

## SERVING SPECIAL EDUCATION STUDENTS THROUGH TITLE I

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The Division of Federal Programs has received requests for clarification regarding the potential duplication of services for children eligible for both Special Education and Title I.

Under No Child Left Behind, children who are economically disadvantaged, children with disabilities, migrant children and limited English proficient (LEP) children are eligible for Title I services on the same basis as other children that are selected for services. Thus, schools are no longer required to demonstrate that the needs of children with disabilities stem from an educational deprivation and not solely from their disabilities (*USDE Policy Guidance for Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies – April 1996*).

### **SPECIAL EDUCATION AND TITLE I IN TARGETED ASSISTED SCHOOLS**

From the universe of eligible children in a targeted assisted school, the school selects those children who have the greatest need for special assistance to receive Title I services. School staff, in consultation with the LEA and based on a review of all the information available about the performance of eligible children, must use their best professional judgment in making these choices. Other target populations, such as children with disabilities, present similar choices. Those children are now eligible for Title I services on the same basis as other eligible children. However, they are also entitled to non-Title I services required by law because of their disability. A school may decide that the non-Title I services these children are receiving are sufficient to enable them to meet the State's challenging standards. However it is possible that students receive services from both Special Education and Title I simultaneously.

### **SPECIAL EDUCATION AND TITLE I IN A SCHOOLWIDE BUILDING**

In a Title I schoolwide building, there are no targeted Title I students or Title I staff. All children in the school are eligible for Title I services – including students with disabilities. Any child with an educational need in a schoolwide building is eligible and should receive supplemental services from whatever programs are available to that building.

### **HIGHLY QUALIFIED STAFF**

When providing Title I services to students with disabilities in a targeted assisted or schoolwide elementary school, the services must be provided by highly qualified staff, which may include the Title I teacher, the Special Education teacher (with the direction and support of a Title I teacher or Reading Specialist), a highly qualified paraprofessional or by any combination of these.

When providing Title I services in middle or high schools, a special education teacher may not have the proper certification required to be considered highly qualified in the areas of Reading or Math as defined under No Child Left Behind. As a result, the Title I services for students with disabilities may need to be provided by Title I staff only.

Note that the highly qualified requirements for paraprofessional providing instruction to Title I students in a targeted assisted building are limited to those paraprofessional paid from Title I. The highly qualified requirements for instructional paraprofessionals in a schoolwide setting applies to all paraprofessionals in the building – not just those paid by Title I.