



DISTRICT OF COLUMBIA
OFFICE OF THE STATE SUPERINTENDENT OF
EDUCATION

Summary of Fiscal Changes Made by the Every Student Succeeds Act (ESSA)
Elementary and Secondary Education Act (ESEA) Title III
Identifying Changes in Allocations, Reporting, and Use of Funds for State and School Districts

Title	Title III—Language Instruction for English Learners and Immigrant Students			
Part	Part A			
Funding Streams / Programs Under this Part	List all grant programs under this part	Entitlement or Discretionary	State Allocation (Yes/No)	LEA Allocation (Yes/No)
	English Learners	Entitlement	Yes	Yes
	Immigrant Children and Youth	Entitlement	(funds used at State level for both)	Yes
Purpose of Grant	<ul style="list-style-type: none"> To help ensure that English learners, including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English To assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that all English learners can meet the same challenging academic standards that all children are expected to meet To assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, and local educational agencies, and schools in establishing, implementing, and sustaining effective language instructional educational programs designed to assist in teaching English learners, including immigrant children and youth To assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, and local educational agencies to develop and enhance their capacity to provide effective instructional programs designed to prepare English learners, including immigrant children and youth, to enter all-English instructional settings To promote parental, family, and community participation in language instruction educational programs for the parent, families, and communities of English learners 			

Title III, Section 3113, English Learners (State)

State grant or LEA grant?	State
Name of funding stream/program	English Learners
Allocation (amount and distribution) <i>According to law</i>	<p>\$756,332,450=Total Authorized for FY 2017; increases each year until FY2020 when authorization peaks at \$884,959,633. (Note that Congress may not appropriate the full authorized level.)</p> <ul style="list-style-type: none"> • Reservation of the greater of 0.5% or \$500,000 for tribes and Native organizations • Reservation of 0.5% for outlying areas • Reservation of 6.5% for national activities • From the remaining funds, the formula for allotting funds to each SEA is as follows: $\frac{\text{State EL}}{\text{National EL}} * .80(\text{Total \$}) + \frac{\text{State immigrant}}{\text{National immigrant}} * .20(\text{Total \$})$ <ul style="list-style-type: none"> • May use up to 5% for SEA activities (up to 50% of that or \$175,000, whichever is greater, for direct admin) • Note: no SEA shall receive less than \$500,000
Who/how eligible	<ul style="list-style-type: none"> • SEA must have an approved plan for how it will use SEA funds and issue subgrants to eligible entities • If the SEA plan is not submitted or approved, the Secretary shall endeavor to make SEA's allotment available to specially qualified agencies within the State other than SEAs on a competitive basis
Reporting/program evaluation requirements	Biennial Reports: based upon reports provided to SEA by eligible entities that receive a subgrant, SEA must submit to the Secretary every two years a report on programs and activities carried out under this grant and the effectiveness of those programs and activities in improving the education provided to English learners
Other relevant information re: this grant program	
SEA set-aside funds may be used for: <ol style="list-style-type: none"> A. Establishing and implementing, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized statewide entrance and exit procedures, including a requirement that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State. B. Providing effective teacher and principal preparation, effective professional development activities, and other effective activities related to the education of English learners, which may include assisting teachers, principals, and other educators in— <ol style="list-style-type: none"> i. Meeting State and local certification and licensing requirements for teaching English learners; and ii. Improving teaching skills in meeting the diverse needs of English learners, including how to implement effective programs and curricula on teaching English learners. C. Planning, evaluation, administration, and interagency coordination related to subgrants D. Providing technical assistance and other forms of assistance to eligible entities that are receiving subgrants from a State educational agency under this subpart, including assistance in— 	

- i. Identifying and implementing effective language instruction educational programs and curricula for teaching English learners;
 - ii. Helping English learners meet the same challenging State academic standards that all children are expected to meet;
 - iii. Identifying or developing, and implementing, measures of English proficiency; and
 - iv. Strengthening and increasing parent, family, and community engagement in programs that serve English learners.
- E. Providing recognition, which may include providing financial awards, to recipients of subgrants under section 3115 that have significantly improved the achievement and progress of English learners in meeting—
- i. The State-designed long-term goals established under section 1111(c)(4)(A)(ii), including measurements of interim progress towards meeting such goals, based on the State’s English language proficiency assessment under section 1111(b)(2)(G); and
 - ii. The challenging State academic standards

Title III, Section 3113, English Learners (State)
Changes from NCLB to ESSA

	NCLB	ESSA
Eligibility	No known change	
Allocation Amount and distribution	<p>Total Title III Authorization: \$750,000,000 for 2002 and such sums as may be necessary for the 5 succeeding years</p> <p>Note: Congress does not always appropriate funds for programs at their full authorized levels.</p>	<p>Total Title III Authorization: \$756,332,450 for fiscal year 2017 \$769,568,267 for fiscal year 2018 \$784,959,633 for fiscal year 2019 \$884,959,633 for fiscal year 2020</p> <p>Note that Congress may not appropriate the full authorized level.</p>
Use Has allowed uses of this grant expanded, contracted, or stayed the same? If expanded or contracted, how so?	An allowable use includes “professional development activities and other activities”	Changed to “providing effective teacher and principal preparation, effective professional development, and other effective activities”
	Process of establishing standardized entrance and exit criteria for EL status required in SEA plan, but the development and implementation of were not listed as an allowable use of SEA funds	Allows SEA funds to be used to establish and implement, with stakeholder input, standardized statewide entrance and exit procedures, including ensuring that all students who may be ELs are assessed for EL status within 30 days of enrollment
	60% for direct admin with \$175,000 cap	50% for direct admin with \$175,000 cap
Reporting/program evaluation? Have reporting or program evaluation requirements for this grant changed? If so, how?	Specific requirement around developing and reporting on Annual Measurable Achievement Objectives (AMAOs)	Eliminates AMAO development and reporting requirements
Other relevant information re: this grant program	Note: EL English proficiency must now be included in the State Accountability system in Title I.	
	Assessment and parent notification requirements in Title III	These requirements moved to Title I, so Title III funds can no longer be used for parent notifications or for ACCESS for ELLs
	Defines fewer terms	<ul style="list-style-type: none"> Defines more terms, including “community based organization,” “English learner with a disability,” and “immigrant children and youth.” Defines “English learner,” removes prior references to “limited English proficient.”

Title III, Section 3115, English Learners (LEA)

State grant or LEA grant?	LEA
Name of funding stream/program	English Learners
Allocation (amount and distribution) <i>According to law</i>	<ul style="list-style-type: none"> At least 95% of SEA allocation must go to eligible entities based on per-pupil allocations Up to 15% of total SEA allocation may be reserved for entities that have experienced a significant increase in percentage or number of immigrant children, compared to the average of the two preceding fiscal years. After the state's optional 15% reservation, the formula for awarding subgrants to eligible entities for English Learner instruction is as follows: $\frac{\text{Entity ELs}}{\text{ELs All Entities}} * (\text{SEA Total \\$})$ Eligible entities may use up to 2% of their allocation for direct administration.
Who/how eligible	<ul style="list-style-type: none"> Eligible entities include LEAs alone, in consortia, and/or in collaboration with an institution of higher education, education service entity, community-based organization, or SEA. Eligible entities must have an approved plan to receive funding. SEA shall not award a subgrant if the amount would be less than \$10,000. Eligible entities with small EL populations must join a consortium to access funding. Per-pupil formula based on # of ELs in an LEA Shall select one or more methods or forms of English language instruction
Reporting/program evaluation requirements	<p>LEAs must report to SEA annually, which must include:</p> <ul style="list-style-type: none"> A description of the programs and activities conducted under this grant in last 2 fiscal years including how funds received under this grant supplemented programs funded with state or local funds The number and percentage of ELs in programs and activities funded under this grant that are making progress toward achieving English proficiency (in aggregate and disaggregated, at minimum, by ELs with disability) The number and percentage of ELs in programs and activities funded under this grant that attain English proficiency by the end of each school year (based on State EL proficiency standards and language proficiency assessment) The number and percentage of ELs meeting state academic standards for each of the 4 yrs after the student stops receiving EL services (in aggregate and disaggregated, at minimum, by ELs with disability) The number and percentage of ELs who have not attained English language proficiency within 5 yrs of initial classification as an EL and first enrollment in an LEA Any other information a state may require

Title III, Section 3115, LEA English Learners (LEA), Continued

Name of funding stream/program	English Learners
<p>An eligible entity receiving funds under this grant <u>shall</u> use the funds as follows:</p> <ul style="list-style-type: none"> A. To increase the English language proficiency of English learners by providing effective language instruction educational programs that meet the needs of English learners and demonstrate success in increasing— (A) English language proficiency; and (B) student academic achievement. An eligible entity shall use effective approaches and methodologies for teaching English learners and immigrant children; B. To provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals and other school leaders, administrators and other school or community-based organizational personnel, that is— <ul style="list-style-type: none"> i. Designed to improve the instruction and assessment of English learners; ii. Designed to enhance the ability of such teachers, principals and other school leaders to understand and implement curricula, assessment practices and measures and instructional strategies for English learners; iii. Effective in increasing children’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and iv. Of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers’ performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher’s supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate; and C. To provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for English learners, which— <ul style="list-style-type: none"> i. Shall include parent, family, and community engagement activities; and ii. May include strategies that serve to coordinate and align related programs. 	

Title III, Section 3115, LEA English Learners (LEA), Continued

Name of funding stream/program	English Learners
	<p>In order to achieve required activities, LEAS <u>may</u> use funds for:</p> <ul style="list-style-type: none"> A. Upgrading program objectives and effective instructional strategies B. Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures C. Providing to English learners <ul style="list-style-type: none"> i. Tutorials and academic or career and technical education; and ii. Intensified instruction, which may include materials in a language that the student can understand, interpreters, and translators D. Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services E. Improving the English language proficiency and academic achievement of English learners F. Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families <ul style="list-style-type: none"> i. To improve the English language skills of English learners; and ii. To assist parents and families in helping their children to improve their academic achievement and becoming active participants in the education of their children G. Improving the instruction of English learners, which may include English learners with a disability, by providing for— <ul style="list-style-type: none"> i. The acquisition or development of educational technology or instructional materials; ii. Access to, and participation in, electronic networks for materials, training, and communication; and iii. Incorporation of the resources described in subparagraphs (A) and (B) into curricula and programs, such as those funded under this subpart H. Offering early college high school or dual or concurrent enrollment programs or courses designed to help English learners achieve success in postsecondary education I. Carrying out other activities that are consistent with the purposes of this section

**Title III, Section 3115 English Learners (LEA)
Changes from NCLB to ESSA**

	NCLB	ESSA
Eligibility	No known change	
Allocation Amount and distribution	No change to how LEA allocations are made	
Use Has allowed uses of this grant expanded, contracted, or stayed the same? If expanded or contracted, how so?	n/a	New required use: LEAs are now required to use Title III funds to implement additional effective activities (above and beyond PD and instruction/assessment improvement) to enhance language instruction including parent, family, and community engagement activities
	n/a	New, explicitly allowed uses: <ul style="list-style-type: none"> • Develop and implement effective preschool programs • Offer early college high school or dual or concurrent enrollment programs/course • For those with significant increases in immigrant populations receiving part of the up to 15% reservation: recruit personnel
	Specific LEA plan requirements tied to AYP and AMAOs	Eliminated LEA plan requirements tied to AYP and AMAOs in Title III; Instead, goals and targets for EL achievement and growth must be within the Title I state plan
	Note: Supplement not supplant has remained the same in Title III even though it changed in Title I	
Reporting/program evaluation? Have reporting or program evaluation requirements for this grant changed? If so, how?		Some minor reporting requirements have been added for LEAs
		SEA no longer has to use LEA reports to determine efficacy of their programs or to determine whether to continue funding
Other relevant information re: this grant program	Assessment and parent notification requirements in Title III	These requirements are moved to Title I, so Title III funds can no longer be used for parent notifications or for ACCESS for ELLs

Title III, Section 3115(e), Substantial Increases in Immigrant Children and Youth (LEA)

State grant or LEA grant?	LEA
Name of funding stream/program	Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth (ICY)
Allocation (amount and distribution) <i>According to law</i>	<ul style="list-style-type: none"> • Up to 15% of state allocation may be reserved for services to immigrant children by LEAs experiencing a significant increase in enrollment of immigrant children • SEA has discretion on the size and number of awards and whether to award on a formula or competitive basis • SEA has discretion to make awards for a single year or multi-year
Who/how eligible	<ul style="list-style-type: none"> • Eligible LEAs are those experiencing a significant increase in the number or percentage of immigrant students as compared to the average of the last 2 fiscal years. SEA has discretion to determine "significant increase." • Immigrants are students not born in any state (defined as 50 states + DC and PR), in US school for less than 3 full academic years, and ages 3-21 • Must submit plan • Shall select one or more methods or forms of English language instruction
<p>LEAs must use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include:</p> <ol style="list-style-type: none"> A. family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children; B. Recruitment of, and support for, personnel, including teachers and paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth; C. Provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth; D. Identification, development, and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with awarded funds; E. Basic instructional services that are directly attributable to the presence of immigrant children and youth in the local educational agency involved, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instructional services; F. Other instructional services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and G. Activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services. 	

Title III, Section 3115(e), Immigrant Children and Youth (LEA)
Changes from NCLB to ESSA

	NCLB	ESSA
Eligibility	Changes in total amount allocated apply (see Title III, Section 3115)	
Allocation Amount and distribution		
Use Has allowed uses of this grant expanded, contracted, or stayed the same? If expanded or contracted, how so?	Allows for “support for personnel...”	Changed to “recruitment of, and support for, personnel...”
	Note: Supplement not supplant has remained the same in Title III even though it changed in Title I	
Reporting/program evaluation? Have reporting or program evaluation requirements for this grant changed? If so, how?	Changes to English Learners Grant apply (see Title III, Section 3111)	