

**North Dakota Department of Public Instruction
TITLE I FAST FACT SERIES**

Issue: Using Title I Funds for Data Management, Assessments, and Learning Plans

Any time state law, North Dakota Century Code (NDCC), requires school districts to implement a certain initiative, it becomes a potential supplanting violation to use federal funds, such as Title I, to fund the initiative even though it may have been done in the past. The purpose of this fast fact is to outline the various data management systems and assessment measures required by state law and how it has implications on the use of federal funds.

Data Management (i.e., PowerSchool)

During the 2009 legislative session, language was incorporated into the Century Code requiring schools to utilize PowerSchool as their principal student information system (NDCC 15.1-07-33). Since state law now requires this program for all schools, it is considered supplanting to use federal funds to pay for the PowerSchool program.

Student Assessments (i.e., NWEA, WorkKeys, ACT)

- **NWEA Measures of Academic Progress (MAP)** – During the 2009 legislative session, language was incorporated into the Century Code requiring schools to annually administer the NWEA Measures of Academic Progress, or any other interim assessment approved by the superintendent of public instruction, to grades 2-10 (NDCC 15.1-21-17). Since state law now requires this assessment for all schools, it is considered supplanting to use federal funds to pay for the NWEA assessment.
- **WorkKeys and ACT** – Also during the 2009 legislative session, language was incorporated into the Century Code requiring students in grade 11 to take the ACT or three WorkKeys assessments (NDCC 15.1-21-19). The law also requires that the cost of the assessment and its administration are the responsibility of the district. Since state law now requires this assessment for all schools, it is considered supplanting to use federal funds to pay for the WorkKeys or ACT assessments.

Learning Plans

- **English Language Learners: Individualized Plans** – The NDCC states that if a school district determines that a student requires English Language Learner services, the school district shall convene a team to review the student's language and educational needs (NDCC 15.1-38-03). It is the team's responsibility to develop an individualized language plan and recommend specialized language instruction and related services. Since state law requires that the district develop the English Language Learner Individualized Plan, it is considered supplanting to use federal funds to pay for the development of this plan.

How can schools help support elements that are required by state law?

In some instances, schools may be able to use their Title I funds to support professional development or training relating to these elements required in state law; however, a school's targeted assistance or schoolwide Title I status plays a significant role when determining whether these activities would be allowable.

In summary, Title I funds must be used for expenditures that are supplemental, reasonable, and necessary to operate a Title I program. Districts must keep focused on the ultimate goal, which is enhancing student achievement.

If you have questions regarding this issue, please contact:

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