

# Coordinating Services with Title I and Title III to Provide Programs for English Learners in Homeless Situations

## NAEHCY 2017 Conference

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# Welcome!



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# ELs experiencing homelessness



- The National Center for Educational Statistics published educational data in May 2017. That data included a section titled “Homeless Children and Youth in Public Schools”  
([https://nces.ed.gov/programs/coe/indicator\\_tgh.asp](https://nces.ed.gov/programs/coe/indicator_tgh.asp)).
- The data indicates that of the children and youth experiencing homelessness, 14% were English Learners (ELs). Compare that to the statistic that ELs only make up 9% of the total student population in the US, and you can see that the rate of homelessness for ELs is higher.
- Given that there are 1.3 million students experiencing homelessness, that means that ~ 200,000 of them are ELs.

## ELs experiencing homelessness

- Here is the headline from a New York times article from August 15, 2017, ***“1 in 7 New York City Elementary Students Will Be Homeless, Report Says”***. The article cites a report from the Institute for Children, Poverty, and Homelessness that indicates that in their lifetime, one in every seven New York City public school students will be homeless at some point during elementary school.
- The article also provides a number of statistics regarding students that are homeless in New York City. Including that during the 2015-2016 school year, 100,000 students in New York City public schools were homeless.
- And one in every six NYC EL students was classified as homeless.

# Challenges for students experiencing homelessness

- The article includes some of the challenges that students experiencing homelessness in New York City public schools face. These include:
  - The typical elementary student experiencing homelessness missed 88 days of school (almost half the school year);
  - The typical elementary student experiencing homelessness transferred schools midyear at least two times during;
  - Students experiencing homelessness are more likely to be suspended or drop out;
  - Their proficiency rates on the state English and math exams for 3<sup>rd</sup> through 8<sup>th</sup> graders were about 20 points lower than classmates';
  - The graduation rate for students experiencing homelessness was 55%, which is 19% lower than students with stable housing; and
  - ELs experiencing homelessness need EL services longer.

# McKinney-Vento requirements for ELs



- The McKinney-Vento (M-V) Act, Section 722(g)(4)(B) requires that children and youth experiencing homelessness be provided services comparable to services offered to other students in the school including educational services (EL programs) for eligible ELs.
- This includes both EL services required by Civil Rights law (more on this later) and any available EL services provided by Title I, Title III, or any other ESSA funded programs for ELs.

## District Homeless Liaison requirements



- There are requirements for the District Homeless Liaison found in the M-V Act, Section 722(g)(6)(A)(ii) to ensure that children and youth experiencing homelessness are enrolled in, and have a full and equal opportunity to succeed in, schools in the district.
- And (iii) requires districts to ensure that homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youth are eligible.
- This means that District Homeless Liaisons are required to ensure that ELs experiencing homelessness are enrolled in school and have access to and receive the EL services to which they are eligible.

## M-V – Provide services through existing programs



- The M-V Act, Section 723(a)(2) requires that services that districts provide shall, to the maximum extent practicable, be provided through existing programs and mechanisms that integrate homeless children and youths with non-homeless children and youths.
- This will require some significant coordination on the part of District Homeless Liaisons with the district staff responsible for other programs, including programs for ELs.



## M-V – Services for ELs



- The M-V Act, Section 723(d)(2) indicates an allowable activity with M-V funds is to provide “expedited evaluations of the strengths and needs of homeless children and youths, including needs and eligibility for programs and services (such as educational programs for gifted and talented students, children with disabilities, and English learners . . .).”
- While this specifically calls out that the evaluation must be an “expedited” evaluation, this is probably the only place I’ve ever seen written into federal law that makes it allowable to use federal funds to pay for an evaluation to determine if a student is eligible for EL services.

## Legal requirements for EL programs

- Title VI of the Civil Rights Act of 1964 (and related case law like *Lau* and *Castañeda*) prohibits discrimination against ELs based on language and national origin. The Civil Rights Act is specific to recipients of federal funding.
- The Equal Education Opportunity Act (EEOA) requires States and districts to take “appropriate action to overcome language barriers that impede equal participation by students in instructional programs” (20 U.S.C. § 1703(f)). The EEOA is not specific to recipients of federal funds.
- Both Title I and Title III of ESSA also have requirements related to providing services to ELs.

## Office for Civil Rights and Department of Justice Guidance

- On January 7, 2015 the U.S. Department of Education's (USED) Office for Civil Rights (OCR) and the Department of Justice's (DOJ) Civil Rights Division issued joint guidance on ELs and Limited English Proficient (LEP) parents via a 40 page guidance document attached to a Dear Colleague Letter (DCL) (<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>).
- This is a significant guidance document that lays out the legal obligations that States and districts have to serve ELs and includes the identification of 10 common civil rights issues associated with educating ELs and engaging the parents of ELs.

## Components of a Civil Rights required 'core' EL program

- There are two major components for EL programs that are required under Civil Rights legislation. A Civil Rights required 'core' EL program must provide English learners with services that help them:
  - Attain English proficiency, and
  - Access academic content (acquire content knowledge)

## Components of a Civil Rights required 'core' EL program

- The document: 'The Provision of an Equal Education Opportunity to Limited-English Proficient Students'

(<http://www2.ed.gov/about/offices/list/ocr/eeolep/index.html> )

includes, among other things, five points related to procedures that school districts should use to ensure that their programs are serving EL students effectively.

## OCR – Serving ELs effectively - five points



- Identify students who need assistance;
- Develop a program which, in the view of experts in the field, has a reasonable chance for success;
- Ensure that necessary staff, curricular materials, and facilities are in place and used properly;
- Develop appropriate evaluation standards for measuring the progress of students, including program exit criteria; and
- Assess the success of the program and modify it where needed.

## Title I Coordination requirements



- ESSA Title I, Section 1112(a)(1)(B) indicates that schools districts may receive a Title I grant for any fiscal year only if they have an approved plan that “is coordinated with other program under this Act” and other laws.
- One of the ‘other laws’ that this section specifically calls out is the McKinney-Vento Homeless Assistance Act.
- An even stronger statement is found in Title I, Section 1112(b)(6) which requires districts to describe the services they will provide to students experiencing homelessness in coordination with the services the district provides under the M-V Act.

## Title I Coordination requirements



- Title I, Section 1112(c)(4) requires that districts include an assurance in their ESSA plan that it will coordinate and integrate services provided by Title I with other education services at the district or school level. Among the other services, services for ELs and students experiencing homelessness are specifically called out in this section.
- So, Title I plans must address how Title I funded services are coordinated with the requirements under the M-V Act to ensure that students experiencing homelessness receive all the services to which they are eligible.



# Title I EL requirements



- In order to coordinate Title I services for ELs experiencing homelessness, we need to know what Title I requirements are specific to ELs.
- In Title I, Section 1111(b) there are requirements for adopting English language proficiency (ELP) standards and administering aligned ELP assessments to all ELs.
- District Homeless Liaisons should be familiar with who in the district is responsible for the ELP assessment.
- There are other requirements in Section 1111 and options regarding exemptions for ELs from assessments and including former ELs in the EL subgroup, but I won't go into those here.

# Title I EL Requirements

- ESSA Title I, Section 1112(e)(3)(A) requires that the parents of students identified as EL be notified that their student has been identified for participation or is participating in the district's EL program.
- Civil Rights laws require communication with parents, including notification of EL status and available EL programs, however, the ESSA reference above is specific to EL programs funded by Title I or Title III.
- Distribution of this notice to the parents of ELs experiencing homelessness will require coordination between the District Homeless Liaison and the district staff responsible for distribution of this notice.

# Title I EL requirements



- Title I, Section 1116 addresses the requirements for districts and schools to develop a Title I Parent and Family Engagement Policy and other parent and family engagement activities.
- This policy is intended to be inclusive of all students.
- In addition to this, Title I has some specific requirements regarding the parents of ELs.
- Title I, Section 1112(e)(3)(C) requires that districts that receive Title I funds “implement an effective means of outreach to parents of English learners”.

## Title I EL requirements

- The outreach must inform parents of ELs how they can:
  - (I) be involved in the education of their children;
  - and
  - (II) be active participants in assisting their children to—
    - (aa) attain English proficiency;
    - (bb) achieve at high levels within a well-rounded education; and
    - (cc) meet the challenging State academic standards expected of all students.
- Any type of outreach to the parents of ELs experiencing homelessness will require some type of coordinate between the staff conducting the outreach and the District Homeless Coordinator.

## Title I EL requirements



- Title I, Section 1112(e)(3)(C) goes on to require holding and sending notice of opportunities for regular meetings for the purpose of formulating and responding to recommendations from parents of ELs assisted by Title I or Title III.
- Note that regular meetings means more than just an annual parent meeting.
- Ensuring that the parents of ELs experiencing homelessness are notified of these meetings and provided all assistance necessary in order to attend these meetings (including interpretation services if requested) will require significant coordination between district staff.

## Title III coordination requirements



- Title III of ESSA has requirements for state plans that include coordination with other programs, Section 3113(b)(4) says: “describe how the agency will coordinate its programs and activities under this subpart with other programs and activities under this Act and other Acts, as appropriate”.
- While this doesn’t specifically spell out coordination at the school district level, state plans can include coordination and collaboration requirements between programs at the district level.
- On the other hand, we have already seen that Title I has requirements to coordinate with both Title III and M-V. In addition, we have also seen that the M-V Act requires that services be provided through existing programs.

## Title III required EL activities

- ESSA Title III, Section 3113(c) outlines three things that districts must implement using Title III funds.
  - 3113(c)(1) - EL programs that demonstrate success in increasing ELP and student academic achievement.
  - 3113(c)(2) - Effective professional development to classroom teachers (including regular classroom teacher), principals, and other school leaders.
  - 3113(c)(3)(A) - Effective activities and strategies that must include parent, family, and community engagement activities.
- In Section 3113(d) there is also a list of eight ‘authorized’ or allowable activities that can be funded with Title III funds and a ninth generic activity for implementing “other activities that are consistent with the purposes” of Title III.

## Title III Allowable Activities



- There is an allowable activity included in the ‘required’ activities section. It is found in Section 3113(c)(3)(B) and says that districts may include strategies that serve to coordinate and align related programs in order to provide and implement other effective activities and strategies that enhance or supplement EL programs.
- I believe this was placed in the ‘required’ activities section because the authors of the law wanted to emphasize the importance of coordination of programs.
- It will be important for District Homeless Liaisons to work with their district’s Title III Director to coordinate EL programs.



## Title III Allowable Activities



- As mentioned earlier, there are nine ‘authorized’ activities that it is allowable to fund with Title III funds.
- There are a couple of these allowable activities that could be adapted to be specifically beneficial to ELs experiencing homelessness. They include:
  - 3113(d)(3) – providing ELs tutorials and academic or career and technical education – and intensified instruction which may include materials in the ELs first language.
  - 3113(d)(6) – providing “community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families”.

## Title IV collaboration requirements



- When Congress reauthorized the ESEA to ESSA, they consolidated a number of programs into what is called a block grant.
- This block grant is found in Title IV, Part A. It can provide funding for a host of activities and programs in three different categories. Collaboration requirements include:
  - Section 4107(a)(1) requires that Title IV, Part A programs and activities that support access to a well-rounded education must be coordinated with other schools and community-based services and programs.
  - Section 4108 – activities to support safe and healthy students has the same collaboration requirements.

## Ideas for collaboration – Other program directors



- District Homeless Liaisons should make an effort to get to know the staff in their district responsible for the implementation of programs or activities that impact ELs and for which ELs are eligible. This includes, but is not limited to:
  - District Title I Director
  - District EL Coordinator / Title III Director
  - Assessment Coordinators, especially for the ELP assessment
  - Title I Parent and Family Engagement staff
  - If your district has an active Title I, Part C Migrant Education Program (MEP), then get to know the MEP coordinator
  - District transportation coordinator

## Ideas for collaboration – Family Literacy Programs

- Many of ESSA's programs have Family Literacy Programs as an allowable activity. These are programs designed to engage parents, especially the parents of ELs, to encourage participation in their child's education.
- Family Literacy Programs are an allowable activity under Title I, Part A; Title I, Part C (MEP); Title III EL grants; and Title III Immigrant Grants.
- Sometimes funding for some of these programs is not large enough to fully sponsor a Family Literacy Program using just one funding source. In these situations, collaboration may be crucial to obtain the required funding from multiple ESSA programs.

## Ideas for collaboration – location, location, location



- Work with other program directors to find locations for activities that are close to the places where the parents of ELs experiencing homelessness currently reside.
- Hosting meetings at schools, community centers, or places of worship that are located near homeless shelters or soup kitchens can make it easier for ELs and parents of ELs experiencing homelessness to participate.

## Ideas for collaboration - Transportation



- If meetings or programs are scheduled in locations that make it difficult for ELs experiencing homelessness or their parents to attend, ESSA allows for the use of some funds to provide transportation to these events.
- Some states and districts also have funding to provide for transportation to events. Be sure to find out what transportation is potentially available.
- For ELs experiencing homelessness or their parents, if the location of a meeting or event is not sufficiently close, providing transportation is crucial in order to ensure that they are able to attend.

# Questions

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