



Washington Office of Superintendent of
PUBLIC INSTRUCTION

*Washington State
Multilingual Learners:
Policies and Practices Guide*

2024

CHAPTER 8: TITLE III SERVICES FOR NATIVE AMERICAN STUDENTS

Identification

All districts are required to have procedures for the identification of American Indian and Alaska Native (AI/AN) students who qualify for Title III. It is the district's responsibility to ensure that office staff that assist with student enrollment are trained to identify potential eligible AI/AN students for supplemental Title III services.



AI/AN students whose first language is English may qualify for Title III supplemental instructional support through the following process:

1. Identify AI/AN students:

- Use the district's race/ethnicity forms during enrollment. AND/OR
- Review responses to the question "Do grandparent(s) or parent(s) have a Native American tribal affiliation?" on past versions of the Home Language Survey. Documented tribal affiliation is not a requirement for Title III eligibility.
- Search for Native American students in the Title III section of the LEP Application to determine if the student has previously been tested for Title III eligibility.
- Districts can access information in CEDARS for students transferring within the state using the Limited English Proficient application in the Education Data System (EDS). This application also includes a Title III Possible Eligible, Not Reported (PENR) list of students whose information may be incomplete and are therefore not being reported. It is important to check this report regularly to keep student records complete and ensure that all eligible AI/AN students are receiving services.

2. Review data to determine if the student is academically at risk:

- Not meeting standard on state assessments.
- Below grade level on district assessments.
- In the absence of state and district assessment results, consider multiple indicators, such as classroom-based assessments, curriculum-based assessments, or teacher recommendations. For newly arrived students, allow sufficient time for adjustment and instruction to occur before determining that the student is academically at risk.

3. Inform the family of potential eligibility:

- If a Native American student is academically at risk, inform parents/guardians that the student is potentially eligible for Title III. OSPI has developed a [template letter](#) for this purpose.
- If there is no initial response to the written notification, follow up with a phone call or in-person contact and document the attempt to communicate with the parents/guardians.
- Proceed with administering the screener if there is no response or refusal from the student's parents/guardians.

4. Assess the student with the state language proficiency screener:

- The English language proficiency screener must be administered within 10 school days of the determination of academically at-risk status. Refer to the [English Language Proficiency Screeners](#) page for current eligibility requirements.
- Report all screener results (including Proficient) and program enrollment to CEDARS through the district's student information system. Refer to the Student Limited English Proficiency File (J) of the [CEDARS Data Manual](#) for guidance.

5. Notify the family of results and/or services:

- Notify parents/guardians of the student's initial identification within 30 days of the beginning of the school year, or within 15 days of administering the screener, if identified during the school year.
- OSPI has developed a [template letter](#) for this purpose. The notification must include all required components of the Title III family notification letter. (See [ESEA Sec. 1112\(e\)\(3\)](#))

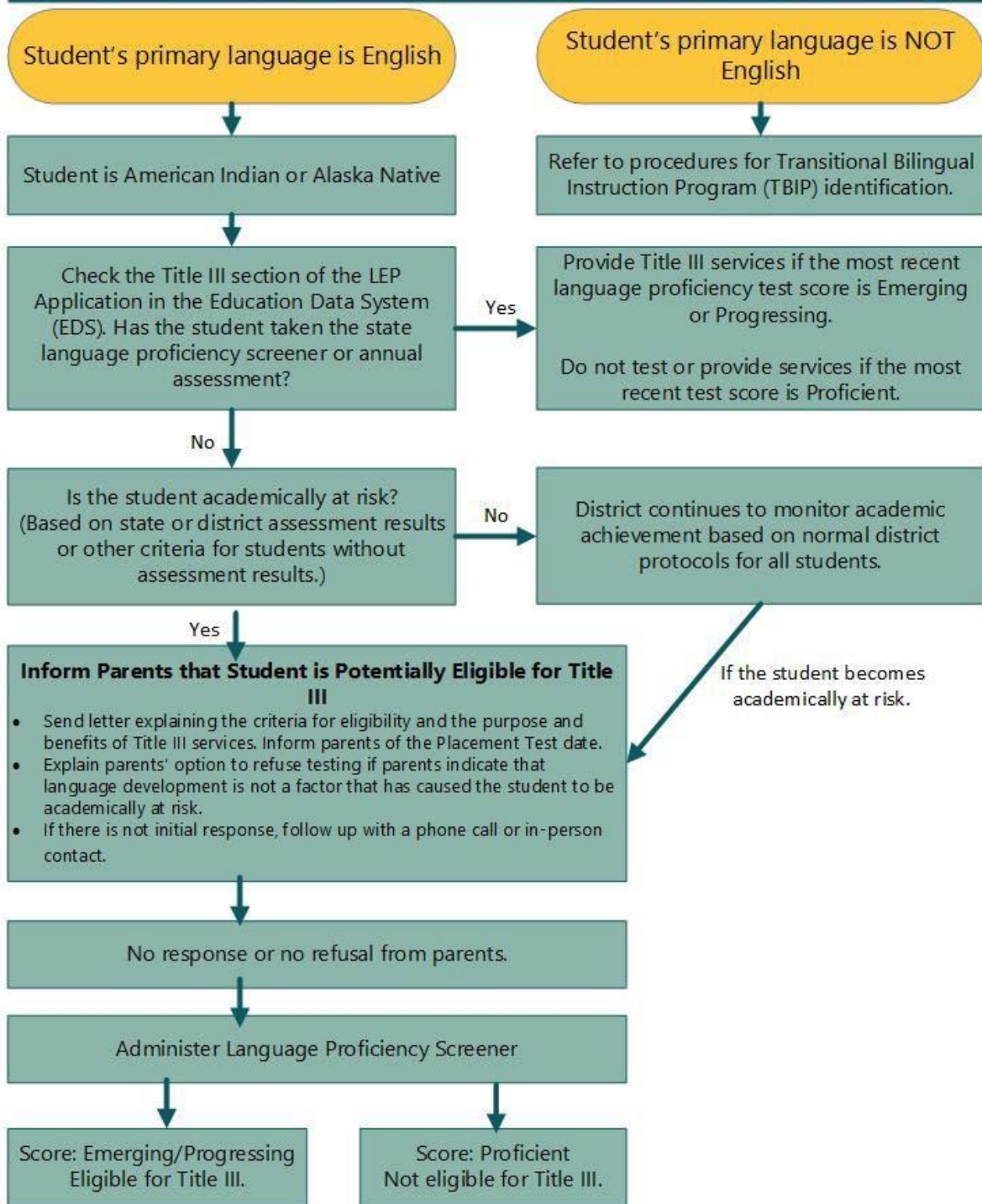
Family Engagement

It is important to engage families in the process of identifying, screening, and placing American Indian and Alaska Native students in Title III services. Schools can use [OSPI's Title III AI/AN parent notification letter templates](#) to:

- Inform families of AI/AN students who may qualify for Title III services
- Explain the screening process and eligibility criteria
- Provide information on the purpose, benefits, and services
- Inform families of their choices and provide contact information to answer questions

It is recommended that if there is no initial response to the written notification, a district staff with in-depth knowledge of Title III AI/AN services follow up with a phone call or in-person contact and document the attempt to communicate with the parents/guardians.

Process for Identifying Title III Eligible American Indian/Alaska Native Students



In-State Transfer Students

Look for the student in the LEP Application in the EDS system to determine whether the student has already been identified for Title III services. If no results are found for the student in the LEP Application of EDS, review student data to determine if the student is academically at risk.

If a Title III eligible student has not been tested on the two most recent annual English proficiency assessments, the district may choose to administer an assessment to determine the current proficiency level and inform placement decisions. The following options are all acceptable options for this purpose.

- A local assessment that was designed to determine current proficiency and inform placement
- WIDA MODEL (district purchased)
- WIDA Screener (Please note that students who are already identified as eligible MLs may not exit ELD services using the Screener, regardless of their score.)

No screener is necessary for a student served previously through Title III in Washington who has not exited on the state annual language proficiency assessment. These students should be served upon enrollment.

Students in State Tribal Compact Schools

Students who attend state tribal education compact schools (STEC) can qualify for Title III funding for language and literacy supports. STEC schools are encouraged to identify, screen, and test students for eligibility which allows the school to access Title III funding to support tribal language programs and other language and literacy support services in the school.

Students in Alternative and Virtual Learning Environments

Students who attend virtual programs are served by the school they attend, not by the local school district. However, if the student needs to do WIDA Screening or WIDA ACCESS testing, the virtual school can contract with the local school district to conduct testing. Many virtual programs already have a Memorandum of Understanding (MOU) in place with the local district to allow for academic annual state testing, and English language proficiency testing can be added to that MOU, if needed.

Language Proficiency Testing

OSPI recognizes that language proficiency testing for Native American students who speak English as a first language can feel inappropriate and potentially harmful to Native students and families who have historically had a strained relationship with our education systems. Please keep in mind that the current federal requirements for Title III are designed to acknowledge the harm that has been done to Native American students' tribal languages and provide additional support to allow us to remove barriers that may be hindering their academic success.

Screening Tests

If a Native American student is determined to be academically at risk and their family does not opt-out after notification, the student must be assessed within 10 school days of the determination of academically at-risk status. Students must be tested using the WIDA Screener for Kindergarten, the WIDA Online Screener for students in grades 1-12, or the WIDA Paper Screener for students who require accommodations. For more information on preparing and training district staff to administer the WIDA Screener, district assessment coordinators can refer to OSPI's [WIDA Quick Start Guide](#) or *Policies and Practices Guide Chapter 1: Identification of Eligibility Multilingual Learners*.

Annual Assessment

All eligible Title III students in Washington are required to take an annual assessment to measure their proficiency in English. Washington State uses the WIDA consortium assessments to measure English proficiency for these students. The WIDA ACCESS assessment is an online annual assessment given to all students who qualify for Title III services. For more information on preparing and training district staff to administer the WIDA Annual Access and Alternative Access Assessment district assessment coordinators can refer to OSPI's [WIDA Quick Start Guide](#) or *Policies and Practices Guide Chapter 1: Identification of Eligibility Multilingual Learners*.

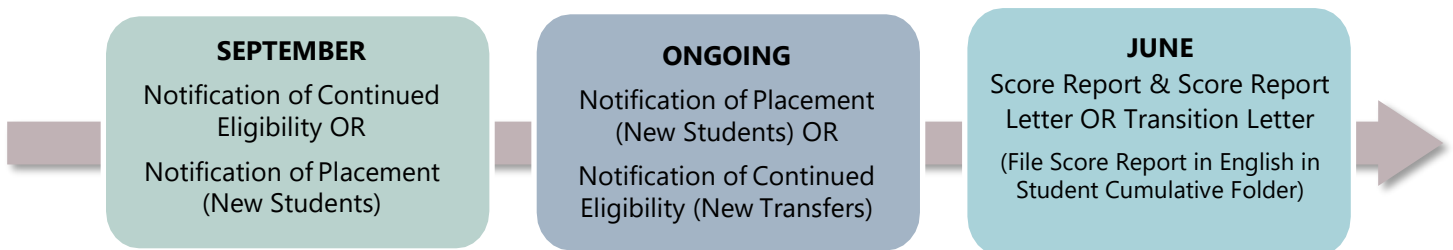
Students who score proficient on the state annual language proficiency assessment are eligible for follow-up academic support as exited students for two years after transitioning. More information on supporting exited students can be found in *Policies and Practices Guide Chapter 3: MTSS, Progress Monitoring and Tiered Supports*.

Test Refusal

OSPI does not provide a form to document parent refusal for annual ELP testing. If parents refuse to allow their child to be tested districts should consult with their district assessment coordinator to determine the locally based procedure for documenting refusal.

Requirements for Annual Parent/Guardian Notifications

Districts must also send parents/guardians their student's results on the annual state language proficiency assessment and notification of whether the student continues to qualify for services.



Parent/guardian notification of initial placement or continued eligibility must be sent to families no later than 30 days after the beginning of the school year or within two weeks of placement if the student qualifies for language and literacy support services during the school year. Previously

identified transfer students' families must receive written notification of program placement upon enrollment. Specific notification letters for AI/AN students are available on the [Family Communication Templates](#) webpage.

Notification	Required by Title III?
Title III AI/AN Initial Parent/Guardian Letter	Only when testing Native American students who are not eligible for TBIP.
Title III AI/AN Parent/Guardian Notification of Placement Letter	Yes (with all eight Title III- required components)
Title III AI/AN Testing Notification Letter	Not required but recommended
Title III AI/AN Score Report Letter	Not required but recommended
Notification of Continued Eligibility	Yes (with all eight Title III- required components)
Notification of Transition from Title III Services	Yes

Although Title III legislation does not specify the information to be included in the parent/guardian notification letter, Title I requires that the parent/guardian notification letter include specific components that can be accessed through the following link. ([ESEA Title I Section 1112 \(e\)\(3\)](#)).

Notification of Placement and Notification of Continued Eligibility letters require data to be included on the district's 4 and 5-year graduation rates for multilingual learners and the median number of years that students remain in program in the district. These data can be found in the Tableau Server application in EDS in the TBIP Dashboard. (Note: This is a secure link. If you need access, please contact your district security manager for EDS.)

Parent/Guardian Waivers

Under Title III, parents/guardians have the right to opt their children out of Title III services. Such a waiver of services must be documented and kept on file by the district. Students who have been tested and determined to be eligible must still be tested annually.

Promising practice suggests an open and transparent conversation with parents/guardians about what Title III services look like for each student, including the benefits and supports students may not have access to without Title III. Having this conversation with and alongside your district's Title VI, Indian Education program, is strongly encouraged.

Student Data

All eligible Title III AI/AN students must be tracked in the district's student information system and reported to the state via the [Comprehensive Education Data and Research System](#) (CEDARS).

All students identified for Title III services must be reported in English Learners File (J), including:

- Native American students receiving Title III Language and Literacy Services
- Native American students who took the State English Language Proficiency screening test but did not qualify for Title III Language and Literacy Services

A student may have tested for TBIP and/or Title III and not be receiving services due to a parent/guardian waiver, and that information should be reported in this file as well.

When students first enroll in a school district, the district is required to use a Home Language Survey to capture information about the student's first language and language spoken most often at home. These two elements should be captured in CEDARS District Student File (B):

- B17 – *Student Primary Language Code*
- B18 – *Student Language Spoken at Home*

B17 corresponds to question 2: "What language did your child first speak or understand?" B18 corresponds to question 3: "What language does YOUR CHILD use the most at home?" More information is available on these two elements in the [CEDARS Data Manual](#). Most Native American students list English for both of these elements, unless they come from a family that speaks an additional language or languages.

Other important basic student information is captured in the English Learners File (J) including:

- J01 – *School Year*
- J02 – *Serving County District Code*
- J03 – *District Student ID*
- J04 – *State Student ID*
- J05 – *Location ID*

District Student Information Systems should be aligned to capture this information and report it directly to CEDARS. For more information, please refer to the [CEDARS Reporting Guidance](#).

LEP Application

Districts can access information in CEDARS for students transferring within the state using the LEP application in the EDS. This application also includes a Possible Eligible, Not Reported (PENR) list of students whose information may be incomplete and are therefore not being reported or receiving funding. It is important to check this report regularly to keep student records complete and ensure that all eligible multilingual learners are receiving services.

At the top of the application page is a toggle allowing the user to choose between TBIP and Title III Native American programs. Under each of these programs there are options to search individual students or reports that include all eligible students.

- Possible Eligible Not Reported (PENR)
- Detailed Student Lists
- Exited TBIP/Title III Students

Student Cumulative Files

Districts are required to retain documentation of identification, assessment, and parent notification as part of the Program Review and Support process (formally CPR).

Please review the required documents for student cumulative files. Note that cumulative files can be paper or electronic. Districts should retain documentation per district policies as they relate to state retention guidelines.

- Home Language Survey (HLS) or information on district enrollment forms that indicated student potential eligibility as an American Indian or Alaska Native
- Title III AI/AN Initial Parent/Guardian Letter
- State-approved English language proficiency screener score sheet with administration date
- Title III AI/AN Parent/Guardian Notification of Placement Letter
- State-approved English language proficiency annual test score sheet, for each year that the student has tested
- Annual Notification of Continued Eligibility letters for each year in program
- Parent/Guardian Waiver (If applicable)
- Notification of Transition from Title III services for students who exited services via the annual assessment

It is the district's responsibility to ensure that student cumulative files are updated regularly and that all required documents follow students when they transfer into new districts. Districts receiving transfer students should thoroughly review incoming cumulative files to identify any gaps or needs and reach out to the previous district to request any missing documents.

Instructional Services

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

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