

(B-8) Title I or III: Guardian Notification of ML Status

As a pass-through entity for Federal education funds, the Maine Department of Education (Maine DOE) has prepared this guidance document to assist Federal program subrecipients in adhering to the statutory requirements for the Title I and/or Title III program.

The information provided in this document serves as general guidance being provided by the Maine DOE. Subrecipients under the Title I or Title III program should refer to the full text of the regulations which govern the use of these federal funds, which can be found at under the [Elementary and Secondary Education Act](#) and within the [Code of Federal Regulations](#).

Subrecipients of Federal funds are solely responsible for meeting all applicable Federal regulations.

Definitions: Multi-Lingual Learners are students with a primary or home language other than English who are in the process of acquiring English.

Statutory Requirements:

Elementary and Secondary Education Act: [Sec. 1112\(e\)\(3\)\(A\) and \(B\)](#)

State Guidance:

Each local educational agency using funds under this part or title III to provide a language instruction educational program as determined under title III shall, not later than 30 days after the beginning of the school year, inform parents of an English learner identified for participation or participating in such a program, of—

1. the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;
2. the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
3. the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;
4. how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child;
5. how such program will specifically help their child learn English and meet age-

- appropriate academic achievement standards for grade promotion and graduation;
6. the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under this part are used for children in high schools;
 7. in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in section 614(d) of the Individuals with Disabilities Education Act (20 U.S.C. 1414(d)); and
 8. information pertaining to parental rights that includes written guidance—
 - a. detailing the right that parents have to have their child immediately removed from such program upon their request;
 - b. detailing the options that parents have to decline to enroll their child in such program or to
 - c. choose another program or method of instruction, if available; and
 - d. assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.

Relevant Documentation:

To demonstrate having met the statutory requirements outlined above, the SAU may provide the Maine DOE with the following type(s) of documentation:

- Copies of at least three (3) actual letters/notices to parents/guardians, signed and dated, on SAU letterhead in a language guardians would understand

Technical Assistance:

Please feel free to contact your [ESEA Regional Program Manager](#) at the Maine DOE if you have any questions relative to the contents of this document or the requirements for leveraging these Federal funds.