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To: Joint Working Group on Federal Education Funding
From: Russell Moore, Director, Office of Research and Education Accountability
Date: December 18, 2023
Subject: OREA Responses to Questions from Members of the Joint Working Group

Difference in Child Nutrition Grant numbers

During the November 15th meeting of the Joint Working Group, questions were raised by members about the amount of child nutrition grants.

Two different child nutrition grant amounts have been presented to the Joint Working Group. One amount comes from the Tennessee Department of Education's February 2023 report prepared for Speaker Sexton: *Tennessee Federal Education Funding Report: Grants and Requirements*. The other amount was included in TDOE's November 2023 presentation to the Joint Working Group.

Child nutrition-related federal funding for FY23 was \$486,612,045. This amount represents a full year's estimated allocation for all child nutrition grant programs.^A By contrast, the lower amount from TDOE's February 2023 report represents a snapshot in time and not a full year's estimated allocation.

Waiver requests by districts

Section 8401 of the Every Student Succeeds Act (ESSA) authorizes the U.S. Department of Education Secretary to waive certain statutory and regulatory requirements for ESSA programs. Waiver requests may be submitted by a state on its own behalf or on behalf of a district or school. Districts may apply for waivers of federal ESSA program requirements by applying through their state. The Tennessee Department of Education has numerous processes built out for districts to apply for ESSA waivers.

The waiver request must include:

- a description of the federal statutory or regulatory requirements to be waived,
- how waiving the requirements will advance student academic achievement,
- the methods the state, district, or school will use to monitor and regularly evaluate effectiveness,
- the notice and comment process and how the state addressed the comments and input, and
- (if the waiver relates to assessments), a description of how the state, district, or school will maintain or improve transparency in reporting to parents and the public on student achievement and school performance.

^A Child nutrition grants include National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Special Milk Program (SMP), the Seamless Summer Option, Afterschool Snack Funding, the Fresh Fruit and Vegetable Program, the National School Lunch Equipment Assistance Grant, and the State Administrative Grant.

Upon receiving a waiver request, the Secretary has 120 days to review and issue a decision on the request. If the waiver is not approved, a state has 60 days to revise and re-submit the waiver.

Tennessee Language Center and English Language Institute

There are two different organizations at the University of Tennessee that offer English instruction to individuals for whom English is not their first language (English as a second language, or ESL). Neither organization receives funding from the federal Every Student Succeeds Act (ESSA) Title III, and neither provides ESL instruction to K-12 students in their classrooms.

The **English Language Institute**, part of UTK's Center for Global Engagement, offers intensive academic English instruction, typically to prepare international students for higher education in the United States.^B The institute also offers part-time and evening/weekend instruction, with a focus on academic English and TOEFL preparation, business English, and improving English for everyday life. TOEFL is the Test of English as a Foreign Language, a standardized test offered by ETS (Educational Testing Service) to measure the ability of non-native speakers wishing to enroll in English-speaking universities. Instruction at the English Language Institute is offered on a fee-for-service basis to individuals aged 16 or older in the Knoxville area.

The **Tennessee Language Center**, formerly known as the Tennessee Foreign Language Institute and now part of UT's Institute for Public Service, also offers ESL instruction on a fee-for-service basis to those aged 16 and older. In-person instruction is offered in the Nashville area, while remote instruction is offered across the state. The center receives a federal grant that supports its ESL instruction specifically for refugees and those granted asylum. The center also provides training for ESL teachers.

In addition to its ESL program, the center offers world language instruction, in-person interpretation and translation, and document translation. State appropriations make up roughly 20 percent of the center's operating budget, with the remainder coming from fees and grants.

^B Reader note: The English Language Institute is a Student and Exchange Visitor Program (SEVP) Certified School, which allows it to issue a Form I-20 to prospective international students after admitting them for a program of study. The prospective students then use the form to apply for an F-1 visa to enter the United States. SEVP is part of the U.S. Department of Homeland Security.