



Frequently Asked Questions (FAQs)

FFY2014 Substantial Increase in Immigrant Children and Youth Enrollment [3114(d)] Grant

1. What is the definition of "immigrant children and youth" in ESEA Title III?

The term "immigrant children and youth," which is defined in section 3301(6) of ESEA Title III, refers to 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.

2. What is "substantial increase"?

OSSE defines "substantial increase" as follows:

If LEA's immigrant student enrollment is...	Then, the substantial increase is...
1 to 249 students	22 or more students
250 to 999 students	44 or more students
1,000 and more students	6% of total enrollment

3. Section 3114(d) authorizes special grants for local educational agencies (LEAs) with a significant increase in the percentage or number of immigrant children and youth enrolled in the district. How does the OSSE determine eligibility?

The Office of the State Superintendent of Education (OSSE) examines data provided by the LEA to determine whether the LEA has experienced a significant increase, as compared to the average of the two preceding fiscal years, in the percentage or number of immigrant children and youth. The OSSE has considerable discretion in implementing this provision.

4. How does the OSSE allocate funds reserved under section 3114(d) to LEAs with substantial increases in the percentage or number of immigrant children and youth?

ESEA Title III does not require State educational agencies (SEAs) to allocate funds reserved under section 3114(d) to eligible LEAs on a formula basis. The OSSE is required to award these funds to LEAs that have experienced a significant increase in the percentage or number of immigrant children and youth. In awarding these subgrants, the OSSE is required to equally consider LEAs that have limited or no experience in serving immigrant children and youth. The OSSE is also required to consider the quality of the local plans that the LEAs submit under section 3116 to ensure that each subgrant is of sufficient size and scope to meet the purposes of ESEA Title III.

5. Can an LEA receive ESEA Title III, Part A formula funds based on the number of LEP students and also receive funds under the 3114(d) (substantial increase in percentage or number of immigrant students)?

Yes. An LEA can receive both types of grants.

6. Does the formula double count most immigrant students?

Yes. The OSSE conducts two separate counts of all students who are eligible under the definition of immigrant children and youth and under the definition of limited English proficient (ESEA, Title IX, Section 9101(25)). In most cases, immigrant students are also limited English proficient and are included in both counts. However, if an immigrant student is not LEP, that student is only counted once (as an immigrant student).

7. Are there special required activities for LEAs that receive grants under section 3114(d) (substantial increase in percentage or number of immigrant students)?

Under the statute, the LEA must provide enhanced instructional opportunities for immigrant children and youth, which may include:

- a. Family literacy, parent outreach, and training activities designed to assist parents to become active participants in the education of their children;
- b. Support for personnel, including teacher aides 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 and acquisition of curricular materials, educational software, and technologies to be used in the program;
- e. Basic instruction services that are directly attributable to the presence in the school district of immigrant children and youth, 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 instruction services;
- f. Other instruction services that are designed to assist immigrant children and youth to achieve in elementary and secondary schools in the U.S., such as programs of introduction to the educational system and civics education;
- 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 of immigrant children and youth by offering comprehensive community services.

8. Do LEAs applying for subgrants under section 3114(a) have to submit a narrative on how they propose to spend the funding for immigrant children and youth?

Only LEAs applying for funds under section 3114(d) (the reservation of funds for immigrant children and youth) are required to include a specific description of how they propose to serve immigrant children and youth.

9. What is the definition of 3 full academic years when counting immigrant children and youth?

Some States define an academic year as 9 months, while other States count an academic year as 10 months. The OSSE counts a full academic year when a student is enrolled for at least 85% of time during the first day of enrollment audit (October 5th) through the first day of DC Comprehensive Assessment System (DCCAS) (April). If a student has been in different schools in different school districts and even in different States, the number of months that the student has been in school in any one or more States must not add up to a total of more than 3 full academic years.

10. As used in ESEA Title III, what do the terms "supplement" and "supplant" mean?

The statute, in section 3115, requires that funds available under a subgrant be used "to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for limited English proficient children and immigrant children and youth and in no case to supplant such Federal, State, and local public funds." In the context of this grant, "supplement" means "an addition," and "supplant" means "to take the place of."

For questions about Substantial Increase in Immigrant Children and Youth Enrollment [3114(d)] Grant or ESEA Title III, Part A, please contact Bryan Sebobo at Bryan.Sebobo@dc.gov.