

Title III Allowability Scenarios

Scenario 1

District A has only 22 English learners and is a member of a Title III consortium. The district has requested approval for the following line item:

71100/429	Instructional Supplies & Materials	\$2,508	Paper clips, paper, pens, and pencils for use with ELs in their ESL classes
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When discussing their proposed budget, District A explained that other students in the district’s schools received these materials from other funding sources, and they were not sure how to spend this Title III money otherwise. The students served in special education receive materials through IDEA, and the students served under Title I receive materials through Title I, so it seemed logical to District A that English learners would receive materials through Title III.

Analysis

Because other funding streams are used to purchase similar supplies for students, this line item would be **supplanting** Title I and IDEA funds. Title III *cannot* be used to purchase items that are purchased within the district through other local, state, or federal funds. Title III funds *can* be used to purchase supplies that go beyond what is purchased with these other funding streams. It is generally difficult to prove that basic instructional supplies are not supplanting.

Scenario 2

District B has requested to hire a part-time Spanish translator to improve communication with English learner parents. Recently, District B suspended two English learners, with one offense considered zero tolerance. District B stated that the parents of these students claimed to have not understood school and district rules. The district had provided a handbook in English to all parents that outlined district rules. Additionally, two local parents complained that English learner parents did not participate in a large fundraising drive to sell Christmas cards and wrapping paper within one of District B’s schools. The school feels that their lack of participation may be due to cultural differences. The district has requested approval for the following line item:

72130/189	Other Salaries & Wages	\$8,000	Part-time translator to meet translation needs across the district related to family involvement and communication, English instruction, discipline, fundraising, health, etc.
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Analysis

District B can only pay through Title III the portion of translation that is required by Title III. This *would* include explanations and information on student placement, screening for ESL services, discussing ESL services provided, and the length of time expected to remain in the ESL program. This *would not* include handbooks, general announcements, school discipline, and fundraising.

Scenario 3

In District C, all ESL students are assigned a textbook for each class. The district’s science, math, and ELA textbooks have bilingual Spanish/English editions. Because nearly half of the English learners in District C are literate in Spanish, the district would like to purchase bilingual texts for the Spanish-speaking students. The district has requested approval for the following line item:

71100/429	Instructional Supplies & Materials	\$4,500	Bilingual texts; students are assigned an English text, so these texts will be supplemental to what is provided to students
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Analysis

This line item is allowable, as the bilingual texts are truly supplemental to what other students in the district are receiving, and it is not supplanting textbooks purchased through other state, local, and federal funds.

Scenario 4

District D is a small district, with only five percent of the student population identified as English learners. The district is currently working within the 1:35 ratio of English learners to ESL teachers, as specified within State Board Policy 3.207. Despite meeting the ratio requirements, the district’s ESL teachers do not have time to work with the beginning English learners due to travel, minimal planning time, and school schedules. They feel that these students are too limited to work with academic content without intense scaffolding of material. District D has requested to purchase ESL-related software so that teachers can continue instruction with the much larger group of English learners who are at intermediate or advanced levels of English proficiency and are functioning, with supports, in the general education classroom. Purchasing a software will keep the recently arrived English learners occupied and exposed to some English without interfering with the flow of the ESL classes supporting the intermediate and advanced students. The district has requested approval for the following line item:

71100/499	Other Supplies & Materials	\$3,500	Software to use with recently arrived English learner (RAELs) since the ESL teacher will be working with intermediate and advanced students.
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Analysis

This line item is not allowable, as the recently arrived English learner students are not receiving services that are accessible at their level of English proficiency. Additionally, this software is replacing required instruction time for beginner students. If District D is struggling to adequately staff its ESL program, it may need to consider hiring additional personnel.