



## ELPA Programming Questions

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### **What is the definition of “English language learner” under ELPA?**

The state definition of “English language learner” is derived from the Colorado Revised Statutes under the English Language Proficiency Act 22-24-103 (4) and is defined as “a student who is linguistically diverse and who is identified [using the state-approved English language proficiency screener assessment] as having a level of English language proficiency that requires language support to achieve standards in grade-level content in English.” English Language Learners (ELLs), or English Learners (ELs), in English Language Development (ELD) programs who are identified as Non-English Proficient (NEP), Limited English Proficient (LEP), and Fluent English Proficient (FEP) Monitor Year 1 (M1) and Monitor Year 2 (M2) are eligible to receive ELPA funding for up to five budget years.

### **Which students generate ELPA allocations for the district?**

All K-12 students identified as ELs, based on the state approved screener assessments and as reported and certified to the Colorado Department of Education (CDE) in the annual Student October Count generate ELPA funding for up to five budget years. Years in program are not required to be consecutive, regardless of whether the student transfers to another district or leaves the state.

### **To which students is the school/district required to provide ELD program(s)?**

Per ELPA, Civil Rights Act of 1964, Lau vs. Nichols, the Equal Educational Opportunities Act, and the Elementary and Secondary Education Act, regardless of ELPA funding, all districts are required to provide evidence-based ELD programs for all identified EL students (NEP and LEP students) until they reach redesignation. Per state and federal law, districts and schools should provide sufficient resources to implement the selected ELD program model, including sufficient human, fiscal, curricular resources, and professional development. ELPA Funds can be used to fund the core ELD program(s), but if funds are not sufficient, the district and schools must use other state and local funds to provide the ELD program(s).

### **What are allowable activities under the ELPA Program?**

The ELPA Program provides funding intended to:

- Administer and implement evidence-based ELD programs and
- Identify and assess English learners.

Additional information, explanation, and examples of allowable activities is available at [Guidance on Allowable Use of ELPA Funds](https://www.cde.state.co.us/cde_english/elpa-guidance) at [www.cde.state.co.us/cde\\_english/elpa-guidance](https://www.cde.state.co.us/cde_english/elpa-guidance).

### **Will the ELPA Support Program and Excellence Award be funded in future years?**

The ELPA Support Program and Excellence Award funds are subject to annual appropriation by the Colorado legislature.

In 2021, Colorado HB21-268, otherwise known as the 2021-2022 School Finance Act, created a new factor in the school finance formula to allocate funds for identified English learners (ELs). This funding is in addition to ELPA Program funding. In 2021, the Colorado legislature determined to apply the ELPA Professional Development and Student Support Program funding to the new English learner factor in the formula. Therefore, while districts will receive additional Total Program funding for English learners, districts will no longer receive ELPA Professional Development and Student Support funding. The School Finance Act defines English learners counted in the new formula factor as those who are Non-English Proficient (NEP) or Limited English Proficient (LEP) and within the five-year window of NEP or LEP

identification, as defined by ELPA 22-24-104. For more information, please visit the [English Language Learner webpage](#) at [www.cde.state.co.us/cdefinance/auditunit\\_ell\\_count](http://www.cde.state.co.us/cdefinance/auditunit_ell_count).

Unfortunately, the ELPA Excellence Award Program was excluded from the 2023-2024 Long Appropriations Bill for the 2023-24 fiscal year. CDE will provide communication if the legislature provides funds for this award in the future. Information regarding the [ELPA Excellence Award](#), including past winners, is available at [www.cde.state.co.us/cde\\_english/elpaexcellenceaward](http://www.cde.state.co.us/cde_english/elpaexcellenceaward).

## ELPA Data and Student Privacy Questions

### Which FEP students are funded by ELPA?

FEP Monitor 1 and Monitor 2 students may be eligible to receive ELPA funds. FEP M1 and FEP M2 years are calculated in the total of up to five budget years as reported and certified to CDE in the annual Student October Count. FEP Exited 1 and Exited 2 students are not eligible to receive ELPA funds.

### What information is included in the ELPA allocation documents?

In an effort to maintain student privacy, CDE has modified the state and federal grant reports and allocation documents that are posted to the CDE website. For state and federal grants that are calculated based on student counts of less than 16, CDE will redact the grant amounts in the reports and allocation documents to ensure documents do not contain any data or information that can be used to ascertain Personally Identifiable Information (PII). This is in response to the Family Educational Rights and Privacy Act (FERPA) §99.3 which states that protected information can include “other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.”

### How are ELPA funds calculated? Which students draw funds to districts?

As reported and certified in the annual Student October Count, students must meet all of the following requirements to be eligible for ELPA funding:

- Must be in public school grades K-12
- Must be identified as:
  - NEP, LEP, FEP M1, or FEP M2
- Must have less than 5 years of prior 22-24-104 and 22-104-108 ELPA funding
- Must not have any of the following Public School Funding Codes:
  - 86 (Not Eligible, Nonspecific)
  - 87 (Not Eligible, Tuition)
  - 89 (Not Eligible, CPP Allotment Met)
  - 96 (Not Eligible, On-Line Nonspecific)

### How does a district know how much money to distribute to charter schools?

ELPA requires districts to distribute to each charter school 100% of the ELPA Program amount the district receives based on the number of eligible English learners enrolled in each charter school (22-24-108 (II) (B) (b)). Starting with the 2014-15 school year, the ELPA calculations are based on the ELs reported to CDE in the prior year’s Student October Count.

The ELPA Report on the Data Pipeline includes the following information: district code, school code and name, student number, grade level, language background code and name, ESL/Bilingual, language proficiency (NEP, LEP, FEP M1, FEP M2), and number of years in the ELPA program. To access the ELPA Report, go to: Data Pipeline - Cognos Reports - Student October - ELPA Student Report, and select the year.

Because ELPA allocations are based on the Student October counts from the previous year, the prior year report informs the current year funding. For example, the 2022-2023 report informs the 2023-2024 funding. Users will need the OCT LEAUSER or LEAAPPROVE role assigned to their accounts. In order to view the district totals and filter by any category, the reports are best viewed as Microsoft Excel files.

Districts should use the Per Pupil Amount (PPA) found at the top of the [ELPA allocations page](#) at [www.cde.state.co.us/cdefisgrant/fy19-20elpaallocation](http://www.cde.state.co.us/cdefisgrant/fy19-20elpaallocation) and distribute the appropriate amount for the number of eligible English learners enrolled in the charter school during the year in which they were included in the Student October count.

## Fiscal Questions

### What data submission does CDE use to generate ELPA allocations?

The ELPA calculations are based on the number of ELs (NEP, LEP, FEP M1, and FEP M2) reported to CDE in the prior year's Student October Count.

### When do ELPA funds need to be spent? Can a district or charter school carryover funds?

Districts and charter schools should try to expend the ELPA funds by the end of the fiscal year. Districts are not required to return ELPA funds unexpended as of June 30<sup>th</sup> but should expend them in a timely manner.

### How are the per pupil allocations calculated for each category (NEP, LEP, FEP M1, FEP M2)?

ELPA funds are distributed based on the percentage of eligible NEP and LEP students reported and certified in the annual Student October Count, and the percentage of eligible FEP Monitor 1 and FEP Monitor 2 students reported and certified in the annual Student October Count. CDE calculates the percentage of eligible NEP and LEP students statewide, as students reported and certified in the annual Student October Count, and then allocates that portion of funds to all NEP/LEP students across the state.

Example: Calculations for Proportional ELPA Program Distribution (Example demonstrates 2018-19 Allocation Numbers)

Calculate total students for both groups

$$(\text{NEP+LEP students}) + (\text{M1+M2 students}) = \text{TOTAL ELPA ELIGIBLE} = 66,307$$

Determine % of each group based on total

$$(\text{Total NEP+LEP}) / \text{Total ELPA Eligible} = \% \text{NEP+LEP} \quad 61,165/66,307=92.25\%$$

$$(\text{Total M1/M2}) / \text{Total ELPA Eligible} = \% \text{M1+M2} \quad 4,142/66,307=7.75\%$$

Determine total funds for each group by taking total funding by % calculated above

$$\text{Total ELPA Program Allocation} * (\% \text{NEP+LEP}) \quad \$21,608,211 * 92.25\% = \$19,932,529.38$$

$$\text{Total ELPA Program Allocation} * (\% \text{M1+M2}) \quad \$21,608,211 * 7.75\% = \$1,675,682$$

Finally, divide the amount allocated to each group by the above process and divide it by the number of students in each group.

$$\text{NEP+LEP Allocation} / (\# \text{NEP+LEP Students}) = \text{PPA} \quad \$19,932,529.38/61,165=\$325.88 \text{ per student}$$

$$\text{M1+M2 Allocation} / (\# \text{M1+M2 Students}) = \text{PPA} \quad \$1,675,682/4,142=\$325.88 \text{ per student}$$

### When is ELPA funding allocated each year?

Current school year ELPA funding is calculated based on the previous year Student October Count. Beginning in the 2019-20 school year, all ELPA funds have been sent to districts via Electronic Funds Transfer (EFT) remittance in one disbursement in late July or early August. Previously, the initial 90% distribution was mailed in September and the remaining 10% was mailed the following January.

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**What grant codes are associated with ELPA?**

*State ELPA: Excellence Award*

*3138 (Not allocated as of 2020-2021)*

*State ELPA: Professional Development and Student Support*

*3139 (Not allocated as of 2021-2022, per HB21-268)*

*State ELPA Program*

*3140*

**What happens to the ELPA funds if a charter school or student transfers to another district?**

Districts may enter into agreements with other districts to send ELPA funds generated by charter schools that change districts; however, this policy is not set forth in statute and is not regulated by CDE.

**Do half-day kindergarten students draw the same amount of funding as full-day students?**

Yes.

**What do districts need to submit to CDE for ELPA reporting?**

Districts do not need to submit a budget or budget narrative to CDE before spending ELPA funds. ELPA expenses, as all Per Pupil Revenue (PPR) and state categorical programs, are reported through Data Pipeline December Financial Submission. The ELD Director and school and district leadership have the discretion to determine how the funds should be spent.

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**Contact Information****Who can provide additional information about ELPA?**

Program and Excellence Award: [Lindsay Swanton](mailto:Swanton_l@cde.state.co.us) at Swanton\_l@cde.state.co.us, (303) 866-6298

Data and Reporting: [Nazanin Mohajeri-Nelson](mailto:Mohajeri-nelson_n@cde.state.co.us) at Mohajeri-nelson\_n@cde.state.co.us, (303) 866-6205

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