

# **GUIDANCE FOR THE CONSOLIDATED APPLICATION FOR FEDERAL TITLE FUNDING**

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# GUIDANCE

## DEPARTMENT OF PUBLIC INSTRUCTION NO CHILD LEFT BEHIND ACT (NCLBA) PUBLIC LAW 107-110

### INTRODUCTION

This guidance overviews the Consolidated Application process required to access funding provided under the *No Child Left Behind Act (NCLBA)*, *Public Law 107-110*, enacted on January 8, 2002, as the reauthorization act to the *Elementary and Secondary Education Act of 1965*.

### ACCOUNTABILITY

In accordance with requirements of the *NCLBA*, North Dakota adopted five overall **performance goals** that cut across the ESEA programs and core **performance indicators** for measuring progress toward these goals. It developed state **performance targets** that define when satisfactory progress occurs.

Reporting requirements for the state and local school districts center around these five core performance goals. In order to integrate all anticipated program and reporting requirements within the *NCLBA*, each school district will align all funded activities to these core performance goals.

**Performance Goals.** The performance goals reflect overall statements of expectations arising from the purposes of the *NCLBA*. These performance goals, like the basic purposes of the *NCLBA* itself, fall into three areas:

- those that address levels of proficiency that all students would meet;
- those that address the special needs of certain populations of students who are the special focus of particular *NCLBA* programs, such as students who are limited English proficient; and
- those that address such factors as qualified teachers and safety that is critical to a school district's success in enabling student achievement to flourish.

Even in the event that a district conducts no specific activities that might be aligned with a specific performance goal, the district may, nevertheless, be responsible for reporting any information related to that performance goal.

**Performance Indicators.** The performance indicators measure progress in meeting the *NCLBA* performance goals. These performance indicators include specific percentage targets that set a definition for relative progress. The Department of Public Instruction (DPI) uses data compiled from the state's student assessment system and other measures, including state-conducted surveys, to report its progress toward meeting these performance indicators and targets. School districts are responsible for collecting and reporting information required to report such progress.

Any district that applies for *NCLBA* funding will adopt the following five performance goals and corresponding indicators. Districts are further encouraged to add other performance goals and indicators that reflect district school improvement goals. Districts are encouraged to integrate all federal programs and funds with local district efforts to maximize district strategic planning.

**Performance Goal 1.** All students will reach high standards, at a minimum attaining proficiency or better in reading/language arts and mathematics by 2013-2014.

Performance Indicators and Targets:

- 1.1 The percentage of students, in the aggregate and for each subgroup, who are at or above the proficient level in reading/language arts on the state's assessment will increase as follows:

Subject/ Grades	School Years												
	01-02	02-03	03-04	04-05	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14
<b>Reading</b>													
<b>4</b>	65.1%			73.8%			82.6%			91.3%			100%
<b>8</b>	61.4%			71.1%			80.7%			90.4%			100%
<b>11</b>	NA			57.2%			71.5%			85.7%			100%
<b>12</b>	42.9%			NA			NA			NA			NA

- 1.2 The percentage of students, in the aggregate and in each subgroup, who are at or above the proficient level in mathematics on the state's assessment will increase as follows:

Subject/ Grades	School Years												
	01-02	02-03	03-04	04-05	05-06	06-07	07-08	08-09	09-10	10-11	11-12	12-13	13-14
<b>Math</b>													
<b>4</b>	45.7%			59.3%			72.9%			86.4%			100%
<b>8</b>	33.3%			50.0%			66.7%			83.3%			100%
<b>11</b>	NA			43.1%			62.1%			81.0%			100%
<b>12</b>	24.1%			NA			NA			NA			NA

- 1.3 The percentage of Title I schools that make adequate yearly progress will increase annually (this is a state-level indicator).

**Performance Goal 2.** All limited English proficient students will become proficient in English and reach high academic standards, at a minimum attaining proficiency or better in reading/language arts and mathematics.

Performance Indicators and Targets:

- 2.1 The percentage of limited English proficient students, determined by cohort, who have attained English proficiency by the end of the school year will increase from the baseline as outlined on pages 20-25 in the ND Consolidated State Application September 1, 2003, located at <http://www.dpi.state.nd.us/grants/090103.pdf>.
- 2.2 The percentage of limited English proficient students who are at or above the proficient level in reading/language arts on the state's assessment as reported for performance indicator 1.1. See 1.1 above.
- 2.3 The percentage of limited English proficient students who are at or above the proficient level in mathematics on the state's assessment as reported for performance indicator 1.2. See 1.2 above.

**Performance Goal 3.** By 2005-2006, all students will be taught by highly qualified teachers.

Performance Indicators:

- 3.1 The percentage of classes being taught by highly qualified teachers (as the term is defined in Section 9101(23) of the ESEA) in the aggregate and in high-poverty schools (as the term is defined in Section 1111(h)(1)(C)(viii) of the ESEA) will increase from the baseline as follows:

Baseline Data and Targets	Percentage of Classes Taught by Highly Qualified Teachers State Aggregate	Percentage of Classes Taught by Highly Qualified Teachers High-Poverty Schools
2002-2003 Baseline	91.1%	93.8%
2003-2004 Target	94.0%	95.0%
2004-2005 Target	97.0%	98.0%
2005-2006 Target	100.0%	100.0%

See the September 1, 2003 ND Consolidated State Application pages 27-28 for definitions and clarification at <http://www.dpi.state.nd.us/grants/090103.pdf>.

- 3.2** The percentage of teachers receiving high-quality professional development (as the term professional development is defined in Section 9101(34)) will increase from the baseline as follows:

Baseline Data and Targets	Percentage of Teachers Receiving High-Quality Professional Development
2002-2003 Baseline	12%
2003-2004 Target	41%
2004-2005 Target	70%
2005-2006 Target	100%

- 3.3** The percentage of paraprofessionals (excluding those with sole duties as translators and parental involvement assistants) who are qualified (see criteria in Section 1119(c) and (d)) will increase from the baseline as follows:

Baseline Data and Targets	Percentage of Qualified Title I Paraprofessionals
2002-2003 Baseline	NA
2003-2004 Target	35%
2004-2005 Target	70%
2005-2006 Target	100%

**Performance Goal 4.** All students will be educated in learning environments that are safe, drug free, and conducive to learning.

Performance Indicators:

- 4.1** The number of persistently dangerous schools, as defined by the state, will not change from the baseline of 0 in 2003-2004 to 0 in 2013-2014.

**Performance Goal 5.** All students will graduate from high school.

Performance Indicators:

- 5.1** The percentage of students who graduate from high school each year with a regular diploma, disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged will increase from the baseline as follows:

<b>Student Group</b>	<b>01-02 Baseline</b>	<b>02-03 School Year</b>	<b>03-04 School Year</b>	<b>04-05 School Year</b>	<b>05-06 School Year</b>	<b>06-07 School Year</b>	<b>07-08 School Year</b>
All Students	90.06%	91.38	92.17	92.95	93.73	94.52	95.30
African American/Black	82.4%	83.87	85.33	86.80	88.27	89.73	91.20
American Indian/Native Alaskan	61.5%	64.71	67.92	71.13	74.33	77.54	80.75
Asian/Pacific Islander	91.2%	91.93	92.67	93.40	94.13	94.87	95.60
Hispanic	81.7%	83.23	84.75	86.28	87.80	89.33	90.85
White	92.9%	93.49	94.08	94.68	95.27	95.86	96.45
Other							
Students with Disabilities							
Students without Disabilities							
Limited English Proficient							
Economically Disadvantaged							
Non-Economically Disadvantaged							
Migrant							
Male	89.2%	90.10	91.00	91.90	92.80	93.70	94.60
Female	92.1%	92.76	93.42	94.08	94.73	95.39	96.05
<b>Student Group</b>		<b>08-09 School Year</b>	<b>09-10 School Year</b>	<b>10-11 School Year</b>	<b>11-12 School Year</b>	<b>12-13 School Year</b>	<b>13-14 School Year</b>
All Students		96.08	96.87	97.65	98.43	99.22	100%
African American/Black		92.67	94.13	95.60	97.07	98.53	100%
American Indian/Native Alaskan		83.96	87.17	90.38	93.58	96.79	100%
Asian/Pacific Islander		96.33	97.07	97.80	98.53	99.27	100%
Hispanic		92.38	93.90	95.43	96.95	98.48	100%
White		97.04	97.63	98.23	98.82	99.41	100%
Other							
Students with Disabilities							
Students without Disabilities							
Limited English Proficient							
Economically Disadvantaged							
Non-Economically Disadvantaged							
Migrant							
Male		95.50	96.40	97.30	98.20	99.10	100%
Female		96.71	97.37	98.03	98.68	99.34	100%

The most reliable information is based on 2000-2001 data. North Dakota's Pupil Membership data and the data warehouse will link all categories of disaggregated data in the future, but there is no mechanism to link historical data.

- 5.2** The number of students who drop out of school, disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged will decrease from the baseline as follows:

Student Group	01-02 Baseline	02-03 School Year	03-04 School Year	04-05 School Year	05-06 School Year	06-07 School Year	07-08 School Year
All Students	2.0%	1.83	1.67	1.50	1.33	1.17	1.00
African American/Black	2.7%	2.48	2.25	2.03	1.80	1.58	1.35
American Indian/Native Alaskan	8.0%	7.33	6.67	6.00	5.33	4.67	4.00
Asian/Pacific Islander	1.9%	1.74	1.58	1.43	1.27	1.11	0.95
Hispanic	3.4%	3.12	2.83	2.55	2.27	1.98	1.70
White	1.5%	1.38	1.25	1.13	1.00	0.88	0.75
Other							
Students with Disabilities							
Students without Disabilities							
Limited English Proficient							
Economically Disadvantaged							
Non-Economically Disadvantaged							
Migrant							
Male	2.2%	2.02	1.83	1.65	1.47	1.28	1.10
Female	1.8%	1.65	1.50	1.35	1.20	1.05	0.90
Student Group		08-09 School Year	09-10 School Year	10-11 School Year	11-12 School Year	12-13 School Year	13-14 School Year
All Students		0.83	0.67	0.50	0.33	0.17	0%
African American/Black		1.13	0.90	0.68	0.45	0.23	0%
American Indian/Native Alaskan		3.33	2.67	2.00	1.33	0.67	0%
Asian/Pacific Islander		0.79	0.63	0.48	0.32	0.16	0%
Hispanic		1.42	1.13	0.85	0.57	0.28	0%
White		0.63	0.50	0.38	0.25	0.13	0%
Other							
Students with Disabilities							
Students without Disabilities							
Limited English Proficient							
Economically Disadvantaged							
Non-Economically Disadvantaged							
Migrant							
Male		0.92	0.73	0.55	0.37	0.18	0%
Female		0.75	0.60	0.45	0.30	0.15	0%

The most reliable information is based on 2000-2001 data. North Dakota's Pupil Membership data warehouse will link all categories of disaggregated data in the future, but there is no mechanism to link historical data.

For additional information on graduation rates, see pages 35 and 52 of the North Dakota Consolidated State Application Accountability Workbook on DPI's website at <http://www.dpi.state.nd.us/testing/account/AYPbook.pdf>.

### State Assessment

- NCLBA requires that states implement annual reading and math assessments for grades 3-8. By 2007-2008, science assessments must be implemented in at least one grade in 3-5, one in 6-9, and one in 11.
- State assessments must be aligned with state academic standards.
- States will have until the 2005-2006 school year to develop and implement these assessments; funds are authorized for states to develop and administer these assessments.

- If state assessment grants are funded in appropriations, each state will receive, at a minimum, three million dollars to develop and/or administer state assessments.
- An appropriations “trigger” is included to ensure sufficient federal funds are available to the states to enable them to comply with the 3-8 assessment requirement. A state may defer the commencement or suspend the administration of the annual 3-8 assessments for one year for each year that the appropriated funds do not reach the set amount. However, states must continue to comply with current law by administering academic assessments in reading and math in one of each grade span of 3-5, 6-9, and 10-12.
- In addition to reading and math assessments in grades 3-8, the state must also incorporate one other academic indicator. For secondary schools, it is graduation rates. For elementary schools, it is attendance rates.
- The state, beginning in school year 2002-2003, participates in biennial state academic assessments of 4<sup>th</sup> and 8<sup>th</sup> grade reading and mathematics under the National Assessment of Educational Progress carried out under section 411(b)(2) of the National Education Statistics Act of 1994 if the U.S. Department of Education pays the cost of administering such assessments.

### **Reporting**

- School districts will report, beginning in the 2002-2003 school year, their annual progress as a whole and of each of their schools, in meeting the measurable objectives.
- Beginning with the 2002-2003 school year, the state and school districts must prepare annual reports for parents and the public on the academic achievement of schools in the aggregate in the school district and by school.
- Beginning with the 2002-2003 school year, state assessment results will be reported to the public.
- States or school districts providing report cards prior to enactment may continue to use those report cards as long as they are modified to contain the required information.

### **IDENTIFICATION AND ASSESSMENT OF LIMITED ENGLISH PROFICIENT STUDENTS**

Students who lack English language proficiency succeed better in programs that specifically address their needs. Federal and state legislation require that school districts provide appropriate services. Part of a successful program is assessment. Both Title I and Title III of NCLBA require two types of assessments for students with limited English proficiency (LEP). Students must be assessed in academic content and language proficiency. Schools that apply for Title I and/or Title III funds must assure that they have a system in place to identify and assess LEP students.

#### **Definition of Limited English Proficient Students**

Limited English proficient students are defined in section 9101 of Title IX of NCLBA. In North Dakota, the largest LEP population is Native American, with Hispanic migrant students and various other students of different ethnic and language backgrounds following in numbers. Students must come from a non-English language and cultural background, but the definition does not require that the students themselves be fluent in the home or background language. Students must be assessed by a formal assessment to be defined as LEP. Thus, there are two components in determining limited English proficiency:

- Students’ language and cultural background.
- Students’ skills in reading, writing, speaking, listening, and comprehending academic classroom English.

The term “limited English proficient”, which is defined in section 9101 of Title IX of the NCLBA, when used with respect to an individual, means an individual –

- who is aged 3 through 21;
- who is enrolled or preparing to enroll in an elementary school or secondary school;
- who was not born in the United States or whose native language is a language other than English;
- who is a Native American or Alaska Native, or a native resident of the outlying areas; and
- who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or
- who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual –
  - the ability to meet the state’s proficient level of achievement on state assessments described in section 1111(b)(3);
  - the ability to successfully achieve in classrooms where the language of instruction is English; or
  - the opportunity to participate fully in society.

School districts must provide assurance that all LEP students are:

- Included in the statewide achievement assessment system;
- Identified and assessed for English language proficiency; and
- Provided appropriate instructional services based on assessment.

### **Participation in Statewide Achievement Assessment**

LEP students must participate in the same statewide achievement assessment program as other students.

- LEP students have a right to accommodations according to their level of English language proficiency. See guidance on testing and accommodations for LEP students in the testing coordinators’ manual and on DPI’s website.

More information on identifying assessment and exiting LEP students is available at <http://www.dpi.state.nd.us/bilingul/standards/assessment.shtm>

## **TITLE I PART A. DISADVANTAGED CHILDREN MEET HIGH STANDARDS**

**Purpose:** Ensure that all children have a fair, equal, and significant opportunity to obtain a high quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments.

### **Title I Aides/Paraprofessionals**

#### Definition of Aide/Paraprofessional

- An aide/paraprofessional is an employee who provides instructional support by reinforcing a teacher's efforts in the classroom in a program supported with Title I Part A funds.

#### Allowable Duties for Aides/Paraprofessionals

- Allowable duties for an aide/paraprofessional include:
  - 1) Providing one-on-one tutoring for eligible students only at a time when a student would not receive instruction from a teacher;
  - 2) Assisting with classroom management in a schoolwide setting or in a targeted assistance program, assisting with classroom management in the Title I room only;
  - 3) Providing computer lab assistance (for identified Title I students in a targeted assistance program);
  - 4) Conducting parental involvement activities (for identified Title I students in a targeted assistance program);
  - 5) Serving as a translator (for identified Title I students in a targeted assistance program);
  - 6) Providing support in a library or media center. In a targeted assistance program, any services provided by a Title I-paid aide must be supplemental and target identified students; and
  - 7) Providing instructional support services under the direct supervision of a teacher (in a targeted assistance program, Title I-paid aides must be under the direct supervision of a Title I teacher).

#### Requirements for Aides/Paraprofessionals in a Schoolwide Setting

- In a schoolwide program, Title I funds support all teachers and paraprofessionals. Therefore, the requirements apply to all aides/paraprofessionals with instructional duties regardless of whether the position is funded with Title I funds.
- One exception to the rules for paraprofessionals is that these requirements do not apply to individuals working in early childhood programs that are physically located in a Title I school but are not part of the schoolwide program and are not funded with Title I funds, such as a Head Start program.

#### Requirements for Other Aides/Paraprofessionals (i.e. Special Education, BIA, regular classroom)

- In a targeted assistance program, the law pertains to any aide/paraprofessional employed with Title I funding. In a schoolwide program, the law pertains to ALL instructional aides/paraprofessionals in the building **regardless of the funding source**. This includes aides paid with district, Title I, special education, BIA, or other funding sources. Schools and districts that have any instructional aides/paraprofessionals who do not meet the requirements put their Title I funding in jeopardy.

#### Direct Supervision of Aides/Paraprofessionals and Oversight of Program

- A paraprofessional works under the direct supervision of a teacher if 1) the teacher prepares the lessons and plans the instructional support activities the paraprofessional carries out and evaluates the achievement of the students with whom the paraprofessional is working; and 2) if the paraprofessional works in close proximity with the teacher.

- A Title I program staffed entirely by aides/paraprofessionals is not permitted. A Title I program must include a “highly qualified” Title I teacher to provide services to eligible students.
- If a Title I teacher is to hold the caseload for all Title I students and oversee all services provided in a Title I program, then 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, then there must be clear supervision and communication between the Title I teacher and Title I aide/paraprofessional.
- The NCLBA focuses on using “highly qualified” teachers, especially in a Title I program. Therefore, a quality Title I program is one that employs more FTE time using “high quality” Title I teachers than FTE time using Title I aides/paraprofessionals.

### Qualifications

- As part of the *NCLBA*, Title I aides/paraprofessionals must have a secondary school diploma or its recognized equivalent and meet one of the following three requirements to be employed in a Title I program:
  - 1) have obtained an associate (or higher) degree; or
  - 2) have completed at least two years of study at an institution of higher education; or
  - 3) have met a rigorous standard of quality, which includes a North Dakota approved assessment of skills in math, reading, and writing.

### Paraprofessional Assessment

- If an aide/paraprofessional chooses the option of attending two years of study at an institution of higher education to meet the new requirements, the two years of study must provide the aide/paraprofessional with a working knowledge in reading, writing, and mathematics.
- If an aide/paraprofessional chooses the option of a state-approved academic assessment to meet the new requirements, the assessment must be rigorous and objective and measure an individual's knowledge of and ability to assist in reading, writing, and mathematics.
- The paraprofessional assessment is expected to evaluate paraprofessional candidates at a level equivalent to the second year of college, which is the intent of the law.
- The state has the authority to choose the academic assessments. School districts may only use an assessment that is on the state-approved list, which currently consists of:
  - The Praxis I (PPST), published by Education Testing Services
  - The ParaPro Assessment, published by Education Testing Services

Information on these assessments as well as other information regarding aides/paraprofessional issues can be found on DPI's website at <http://www.dpi.state.nd.us/title1/aides.shtm>.

### Certificate of Completion Requirement

DPI will issue a certificate of completion to aides/paraprofessionals who have met one of the three requirements as stated above.

This certificate is a requirement for all Title I aides/paraprofessionals in a targeted assistance setting and for all instructional aides employed within the building in a Title I schoolwide setting. In a schoolwide setting, the regulations apply to special education aides if they provide instructional services.

Certification of aides/paraprofessionals is required in order for the school to have an approvable Consolidated Application.

### **Teacher Quality Provision**

Title I regulations require each state receiving Title I funds to ensure that **all** educators teaching in “core academic subjects” are “highly qualified.” The law requires school districts to ensure that all teachers who are working in a program supported with Title I funds and who were hired after the first day of the 2002-2003 school year will be “highly qualified” immediately. All existing teachers in the state had to be “highly qualified” by July 1, 2006.

#### Core Academic Subjects

- The Core Academic Subjects are English, reading or language arts, mathematics, science, foreign languages, civics, government, economics, arts, history, and geography.

#### “Highly Qualified” means

- State certification/licensing (emergency, temporary, or provisional certification is NOT acceptable); and
- Bachelor’s degree; and
- Demonstration of Competency—Major Equivalency. Information on major equivalency is available through the Education Standards and Practices Board (ESPB) at (701) 328-2264 or [www.nd.gov/espb](http://www.nd.gov/espb).

#### Resources Available

- North Dakota continues to move forward in its efforts to define what it means for teachers to be “highly qualified.” The (ESPB) has a toolkit for North Dakota’s major equivalency teacher requirements under the NCLBA. The toolkit can be accessed at <http://www.state.nd.us/espb> on the ESPB website. The toolkit provides definitions of “highly qualified” for the various subjects, has a self-assessment for teachers to see if they meet the “highly qualified” definition, outlines the portfolio option that will be available shortly, and provides the passing cut scores for the elementary Praxis II test that includes the PLT.
- A variety of resources pertaining to the teacher quality provision are also available on DPI’s website. These resources include a sample survey and matrix for identifying “highly qualified” staff, guidance on spending the 5 percent setaside to help teachers become highly qualified, and sample letters for the Parents’ Right to Know clause. These resources are available at <http://www.dpi.state.nd.us/title1/targeted/general/reauthoriz/index.shtm>.

#### Funding to Meet Requirements and Uses of Funding

- School districts are required to use between 5 and 10 percent of their Title I Part A allocations for each fiscal year to ensure that all teachers are highly qualified.
- Districts may use an unlimited amount of Title II Part A funds to ensure that all teachers are “highly qualified.”

### Directions for Spending the 5 Percent Teacher Quality Setaside

- Districts must use 5 percent of their Title I funds to ensure that all teachers teaching in core subjects are “highly qualified.”
- School districts may use the 5 percent setaside funds for staff other than Title I personnel under the following conditions.
  - Title I personnel are to have first priority in utilizing the funds;
  - The funds can only be used to help those teachers teaching core subjects; and
  - The funds can only be used for teachers in buildings that receive Title I funds and services.
- The first step in determining how to use these funds is to compile a list of teachers who do not meet the “highly qualified” provision at the school. All teachers must have a major equivalent in all subjects taught. Positions in particular to review are middle school area teachers, high school science teachers, high school social studies teachers, music teachers, and Title I teachers.
- Instead of making it the responsibility of one or two administrators, some schools are forming local committees to review all personnel for “highly qualified” status and to make a list of those who are questionable. The qualifications of those teachers could then have an official review conducted by ESPB or a university.
- Survey all teachers who do not meet the “highly qualified” staff provision, including those who are questionable. Ask the teachers to select which option they would like to pursue.
- Determine a method for deciding which staff will access the 5 percent setaside funding. Remember that priority must be given to Title I teachers.
- Determine the budget as to the activities to be conducted and the specific amounts to be spent on each activity (e.g., tuition, travel, supplies, stipends, etc.) and incorporate the funds into the consolidated application or budget revision.
- If schools don’t need the entire amount of setaside funds for teacher quality activities, they can reallocate them back into their Title I program.
- If the funds are reallocated back into the Title I program, they can only be used for allowable Title I expenditures. In a targeted assistance program, Title I funds can only be used for specific Title I expenditures.
- Costs for professional development such as consultant fees or attending workshops are not allowable uses of the 5 percent setaside funds. These funds may only be used for teachers to meet the “highly qualified” staff provision.

### Allowable Use of 5 Percent Setaside for Teacher Quality

- Costs associated for Title I teachers taking courses to obtain a credential that is needed for them to teach in their positions.
- Costs associated for a Title I teacher teaching in a core subject with a minor to take undergraduate or graduate classes to obtain a major.
- Costs associated for a Title I teacher to become fully licensed under state law. For example, costs for a teacher with an emergency, temporary, or provisional license to obtain full licensure.
- Costs associated for a Title I aide to meet one of the three requirements indicated in the NCLBA.

- Costs associated for non-Title I teachers teaching in a core subject in a Title I building to meet one of the three “highly qualified” options for demonstration of content knowledge.
- Costs associated for teachers to have a transcript review to determine what courses are needed to become highly qualified.
- Costs associated for any teacher on staff to move into Title I or a core subject area to become highly qualified.
- Costs associated for an elementary school teacher to get a middle school endorsement to teach at the middle school level in order to be highly qualified.
- Costs associated for teachers to take the Praxis II test to meet the teacher quality provisions after the cut scores have been established.
- Costs associated for teachers to develop a portfolio for the portfolio-based assessment after the state criteria has been established.
- Costs associated for teachers to obtain national board certification to meet the highly qualified teacher provisions.
- Costs associated for teachers who do not meet the highly qualified definition to get a master’s degree in the subject areas taught in lieu of completing an undergraduate major.
- Costs associated for substitute teachers if a teacher can only take a needed class to become highly qualified during the school day hours.

NOT an Allowable Use of 5 Percent Setaside for Teacher Quality

- Costs for professional development such as consultant fees or attending workshops. The 5 percent setaside funds for teacher quality are only for costs associated to get teachers to meet the highly qualified staff provision.
- Costs associated to get teachers highly qualified in buildings that do not receive Title I funds.
- Costs associated to get teachers highly qualified who teach in non-core areas, (i.e., counselors, physical education, health).
- Costs associated for principals or superintendents to further their education or obtain credentials.
- Costs associated for a teacher to go above the requirements to be highly qualified. For example, an already highly qualified teacher who wants to get a master’s degree.
- Costs associated for Title I aides to go beyond the requirements, such as to get a bachelor’s degree.

**Title I Credentials**

All Title I teachers must meet the credential requirements listed below in order for the consolidated application to be approved.

- **Reading Credential Elementary (Grades K-6):** This credential is issued to Title I teachers who have a major or endorsement in elementary education, a valid North Dakota educator’s professional license, and the required coursework. These Title I teachers will work directly or indirectly with those students, in grades K-6, who have failed to benefit from regular classroom instruction in reading.
- **Math Credential Elementary (Grades K-6):** This credential is issued to Title I teachers who have a major, or endorsement in elementary education, a valid North Dakota educator’s professional license,

and the required coursework. These Title I teachers will work directly or indirectly with those students, in grades K-6, who have failed to benefit from regular classroom instruction in math.

- **Reading Credential Middle School/Junior High (Grades 5-8):** This credential is issued to Title I teachers who have a major in middle school education, or a major in elementary education with an endorsement in middle school or a secondary degree with an endorsement in middle school; a valid North Dakota educator's professional license; and the required coursework. These Title I teachers will work directly or indirectly with those students in grades five through eight in a middle school or junior high setting who have failed to benefit from regular classroom instruction in reading.
- **Math Credential Middle School/Junior High (Grades 5-8):** This credential is issued to Title I teachers who have a major in middle school education, or a major in elementary education with an endorsement in middle school, or a secondary degree with an endorsement in middle school; a valid North Dakota educator's professional license; and the required coursework. These Title I teachers will work directly or indirectly with those students in grades five through eight in a middle school or junior high setting who have failed to benefit from regular classroom instruction in math.
- **Math Credential Secondary (Grades 7-12):** This credential is issued to Title I teachers who have a bachelor's degree or endorsement in secondary education, hold a major or major equivalent in mathematics, and have a valid North Dakota educator's professional license. These Title I teachers will work directly or indirectly with those students in grades seven through twelve who have failed to benefit from regular classroom instruction in math.
- **Secondary Generalist Credential (Grades 7-12):** This credential is issued to Title I teachers who have a bachelor's degree or endorsement in secondary education; a valid North Dakota educator's professional license; hold a college-granted major or major equivalent in English, social studies or science; and the required coursework. These Title I teachers will work directly or indirectly with those students in grades seven through twelve who have failed to benefit from regular classroom instruction in any content subject where reading is a required skill.
- **Initial Credential (Grades K-6) (Grades 5-8) (Grades 7-12):** This credential is issued to Title I teachers who have a bachelor's degree in elementary, middle or secondary education, or an endorsement in elementary, middle or secondary education and a valid North Dakota educator's professional license, but do not meet the requirements for the reading, math or secondary generalist credentials. For this credential to be issued to a Title I teacher, the teacher must provide the Title I office with a written offer of employment as a Title I teacher from a superintendent or principal and a written plan of study that will qualify the Title I teacher for a credential within two calendar years after the date the initial credential is issued. This plan of study must include coursework that, in addition to courses previously taken, will complete the requirements for a Title I credential.
- **Title I Coordinator-1 Credential:** This credential is issued to an individual who holds a valid North Dakota educator's professional license; has a major or endorsement in elementary, middle school, or secondary education; and has a master's degree in an educational field from a state-approved program. A Title I Coordinator-1 performs the job duties of coordinating a district-wide or multi-school Title I program including: development of budgets, preparation of a Title I consolidated application, training Title I staff, submitting Title I reports, and may also supervise one or more Title I teachers.
- **Title I Coordinator-2 Credential:** This credential is issued to an individual who holds a valid North Dakota educator's professional license; has a major or endorsement in elementary, middle school, or secondary education; holds an elementary, middle school or secondary Title I credential or an initial credential; and has a minimum of three years of Title I teaching experience. A Title I Coordinator-2 will perform the job duties of a lead Title I teacher who assists in coordinating a Title I program.
- **Title I Coordinator-3 Credential:** This credential is issued to an individual who holds a valid North Dakota educator's professional license and has a major or endorsement in elementary, middle school, or secondary education. A Title I Coordinator-3 performs the job duties of coordinating a

schoolwide Title I program, including implementing the schoolwide plan, completing all required paperwork for the schoolwide plan, conducting parent involvement activities, facilitating professional development activities, and conducting the yearly evaluation of the schoolwide plan.

Additional credential information can be found online at <http://www.dpi.state.nd.us/title1/credentials.shtm>.

## **Parent Involvement**

Parent involvement is one of the four key pillars in the NCLBA reauthorization. The required components for parent involvement are:

- The Parent Involvement Policy describes how the school will involve parents in the planning, reviewing, and improvement of the Title I program at the school. It includes information about each of the other parent involvement requirements listed below.
- The Parent-School Compact is a written agreement between parents, students, and the school staff that outlines how each party will share the responsibility for improved student achievement and the means by which the school and parents will develop a partnership to help children achieve the state's high standards. It should describe each party's responsibility in achieving that end as well as address the importance of ongoing teacher and parent communication.
- The Annual Parent Meeting is a meeting for parents held each year that explains what the Title I program is and how Title I students will be assessed. At this meeting, parents should also be informed of their right to be involved in the Title I program. The meeting should be documented with minutes, an agenda, a sign-in list, etc.
- Assessment of parent involvement in the Title I program. At the end of each school year, the Title I program must assess the parent involvement plan. This assessment should be documented so it is available for review.
- Opportunities for Training Parents is also a requirement for Title I. Parents should have the opportunity to be involved in the promotion of the education of the child at home and school.
- The Annual Review Meeting is a review of the entire Title I program. Parents must be informed of the results of this meeting.
- Informing Parents of Student Eligibility. School districts must send a letter home each year informing parents that their child is eligible to receive Title I services. (Targeted Assistance programs only.)
- Informing Parents of Student Progress. A report must be sent home for parents to report the child's progress in Title I services.
- 1 percent Parent Involvement Requirement. School districts with a Title I allocation of \$500,000 or greater must reserve 1 percent of their Title I allocation for parent involvement activities. These schools must also indicate on the consolidated application how this funding will be dispersed at each Title I building within the district. A minimum of 95 percent must be spent at the building level; the remaining can be spent at the district level.
- Parents Right to Know Clause. This provision requires schools/districts to annually notify parents of their right to request information on the professional qualifications of their children's teachers. Schools are responsible for developing a distribution method, which could take the form of a brochure, a flyer, or a one-page handout. The distribution form must include the following information:
  - Schools must tell parents if teachers have not met state qualification and licensing criteria for the grade levels and subjects taught.
  - Schools must tell parents if a teacher is teaching under emergency or provisional status.

- Schools must tell parents if a child is provided services by paraprofessionals and the qualifications of those paraprofessionals.
  - Schools must give parents information on the achievement level of their children in each of the state academic assessments.
  - Schools must tell parents if the child has been assigned to or been taught for four weeks or more by a teacher who is not “highly qualified.”
- Highly Qualified Staff Provision. If students are taught four weeks or more by a teacher who is not “highly qualified,” the school is required to notify parents.
  - School Report Cards. Each school year, the state and school districts must prepare annual reports for parents and the public on the academic achievement of all schools in the district.
  - Parent Notification. If a child is placed in a program for LEP students, the school is required to notify parents.

### **Nonpublic School Participation**

Section 1120(a) of the NCLBA requires each participating school district to provide eligible nonpublic school children, their families, and their teachers with Title I educational services or other benefits that are equitable to those provided to eligible public school children, their families, and their teachers.

- Section 200.64(a)(2)(i)(A) of the Title I regulations requires that, if a school district reserves funds for instructional and related activities for public elementary or secondary school students at the district level, the district must also provide from these funds, as applicable, equitable services to eligible nonpublic school children. The amount of funds available to provide equitable services from the applicable reserved funds must be proportional to the number of nonpublic school children from low-income families residing in participating public school attendance areas.
- Section 1120(b) of the NCLBA requires that public school administrators consult with officials from nonpublic schools regarding an effective Title I program for eligible nonpublic school children, their teachers, and their families. Consultation must include meetings between the public and the nonpublic school officials and must occur before the public district makes any decision that affects the opportunity for eligible nonpublic school children, their teachers, and their families to participate in Title I programs. Each public school district must maintain and provide to DPI a written affirmation, signed by officials of each nonpublic school with participating children or appropriate representatives of the nonpublic school officials, that the required consultation has occurred. A sample worksheet is available on the Title I website under the “Nonpublic” heading.

After consultation with nonpublic school officials, a district may choose one, or a combination of, the following options for using the funds reserved for nonpublic school children:

- Provide equitable services to eligible children in each nonpublic school with the funds generated by children from low income families who reside in participating public school attendance areas and who attend that nonpublic school. A sample worksheet to help determine eligible nonpublic school students is available on the Title I website under the “Nonpublic” heading.
  - Combine the funds generated by nonpublic school children from low income families in all participating areas to create a pool of funds from which the district provides equitable services to eligible nonpublic school children who reside in participating public school attendance areas and are in the greatest educational need of those services. Under this option, the services provided to eligible children in a particular nonpublic school are not dependent upon the amount of funds generated by children from low income families in the school.
- The following instructional services are included in the equitable services provision of off-the-top costs:

- Set aside for teacher quality
- Professional development
- Parental involvement
- Instructional Programs and Services (i.e., Summer school, preschool)

After consultation with nonpublic school officials, a school district may provide Title I services other than direct instruction if the provision of services, such as counseling, staff development, and parental involvement is appropriate to assist those children identified as failing or most at risk of failing to meet high student academic achievement standards. The school district must measure the effect of the services on the academic achievement of participating children.

- Services for participating nonpublic school children include, but are not limited to, the following:
  - Instructional services provided by public school employees or third-party contractors.
  - Extended-day services.
  - Family literacy programs.
  - Counseling programs.
  - Computer-assisted instruction (CAI).
  - Home tutoring.
  - Instruction using take-home computers.

School districts may NOT simply provide the nonpublic school with instructional materials and supplies because this is neither a proper Title I program nor does it meet the equitability requirement.

### **Education for Homeless Children and Youth**

The McKinney-Vento Homeless Assistance Act (Subtitle B – Education for Homeless Children and Youth), reauthorized in January 2002, ensures educational rights and protections for children and youth experiencing homelessness. Homeless children must receive the same educational opportunities as other children.

- A school district or school cannot segregate homeless students in a separate school program based solely on their homelessness.
- Schools must immediately enroll homeless students, even if the students are unable to produce the records normally required by non-homeless students for enrollment. **These students are automatically eligible for Title I services, regardless of their current academic performance.** Students who are considered homeless are also automatically eligible for free and reduced breakfast/lunch programs.
- States and school districts must ensure that homeless students are provided transportation, at the request of parents or guardians, to and from their school of origin. States and school districts must ensure that homeless students, at the request of parents or guardians, stay in their school of origin. Those districts receiving McKinney-Vento subgrants may use McKinney-Vento funds to reduce transportation expenses incurred by the district.
- School districts must designate a local liaison for homeless children and youth.
- School districts must set aside a portion of Title I funds to serve homeless students.
- The Richard B. Russell National School Lunch Act was amended to make runaway, homeless and migrant children categorically eligible for free meal benefits under the National School Lunch and School Breakfast Programs and is effective July 1, 2004. In addition to establishing free meal eligibility, the Act also establishes a requirement for documenting a child's status as runaway, homeless, or migratory.

Listed below are some strategies on how to use Title I funds and/or McKinney-Vento funds for homeless students. These funds can be used to assist homeless students in Title I and non-Title I schools.

- Support the position of a school district homeless liaison so that the liaison’s duties can be more fully accomplished. This person will make contact with homeless families, youth, and service providers.
- Meet the basic and educational needs of students experiencing homelessness so that they may participate more fully in school.
- Provide outreach services, referral to health services, and counseling.
- Provide for parent involvement that makes a special effort to reach out to parents in homeless situations.
- Provide for early childhood education programs, tutoring, supplemental instruction, or enriched services for homeless children and youth.

<b>School District’s Role</b>	<b>School’s Role</b>
Appoint a homeless liaison	Enroll students in free breakfast and lunch programs.
Set aside Title I funds	Ensure access to appropriate instructional supports/resources; including Title I, gifted programs, special education, etc.
Reserve slots in Head Start and Even Start	Alert teachers of student’s living situation (respecting privacy).
Ensure enrollment	
Reduce barriers for homeless students in all district policies.	
Provide homeless awareness training.	

See DPI’s website at <http://www.dpi.state.nd.us/title1/homeless/index.shtm> for more information and guidance.

### **Title I Targeted Assistance Programs**

#### Student Selection

In a targeted assistance program, Title I law requires that selection of Title I students be based on objective, uniformly applied criteria given to all students at each grade level and documented on a student selection worksheet. Listed below are specific points to keep in mind regarding the student selection process.

- The criteria for eligibility for Title I services must be objective, education-related, and uniformly applied.
- Selection criteria for students in grades three and above must be objective. However, the law does allow for subjective criteria to be used for grades K-2 (i.e. teacher referral).
- A worksheet used to compare and document student data for selection of who will receive services must be completed. The students must be ranked in priority order according to greatest need for services.
- The selection criteria should be given to all students in any particular grade.

- Examples of criteria used for student selection could include report card grades, book tests, informal reading inventories, Star Reading, etc.
- The student selection worksheet must list each of the criteria used so that it is easy to see that students were selected uniformly and objectively.
- Multiple selection or more than one criterion must be used to determine eligibility.
- Economically disadvantaged, learning disabled, LEP, and migrant students must be selected on the same basis as all other students. Professional staff cannot exclude them just because they are receiving other services.
- New students that move into the district must be selected and ranked in the same way as the other eligible students receiving services. Even if they received services in another school, they must meet the new school's criteria before receiving services. For this reason, schools are discouraged from using the NDSA as a selection criterion. It is best to use criteria that are readily available if a new student needs to be tested.
- A large district with multiple buildings may decide to use a uniform set of criteria in all Title I schools; however, that is not mandatory or even necessarily recommended. It is a local decision.
- Large districts with very high numbers of students may also begin the student selection process by designating one criteria to be used to identify an eligible pool of possible Title I students. The remaining criteria would then be applied only to this eligible pool of students, and the results would identify those students who are eligible for Title I.
- The average caseload for a Title I teacher is 25-35 students. A caseload above 45 students is too many for one teacher to oversee. However, very small caseloads may indicate a need to widen the selection criteria to make more students eligible for the program.
- The basic rule of thumb is that only students who have been found to be eligible for Title I and whose parents have been informed should receive Title I services. Title I services are not meant to be general aid to the classroom. The purpose is to give identified students additional services above and beyond the primary instruction they receive in the classroom.
- Incidental inclusion allows Title I personnel to work with non-Title I students randomly or periodically but should not occur on a regular basis. For example, it is illegal for Title I staff to regularly work with a particular reading group on a regular basis. The Title I teacher should provide supplementary or additional services beyond what a classroom teacher may provide during reading groups and should only work with non-Title I students on a non-regular basis.

#### Title I Local Assessment Requirements

Title I law requires Title I programs to report on an individual student's adequate yearly progress. It is up to the Title I teachers to monitor progress of the students they serve. A review of each Title I student's progress is conducted to assess whether students are making adequate yearly progress.

Title I teachers are required to track the progress of all students served in the Title I program. It is also important that they document the results of these assessments.

- At least three different assessments must be used to record progress of all Title I students in reading, and if serving students in math, three math assessment measures.
- These assessments may be objective or subjective. For example, the Title I teacher could use narrative progress reports as one assessment criteria.

- A portfolio must be maintained on each Title I student documenting the progress of each child and showing the three assessments being used.
- The assessment results must be reported to parents in a written format on each student at least twice a year. This written report is called the Title I report card or progress report. Ideally, parents should receive frequent feedback on their children’s progress.
- Different assessment tools can be used at each grade level.
- Title I teachers must provide parents of all Title I students with the child’s individual assessment results.

Supplement Not Supplant

All targeted assistance schools must ensure that services provided by Title I personnel, regardless of the model of delivery used, are supplemental.

Title I services are supplemental in terms of greater instructional intensity and opportunity to learn. Title I teachers may pre-teach, re-teach, or post-teach skills being presented in the classroom. Instruction from Title I personnel should be an extension of the services received in the classroom. Title I teachers should teach alternative strategies or reinforce those skills needed to enhance learning and enable the students to complete their work independently.

All students must receive the primary instruction in all academic areas from their regular classroom teachers. Title I students may also receive instruction above and beyond the primary instruction from Title I personnel.

Title I teachers are encouraged to collaborate with classroom teachers as much as possible. However, this does not include a scenario where Title I teachers team teach using the in-class model and taking a reading group consisting of Title I students. Replacing services defeats the purpose of the Title I program, which is to provide targeted students with more instruction above and beyond what they get in the classroom.

Title I funds are not intended to be used as general aid to the regular classroom. Title I teachers must focus instruction on identified students. Title I services exist so identified at-risk students can receive additional services than what a regular education program provides.

<b>In a Title I targeted assistance program, teachers CANNOT:</b>	<b>In a Title I targeted assistance program, teachers CAN:</b>
1. Take a reading group and instruct on a regular basis	1. Provide additional services to Title I students after a reading group finishes with the classroom teacher
2. Team teach on a regular basis	2. Work closely with classroom teachers so Title I instruction is aligned to classroom instruction
3. Work with non-Title I students on a regular basis	3. Incidentally include a non-Title I student in a small group setting but only occasionally and randomly
4. Take the whole class while the teacher leaves	4. Provide an occasional demonstration lesson to the whole class
5. Serve all students in a summer school program funded with Title I dollars	5. Allow non-Title I students who pay a fee to attend a summer school program

Instructional Models of Service Delivery in Title I

In Title I, there are basically four choices for instructional delivery models: 1) Pullout, 2) In-class, 3) Extended day; or 4) Extended year – summer programs. When choosing a delivery model, keep in mind

that all targeted assistance schools must ensure that services provided by Title I personnel, regardless of the model of delivery used, are supplemental. Research offers no conclusive evidence for superiority of either the pullout model or alternative models, and the state Title I office does not endorse one instructional delivery method over another. The primary responsibility for the choice of instructional models is at the school building.

Many issues come into play when a school or Title I teacher is deciding which method of delivery to use. In order for the Title I teachers to be effective, they need to feel comfortable in the chosen method of delivery. Personalities of all teachers involved must be considered. Many times, a combination approach may be appropriate. Teachers may choose to go into the classroom for some grades but pull students in other grades. Pullout is usually necessary when using certain computer programs to provide supplemental instruction. In addition, if schools choose to use a pullout or in-class model during the day, they may also want to have an after school or summer school program as well.

- The Pullout Model

<b>PROS</b>	<b>CONS</b>
May allow individual teacher styles and philosophies to be used	Stigmatizing for some students
Provide a special environment for students	Time wasted getting to and from Title I environment
More individualized attention to “targeted” students	Instruction not always aligned to what’s going on in the classroom
Provides for a quieter, less disruptive environment	Less coordination and communication among staff
Access to variety of computers, materials and games to work with small groups of students	Students miss instruction that takes place in the classroom.

- The In-Class Model

<b>PROS</b>	<b>CONS</b>
All students know the Title I teacher	Title I teacher often treated as an aide
Can work unobtrusively with students	Required extensive consultation and communication for joint planning and teaching
Title I teacher better understands children when observing them in a classroom setting	Many regular classroom teachers are not comfortable having someone else in the room
Can better complement what classroom teacher is doing	Needs careful consideration to supplement not supplant services
Less stigmatizing for students – discourages labeling	Needs careful consideration to focus instruction on “targeted” students
Facilitates teacher relationships – more opportunities for collaboration and communication	Overcrowding in some classrooms – space availability within the classroom
Learn other teacher styles and strategies (promotes collegiality)	Increases distractibility of students

- The Extended Day Model

Research has proven that after school programs can help to improve the academic performance of students. For more information on the Extended Day programs, visit the Title I website at <http://www.dpi.state.nd.us/title1/resource/aftrschl/index.shtm>.

- The Extended Year – Summer Programs Model

Summer school programs also contribute to raising academic performance. Many students regress during the summer with three months away from school. Summer school programs can be very beneficial in helping students retain knowledge over the summer breaks especially if conducted prior to the start of a new year. Title I funds may be used to implement a summer school program for Title I students.

#### Exemplary Title I Targeted Assistance Program Model

- Title I teachers have Title I components in place as required by federal law.
  - A student selection process is in place that uses objective, uniformly applied criteria to all students to determine which students are most in need of Title I services.
  - Parents are informed at the beginning of each school year that their child is eligible for Title I services and are given the opportunity to decline services.
  - An annual review of the Title I program is conducted in the spring to assess the program and make changes for the subsequent school year.
  - Title I students are regularly assessed to determine whether they are making adequate progress. At least three assessments are being used, and the results of these assessments are provided to parents in a written format at least twice a year.
  - If aides are paid with Title I funds, they are under the direct supervision of the Title I teacher.
  - All parent involvement components are in place:
    - 1) A parent involvement policy has been developed and is distributed to parents each year.
    - 2) A parent-school compact has been developed and is distributed to parents each year.
    - 3) In the fall, an annual parent meeting is held to provide the parents of Title I students with key information regarding the Title I program.
    - 4) Opportunities are provided for training parents to promote the education of their children at school and at home.
    - 5) An annual assessment of the parent involvement component is done each year to get feedback from parents.
  - Title I services are supplementary or in addition to those services being provided by the regular classroom teacher.
  - Title I teachers are communicating regularly with classroom teachers to ensure that the Title I services are directly aligned to the classroom instruction.
  
- Title I teachers are implementing practices that research has shown to be effective.
  - Title I teachers employ research-proven strategies in their teaching (i.e., pre-teach, use different models and methods of instruction, provide an environment rich in print, promote independent reading outside of school, provide exposure to a variety of texts).
  - Title I group sizes are kept small, preferably 3-4 students. The smaller the group size, the bigger impact Title I services will have on each child.
  - Services for students are individualized as much as possible.
  - Title I teachers promote parent involvement; research shows it plays a huge part in the success of a child in school.
  - Parents are given a wealth of ideas and tools for helping their children succeed in school and at home.
  - Every effort is made not to pull out students during direct classroom instruction.
  - Additional instruction, which is directly aligned to classroom instruction, is provided by Title I teachers.
  - Some students need more instruction than the average school day provides. Title I teachers can offer extended Title I services (i.e., summer school, before school, after school).
  - Ideally, Title I services are offered every day for at least 30 minutes. Minimally, services are provided at least three times a week for a minimum of 20 minutes per session.

- Title I students are regularly assessed to pinpoint areas of need and to keep parents informed of student progress.
- Title I teachers are going beyond what is required to truly make a difference with Title I students.

<b>Meets Requirements</b>	<b>Exceeds Requirements</b>
Title I teachers meet federal requirements if a home/school compact is provided to parents. Most Title I teachers use one of the generic samples that have been provided.	Title I teachers can exceed the requirements by making a concerted effort to reach out to parents and form a partnership. Let parents know what they can expect from the Title I program, frequently communicate with parents, and share with them ways they can help their child at home. If a child is not succeeding, even with Title I help, take the initiative to call a parent meeting to discuss what can be done.
Title I law requires teachers to provide opportunities to train parents to better help their children succeed. Most teachers meet this requirement by sending out a monthly newsletter and corresponding with parents throughout the school year.	Title I teachers can exceed the requirements by increasing the opportunities that are made available to parents to train and provide ideas. Share information on a weekly basis, such as tips to help students succeed, good books to read, games that enhance learning, and simple things families can do together to help. A truly ambitious project would be to create home/school packets of games and ideas so that parents are actually provided with the resources needed to help their children at home.
Title I teachers are required to sponsor an annual Title I parent meeting to share pertinent information with parents regarding the Title I program.	Title I teachers can exceed the requirement by offering incentives to get parents to attend the annual meeting. Incentives can include incorporating hands-on activities at the meeting, displaying student work, holding a supper in conjunction with the meeting, providing snacks or offering complementary baby-sitting services. Any extra effort that is made will help boost attendance at the meeting.
Title I teachers must regularly assess students and provide Title I written reports to parents. Teachers minimally meet this requirement if assessment results are sent home twice a year.	Title I teachers can exceed the requirements if progress reports are sent out monthly or quarterly.
Title I regulations require Title I teachers to conduct an annual review of the Title I program. In order to be in compliance, Title I teachers must have documentation that the various Title I components have been reviewed.	Title I teachers can exceed this requirement by collecting information from a variety of sources and involving a variety of participants in the review process. Title I personnel can survey Title I students, parents, administration, and classroom teachers to help gather suggestions on how to improve the program. Ideally, representatives from the regular classroom, parents, and administration etc., would attend the annual review meeting.
It is extremely important for Title I personnel to be kept updated on current events regarding Title I issues. The state Title I office has a database for mailing out important information and reports, as well as a list serve to communicate with Title I personnel.	Title I teachers can exceed in this area by taking the initiative to check the Title I website regularly for updated information. Due to legislative cuts in postage, mailings to schools only occur when mandatory information needs to be distributed. However, the Title I website is updated with new information and resources on a daily basis. In addition, other websites such as NDRA, NDEA and the USDE can also be researched for valuable information. Memberships with professional organizations can also help Title I personnel stay up-to-date on current issues.
Title I teachers schedule all eligible students to receive services during the regular school day. It is very difficult to find time during the course of a regular school day to schedule in all students who qualify for Title I services. Title I teachers struggle continually with this issue.	Title I teachers can exceed in this area by being as flexible as possible in the scheduling process. Title I services can be offered before school, after school, during lunch breaks, or during study hall periods. Every attempt should be made to meet with students at a time that works best in their schedules.
Title I teachers communicate with classroom teachers so that they can plan their lessons to align to the classroom instruction.	Title I teachers can exceed this requirement by taking the initiative at the beginning of the year in working with classroom teachers to establish a process. Title I teachers can be proactive and give classroom teachers information at the beginning of each school year that will help them understand the Title I regulations. For example, Title I teachers can give each classroom teacher a copy of the Title I fast facts sheets so that they have something in writing that outlines what the purpose of Title I is and what Title I teachers can and cannot do by law.

### **Title I Schoolwide Programs**

- The eligibility threshold requirement to operate a schoolwide program is a 40% poverty rate.

- There are ten required components to schoolwide planning. Each school must have a plan that describes how the school will implement these ten components:
  - 1) A comprehensive needs assessment of the entire school based on information, including the achievement of children in relation to the state academic content standards and academic achievement standards.
  - 2) Schoolwide reform strategies that provide opportunities for all children to meet the state's proficient and advanced levels of student academic achievement and use effective methods and instructional strategies based on scientifically based research.
  - 3) Instruction by highly qualified teachers.
  - 4) High-quality and ongoing professional development.
  - 5) Strategies to attract highly qualified teachers to high-need schools.
  - 6) Strategies to increase parent involvement.
  - 7) Plans for assisting preschool children in the transition from early childhood programs.
  - 8) Measures to include teachers in the decisions regarding the use of academic assessments.
  - 9) Activities to ensure that students who experience difficulty reaching proficiency or advanced levels of achievement on the academic achievement standards are provided with effective and timely additional assistance.
  - 10) Coordination and integration of federal, state, and local services and programs.
- Schoolwide programs may consolidate and use funds under Title I, together with other federal, state, and local funds, to upgrade the entire educational program of the school.
- Schoolwide programs may use funds to establish or enhance pre-kindergarten programs for children below the age of 6.

#### Supplement Not Supplant

- Section 1114 of the NCLBA regarding Title I schoolwide programs reads as follows:  
 “(a)(2)(B) SUPPLEMENTAL FUNDS.—A school participating in a schoolwide program shall use funds available to carry out this section only to supplement the amount of funds that would, in the absence of funds under this part, be made available from non-federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and children with limited English proficiency.”
- In a schoolwide program, supplementing is purely a fiscal analysis. A schoolwide program must use Title I funds to supplement the funds that are available from non-federal sources—i.e., to supplement district and state funds. At the same time, the schoolwide program is not required to demonstrate that the services provided are supplemental as long as the overall level of services is higher than it would be without federal funds. In a schoolwide program it doesn't matter which service came from which funding source—federal, state, or local—as long as overall, all students have access to more services.
- Title I schoolwide funds may NOT be used toward expenditures that, in the past, have been paid for with state or local funds (e.g., teachers, administrators, textbooks, etc.). Rather, Title I funds should be used in ways that will allow the school to provide more instructional services to students than are available without Title I funding. All students should be able to benefit from these additional programs.

#### Spending Title I Funds in a Schoolwide Program

The allocation of Title I funds in a schoolwide program should be based on the results of ongoing data analysis at each school to determine what the school needs to raise academic achievement in reading and math. Below is a list of possible ways that a schoolwide program could spend additional Title I funds

to increase student achievement. If one of these ideas matches well with a school's particular program, consider implementing one of these approaches:

- Hiring additional teachers to reduce class size. For audit purposes, a school must have documentation of changes (i.e., classes combined) that would have occurred if not for federal Title I funds. With this documentation, it can then clearly demonstrate that these funds were able to reduce class size, maintain individual grade level classrooms, or provide other services that will benefit the students. Documentation may include meeting minutes where class size combination or maintaining individual grades have been a concern. Without this documentation, there would be a supplanting issue since schools cannot pay for a regular classroom teacher with Title I funds who is the only one at that grade level needed by state law.
- Hiring a preschool teacher.
- Spending Title I funds to get all staff highly qualified.
- Hiring staff for a research-based extended day program.
- Spending additional Title I funds on effective supplemental services offered before or after the regular school day.
- Paying all teachers stipends for participating in ongoing professional development beyond contract time.
- Hiring a parent liaison to make sure that all students attend school regularly and parents are involved in their children's education.
- Hiring a data coordinator or school improvement coordinator to organize all improvement efforts.
- Implementing a supplemental reading component to your core program to include all components of SBRR. The ND Reading First website at [www.dpi.state.nd.us/title1/reading/index.shtm](http://www.dpi.state.nd.us/title1/reading/index.shtm) has a state-approved list of programs found to be based on SBR that have a proven record of effectiveness.
- Hiring staff instructional coaches who provide ongoing guidance to all staff members on implementing and improving research-proven instructional strategies.
- Hiring a professional development technical assistance provider to guide schoolwide study groups, monitor instructional changes, and assist in data analysis.

#### Requirements for a Title I Credential in a Schoolwide Program

A Title I Credential is required if:

- As a schoolwide school, the school has designed a comprehensive plan for improvement that includes providing extra assistance to students who are struggling academically. Any teacher who has been assigned the position of providing that extra assistance will need a reading and/or a math credential.
- The schoolwide plan includes any teacher filling one of the following roles:
  - Pulling students out of the classroom who need extra help;
  - Providing tutoring to teacher-identified struggling students during the regular school day; or
  - Hiring teachers whose only duty at any time during the day is to provide extra academic assistance to struggling students.

- The schoolwide plan includes such teachers, these teachers should attend the Title I Fall Conference and regional meetings.

A Title I Credential is not required if:

- Schoolwide programs do not have a position in which specific teachers are assigned the duty of helping only low achieving or academically struggling students. For example, if the school uses its Title I funds to reduce class sizes and the teachers paid with Title I funds are regular classroom teachers, those teachers do not need a Title I credential.
- Schools are encouraged to design schoolwide programs that better meet the needs of their schools and their students. Therefore, traditional Title I roles may be eliminated, and staff may be hired specifically to provide other types of services such as coordinating parent involvement events, managing school improvement and professional development efforts, becoming a special type of classroom teacher like a technology teacher or enrichment teacher, or other roles that the school believes may improve the academic achievement of all students at the school. These staff, regardless of whether or not they are paid with Title I funds, are not required to have a Title I math or reading credential.
- Although a schoolwide program may eliminate the traditional role of a Title I teacher, the point of schoolwide programming is still to meet the needs of educationally disadvantaged students. It may be possible to meet the needs of these students through what might be considered non-traditional or innovative programming. Some schoolwide schools have met the needs of all students by reducing class size, hiring professional teaching coaches to improve all teachers' instructional methods, or hiring a parent involvement coordinator to increase parent involvement. Successful schoolwide programming requires looking at the needs of the students at the school and devising a program that best meets their needs, with or without traditional pullout supplemental instruction.

The main factor in determining whether or not a teacher needs a Title I credential is not whether he/she works in a targeted assistance program or not. The main factor, instead, is the position he/she fills at the school. If a teacher is providing academic assistance primarily to struggling or academically challenged students, then he or she, regardless of whether or not the school is schoolwide or targeted assistance, does need a Title I credential.

#### Schoolwide Schools Co-mingling Funds

Federal law allows a schoolwide program school to use funds that the school receives from any federal education program administered by the US Department of Education to upgrade its entire educational program. At this time, North Dakota has only allowed schoolwide schools to combine funds in Title I, Title II Part A, Title II Part D, and Title IV Part A. If a school is interested in combining other federal funds, that possibility can be pursued. IDEA funds may also be combined, but specific rules must be followed.

#### Intent and Purposes

- By co-mingling Title I funds with other federal, state, and local funding and with private resources, schoolwide budgets can be allocated according to student needs rather than specified funding targets. Schools are not required to maintain separate fiscal and accounting records by program.
- Schools need not document that it used funds from a particular program to meet the specific intent and purposes of that particular program.

The school must be able to demonstrate that its schoolwide program contains sufficient activities to reasonably address the needs of the intended beneficiaries of each federal program and thus meet the intent and purposes of each included program.

A schoolwide program is not exempt from the following requirements in the various federal programs:

- Health and safety requirements
- Civil rights requirements
- Gender equity requirement
- Participation and involvement of parents and students
- Nonpublic school children, teachers, and other educational personnel
- Maintenance of effort
- Comparability of services
- Requirements to use federal funds to supplement and not supplant non-federal funds
- Distribution of funds to state and school district/school

In addition, a school must comply with the following requirements:

- A schoolwide program that co-mingles funds received under Part C of Title I for the education of migratory children must, in consultation with parents of migratory children or organizations representing those parents, first address the identified needs of migratory children.
- A schoolwide program may combine funds received under Subpart 1 of Part A of the Title IX of the ESEA regarding Indian education if the parent committee approves the inclusion of those funds.

As a school considers co-mingling resources, it should consider these issues:

- How are the goals of the schoolwide plan already addressing the needs of the various federal programs?
- How can it further align the various programs that assist the school in meeting schoolwide goals?
- Should some programs remain separate?

#### EXAMPLE

Since professional development for teachers, aides, other staff, administrators, and parents is a required component of a schoolwide program, school A has decided to combine its Title I and Title II Part A funds into one schoolwide budget. The school receives \$70,000 in Title I funds and \$5,000 in Title II funds. The total schoolwide budget for this school is now \$75,000 dollars.

As part of the schoolwide plan, School A has created a written professional development plan. The plan stated that it was the goal of the school to develop standards-aligned assessments for reading at each grade level. (Reading is one of the goals in the schoolwide plan.) The school is having a speaker in on performance-based assessment. The speaker cost was \$850. Then, the school decided to pay \$150 stipends for teachers to spend eight hours after school one week to develop performance-based, standards-aligned reading assessments for each grade level. The total cost of stipends was \$2,250. At the beginning of the next school year and again at the end of the year, teachers will administer the performance-based assessments. The results of these assessments will be used to help the school measure how well its professional development plan is working, as well as how well it is helping them reach their goal of improving reading at their school.

Note that School A has only spent \$3,050 of its \$5,000 Title II Part A allocation on professional development. However, since it is a schoolwide school, the \$1,950 that is left may be used in any

other part of the program, as long as the money is being used to help the school reach its schoolwide goals. The intent and purposes of Title II Part A have been met, and yet the school does not need to explain how the total Title II Part A allocation was used for teacher and principal quality and retention activities.

The true advantage to co-mingling funds is that dollars lose their programmatic identity at the school level. The school is still required to engage in activities that address the purposes of the federal programs, but it is no longer limited to a specific dollar amount to meet those purposes.

### **Adequate Yearly Progress**

Increased accountability was a major focus of the NCLBA. The definition of Adequate Yearly Progress (AYP) must now include annual statewide measurable objectives for improved achievement by all students as well as specific groups including economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and LEP students. For specific information on Adequate Yearly Progress, see <http://www.dpi.state.nd.us/testing/account/AYPbook.pdf>.

- A state's definition of Adequate Yearly Progress must apply to the overall student population. The law requires a single, statewide accountability system for all public schools. However, schools not receiving Title I funds are not subject to the school improvement provisions of 1116(c).
- States must define Adequate Yearly Progress so that in 12 years all students will achieve at the state-defined "proficient" level.
- States set the achievement "bar" to reach 100 percent proficiency, but may choose where to set the initial bar based upon 1) the lowest-achieving demographic subgroup; or 2) the lowest-achieving schools in the state. The higher percentage of the two methods then becomes the state's "starting point" for proficiency.
- The state is required to "raise the bar" gradually, but in equal increments to reach 100 percent proficiency.
- To avoid "over-identification" of schools as failing when students in a school are making significant academic progress, a "safe harbor" is allowed if students in the subgroups (see below) make a 10 percent reduction in the number of students not proficient.

### Subgroups

- Economically disadvantaged students;
- Students from major racial and ethnic groups;
- Students with disabilities; and
- Students with limited English proficiency.

### Adequate Yearly Progress Reports

DPI will generate Adequate Yearly Progress reports for every school in the state based on state assessment results each year. All schools are required by law to share and disseminate this information to parents and community members. Sample letters of the following scenarios are available on the Title I website at <http://www.dpi.state.nd.us/title1/targeted/general/reauthoriz/notification.shtm>

## Program Improvement

- Schools that have not made state-defined Adequate Yearly Progress for two consecutive school years will be identified by the district as needing improvement.
- Schools identified for improvement are required to develop a two-year improvement plan incorporating strategies from scientifically based research on how to strengthen the core academic subjects and to address the specific issues that caused the school to be identified for improvement. This plan is due three months after a school is identified.
- Schools identified for improvement are required to reserve annually at least 10 percent of their Title I Part A funds for professional development that directly addresses the problems that led to identification for improvement. These funds are different from the Title II Part A professional development and Title I Program Improvement funds.
  - If the entire 10 percent setaside for professional development was not spent in one year, the amount unspent in addition to the 10 percent required for the current year must now be spent on professional development.
  - Suggestions for the use of these funds include:
    - Pay stipends for staff chairing and participating on the school's program improvement committee.
    - Conduct staff study groups at the school; i.e., pay stipends for staff, purchase books and materials, pay for food, and contract with speakers pertaining to the subject of study.
    - Pay for professional development costs associated with bringing a new program into the school; i.e., Success for All, Lightspan, 6 Traits of Writing, Read Naturally, etc.
    - Pay staff stipends for curriculum mapping activities and other standards-related activities.
    - Hire instructional coaches to assist staff with instruction and assessment in reading and/or math.
    - Pay registration fees and travel expenses for meetings and conferences.
    - Pay costs associated with stipends, food, materials, etc. for meetings to examine all types of data.
    - Pay costs of substitute teachers while regular teachers are participating in professional development.
    - Pay costs associated with bringing a speaker or consultant to work with staff in the school.
    - Schools in program improvement are encouraged to participate in the training "Data Driven School Improvement" sponsored by the North Dakota LEAD Center. Any costs associated with attending this training may be covered by the 10 percent setaside for professional development.

Detailed expenditure records must be kept for the Annual Report for Schools Identified for Program Improvement, which is due on June 30 of each year.

- **School Choice.** In the first year immediately following identification (after two years of failing), schools/districts are required to provide students attending schools identified for improvement the option of attending another public school that is not identified for program improvement. Schools must provide or pay for transportation to the new school, with a limit on the portion of Title I Part A funds that can be used for this purpose. Students may continue to attend a school of choice for the duration of the time they would have attended the failing school. However, the school is required to provide transportation to the new school only as long as the student's original school is subject to school improvement, corrective action, or restructuring.
- **Supplemental Educational Services.** If the school does not make adequate progress for three consecutive years, the district must continue to offer public school choice to all students in the failing school and allow low-achieving, disadvantaged students within the school to use Title I funds to obtain supplemental educational services from a public- or private-sector provider selected by their

parents from a state-approved list. It caps the per-child cost of such services at the lesser of the per-child Title I Part A allocation or the cost of the services. Only low-income children are eligible for supplemental services. The state must provide an updated list of approved providers across the state from which parents may select.

- **Paying for School Choice and Supplemental Services.** Schools/districts with schools identified for improvement, corrective action, or restructuring may be required to use up to 20 percent of their Title I Part A allocations to pay choice-related transportation costs and to provide supplemental educational services to students whose parents request them. Schools/districts must use 5 percent of their overall Title I Part A funds to pay for supplemental educational services. They must also use up to 5 percent of their Title I Part A funds for transportation costs. Also, the school district may use an additional 10 percent of their Title I Part A funds for public school choice transportation costs or for supplemental services. The obligation to provide supplemental services to additional eligible students ends when the Title I Part A setaside funds are spent. The law requires schools/districts to give priority to low-achieving students from low-income families in making available choice and supplemental educational services.
- **Corrective Action.** If the school fails to make Adequate Yearly Progress for four consecutive years, the district must implement certain corrective actions to improve the school, such as replacing certain staff or fully implementing a new curriculum. The school must also continue to offer public school choice and supplemental services.
- **Alternative Governance.** If a school fails to make Adequate Yearly Progress for five consecutive years, it would have to develop a plan and make the necessary arrangements to implement significant alternative governance actions, state takeover, hiring a private management contractor, converting to a charter school, or significant staff restructuring.
- **Previous Identification.** To prevent the clock from starting over for those schools already identified as failing under current law, NCLBA requires those schools identified for school improvement or corrective action to start in the same category after its enactment. Schools currently in their first year of program improvement would have to offer public school choice the next year. Schools currently in their second or more year of program improvement would have to offer public school choice and supplemental services for the school year.
- **Ending School Identification.** Schools/districts are allowed to end school improvement, corrective action, or restructuring if the school involved makes Adequate Yearly Progress for two consecutive years. A school may delay implementation of supplemental services requirements, corrective action, or restructuring if a school identified for such measures makes Adequate Yearly Progress for one year.
- **State Allocation.** States are required to reserve two percent of Part A allocations for school improvement purposes in fiscal years 2002 and 2003, rising to four percent in 2004 and thereafter. The state must distribute 95 percent of these funds to schools/districts for schools identified for improvement, corrective action, or restructuring.

A wealth of additional information regarding the program improvement requirements in the Title I law, as well as samples of the many requirements, are available on the Title I website at <http://www.dpi.state.nd.us/title1/progress/index.shtm>.

## **Supplemental Services Provision**

### Eligibility

- Eligible students are all students from low-income families who attend a school in its second year of program improvement; i.e., four years of not making Adequate Yearly Progress. Eligibility is not

dependent on whether the student is a member of a subgroup that caused the school to not make AYP or whether he/she was in a tested grade.

#### Priority

- If the setaside funds will not be able to cover each eligible student whose parents request services, the school must give priority to the lowest-achieving of the low income students. The school must then use objective criteria to determine the lowest-achieving students. For example, the school may choose to focus services on the lowest-achieving eligible students in the subject area that caused the school to be identified.

#### Students with Disabilities and LEP

- A school cannot discriminate the availability of supplemental services to students with disabilities or limited English proficiency, even if all available supplemental services providers are not able to provide necessary accommodations for these students. If no provider is available that can provide necessary accommodations, the district must provide these services either directly or through a contract with another entity.

#### Eligible Supplemental Services Providers

- A district identified for program improvement cannot be a supplemental services provider. However, schools within the district that are making Adequate Yearly Progress may apply to be providers.
- An individual or group may apply to be a supplemental services provider if they organize as a non-profit or for-profit entity. In addition, a teacher or group of teachers who are teaching at a school identified for program improvement are allowed to apply to be an approved provider, as long as they organize as another entity. These teachers could also provide services at the school that has been identified for program improvement.

#### State Monitoring of Supplemental Services Providers

- States must develop and implement standards and techniques for monitoring the quality, performance, and effectiveness of the services offered by approved supplemental services providers.
- Districts that must implement the supplemental services provision will be monitored by the state to assure that they are meeting the requirements of this law.

#### Notifying Parents of the Availability of Supplemental Services

- The notice to parents should be easy to understand and provide an overview of supplemental educational services. The notice must:
  - Identify each approved provider in the district, in the general geographic area of the district, or be available online.
  - Describe the services, qualifications and evidence of effectiveness of each provider.
  - Describe the procedures and timelines the parents must follow in selecting the provider.
  - Be easily understandable and in a language parents can understand.
- Parents should be provided with a minimum of three (3) notifications of their right to participate in supplemental educational services.
- A school can set a reasonable deadline by which parents must request services. Parents must have sufficient time, information, and opportunity to make informed decisions about requesting services and selecting a provider. The school can also allow a rolling enrollment.

### Provisions Two and Three of the National School Lunch Act

- For the purpose of identifying students as eligible for supplemental services, school officials may deem all public school students in Provision Two and Provision Three schools as low-income.

### Paying for Transportation

- The school is NOT required to provide transportation to service providers, but it may if it wants to. However, transportation may not be used toward satisfying the 20 percent setaside. Instead, a school that would like to offer parents transportation would have to use additional Title I funds (not those set aside), local funds, or other funds that would be allowable for funding transportation.

### Carryover

- The 15 percent cap for carryover applies to any amount reserved but not spent due to lack of demand for supplemental educational services and/or school choice.

### Distance Providers

- A school may charge providers for the equipment, facilities, personnel, or other resources that they make available to these providers.

### **Scientifically Based Research (SBR)**

All Title I programs, both targeted assistance and schoolwide, must use instructional strategies and methods that are based on scientifically based research. See the General Provisions of this Guidance for the definition of SBR.

### Scientifically Based Reading Research (SBRR) Definition

Research that applies rigorous, systematic, and objective procedures to obtain valid knowledge relevant to reading development, reading instruction, and reading difficulties. This includes research that:

- Employs systematic, empirical methods that draw on observation or experiment;
- Involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;
- Relies on measurements or observational methods that provide valid data across evaluators and observers and across multiple measurements and observations; and
- Has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

### SBRR Has Defined Five Essential Components of Effective Reading Instruction

- **Phonemic Awareness.** The ability to hear, identify, and manipulate the individual sounds—phonemes—in spoken words. Phonemic awareness is the understanding that the sounds of spoken language work together to make words.
- **Phonics.** The understanding that there is a predictable relationship between phonemes, the sounds of spoken language, and graphemes, the letters and spellings that represent those sounds in written language.
- **Vocabulary Development.** Development of stored information about the meaning and pronunciation of words necessary for communication.

- Reading Fluency, Including Oral Reading Skills. Fluency is the ability to read text accurately and quickly. It provides a bridge between word recognition and comprehension. Fluent readers recognize words and comprehend at the same time.
- Reading Comprehension Strategies. Strategies for understanding, remembering, and communicating with others about what has been read. Comprehension strategies are sets of steps that purposeful, active readers use to make sense of text.

Additional resources pertaining to Scientifically Based Reading Research is available on the Title I website at <http://www.dpi.state.nd.us/title1/resource/readinit.shtm>. These resources include a SBRR program brochure, a link to help websites and several documents to assist teachers in implementing SBRR practices.

## **Title I Fiscal Regulations**

### Allocations

- Title I funds go to qualifying schools in four separate funding formulas:
  - Basic Grants
  - Concentration Grant
  - Targeted Grants
  - Education Finance Incentive Grants
- These grants have an 85 to 95 percent hold harmless clause for school districts where poverty has declined.
- States are required to withhold funds off the top for school improvement. The state is required to allocate 95 percent of these funds to schools that have been identified for program improvement.

### Carryover

Allowable carryover funds for Title I are based on a percentage of the district's total allocation. The chart below illustrates how carryover is determined.

<b>Allocation Amount</b>	<b>Percentage allowed to carryover</b>
Over \$50,000	15%
Over \$45,000	20%
Over \$40,000	25%
Over \$35,000	30%
Over \$30,000	35%
Over \$25,000	40%
Over \$20,000	45%
\$20,000 or less	50%

Example: If total allocation is \$36,432, then the maximum carryover is \$10,930.  
 $\$36,432 \times 30\% = \$10,930$

### Payment Method

School districts must complete and submit the Request for Funds form (SFN 14660) to receive payment of Title I funds. This is the same form that is used for the other title programs.

## Statewide Technical Assistance

### Curriculum Initiative

- The North Dakota Curriculum Initiative (NDCI) is a funded project of Title II. The purpose of the NDCI is to enable all students to achieve challenging state standards. Its goal is to bring together key curricular leaders and professional organizations in North Dakota to:
  - Focus on curricular issues, best practices, and research;
  - Promote collaboration and networking; and
  - Provide equitable access by all to sustained, intensive, high-quality professional development that is aligned to challenging state content and performance standards.
- To reach this goal, a series of meetings are held throughout the academic year, and a clearinghouse of information is being established. For more information, contact:

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### School Support Team

The Title I School Support Team is a resource for educators in North Dakota working to implement Title I programs. Title I federal law requires that each state have a school support team that provides assistance to educators across the state working in Title I programs.

The members of the team have extensive experience in implementing Title I programs at the school level and have been selected based on their expertise in Title I. The state Title I office tries to make sure that they are updated on the latest information in Title I law so that they, in turn, may provide the most updated information.

Experts from the field have been selected from both targeted assistance and schoolwide Title I programs, and they are available for the schools to contact, free of charge, to help with the Title I program. The schools may contact them with a simple quick question, for advice, or even ask to schedule a visitation where they can come to the school and assist in person. For additional information, refer to the Title I website at <http://www.dpi.state.nd.us/title1/resource/support/index.shtm>.

### Title I Statewide System of Support (SSOS) Consultant Team

The state Title I office has compiled a list of consultants who can assist districts and schools with planning and implementing school improvement activities. These consultants are known as the Title I Statewide System of Support (SSOS) Consultant Team. Team members have expertise in a variety of program improvement areas to provide individualized assistance to schools. More information can be found online at <http://www.dpi.state.nd.us/title1/resource/support/SSOS.shtm>.

### Title I Fast Facts

The state Title I office developed a series of one-page documents called *Title I Fast Facts* to give information on pertinent issues in Title I. Staff in the Title I office are often asked the same questions by school districts throughout the state. Varied Fast Fact PDF files are available on the Title I website at <http://www.dpi.state.nd.us/title1/targeted/general/facts/index.shtm> to provide information on some of the most commonly asked questions.

### Title I Monthly Newsletter

The state Title I staff puts together monthly Title I newsletters that are e-mailed to all Title I personnel, including authorized representatives and teachers. These monthly newsletters are also available online at <http://www.dpi.state.nd.us/title1/nwsltrs/index.shtm>. The newsletters contain a wealth of information on Title I issues, upcoming events and information on subprograms within Title I.

### Title I Update Memos

Since the beginning of the NCLBA, the state Title I office has not only maintained a website with current information related to Title I but has also sent Title I personnel update memos containing changes or valid issues within Title I. Copies of these distributed memos are also kept for reference on the Title I website at <http://www.dpi.state.nd.us/title1/targeted/general/reauthoriz/memos.shtm>.

### Committee of Practitioners

- Title I, under the Improving America's Schools Act, required that the state Title I program have a Committee of Practitioners.
- The Committee of Practitioners must include members of the following stakeholder groups: administrators, teachers, parents, members of school boards, individuals from the nonpublic school sector, representatives of vocational/adult education, and pupil services personnel.
- It is the Committee of Practitioner's role to "...review before publication any final rule or regulation" pertaining to Title I.
- Committee members are often asked to review and be aware of various issues in Title I; including standards development, the state assessment system, and other current issues. This also includes awareness of the following programs within Title I: Even Start Family Literacy, Homeless Children and Youth, Migrant Education, and Comprehensive School Reform.
- When selected, committee members are asked to consider serving on the team for at least a three-year period to ensure consistency within the team's membership. However, agreeing to be on the team only commits your service for one year; each year the state office contacts each person on the committee to verify membership for the upcoming school year.

Additional information and a list of the Title I Committee of Practitioners can be accessed on the Title I website at <http://www.dpi.state.nd.us/title1/practitn.shtm>.

## **TITLE II PART A. TEACHER AND PRINCIPAL TRAINING AND RECRUITMENT**

(Formerly known as Title II Eisenhower Professional Development and Title VI Class-Size Reduction)

**Purposes** Increase student academic achievement through strategies such as improving teacher and principal quality and increasing the number of highly qualified teachers in the classroom and highly qualified principals and assistant principals in schools.

Hold local educational agencies and schools accountable for improvements in student academic achievement.

### **Program Requirements**

- Every school district must have a professional development plan that includes the following six components: Overview, Needs Assessment, Goals, Activities, Performance Indicators, and Evaluation.
- Districts must target funds to schools within the district that have the lowest proportion of highly qualified teachers, have the largest average class size, or are identified for school improvement under Title I.
- Activities must be tied to challenging state and local standards, must be based upon a review of scientifically based research, and must have a substantial measurable positive impact on student achievement.
- School districts must conduct a local needs assessment.
- School districts are only allowed to carry over up to 50 percent of their previous year's available amount into the next school year.

### **High Quality Professional Development**

High Quality Professional Development must meet the following criteria:

- Involves multiple sessions over time; moves beyond one-day or short-term workshops or conferences
- Helps to further individual, school, or district educational plans
- Addresses job-related skills aimed at ultimately impacting student performance; examples include but are not limited to subject-related content instructional methods, classroom management, needs of special populations, curricular alignment, program development, etc.
- Includes job-embedded learning opportunities such as collaborative teams that analyze student work, school improvement teams that analyze school data and develop improvement plans, curriculum development teams, and other sustained learning opportunities.
- May originate from a variety of sources: school-based, district-based, universities, professional organizations, on-line courses, independent study projects, etc.
- May be funded from any resources--federal, local or personal.

### **Needs Assessment**

A needs assessment must be conducted to determine the needs of the school district's teaching force to be able to have all students meet challenging state content and academic achievement standards. The needs assessment is used to identify local teacher quality needs, particularly those needs that must be addressed to have all teachers highly qualified by the end of the 2005-2006 school year.

The needs assessment must take into account the following:

- The activities that school districts must conduct in order to give teachers the means to provide all students the opportunity to meet challenging state content and academic achievement standards; and

- The activities that school districts must conduct in order to give principals the instructional leadership skills to help teachers provide all students with the opportunity to meet challenging state content and academic achievement standards.

A school district's teachers must be involved in conducting needs assessments. Districts should use a variety of sources of information to review through a needs assessment; including student achievement data, information about numbers of teachers (disaggregated by subject taught and grade level) who lack full teacher certification or licensure, assessments by administrators and mentor teachers who evaluate teacher and student performance, and teacher self-evaluations.

For more information on needs assessments, see <http://www.dpi.state.nd.us/titleII/needs.pdf>.

### **Targeting Funds**

Based on the results of the needs assessment, school districts must target their Title II Part A funds to schools within the district that

- Have the lowest proportion of highly qualified teachers;
- Have the largest average class sizes; or
- Are identified for school improvement under Title I Section 1116(b) of the No Child Left Behind Act.

In addition, school districts should consider whether to target Title II Part A funds to help meet its responsibilities under Title I. These include (a) working in consultation with schools as the schools develop and implement their plans or activities under Section 1119 [Section 1112(c)(1)(H)]; (b) complying with the requirements of Section 1119 regarding the qualifications of teachers and paraprofessionals and professional development [Section 1112(c)(1)(I)]; and (c) ensuring that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field or inexperienced teachers (through incentives for voluntary transfers, professional development, recruitment programs, or other effective strategies).

### **TITLE II PART D. ENHANCING EDUCATION THROUGH TECHNOLOGY**

(Formerly known as Title III Technology Literacy Challenge Fund)

**Purposes** Improve student academic achievement through the use of technology in elementary and secondary schools.

Assist every student in crossing the digital divide by ensuring that every student is technologically literate by the end of 8<sup>th</sup> grade.

Encourage the effective integration of technology through teacher training and curriculum development to establish successful research-based instructional methods.

### **Program Requirements**

- School districts must have an approved technology plan.
- At least 25 percent of a school district's allocation must be spent on ongoing, sustained, intensive, and high-quality professional development.
- School districts must provide professional development in the integration of advanced technologies, including merging technologies into curricula and instruction and using those technologies to create new learning environments.

- School districts are only allowed to carry over up to 50 percent of their previous year's available amount into the next school year.
- School districts must evaluate students to demonstrate technological literacy by the end of the 8<sup>th</sup> grade.

### **Nonpublic School Allocations**

There is no set dollar amount for Title II Part D allocations for nonpublic schools because eligibility for this program is based on Title I eligibility. If a nonpublic school is eligible and participates in Title I funding, then that school should be able to participate in the Title II Part D program at the same percentage level as they are participating in Title I. For example, if a nonpublic receives 1% of the public district's Title I allocation, that nonpublic school should receive 1% of the public district's Title II Part D allocation. There is no additional dollar amount available to the public district for the nonpublic's participation. However, there are restrictions on what can and cannot be done with Title II Part D at the nonpublic level. If computers are purchased, the public district owns the computers even though they are placed in the nonpublic school. Anything purchased for a nonpublic school must be mobile enough to take it out of the nonpublic building. Therefore, internet connectivity is one example that is an unallowable activity for a nonpublic school with Title II D funds.

### **North Dakota Professional Competency Continuum (PCC)**

DPI must ensure to the U.S. Department of Education that North Dakota teachers and principals become technologically literate. School districts must provide professional development to accomplish this goal. The North Dakota Professional Competency Continuum (PCC) has been made available to school districts to annually assess licensed staff to address technology literacy and technology integration into curriculum. At least 85 percent of a school district's licensed staff must complete the North Dakota Professional Competency Continuum assessment annually to determine technology literacy and integration. School districts can use this tool as a professional development activity and should communicate their expectations and information to all licensed staff.

The website for the PCC manuals is <http://www.edutech.nodak.edu/ndpcc/pdf/index.htm>. The website for the PCC assessment is <http://pcc.hprrtec.org>. If a school district missed the April 15 deadline for completing the PCC, it will have an opportunity in the fall to access the assessment. For additional information, contact Dan Pullen at [dan.pullen@sendit.nodak.edu](mailto:dan.pullen@sendit.nodak.edu) or Chris Kalash at [ckalash@state.nd.us](mailto:ckalash@state.nd.us).

## **TITLE III PART A. ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT ACT**

**Purpose** Ensure that limited English proficient (LEP) students, including immigrant children and youth, develop English proficiency and meet the same challenging state academic content and academic achievement standards that other children are expected to meet. Schools use these funds to implement language instruction educational programs designed to help LEP students achieve these standards. States, school districts, and schools are accountable for increasing the English proficiency and core academic content knowledge of LEP students.

### **Available Funds:**

- Title III LEP funding is available for districts that report students who meet the limited English proficiency definition.
  - Title III grants must be \$10,000 or more. Districts that do not meet the minimum criteria may collaborate with other districts.
  - Title III immigrant education funding is available for districts that had a significant increase in new immigrant students.

## Program Requirements

To be eligible for Title III funding school districts must have a basic program in place funded through state and local funds. Districts and consortia participating in Title III must:

- identify LEP students by a state-approved language proficiency screening assessment;
- participate in the annual state English language proficiency assessment program;
- provide high-quality language instruction educational programs that are based on scientifically-based research;
- provide high-quality professional development to classroom teachers, principals, administrators, and other school or community based organizational personnel;
- meet parental notification requirements which include the involvement of parents in Title III programming options and the notification of Annual Measurable Achievement Objectives (AMAOs);
- submit an end-of-the-year program report to DPI;
- use funding to supplement, not supplant, English Language Learner Program activities and
- use 2 percent or less of their allocations for administrative costs of carrying out its responsibilities under this program.

Title III Professional development activities must be:

- designed to improve the instruction and assessment of limited English proficient students;
- designed to enhance the ability of teachers to understand and use curricula, assessment measures, and instruction strategies for limited English proficient students;
- based on scientifically-based research demonstrating the effectiveness of the professional development in increasing English proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of teachers; and
- 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 that this 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.

For further information on Title III please see the DPI website at:

<http://www.dpi.state.nd.us/bilingul/nochild/index.shtm>

## **TITLE IV PART A. SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES**

**Purpose** Support programs that prevent violence in and around schools; that prevent the illegal use of alcohol, tobacco, and drugs; that involve parents and communities; and that are coordinated with related federal, state, school, and community efforts and resources to foster a safe and drug-free learning environment that supports student academic achievement.

### **Principles of Effectiveness**

Programs are based on the following six **Principles of Effectiveness**.

**Principle 1** **What risks are the children exposed to?**  
**Assess current incidence data of violence and illegal drug use and include an objective analysis of current conditions.** Consult with teachers, parents, students, other prevention programs, medical personnel, mental health professionals and law enforcement. As a group, determine what the alcohol, drug, tobacco, violence and safety issues are in the schools. Describe the data used to determine the problem areas: i.e., Youth Risk Behavior Survey (YRBS), school discipline records, student surveys.

**Principle 2** **How can more assets and protective factors be added for the students?**

**Use analysis of the data available at the time based on risk factors and protective factors.**

**Protective factors, buffer or assets:** any one of a number of known factors (research-based) shown to prevent alcohol, tobacco, illegal drug use or violent behavior. Provide opportunities, skills and recognition for positive bonding in the school. (See page 46 for protective factors). See <http://www.search-institute.org/assets/forty.htm> for definitions of assets.

**Principle 3 What works?**

**Use scientific research-based programs and curriculum.**

What will be done to address these risk factors? Describe the research-based curriculum, activities or programs planned for the school and plan to coordinate the school's program with research-based community programs. (See Approved Program and Curriculum List and Authorized Activities.) Single events (i.e., bringing in a speaker) are not allowed.

There is a waiver for innovative programs with a likelihood of success. If a district wishes a waiver, it should state the reasons why and how the effectiveness of the program/curriculum will be demonstrated in a proposal.

**Principle 4 How can a school measure success?**

**Use an established set of performance measures.**

Describe how the school will know if the problems have increased, decreased or stayed the same. The performance measures for drug and violence prevention programs and activities **must** include:

- Specific reductions in the prevalence of identified risk factors.
- Specific increases in the prevalence of protective factors, buffers or assets, if any have been identified.
- Levels of performance for each performance indicator

**Principle 5 How will a school know if it is making a difference and will continue to make a difference?**

**Plan for ongoing local evaluation.**

Periodically evaluate the program or curriculum. This can be done by random student interviews, analysis of classroom grades or pre-post tests. The results are used to refine, improve, or strengthen the programs and/or activities.

**Principle 6 How can parents help?**

**Ensure ongoing consultation with parents.** Parents need to be an integral part of the formula, in the planning and analyzing results, key players in activities, and visible in programs.

**Program Requirements**

- Districts may not use more than 2 percent of its allocation for the administrative costs of carrying out its responsibilities for SDFSC.
- A district may carry over up to 25 percent of the previous year's available amount.
- Up to 40 percent of the total allocation may be spent on activity number IV-23 listed below. No more than 20 percent of the allocation may be spent on any one or all of activities IV-24 - IV-27, which will be subtracted from the 40 percent allowed for activity IV-23.

- Districts must have a crisis management plan to keep schools safe and drug-free and must communicate that plan to all staff.

### **Research Based Curriculum** (This is not an exclusive list)

The U.S. Department of Education granted nine research-based prevention programs "exemplary" status. Curriculum training information in Life Skills and Project Toward No Tobacco (marked with an asterisk) is available through the DPI website at <http://www.dpi.state.nd.us/health/index.shtm>.

- Athletes Training and Learning to Avoid Steroids (ATLAS)
- CASASTART (substance abuse prevention)
- \*Life Skills (substance abuse prevention)
- OSLC Treatment Foster Care
- Project Northland (substance abuse prevention)
- \*Project Toward No Tobacco
- Second Step (violence prevention)
- Strengthening Families Program: For Parents and Youth 10-14
- Project Alert (resistance training for risky behaviors)

Other North Dakota DPI research-based curriculum training is available for:

- Know Your Body
- Bully Free Classroom
- Get Real About Violence
- We Are All Related.

### **Protective Factors**

- **Protective factors** are conditions that buffer young people from the negative consequences of exposure to risks by either reducing the impact of the risk or changing the way a person responds to the risk. Enhancing protective factors can reduce the likelihood of problem behaviors arising. Research has identified protective factors that fall into three basic categories: individual characteristics, bonding, healthy beliefs and clear standards.

Children are born with **individual characteristics** that are difficult to change: gender, a resilient temperament, a positive social orientation, and intelligence. Intelligence does not protect against substance abuse.

- **Positive bonding** makes up for many other disadvantages caused by other risk factors or environmental characteristics. In order to build positive bonds; opportunities, skills, and recognition are necessary. Children must be presented with opportunities to contribute to their communities, family, peers, and schools. The challenge is to provide children with meaningful opportunities that help them feel responsible and significant.

The people to whom youth are bonded need to have **clear, positive standards** for behavior. This is what protects young people. When adults set clear standards for behavior that are widely and consistently supported and there are consistent consequences if the standards are not followed, young people are more likely to follow the standards.

For additional information on protective factors, see <http://www.ncrel.org/sdrs/areas/issues/envrnmnt/drugfree/sa2profa.htm>

## **TITLE VI TRANSFERABILITY**

**Purpose:** Allow school districts greater flexibility to target federal funds to programs that most effectively address their unique needs

### **Allocations that may be transferred**

Any school district (except those identified for program improvement under Title I Section 1116(c) or subject to corrective action under Title I Section 1116(c)(9)) **may transfer up to 50 percent** of the funds allocated to it by formula under the programs listed below. School districts that are identified for program improvement may only transfer 30 percent. School districts identified for corrective action may not participate in this option.

Title II Part A	Section 2121 Teacher and Principal Training and Recruitment
Title II Part D	Section 2412(a)(2)(A) Enhancing Education Through Technology
Title IV Part A	Section 4112(b)(1) Safe and Drug-Free Schools and Communities
Title V Part A	Section 5112(a) Innovative Programs

for authorized activities under the following programs:

Title I Part A	Disadvantaged Children Meet High Standards
Title II Part A	Section 2121 Teacher and Principal Training and Recruitment
Title II Part D	Section 2412(a)(2)(A) Enhancing Education Through Technology
Title IV Part A	Section 4112(b)(1) Safe and Drug-Free Schools and Communities
Title V Part A	Section 5112(a) Innovative Programs

### **Requirements for Transfer of Funds**

- Any transferred funds are subject to the requirements of the programs to which they are transferred.
- A school district that wants to transfer funds must indicate that on its Consolidated Application for Federal Title Program Funds. If during the year, it becomes necessary to transfer funds, a school district must notify DPI at least 30 days before the effective date of the transfer.
- A school district must consult with the nonpublic schools in its district before a transfer is requested.
- Transferring funds into a program increases the base for set-asides. For instance, transferring funds into Title II Part D increases the amount that must be used for technology related professional development activities.

### **Schools Identified for Program Improvement**

- School districts identified for improvement under Title I Section 1116(c) may only transfer up to 30 percent of the funds allocated to it (by formula as stated above) to its allocation for program improvement under Title I section 1003 or to any of the programs stated above if the transferred funds are used only for program improvement activities consistent with Title I Section 1116(c).

### **Schools Identified for Corrective Action**

- School districts identified for corrective action may not transfer any funds under the transferability authority.

For more information, see <http://www.ed.gov/nclb/freedom/local/flexibility/index.html#trans>.

### **TITLE VI RURAL EDUCATION ACHIEVEMENT PROGRAM (REAP) INITIATIVES**

**Purpose:** To address the unique needs of rural school districts that lack the personnel and resources needed to compete effectively for grants and that receive formula grant allocations in amounts too small to be effective in meeting their intended purposes.

#### **Alternative Uses of Funds Authority**

This initiative allows eligible school districts to combine the formula funding under

Title II Part A Section 2121 Teacher and Principal Training and Recruitment  
Title II Part D Section 2412(a)(2)(A) Enhancing Education Through Technology  
Title IV Part A Section 4112(b)(1) Safe and Drug-Free Schools and Communities  
Title V Part A Section 5112(a) Innovative Programs  
for authorized activities under

Title I Part A Disadvantaged Children Meet High Standards  
Title II Part A Teacher and Principal Training and Recruitment  
Title II Part D Enhancing Education Through Technology  
Title III Language Instruction for Limited English Proficient and Immigrant Students  
Title IV Part A Safe and Drug Free Schools  
Title IV Part B 21<sup>st</sup> Century  
Title V Part A Innovative Strategies

#### Eligibility

- Eligible school districts must have an average daily attendance of less than 600 **OR** each county in which a school is located and served by a school district has a population density of fewer than 10 people per square mile **AND** a Locale Code of 7 or 8.
- School districts that participate in REAP are expected to participate for at least three years. If a school district that participated in those years decides not to participate in one year, that school district will not be eligible to participate in REAP in future years. School districts may not jump in and out of the program.

#### Requirements

- Eligible school districts wishing to participate in the Alternative Uses of Funds must indicate that on the Consolidated Application for Federal Title Funding.

#### **Small, Rural School Grant Program**

- This initiative is a formula grant directly to the eligible (same eligibility requirements as stated above) school districts from the U.S. Department of Education. This grant is not administered by DPI. The U.S. Department of Education determines the amount of the allocations for the eligible districts. The formula is \$20,000 for the first 50 ADA plus \$100 per ADA over 50 (for a total amount not to exceed \$60,000) less the total of the previous year's Titles II A, II D, IV A, and V allocations.

## **Rural and Low-Income School Program**

- This initiative is a small grant program from the U.S. Department of Education to DPI for awarding subgrants to eligible school districts. DPI will award these subgrants on a competitive basis. It will not be part of the Consolidated Application. These funds may be used for the following purposes:

- Teacher recruitment and retention
- Teacher professional development
- Educational technology as described in Title II Part D
- Parental involvement activities
- Activities authorized under Title IV Part A
- Activities authorized under Title I Part A
- Activities authorized under Title III

### Eligibility

Eligible school districts must have 20 percent or more of the students ages 5-17 from families with incomes below the poverty line; a Locale Code of 6, 7, or 8; AND are not eligible to receive a Small, Rural School Grant (as described above).

For more information, refer to <http://www.ed.gov/offices/OESE/reap.html>.

## **GENERAL PROVISIONS**

### **Supplement versus supplant**

Federal funds may only be used to supplement (add to) non-federal funds to support programs or projects. Determination of supplement versus supplant is usually done on a case-by-case basis. This is a program-level test designed to ensure that federal funds are not used to provide services that would, in the absence of those federal funds, be supported with state or local resources. The district must demonstrate that it would not have provided the services/materials/equipment in question with non-federal funds had the federal funds not been available.

### **Nonpublic Schools**

Title IX, Part E, Subpart 1 Section 9501 of the NCLBA provides that each school district gives nonpublic school(s) an opportunity to equitably participate in the federal title educational programs. Public school administrators must consult with nonpublic schools to determine if they wish to participate. If the nonpublic school(s) chooses to participate in any of the programs, the school district must include them in the planning, implementation, and evaluation of the program(s) selected. Funds must be used to benefit the students, not the schools themselves, and must be supplemental to other funds.

- Any services provided to the nonpublic schools must be secular, neutral, and non-ideological. A benchmark for this is that the equipment and materials would be appropriate for use in public schools.
- To meet general record-keeping responsibilities, school districts must document that 1) representatives of nonpublic schools were informed that the services were available; 2) the needs of the nonpublic and public schools were identified as part of a district-wide needs assessment (particularly for Title II Part A); 3) nonpublic schools were consulted and provided the opportunity for input into the planning the activities; and 4) the school district designed a project that would permit equitable participation.
- Public school districts must maintain administrative control over funds and property that benefit students enrolled in nonpublic schools. The nonpublic administrator must submit invoices (or other expense documentation) to the public administrator for payment. Funds may not be issued directly to the nonpublic school.

- Administration costs that school districts charge to the programs for public and nonpublic students and teachers must come “off the top” of the total school district (total of public and nonpublic) allocations. The public district keeps title to any equipment purchased for the nonpublic schools, and that equipment must be included on the public district’s inventory of equipment and clearly marked that it was purchased with funds from whichever title program. Nonconsumable supplies must also be inventoried and marked by the public district. Equipment and supplies may be placed in the nonpublic school for the time needed for the project. It is the public school district’s responsibility to ensure that equipment and materials placed in the nonpublic schools are used only for proper purposes.
- Public school districts may use program funds to pay for the services of an employee of a nonpublic school only if (1) the employee performs the services outside of his or her regular hours of duty; or (2) the employee performs the services under public supervision and control. Title funds cannot be used to pay any portion of a nonpublic school teacher’s salary or benefits. Professional development funds may be used to pay stipends to nonpublic school teachers participating in high quality, scientifically-based professional development activities. The stipends must be reasonable and necessary. For example, if the professional development activity is conducted during after school hours or in the summer, stipends may be needed to compensate teachers for their participation outside their regular employment hours. Stipends for nonpublic school teachers must be available on the same bases as those for public school teachers and **the stipends must be paid directly to the nonpublic school teachers for their own use and NOT to the nonpublic school.**

### Home School Educators

The requirements of the NCLBA do not affect home schools. However, federal regulations require school district personnel to contact all families that choose to home-school their student(s) and inform them of their right to participate in the federal title programs. The letter must include an explanation of each federal program so the home educators understand what each program covers and must include a contact name and number for home educators to call if they are interested. The Title I program is not available to all students, but only to those students who meet the Title I eligibility criteria.

### School Prayer Certification

Title IX Part E Subpart 2 Section 9524 of the NCLBA requires that school districts annually certify in writing that it has no policy that prevents or otherwise denies participation in constitutionally protected prayer in public schools by **October 1** of each year. DPI is required to report to the U.S. Department of Education the names of the school districts that do not submit this certification. This certification is included on the Consolidated Application Certification and Assurances (SFN 53297).

- If a school district fails to file the required certification, or files it in bad faith, DPI will ensure compliance in accordance with established enforcement procedures based on the General Education Provisions Act (GEPA). The U.S. Department of Education considers a school district to have filed a certification in bad faith if the school district files the certification even though it has a policy that prevents or otherwise denies participation in constitutionally protected prayer in public schools.
- The relationship between religion and government in the United States is governed by the First Amendment to the Constitution, which both prevents the government from establishing religion and protects privately initiated religious express and activities from government interference and discrimination. The First Amendment thus establishes certain limits on the conduct of public school officials as it relates to religious activity, including prayer. The U.S. Department of Education’s guidance on school prayer certification addresses the following: prayer during non-instructional time; organized prayer groups and activities; teachers, administrators, and other school employees; moments of silence; accommodation of prayer during instructional time; religious expression and prayer in class assignments; student assemblies and extracurricular events; prayer at graduation; and baccalaureate ceremonies.

Refer to [http://www.ed.gov/policy/gen/guid/religionandschools/prayer\\_guidance.html](http://www.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html) for more information on school prayer.

### **Public Input**

Title IX, Part C Section 9306 of the NCLBA requires that school districts receive public input on their Consolidated Applications before they are submitted to DPI for review and approval.

### **Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S. C. § 1232g; 34 CFR Part 99) protects the privacy of student education records. The law applies to all schools that receive funds under applicable programs of the U.S. Department of Education. For more information, see the General Requirements for Federal Programs at <http://www.dpi.state.nd.us/grants/require.pdf>, the federal guidance at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html?exp=0>, or the complete FERPA law at <http://www.ed.gov/offices/OM/fpco/pdf/ferparegs.pdf>.

### **Military Recruiter Access**

Title IX Part E Subpart 2 Section 9528 of the NCLBA requires that school districts must provide directory-type information (students' names, addresses, and telephone listings) of junior and senior high school students to military recruiters who request it. Consent is not required by the parent or eligible student. However, parents must be provided an opportunity to "opt-out" by signing a document stating that directory information may not be disclosed. See U.S. Department of Education guidance at <http://www.ed.gov/policy/gen/guid/fpco/hottopics/ht-10-09-02a.html>.

### **Protection of Pupil Rights Amendment (PPRA)**

The Protection of Pupil Rights Amendment (PPRA), Section 445(b) of the General Education Provisions Act, has been amended. Slight changes have been made to the language regarding limits on survey, analysis, or evaluations. A new section has been added that requires school districts to develop local policies regarding student privacy, parental access to information, and administration of certain physical examinations to minors and lists the areas that need to be included in these policies. For more information, see the General Requirements for Federal Programs at <http://www.dpi.state.nd.us/grants/require.pdf> or the federal guidance at <http://www.ed.gov/policy/gen/guid/fpco/ppra/index.html>.

### **Scientifically-Based Research (SBR)**

The No Child Left Behind Act requires educators to use research to guide planning and instruction. School districts are to use effective methods and instructional strategies that are based on scientifically-based research that strengthens the core academic program of the schools. The definition of SBR is "research that applies rigorous, systematic and objective procedures to obtain valid knowledge relevant to education activities and programs." This includes research that:

- **Employs rigorous, systematic, and empirical methods** – Does the work have a solid theoretical or research foundation? Was it carefully designed to avoid biased findings and unwarranted claims of effectiveness? Does the research clearly delineate how the research was conducted, by whom it was conducted, and on whom it was conducted?
- **Adequacy of data to justify the general conclusions drawn** – Was the research designed to minimize alternative explanations for observed effects? Are the observed effects consistent with the overall conclusions and claims of effectiveness? Does the research present convincing documentation that the observed results were the result of the intervention? Does the research make clear what populations were studied (i.e., does it describe the participants' ages, as well as their

demographic, cognitive, academic and behavioral characteristics) and does it describe to whom the findings can be generalized? Does the study provide a full description of the outcome measures?

- **Reliance on methods that provide valid data across multiple measurements and observations** – Are the data based on a single-investigator, single-classroom study, or did multiple investigators in numerous locations collect similar data? What procedures were in place to minimize researcher biases? Do observed results “hold up” over time? Are the study interventions described in sufficient detail to allow for replicability? Does the research explain how instructional fidelity was ensured and assessed?
- **Use of control groups (experimental studies)** – Has a randomly assigned control group or some other kind of comparison group been used?
- **Details allow for replication** – Does the study clearly explain how the treatment was designed? Is there enough detail to replicate the study?
- **Acceptance by a peer-reviewed journal or approved by a panel of independent experts** – Has the review been rigorous and objective? Has the research been carefully reviewed by unbiased individuals who were not part of the research study? Have the findings been subjected to external scrutiny and verification?

Scientific-based research has been done in such areas as teacher characteristics, classroom practices, reading, and safe and drug-free schools and communities programs.

For more information, see <http://www.ed.gov/nclb/methods/whatworks/research/index.html> and Appendix A at <http://www.ed.gov/programs/teacherqual/guidance.doc>.

## DEFINITIONS

**Highly Qualified (Title IX Section 9101 (23)).** The term “highly qualified” —

(A) when used with respect to any public elementary school or secondary school teacher teaching in a State means that —

(i) the teacher has obtained full State certification as a teacher (including certification obtained through alternative routes to certification) or passed the State teacher licensing examination, and holds a license to teach in such State, except that when used with respect to any teacher teaching in a public charter school, the term means that the teacher meets the requirements set forth in the State's public charter school law; and

(ii) the teacher has not had certification or licensure requirements waived on an emergency, temporary, or provisional basis;

(B) when used with respect to —

(i) an elementary school teacher who is new to the profession, means that the teacher —

(I) holds at least a bachelor's degree; and

(II) has demonstrated, by passing a rigorous State test, subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary school curriculum (which may consist of passing a State-required certification or licensing test or tests in reading, writing, mathematics, and other areas of the basic elementary school curriculum); or

(ii) a middle or secondary school teacher who is new to the profession means that the teacher holds at least a bachelor's degree and has demonstrated a high level of competency in each of the academic subjects in which the teacher teaches by —

(I) passing a rigorous State academic subject test in each of the academic subjects in which the teacher teaches (which may consist of a passing level of performance on a State-required certification or licensing test or tests in each of the academic subjects in which the teacher teaches); or

(II) successful completion, in each of the academic subjects in which the teacher teaches, of an academic major, a graduate degree, coursework equivalent to an undergraduate academic major, or advanced certification or credentialing; and

(C) when used with respect to an elementary, middle, or secondary school teacher, who is not new to the profession, means that the teacher holds at least a bachelor's degree and —

(i) has met the applicable standard in clause (i) or (ii) of subparagraph (B), which includes an option for a test; or

(ii) demonstrates competence in all the academic subjects in which the teacher teaches based on a high objective uniform State standard of evaluation that —

(I) is set by the State for both grade appropriate academic subject matter knowledge and teaching skills;

(II) is aligned with challenging State academic content and student academic achievement standards and developed in consultation with core content specialists, teachers, principals, and school administrators;

(III) provides objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches;

(IV) is applied uniformly to all teachers in the same academic subject and the same grade level throughout the State;

(V) takes into consideration, but not be based primarily on, the time the teacher has been teaching in the academic subject;

(VI) is made available to the public upon request; and

(VII) may involve multiple, objective measures of teacher competency.

### **Immigrant Students:**

The term “immigrant children and youth,” as defined in section 3301(6) of Title III of the No Child Left Behind Act refers to individuals who

- Are aged 3 through 21;
- Were not born in any state; and
- Have not been attending one or more schools in any one or more states for more than three full academic years.

**Professional Development (Title IX General Provisions Section 9101 (34)).** The term “professional development” —

(A) includes activities that —

(i) improve and increase teachers' knowledge of the academic subjects the teachers teach and enable teachers to become highly qualified;

(ii) are an integral part of broad schoolwide and districtwide educational improvement plans;

(iii) give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State academic content standards and student academic achievement standards;

- (iv) improve classroom management skills;
- (v) (I) are high quality, sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom; and  
(II) are not 1-day or short-term workshops or conferences;
- (vi) support the recruiting, hiring, and training of highly qualified teachers, including teachers who became highly qualified through State and local alternative routes to certification;
- (vii) advance teacher understanding of effective instructional strategies that are —
  - (I) based on scientifically-based research (except that this subclause shall not apply to activities carried out under part D of Title II); and
  - (II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers; and
- (viii) are aligned with and directly related to —
  - (I) State academic content standards, student academic achievement standards, and assessments; and
  - (II) the curricula and programs tied to the standards described in subclause (I) except that this subclause shall not apply to activities described in clauses (ii) and (iii) of section 2123(3)(B);
- (ix) are developed with extensive participation of teachers, principals, parents, and administrators of schools to be served under this Act;
- (x) are designed to give teachers of limited English proficient children, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;
- (xi) to the extent appropriate, provide training for teachers and principals in the use of technology so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and core academic subjects in which the teachers teach;
- (xii) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;
- (xiii) provide instruction in methods of teaching children with special needs;
- (xiv) include instruction in the use of data and assessments to inform and instruct classroom practice; and
- (xv) include instruction in ways that teachers, principals, pupil services personnel, and school administrators may work more effectively with parents; and

(B) may include activities that —

- (i) involve the forming of partnerships with institutions of higher education to establish school-based teacher training programs that provide prospective teachers and beginning teachers with an opportunity to work under the guidance of experienced teachers and college faculty;

- (ii) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of Title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers; and
- (iii) provide follow-up training to teachers who have participated in activities described in subparagraph (A) or another clause of this subparagraph that is designed to ensure that the knowledge and skills learned by the teachers is implemented in the classroom.

**RESOURCES**

American Association of School Administrators Resources and Best Practices for Implementing No Child Left Behind: [http://www.aasa.org/issues\\_and\\_insights/ESEA/bow\\_overall.htm](http://www.aasa.org/issues_and_insights/ESEA/bow_overall.htm)  
 Department of Public Instruction website: <http://www.dpi.state.nd.us>  
 Department of Public Instruction Title I website: <http://www.dpi.state.nd.us/title1/index.shtm>  
 U.S. Department of Education website: <http://www.ed.gov>  
 U.S. Department of Education Title II Part A Guidance: <http://www.ed.gov/programs/teacherqual/guidance.pdf>  
 U.S. Department of Education Title II Part D Guidance: <http://www.ed.gov/programs/edtech/guidance.doc>  
 U.S. Department of Education Title IV Part A Guidance: <http://www.ed.gov/programs/dvpformula/guidance.doc>  
 U.S. Department of Education Title V Part A Guidance: to <http://www.ed.gov/programs/innovative/titlevguidance2002.pdf>  
 U.S. Department of Education Text of P.L. 107-110 *No Child Left Behind Act*: <http://www.ed.gov/legislation/ESEA02/>  
 U.S. Department of Education Summary of Flexibility Initiatives: <http://www.dpi.state.nd.us/grants/esea.pdf>.  
 Locale Codes, National Center for Education Statistics (NCES): <http://www.nces.ed.gov>

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