



Washington Office of Superintendent of
PUBLIC INSTRUCTION

*Washington State
Multilingual Learners:
Policies and Practice Guide*

2023

CHAPTER 7: TITLE III PROGRAMS

Services for Multilingual Learners

The purpose of Title III Part A is to assist multilingual learners to attain English proficiency and high levels of academic achievement. Under Title III, eligible school districts receive funds to implement language instruction programs for MLs. The funds can be used to provide instructional materials and offer professional development for teachers, principals, and other school leaders to establish, implement and sustain effective language instruction educational programs. Another required component of Title III is promoting parental, family, and community participation in language instruction education programs. Schools and school districts must implement strategies to involve families and offer opportunities for parent participation. (See Chapter 11 – Family Engagement & Communication.)

Required Components of Title III A include:

- Assisting MLs and immigrant children and youth to attain English proficiency and high levels of academic achievement in English.
- Building capacity for teachers, principals, and other school leaders to establish, implement and sustain effective language instruction education programs designed to assist MLs.
- Promoting parental, family, and community participation in language instruction educational programs for the parents, families, and communities of MLs.
- Providing services for American Indian and Alaska Native students for supplemental language and literacy services, if they meet certain criteria based on their academic and linguistic needs. (See information below.)
- Providing equitable services for private school students. (See information below.)

Applying for Title III Funds

There are two ways that districts can access Title III funding. Districts that generate an allocation over \$10,000 may apply independently or serve as a lead in a consortium. Districts that generate less than \$10,000 may apply as part of a consortium. Consortia consist of two or more districts that collectively generate over \$10,000 in allocated funding. Allocations per student change each year, and districts will be notified of their allocation in the spring prior to the beginning of the next school year.

Creating a Consortium

As a consortium, the process to apply for allocated funding mirrors that of an independent district. The only difference in the application process is that two or more schools are defined within the grant application. Note, the leading district serves as the fiscal lead and is responsible for fund distribution as noted within the application. This includes:

- Submitting the Title III form package (FP231)
- Noting how much of the total allocation goes to which district. Districts may also indicate a pooling of funds (for collective professional development...etc.)
- Specifying how districts will either conduct professional development, engage in family and community engagement and/or other allowable activities.

What are the options for configuring the Title III Consortium grants between districts?

- *Option #1:* Each participating district creates a unique plan for spending the full amount of its individual Title III budget (current year allocation and carryover, if applicable). The lead district keeps all separate budget plans on file and disseminates the appropriate funds to each member. The grant application will separately identify each district's member's budget.
- *Option #2:* Participating districts will collaborate to design one plan which combines the allocations of all members and benefits all members of the consortium. This option must be clearly outlined in the Memorandum of Understanding, or alternate agreement, created by the lead district and be agreed upon by all members. The grant application will also identify how funds have been combined for a common purpose that benefits all consortium members. Example: The allocations of all members will be combined and used to pay for the services of a consultant who will provide professional development, coaching, parent trainings, etc. to all members of the consortium.
- *Option #3:* The consortium will use a combination of Option #1 and Option #2 by collaborating with some district members and disseminating funds separately for other LEA members. • Budget items that are a collaborative request must be clearly detailed as such in the grant application. Note: Regardless of the consortium grant option, a breakdown must be provided for any items included in the grant application in which multiple LEA members are contributing to one specific expense. (Examples: Indirect Costs, administrative fees paid to the Lead LEA/Fiscal Agent)

Services for American Indian & Alaska Native Students

Title III Part A includes provisions to support the education of American Indian and Alaska Native students if they meet certain criteria based on their academic and linguistic needs. It is important to remember that many AI/AN students may speak English as their primary language, these services are inherently different than those provided for other eligible multilingual learners. American Indian and Alaska Native students may qualify for supplemental services through Title III, Part A, if they meet certain criteria based on their academic and linguistic needs.

Identification, Placement & Family Communication

It is important to use the approved Washington state process to identify, screen, and place American Indian and Alaska Native students in Title III services and to engage families in this process. See Chapter 2 in this Policies and Practices Guide for more information on this process.

Instructional Services

Instructional services for American Indian and Alaska Native students who qualify under Title III must be culturally and linguistically appropriate. As many AI/AN students may speak English as their primary language, these services are inherently different than those provided for other eligible multilingual learners. Title III Services for AI/AN students must be planned by:

- ESSA Tribal Consultation with the nearest federally recognized Tribe(s) before submitting Title III plans and applications if 50% or more of the district's students are identified as American Indian/Alaska Native AND/OR if the district receives \$40,000 or more through Title VI.
- Collaborating with the Title VI Coordinator.
- Selecting from the following Professional Learning Menu:
 - Supplemental implementation of the Since Time Immemorial curriculum or tribally developed history lessons with a language and literacy focus for Title III eligible students.
 - Professional learning for English language development educators to use the Since Time Immemorial or tribally developed history curriculum.
 - Hosting family nights and introducing the Since Time Immemorial and tribally developed curriculum as a resource to build language and literacy with their children.
 - Northwest Native American reading curriculum (available from OSPI Office of Native Education.)
 - Literacy activities in preparation for the canoe journey or other tribally specific gatherings.
 - Other (must be approved by the OSPI Office of Native Education).

Private School Participation in Title III

Consultation

Timely and meaningful consultation in Washington begins with private schools completing the Intent to Participate form, which is available between February and April through the EDS System. If a non-profit, state-board-approved private school within the boundaries of a district that receives Title III funds does not respond, the district must make reasonable attempts, at least one in writing, to determine whether the private school intends to participate in Title III. Issuance of a single letter to the private schools explaining the district's intent to apply for funds is not adequate consultation. The district should contact private school officials annually, even if the private school has declined Title III services in past years.

District administrators must conduct a timely and meaningful consultation with appropriate private school officials during the design and development of the private school's Title III program on issues such as:

- How the multilingual learner needs will be identified.
- What services will be offered.
- How, where, and by whom the services will be provided.
- How the services will be assessed and how the results of the assessment will be used to improve those services.
- The size and scope of the services to be provided to the private school children, teachers, and other educational personnel.
- The amount of funds available for those services.
- How that amount of funds is determined.
- How and when the agency, consortium, or entity will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of services through potential third-party providers, and
- Whether the agency, consortium, or entity shall provide services directly or through a separate government agency, consortium, or entity, or through a third-party contractor; and
- Whether to provide equitable services to eligible private school children—
 - i. by creating a pool or pools of funds with all of the funds allocated under subsection (a)(4)(C) based on all the children from low-income families in a participating school attendance area who attend private schools, or
 - ii. in the agency's participating school attendance area who attend private schools with the proportion of funds allocated under subsection (a)(4)(C) based on the number of children from low-income families who attend private schools.

Timing

The required consultation must occur before the Local Education Agency (LEA) or consortium makes any decision that affects the opportunities of eligible private school children, teachers, and other educational personnel to participate in programs.

The consultation must be documented. The state provides a template consultation form, which districts may use.

Consultation should be ongoing and must continue throughout the implementation and assessment of services, with genuine opportunities for both parties to express their views. Adequate notice of consultation is critical to ensuring meaningful consultation.

Identification

Districts may request documentation, as needed, from private school officials to identify Title III-eligible students. This documentation should include responses to a home language survey and scores on an English language proficiency assessment. The private school may, but is not required to, use the WA state home language survey, language proficiency screener, and language proficiency annual assessment. The district and private school officials determine during the consultation process which language proficiency assessment will be used for initial placement and annually for continued eligibility and whether the district or the private school will be responsible for administering the assessment.

Title I parent notification requirements in section 1112(e)(3) of the ESSA do not apply to parents of multilingual learners in private schools. However, the district and private school officials may wish to discuss, as part of timely and meaningful consultation, how parents will be made aware of Title III services provided by the LEA.

Eligibility is determined based on the location of the private school, within the district's boundaries, and not the residence of the student.

Services

Multilingual learners at private schools are not eligible for services through the Transitional Bilingual Instructional Program.

The district, in consultation with private school officials, determines appropriate Title III services based on:

- The needs of the identified students and their teachers or other educational personnel
- The amount of Title III funds available for such services is subject to the expenditure requirements under section 8501 of the ESEA.
- Services provided to Title III-eligible students and staff at participating private schools must be equitable to those provided to eligible students and staff at public schools in the district. Participation is considered equitable if the district:

- Assesses, addresses, and evaluates the needs and progress of public and private school students and educational personnel on a comparable basis.
- Provides, in total, approximately the same amount of services to students and educational personnel with similar needs.
- Spends an equal amount of Title III funds to serve similar public and private school students and educational personnel.
- Provides both groups of students and educational personnel equal opportunities to participate in program activities.

If the needs of private school students and staff are different from those of public-school students and educational personnel, the district, in consultation with private school officials, must develop a separate program design that is appropriate for their needs. Such a program design must take into consideration the Title III funds available based on the number of identified students at the private school.

Examples of Title III services include:

- Administration of English language proficiency (ELP) assessments for identification and/or for the purpose of evaluating continued eligibility and the effectiveness of services (test booklets, teacher training, stipends to teachers to administer assessments).
- Participation in district-sponsored professional development (PD), or PD organized specifically to meet the needs of the private school teachers for the purposes of improving services to multilingual learners.
 - Tutoring for students before, during, or after school hours.
 - Participation of private school multilingual learners in summer school.
 - Participation of students in a weekend language development program.
 - Purchase of supplemental instructional materials and supplies to support language development.

Title III funds may not be used to finance the existing level of instruction in a private school. Services must supplement and not supplant what the private school would otherwise offer absent the Title III program. Services must be secular, neutral, and non-ideological. Services may be provided directly by the school district or by a third-party contractor who is independent of the private school and any religious organization during the hours of employment with Title III funds. Like teachers serving public school Title III-eligible students, teachers providing Title III services to private school students, whether district employees or third-party contract employees, are subject to the requirement that teachers in a Title III program be fluent in English and any other language used for instruction. Services must be implemented in a timely manner.

The state's English language proficiency standards do not apply to private schools or their students.

The school district maintains control of:

- Funds used to provide services.
- The title to materials and equipment purchased.
- A third-party provider's employment, contract, and supervision.

Funds used to provide services to private school children and educational personnel must not be commingled with non-federal funds. Only the school district may obligate and expend federal funds on behalf of private school students and teachers.

Reporting and Record Keeping

The state requests a count of Title III-eligible students at participating private schools from districts in the spring. This count is used in the calculation of the district's Title III allocation for the following year.

Districts maintain a record of evidence of consultation with the private school. Participating private schools must retain records to support student eligibility and services agreed upon. Documentation requests should not pose an administrative barrier to private school participation in Title III.

Complaint Process

Throughout the year, OSPI receives a number of questions related to equitable services in private schools. Under ESSA, the state is required to have an ombudsperson available to monitor and enforce the equitable services requirements.

If a disagreement arises, private school officials are encouraged to first contact their local federal programs representative, or superintendent at the local school district, to resolve any issues that affect the services provided. In the event that there are concerns needing the involvement of the OSPI's Ombud's team, there are several options available.

- Private schools may indicate the consultation was not timely or meaningful on the Affirmation of Consultation form.
- If a district disagrees with the views of private school officials with respect to any topic subject to consultation, the district must provide, in writing, to such private school officials the reasons why the district disagrees.
- Submit a formal complaint to OSPI as allowed under Washington Administrative Code (WAC).

The state's resolution or failure to make a resolution may be appealed to the U.S. Department of Education.