



# NORTH DAKOTA DEPARTMENT OF **PUBLIC INSTRUCTION**

## **Federal Title Programs**

## **Consolidated Application Guidance**

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# Federal Title Programs Consolidated Application Guidance

**FINAL DUE DATE TO SUBMIT CONSOLIDATED APPLICATION: August 27, 2021**

Please review the following information carefully. This document includes critical information for completing the Consolidated Application for Federal Title funds. The funds available through the Consolidated Application and applicable to this guidance are Title I Part A, Title II Part A, Title III Part A, Title IV Part A and Transfer (referred to as Title I, Title II, Title III, Title IV, and Transfer throughout the remainder of this document).

## PURPOSE OF CONSOLIDATED APPLICATION & FEDERAL TITLE PROGRAMS MONITORING

- To create a plan (Consolidated Application) and assure the use of federal funds will be used to support the plan.
  - **Goal:** To “Fund the Plan” instead of to “Plan for Funds”
- NDDPI monitors work in partnership with districts and schools to provide information and technical assistance that ensures compliance with program requirements.
  - **Goal:** To help districts and schools reach performance goals

## OVERVIEW

- **Grant Period:** The grant period for allocating and spending Federal Title funding for this Consolidated Application period is July 1, 2021 through September 30, 2023.
- **WebGrants:** The Consolidated Application for Federal Title funding can be accessed at <https://grants.nd.gov/>. The NDDPI has also posted training videos for WebGrants on this page.
- **Consolidated Application Website:** Pertinent information is posted on the [Consolidated Application website](#). Please review these helpful resources.

## HELPFUL TIPS

- It is important to note that multiple people from a school district may have the ability and access to start and work on an application, so be cautious about starting multiple applications.
- Follow instructions at the beginning of each form.
- Note character count.
- Click on “Edit Form” and “Save Form” throughout application process.
- When every section within every form is complete, “Mark as Complete”, and “Submit”.

## INTENT TO APPLY AND ASSURANCES

The Intent to Apply is completed in May and includes the assurances required for each program area.

Although leaders merely check the box for each assurance in the Intent to Apply pre-application, it is important to remember assurances do require actions on the part of the school district. Districts are held accountable to those assurances the Federal Programs Monitoring process.

### GENERAL ASSURANCES

This section includes general assurances from the Every Student Succeeds Act (ESSA), as well as assurances required of all recipients of Federal funds. These are statutorily required assurances for the receipt of Federal funds under the specifically designated programs. In addition, recipients are required to fulfill all statutory, regulatory, and program plan requirements inherent in the application and approval process for each program. Recipients are subject to all state and federal assurances, program provisions and requirements, program non-regulatory guidance, and statutory guidelines established by [Elementary and Secondary Education Act \(ESEA\)](#), [Uniform Grant Guidance \(UGG\)](#), [Education Department General Administrative Regulations \(EDGAR\)](#), [Code of Federal Regulations \(CFR\)](#), [United States Code \(USC\)](#), [North Dakota Century Code \(NDCC\)](#), and [North Dakota Administrative Code \(NDAC\)](#).

Compliance with these assurances constitutes a condition of continued receipt of Federal financial assistance and is binding upon the district for the duration of the programs. In the event of failure to comply with these assurances, it is understood that funds can be terminated and the right to receive further assistance can be denied.

Signed assurances must be kept on file for review upon request by independent auditors, or State or Federal officials. Staff responsible for grants administration or fiscal management should either have a copy of the document or be informed of the location and contents of the document.

The school district assures it is, or will take action to become, compliant with the following programs or activities receiving Federal financial assistance:

- administer each program covered by the application in accordance with all applicable statutes, regulations, program plans, and applications (§8306(a)(2)(B))
- use fiscal control and fund accounting procedures that will ensure proper disbursement of, and accounting for, Federal funds paid to that agency under each program (§8306(a)(6)(A)-(B))
- cooperate in carrying out evaluations conducted by the NDDPI or the USED, make reports to the NDDPI or USED as to enable them to perform their duties and that the school district will maintain and provide access to such records, and correct any deficiencies in program operations identified through audits, monitoring, or evaluations (§8306(a)(3)(4)(5))
- provide reasonable opportunities for the consultation and participation by teachers, parents, and other interested agencies, organizations, and individuals in the planning for the education of children and operation of each federal program; hear public comment, and consider such comments, pertaining to programs within the Consolidated Application before the application is submitted (§8306(a)(7))
- adopt (or has adopted) effective procedures for acquiring and disseminating to teachers and administrators participating in each program significant information from educational research; demonstrations and similar projects; and for adopting, where appropriate, promising educational practices developed through such projects (20 U.S.C. §1232e)

The school district shall adhere to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d-2000d-4) which states no person in the United States shall; on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination (34 CFR Part 100)
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), which prohibits discrimination based on handicap (34 CFR Part 104)
- Title II of the Americans with Disabilities Act (42 U.S.C. §12131-12134) which prohibits discrimination on the basis of disability by public entities (28 CFR Part 35), or with Title III of the Americans with Disabilities Act (42 U.S.C. §12181-12189) which prohibits discrimination on the basis of disability and requires places of public accommodation to be designed, constructed, and altered in compliance with accessibility standards (28 CFR Part 36)
- Title IX of the Education Amendments of 1972 (20 U.S.C. §1681-1683), which prohibits discrimination based on sex in education (34 CFR Part 106)
- All contractors, or others with whom it arranges to provide services or benefits to its students or employees in connection with its education programs or activities, are not discriminating in violation of statutes, regulations, guidelines, and standards associated with Title IX of the Education Amendments of 1972 (34 CFR Part 106.4)
- Age Discrimination Act of 1975 (42 U.S.C. §6101), which prohibits discrimination based on age (34 CFR Part 110)

The school district shall:

- ensure control of funds provided to the school district under each program, and title to property acquired with those funds, will be in a public agency or in an eligible private agency, institution, organization, or Indian tribe (20 U.S.C. §1232(e) and §8306(a)(2)(A))
- provide, on a request made by military recruiters or an institution of higher education, access to the name, address, and telephone of each secondary student, unless a parent has submitted the prior consent request which, upon receiving, prohibits the school district from releasing such information (20 U.S.C. §7908(a))
- ensure that a student who is attending a persistently dangerous public school, or who becomes a victim of a violent criminal offense while in or on the grounds of a public school, will be allowed to attend a safe public school (§8532)
- ensure that no policy of the school district prevents, or denies participation in, constitutionally protected prayer in public schools (20 U.S.C. §7904(b))
- ensure compliance with requirements and provisions under the Children’s Internet Protection Act (47 CFR §54.520(c))
- adopt appropriate procedures to implement the terms of the Family Educational Rights and Privacy Act of 1974 (34 CFR Part 99)
- adopt and use proper methods of administering each program, including the enforcement of any obligations imposed by law on agencies, institutions, organizations, and other recipients responsible for carrying out each program and the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation (§8306(a)(3))
- provide equitable participation to eligible private school children, teachers, and other educational personnel in programs under Title I, Title II, Title III, and Title IV (20 U.S.C. §6320(b) and §7881(d))

- comply with the requirements of the McKinney-Vento Homeless Assistance Act including equal access to education, comparable services, transportation, immediate enrollment, appointment of district homeless liaison, and participation in Title I set-aside, and will use local funds, as necessary, to provide services for students experiencing homelessness (42 U.S.C. 11432 and §722(g))
- ensure that it has foster care policies and practices in place child remains in his or her school of origin while determining whether it is in a child’s best interest to remain in his or her school of origin, to minimize disruptions and reduce the number of moves between schools (§1111(g)(1)(E)(i))
- ESSA §1118 [20 U.S.C. §6321] Title I Supplement, Not Supplant Fiscal Requirements:
  - a. General – A district shall use Federal funds received under Title I only to supplement the funds that would, in the absence of such Federal funds, be made available from State and local sources for the education of students participating in programs assisted under this program, and not to supplant such funds.
  - b. Compliance – A district shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under Title I and ensures that such school receives all State and local funds it would otherwise receive if it were not receiving assistance under this program.
- ensure that funds received shall be used to supplement, and not supplant, non-Federal, State, and local funds that would otherwise be used for activities authorized under Title II (§2301), Title III (§3115(g) or Title IV (§4110)
- ensure funds are used to provide evidence-based practices, programs, and interventions supported by strong evidence, moderate evidence, promising evidence, or evidence that demonstrates a rationale §8101(21)(A)
- target funds to schools within the district that are implementing comprehensive support and improvement activities under §1111(d) and have the highest percentage of low-income children counted under §1124(c). Section 2102(c); are identified for comprehensive support and improvement under §111(c)(4)(D)(i); are implementing targeted support and improvement plans as described in §1111(d)(2); or are identified as a persistently dangerous public elementary school or secondary school under §8532 (§4106 (e)(2)(A))
- to the extent authorized by law, save and hold harmless the State, its employees, and agents, against any and all claims, damages, liability, and court awards including costs, expenses, and attorney(s)’ fees incurred as a result of any act or omission by it, or its employees, agents, subcontractors, or assignees in its operation of the programs

## **TITLE I ASSURANCES**

Title I Assurances ([§1112](#)), most notably the following criteria:

- a. Parent's Right to Know – 1) individual school building administrators must notify parents of all students that they may request information regarding the professional qualifications of instructional staff in their buildings; and if the school receives a request, it must provide parents with this information; and 2) schools must notify parents if students are taught for four consecutive weeks by a teacher who is authorized to teach in ND, but is currently teaching under an emergency or provisional license, or is taking coursework to meet licensing requirements (§1112(e)).
- b. Title I Policies – Title I programs must comply with the Dispute Resolution Policy, Parent and Family Engagement Policies and School-Parent Compact. These Policies must be updated

annually, establish district's expectations and objectives for meaningful parent and family involvement, and describe how it will involve parents and families in jointly developing the plan and integrating effective strategies.

- c. Will ensure that migratory children and formerly migratory children who are eligible to receive services are selected to receive such services on the same basis as other children who are selected to receive services (§1112(c)(1)).
- d. Collaborate with the State or local welfare agency to designate a foster care liaison, develop and implement written procedures governing transportation to maintain foster children in their school of origin when in their best interest (§1112(c)(5)(A-B)).
- e. Will, if funds are used to provide early childhood development services to low income children below the age of compulsory school attendance, comply with the performance standards established under Section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a), §1112(c)(7)).
- f. Will, regardless of whether it operates a Title I preschool program, carry out coordination of activities with Head Start agencies or other early learning programs that serve children who will attend schools of the district; this coordination must include a systematic procedure for receiving records, communication regarding early childhood programs, consultation with stakeholders, professional development, and collaboration with Head Start agencies ([§1119](#)).

### **Important Note Regarding Early Childhood Title I**

Always maintain the following records even during a non-monitoring year, to ensure compliance:

- Procedures on receiving preschool records (examples: Special Education, Head Start, preschool, out of state)
- Evidence of communication channels with local Early Childhood partnerships
- Documentation of meetings regarding Early Childhood (examples: agendas, meeting minutes, handouts, emails)
- Documentation of joint trainings with the district and any Early Childhood education program

### **TITLE II ASSURANCES**

Title II Assurances ([§2102](#)), most notably the following criteria:

- a. Ensure that professional development activities provided are evidenced-based and intended to improve the subject matter knowledge and the teaching and leadership skills of teachers, principals, and administrators and, in appropriate cases, paraprofessionals, and coordinated with professional development activities provided through other Federal, State, and local programs (§2103(F)).
- b. System of professional growth and improvement, such as induction for teachers, principals, or other school leaders and opportunities for building the capacity of teachers and opportunities to develop meaningful teacher leadership is established (§2102(b)(2)(B)).

### **TITLE III ASSURANCES**

Title III Assurances ([§3115](#)), most notably the following criteria:

- a. Use the funds to provide an effective language instruction educational program to increase the English language proficiency of English learners (Title III, §3115(c)(1)(A,B)).

- b. Use the funds to provide effective professional development to classroom teachers, principals and other school leaders, administrators, and other school or community-based organizational personnel (Title III, §3115(c)(2)(A-D)).
- c. Use the funds to provide and implement effective parent, family, and community engagement activities (Title III, §3115(c)(3)(A)).
- d. Implement the statewide entrance and exit criteria and procedures (ND State ESSA Plan, Title III, §3113(b)(2)).
- e. Ensure all ELs annually participate in the ND ELP Assessment (Title III, §3116(b)(2)(A), Title III, §3113(b)(3)(B), and Title I, §1111(b)(2)(G)(i)).
- f. Evaluate the English language development program effectiveness and student progress (Title III, §3113(b)(8)(A,B)).
- g. All teachers in any language instruction educational program for English learners that is, or will be, funded under this part are fluent in English and any other language used for instruction, including having written and oral communications skills (Title III, §3116(c)).

#### **TITLE IV ASSURANCES**

Title IV assurances ([§4106](#)), most notably the following criteria:

- a. Use not less than 20 percent of funds to support one or more of the activities authorized under §4107, Activities to Support Well-Rounded Educational Opportunities (§4106 (e)(2)(C)).
- b. Use not less than 20 percent of funds to support one or more activities authorized under §4108, Activities to Support Safe and Healthy Students (§4106 (e)(2)(D)).
- c. Use a portion of funds to support one or more activities authorized under §4109(a), Activities to Support the Effective Use of Technology, including an assurance that the school district will comply with purchasing requirements in (§4109(b), §4106 (e)(2)(E)).
- d. Annually report to the State for inclusion in the report described in §4104(a)(2) how funds are being used to meet requirements.

#### **COMPLETING SECTIONS OF THE CONSOLIDATED APPLICATION**

**Red headings** denote a section of the Consolidated Application. **All districts will complete the following sections:**

- General Information
- Authorized Representative and School Board Approval
- Alignment of Funds
- Consultation, Equity, and Evaluation

Districts complete additional sections only if they are applicable:

- Transferability
- Set-Asides
- Equitable Services Participation and Consultation
- Nonpublic School Equitable Share
- Title I Targeted Assistance
- Title I Schoolwide
- Title III
- Title IV Ed-Flex Waiver



Note: If sections are not applicable, districts only need to click on the component and “Mark as Complete” before the Consolidated Application can be submitted.

Application Details		
<p>Application cannot be Submitted Currently</p> <ul style="list-style-type: none"> <li>Application components are not complete</li> </ul>		
Component	Complete?	Last Edited
General Information	✓	May 17, 2021 2:39 PM - DPI Tester
Authorized Representative		May 24, 2021 11:06 AM - DPI Tester
Transferability		May 24, 2021 11:08 AM - DPI Tester
Set-Asides (Title I and Title II)	✓	May 28, 2021 8:16 AM - DPI Tester
Equitable Services Participation and Consultation (Titles I, II, III, IV)		-
Nonpublic School Equitable Share	✓	May 28, 2021 8:26 AM - DPI Tester
Alignment of Funds		May 24, 2021 11:19 AM - DPI Tester
Consultation, Equity, and Evaluation		May 24, 2021 11:21 AM - DPI Tester
Title I Targeted Assistance		May 26, 2021 3:20 PM - DPI Tester
Title I Schoolwide		May 26, 2021 3:25 PM - DPI Tester
Title III	✓	May 26, 2021 3:34 PM - DPI Tester
Title IV Ed-Flex Waiver	✓	May 28, 2021 8:26 AM - DPI Tester

**AUTHORIZED REPRESENTATIVE AND SCHOOL BOARD APPROVAL: ALL DISTRICTS WILL COMPLETE THIS SECTION.**

**Authorized Representative**

The school board must indicate the approved authorized representative that holds signature authority for each federal program.

**Additional Program Contacts**

The district may include additional contacts for each program.

**School Board Approval**

The Consolidated Application for Federal Title funding must be approved during a school board meeting prior to submission. The application cannot be submitted without indicating the date approved.

**TRANSFERABILITY: ONLY ELIGIBLE SCHOOL DISTRICTS WISHING TO PARTICIPATE IN THE TRANSFER ALTERNATIVE USE OF FUNDS NEED TO COMPLETE THIS SECTION.**

ESEA creates transfer flexibility allowing districts to transfer funds from one Title program’s allocation into another program’s allocation AND those funds become funds of the program to which they are transferred and are subject to the rules and requirements of that program. The transferability option allows school districts greater flexibility to target federal funds to programs that most effectively address their unique needs. Districts that meet eligibility criteria are allowed to combine formula funding generated under certain Federal Title programs. The federal law allows districts to transfer Title II and/or Title IV funds into Title I, Title II, Title III, Title IV, or Title V (eligible only to Small Rural School Achievement (SRSA) or Rural Low Income Schools (RLIS) districts).

Districts eligible for the SRSA grant and/or the RLIS grant have even greater flexibility when using formula Title funds, allowing them to transfer funds into the Transfer Title V, Part B program (section 5103(b) of ESEA). Upon transferring to the Title V program, the funds are then considered as supporting the RLIS/SRSA program and are subject to the [RLIS/SRSA](#) program rules and requirements. Additional information can be found in the [USED guidance](#). Districts utilizing the Transfer Title V option have the ultimate flexibility over funds. RLIS is a state-operated program. SRSA funds are direct grants from the USED to qualifying districts. Neither RLIS nor SRSA are a part of the NDDPI’s monitoring process.

Title Funding Source:	Districts Eligible to Transfer to:
Title I	Cannot Transfer
Title II	Available for All districts: Transfer Title I Transfer Title II Transfer Title III Transfer Title IV Transfer Title V ( <i>available only to <a href="#">eligible</a> SRSA and RLIS districts</i> )
Title III	Cannot Transfer
Title IV	Available for All districts: Transfer Title I Transfer Title II Transfer Title III Transfer Title IV Transfer Title V ( <i>available only to <a href="#">eligible</a> SRSA and RLIS districts</i> )

**Requirements for Transfer of Funds**

- Districts can only Transfer into a program in which they receive an allocation. For example: Districts not eligible for Title IV cannot transfer Title II funds into Title IV.
- A school district must consult with nonpublic schools in its district (if applicable) before a transfer is requested.
- A school district must indicate that it wants to transfer funds on the Consolidated Application.
- Districts that comingle Title funds (through the Title I Schoolwide process) are not eligible to Transfer.
- If a district chooses to use the transferability option, transferred funds are subject to the requirements of the programs to which they are transferred. The district will be monitored according to the program they transferred into. For instance, if a district transfers its Title II and Title IV allocations into a Transfer Title I budget, the only program monitoring that would apply is Title I.

**SET-ASIDES (TITLE I AND TITLE II): ONLY SCHOOL DISTRICTS WITH REQUIRED SET-ASIDES NEED TO COMPLETE THIS SECTION.**

Districts are required to set aside funds for specific purposes to meet federal program regulations. The following set-asides are required for applicable districts to provide services.

**Parent and Family Engagement Set-Aside (Title I Only)**

Districts with a Title I allocation of \$500,000 or greater must set aside a minimum of 1% to support parent and family engagement activities. At least 90% of the amount set aside must go to Title I schools. The district may reserve additional funds for district level parent and family engagement activities. Parents must be involved in decisions on the best use of these funds.

The following are allowable parent and family engagement activities and strategies that should be included in the budget:

- Supporting schools and nonprofit organizations in providing professional development for district and school personnel, and parents and family members, regarding parent and family engagement strategies.
- Supporting programs that reach parents and family members at home, in the community, and at school.
- Disseminating best practices information on parent and family engagement, focusing on increasing the engagement of economically disadvantaged parents and family members.
- Collaborating (or providing sub grants to schools to enable them to collaborate) with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement.
- Engaging in any other activities and strategies that the district determines are appropriate and consistent with its parent and family engagement policy.

### **Homeless Set-Aside (Title I Only)**

All public schools and districts receiving federal funds must ensure that services are provided to children and youth who are experiencing homelessness. To assist with these services, the law requires that school districts set aside Title I funds, as necessary, to provide services comparable to those that are provided to children in Title I-funded schools. These funds can also support educationally related services to children in shelters and other locations where homeless children may live. The services provided with these funds should support homeless students to succeed in school and to meet academic achievement standards. It is important to note that all students identified as experiencing homelessness are automatically eligible for Title I and comparable services may not necessarily mean the same services. Therefore, these funds may also be used to provide services that are not ordinarily provided to other Title I students.

Districts reporting at least one identified homeless student in STARS in the previous school year must budget Title I funds sufficient to meet the needs of students identified as experiencing homelessness.

The district must select a method of determining Title I set-aside funds, maintain records, and provide documentation of the method used when monitored. Some examples of possible methods to use to determine funding needs and set-aside amounts are the following:

- Multiply the number of children and youth experiencing homelessness as reported in STARS by the Title I per-pupil amount on the Rank and Serve (Targeting) spreadsheet.
- Multiply the number of children and youth experiencing homelessness as reported in STARS by a minimum of \$500.00 per pupil identified.
- Reserve an amount of Title I funds to supplement a McKinney-Vento grant award.
- Reserve a specific percentage based on the district's Title I allocation.
- Identify the needs of homeless children and youth and then fund accordingly by determining a figure of how much it costs to pay for services to homeless children and youth (e.g., supplemental education services, materials and supplies for those services, costs associated with successful transition, etc.).

**PLEASE NOTE:** Only districts that have not identified youth experiencing homelessness may choose Local Funds as an option.

### **Using Title I Homeless Set-Aside Funds**

Below are some strategies on how Title I homeless set-aside funds may be used. These funds can be used to assist homeless students in Title I and non-Title I schools.

- Tutoring services (remedial or accelerated instruction), especially in shelters or other locations where homeless students live
- Before-school, after-school, and/or summer programs
- Services to enable students to enroll in, attend, and succeed in school
- Personal school supplies such as backpacks and notebooks
- Items of clothing to meet a school’s dress or uniform requirements
- Shoes necessary to participate in physical education classes
- Student fees necessary to participate in the general education program
- Graduation cap and gown/graduation fees
- Birth certificates necessary to enroll in school
- Counseling services/domestic violence counseling services
- Parental involvement specifically oriented to reaching out to parents of homeless students
- Costs for attaining a GED for parents participating in Head Start or Even Start
- Homeless awareness activities
- Research-based programs that benefit highly mobile students
- Fees for SAT/ACT testing if not waived by college or university
- Cost of GED for an unaccompanied homeless youth
- Health-related services may be allowed if funds are not reasonably available from public or private sources (as a last resort, health, nutrition, other services such as eyeglasses and hearing aids, immunizations, and dental needs)

Additional information is available on the [Title VII, Part B- Homeless-McKinney-Vento webpage](#).

### **Neglected and Delinquent Set-Aside (Title I and Title II)**

The district will select whether or not it is required to set aside funds for local neglected children. A district would only select this option if it identified a neglected facility on the October Annual Count form. A “local institution for neglected children” is defined as a public or private residential facility, other than a foster home, that is operated for the care of children who have been committed to the institution or voluntarily placed in the institution under applicable State law, due to abandonment, neglect, or death of their parents or guardians.

Districts that have local institutions serving neglected children within its boundaries have an obligation to provide additional instructional supports and comparable Title I services to the students by reserving Title I funds. Those districts are required to reserve a sufficient amount of Title I funds to provide comparable supplemental services academic and support services to students in neglected institutions who may be enrolled in the district at any time during the school year.

A student who is residing in a neglected institution and attending any school in the district, or receiving academic services at the institution, is eligible for Title I services. If a district has Title I and non-Title I schools, the district may use the neglected reservation to provide comparable Title I services to students in neglected institutions that attend non-Title I schools. If appropriate, Title I funds can also be reserved to serve children in local institutions for delinquent children, and neglected or delinquent children in community day programs. If a district does not have a local institution for neglected children, the district is not required to set aside Title I funds (ESSA sections 1113[c][3][A][ii] and [B][i-ii]).

### **Using Title I Neglected Set-Aside Funds**

Services must be reasonable and necessary to assist students in neglected institutions to take advantage of educational opportunities. Title I funds shall only be used when funds or services are not available from

other public or private sources that provide similar services for economically disadvantaged students in general. The ESEA requires the amount be sufficient to provide services to students in local neglected institutions. The NDDPI recommends the district conduct a needs assessment to determine a sufficient amount to reserve to support student learning. The following options may be used to calculate a set-aside amount:

- Districtwide per-pupil amount
- Percentage of the total Title I allocation
- Amount reasonable and necessary to provide comparable Title I services to students

Districts may use Title I Set-Aside funds to provide services including, but not limited to, the following:

- High-quality education programs to support students in meeting academic standards such as tutoring, credit recovery, graduation supports, advanced coursework, and other evidence based interventions
- Activities to facilitate transition of students between facilities and schools such as increasing family engagement, transition specialist, and costs associated in plan development to connect students with services including transportation and meeting costs
- Coordination of health and social services to support planning, time, professional learning, and space for after school time, and access to services
- Special programming for academic support including vocational and technical education, career counseling, curriculum-based education, assistance in securing student loans or grants for post secondary education
- Mentoring or peer mediation
- Transportation costs for students to and from school of origin and facility
- Professional learning for district staff to support identified needs of students
- District staff to coordinate and collaborate with the child welfare agency and local neglected institution including activities to eliminate barriers or support the students education

**EQUITABLE SERVICES (TITLES I, II, III, AND IV): ONLY SCHOOL DISTRICTS WITH PARTICIPATING NONPUBIC SCHOOLS NEED TO COMPLETE THIS SECTION.**

ESSA requires districts to provide equitable services to eligible private school children, teachers, and other educational personnel in programs under Title I, Title II, Title III, and Title IV (20 U.S.C. §§ 6320(b) and 7881(d)).

The equitable services provision includes the following:

- Creates a state nonpublic ombudsman to monitor and enforce equitable services requirements
- Requires the state to give timely notice to private school officials regarding the amount of the allocation for educational services and other benefits for private school students
- Requires the proportional share of funds for equitable services be calculated based on the district's entire Title I allocation, prior to determining any allowable expenditures or transfers
- Requires all funding for equitable services be obligated in the first fiscal year that the funds are available to districts
- Strengthens the timely and meaningful consultation provisions by requiring discussion of additional topics
- Requires districts to submit the results of the timely and meaningful consultation to the ombudsman
- Requires districts to provide private school officials with a written explanation of the reasons the district disagrees with the view of private school officials on a particular consultation topic

- Gives private school officials the option of signing an affirmation stating the district did not engage in timely and meaningful consultation
- Provides updates, guidance, and procedures regarding equitable services
- Adds specific time frames for the NDDPI and USED to consider a complaint from private school officials

Consultation between district and private school officials is a key provision under equitable services. Consultation is an agreement between the district and nonpublic school officials for providing equitable and effective programs for eligible nonpublic students. The goal of consultation is to reach an agreement between the district and nonpublic school officials which is grounded in timely, meaningful, and open communication on key issues. The district must consult with private school officials about the timeline and allow adequate notice to ensure it is meaningful consultation, all parties are well prepared, and data for decision-making is available. Successful consultation begins prior to implementation of services, establishes positive and productive working relationships, ensures effective planning, continues throughout implementation of equitable services, and ensures services provided meet the needs of eligible nonpublic school students, teachers and other educational personnel, and families.

#### **Equitable Services Requirements:**

- Conduct timely and meaningful consultation
- Consult and provide services to implement the provision of equitable services
- Involve the participation of parents and families of students attending participating nonpublic schools in the planning and development of services
- Maintain fiscal control of ESEA funds and property
- Determine eligibility and collect data to comply with provisions of equitable services
- Set-aside funds for participating nonpublic schools
- Determine the proportionate share of funds used to provide equitable services (under Title I based on the entire Title I allocation, prior to taking any other set-aside off the top)
- Engage in timely, meaningful consultation with nonpublic schools BEFORE transferring funds out of any eligible ESEA program (Title II and Title IV)

The [Affirmation of Consultation with Nonpublic School Officials](#) form for Titles I, II, III, and IV is the documentation to ensure timely and meaningful consultation occurs. The consultation form includes topics to be discussed. Districts will upload a signed copy in the Consolidated Application in WebGrants for all participating ESEA programs. The district will also indicate the participating nonpublic schools in each of the Federal Title programs and complete the equitable services calculation to determine proportionate shares and amount for services for each participating Federal Title program.

The district must keep records of the details of consultation including dates, topics, communication methods, and outcomes. In addition, a summary must be provided of the agreed upon equitable services to be provided to eligible nonpublic school children, teachers, and families. The summary must include all programs (i.e., Title I, II, III, and/or IV) in which the nonpublic school is participating. If there are multiple schools, specifically identify each nonpublic school and each program within the school.

Additional information is available on the [Equitable Services for Nonpublic Schools webpage](#).

## **ALIGNMENT OF FUNDS: ALL DISTRICTS WILL COMPLETE THIS SECTION.**

### **Use of Funds**

The NDDPI has aligned the focus of ESEA funds to the [ND PK-12 strategic vision](#) to guide district efforts toward achieving long-term outcomes for students:

- Increase students who enter kindergarten prepared to learn
- Increase students who demonstrate reading proficiency in 3rd grade
- Increase students who meet expected learning gains each year
- Increase students who engage in learning
- Increase students who graduate choice ready
- Reduce the disparity in achievement for students in poverty and for Native American students

The district must describe how the investment of ESEA funds (Title I, II, III, IV, Transfer) aligns to these priorities.

### **Comprehensive Needs Assessment**

Districts must summarize how activities, supports, and practices are aligned to challenging State academic standards and funds are prioritized to schools that:

- Have the greatest need (as determined by the district)
- Have the highest percentage of low-income children
- Are identified for TSI or CSI
- Are identified as a persistently dangerous school

In addition, districts that accept Title IV funds must conduct a current (within the past three years) comprehensive needs assessment which must address the following:

- Access to, and opportunities for, a well-rounded education for all students;
- School conditions for student learning in order to create a healthy and safe school environment; and
- Access to personalized learning experiences supported by technology and professional development for the effective use of data and technology.

Narratives are required for Titles I, II, IV, and Transfer funds. The response should discuss all accepted federal funds.

- The investment of accepted ESEA funds must align to the district's local strategy map and/or strategic planning, so the district will need to summarize the strategic plan that highlights critical initiatives, goals, action planning, etc.
- The district's process and what support and guidance is provided to schools for conducting a comprehensive needs assessment
- The trends and needs identified in the district's comprehensive needs assessment that have led to investments using federal funds

## **CONSULTATION, EQUITY, AND EVALUATION: ALL DISTRICTS WILL COMPLETE THIS SECTION: ALL DISTRICTS WILL COMPLETE THIS SECTION.**

### **Consultation with Stakeholders**

It is the district's responsibility during the development, review, and revision of the district's Consolidated Application to meaningfully engage with all stakeholders, including teachers, principals, school leaders, homeless liaisons, foster care liaisons, at-risk liaisons, parents, families, institutions, and community organizations that are representative of the following students served by the district:

- Low-income students
- English learners
- Children with disabilities
- Children and youth in foster care
- Migratory children
- Children and youth experiencing homelessness
- Neglected, delinquent, and at-risk students identified under Title I, Part D
- Immigrant children and youth
- American Indian and Alaska Native students

The district must select the stakeholders consulted with and describe the consultation process in the development of this plan.

### **GEPA Section 427**

**Title II regulations and the General Education Provisions Act (GEPA) requires all applicants for federal funds provide a description of the steps the applicant proposes to ensure equitable access to and participation in these federal programs for students, teachers, and other program beneficiaries with special needs.**

Districts are allowed to use their own discretion in developing and describing the activities to meet this requirement; however, the statute highlights six types of barriers that can impede equitable access or participation including: gender, race, national origin, color, disability, or age. Districts must determine whether these or other barriers may prevent students, teachers, etc. from access and participation in program ESEA activities.

The district must describe the steps it is taking to identify and overcome the barriers listed above (gender, race, national origin, color, disability, or age).

Additional information can be found on the department's [GEPA requirement](#) website.

### **Annual Evaluation**

All programs or activities must be evaluated annually. **The district must describe how the district will use data and ongoing consultation to continually update and improve activities, focusing on student outcomes and program effectiveness. This narrative is required for Titles I, II, III, IV, and Transfer funds. The response should discuss all accepted federal funds. Questions to consider addressing may include:**

- What are the intended goals of the ESEA programs?
- How does the district evaluate its return on investment and effectiveness for the programs supported by ESEA funds?
- What elements are considered for modifying, continuing or terminating ESEA programs?
- How does the district periodically evaluate program objectives and intended outcomes for activities of each program?



## TITLE I

The purpose of the Title I program is to provide all children with significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps. The Title I is an ESEA program intended to:

- Ensure all children have the opportunity to obtain a high-quality education and reach proficiency on challenging state academic standards and assessments,
- Provide funding to supplement educational opportunities for students in higher poverty schools,
- Provide professional learning for school staff, and
- Implement other strategies for raising student academic achievement.

The district must allocate funds to school attendance areas identified as eligible and selected to participate in rank order based on the percent of low-income students. The school allocation is determined by a per pupil amount times the total number of children from low-income families in each school. Funds are allocated for use by the school, but it remains the responsibility of the district to ensure compliance of school expenditures. Additional set-aside requirements and administrative costs impact amounts.

Title I funds can support a wide range of activities to help Title I students meet state academic standards. This includes, but is not limited to:

- Providing eligible students with a well-rounded education, which ESSA defines as “courses, activities, and programming in subjects such as English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, career and technical education, health, physical education, and any other subject, as determined by the state or district, with the purpose of providing all students access to an enriched curriculum and educational experiences.”
- Instructional supports,
- Non-instructional supports such as behavior and mentoring supports, and social and emotional learning, and
- Improving school quality.

Title I requires districts to concentrate the funds in schools with the highest percentages of poverty and to provide sufficient funds to make a difference in the academic performance of these students.

The school may choose to implement either a schoolwide or targeted assistance program based on the needs assessment. The decision should be locally determined in consultation with stakeholders.

### **TITLE I TARGETED ASSISTANCE: COMPLETE THIS SECTION ONLY IF THE DISTRICT HAS A TITLE I TARGETED ASSISTANCE PROGRAM. COMPLETE INFORMATION FOR EVERY BUILDING THAT HAS A TITLE I TARGETED ASSISTANCE PROGRAM.**

A Title I targeted assistance program is designed to provide extra educational assistance beyond the regular classroom to at-risk students, specifically identified as having the greatest need for special assistance. The program must provide an accelerated, high-quality curriculum and minimize the removal of children from the regular classroom during regular school hours for instruction. In addition, the progress of eligible children must be reviewed on an ongoing basis and the program should be adjusted as necessary.

A targeted assistance program is available to any Title I school that does not operate a schoolwide program. Students are eligible for Title I if they:

- Are failing, or at risk of failing, to meet state standards,
- Participated in certain federally-funded preschool programs,

- Received services under the Migrant Education Program,
- Are in a local institution for neglected or delinquent children or are attending a community day program, or
- Are homeless or in foster care.

The school selects those students who have the greatest need for special assistance to receive Title I services in the identified focus areas. The school makes this determination based on multiple, educationally related, objective criteria, and places students on a rank order list.

Targeted assistance schools must use Title I funds to help identified students meet state standards, which can include programs, activities, and academic courses necessary to provide a well-rounded education.

Targeted assistance schools may use Title I funds to serve eligible students by:

- Expanding learning time for eligible students, including before- and afterschool programs, and summer programs and opportunities,
- Providing early intervening services to eligible students, including services coordinated with similar activities and services carried out under IDEA,
- Providing eligible students with extra supports aligned to the school’s regular education program, which may include services to assist preschool children in the transition from early childhood education programs to elementary school programs,
- Providing professional development to teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with eligible students, and
- Implementing strategies to increase the involvement of parents of eligible students.

Targeted assistance schools may use Title I funds to provide eligible students with health, nutrition, and other social services not otherwise available to them if:

- The school has engaged in a comprehensive needs assessment and established a collaborative partnership with local service providers, if appropriate; and
- Funds are not reasonably available from other public or private sources.

A secondary school operating a targeted assistance program may use Title I funds to provide dual or concurrent enrollment program services to eligible children. Targeted assistance programs must:

- Help provide an accelerated, high-quality curriculum,
- Minimize the removal of children from the regular classroom during regular school hours for instruction provided by Title I, and
- Review the progress of eligible students on an ongoing basis and revise the targeted assistance program, if necessary, to provide students additional assistance to meet state standards.

**TITLE I SCHOOLWIDE: COMPLETE THIS SECTION ONLY IF THE DISTRICT HAS A TITLE I SCHOOLWIDE PROGRAM. COMPLETE INFORMATION FOR EVERY BUILDING THAT HAS A TITLE I SCHOOLWIDE PROGRAM.**

A Title I schoolwide program is a comprehensive reform strategy designed to upgrade the entire educational program in a Title I school with a poverty percentage of 40% or more in order to improve the achievement of the lowest-achieving students. ESSA allows for schools in which less than 40% of the students are from low-income families to apply for a state waiver to be eligible to operate a schoolwide program.

A school operating a schoolwide program does not need to identify particular students as eligible to participate. There are three key requirements:

- Conducting a comprehensive needs assessment of the entire school and providing equitable opportunity and access for all students, specifically those of disadvantaged student populations.
- Completing a schoolwide plan—through consultation with district and building leaders, teachers, staff, parents, students, and community members. The plan must include strategies the school will implement to address school needs, discuss instructional methods to strengthen the academic program, and address the needs of all students particularly those low performing.
- Annually reviewing the schoolwide plan, using data from State and local assessments, and other indicators of academic achievement and growth to evaluate the program for effectiveness. Schools need to revise the plan annually, as necessary, to ensure continuous improvement.

A school operating a schoolwide program may use Title I funds for any activity that supports the needs of students in the school as identified through the comprehensive needs assessment and articulated in the schoolwide plan. In implementing the schoolwide plan, a school must, among other things, use effective methods and instructional strategies that are based on evidence, provide instruction by highly-qualified teachers, provide high-quality, ongoing professional development, and increase parent involvement.

Some uses of funds in a schoolwide program are as follows (should be based on the comprehensive needs assessment):

- Increased learning time (extended day or year)
- High-quality preschool or full-day kindergarten
- Strategies for assisting preschool children in the transition from early childhood education to elementary school
- Evidence-based strategies to support student learning
- Equipment, materials, and training needed for data analysis and monitor progress
- Devices and software that allow students to access digital learning materials and collaborate with peers and related training for educators
- Professional development for teachers, paraprofessionals, and other school personnel to improve instruction and use of data from academic assessments, and to recruit and retain effective teachers, particularly in high need subjects
- Instructional coaches to provide high-quality, school-based professional development
- School climate interventions (e.g., anti-bullying strategies, positive behavior intervention supports, etc.)
- Educational materials and resources to accelerate learning (supplemental instructional materials, intervention programs and staff, etc.)
- Activities shown to be effective for increasing family and community engagement
- Family literacy programs
- Counseling, mentoring services, and school-based mental health programs
- Career and technical education
- Access to coursework to earn postsecondary credit while still in high school (such as Advanced Placement, International Baccalaureate, dual or concurrent enrollment, or early college high schools)

A school operating a schoolwide program may consolidate or comingle federal, state, and local funds to better address the needs of students in the school. This request for comingling funds must be embedded with the Title I schoolwide plan to document the intent and purpose. All expenditures must be reasonable and necessary. Additional information is available on the [Title I Schoolwide program webpage](#).

## **Notes Regarding Title I Cooperative Agreements**

If a district has entered into a Title I cooperative agreement with another district, the district that is not the fiscal agent does not enter any Title I information on its own Consolidated Application. It does enter information for Title II, Title IV, and/or Transfer on its own Consolidated Application and submits it. The district that is the fiscal agent must include all Title I program and budget information for all the districts in the cooperative agreement.

## **Aides/Paraprofessionals in Targeted Assistance and Schoolwide Programs**

A Title I program must include a Title I teacher to provide services to eligible students which meets state licensing requirements for the content and grade span assigned. This provision is applicable to both schoolwide and targeted assistance programs. A Title I program staffed entirely by aides/paraprofessionals is not permitted. The focus is on providing direct services for students needing additional educational support and increasing access to high quality effective teachers. A quality Title I program is one that employs more FTE time using high quality teachers than FTE time using Title I aides/paraprofessionals.

The Title I teacher is required to hold the caseload for all Title I eligible students and oversee all services provided in the Title I program. A Title I-paid aide must be under the direct supervision of a Title I-paid teacher in a targeted assistance program. If the Title I teacher is responsible for the lessons and evaluation of Title I students, there must be clear supervision and communication between the Title I teacher and Title I aides/paraprofessionals.

For documentation of Title I-paid teachers, time and effort and a schedule should be kept on file. On the MIS03 Licensed Personnel Report, reporting of Title I teachers should be provided by entering the Position code 70 and the Area Responsibility code 113. Paraprofessionals providing instructional services should be reported on the PER02 Nonlicensed Personnel Report using Position code 71 Aide/Paraprofessional and Area of Responsibility code 113 for all Title I services.

All aides/paraprofessionals providing instructional services and listed on the application who work in a program supported with Title I funds must have a Title I paraprofessional certificate number:

- In a targeted assistance program, working in a program supported with Title I funds refers to those aides/paraprofessionals paid with Title I funds
- In a schoolwide program, working in a program supported with Title I funds refers to all instructional aides in the schoolwide building, regardless of the funding source used to pay their salary

## **High-Impact Uses of Funds**

Districts must reserve Title I funds for the following required activities:

- Services for students experiencing homelessness
- Services for children in local institutions for neglected students and delinquent students
- Parent and family engagement (required if the LEA receives \$500,000 or more)
- Equitable services for eligible private school students (amounts depend on proportionate share)

Title I funds must carry out a variety of activities including, but not limited to:

- Developing and implementing plans to support and improve low-performing schools identified by the state through its accountability system,
- Providing services to homeless children,

- Providing services to children in local institutions for neglected children, and if appropriate, to children in local institutions for delinquent children, and neglected or delinquent children in community day programs,
- Collaborating with child welfare agencies to ensure the educational stability of children in foster care,
- Allocating Title I funds to eligible schools through a poverty-based procedure known as “ranking and serving,”
- Developing policies and providing services to engage parents and families,
- Providing services to eligible private school students, and
- Overseeing Title I activities in Title I schools.

Dependent upon the school’s needs assessment, high impact funded activities may be used to support:

- High-quality preschool or full-day kindergarten and services to facilitate the transition from early learning to elementary education programs;
- Recruitment and retention of effective teachers, particularly in high-need subjects;
- Increased learning time;
- Providing professional learning to teachers, principals, other school leaders, paraeducators, and, if appropriate, specialized instructional support personnel, and other school personnel;
- Evidence-based interventions to accelerate the acquisition of content knowledge for English learners;
- Activities designed to increase access and prepare students for success in high quality advanced coursework to earn postsecondary credit while in high school (e.g., Advanced Placement, early college high schools, and dual or concurrent enrollment programs);
- Career and technical education programs to prepare students for postsecondary education and the workforce;
- Counseling, school-based mental health programs, mentoring services, and other strategies to improve students’ nonacademic skills that impact academic learning;
- School climate interventions (e.g., anti-bullying strategies, positive behavior interventions and supports);
- Equipment, materials, and training needed to compile and analyze student achievement data to monitor progress, alert the school to struggling students, and drive decision making;
- Evidence-Based strategies intended to allow for early identification of students with learning or behavioral needs and to provide a tiered response based on those needs (including multi-tiered systems of support);
- High impact strategies shown to be effective at increasing family and community engagement in the school, including family literacy programs;
- Devices and software for students to access digital learning materials and collaborate with peers, and related training for educators (including accessible devices and software needed by students with disabilities);
- Programs to support improved economic, educational, health, safety, and other outcomes that address the issues of intergenerational poverty.

**Additional information is available on the [Title I webpage](#).**

**PLEASE NOTE:** A district shall use federal funds received under Title I only to supplement the funds that would, in the absence of such federal funds, be made available from State and local sources for the education of students participating in Title I, and not to supplant such funds.

## TITLE II

Title II program narratives have been incorporated into the Alignment of Funds and the Consultation, Equity, and Evaluation sections in the Consolidated Application. There is not a separate Title II section to complete.

### **Title II Funding Priorities**

Every school district must conduct a needs assessment to determine the needs of the teaching force in order to have all students meet challenging state content and academic achievement standards. After conducting a needs assessment, districts must target the Title II funds to meet the identified needs.

### **Additional Guidance on Title II**

#### **Purpose:**

In general, the purpose of Title II is to meet the following goals:

- Increase student achievement consistent with state standards,
- Improve the quality and effectiveness of teachers, principals, and other school leaders,
- Increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools, and
- Provide low-income and minority students greater access to effective teachers, principals, and other school leaders.

### **High-Impact Uses of Funds**

The state of North Dakota has the responsibility to provide stronger support and technical assistance and support to districts to ensure federal funds are leveraged to achieve local goals (such as those outlined in strategy maps). Although ESSA offers a broad menu for [uses of funds](#), North Dakota recognized the following as high impact, evidence-based investments.

High Quality Professional Development – This includes the implementation of high-quality, personalized, evidence-based professional development for teachers, instructional leadership teams, principals, or other school leaders that is focused on improving teaching and student learning. This professional development must be sustained, personalized, and job-embedded initiatives that address identified needs gaps rather than stand-alone, one-day, or short-term professional development. ESSA states this professional development may include training teachers, principals, or other school leaders to do the following:

- Effectively integrate technology into curricula and instruction,
- Use data to improve student achievement (ensuring individual student privacy under FERPA),
- Effectively engage parents, families, and community partners and coordinate services between school and community,
- Help all students develop the essential skills for learning readiness and academic success,
- Develop policy with school, local educational agency, community, or State leaders, and
- Participate in opportunities for experiential learning through observation.

The complete definition of [professional development](#) should be referenced to ensure the district is not using funds for stand-alone, one-day, or short-term professional development.

Leadership – Leadership development for teacher leaders, principals, and other school leaders, to include:

- Professional development to improve leadership capacity;
- Leadership residency initiatives
- Leadership preparation academies
- Leadership mentoring

Research shows that strong school leaders have a powerful multiplier effect, dramatically improving the quality of teaching and raising student achievement in a school. Principals account for 25 percent of a

school's impact on student achievement, which is significant for a single individual. Moreover, 97 percent of teachers list school leadership as essential or very important for their career choices—more than any other factor. The bottom line: school improvement simply does not occur without strong leadership, particularly in underperforming schools.

A [summary of research](#) on Title II program-funded strategies is available for review.

### **Allowable Activities**

Title II funds can be used for the following activities:

- Providing high quality, evidence based professional development opportunities
- Developing or improving evaluation and support systems for teachers, principals, and other school leaders
- Recruiting and retaining effective teachers, particularly in low-income schools with high percentages of ineffective teachers
- Recruiting qualified individuals from other fields to become teachers, principals, or other school leaders
- Reducing class size to a level that is evidence based
- Increasing the ability of teachers to effectively teach children with disabilities
- Increasing the ability of principals or other school leaders to support early childhood educators
- Supporting the instructional services provided by effective school library programs
- Developing feedback mechanisms to improve school working conditions
- Carrying out other evidence based activities that meet the purpose of Title II

### **Non-Allowable Activities**

- Hiring an aide/paraprofessional
- Purchasing instructional programs for students (e.g., licenses, software, curriculum)
- Purchasing food and/or beverages is strongly discouraged, except in unique circumstances such as a working lunch for professional development
- Providing salary and benefits for teachers, except in Class Size Reduction
- Purchasing materials and supplies not connected to professional development
- Purchasing equipment and/or technology (computers, iPads, etc.)
- Providing any direct reimbursement to a private school

**PLEASE NOTE:** Funds made available under Title II shall be used to supplement, not supplant, any other federal, state, or local education funds.

Title II funds are subject to an equitable services requirement. In short, this means districts must reserve funds to provide Title II services to eligible private school teachers and other educational personnel.

Additional information can be found on the department's [Title II website](#).



### **TITLE III: THIS SECTION IS REQUIRED FOR ALL DISTRICTS (FISCAL AGENTS) RECEIVING A TITLE III ALLOCATION.**

Districts receiving a Title III allocation need to complete the following narratives:

- Describe the effective programs and activities, including language instruction educational programs, proposed to be developed, implemented, and administered using Title III funds.
- Describe how the eligible entity will assist English learners in achieving English proficiency, based on the State's English language proficiency assessment, consistent with the State's long-term goals and interim progress measures and meeting the challenging State academic standards
- Describe how the eligible entity will promote parent, family and community engagement in the education of English learners.
- Enter the contact information for any individuals within the district or consortium who should receive Title III correspondence.

#### **Additional Guidance on Title III**

All districts in North Dakota must implement the ND EL identification procedures. All districts with identified ELs must provide a high-quality language instruction educational program (LIEP) funded through state and local funds. Prior to being eligible for Title III funds or participating in a Title III consortium, districts must meet the core EL identification and program requirements, including:

- Identifying ELs using the ND Home Language Survey and the state-approved English language proficiency screening assessment (WIDA Screener) within 30 days of enrollment.
- Providing an evidence-based Language Instruction Educational Program (LIEP) for all ELs delivered by a qualified teacher.
- Fulfilling Title I parent notification requirements annually regarding EL identification and program eligibility.
- Ensuring ALL ELs annually participate in the state English language proficiency assessment (ACCESS for ELLs) and the ND State Assessment.

#### **Uses of Funds**

Title III funds must be used to supplement or add to an EL programs funded with state and/or local funds. and Title III funds must be used to:

- Provide an effective LIEP that demonstrates success in increasing the English language proficiency and academic achievement of ELs;
- Provide effective EL related professional development for classroom teachers, principals, administrators, and other school or community based organizational personnel.; and
- Provide and implement other effective activities and strategies that enhance or supplement LIEPs for ELs, which include parent, family, and community engagement activities and strategies that serve to coordinate and align related programs.

In alignment with district goals, Title III funds may also be used to:

- Upgrade EL program objectives and effective EL instructional strategies;
- Improve the instructional program for English learners by identifying, acquiring, and upgrading curricula, instructional materials, educational software, and assessment procedures;
- Provide tutorials and academic or career and technical education for ELs;
- Provide intensified EL instruction, which may include materials in a language the students can understand, interpreters, and translators for students;
- Develop and implement effective preschool, elementary school, or secondary school LIEPs that are coordinated with other relevant programs and services;



- Provide community participation programs, family literacy services, and parent and family outreach and training activities to ELs and their families;
- Improve the instruction of ELs, which may include English learners with a disability, by providing for the acquisition or development of educational technology or instructional materials, access to, and participation in, electronic networks for materials, training, and communication, and incorporation of these resources into curricula and programs; or
- Offer early college high school or dual or concurrent enrollment programs or courses designed to help ELs achieve success in postsecondary education.

## **TITLE IV**

Title IV program narratives have been incorporated into the Alignment of Funds and the Consultation, Equity, and Evaluation sections in the Consolidated Application. There is not a separate Title IV section to complete.

### **Title IV Funding Priorities and Guidance**

The primary purpose of Title IV is to improve students' academic achievement by increasing the capacity of states, districts, schools, and local communities to provide all students with access to well-rounded education, improve school conditions for student learning, and improve the use of technology in order to improve the academic achievement and digital literacy of all students. Every school district must conduct a needs assessment to determine needs to identify intended goals and outcomes of the Title IV programs or activities: Well-rounded education for all students, Supporting Safe and Healthy Students, and Effective Use of Technology. After conducting a needs assessment, districts must target Title IV funds to meet identified needs. Title IV programs or activities must meet evidence-based standards and align to the levels of evidence as required by ESSA. (ESEA section 4108(5)(A), (B)(aa), (F)(ii).

### **Uses of Funds**

#### Well Rounded

Offer well-rounded educational experiences to all students, which may include:

- Increasing student access and improving engagement in high quality courses in STEAM and computer science, music and the arts, foreign languages, accelerated learning programs, American history, environmental education, or other programs that contribute to a well-rounded education
- Reimbursing low-income students to cover parts or all costs of accelerated learning fees
- School counseling: career counseling, training, financial literacy, guidance counseling
- Addressing student attendance and engagement
- Extracurricular engagement: chess clubs, student newsletter, student involvement within school activities
- Accelerated learning programs: accelerated exam expenses, dual credit, student coursework
- Programs and activities that promote volunteerism and community involvement

#### Safe and Healthy Schools

Foster safe, healthy, supportive, and drug free environments that support student academic achievement; which may include:

- School-based mental health services, supplemental counseling
- Drug and violence prevention activities
- Health education/physical education activities and curriculums
- Bullying and harassment prevention programs
- Social Emotional Learning activities and programs

- Bullying and harassment prevention programs Prevention of teen and dating violence, stalking, domestic abuse, and sexual violence and harassment
- Establishing or improving school dropout and reentry programs
- School safety and crisis management activities
- Nursing and e-nursing services

### Educational Technology

Increase access to personalized, rigorous learning experiences supported by technology by providing technical assistance to improve the ability of LEAs to:

- Identify and address technology readiness needs, including infrastructure and access (devices, access to libraries, connectivity, operating systems, software, related network infrastructure, and data security)
- Use technology, consistent with the principles of universal design for learning, to support the learning needs of all students
- Provide educators, school leaders, and administrators with the professional learning tools, devices, content and resources to:
  - Personalize learning
  - Discover, adapt, and share relevant high-quality educational resources
  - Use technology effectively in the classroom
- Provide students in rural, remote, and underserved areas with the resources to take advantage of high-quality digital learning experiences
- Develop or use innovative or evidence-based strategies for the delivery of specialized or rigorous academic courses
- Disseminate promising practices related to technology instruction, data security, and the acquisition and implementation of technology tools and applications
- Implement and support school and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning
- Build technological capacity and infrastructure
- Develop or use effective or innovative strategies for the delivery of specialized or rigorous academic courses through the use of technology
- Carry out blended learning activities (must include ongoing professional development for teachers)
- Provide professional development on the use of technology to enable teachers to increase student achievement in STEAM areas

### **Spending Requirements (For districts with Title IV allocations over \$30,000)**

By checking the box, districts assure they are meeting Title IV spending requirements of:

- at least 20% of Title IV funds on access to, and opportunities for support well-rounded education, and
- at least 20% of Title IV funds on support safe and healthy students, and
- a portion of funds on activities to support the effective use of technology AND of this portion, no more than 15% (cap) can be used on technology infrastructure which includes:
  - Devices
  - Equipment
  - Software applications to address readiness shortfalls
  - Blended learning technology software and platforms
  - Digital instructional resources
  - One-time informational technology purchases

**PLEASE NOTE:** Funds made available under Title IV shall be used to supplement, not supplant, any other federal, state, or local education funds.

Title IV funds are subject to an equitable services requirement. In short, this means districts must reserve funds to provide Title IV services to eligible private school teachers and other educational personnel.

Additional information can be found on the department's [Title IV website](#).

**TITLE IV ED-FLEX WAIVER: COMPLETE THIS SECTION ONLY IF A DISTRICT IS INTERESTED IN INCREASED FLEXIBILITY WITH TITLE IV FUNDS.**

The Title IV, Part A Ed-Flex Waiver provides districts with more flexibility with their Title IV funds. The Ed-Flex program allows State Superintendent Baesler to waive the Title IV Spending requirements and minimum thresholds. Specifically, the following Title IV provisions:

- **Title IV Spending Requirements and Minimum Thresholds** (only applies to **districts with a Title IV allocation of \$30,000 or more**):
  - Districts must spend at least 20% of funds for activities to support well-rounded educational opportunities.
  - Districts must spend at least 20% of funds for activities to support safe and healthy students.
  - Districts must spend a portion of funds for activities to support effective use of technology.
    - **Title IV 15% Technology Cap** (for any district receiving a Title IV allocation): Districts may not spend more than 15% of the funds they use for technology for purchasing technology infrastructure including devices, equipment, software applications, platforms, digital instructional resources and/or other one-time information technology purchases (ESSA §4109(b)).

Districts will provide the following explanations within the Consolidated Application, if they are interested:

- **Rationale:** Explain what you want to do and how a waiver will help you achieve measurable goals that are linked to state and/or local assessments for each school year. Explain how the waiver's overall intent fits into the school and district improvement plans.
- **Impact:** Explain how both the specific population of students and all other students will be affected by the waiver. Describe how you will ensure that students at risk are benefiting from the waiver.
- **Assessment:** Explain how you will annually monitor the effect of the waiver on student learning. Provide the major indicators of student learning and educational performance that you will use.
- **Public Comment:**
  - Provide the public with adequate and efficient notice of the proposed waiver, including a description of any improved student performance that is expected to result from the waiver.
  - Provide the opportunity for parents, educators, school administrators, and all other interested members of the community to comment.
  - Submit the comments received with the application of the school district to NDDPI as appropriate.

## FISCAL GUIDANCE, POLICIES, AND RESOURCES

### Consolidated Application Approval Process

- NDDPI personnel approve Con Apps and use approved applications to determine allowable uses of funds, budget approvals, and future contract amendments.
- Budgets will be created in WebGrants based on estimated allocations, intents to comingle (schoolwide process), and transferability requests, shortly after Con Apps are approved.
- Final allocations are released by the USED.
- Districts receive grant award via WebGrants, and the Authorized Representative must sign before any claims can be paid.

### New Budgeting Process

- Use your strategic plan, estimated allocations, and Federal Title Program guidance to determine budget activities.
- NDDPI recommends using other tools to plan a detailed budget until final allocations are released and official budgets are created in WebGrants.
- Upon approval of the Consolidated Application, budgets will be released with all funds awarded in the unobligated object code (950).
- Once final allocations are released, districts will receive grant awards which must be signed by the Authorized Representative before any claims can be made.
- The new budget form will offer only allowable activities to assist in budgeting practices and will be aligned to standard [object codes](#).
  - Use the guidance for planning purposes. For 2021-2022, there are no changes to allowable activities from 2020-2021.
  - The number of activities will be reduced to offer more generalized categories.
  - Descriptions will be required for all budget line items.
  - Claims cannot be made in object codes that don't have funds.

### Notes Regarding Activities

- The object code for stipends to teachers to attend professional development activities is 110, not 300. Benefits must also be paid when paying stipends (use object code 200).
- If the district has requested an indirect cost rate from the NDDPI Office of School Finance, all indirect costs must be entered in object code 900. Equipment, unobligated funds, and funds not represented in the budget cannot be counted towards indirect costs.
- Use the authorized activity for Indirect Costs for each Title program if you are claiming indirect costs. Also, put the dollar amount in object code 900.
- Districts participating in Title I cooperative agreements must use the fiscal agent's indirect cost rate when calculating indirect amounts.
- Since the department follows NDSFARM, periodicals should be coded to object code 600.
- Unobligated funds must be coded to object code 950 in the district accounting ledgers if the district has unobligated funds coded in the Consolidated Application.

### Tracking Federal Funds Guidance

The [Tracking Federal and Local Funds](#) document provides coding information to assist with tracking funds.

The school district's ledger sheets must match the approved budgets on file at the NDDPI. Every program funding source, whether state or federal, must be tracked separately. When districts submit financial reports to the NDDPI Office of School Finance, it is critical that local and federal expenditures be reported separately so the funding rolls up correctly into the appropriate categories. Under EDGAR and federal law,

the NDDPI is responsible for ensuring that federal funds are expended in the categories in which they were approved. When local and federal funds are combined into one budget, the NDDPI is not able to distinguish how federal funds are spent. The NDDPI staff will monitor school districts for compliance with this requirement during the school year.

The NDDPI has developed guidance outlining the appropriate codes for all programs under ESSA. Districts should reference this guidance as they prepare budgets and begin coding expenditures to specific federal programs.

### Notes Regarding Object Codes

The NDDPI uses the North Dakota School District Financial Accounting and Reporting Manual ([NDSDFARM](#)) to determine the activities that go under each object code. District and school personnel need to review the following chart to familiarize themselves with the activities listed in each object code. School districts cannot claim funds in an object code without an approved budgeted amount. For example, if a school district submits a budget on the application with no funds in travel (object code 500) then decides to send a teacher to a conference, the district must submit a contract amendment and obligate funds into the travel object code (500) before the travel to the conference takes place. If a contract amendment is not submitted, districts jeopardize receiving reimbursement for this activity.

- **Coding Educator Stipends:** School districts can only provide educators with a stipend during non-work times; otherwise, it is considered double-dipping. A stipend to attend after-hour functions, to work on their own time, or attend events during weekends or summertime is appropriate. Schools cannot provide a stipend if staff is already being paid for their time, such as attending a conference during the school year on a weekday.
- **Coding Equipment:** All federal program expenditures that fit the definition of equipment, regardless of the purchase price, should be recorded under object code 700 - Property and Equipment. USED correspondence to the NDDPI states that ALL COMPUTERS (computers, monitors, iPads), TECHNOLOGY RELATED PURCHASES (cameras, iPods, white boards, etc.), and supplemental TITLE I FURNITURE (filing cabinets, bookshelves) should be considered equipment so that they are tracked on an inventory to prevent loss or misplacement (object code 700).
- **Coding Unobligated Funds:** Unobligated set-aside funds should be listed as object code 950 on federal Title program ledgers. Keep in mind, any federal Title program funds listed under object code 950-Unobligated set-aside cannot be expended on this line. To use these funds, the district must submit a contract amendment and move the funds to the appropriate object code based on how the district plans to utilize the funds.

### Explanation of Object Codes

Object Code	Description
110	Certified Personnel – Salaries for certified personnel including: teachers, substitute teachers, stipends to staff for attending workshops that are held after regular school hours.
120	Noncertified Personnel – Salaries for non-certified personnel including: aides, paraprofessionals, bus drivers, secretaries.
200	Employee Benefits – Payments that are not part of gross salary made on behalf of employees; e.g., insurance, Social Security, retirement, unemployment compensation, Workers Compensation, annual leave, sick leave. School districts paying stipends to staff must pay benefits for those stipends.
300	Purchased Professional and Technical Services – Purchased services for which the district has a contract on file including: speaker fees, professional development on site, auditors, consultants, etc.
400	Purchased Property Services – Repair of Equipment.

Object Code	Description
500	Other Purchased Services – Expenses for transportation including mileage, meals, lodging, airfare, taxi fares, etc. Travel expenses for teachers that are working to become highly qualified, (e.g., mileage, meals, and lodging expenses to attend classes). Travel (transportation) for students to attend student activities (such as Title I summer school or after school programs).
600	Supplies and Materials – Expendable items that are consumed, worn out, or deteriorated in use, freight, books, school supplies, periodicals/subscriptions, software, software applications, food for parental involvement activities, snacks for after school programs, etc.
700	Property & Equipment – Document cameras, iPods, iPads, computers, printers, e-readers, monitors, white boards, smart boards, hard drives, etc. These items must be tagged as being purchased with Title I funds. Exception: Computers are <u>always</u> coded as equipment, even those with a purchase price under \$750.
800	Other Objects – Registration fees for Title I staff to attend workshops. Registration fees, tuition, books for teachers. Cost to have portfolios reviewed. Cost to complete Praxis tests. Licensing fees.
900	Other Use of Funds – Indirect costs are calculated by taking your total approved budget and subtracting any funds listed on the unobligated line and the equipment (object code 700). After you have subtracted the amount you plan to spend on equipment and the amount set aside as unobligated, you multiply the difference by the indirect cost rate. This equals the maximum allowed for indirect cost. Please Note: *Indirect costs cannot be claimed for reimbursement until the end of the fiscal year. This information is reflected on the Final Financial Report. Indirect costs are figured again at the end of the year and the maximum indirect costs are only paid based on your total expenditures less the funds listed on the unobligated line and the 700-equipment line. *School districts participating in a cooperative agreement must use the <u>fiscal agent's indirect cost rates</u> for Title I purposes.
950	Unobligated – Costs for funds available but not obligated into the district budget can be coded to object code 950. (This includes undetermined costs for schools or districts currently in program improvement.) This object code is to be used only to budget these unobligated funds and should not appear as an expenditure code. Before the unobligated funds are spent, the district must submit an electronic budget revision and adjust the budget to move these funds into the appropriate object codes listed above.

### General Fiscal Reminders

- Once the Consolidated Application has been approved, NDDPI staff will enter the grant information into WebGrants, and grant awards will be issued. Further information will be provided with district approval notices.
- All Federal Title funds are paid to school districts on a reimbursement basis only.
- All expenditures must fall within the grant award period listed on the official grant award.
- Requests for funds (claims) and budget revisions (contract amendments) will be completed in WebGrants. Further guidance will be provided with district approval notices.
- It is imperative that the accounting ledgers kept at the school district's fiscal office match the approved budget.
- Make claims throughout the grant period.
  - Best budgeting practices: at a minimum, twice a year or quarterly
  - Dates of the reporting period of expenditures should be the actual dates in which expenditures were incurred
  - Money does not exist forever; pay special attention to the duration for each grant
- End-of-Year processes have changed in WebGrants:
  - Final Claim is made once all dollars are expended, and the grant has a \$0 balance
  - Detailed ledgers are required to be uploaded with each claim, including the final claim
  - Districts with required set-asides must complete assigned Set-Aside Reports
  - Title I: 15% Waiver for Excess Funds (available once every three years)
  - Title IV: Funds need to stay in the "bucket" in which it was originally budgeted for each program year

## Contract Amendments

- All Federal Title programs contract amendments must be submitted through WebGrants.
- Districts that submit a contract amendment must provide a description of why the revision is needed and receive approval by NDDPI staff before the revision is implemented by the district.
- Business managers must take the approved contract amendments they receive from the NDDPI and change the district's accounting ledgers to match the approved budget. Failure to do this will result in an audit exception, which could jeopardize Federal Title funding and reimbursement. School districts can amend federal program budgets by board approval during the school year (NDCC 57-15-31.1).

## Key Reminders

- Full-day Kindergarten: Beginning in 2007-2008, the North Dakota Legislature appropriated funds to support full-day kindergarten programming. Therefore, districts may not use their Title I dollars to fund a full day kindergarten program.
- Early Childhood Title I: There continues to be an increase in the number of districts using federal funds for a pre-kindergarten program. If the district operates a federally-paid pre-kindergarten program, it is imperative that the district review the [Early Childhood Title I](#) webpage.
- PowerSchool: Section 15.1-07-33 of the North Dakota Century Code states that each school district shall acquire PowerSchool through the Information Technology Department and use it as its principal student information system. Funds for this are incorporated into each district's state aid payment; therefore, federal funds cannot be used for this expense.
- Student Performance Strategist: During the 2010-2011 school year, the North Dakota Legislature appropriated funding for and mandated that each district have one (1) full FTE "student performance strategist" for every 400 K-3 students. This position requires a North Dakota teaching license. The codes assigned for this position should be reported as 65-122-00097. Since this requirement is in state law, districts cannot use federally paid staff to meet this requirement, as that would be supplanting. Small districts may need to work collaboratively with other districts or their REA to share a student performance strategist.
- Summer School: Each biennium, the North Dakota Legislature provides funding through the state aid payment for summer school. Starting June 1, 2021, all K-12 students are eligible for state-funded summer school regardless of their academic status. Review additional guidance on the [Summer School](#) webpage.
- Districts using federal funds for summer school must ensure the federal summer school program is at a separate time than the state-funded summer school program or that a federal summer school program builds on or adds to a state-funded program for Title I students.

## QUESTIONS

Several offices within the NDDPI oversee Federal Title programs and the Consolidated Application process. To streamline technical assistance, the chart below outlines department staff and their expertise for each federal program. Please reach out with any questions to the contacts below.

Topic Area	NDDPI Contact	Contact Information
General Information; Federal Title Programs	Lauri Nord, Program Administrator	<a href="mailto:lnord@nd.gov">lnord@nd.gov</a> 328-2282
General Information; Federal Title Programs; Homeless	Amanda Peterson, Director	<a href="mailto:amandapeterson@nd.gov">amandapeterson@nd.gov</a> 328-3545
Title I, General Information	Jacalyn Hendrickson, Fiscal Officer	<a href="mailto:jlhendrickson@nd.gov">jlhendrickson@nd.gov</a> 328-2958
Title I, Targeted Assistance; ND Ombudsman	Stefanie Two Crow, Asst. Director	<a href="mailto:stwocrow@nd.gov">stwocrow@nd.gov</a> 328-2287
Title I, Early Childhood; Head Start	Carolyn Kueber, Program Administrator	<a href="mailto:cjkueber@nd.gov">cjkueber@nd.gov</a> 328-1640
Title I, Schoolwide; Foster Care	Michelle Koepplin, Program Administrator	<a href="mailto:mlkoepplin@nd.gov">mlkoepplin@nd.gov</a> 328-3544
Title II, General Information	Jane Gratz, Fiscal Officer	<a href="mailto:jmgratz@nd.gov">jmgratz@nd.gov</a> 328-2292
Title II, Program Information; Transfer	Ann Ellefson, Director	<a href="mailto:aellefson@nd.gov">aellefson@nd.gov</a> 328-2488
Title II, Program Information	Brenda Ehrmantraut, Asst. Director	<a href="mailto:blehrmantraut@nd.gov">blehrmantraut@nd.gov</a> 328-1809
Title II, Program Information	Davonne Eldredge, Asst. Director	<a href="mailto:deldredge@nd.gov">deldredge@nd.gov</a> 328-4525
Title II, Program Information	Taylor Crosby, Program Administrator	<a href="mailto:tlcrosby@nd.gov">tlcrosby@nd.gov</a> 328-2629
Title III, General Information	Cami Bauman, Fiscal Officer	<a href="mailto:crbauman@nd.gov">crbauman@nd.gov</a> 328-2254
Title III, Program Information	Lodee Arnold, Asst. Director	<a href="mailto:laarnold@nd.gov">laarnold@nd.gov</a> 328-1876
Title IV, General Information	Deb Pilon, Fiscal Officer	<a href="mailto:dpilon@nd.gov">dpilon@nd.gov</a> 328-2753
Title IV, Program Information	Robin Lang, Asst. Director	<a href="mailto:roclang@nd.gov">roclang@nd.gov</a> 328-2265