



# Supplement, Not Supplant and Parental Notification Title III, Part A

**July 9, 2024**  
**10:00 a.m. - 11:00 a.m.**



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## Florida Department of Education (FDOE) Presenters

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## Purpose of Title III, Part A

The purpose of these funds is to provide support to English learners and recently-arrived immigrant children and youth for language acquisition and language enhancement while meeting challenging state academic standards.

## Title III, Part A Supplement, Not Supplant Provision

- Federal funds made available under this subpart shall 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 [ESEA Section 3115(g)].
- In practice, the prohibition against supplanting under Title III means that recipients may not use those funds to pay for services that, in the absence of Title III funds, would be necessary to be provided by other federal, or state, or local funds.

# Supplement, Not Supplant Presumptions

Supplanting is presumed if any of the following is true, according to federal fiscal guidance (2 CFR Part 200, Appendix XI):

- A district uses federal funds to provide services that are required under other federal, state, or local laws.
- A district uses federal funds to provide services that the district provided with non-federal funds in the prior year.

## Example 1 - Supplant

- A school holds special meetings for families about the WIDA ACCESS for ELLs assessment and its results.
- These meetings are specifically for families of students in the ESOL program.
- As such, Title III, Part A funds **cannot** be used to provide interpreters and translation services for this event.
- The LEA is solely responsible for explaining assessments to families and must use non-federal funds to do so.

## Example 2 - Supplant

- The district is planning family-teacher conferences to explain report cards and test results.
- The invitation for the conferences has been translated into various languages.
- Interpreters will be provided at the conferences for families who require them.
- As such, Title III, Part A funds **cannot** be used to provide interpreters and translation services for this event.
- Families with limited English skills must receive information from the school in a language they can understand.

## Example 3 - Supplement

- The district is planning activities that promote literacy for parents/guardians of ELs.
- These activities are specifically for parents/guardians of students participating in the Title III, Part A program.
- As such, Title III, Part A funds can be used to provide interpreters and translation services for this event.
- Family literacy activities are authorized under Title III, Part A [Section 3115(d)(6)].



## Example 4 - Supplant

- A district is planning to provide professional learning opportunities for teachers that have English learners in their classrooms.
- The professional learning is specifically designed for classroom teachers to obtain their required ESOL endorsements.
- As such, Title III, Part A funds **cannot** be used to meet certification or endorsement requirements.
- LEAs are responsible to ensure that classroom teachers who instruct English learners have an ESOL endorsement or are complying with the inservice requirements of State Rule 6A-6.0907, Florida Administrative Code (F.A.C.), in accordance with the META Consent Decree of 1990 and Rule 6A-6.0904, F.A.C.

## Example 5 - Supplement

- The district is planning professional learning activities that are designed to improve the instruction and assessment of English learners.
- These activities are specifically for classroom teachers and support personnel and are not designed to meet certification or endorsement requirements.
- As such, Title III, Part A funds can be used to provide supplemental professional learning opportunities.
- Professional learning activities are authorized under Title III, Part A [Section 3115(c)(2)].

# Language Instruction Notice (Parental Notification)

- Section 1112 of the Elementary and Secondary Education Act (ESEA), as amended by Every Student Succeeds Act (ESSA), outlines the parents' right-to-know.
- Under this section, parents are made aware that their student is being served in a language instruction educational program.

# Notice of Supplementary Instructional Services

Elements of the notification letter include:

- The child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
- The methods of instruction used in the program in which their child is participating and the methods of instruction;
- The specific exit requirements for the program, including the expected rate of transition from the program into classrooms that are not tailored for English learners;
- Information pertaining to parental rights that includes written guidance on detailing the right that parents have to have their child immediately removed from the program upon their request.
- See ESEA Section 1112(e)(3)(A) for a full list of requirements.

# LEA Requirements

- LEAs must comply with Section 1112(e) according to Assurance 1 under Title III, Part A on the 2024-25 ESEA Federal Programs Consolidated Application.
- Each LEA's 2022-25 District ELL Plan document includes a description of the LEA's procedures for parental notification in Section 8.



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**Questions?**

Thank you for your participation today!

## Contact Information

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