



NORTH DAKOTA DEPARTMENT OF **PUBLIC INSTRUCTION**

Title III Program Guidance

English Language Learners in North Dakota
Office of Indian/Multicultural Education
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Purpose

The purposes of Title III funds are to:

- Ensure children who are English learners (EL), including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English;
- Assist all ELs, including immigrant children and youth, to achieve at high levels in academic subjects so all ELs can meet the same challenging state academic standards all children are expected to meet;
- Assist teachers (including preschool teachers), principals, other school leaders, and state educational agencies (SEAs) and local educational agencies (LEAs), and schools in establishing, implementing, and sustaining effective language instruction educational programs (LIEP) designed to assist in teaching ELs, including immigrant children and youth;
- Assist SEAs and LEAs to develop and enhance their capacity to provide effective instructional programs designed to prepare ELs, including immigrant children and youth, to enter all-English instructional settings; and
- Promote parental, family, and community participation in LIEPs for the parents, families, and communities of ELs.

The purposes of the Title III Subgrants are to:

- Develop and implement new LIEPs and academic content instructional programs for ELs and immigrant children and youth, including early childhood education programs, elementary school programs, and secondary school programs;
- Carry out highly focused, innovative, locally designed activities to expand or enhance existing LIEPs and academic content instructional programs for EL's and immigrant children and youth;
- Implement, within an individual school, schoolwide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to LIEPs and academic content instruction for ELs and immigrant children and youth; and
- Implement, within the entire jurisdiction of an LEA, agencywide programs for restructuring, reforming, and upgrading all relevant programs, activities and operations relating to LIEPs and academic content instruction for ELs and immigrant children and youth.

Application Process

Title III subgrants require a \$10,000 minimum award for each eligible entity. This requires an EL enrollment large enough to generate the minimum \$10,000 grant. The minimum EL enrollment has been around 129-147 EL students. The minimum applies to single districts applying independently or multiple districts applying jointly as a consortium or cooperative (co-op). To apply for funds:

All districts (including consortia districts) must

- Submit the district's **Intent to Apply** each year in WebGrants indicating interest in applying for Federal Title III funds. This intent has three options for Title III. Be sure to select the appropriate option to avoid having to correct and re-submit the intent. The options are:
 - a. To apply as an individual district,
 - b. To apply with a consortium – the district would like to apply together with other districts in a consortium or coop, or

- c. Not interested in applying for Title III funds.

Fiscal agents of applying entities must:

- Complete and submit the consolidated application each year by the last business day in August. The consolidated application includes:
 - a. A description of the effective programs and activities to be developed, implemented, and/or administered using Title III funds
 - b. A description of how the entity will assist English learners in achieving English language proficiency and meeting state academic standards
 - c. A description of how the entity will promote family engagement
 - d. A description of how the investment of Title III funds will address the long-term outcomes of the state strategic vision framework
 - e. A description of how the investment of Title III funds aligns to the local strategy map.
 - f. A detailed budget with narratives describing how the activities supplement other local, state, and federal funds.
 - g. Assurances that all participating districts will comply with State and Federal laws associated with the education of English learners.
- If applying as a consortium, submit all consortium forms to the NDDPI. The NDDPI will only accept intents and agreements from the fiscal agent(designee) of a consortium/co-op

Districts applying with a consortium/cooperative must:

- Complete the **consortium/co-op agreement**,
- Submit the agreement to the consortium/co-op fiscal agent or designee, and

Fiscal agents of consortia must:

- Show evidence of collaboration and discussion with member LEAs. Evidence could include the following:
 - a. Meeting minutes
 - b. Written plan with signatures
 - c. Other forms of collaboration documentation
- Ensure the consolidated application addresses all members and programs
- Coordinate Title III activities, plans, and budgets for all members/districts
- Submit the end of the year report(s).
- Disseminate funds in one of the following ways:
 - a. Coordinate all activities in one plan and submit a budget and plan as a group;
 - b. Disseminate funds to eligible school districts, based on student counts and oversee each eligible school district's plan and budget, and submit the plans and budgets as a group; or
 - c. A combination of options 1 and 2, coordinating some funds and disseminating others.

Grantees must assure Title III funds are used to supplement activities that are the responsibility of the SEA and LEA and not supplant funds or activities. Specifically, providing a core LIEP for all English

learners is the responsibility of all school districts receiving **ANY** Federal funds. Only school districts with a core EL program are eligible for Title III funds. Further EL guidance is available through the [Office of English Language Acquisition \(OELA\)](#) within the U.S. Department of Education (USDE).

Under the Tydings Amendment, Section 421(B) of the General Education Provisions Act, Title III funds are available for obligation for 27 months. For example, funds granted in 2019-2020 (available on July 1, 2019) must be obligated no later than September 30, 2021.

- The NDDPI requires each grant to close out at the end of each fiscal year but allows carryover through the 27 months.
- Any funds not spent or requested for reimbursement at the end of the 27-month period will be forfeited.
- The unspent funds will be reallocated to other Title III LEAs based on the federal formula.
- Grantees that forfeit funds are not be eligible to apply for the reallocated funds.

Title III Use of Funds

Title III funds must be used to support instructional programs and professional development activities as outlined in Title III legislation. Up to two percent of the Title III allocation can be used for administering the program.

Required Subgrantee Activities

An eligible entity must use the Title III funds:

- To increase the English language proficiency (ELP) of ELs by providing effective LIEPs that meet the needs of ELs and demonstrate successes in increasing ELP and student academic achievement
- To provide effective professional development to classroom teachers, principals, other school leaders, administrators, and other school or community-based organizational personnel that is:
 - a. Designed to improve the instruction and assessment of ELs;
 - b. Designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for ELs;
 - c. Effective in increasing children's ELP or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers
 - d. Of sufficient intensity and duration (which shall not include activities such as one day or short-term workshops and conferences) to have a positive and lasting impact on the teachers' performance in the classroom, except this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher's supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any LEA employing the teacher, as appropriate
- To provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for ELs which:
 - a. Shall include parent, family, and community engagement activities
 - b. May include strategies that serve to coordinate and align related programs

Instructional Program

All schools, including those receiving Title III funds, must provide high-quality LIEPs that are effective in increasing English proficiency and student academic achievement in the core academic subjects. The points to remember regarding the LIEP are:

- EL services and programs must be educationally sound in theory and effective in practice.
- EL programs must be designed to provide the opportunity for ELs to attain both English proficiency and parity of participation in the standard instructional program within a reasonable length of time.
- LEAs must offer EL services and programs, until ELs are proficient in English and can participate meaningfully in educational programs without EL support.
- Additionally, LEAs must provide appropriate special education services to ELs with disabilities who are found to be eligible for special education and related services.

Professional Development

Schools are required to provide effective professional development to **all** classroom teachers, EL teachers, principals, administrators, and other school or community-based organizational personnel. The professional development must be:

- Designed to improve the instruction and assessment of EL students;
- Designed to enhance the ability of teachers to understand and use curricula, assessment measures, and instructional strategies for EL students;
- Based on effective instructional practices to increase children's English proficiency, or substantially increase the subject matter knowledge, teaching knowledge, and teaching skills of teachers; and
- Of sufficient intensity and duration to have a positive and lasting impact on the teachers' performance in the classroom (excluding activities such as one-day or short-term workshops and conferences unless the activity is a component of an established comprehensive professional development program for an individual teacher).

Professional development activities meeting Title III requirements must be a part of the district's or consortium's professional development plan and included in the Consolidated Application.

Grantees are to report in the MIS01 Fall Report on the professional development topics, as well as the participation of general education teachers, EL teachers, principals, other administrators, other school personnel, and community-based organization personnel. This is requested from grantees in the fall following each completed grant cycle.

Private School Participation

Schools must conduct a timely and meaningful consultation with the private schools within their school district boundaries. If private schools choose to participate in Title III, the entities must work together to determine how they will provide support to ELs and/or staff working with EL students. All services (consultation, professional development, and student services) must be agreed upon and funded directly by the grantee (funds cannot be transferred to the private school). The support must be minimally equivalent to the allocation generated for private school students.

Although not allowable for public school students, funds may be used to identify, screen, and annually assess the English language proficiency of private school students.

Program Evaluation and Reporting

Grantees receiving a Title III subgrant must provide fiscal and performance information to the NDDPI along with student data. School districts must provide information on the expenditure of funds, including the extent to which each consortia member benefited from those expenditures, total expenditures amount of carryover, and reallocation.

School districts must report on children and youth enrolled in a program or activity supported by Title III funds, including children who:

- Are making progress in attaining English proficiency;
- Are reclassified as fully English language proficient; and
- Are meeting the same challenging state academic content and student academic achievement standards as all other children and youth.

These data are reported through the ND STARS.

Family Engagement

LEAs using Title III funds to provide an LIEP must implement an effective means of outreach to families of EL children. LEAs must collaborate with parents/guardians to support how they can be active participants in assisting their children to learn English, achieve at high levels in core academic subjects, and meet challenging state standards.

School districts accepting Title III funds must inform parents of:

- The reasons for identifying their child as being EL and for placing their child in a language instruction educational program for EL students
- The child's level of English proficiency, including how the level was assessed and the status of the child's academic achievement
- The method of instruction that will be used in the program, including a description of other alternative programs
- How the program will meet the educational strengths and needs of the child
- How the program will help the child learn English and meet academic achievement standards
- The program exit requirements, including the expected rate of transition and the expected rate of graduation from secondary school
- How the program will meet the objectives of an individualized education program for a child with a disability
- Their rights, including written guidance that:
 - a) Specifies the rights of parents to have the child immediately removed from a language instruction educational program upon their request
 - b) Describes the options parents have to decline enrollment of their child in a program or to choose another program or method of instruction, if available
 - c) Assists parents in selecting among various programs and methods of instruction, if more than one program or method is offered

The required notices described must be (to the extent practicable) in a format and/or language the parent can understand. This does not necessarily mean all forms must be translated. The NDDPI encourages districts to ask parents how they would like to receive information.

LEAs must inform parents of a child identified for participation in an EL program supported by Title III no later than 30 days after the beginning of the school year. For a child who enters school after the beginning of the school year, the LEA must inform parents within two weeks of the child's placement in such a program.

Allowable Title III Activities

Instructional Services (these **MUST** be in addition to the CORE EL INSTRUCTION already occurring in the school)

- Licensed EL or bilingual teachers who provide supplementary EL services
- Para-educators that provide supplementary EL services
- Travel costs for itinerant teachers/consultants to provide supplementary EL services

Professional Development

- Consultant/registration fees
- Travel for conferences and workshops
- Training materials
- Training for all educators in a consortium or district on effective methods for ELD instruction and assessment

Parent Involvement

- Parent meetings
- Parent training and involvement for all parents in a consortium or district
- Home-school liaison or parental involvement activities as long as the activities support the required activities of instruction and professional development. These activities must play a supportive role in the program plan and budget and not be the primary focus.

Supplies/Materials

- Additional EL curriculum materials to **enhance** the core curriculum
- Additional computer assisted EL instructional materials beyond the core ELD curriculum

Activities Not Allowable Under Title III

- Activities and materials provided for the core language instruction education program.
- EL Teachers providing the core LIEP instruction.
- Supplies, materials, and/or equipment the district has provided with local funds for other classrooms or programs.
- Non-instructional based activities that have the primary intention of providing social or psychological treatment for students and families.

- Costs associated with the English language proficiency screener or annual assessment for public school students.

How is a Title III EL teacher different from a core EL program teacher?

A Title III EL teacher must provide supplementary EL services. The Title III funded teacher may:

- Provide additional instruction in EL strategies for high need students
- Serve as a resource or coach for EL and/or mainstream teachers
- Provide assistance in assessing students (the school must show assessment could be done without the additional assistance)
- Provide EL support to content area teachers in a team teaching or sheltered instruction model
- Develop curriculum and/or materials
- Provide before or after school supplemental language support for EL students

The Title III funded teacher may not:

- Be the EL teacher responsible for the Individual Language Plan (ILP) for students
- Be reported as the Plan Manager on the (State Automated Reporting System) for students
- Provide the primary EL instruction and coordinate services for the students
- Be the only test administrator of EL assessments for students

Contact Information

For clarification or more information about Title III or EL Programs in North Dakota, please contact the [EL Program Office](#) 701-328-2254.