youth based on the number of ELs and immigrant children and youth in the state. The SEA may reserve a small percentage of its grant to carry out state-level activities and for program administration and uses the rest to make subgrants to individual LEAs or to consortia.¹⁹ Under section 3114(d) of the ESEA, the SEA reserves no more than 15 percent of the allotment for subgrants to eligible entities in the state that have experienced a significant increase, as compared to the average of the 2 preceding fiscal years, in the percentage or number of immigrant children and youth served by the eligible entity.²⁰

STATE EDUCATIONAL AGENCY (SEA): As defined in ESEA section 8101(49), an SEA is the agency primarily responsible for the state supervision of public elementary and secondary schools.

TITLE III, PART A: Title III is a part of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA). Under section 3102 of the ESEA, the purpose of the Title III program is to help ensure English learners (ELs), including

¹⁸ Definition from NCELA Title III State Formula Grants, <https://ncela.ed.gov/title-iii-state-formula-grants>.

¹⁹ Definition from NCELA Title III State Formula Grants, <https://ncela.ed.gov/title-iii-state-formula-grants>.

²⁰ Definition based on ESEA section 3114(d)(1).

immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English; to assist ELs, including immigrant children and youth, to achieve at high levels in academic subjects so that all ELs can meet the same challenging state academic standards that all children are expected to meet; to assist teachers, principals, and other school leaders, SEAs, LEAs, and schools in establishing, implementing, and sustaining effective LIEPs designed to assist in teaching ELs and to develop and enhance their capacity to provide effective LIEPs designed to prepare ELs, including immigrant children and youth, to enter all-English instructional settings; and to promote parental, family, and community participation in LIEPs for parents, families, and communities of ELs. Funds are distributed to states based on a formula that takes into account the number of immigrant and EL students in each state.

TITLE III CONSORTIA: An LEA may join with other LEAs to form a consortium of LEAs to receive Title III formula funds under the ESEA. Under this arrangement, one of the LEAs must serve as the fiscal agent for the consortium [34 CFR § 76.303]. The option of joining a consortium may be especially relevant to an LEA that does not, on its own, have enough ELs to meet the requirement in ESEA section 3114(b) that a Title III subgrant be at least \$10,000. Such an LEA could, for example, form a consortium with other LEAs to receive Title III funds.²¹

TITLE III, PART A SUBGRANTEE: An eligible entity that receives Title III subgrants from the SEA. Per ESEA section 3201(3), eligible entities are (A) one or more local educational agencies; or (B) one or more local educational agencies, in consortia or collaboration with an institution of higher education, educational service agency, community-based organization, or state educational agency.

UNGRADED: Generally refers to students who are assigned to a class that is not organized on the basis of grade grouping and has no standard grade designation. This includes both regular and special classes that have no grade designations. Such a class may contain students of different ages who are identified according to level of performance in one or more areas of instruction, rather than according to grade or age. The term generally does not include out-of-school youths, preschoolers, or children who are not yet school age. Ungraded also does not include grade 13.

²¹ For more information on consortia in Title III, see 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)*, (Revised) 2019, <https://www2.ed.gov/policy/elsec/leg/essa/essatitleiiiiguidenglishlearners10219.pdf>, question A-15.