

## Compliance with Title III Requirements

The purpose of Title III of the *No Child Left Behind Act of 2001* (NCLB) is to help ensure that children who are limited English proficient (LEP), including immigrant children and youth, attain English language proficiency, develop high levels of academic achievement in English, and meet the same challenging state academic content and student academic achievement as all children are expected to meet.  
[NCLB, Section 3102(1)]

Identification, Screening, and Placement of Limited English Proficient (LEP) Students	Timeframe for Completion
Initial identification of LEP students is required as part of the enrollment process under <i>Title VI</i> of the <i>Civil Rights Act of 1964</i> .	Ongoing as part of the enrollment process for all students
Assess students who have been identified as LEP for English language proficiency. [ <i>Title VI</i> of the <i>Civil Rights Act of 1964</i> ]  The Virginia Department of Education recommends the use of the W-APT™ or WIDA MODEL as the ELP screening assessment. However, school divisions may determine the ELP assessment screening tool. [ <b>Testing Memorandum 840</b> , dated June 14, 2010]	Ongoing as part of the enrollment process
Place LEP students in an appropriate English language instructional program based on the results of the English language proficiency assessment screening. [NCLB, Section 3115 (c)(1)]	Ongoing as part of the enrollment process
Inform parents annually regarding their child’s placement in a language instruction education program within 30 days after the beginning of the school year, or within two weeks of the child’s placement within a program. The letter must include the following components: <ul style="list-style-type: none"> <li>• Level of English proficiency and how level was assessed;</li> <li>• Method of instruction and other available methods of instruction;</li> <li>• How the program will meet the educational needs of the student;</li> <li>• Graduation requirements;</li> <li>• Exit requirements;</li> <li>• LEP students and special education; and</li> <li>• Parental right to remove student from program or refuse services.</li> </ul> [NCLB, Section 3302(a)]	30 days after the beginning of the school year <b>OR</b> within 2 weeks after ESL placement
Assessing the English Language Proficiency of LEP Students	Timeframe for Completion
Assess the English language proficiency of all LEP students using a state approved assessment. [NCLB, Section 3113(3)(D)]  The state-approved English language proficiency assessment in Virginia is the ACCESS for ELLs®. The Division Director of Testing (DDOT) will notify division personnel of the state-approved division testing window for the annual English language proficiency assessment.	February through May (state-approved testing window selected by school division)

Funding	Timeframe for Completion
<p>Apply for Title III grant funding. School divisions may qualify for two types of funding under Title III:</p> <ul style="list-style-type: none"> <li>□ LEP subgrants</li> <li>□ and/or Immigrant and Youth (IY) subgrants</li> </ul> <p>Divisions must receive \$10,000 to apply for LEP funds. School divisions that receive less than \$10,000 must enter into a consortium to receive funds. [NCLB, Sections 3114(b) and 3115(a)]</p> <p>Funds must be used for:</p> <ul style="list-style-type: none"> <li>□ Programs that increase English language proficiency and student achievement in core content classes; and</li> <li>□ Providing high-quality professional development to classroom teachers, principals, administrators, and other school personnel.</li> </ul> <p>[NCLB, Section 3212(A)(i-ii)]</p>	<p>Superintendent’s memo announcing federal applications released annually around March</p> <p>Deadline to submit federal application: July 1</p>
Accountability	Timeframe for Completion
<p>Title III requires subgrantees to meet three Annual Measurable Achievement Objectives (AMAOs). Calculations for AMAO 1 (Progress) and AMAO 2 (Proficiency) are based on the results from the statewide administration the ACCESS for ELLs<sup>®</sup> test. AMAO 3 (AYP) is calculated by using the LEP students’ performance results on the Standards of Learning (SOL) assessments. [NCLB, Sections 1111(b)(7) and 3113(5)(B)]</p> <p>Divisions have the opportunity to review the data in the Title III Summary Report on the Single Sign-On for Web Systems (SSWS).</p>	<p>Fall AMAO results released to the field</p>
<p><b>Year One:</b> In first year of not meeting any one or more AMAO(s), divisions: Provide separate notification of failure to meet any Title III AMAOs to parents of LEP students. [NCLB, Section 3302(b)]</p>	<p>Within 30 days after failure occurs</p>
<p><b>Year Two:</b></p> <ul style="list-style-type: none"> <li>• After two years of not meeting any one or more AMAO(s), divisions:</li> <li>• Provide separate notification of failure to meet any Title III AMAOs to parents of LEP students [NCLB, Section 3302(b)]</li> <li>• Enter Year 1 of Title III Division Improvement [NCLB, Section 3122 (b)(2)]</li> </ul>	<p>Within 30 days after failure occurs</p>

Accountability	Timeframe for Completion
<p><b>Year Four:</b></p> <ul style="list-style-type: none"> <li>• After four years of not meeting any one or more AMAO(s), divisions:</li> <li>• Provide separate notification of failure to meet Title III AMAOs to parents of LEP students [NCLB, Section 3302(b)]</li> <li>• Revise Title III improvement plan with technical assistance provided by the state [NCLB, Section 3122(b)(4)]</li> <li>• Modify the existing curriculum, program, and method of instruction to include technical assistance provided by the state. [NCLB, Section 3122(b)(4)]</li> </ul>	<p>Within 30 days after failure occurs</p> <p>Upon receipt of letter from the state notifying the division superintendent of the failure to meet the Title III AMAOs for four consecutive years</p>
<p><b>Monitoring:</b>  Students classified as formerly LEP (Level 6 Year 1 and 6 Year 2) must be monitored for two full academic years to ensure that they are able to participate meaningfully in the regular educational program.  [NCLB, Section 3121(a)(4)]</p>	<p>Ongoing as part of instructional process</p>
<p>To meet the requirements of NCLB, the Virginia Department of Education will monitor Title III subgrantees.</p> <p>Federal policy requires every state educational agency to monitor subgrantee compliance with program-specific requirements.</p>	<p>Five year cycle</p>