



***English Learner Education
Program Guidelines***

TITLE III

TITLE III

Frequently Asked Questions

1. Is every district eligible for Title III funds?

No. A district must generate a minimum of \$10,000 to be eligible for Title III funds. Allocations to districts are calculated on the basis of English learner (EL) counts in the district and the size of the Title III award to Minnesota, which varies from year to year. The 2010-11 per pupil funding unit was about \$100, so a school district must have 100 ELs to be eligible. Districts that don't meet the eligibility requirement may form a consortium to meet the \$10,000 minimum requirement in order to qualify.

2. Are there accountability requirements if a district accepts Title III funds?

Yes. Each participating district must submit annual reports using the MDE form on how it implements comprehensive language instruction educational programs. In addition, meeting annual measurable achievement objectives (AMAO) targets is a key requirement of Title III funding. Consequences will be applied if a district/consortium does not meet the AMAO goals for 2 consecutive years and 4 consecutive years. ([For information about AMAO goals](#), see pages 3-4.)

3. Are the Title III funds not accessed by the districts returned to the Federal government?

No. The unclaimed funds will be reallocated to participating school districts in the spring based on the October 1 LEP counts of the current school year. ([For information about reallocation and carryover of funds](#), see page 7.)

4. Is every Title III eligible district qualified for immigrant funds?

No. Allocations of Title III funds are based strictly on the district's EL counts. Immigrant funds, however, are specifically targeted for districts that experience a significant increase of immigrant students. ([For information about eligibility and allocation of immigrant funds](#), see pages 7-9)

5. Are all ELs included in the immigrant count?

No. Only a student who meets the definition of an immigrant child counts. An immigrant child is defined as a child who 1) is between the ages of 3 to 21; 2) was born outside of the United States; and 3) has attended K-12 public and non-public schools, from February 1 through March 1 of the year when the count is taken, in the United States for less than three full academic years. These students include foreign exchange students and students who accompany their families on international business and diplomatic missions.

6. Does a district need to apply in order to access Title III funds?

Yes. Eligible individual districts and consortia must submit a Title III application online as part of the SERVS ESEA Consolidated Application to access the funds each year. In addition, consortia must also submit a Notice of Intent to Apply. However, districts that are qualified for immigrant funds must submit a separate application.

Overview of Chapter

Title III, a component of the No Child Left Behind Act of 2001, is another source of funding to supplement the resources of a local education agency (LEA) in providing quality education to English learners (ELs) and immigrant students. The purpose of the Title III program is to ensure that ELs and immigrant students attain English proficiency in order to fully access the curriculum taught in English and improve academic achievement in the core academic subjects. To achieve this goal, districts receiving Title III funds are to provide high-quality language instruction educational programs for ELs and immigrant students and high-quality professional development activities to ESL and Bilingual Education (BE) staff, as well as mainstream staff. Programs should be based on scientific research. This chapter discusses Title III's legislative intent, programmatic components, accountability measures, reporting requirements, and how districts may access the funds.

Language Instruction Educational Program

Title III funds must be used to improve the education of EL children and immigrant youth, by assisting the children to learn English and meet challenging State academic content and student academic achievement standards. To achieve this goal, the district must develop a language instruction educational program (LIEP) that uses approaches and methodologies grounded in scientifically based research on teaching EL and immigrant children and youth, include:

1. Developing and implementing new language instruction educational programs and academic content instruction programs, including programs of early childhood education, elementary school programs, and secondary school programs.
2. Carrying out highly focused, innovative, locally designed activities to expand or enhance existing language instruction educational programs and academic content instruction programs.
3. Implementing, within an individual school, schoolwide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction.
4. Implementing, within the entire jurisdiction of a local school district, agency-wide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction.

Authorized activities under the language instruction educational program include:

1. Upgrading program objectives and effective instruction strategies.
2. Improving the instruction program for ELs by identifying, acquiring, and upgrading curricula, instruction materials, educational software, and assessment procedures.
3. Providing tutorials and academic or vocational education and intensified instruction.
4. Developing and implementing elementary or secondary language instruction educational programs that are coordinated with other relevant programs and services.
5. Improving the English proficiency and academic achievement of ELs.
6. Providing community participation programs, family literacy services, and parent outreach and training activities to ELs and their families to improve the English language skills of ELs, and to assist parents in helping their children to improve their academic achievement and becoming active participants in the education of their children.

7. Improving the instruction of ELs by providing for the acquisition or development of educational technology or instructional materials; access to, or participation in, electronic networks for materials, training, and communication, and incorporation of such resources into curricula and programs such as those funded by this program.

In addition, the district must use Title III funds to provide high-quality professional development to ESL/BE and mainstream classroom teachers, principals, administrators, and other school or community-based organization personnel. These professional development activities must be:

1. Designed to improve the instruction and assessment of ELs.
2. Designed to enhance the ability of such teachers to understand and use curricula, assessment measures, and instruction strategies for ELs.
3. Based on scientifically based research demonstrating the effectiveness of the professional development in increasing children's English proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers.
4. 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.

Additionally, Title III requires that teachers and paraprofessionals assigned to conduct classroom instruction be fluent in English and any other language(s) used for instruction, including having written and oral communication skills.

Program Assessment

MDE submitted to the U.S. Department of Education a plan that describes annual measurable achievement objectives (AMAO) to assess the development and attainment of English proficiency (in reading, writing, listening, speaking and comprehension) and challenging State academic content and student academic achievement standards of the ELs in districts that receive Title III funds. ELs, based on the length of time in Minnesota schools, are organized into three cohorts, 0-2.99 years; 3-5.99 years; and 6+ years. The AMAO establish performance goals each Title III district and consortium is expected to meet as follows:

1. At a minimum, simple annual increases in the number or percentage of children making progress in learning English.
2. At a minimum, annual increases in the number or percentage of children attaining English proficiency by the end of each school year.
3. Adequate yearly progress for ELs in math and in reading/language arts.

The English language proficiency is assessed by the ACCESS for ELLs. The AYP in math and reading/language arts is measured by MCA. Since MDE maintains a database of the assessment data of all ELs in the state, it does not require districts to supply the assessment data needed for calculations in determining whether or not a district meets the expected goal.

To satisfy the NCLB requirements, a district must meet the AMAO goals in:

1. Each of the 3 cohorts under progress in English proficiency.
2. Each of the 3 cohorts under attainment of English proficiency.
3. The LEP subgroup for AYP at the district level under in math and reading.

The annual AMAO goals for the 3 cohorts under progress in English proficiency a district and consortium must be at or above between 2004 and 2014 are as follows:

Year	03-04	04-05	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14
Cohort A	62.32	64.12	65.92	67.73	69.53	71.34	73.14	74.94	76.75	78.55	80.36
Cohort B	67.01	68.22	69.43	70.63	71.84	73.05	74.25	75.46	76.67	77.88	79.08
Cohort C	64.49	65.17	65.85	66.53	67.21	67.89	68.57	69.26	69.94	70.62	71.30

The annual AMAO goals for the 3 cohorts under attainment of English proficiency a district and consortium must be at or above between 2004 and 2014 are as follows:

Year	03-04	04-05	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14
Cohort A	.82	1.26	1.69	2.13	2.57	3.01	3.44	3.88	4.32	4.76	5.19
Cohort B	1.86	2.32	2.78	3.24	3.70	4.17	4.63	5.09	5.55	6.01	6.47
Cohort C	1.49	2.13	2.76	3.40	4.04	4.67	5.31	5.94	6.58	7.21	7.85

A district must have at least 20 ELs in a cohort to register a score for that cohort under language proficiency, and 40 ELs in a cohort under AYP. ELs new to the country, according to their official designation in the Minnesota automated Reporting Student System (MARRS), are not included in calculations of proficiency for any subgroup. However, they are included in the participation calculation. In addition, former ELs, who were LEP identified in MARRS in any of the two years prior to the year of assessment, are included in the calculations of AYP in math and reading/language arts.

However, AMAO calculation under language proficiency for consortia is done collectively at the consortium level, but the AYP calculation is done individually at the district level, just like Title I.

Consequences

MDE holds school districts receiving Title III funds accountable for meeting the AMAO goals, including making adequate yearly progress for ELs. If MDE determines, based on the annual measurable achievement objectives, that a school district has failed to meet such objectives for two consecutive years, the department will require the district to develop an improvement plan that will ensure that the district meets such objectives. The improvement plan needs to specifically address the factors that prevented the district from achieving such objectives.

During the development of the improvement plan and throughout its implementation, MDE will:

1. Provide technical assistance to the district.
2. Provide technical assistance, if applicable, to schools served by the district that need assistance to enable the schools to meet the annual measurable achievement objectives.
3. Develop, in consultation with the district, professional development strategies and activities, based on scientifically based research, that the agency will use to meet such objectives.
4. Require the district to utilize such strategies and activities.
5. Develop, in consultation with the district, a plan to incorporate strategies and methodologies, based on scientifically based research, to improve the specific program or method of instruction provided to limited English proficient children.

Furthermore, if MDE finds that the district has failed to meet the AMAO goals for four consecutive years, the department will:

1. Require the district to modify its curriculum, program, and method of instruction.
- OR**
2. Make a determination whether the district will continue to receive funds related to its failure to meet such objectives.
 3. Require the district to replace educational personnel relevant to its failure to meet such objectives.

Parent Participation and Notification

School districts receiving Title III funds must, not later than 30 days after the beginning of the school year, inform the parents of an EL identified for participation, or participating, in such program of:

1. The reasons for the identification of their child as limited English proficient and in need of placement in a language instruction educational program.
2. The child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement.
3. The method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction.
4. How the program in which their child is, or will be participating will meet the educational strengths and needs of the child.
5. How such program will specifically help their child learn English, and meet age appropriate academic achievement standards for grade promotion and graduation.
6. The specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for ELs, and the expected rate of graduation from secondary school for such program if funds under this title are used for children in secondary schools; districts with fewer than 20 EL graduates should exercise caution in reporting graduation rates in order to protect the student's privacy.
7. In the case of a child with a disability, how such program meets the objectives of the individualized education program of the child.
8. Information pertaining to parental rights that includes written guidance regarding their right to have their child immediately removed from such program upon their request; and the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and assistance by the school provided to parents in selecting among various programs and methods of instruction offered in the district.

MDE has developed parent notification letters and related forms in six languages that districts may use to communicate with the parents. [View parent notification samples and related forms](http://education.state.mn.us/mde/index.html) (<http://education.state.mn.us/mde/index.html>).

In addition, districts that have failed to meet AMAOs for any fiscal year need to inform the parents of ELs participating in the language instruction educational program under Title III of the failure not later than 30 days after such failure occurs. The information provided to the parents

must be in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand. Further, for a child who has not been identified for participation in a language instruction educational program prior to the beginning of the school year, the district must communicate to the parents of the child all of the information described in the preceding paragraph within two weeks after the child being placed in such a program.

Title III also requires school districts to implement an effective means of outreach to parents of ELs in informing the parents of how they can be involved in the education of their children; and be active participants in assisting their children to learn English, to achieve at high levels in core academic subjects, and to meet the same challenging State academic content and student academic achievement standards as all children are expected to meet. The outreach activities will include holding, and sending notice of opportunities for regular meetings for the purpose of formulating and responding to recommendations from parents.

Funding

The federal government awards Title III grants to states based on their respective EL and immigrant student enrollments, and the states, in turn, distribute the funds to local school districts based on their EL enrollments and immigrant counts. The state must set aside a certain percentage of the grant for districts highly impacted by a significant increase of immigrant children and allocate the remaining funds to eligible districts. In order to be eligible for Title III funds, a school district must generate a minimum of \$10,000. Eligible individual districts submit their applications online as part of the State Educational Record View and Submission (SERVS) ESEA Consolidated Application. [Access SERVS](http://education.state.mn.us/MDE/SchSup/DataSubLogin/SERVS/index.html) (<http://education.state.mn.us/MDE/SchSup/DataSubLogin/SERVS/index.html>).

A district that does not meet the threshold may join other districts and form a consortium to reach the \$10,000 requirement in order to apply for funding. Consortium districts follow a different process. They must file a Notice of Intent to Apply with MDE in the spring. The fiscal host of the consortium is responsible for coordinating and preparing the application to submit to MDE. Districts that apply as a consortium must truly operate as a consortium. Consortium applications treat the EL population from each district as one population and plan programs and activities as one entity. Because professional development is a requirement under Title III, consortia have found that Title III plans which support professional development for ESL and mainstream teachers work well.

To apply as a consortium, the fiscal host together with all member districts must submit the form "Intent to Form a Consortium" (ED-02311). This form is available with the consolidated application of the ESEA Title programs and is due at the end of each school year. The fiscal host, in cooperation with all member districts, is then invited to complete the "Title III Consortium application" online as part of the SERVS ESEA Consolidated Application. All funds for the consortium are to be managed by the fiscal host.

The program requirements for consortia are the same as under Title III for individual districts.

Reallocation of Funds

Unclaimed funds including the current year's money not claimed by districts with an award less than \$10,000 will be distributed **only** to participating districts and consortia of the current year.

Funds will be distributed to participating districts based on their EL count. Funds will be distributed on the same time table as Title I. Districts may write for reallocated funds during the Title I addendum period, usually in March and/or April each year.

Carryover Funds and Eligibility

A district or consortium is eligible for Title III funds in any given year if the district or consortium meets the minimum of generating \$10,000 or more based solely on its per pupil allocation in that same year. In other words, for purposes of eligibility, carryover from a previous year is not counted toward the \$10,000 minimum required to make a district or consortium eligible. The unclaimed funds from districts or consortia in this situation will be reallocated as described above.

Eligible districts or consortia must prepare an application, which includes the following:

1. Description of the programs and activities proposed to be developed, implemented, and administered.
2. Description of how the eligible entity will use the subgranted funds to meet all annual measurable achievement objectives.
3. Description of how the eligible entity will hold elementary schools and secondary schools receiving Title III funds accountable for —
 - (A) Meeting the annual measurable achievement objectives.
 - (B) Making adequate yearly progress for ELs.
 - (C) Annually measuring the English proficiency of ELs.
4. Describe how the eligible entity will promote parental and community participation in programs for ELs.
5. Contain an assurance that the district consulted with teachers, researchers, school administrators, and parents, and, if appropriate, with education-related community groups and nonprofit organizations, and institutions of higher education, in developing such plan.
6. Describe how language instruction educational programs will ensure that ELs develop English proficiency.

Title III for Immigrants

Each year MDE reserves three percent of the total state Title III award, after administrative set-asides, for districts significantly impacted by immigrants. MDE annually collects the number of immigrant children and youth as defined by Section 3301(6) of Title III. The information is used each year by the MDE to determine each local educational agency's eligibility and allocation for the Title III, Part A Immigrant Education program.

An immigrant student is defined as a student who:

1. Is between the ages of 3 to 21.
2. Was born outside the United States.
3. Has not been attending one or more schools in any one or more States for more than three full academic years.
4. Was enrolled in the district anytime in the month of February in the year counted.

These students include foreign exchange students and students who accompany their families on international business and diplomatic mission, if they meet the definition of immigrant student.

Students born in Puerto Rico, the District of Columbia, Guam, American Samoa, the U.S. Virgin Islands, the Northern Mariana Islands or the Trust Territory of the Pacific Islands **may not** be counted as immigrants. Students from the Marshall Islands, the Federated States of Micronesia and the Republic of Palau **are** to be considered immigrants.

Districts are eligible for Title III immigrant funds based on the following:

- Five percent increase of immigrant students during the previous two years.
- 150 immigrant students during the current school year.

MDE informs eligible districts in annually to submit an application in order to access the funds. In addition, all districts must submit to MDE a Title III immigrant student counts report in the spring of each year.

Eligible districts must prepare an application, which describes how the district will address the unique needs of the immigrants in any of the following activities:

1. Family literacy, parent outreach, and training activities designed to assist parents to become active participants in the education of their children.
2. Support for personnel, including teacher aides who have been specifically trained or are being trained, to provide services to immigrant children.
3. Provision of tutorial, mentoring, and academic or career counseling for immigrant children.
4. Identification and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with funds.
5. Basic instruction services to immigrant children and youth, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instruction services.
6. Other instruction services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education.
7. Activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents of immigrant children and youth by offering comprehensive community services.

General Operating Timeline for Title III

	Notice of Intent to Form a Consortium	Immigrant Counts Report	Immigrant Application	ESEA Consolidated Application	Addendum to Application	Annual Program Evaluation
District (individual)	N/A ➡	Due in April ➡ of the current school year	Due in June ➡ for the following school year	Due in June ➡ for the following school year	Due in April ➡ of the current school year	Due on June 16 of the current school year
Consortium	Due in June ➡ for the following school year	N/A ➡	N/A ➡	Due in June ➡ for the following school year	Due in April ➡ of the current school year	Due on June 16 of the current school year

Minnesota Department of Education English Learner Education Contacts

Questions may be directed to:

Leigh Schleicher	English Learner Education Supervisor	651-582-8326 leigh.schleicher@state.mn.us
Anh Tran	English Learner Education Specialist	651-582-8508 anh.tran@state.mn.us
Ruslana Westerlund	English Learner Education Specialist	651-582-8574 ruslana.westerlund@state.mn.us

Related Federal Law

Below are links related to Title III on the U.S. Department of Education website:

- [Elementary and Secondary Education Title III – Language Instruction for Limited English Proficient and Immigrant Students](http://www2.ed.gov/policy/elsec/leg/esea02/pg39.html)
(<http://www2.ed.gov/policy/elsec/leg/esea02/pg39.html>)
- [SEC. 3115. SUBGRANTS TO ELIGIBLE ENTITIES](http://www2.ed.gov/policy/elsec/leg/esea02/pg41.html#sec3115)
(<http://www2.ed.gov/policy/elsec/leg/esea02/pg41.html#sec3115>)
- [SEC. 3116. LOCAL PLANS](http://www2.ed.gov/policy/elsec/leg/esea02/pg41.html#sec3116)
(<http://www2.ed.gov/policy/elsec/leg/esea02/pg41.html#sec3116>)
- [SEC. 3121. EVALUATIONS](http://www2.ed.gov/policy/elsec/leg/esea02/pg42.html) (<http://www2.ed.gov/policy/elsec/leg/esea02/pg42.html>)
- [SEC. 3302. PARENTAL NOTIFICATION](http://www2.ed.gov/policy/elsec/leg/esea02/pg50.html#sec3302)
(<http://www2.ed.gov/policy/elsec/leg/esea02/pg50.html#sec3302>)