

**New Director's Institute**  
**Title III**  
**Migrant Education**  
**21<sup>st</sup> CCLC**  
**Section 504**

**Room 104**

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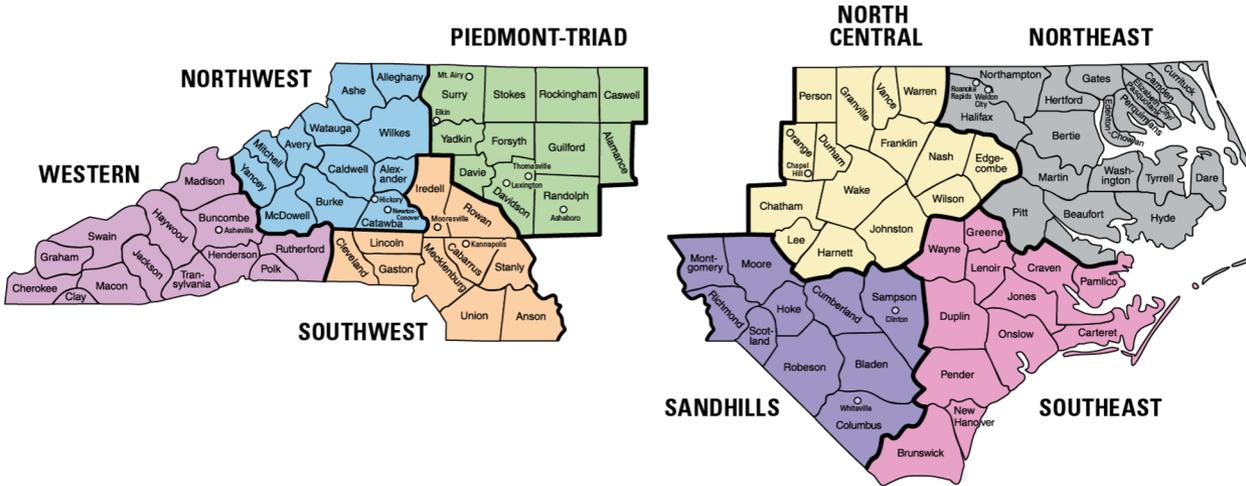
# Welcome & Introductions

# **Title III-PRCs 104 and 111 English Learners and Immigrant Youth**

Handbook Reference p. 55-56



# EL Program Quality



## WEST

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## EAST

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- Resources, technical assistance, training and support for the design and implementation of the Language Instruction Educational Program (LIEP)
- K-12 English language development (ELD) standards
- Professional Learning for ALL teachers of ELs
- Charters: Performance Framework A5. EL Component

# Appendix 6: Title III, Part A Handbook Reference p. 55

The purpose of Title III, Part A, among other things, is to help ensure that children who are English Learners (ELs) – **[PRC 104]**, including immigrant children and youth - **[PRC 111]**, attain English proficiency - **[ACCESS test]**, and develop high levels of academic achievement in English so that all English Learners can meet the same challenging State academic standards that all children are expected to meet - **[Report Card]**

# Appendix 6: Title III, Part A Handbook Reference p. 55-56

## Identification of English Learners

Under Title VI of the Civil Rights Act of 1964 (Title VI) and the Equal Educational Opportunities Act of 1974 (EEOA), all States and PSUs must ensure that ELs can participate meaningfully and equally in educational programs and services. - **[Basic Education Program]**

# Appendix 6: Title III, Part A Handbook Reference p. 55-56

## Identification of English Learners [Basic Education Program]

To meet their obligations under Title VI and the EEOA, PSUs must, for example:

- Identify and assess all potential EL students in a timely, valid, and reliable manner - **[HLS, WAPT/WIDA Screener]**
- Provide EL students with a language assistance program that is educationally sound and proven successful, consistent with Castañeda v. Pickard and the Supreme Court decision in Lau v. Nichols - **[LIEP]**
- Provide sufficiently well prepared and trained staff and support the language assistance programs for EL students - **[LIEP]**

# Home Language Survey



“Upon initial enrollment in an LEA, all students are guided through the HLS process and have a completed HLS placed on file. A series of steps .. are followed by all LEAs [PSUs] and charter schools in the state of North Carolina.” -- *The Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act Consolidated State Plan*



## Our Top 10 Languages

[English HLS Example](#)  
[Home Language Survey](#)  
[Translations](#)



## Process?

- Put a HLS process in place
- Share it with the schools' data managers/registrars

# Screening Tools

## W-APT/Screeners

- Adopted by State Board
- 30 days from (prior to or after) student enrollment to screen a student
- 14 days from testing for parent notification

## PowerSchool

- Authoritative Source for EL Data
- Add Scores into PowerSchool
- Once entered into PS, scores can be download into third-party vendors



# Appendix 6: Title III, Part A

## Handbook Reference p. 55-56

### Identification of ELs [Basic Education Program]

To meet their obligations under Title VI and the EEOA, PSUs must, for example:

- Ensure that EL students have equal opportunities to meaningfully participate in all curricular and extracurricular activities
- Avoid unnecessary segregation of EL students - **[LIEP]**
- Ensure that EL students who have or are suspected of having a disability under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973 are identified, located, and evaluated in a timely manner and that the language needs of students who need special education and disability related services because of their disability are considered in evaluations and delivery of services - **[LIEP]**

# Appendix 6: Title III, Part A Handbook Reference p. 55-56

## Identification of ELs [Basic Education Program]

To meet their obligations under Title VI and the EEOA, PSUs must, for example:

- Meet the needs of EL students who opt out of language assistance programs - **[LIEP]**
- Monitor and evaluate EL students in language assistance programs \* to ensure their progress with respect to acquiring English proficiency \*\* and grade level content knowledge\*\*\*, exit EL students from language assistance programs when they are proficient in English\*\*, and monitor exited students to ensure they were not prematurely exited and that any academic deficits incurred in the language assistance program have been remedied\*\*\* - **[\*LIEP, \*\*ACCESS test, \*\*\*monitoring & Report Card]**

# Appendix 6: Title III, Part A Handbook Reference p. 55-56

## Identification of ELs [Basic Education Program]

To meet their obligations under Title VI and the EEOA, PSUs must, for example:

- Evaluate the effectiveness of a school district's language assistance program(s) to ensure that EL students in each program acquire English proficiency and that each program is reasonably calculated to allow EL students to attain parity of participation in the standard instructional program within a reasonable period of time - **[LIEP, ACCESS test data]**
- Ensure meaningful communication with limited English proficient (LEP) parents

# Appendix 6: Title III, Part A Handbook Reference p. 56

## Use of Funds [Supplemental]

In general, Title III funds may be used to provide supplemental services that improve the English language proficiency and academic achievement of ELs, including through the provision of language instruction educational programs (LIEPs) and activities that increase the knowledge and skills of teachers who serve ELs. – [LIEP & PD]

All services provided to ELs using Title III funds must supplement, and not supplant, the services that must be provided to ELs under Title VI, EEOA, and other requirements, including those under State or local laws.

Therefore, just as prior to enactment of the ESEA, as amended by the ESSA, Title III funds cannot be used to fulfill an PSU's obligations under Title VI and the EEOA.

# Appendix 6: Title III, Part A Handbook Reference p. 56

## Use of Funds [PRCs 104 & 111 - Supplemental]

The following are examples of how Title III, Part A funds may be used:

- Assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, local educational agencies, and schools in establishing, implementing, and sustaining effective language instruction educational programs [LIEP] designed to assist in teaching English Learners – [PRC 104], including immigrant children and youth – [PRC 111].
- 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 – [PRC 104], including immigrant children and youth – [PRC 111], to enter all English instructional settings.
- Promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English Learners. – [PRC 104]

# Resources

**ESL/Title III Lunch Hours** [Joining link](#) - No registration required Wednesdays, 11:30 am - 12:30 pm

**Title III Compliance Hours** [Joining link](#) - No registration required Wednesdays, 2:00 pm – 3:00 pm

## LIEP:

- LIEP [guidance document](#)
- LIEP [sample chart](#)
- LIEP [service plan chart template](#)
- LIEP [Rubric](#)

# **Migrant Education Program (MEP)-PRC 051**

Handbook Reference p. 42 & 51-52

# NC MEP Staff

Juan Carlos  
Alvarez –  
Identification and  
Recruitment  
(ID&R) Coordinator



Dr. Heriberto  
Corral – Data  
and Parent  
Engagement  
Coordinator



Hunter Ogletree -  
Compliance  
Coordinator



# North Carolina MEP

Ensures that all migratory students meet challenging academic standards so that they graduate with a high school diploma or HSED that prepares them for responsible citizenship, further learning, and productive employment.

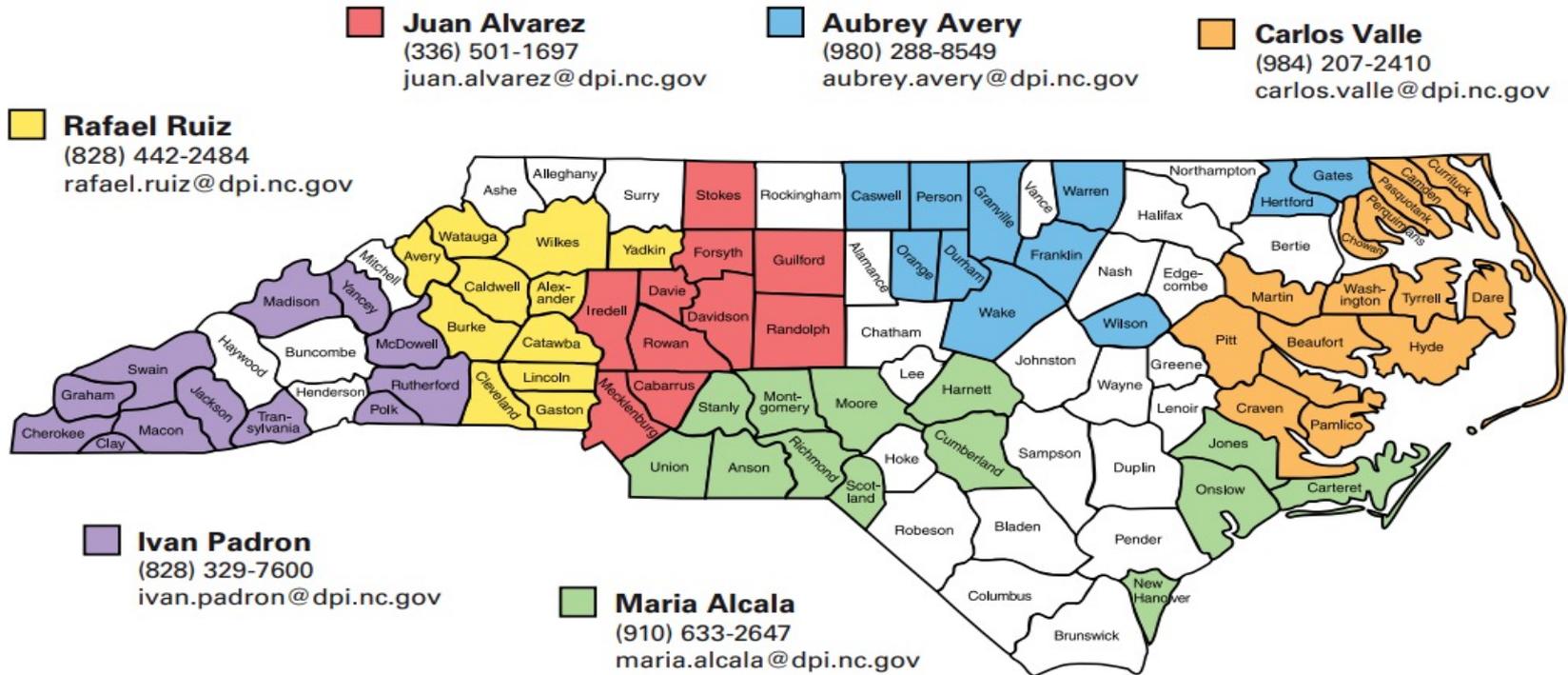




# Regional NC MEP Counties



## MIGRANT EDUCATION PROGRAM Regional Recruiters



# MEP ≠ EL ≠ IMMIGRANT ≠ MIGRANT

Migrant Education Program (MEP)

- Serve children whose parents work in agriculture



≠

English Learners

- Students who need to attain English Proficiency



≠

Immigrant

- Born outside the US



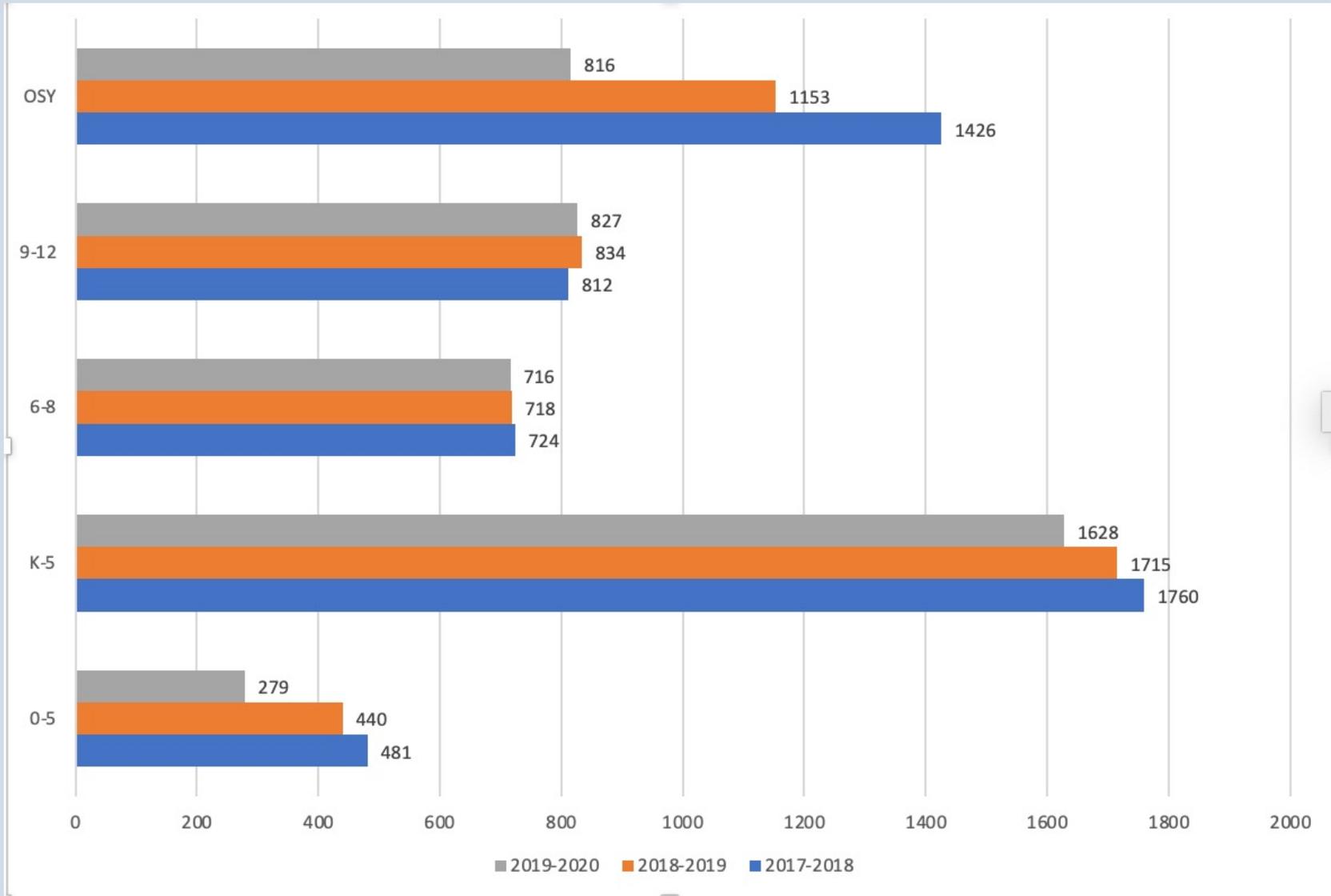
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Migrant “as heard on the news”

- Children and families crossing the border



# NC MEP Child Counts



# Who are migratory children and youth?

- Age 3-21;
- Have not yet received a high school diploma or its equivalent;
- Have moved into a school district within the last 36 months;
- Whose parents, guardians, spouses, or selves have moved due to economic necessity and have
- Worked in agricultural production or fishing within the last 36 months

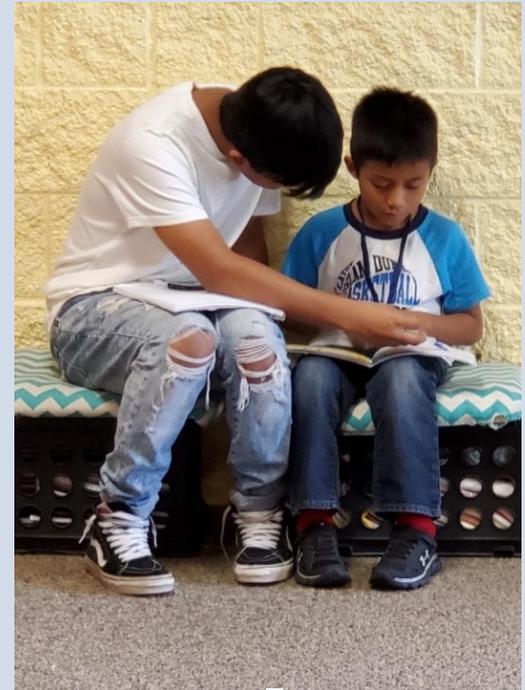


# Implications of Migrant Farmwork



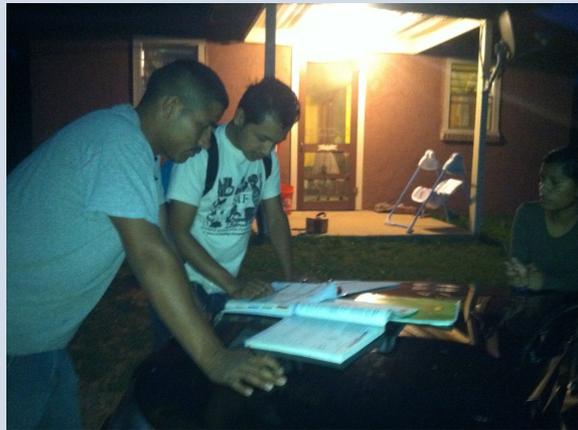
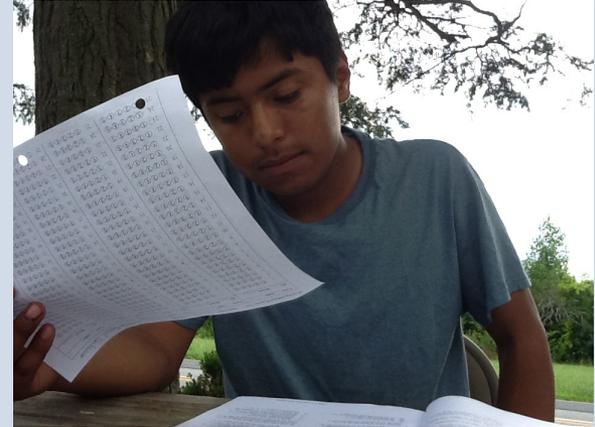
- Mobility
- Low wages
- Feelings of isolation
- Resilience
- Strong family bonds
  - Global competency

People needed for  
planting tobacco  
In North Carolina  
Free Rent Call for  
more info (252) 452-0537



# Areas of Concern for NC MEP

- Instructional time
- Educational continuity
- English language development
- School engagement
- Instructional support at home
- Access to services
- Health



# MEP Services to Address Areas of Concern

- Instructional Services – focuses on closing the achievement gap in ELA and Math
- Supportive Services - services to meet basic, unmet needs so that families and youth can fully engage academically.



# What all PSUs/Charters Need To Do to Support Migratory Children?

- Include Occupational Survey in all district enrollment packets to identify potential migratory children .
- Share Occupational Surveys with MEP administrators.



**PUBLIC SCHOOLS OF NORTH CAROLINA**  
 DEPARTMENT OF PUBLIC INSTRUCTION | Catherine Truitt, Superintendent of Public Instruction  
 WWW.DPI.NC.GOV



## Occupational Survey

Student Name : \_\_\_\_\_  
 Last Name First Name

School: \_\_\_\_\_ Grade: \_\_\_\_\_

The Migrant Education Program, through the North Carolina Department of Public Instruction, provides support and instructional services to children and families who have moved in the past three years and who have done agriculture or fishing work. We appreciate your help in determining if your children or relatives qualify to receive services in this program. Please answer the following questions and return the survey to the school.

1. Have you or someone in your family worked in any of the following areas below in the last three years? No _____ Yes _____ (Select all that apply and continue to question number 2)			
2. Have you or your family moved to another school district or to another city or county in the last three years? No _____ Yes _____			
 Work in the harvest of fruits and vegetables, tobacco, sweet potatoes, nuts, cotton, or in agricultural farms, ranches, fields, and vineyards <input type="checkbox"/>	 Working in a fruit or vegetable cannery or in a fruit or vegetable packing plant <input type="checkbox"/>	 Working in a dairy <input type="checkbox"/>	 Working in a fishery or on a shrimp or catfish farm <input type="checkbox"/>
 Working in a slaughter house (chicken, cow, or pig) <input type="checkbox"/>	 Working on a poultry or hog farm <input type="checkbox"/>	 Working in a plant nursery or orchard; growing or harvesting trees <input type="checkbox"/>	 Other similar work in agriculture, please explain: _____ _____ _____
3. How long ago did you arrive to this school district? Month _____ Year _____			
4. Parent(s)' Name(s) _____			
5. What is your current address? Address _____ City _____ State _____ Zip Code _____			
6. Phone Number(s): _____			

**FEDERAL PROGRAM MONITORING & SUPPORT DIVISION**  
 6351 Mail Service Center, Raleigh, North Carolina 27699-6351 | 984) 236-2786 | Fax (984) 236-2099  
 AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

# What all PSUs/Charters Need To Do to Support Migratory Children?

- Include the unique needs of migratory children in your district's Title I, Part A Comprehensive Needs and services.
- Receive training on MSIX.
- Use PowerSchool to see migratory children in your district (if any)

# What MEP-funded PSUs Need To Do to Support Migratory Children?

- Identify and recruit all eligible migratory children and youth in your district, including Pre-K and out-of-school youth (OSY).
- Implement parent engagement activities including a district MEP PAC
- Professional development
- MEP coordination and inter/intra-state coordination.
- Provide services to all migratory children, including Pre-K and OSY.

# NC MEP Staff Contact Information

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ID&R Coordinator

Hunter Ogletree [hunter.ogletree@dpi.nc.gov](mailto:hunter.ogletree@dpi.nc.gov)  
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## **REGIONAL MIGRANT RECRUITERS**

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\* Vacant

Northwest

North Central

Sandhills

Northeast

Western

Southwest & Piedmont-Triad

# **Title IV, Part B**

# **21st CCLC-PRC 110**

Handbook Reference p. 58

# Background

- The 21<sup>st</sup> Century Community Learning Centers (CCLC) Program is authorized under Title IV, Part B, of the Elementary and Secondary Education Act (ESEA) of 1965 as amended by the Every Student Succeeds Act (ESSA) of 2015.
- Beginning with grants initially funded in the 2017-2018 school year, 21<sup>st</sup> CCLC programs must comply with the provisions outlined in ESSA.
- The U. S. Department of Education (USED) awards formula grants to the North Carolina Department of Public Instruction (NCDPI) which in turn makes **competitive reimbursement grants** available to eligible entities.

# Purposes of the Grant

- Authorized under Title IV, Part B, of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act of 2015, the purpose of the grant is to provide federal funds to establish or expand community learning centers that operate during out-of-school (OST) hours with three specific purposes:

1. Provide opportunities during non-school hours for academic enrichment, including providing tutorial services to help students (particularly students in high poverty areas and those who attend low-performing schools) meet state and local student performance standards in core academic subjects such as reading and math.
2. Offer students a broad array of additional enrichment services, programs, and activities (such as youth development activities, service learning, arts, music, physical fitness and wellness programs, technology education programs, STEM)
3. Offer families of students served by 21<sup>st</sup> CCLCs opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

# Eligibility to Apply

- Section 4201(b)(3) of ESEA defines eligible entities as a local educational agency (LEA), community-based organization (CBO), faith-based (FBO) Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Act (25 U.S.C. 450b), another public or private entity.

# Uses of Funds

Public or private organizations awarded a grant may use funds only to cover costs that (1) comply with the approved grant application and budget and (2) are reasonable and necessary for the proper and efficient performance and administration of the grant. Activities may include:

- Personnel and personnel benefits
- Staff development and training
- Supplies and materials for students
- Leasing vehicles and other transportation costs
- Rental space, if necessary

# Grant Awards and Duration

- In North Carolina, applicants may request funds ranging from \$50,000, not to exceed \$400,000 per year based on: 1) needs identified in the community and schools; 2) scope of the program; 3) proposed number of students served; 4) program design; and 5) funds needed for summer programming within the total amount requested.
- North Carolina 21<sup>st</sup> CCLC grants may be continued for up to two (2) additional years.
- Continuation awards are contingent upon availability of federal funds and are based on the program's ability to demonstrate compliance with state and federal laws, progress towards fully implementing the approved program, and progress towards local program goals including enrollment and attendance goals.

# Grant Awards and Duration continued...

- Each sub-grantee can be awarded funds for the academic year starting on July 1st of the initial year and ending on September 30th of the following year (e.g., July 1, 2021 through September 30, 2022).
- Since 21<sup>st</sup> CCLC grants are made available on a reimbursement basis, applicants are strongly encouraged to secure sufficient funding or a line of credit to operate the 21<sup>st</sup> CCLC program for approximately a three-month period.
- Reimbursement requests must be based on actual allowable expenditures versus encumbrances made prior to the September 30th deadline. Expenditure documentation to support reimbursement requests are required to be submitted to DPI.
- There is no liquidation period. All unspent funds remaining at the end of the annual funding period will revert to the state.

# Current/Future Competitions

- Cohort 15 Competition closed on May 13<sup>th</sup>
- Cohort 15 grantees will be notified of their grant awards after the August SBE meeting.
- Funding will be for the 2021-22 school year
- Plan to run a Cohort 16 Competition in the Spring of 2022
- <https://www.dpi.nc.gov/districts-schools/federal-program-monitoring/21st-century-community-learning-centers#rfp>

# Check for Understanding

- Let's take a few moments to put your 21st CCLC knowledge to the test!

# Section 504 Update



**Freda M. Lee, Federal Program Administrator  
North Carolina Department of Public Instruction  
2021**

# Section 504 of the Rehabilitation Act of 1973

- Section 504 is a federal nondiscrimination statute that prohibits discrimination due to disability.
- “No otherwise qualified individual with a disability ... shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance ...” 29 U.S.C. § 794(a).
- Part D of Section 504 contains specific provisions applicable to any educational program that receives federal funding.

# Who Does the Law Apply To?

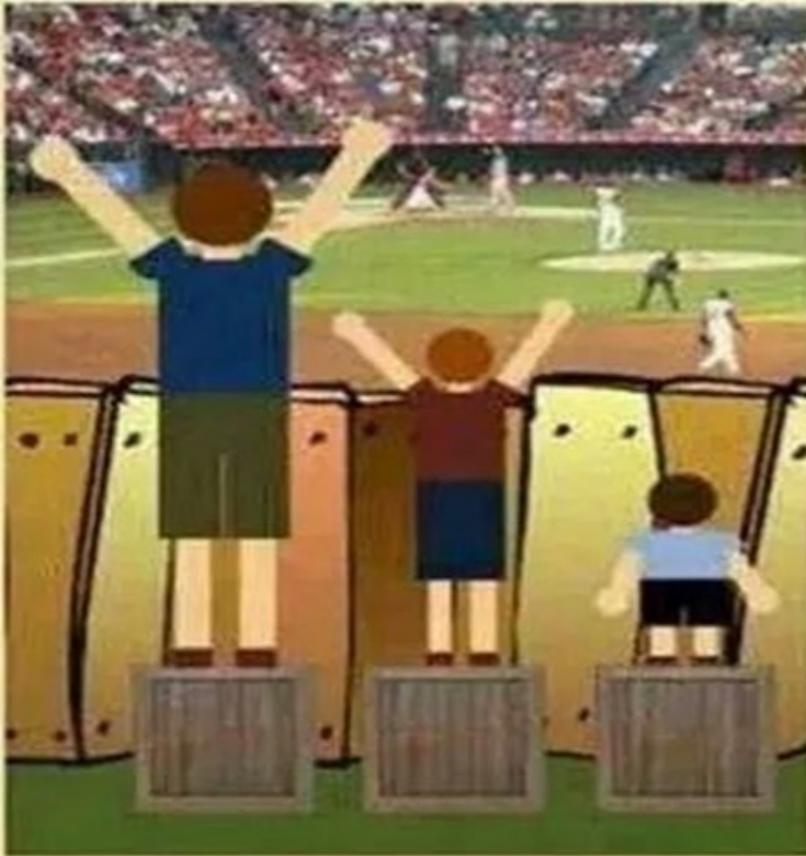
- Section 504 prohibits discrimination against “any person who:
  - (i) Has a physical or mental impairment that substantially limits one or more major life activities;
  - (ii) Has a record of such an impairment; or
  - (iii) Is regarded as having such an impairment.”

**The last two only apply to claims of discrimination and not to eligibility for services or the provision of FAPE.**

# Section 504 – Purpose

- No individual with disabilities in the U.S. shall, solely by reason of his / her disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance...
- Discrimination is the exclusion from participation in, or the denial of benefits of, any program or activity receiving or benefiting from federal financial assistance. Students may not be denied benefit from services that are afforded nondisabled students

# Equality doesn't mean Justice



**Equality**



**Justice**

# Discrimination

- Students are entitled to a “free, appropriate, public education” or **FAPE**
- An appropriate education is a program designed to meet the individual educational needs of individuals with disabilities as adequately as the needs of nondisabled students are met.
- Section 504 is about “leveling the playing field”.



# Leveling the Playing Field



"Nothing is more unequal than  
the equal treatment of unequal people" .....

*Author Unknown*

# §504 Discrimination

- Exclusion or inferior treatment
- Different treatment that is not a justified response to the needs or capabilities of an individual with disabilities



# §504 Discrimination

- Deny a qualified individual with a disability the opportunity to benefit from the aid, benefit or service
- Applies to **all** aspects of the school district's operations – academic, nonacademic and extracurricular



# Effectiveness



- Must provide a qualified individual with a disability an aid, benefit, and/or service that is as effective as that provided to others
- Regulates both services and buildings

# Child Find

- **Section 504, IDEA and State law** all require the provision of a “free, appropriate public education” to all eligible students.

**FAPE** includes:

- The **requirement to identify all potentially eligible students**. This means that there must be ways for parents to refer their own children as potentially eligible; teachers must understand their obligations to identify and refer potentially eligible students; and administrators and others who work with children must understand these obligations.

# The Three Prongs of Eligibility

- **Mental or physical impairment**
- **Substantial limitation**
- **Major life activities**



# First Prong

Has a **physical or mental impairment** which substantially limits one or more major life activities

- **Physical Impairment**—any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genital-urinary; hemic and lymphatic; skin; and endocrine; or
- **Mental Impairment**—any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. **These examples are not inclusive.**

# Second Prong

- Does the student's mental or physical impairment limit them from performing a major life activity when compared to a similarly situated student?



# Third Prong

## Limits Major Life Activities No list of qualifying disabilities

- Lifting
- Bending
- Speaking
- Breathing
- Learning
- Reading
- Concentrating
- Thinking
- Communicating
- Working

## Broadened to include the operations of major bodily functions:

- Immune system
- Bowel
- Brain
- Endocrine
- Normal cell growth
- Bladder
- Respiratory
- Reproductive
- Digestive
- Neurological

# Evaluations

**§ 504** evaluations focus on review and consideration of various sources of relevant data (34 CFR 104.35(c))

- A substantially different and more general evaluation model than IDEA — may or may not include testing
- Data sources mentioned — “aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, adaptive behavior”

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# Re-evaluations

## § 504 requires periodic reevaluation

- At least once every 3 years (many schools opt for annual review/re-eval)
- Re-evaluation needed prior to significant changes in placement (including manifestation determinations prior to disciplinary changes in placement)

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# Non-FAPE Activities

- **§ 504**—Equal opportunity to access and participate in extracurricular and non-academic activities
- Including reasonable accommodations needed for participation



# Post-Secondary Education



- § 504 - Applies to colleges and universities that receive federal funds.
- Must provide **reasonable accommodations** only

Source: 2014, 2015 Richards Lindsay & Martín, L.L.P

# §504 School Committees

- § 504 committees must include persons with knowledge of child, data, and options
- May vary depending on situation  
Click to add text
- Parent not required member (although most schools invite parents)



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# 504 Plan Development

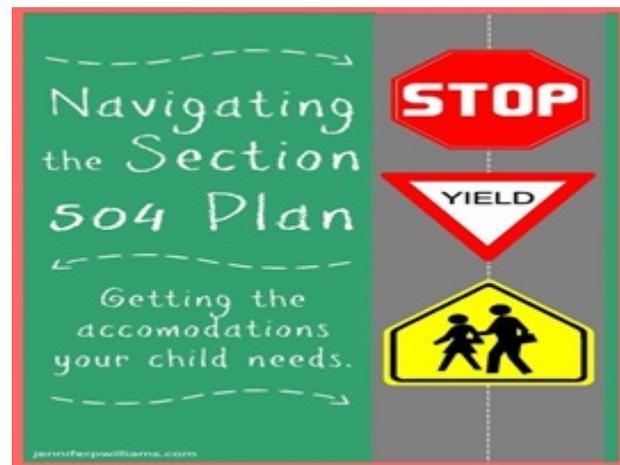
- •Plans should be data driven
- •Possible sources of evaluation data: teacher observations, scholastic record, report cards, work samples, state assessments, psychological evaluations (if available), norm referenced assessments, curriculum-based assessments, academic or behavioral interventions, social and health history, parental information, teacher anecdotal notes and charting data (this list is not exhaustive)

# Developing a Service Plan

- Once eligibility has been determined, the Section 504 Committee develops a **Section 504 Services and Accommodations Plan**. The plan may include:
- **Accommodations** such as physical barrier removal, seating placement, extended time for testing, testing modifications, adjustment of class schedules, rest periods, use of supplemental aides (tape recorders, calculators, audio-visual equipment, computers, modified textbooks, etc.)
- **Services** such as medication administration, catheterization, special diet monitoring, allergy notifications and monitoring, service coordination, monitoring blood levels etc.

# Implementation of 504 Plans

- Ensure the service, accommodation or adjustment is supported by evaluation data
- Accommodations for state assessments must be used regularly in the instructional program.
- Ensure teachers understand the accommodations:
- Clarify terminology- Examples: preferential seating, extended time
- Provide training as necessary
- Write clear and specific accommodations:
- Avoid open-ended accommodations, and
- Avoid giving teachers discretion to implement
- **Check for fidelity of implementation**



# QUESTIONS???