

Colorado Department of Education

October 22-26, 2007

Scope of Review: A team from the U.S. Department of Education's (ED) Student Achievement and School Accountability (SASA) Programs office monitored the Colorado Department of Education (CDE) the week of October 22-26, 2007. This was a comprehensive review of the CDE's administration of the following programs authorized by the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the No Child Left Behind Act (NCLB): Title I, Part A; Title I, Part B, Subpart 3; and Title I, Part D. Also reviewed was Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act (Education for Homeless Children and Youth) as amended by NCLB.

In conducting this comprehensive review, the ED team carried out a number of major activities. In reviewing the Part A program, the ED team conducted an analysis of State assessments and State Accountability System Plans, reviewed the effectiveness of the instructional improvement and instructional support measures established by the State to benefit local educational agencies (LEAs) and schools, and reviewed compliance with fiscal and administrative oversight requirements of the State educational agency (SEA). During the onsite week, the ED team visited two LEAs – Jefferson County (JC) and Adams 12 (A12) and interviewed administrative staff, interviewed personnel from seven schools in the LEAs that have been identified for improvement, and conducted two parent meetings. The ED team then interviewed CDE personnel to confirm data collected in each of the three monitoring indicator areas. As part of the expanded monitoring for the parental involvement and options (public school choice and supplemental educational services (SES) portion of the review, the ED team reviewed only these requirements in Colorado Springs, Greeley 6 and Adams 14. The team interviewed LEA and school administrators, parents and SES providers in these additional LEAs.

In its review of the Title I, Part B, Subpart 3 Even Start program, the ED team examined the State's request for proposals, State Even Start guidance, State indicators of program quality, and the most recent applications and local evaluations for two local projects located in Colorado Springs and Boulder. During the onsite review, the ED team visited these local projects and interviewed administrative and instructional staff. The ED team also interviewed the Even Start State coordinator to confirm information obtained at the local sites and to discuss State administration issues.

In its review of the Title I, Part D program, the ED team examined the State's application for funding, procedures and guidance for State Agency (SA) applications under Subpart 1 and LEA applications under Subpart 2, technical assistance provided to SAs and LEAs, the State's oversight and monitoring plan and activities, SA and LEA subgrant plans and local evaluations for projects in Jefferson County and Arapahoe 28 (Aurora). The ED team interviewed administrative, program and teaching staff. The ED team also interviewed the Title I, Part D State coordinator to confirm information obtained at the local sites and discuss administration of the program.

In its review of Title VII, Subtitle B, of the McKinney-Vento Homeless Assistance Act (Education for Homeless Children and Youth), the ED team examined the State's procedures and guidance for the identification, enrollment and retention of homeless students, technical assistance provided to LEAs with and without subgrants, the State's McKinney-Vento application, and LEA applications for subgrants and local evaluations for projects in Jefferson County, Adams 12 and Arapahoe 28 (Aurora). The ED team also visited these sites and interviewed administrative and program staff. The ED team also interviewed the CDE McKinney-Vento State coordinator to confirm information obtained at the local site and discuss administration of the program.

Previous Audit Findings: None to report

Previous Monitoring Findings: ED last reviewed Title I programs in the CDE during the week of January 24, 2005. ED identified compliance findings in the following areas for Title I Part A: accountability, LEA report cards, assessment of LEP students, paraprofessionals, parental involvement, school improvement, SES, schoolwide programs, reallocation, comparability, use of administrative funds, complaint procedure and subgrant monitoring. Compliance findings were also identified for Title I, Part B, Subpart 3 (Even Start): subgrant awards requirements, family recruitment, program design, and consultation with private services as well as Title I, Part D - Neglected, Delinquent or At-Risk of Dropping-Out Program: SEA review of local plans, and program monitoring. The CDE subsequently provided ED with documentation of compliance but several items remained unresolved at the time of the October review.

Overarching Requirement – SEA Monitoring

A State’s ability to fully and effectively implement the requirements of NCLB is directly related to the extent to which it is able to regularly monitor its LEAs and provide quality technical assistance based on identified needs. This principle applies across all Federal programs under NCLB.

Federal law does not specify the particular method or frequency with which States must monitor their grantees, and States have a great deal of flexibility in designing their monitoring systems. Whatever process is used, it is expected that States have mechanisms in place sufficient to ensure that States are able to collect and review critical implementation data with the frequency and intensity required to ensure effective (and fully compliant) programs under NCLB. Such a process should promote quality instruction and lead to achievement of the proficient or advanced level on State standards by all students.

Finding: The CDE's procedures for monitoring its LEAs for compliance with Title I of the ESEA were insufficient to ensure that all areas of noncompliance were identified and corrected in a timely manner. The ED team reviewed the CDE's most recent monitoring reports for JC and for Greeley 6, and determined that in a number of instances the ED team identified compliance issues that were not identified in the most recent monitoring review by the CDE, specifically in the areas of services to eligible children attending private schools, highly qualified paraprofessionals, parental involvement (annual meeting), parental notification of public school choice and SES, within district allocation procedures, comparability and supplement not supplant requirements. Since the ED team identified a number of areas in both LEAs where the CDE did not ensure compliance with the requirements of Title I programs reviewed, the ED team concludes that CDE’s current procedures for monitoring its grantees are insufficient to ensure compliance with Title I requirements. Further, a review of the CDE’s monitoring documents (both reports and Desk Reviews) indicates that, in some instances, the CDE’s timeline for LEAs to implement required corrective actions spans an entire school year. This timeline enables LEAs to operate for an entire school year without correcting identified noncompliance.

Citation: Section 80.40 of the Education Department General Administrative Regulations (EDGAR) - Grantees must monitor grant and subgrant activities to ensure compliance with applicable Federal requirements.

Section 9304 (a) of the ESEA requires that the SEA must ensure that (1) programs authorized under ESEA are administered in accordance with all applicable statutes, regulations, program plans, and applications; and (2) the State will use fiscal control and funds accounting procedures that will ensure the proper disbursement of and accounting for Federal funds.

Section 722(g)(2) of the ESEA states that State plans for the education of homeless children and youth requires the State to ensure that LEAs will comply with the requirements of the McKinney-Vento statute.

Further action required: The area of subrecipient monitoring has been identified by ED as a compliance issue in two successive monitoring reports. Since 2005, the CDE has been unable to demonstrate that it has developed and implemented a process that is sufficient to ensure that it has an effective method to monitor for compliance with all requirements of Title I Part A, Part B, Part D and the McKinney-Vento Homeless Education Programs, including procedures to identify and correct issues of noncompliance.

The CDE must, therefore, provide a plan to ED that indicates how it will (1) implement a process that determines whether LEAs are complying with basic Title I fiscal requirements on an annual basis prior to the time it awards Title I funds; (2) carry out comprehensive monitoring to ensure that all LEAs implement programmatic requirements; and, (3) follow-up on all instances of noncompliance identified in the monitoring process to ensure that they are corrected in a timely manner.

Overview of Public School Choice and Supplemental Educational Services

Based on preliminary 2005-06 Consolidated State Performance Report data, the CDE reported that 105 schools would be in different stages of improvement in the 2006-07 school year as follows: 36 in year one of school improvement; 31 in year two of school improvement; 22 in corrective action; 13 planning for restructuring; and 3 in restructuring.

In addition to visiting Jefferson County and Adams 12 school districts as part of the Title I comprehensive review, ED conducted an expanded review of public school choice and Supplemental Educational Services (SES) in three additional LEAs. For the expanded review, ED visited Adams County School District 14 (Adams 14), Colorado Springs School District No. 11 (Colorado Springs 11), and Greeley-Evans School District 6 (Greeley 6). Each LEA provided trend data on public school choice and SES, which are presented in the tables below. Larger proportions of eligible students participated in public school choice and SES during school year SY 2006-2007 than school year 2004-2005.

Participation in Public School Choice

LEA	SY 2004-05		SY 2005-06		SY 2006-07	
	# Students eligible	# Students transferring	# Students eligible	# Students transferring	# Students eligible	# Students transferring
Adams 12	3,120	14	2,034	31	3,805	41
Adams 14	1,877	1	1,641	0	1,155	0
Colorado Springs 11	1,520	20	1,394	36	1,321	56
Jefferson County	1,461	1	1,324	3	1,286	12
Greeley 6	582	3	987	5	958	5

Participation in Supplemental Educational Services

LEA	SY 2004-05		SY 2005-06		SY 2006-07	
	# Students eligible	# Students receiving	# Students eligible	# Students receiving	# Students eligible	# Students receiving
Adams 12	*	90	*	93	*	103
Adams 14	1,505	151	1,085	164	857	81
Colorado Springs 11	464	43	912	138	560	102
Jefferson County	1,0006	8	1,065	89	1,054	115
Greeley 6	582	50	563	36	542	220

*Data not provided to ED.

Several factors appeared to affect student participation in public school choice in Colorado. Several LEAs did not notify parents about public school choice until after the school year started. These late notifications may have impacted the number of students participating in public school choice because some parents may have been more hesitant to transfer their children after the school year began. Also, the public school choice and SES notification letters did not consistently include the required information. For example, the Greeley 6 SES letter only listed some of the providers that serve in Greeley, which meant that Greeley 6 parents were not able to consider all of the SES providers potentially available to them. Consequently, parents lacked information that the LEAs should have provided them so that the parents could make a fully informed decision on public school choice and SES participation.

Parent perspectives also provided insight on participation in public school choice and SES. Of parents who had the option between SES and public school choice, some parents chose SES over public school choice because they thought that SES would help their children, some liked the quality of their children's home school, and some cited the importance of familiarity with the home school. Not all parents were satisfied with SES, however. For example, one parent explained that the provider did not give her updates on how her child was doing and did not run well-organized tutoring sessions. Other parents did not recall receiving progress reports or being included the development of learning goals for their children. Parents whose children participated in public school choice often cited concerns with the home school as the reason for opting for public school choice.

Public School Choice

As reported by the CDE, the 2005-2006 expenditures for public school choice were \$573,929.00. Colorado statute authorizes open enrollment, so LEAs have other types of school choice available (with some restrictions) generally before NCLB public school choice becomes available to parents. As a result, some parents have already made a decision about where their children will go to school well in advance of learning about public school choice based on NCLB requirements. For example, from November 1 to February 1 Colorado Springs 11 allows parents to select the schools they wish their children to attend during the following school year (under State statute), while the LEA does not send out information about NCLB public school choice until much later when AYP results are available.

SES

Through an application and review process, the CDE approved 29 SES providers for the 2007-2008 school year. As reported by the CDE, the 2005-2006 expenditures for SES were \$721,525.87.

Interviews with parents, LEA staff and SES providers revealed several concerns. Parents said that they did not take advantage of SES because it was not offered at the school

building. If services had been offered after school at the school, then they would have signed their students up for services. Providers expressed difficulty in coordinating information with teachers. One LEA staff member expressed frustration that the SES services provided were not in the subject area that the SES provider had been asked to support.

The CDE is actively involved in coordinating work and using resources from its parent information resource center. The CDE has the SES provider application and policies on the State web site. Additionally, the CDE asked OMNI Institute to complete an evaluation of the SES in Colorado, which provides very detailed information on the status of SES.

**Title I, Part A
Summary of Monitoring Indicators**

Monitoring Area 1, Title I, Part A: Accountability			
Indicator Number	Description	Status	Page
1.1	SEA has an approved system of academic content standards, academic achievement standards and assessments (including alternate assessments) for all required subjects and grades, or has an approved timeline for developing them.	Recommendations	9
1.2	The SEA has implemented all required components as identified in its accountability workbook.	Findings Recommendation	9
1.3	The SEA has published an annual report card as required and an Annual Report to the Secretary.	Met Requirements	
1.4	The SEA has ensured that LEAs have published annual report cards as required.	Finding	15
1.5	The SEA indicates how funds received under Grants for State Assessments and related activities (Section 6111) will be or have been used to meet the 2005-06 and 2007-08 assessment requirements of NCLB.	Met Requirement	N/A
1.6	The SEA ensures that LEAs meet all requirements for identifying and assessing the academic achievement of limited English proficient students.	Met Requirement	N/A

Title I, Part A Accountability

1.1 - SEA has an approved system of academic content standards, academic achievement standards and assessments (including alternate assessments) for all required subjects and grades, or has an approved timeline for developing them.

Recommendation: The CDE does not monitor the administration of assessments used for NCLB purposes to confirm the provision of accommodations for students with disabilities and limited English proficient (LEP) students. Rather, monitoring is assigned to the LEA Assessment Coordinators and the Local Assessment Coordinators. However, the LEAs visited reported that they did not monitor test administration to confirm the availability of accommodations. The ED team recommends that CDE create model procedures or materials that assessment coordinators could use to confirm that students receive appropriate accommodations on test day. Such practices can confirm local compliance with NCLB and the Individuals with Disabilities Education Act (IDEA) requirements for availability of test accommodations and can support valid test results for students with disabilities and English language learners.

Recommendation: The CDE indicated that LEAs in the State are prohibited from sharing assessment results of students who transfer between LEAs within the State based on the CDE's interpretation of FERPA requirements. The ED team recommends that the CDE contact ED's Family Policy Compliance Office for technical assistance to explore policies that permit the sharing of student assessment results between the LEA a student transfers from to the LEA that receives the student. Such sharing of assessment results can facilitate instructional planning and service delivery.

1.2 - The SEA has implemented all required components as identified in its accountability workbook.

Finding (1): The CDE permits an LEA to determine the criteria for student exit from LEP status using a locally determined body of evidence. This is in conflict with the statement in the approved Colorado Accountability Workbook which says, “Colorado categorizes English Language Learners under three language proficiency levels: Non-English Proficient (NEP), Limited English Proficient (LEP) and Fluent English Proficient (FEP). The levels are consistent with proficiency levels on sanctioned language proficiency assessments.” Permitting LEAs to use a non-standardized, locally-determined body of evidence in addition to standardized assessment results to determine membership in the LEP subgroup results in inconsistent reporting of LEP assessment results and inconsistent adequate yearly progress (AYP) calculations for the LEP subgroup within the State.

Citation: Section 200.13(b)(6) of the Title I regulation requires the State to define AYP in a manner that is the same for all public schools and LEAs in the State.

Further action required: The CDE must require consistent implementation of the State’s definition of Fluent English Proficient for students exiting from the LEP subgroup across the state. The CDE must clearly direct LEAs and schools to apply the exit criteria defined by the State as indicated in its Accountability Workbook. The CDE must submit to ED documentation of its communication to LEAs and evidence that it has implemented a consistent procedure for identifying Fluent English Proficient students in the databases used to report assessment and AYP results.

Finding (2): The CDE has not remedied a finding from the previous monitoring report regarding the practice of counting as participants in state assessments for AYP all students for whom a test booklet is generated, whether or not a student attempted or completed a test. The CDE must not identify a student as a participant in the assessment if the student has not attempted an assessment (e.g., absent students, medically fragile students to whom a test is not administered).

The CDE also allows exclusion from testing of LEP students on the basis of “unable to test due to language.” The CDE must include all LEP students in assessments administered to meet Title I requirements, with exceptions allowed only for “recently arrived LEP students” as outlined in Section 200.6 of the Title I regulations if the CDE opts to exercise such flexibility as allowed by ED.

ED’s January 2005 monitoring visit to Colorado found that students are “counted as participating in the State assessments for NCLB accountability purposes even though they may not have attempted to take the State academic assessments” and “that the practice of counting students as participants in assessment by providing a test booklet for them is not permitted under the NCLB Act of 2001 and has not been approved by ED for implementation via the CDE’s accountability workbook.” The required action to address this finding was, “The CDE must amend its policy and practice of excluding English language learners’ (ELL) student assessment results from NCLB school, LEA and State accountability determinations. In addition, the CDE must discontinue its practice of counting students as participating in its standards-based assessment system for NCLB accountability purposes if a student has not actually attempted to take one of the Colorado Student Assessment Program (CSAP) assessments. A student may not be counted as participating on CSAP assessments for NCLB accountability purposes simply because an answer sheet exists for the student, even if a teacher or another person has marked the student’s answer sheet “deferred due to language.”

Citation: Section 1111(b)(3)(C)(ix) requires that State assessment systems provide for: the participation in such assessments of all students; the reasonable adaptations and accommodations for students with disabilities (as defined under section 602(3) of the Individuals with Disabilities Education Act) necessary to measure the academic achievement of such students relative to State academic content and State student academic achievement standards; and the inclusion of limited English proficient students, who shall be assessed in a valid and reliable manner and provided reasonable accommodations on assessments administered to such students under this paragraph,

including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency as determined under paragraph (7).

Further action required: The CDE may count as participants only those students who have a valid score. In 2007-2008 and all future years, the CDE must identify students as participants in the CSAP, CSAP Alternate (CSAPA), and Colorado English Language Acquisition (CELA) assessments only if students actually were present and participated in the assessment and received a valid score. In addition, the CDE must assess all LEP students consistent with NCLB requirements. The CDE must submit to ED a plan and timeline to address this finding for 2007-2008 and future testing as well as documentation of implementation of the plan. To address this finding, the CDE should include: A revised student data grid for assessments and associated instructions; rules that determine “valid attempt” in order to establish whether a student who attempts the assessment will be deemed a participant; and procedures for communicating changes in policy and practice to address this finding to LEAs and schools. The CDE also must submit to ED for 2007-08 testing: the number of students by subgroup and subject who participated the State assessments for AYP; the number of students by subgroup and subject who did not attempt such assessments; and the number of LEP students exempted from testing under ED’s regulation for recently arrived LEP students. In addition, the CDE must amend its Accountability Workbook as needed to reflect these changes.

Since these inappropriate practices appear to have been implemented for several years and were not remedied following ED’s previous monitoring report to the CDE, ED reserves its option to take further administrative actions, including the withholding of funds. If ED decides to take such actions, it will notify the CDE of those actions in a separate document.

Finding (3): The CDE calculates AYP for subgroups only if the school has had 30 or more students in the subgroup for two consecutive years. This practice is not consistent with its approved Accountability Workbook which says, “In calculating AYP for student sub-populations, CDE has identified thirty as the minimum number of students for AYP sub-group accountability purposes to protect student identity and to assure high levels of reliability.” Under NCLB, annual AYP determinations must be made for every subgroup that meets the minimum subgroup size defined by the State.

Citation: Section 1111(b)(2)(C)(v) of the ESEA requires that adequate yearly progress (AYP) shall be defined by the State in a manner that includes separate measurable annual objectives for continuous and substantial improvement for the achievement of economically disadvantaged students, students from major racial and ethnic groups, students with disabilities and students with limited English proficiency, except that disaggregation of data under subclause (II) shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the

results would reveal personally identifiable information about an individual student.

Further action required: In 2007-2008 and all subsequent years, the CDE must calculate AYP for each subgroup that meets the minimum subgroup size defined by the State each year. The CDE must submit to ED documentation of the changes in policy and practice it will implement to address this finding.

Finding (4): The CDE permits LEAs and schools to appeal their AYP determinations for reasons other than data errors. Some of the requests for appeals allowed by the CDE are inconsistent with requirements of NCLB and are not allowable. These include the following requests for reviews (with numbers corresponding to their placement in the CDE document *Title I Request for AYP Review*) that may be made if a school or LEA:

- Fails to reach a specific AYP target but 95% or more of students in every applicable subgroup are performing at or above the partially proficient level on CSAP/CSAPA in that content area. (#9)

This appeal is inconsistent with NCLB requirements for the following reason: Schools and LEAs are required to make all AYP targets in order to make AYP for a given year. AYP for schools and LEAs is based on the percent of students that reach a specific annual measurable objective (AMO), regardless of the percent of students in applicable subgroups that are performing at or above the partially proficient level. Section 11(b)(2)(I)(i)

- Does not make the reading participation rate targets due to the inclusion of all ELLs. (#11).

Section 1111(b)(2)(I)(ii) requires that for a school to make AYP, not less than 95 percent of each group of students described in subparagraph (C)(v) who are enrolled in the school must have taken the assessments on which adequate yearly progress is based (except that the 95 percent requirement described in this clause shall not apply in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student).

- Does not make the reading performance rate targets due to the inclusion of all ELLs. (#12)

This appeal is inconsistent with NCLB requirements for the following reason. Schools and LEAs are accountable for all AYP targets for LEP students. Section 1111(b)(2)(I) of the ESEA requires that for a school to make adequate yearly progress each group of students must meet or exceed the objectives set by the State, except that if any group does not meet those objectives in any particular year, the school will be considered to have made adequate yearly progress if the percentage of students in that

group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by ten percent of that percentage from the preceding school year and that group made progress on the other academic indicators for AYP under NCLB, as described in subparagraph (C)(vi).

- Requests exclusion of CSAPA math scores from safe harbor calculations. (#14)

This appeal is inconsistent with NCLB requirements for the following reason: Section 1111(b)(2) (I)(1) of the ESEA requires AYP safe harbor calculations to include the scores of all students in the relevant subgroup (for students with disabilities this requires use of CSAP and CSAPA scores) If the CDE believes that the scores of all SWD cannot be included in safe harbor calculations in a valid and reliable manner for schools, then the CDE can not use safe harbor calculations as a way of determining AYP for LEAs or schools.

- Misses the longitudinal safe harbor target value. The CDE permits the LEA to appeal based on “Match Rate” calculations for students transitioning between the Lectura and the English CSAP. (#15)

This appeal is inconsistent with NCLB requirements for the following reason: As required for ED approval of its assessment system, the CDE documented the validity and comparability of the Lectura and the English CSAP. Consequently, there is no rationale for excluding students transitioning between the two assessments from match rate calculations.

In addition, through its appeals process, the CDE makes options available to LEAs that should, if desired, be specified as part of AYP calculations statewide, specifically: averaging of participation rates (#8) and certain targets for students with disabilities (#10).

Citation: Section 200.13 (a) and (b) of the Title I regulation requires that “Each State must demonstrate in its State plan what constitutes AYP of the State and of all public schools and LEAs in the State,” and that the State defines AYP “in a manner that is the same for all public schools and LEAs in the State.”

Section 200.30(c)(1) of the Title I regulation permits the LEA to use additional indicators in its annual review of school progress to determine whether schools served are making AYP if those additional indicators are described in the LEA’s plan. However, Section 200.30(c)(2)(ii) of the Title I regulation clarifies that “the LEA may not...use these assessments and indicators to reduce the number of, or change the identity of, the schools that would otherwise be identified for school improvement, corrective action, or restructuring if the LEA did not use these additional indicators.”

Further action required: The CDE must revise its process for appeals of LEA and school AYP determinations in a manner consistent with NCLB requirements. Appeals of school or LEA AYP status may be based only on data errors due to statistical or other

substantive reasons, and must not permit alternative ways to calculate AYP. The CDE must submit documentation of the revised appeals process to ED, along with evidence that the revised process has been communicated to LEAs, including copies of the actual documents provided to LEAs about the revised appeals process. The CDE must submit this information for ED approval before any appeals of AYP determinations based on 2007-2008 data are granted to LEAs or schools in Colorado.

ED notes that appeals can not be granted on the basis of local concerns about the validity and reliability of the the CDE assessment system for students in Colorado. For ED approval of the CDE's assessment system, the CDE documented that the assessments it administers to Colorado students are valid and reliable. If the CDE no longer believes this to be the case, the CDE must inform ED of the actions being taken to ensure validity and reliability within 30 days of receiving the final report for this monitoring visit.

Finding (5): The CDE's accountability workbook does not reflect current State policy and procedures for the calculation of AYP.

Citation: Section 1111(f)(1)(B) of the ESEA requires a State to periodically review and revise as necessary its State plan, of which the accountability workbook is a part, to reflect changes in the State's strategies and programs. Also, Section 1111(f)(2) of the ESEA requires a State to amend its plan, including its accountability workbook, if it makes significant changes, such as the adoption of new standards, assessments, or a new definition of AYP and to submit that information to the Secretary

Further action required: The CDE must submit a revised accountability workbook to ED for review and approval. The calculation of AYP based on the 2007-2008 assessments and subsequent identification of schools and districts for improvement must be consistent with NCLB requirements and the procedures described in the approved accountability workbook. Revisions must address all components of Findings 1-4 above. The State must also clarify definitions and procedures such as:

- The definition of an LEP student and criteria for student exit from LEP status;
- The inclusion of former LEP students in the LEP AYP subgroup;
- The definition of "full academic year";
- The definition of a "new school";
- The procedures for small school review;
- The use of a confidence interval for AYP;
- A policy for the exemption of students for significant medical emergencies ;
- NCLB accountability for alternative schools;
- The CDE's recent revisions to its definition of graduation rate;
- How recently arrived LEP students are included in AYP determinations;
- AYP targets for the students with disabilities subgroup for 2007-08 and beyond;

ED reserves its option to take further administrative actions, including the withholding of funds if the CDE fails to calculate AYP as described in the approved accountability workbook. If ED decides to take such actions, it will notify the CDE of those actions in a separate document.

Finding (6): The CDE’s procedures to assure the quality of data used for AYP must be strengthened in at least two areas. First, the Student Biographical Data review is not a mandatory process; consequently, the CDE does not have assurances from all LEAs that the demographic data is correct prior to using it for AYP purposes. Second, the CDE does not have procedures in place for local review of assessment achievement data.

Citation: Section 1111(b)(2)(C) of the ESEA requires that AYP be defined by the state in a way that is statistically valid and reliable.

Further action required: For 2007-2008 and subsequent years, the CDE must develop and communicate to LEAs procedures for ensuring data quality in the areas identified in this finding. These written procedures, evidence of distribution, and the annual quality control report must be submitted to ED.

1.4 - The SEA has ensured that LEAs have published annual report cards as required.

Finding: The CDE has not ensured that LEA and school reports include all information required by NCLB.

Citation: Section 1111(h)(2)(B) of the ESEA requires the SEA to ensure that each LEA include the following information in the LEA annual report as applied to the LEA and each school served by the LEA. This includes:

- Information, in the aggregate and disaggregated by required subgroups, on student achievement at each proficiency level on the State academic assessments;
- Information that provides a comparison between the actual achievement levels of each group of students and the State’s annual measurable objectives on each of the academic assessments required under this part;
- The percentage of students not tested for all required groups;
- The most recent 2-year trend in student achievement in each subject area, and for each grade level, for which assessments under this section are required;
- Aggregate information on any other indicators used by the State;
- Graduation rates for secondary school students;
- Information on the performance of a local educational agency regarding making adequate yearly progress, including the number and names of each school identified for school improvement under section 1116; and
- The professional qualifications of teachers in the State, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools.

Section 1111(h)(2)(B)(i) of the ESEA requires for each LEA: (1) the number and percentage of schools identified for school improvement under section 1116(c) and how long the schools have been so identified; and (2) information that shows how students served by the local educational agency achieved on the statewide academic assessment

compared to students in the State as a whole. Section 1111(h)(2)(B)(ii) of the ESEA requires for each school: (1) whether the school has been identified for school improvement, and (2) information that shows how the school's students achievement on the statewide academic assessments and other indicators of adequate yearly progress compared to students in the local educational agency and the State as a whole.

Further action required: The CDE must prepare guidance and directions for LEAs regarding NCLB requirements for LEA and school reports and disseminate this guidance to all LEAs. ED notes that including templates and checklists for LEA and school reports may be useful. The CDE must submit to ED a copy of the guidance it prepares and disseminates to all LEAs. In addition, after LEAs have prepared LEA and school reports based on 2007-08 testing and no later than January 31, 2009, the CDE must submit to ED a sample of the ten LEA reports and ten school reports from those LEAs, including reports from JC and A12.

Monitoring Area 2, Title I, Part A: Program Improvement, Parental Involvement and Options			
Indicator Number	Description	Status	Page
2.1	The SEA has developed procedures to ensure the hiring and retention of qualified paraprofessionals.	Finding	18
2.2	The SEA has established a statewide system of support that provides, or provides for, technical assistance to LEAs and schools as required.	Met requirements	N/A
2.3	The SEA ensures that LEAs and schools meet parental involvement requirements.	Findings	18
2.4	The SEA ensures that LEAs and schools identified for improvement, corrective action, or restructuring have met the requirements of being so identified.	Finding	22
2.5	The SEA ensures that requirements for public school choice are met.	Finding (Also see Indicator 2.3)	23
2.6	The SEA ensures that requirements for the provision of supplemental educational services (SES) are met.	Findings Recommendations (Also see Indicator 2.3)	23
2.7	The SEA ensures that LEAs and schools develop schoolwide programs that use the flexibility provided to them by the statute to improve the academic achievement of all students in the school.	Finding	25
2.8	The SEA ensures that LEA targeted assistance programs meet all requirements.	Met requirements	N/A

Title I, Part A
Program Improvement, Parental Involvement and Options

2.1 The SEA has developed procedures to ensure the hiring and retention of qualified paraprofessionals.

Finding: The CDE has not ensured that all paraprofessionals meet qualification requirements. Although the CDE has trained LEA staff on requirements for paraprofessionals, 30 percent of the Title I paraprofessionals in one of the LEAs visited do not meet qualification requirements. When five schools in this LEA transitioned from targeted assistance schools to schoolwide schools this fall, the LEA interpreted guidance from the CDE to say that it was permissible to give the paraprofessionals a year to meet qualification requirements.

Citation: Section 1119(c)(1) of the ESEA requires each LEA receiving assistance under Title I to ensure that all paraprofessionals hired after the date of enactment of the NCLB and working in a program supported by Title I funds shall have A) completed at least 2 years of study at an institution of higher education; B) obtained an associate's (or higher) degree; or (C) met a rigorous standard of quality and can demonstrate through a formal State or local academic assessment knowledge of and the ability to assist in instructing reading, writing and mathematics, reading readiness, writing readiness or mathematics readiness, as appropriate.

Further action required: The CDE must review the status of paraprofessionals working in programs supported by Title I funds and report to ED the total number of paraprofessionals who are required to meet the qualification requirements but currently do not do so. The CDE must also submit to ED a plan indicating the steps it will take to ensure that any paraprofessional who does not meet the qualification requirements will do so by the end of the 2007-2008 school year. Further, the plan must indicate how the CDE will ensure that any paraprofessionals who do not meet the qualification requirements will not be working in a program supported with Title I funds as of the first day of the 2008-2009 school year. The CDE must provide to ED evidence that the plan is being implemented.

Indicator 2.3 -- The SEA ensures that LEAs and schools meet parental involvement and parental notification requirements.

Finding (1): The CDE has not ensured that all Title I schools have school level parental involvement policies. Schools reviewed by the ED team did not have school level parental involvement policies as required by the statute. The CDE does monitor LEAs to ensure that there are school level parental involvement policies and cited LEAs as not having school level parental involvement policies in place during the last State monitoring visit in June of 2007.

Citation: Section 1118 (b) of the ESEA requires that each school served under Title I, Part A of the ESEA jointly develop with and distribute to parents of participating children

a written parental involvement policy agreed on by the parents that describes the requirements of subsections (c) through (f).

Further action required: The CDE must provide to ED evidence of the corrective actions that its LEAs have taken to comply with the CDE's June 2007 monitoring findings that not all its LEAs have ensured that their Title I schools have school level parental involvement policies as required.

Finding (2): The CDE has not ensured that schools and LEAs are involving parents in decisions regarding how the one percent set aside will be utilized.

Citation: Section 1118(a)(3)(B) of the ESEA requires that "parents of children receiving services under this part shall be involved in the decisions regarding how funds reserved...are allotted for parental involvement activities."

Further action required: The CDE must provide written guidance to all LEAs and provide technical assistance on how LEAs can involve parents in the one percent set-aside. The CDE must submit to ED a copy of the guidance and evidence of the technical assistance provided.

Finding (3): The CDE has not consistently ensured that schools receiving Title I funds conduct an annual Title I meeting for parents.

Citation: Section 1118(c)(1) of the ESEA requires that each school shall "convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited . . . to inform parents of their school's participation" in Title I. This meeting should include an explanation of the requirements of Title I and the rights of the parents to be involved.

Further action required: The CDE must provide written guidance to all schools receiving Title I funds on the requirement to hold an annual parent meeting and the purpose of such meetings. The CDE must submit to ED a copy of the guidance and evidence of dissemination.

Finding (4): The CDE has not ensured that its LEAs notify parents about public school choice before the school year begins. Two LEAs visited by ED informed parents about the public school choice option after the school year began. One LEA mailed the letters on September 7, when school began at the end of August. (Parents in that LEA confirmed that they received the letters after the start of the school year.) Another LEA mailed the letters August 15, the first day of school, which ensured that the letters would arrive after the school year started.

Citation: Section 1116(b)(1)(E) of the ESEA requires that the public school choice option be provided no later than the first day of school.

Further action required: The CDE must provide its LEAs written guidance indicating that they must notify parents about public school choice by mail before the start of the

2008-2009 school year, and provide ED with a copy of this guidance and evidence that it was given to all LEAs. The guidance should indicate that it is not sufficient to give students information about public school choice on the first day of school. The CDE must also provide ED with copies of Adams 14's and Greeley 6's public school choice notification letters for the 2008-2009 school year and the dates that school begins in these two LEAs.

Finding (5): The CDE has not ensured that its LEAs include all required information in the public school choice notification letters. One LEA's notification letter did not explain why the school was identified, and a letter from another LEA did not list the schools to which students could transfer under public school choice.

Citation: Section 1116(b)(6) of the ESEA and Section 200.37 of the Title I regulations require that the notices include (1) how the school compares academically to other schools in the LEA and the State, (2) why the school has been identified, (3) what the school is doing to address the achievement problem, (4) what the LEA and SEA are doing to help the school to address the achievement problem, (5) how parents can be involved in addressing the achievement problem, and (6) parents' options to transfer their child to another school, including the names of transfer schools.

Further action required: The CDE must provide its LEAs written guidance on the requirements of the public school choice notices to parents of children attending schools identified for improvement, corrective action, or restructuring. The guidance must specifically include a checklist of requirements and a sample of a parent notification letter that the LEAs may use to develop their notification letters. The CDE must provide ED with documentation that this guidance has been provided to the LEAs and give ED copies of the 2008-2009 Choice notices from Colorado Springs 11 and Greeley 6 that contain the required information.

Finding (6): The CDE has not ensured that its LEAs offer SES to all eligible students. One LEA sent an SES notification letter indicating that students who are eligible for SES are those who receive free and reduced price lunch and are failing to meet State standards. Another LEA's letter states that parents of eligible students must choose between the LEA's 21st Century program and SES services.

Citation: Sections 1116(e)(1) and 1116(e)(12) of the ESEA identify eligible children for SES as those who attend a school in improvement, corrective action, or restructuring and who are from a low-income family, as determined by the LEA for purposes of allocating funds to schools under section 1113(c)(1) of ESEA. The only circumstance in which a student's academic achievement affects whether he or she receives SES is if there are insufficient funds to serve each child whose parents request the service (section 1116(b)(10)(C)).

Further action required: The CDE must provide its LEAs written guidance indicating that they must explain in their SES notification letters that SES is available to all low-income students enrolled in a school in its second year of improvement, corrective action,

or restructuring, and that a student's achievement will only be considered if there are not enough funds to provide SES to all students whose parents request SES. This guidance must also instruct LEAs that participation in another after-school program does not disqualify a low-income student from receiving SES. The CDE must provide a copy of this guidance to ED and evidence that it was given to all LEAs. The CDE must also provide copies of the 2008-2009 SES notification letters from Adams 14, Colorado Springs 11, and Greeley 6.

Finding (7): The CDE did not ensure that parental notification letters regarding public school choice and SES include all of the required components. In at least one instance, the Spanish translation was missing one additional component compared to the same letter sent in English. Specifically, one letter lacked information on providers' record of effectiveness and omitted the names of some providers.

Citation: Section 1116(e)(2)(A) of the ESEA requires that LEAs' SES notifications to parents include (1) the availability of SES, (2) the names of approved providers in the LEA or reasonably available in neighboring LEAs, and (3) a brief description of the services, qualifications, and demonstrated effectiveness of each provider.

Further action required: The CDE must provide its LEAs with written guidance on the requirements of the SES notices to parents of children attending schools identified for their second year of improvement, corrective action, or restructuring. The guidance must include a checklist of requirements and a sample of a parent notification letter that LEAs may use to develop their notification letters. The CDE must provide ED with documentation that this guidance has been provided to the LEAs and give ED a copy of the 2008-2009 SES notice from Greeley 6 that contains the required information.

Indicator 2.4 – The SEA ensures that schools and LEAs identified for improvement, corrective action, or restructuring have met the requirements of being so identified.

Finding: Although the CDE provided training in 2007 on consolidating school improvement, schoolwide, and accreditation plans, the CDE has not consistently ensured that school improvement plans included all required components.

Citation: Section 1116(b)(3) of the ESEA requires that each school identified for improvement, no later than three months after being so identified, develop or revise a school plan, in consultation with parents, school staff, the LEA serving the school, and outside experts, for approval by the LEA. The plan shall:

- Include strategies based on scientifically based research,
- Adopt policies and practices concerning the school's core academic subjects that have the greatest likelihood of ensuring that all groups of students specified in section 1111(b)(2)(C)(v) of the ESEA and enrolled in the school will meet the State academic assessment described in section 1111(b)(3) of the ESEA not later than 12 years after the end of the 2001-02 school year;
- Provide an assurance that the school will spend not less than ten percent of the funds made available to the school under section 1113 of the ESEA for each fiscal year that

the school is in school improvement status for the purpose of providing to the school's teachers and principal high-quality professional development;

- Specify how the professional development funds specified in the previous bullet will be used to remove the school from school improvement status;
- Establish specific annual, measurable objectives for continuous and substantial progress by each group of students specified in section 1111(b)(2)(C)(v) of the ESEA to ensure that all groups of students will meet the State academic assessment described in section 1111(b)(3) of the ESEA;
- Describe how the school will provide written notice about the identification to parents of each student enrolled in such school, in a format and, to the extent practicable, in a language that the parents can understand;
- Specify the responsibilities of the school, the LEA, and the SEA serving the school under the plan, including the technical assistance to be provided by the LEA, and the LEA's responsibilities under section 1120A of the ESEA;
- Include strategies to promote effective parental involvement in the school;
- Incorporate, as appropriate, activities before school, after school, during the summer, and during any extension of the school year; and
- Incorporate a teacher-mentoring program.

Further action required: The CDE must provide guidance and technical assistance to ensure that LEAs and schools are developing school improvement plans that follow the integrated structure provided by the CDE in 2007. The CDE must monitor the progress of LEAs and schools and provide technical assistance for LEAs and schools that have not developed and implemented the new school improvement plans. The CDE must provide ED with a description of the monitoring and technical assistance along with evidence that it has been implemented.

Also see Indicator 2.7.

2.5 The SEA ensures that requirements for public school choice are met

Finding: The CDE has not ensured that its LEAs offer public school choice to all eligible students. Colorado statute permits open enrollment but there is confusion between the state requirements and NCLB choice requirements. If a student opts into a school but does not reside in that school's attendance area and the school is subsequently identified for improvement, the student may be denied choice. This is consistent with Colorado statute but is not consistent with NCLB. One LEA offered public school choice only to students enrolled in a school identified for improvement who also live in a school attendance area of a school identified for improvement. Because the LEA has its own school choice program, those students enrolled in a school in improvement who do not reside in the attendance area of a school in improvement are not offered public school choice.

Citation: Section 1116(b) of the ESEA requires that public school choice be made available to all students enrolled in a school identified for improvement, corrective action, or restructuring.

Further action required: The CDE must provide its LEAs written guidance indicating that under NCLB they must make public school choice available to all students enrolled in a school identified for improvement, corrective action, or restructuring under section 1116 of the ESEA. The CDE must provide a copy of this guidance to ED and evidence that it was given to all LEAs, ensure that Colorado Springs 11 revises its “Title I Choice and Supplemental Educational Services Procedures and Implementation” document for SY 2008-2009 to reflect this change, and provide ED with a copy of the revised document. Finally, the CDE must provide ED with evidence that in 2008-2009 its LEAs are offering public school choice consistent with NCLB to all students enrolled in schools identified for improvement, corrective action, or restructuring regardless of whether the student resides in that school’s attendance area.

2.6 The SEA ensures that requirements for the provision of supplemental educational services (SES) are met

Finding (1): The CDE has not ensured that its LEAs do not impose additional programmatic requirements on SES providers. One LEA has a contract with providers requiring that they conduct a “midpoint fluency test,” which the CDE does not require. Additionally, interviews with LEA staff revealed that the LEA would not sign agreements with providers if the provider did not target the specific subject area in which the LEA wanted them to provide services.

Citation: Section 1116(e)(4)(E) of the ESEA authorizes each SEA to approve providers, including their program design. The ESEA does not permit LEAs to alter the providers’ program designs that the SEA approved.

Further action required: The CDE must provide written guidance to its LEAs indicating that the SEA, through its provider approval process, is responsible for setting programmatic requirements for providers, and give ED a copy of the guidance and evidence that it was distributed.

Finding (2): The CDE has not ensured that LEAs are consistently reviewing individual student agreements. A sample of SES service agreements provided by several LEAs indicated that individual student agreements were between parents and the provider, and also lacked the LEA’s signature. In another LEA, the LEA’s Title I Director explained that to date the process for developing student goals has been between providers and families and that the LEA has not been involved. In a third LEA, the process for enrolling students in SES involved parents signing up with providers rather than the LEA.

Citation: Section 1116(e)(2) of the ESEA requires the LEA to enter into an agreement with a provider once a parent has chosen the provider. The agreement must:

- require the local educational agency to develop, in consultation with parents (and the provider chosen by the parents), a statement of specific achievement goals for the student, how the student's progress will be measured, and a timetable for improving

achievement that, in the case of a student with disabilities, is consistent with the student's individualized education program under section 614(d) of the Individuals with Disabilities Education Act;

- describe how the student's parents and the student's teacher or teachers will be regularly informed of the student's progress;
- provide for the termination of such agreement if the provider is unable to meet such goals and timetables;
- contain provisions with respect to the making of payments to the provider by the local educational agency; and
- prohibit the provider from disclosing to the public the identity of any student eligible for, or receiving, supplemental educational services under this subsection without the written permission of the parents of such student.

Further action required: The CDE must provide written guidance to its LEAs indicating that when a parent selects a SES provider, an LEA must establish an agreement with the provider that includes the information required by section 1116(e)(2) of the ESEA. The CDE must also provide written guidance to providers indicating that they must sign agreements with LEAs. The CDE must provide ED with copies of the guidance to LEAs and SES providers and evidence that the guidance was distributed.

Finding (3): The CDE has not ensured that its LEAs permit SES to be provided throughout the school year. One LEA's notification letter states that SES will be available only from November 6, 2007, to January 22, 2008. The LEA's Title I Director explained that the cutoff was to make sure that SES is provided before the State assessment. In the past, however, the LEA has not used its full 20 percent reservation for SES and public school choice, and there is no expectation that the maximum for 2007-2008 would be reached by the end of January.

Citation: Section 1116(e)(8) of the ESEA requires that SES be provided until the end of the school year. ESEA does not authorize LEAs to stop SES based on when a State test occurs.

Further action required: The CDE must provide written guidance to its LEAs indicating that SES must be provided to each participating student until the allotted funds for the student are exhausted and that LEAs must offer SES throughout the school year, including enrolling additional students if the LEA has not used its entire SES reservation for students who initially enrolled. The CDE must provide ED with copies of this guidance and evidence that it was distributed to LEAs, as well as evidence that Greeley 6 is offering SES after January 2008.

Recommendation (1): The ED team recommends that the CDE revise slide 5 of its "Power Point Presentation on Supplemental Services," found at http://www.theCDE.state.co.us/FedPrograms/improvement/download/SAC_pp_SuppServs.pdf, to indicate that the schools that must offer SES include those in their second year of improvement, corrective action, or restructuring.

Recommendation (2): ED recommends that the CDE send a reminder to its providers about the CDE’s complaint procedures that are required by section 9304(a)(3)(C) of ESEA. During an interview, a provider asked about who could be contacted when providers have concerns about SES.

2.7 The SEA ensures that LEAs and schools develop schoolwide programs that use the flexibility provided to them by the statute to improve the academic achievement of all students in the school.

Finding: Although the CDE provided training in 2007 on consolidating school improvement, schoolwide, and accreditation plans, the CDE has not consistently ensured that schoolwide plans included all required components

Citation: Section 1114(b)(1)(A-J) of the ESEA specifies the requirements for a schoolwide plan: 1) a comprehensive needs assessment; 2) schoolwide reform strategies; 3) instruction by highly qualified teachers; 4) high-quality and ongoing professional development; 5) strategies to attract high-quality, highly qualified teachers to high-need schools; 6) strategies to increase parental involvement in accordance with section 1118 of the ESEA; 7) plans for assisting preschool children in the transition from early childhood programs to local elementary school programs; 8) measures to include teachers in the decisions regarding the use of academic assessments; 9) activities to ensure that students who experience difficulty mastering the proficient or advanced levels of academic achievement standards are provided with effective, timely additional assistance; and 10) coordination and integration of Federal, State and local services and programs.

Further action required: The CDE must develop a plan with timelines to ensure that LEAs and schools develop schoolwide plans that follow the integrated structure provided by the State in 2007. The CDE must monitor LEA and school progress and provide technical assistance for LEAs and schools that have not developed and implemented the new schoolwide plans. The CDE must provide ED with a copy of the plan to monitor and provide technical assistance along with evidence that it has been implemented.

Monitoring Area 3, Title I, Part A: Fiduciary Responsibilities

Indicator Number	Description	Status	Page
3.1	SEA complies with— <ul style="list-style-type: none"> ▪ The procedures for adjusting ED-determined allocations outlined in sections 200.70 – 200.75 of the regulations. ▪ The procedures for reserving funds for school improvement, State administration, and (where applicable) the State Academic Achievement Awards program. ▪ The reallocation and carryover provisions in section 1126(c) and 1127 of Title I statute. 	Met requirements	N/A
3.2	SEA ensures that its LEAs comply with the provision for submitting an annual application to the SEA and revising LEA plans as necessary to reflect substantial changes in the direction of the program.	Met requirements	N/A
3.3	SEA ensures that all its LEAs comply with the requirements in section 1113 of the Title I statute and sections 200.77 and 200.78 of the regulations with regard to (1) Reserving funds for the various set-asides either required or allowed under the statute, and (2) Allocating funds to eligible school attendance areas or schools in rank order of poverty based on the number of children from low-income families who reside in an eligible attendance area.	Findings	27
3.4	<ul style="list-style-type: none"> ▪ SEA complies with the maintenance of effort (MOE) provisions of Title I. ▪ SEA ensures that its LEAs comply with the comparability provisions of Title I. ▪ SEA ensures that Title I funds are used only to supplement or increase non-Federal sources used for the education of participating children and do not supplant funds from non-Federal sources. 	Findings Recommendation	29
3.5	SEA ensures that its LEAs comply with all the auditee responsibilities specified in Subpart C, section 300(a) through (f) of OMB Circular A-133.	Met requirements	N/A
3.6	SEA ensures that its LEAs comply with requirements regarding services to eligible private school children, their teachers and families.	Findings	31
3.7	SEA complies with the requirement for implementing a system for ensuring prompt resolution of complaints.	Met requirements	N/A
3.8	SEA complies with the requirement to establish a Committee of Practitioners and involves the committee in decision-making as required.	Met requirements	N/A

Title I, Part A
Monitoring Area: Fiduciary Responsibilities

3.3 - Within LEA Allocation Procedures

Finding (1): The CDE has not ensured that its LEAs correctly calculate equitable services for private school students, their teachers and families. There is no mechanism at the State level to determine whether LEAs have calculated equitable services including, if appropriate, carryover. Denver Public Schools (DPS) staff said that they had calculated equitable services for families of private school students based on the number of participants rather than on the proportion of poverty students as required.

Citation: Section 1118(a)(3)(A) of the ESEA requires that LEAs with a Title I, Part A allocation of greater than \$500,000 to reserve not less than one percent of their Title I, Part A allocation to carry out parental involvement activities. Section 200.65 of the Title I regulations requires LEAs to calculate from these funds, the amount of funds available for parental involvement activities for families of private school students based on the proportion of private school students from low-income families residing in Title I attendance areas. The LEA then must distribute to its public schools at least 95 percent of the remainder, leaving the balance of the reserved funds for parental involvement activities at the LEA level. Any funds related to this requirement that the LEA does not use that year must be carried over into the next fiscal year and used for parental involvement activities. If an LEA reserves more than the required one percent of its Title I, Part A funds for parental involvement activities, the requirement to allocate an equitable amount for the involvement of private school parents applies to the entire amount set-aside for this purpose.

If an LEA reserves funds under Section 1119 of the ESEA for carrying out professional development activities, the LEA must provide equitable services to teachers of private school participants from this set-aside. Sections 200.65(a)(1) and (2) of the Title I regulations requires an LEA to calculate the amount of funds available for professional development activities from the reserved funds based on the proportion of private school children from low-income families residing participating public school attendance areas. Activities for the teachers of private school participants must be planned and implemented with meaningful consultation with private school officials and teachers.

Section 200.64(a)(2)(i)(A) of the Title I regulations requires that, if an LEA reserves funds for instructional activities for public elementary or secondary students at the LEA level, the LEA must also provide from these funds, as applicable, equitable services to eligible private school children. The amount of funds available to provide equitable services from the applicable reserved funds must be proportional to the number of private school children from low-income families residing in participating public school attendance areas.

Further action required: The CDE must ensure that its LEAs correctly calculate equitable services for services to the teachers and families of participating private school students annually. The CDE must provide ED with a detailed description of how and when the

CDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will annually ensure the correct implementation of these requirements. The CDE must submit to ED evidence that, for the 2008–2009 school year, DPS and all other LEAs providing services to private school students have correctly calculated the amount of Title I funds including any applicable carryover funds that must be reserved for services for the teachers and families of private school students.

Finding (2): The CDE has not ensured that its LEAs meet the requirements related to “grandfathering” of schools. JCPS indicated in its application that it has “grandfathered” four schools that do not meet the requirements for “grandfathering.”

Citation: Section 1113(a)(3) of the ESEA requires that an LEA serve its eligible school attendance areas or schools in rank order of poverty. After serving all its schools with a poverty rate above 75 percent in rank order, an LEA may then rank the remaining eligible schools by grade span and serve those schools in rank order, making sure that no lower ranked school is allocated more per low-income child than a higher ranked school. Sections 1113(a)(2) and 1113(b)(1)(A) identify an eligible school attendance area or school as having a percentage of children in poverty that is at least as much as the LEA’s percentage of children in poverty or a percentage of children in poverty that is at or above 35 percent, whichever is lower.

Section 1113(b)(1)(C) of the ESEA gives an LEA the option to serve for one additional year an ineligible school that was eligible and received Title I, Part A funds the previous year. The issue of eligibility is important because, if the school remains eligible for Title I, Part A but has moved down in the rankings, the “grandfather” option in Section 1113(b)(1)(C) does not apply because it only applies to an ineligible school.

Additionally, section 9401 of the ESEA prohibits ED or any State that has been granted Ed-Flex Authority Under the Education Flexibility Partnership Act of 1999 from granting waivers under the waiver authority contained in this section regarding the requirements of section 1113, except that ED or the Ed-Flex State may grant an LEA a waiver to serve an ineligible school that is within ten percentage points of the nearest eligible school. Consequently, since Colorado is an Ed-Flex State, the CDE does not have the authority to grant waivers under this section.

Further action required: The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will annually ensure the correct implementation of this requirement.

Finding (3): The CDE has not ensured that its LEAs meet requirements related to allocations to schools. A12 has allocated a higher per pupil amount to several schools with a lower poverty rate than schools with a higher poverty rate.

Citation: Section 1113(a)(3) of ESEA requires that a local educational agency (LEA) serve its eligible school attendance areas or schools in rank order of poverty. After serving all its schools with a poverty rate above 75 percent in rank order, an LEA may then rank the remaining eligible schools by grade span and serve those schools in rank order, making sure that no lower ranked school is allocated more per low-income child than a higher ranked school.

Further action required: The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will annually ensure the correct implementation of this requirement. In addition, the CDE must provide evidence to ED that, for the 2008–2009 school year, A12 has complied with this requirement.

Finding (4): The CDE has not ensured that its LEAs that are required to reserve 1% of their allocation for parental involvement activities allocate at least 95% of the reservation to schools annually.

Citation: Section 1118(a)(3)(A) of the ESEA requires that LEAs with a Title I, Part A allocation greater than \$500,000 must reserve not less than one percent of their Title I, Part A allocation to carry out parental involvement activities. Section 200.65 of the Title I regulations requires LEAs to calculate from these funds, the amount of funds available for parental involvement activities for families of private school students based on the proportion of private school students from low-income families residing in Title I attendance areas. The LEA then must distribute to its public schools at least 95 percent of the remainder, leaving the balance of the reserved funds for parental involvement activities at the LEA level. Any funds related to this requirement that the LEA does not use that year must be carried over into the next fiscal year and used for parental involvement activities.

Further action required: The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will annually ensure the correct implementation of this requirement.

3.4 Maintenance of Effort, Comparability, and Supplement not Supplant

Finding (1): The CDE has not ensured that its LEAs comply with the comparability requirement. For the 2006-2007 school year, JC staff indicated that they had not calculated comparability. A12 had calculated comparability; however, the process that it used was not approved by the CDE. Based on the calculations provided, ED staff was unable to make a determination as to whether A12 had met comparability requirements.

Citation: Section 1120A(c) of the ESEA states that an LEA may receive Title I, Part A funds only if State and local funds are used in participating Title I schools to provide services that, taken as a whole, are at least comparable to services in non-Title I schools.

Further action required: The CDE must provide ED with a detailed description of how and when it informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will ensure the correct implementation of this requirement. The CDE must submit to ED evidence that, for the 2007–2008 school year, A12 and JC have correctly calculated comparability.

Finding (2): The CDE has not ensured that its LEAs meet the requirements for supplement not supplant. Woodland Park Public Schools (WPPS) submitted a request to waive the 15% carryover limitation. In its request, WPPS indicated that it would be spending the carryover funds on professional development for all teachers in the LEA (including Title I and non-Title I schools). The CDE granted the request.

Citation: Section 1120A(b) of the ESEA requires a State educational agency or local educational agency to use Federal Title I funds only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of students participating in programs assisted under Title I, and not to supplant such funds. Although an LEA has considerable discretion in handling carryover funds, an LEA may not use carryover funds to provide services in ineligible Title I schools. An LEA may use carryover funds to:

- Add carryover funds to the LEA's current-year allocation and distribute them to participating areas and schools in accordance with allocation procedures that ensure equitable participation of private school children.
- Allocate to schools with the highest concentrations of poverty in the LEA, thus providing a higher per-pupil amount to those schools, but ensuring equitable participation of private school children.
- Provide additional funds to any of the activities supported by the reservations outlined in section 200.77 of the Title I regulations. (Note that if an LEA adds carryover funds to a reservation to which equitable services apply (e.g., parental involvement), the LEA must also calculate and provide equitable services from the carryover funds.

Further action required: The CDE must ensure that its LEAs use Title I funds to supplement and not supplant. The CDE must provide ED with a detailed description of how and when it informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide ED with a description of how it will ensure the correct implementation of this requirement.

Recommendation: The ED team recommends that the CDE institute a process to cross check carryover waiver requests and amendments so that, when waiver requests are approved, the CDE has a process for ensuring that, when appropriate, LEAs also submit amendment requests. Although WPPS had submitted a request to waive the 15% carryover limitation and indicated that it would be spending the carryover funds on professional development to all teachers in the LEA (including Title I and non-Title I schools), the CDE could not determine whether WPPS had submitted an amendment to move the funds.

3.6 Services to Private School Students

Finding (1): The CDE has not ensured that its LEAs meet requirements regarding the selection of private school students to be served under Title I. DPS staff indicated that students are selected based on their free/reduced lunch status.

Citation: Section 200.62(b)(1) of the Title I regulations requires that, to be eligible for Title I services, a private school student must reside in a participating public school attendance area and meet the requirements in section 1115(b) of the ESEA which requires the LEA to use multiple, educationally related, objective criteria in selecting children to participate in the Title I program.

Further action required: The CDE must provide ED with evidence that it has provided guidance on the selection of private school students to its LEAs serving private school children. The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide ED with a description of how it will ensure the correct implementation of this requirement. The CDE must also submit evidence to ED that, for the 2008–2009 school year, DPS has complied with this requirement.

Finding (2): The CDE has not ensured that paraprofessionals who provide services to eligible private school students and are employed by an LEA with Title I funds are under the direct supervision of a highly qualified public school teacher. DPS staff indicated that, in one of the private schools, Title I services had been provided by a paraprofessional who was supervised by a central office staff member.

Citation: Sections 1119(g)(2)(G) and (g)(3)(A) of the ESEA require that paraprofessionals who provide instructional support must work under the direct supervision of a public school teacher. A paraprofessional works under the direct supervision of a teacher if (1) the teacher prepares the lessons and plans the instructional support activities that the paraprofessional carries out, and (2) the paraprofessional works in close and frequent proximity to the teacher. As a result, a Title I program for private school participants staffed entirely by paraprofessionals is not permitted.

Further action required: The CDE must provide ED with evidence that it has provided guidance on paraprofessionals to its LEAs serving private school children. The CDE

must provide ED with a detailed description of how and when the CDE informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide ED with a description of how it will ensure the correct implementation of this requirement. In addition, the CDE must submit evidence to ED that DPS has complied with this requirement for the 2008–2009 school year.

Finding (3): The CDE has not ensured that within an LEA, the Title I funds generated by private school students for instruction, professional development and family involvement are spent for those activities. DPS staff indicated that funds for these activities are “lumped together.” Private school staffs decide how they will be used.

Citation: Section 1120(a)(4) of the ESEA requires that Title I expenditures for other benefits to eligible private school students be equal to the proportion of funds allocated to participating public school attendance areas based on the number of private school students from low-income families. Funds generated by private school students must only be used for instructional costs associated with providing Title I services to eligible private school students. Section 1120(a)(1) of the ESEA requires that an LEA provide teachers and families of private school participants equitable services from the funds reserved by the LEA under Sections 1118 and 1119. Section 200.65(a)(2) of the Title I regulations states that the amount of funds available to provide equitable services to private school teachers and families must be proportionate to the number of private school children from low-income families residing in participating public school attendance areas. In order for the equitable services requirements for teachers and families to be met by an LEA, the funds generated from Sections 1118 and 1119 must be used for professional development activities for private school teachers of participating students and parent involvement activities for families of participants. There is no authority under Title I to use these funds for instruction, or to use funds generated for instruction for private school students for professional development or parental involvement.

Further action required: The CDE must require all LEAs serving private school students to reserve the amount of funds generated for instructional services for private schools for only instructional services for eligible students. The CDE must require DPS and any other LEA that is allowing funds generated for instructional services to be used for other activities to cease this practice immediately, and must provide evidence to ED that it has notified DPS. The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of this requirement. This description must include any documents such as letters to LEAs and/or agendas for technical assistance meetings. The CDE must also provide ED with information on procedures it will use to ensure the correct implementation of this requirement.

Finding (4): The CDE has not ensured that its LEAs have met the requirements for consultation regarding the evaluation of the Title I program for private school students, including consultation regarding what constitutes annual progress for the Title I program serving eligible private school children, and have not annually assessed the progress of the Title I program toward enabling participants to meet the agreed-upon standards.

Although DPS assesses individual students, it has not determined in consultation with private school officials how the Title I program that is provided to private school children will be assessed, what the agreed upon standards are, and how the annual progress will be measured.

Citation: Section 1120(b)(1)(D) of the ESEA and section 200.63 (b)(5) of the Title I regulations require an LEA to consult with appropriate officials from private schools during the design and development of the LEA's program for eligible private school students on issues such as how the LEA will assess academically the services to eligible private school students and how the LEA will use the results of that assessment to improve Title I services.

Further action required: The CDE must ensure that its LEAs, as part of the consultation process, makes a determination as to what standards and assessments will be used to measure the annual progress of the Title I programs provided to private school participants. The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of this requirement, what technical assistance it will provide to its LEAs, and how it will monitor this requirement to ensure that the Title I programs provide reasonable promise that the private school participants will achieve to high levels.

**Summary of Title I, Part B, Subpart 3 (Even Start)
Monitoring Indicators**

Monitoring Area 1, Title I, Part B, Subpart 3: Accountability			
Indicator Number	Description	Status	Page
1.1	The SEA complies with the subgrant award requirements.	Met Requirements	N/A
1.2	The SEA requires applicants to submit applications for subgrants with the necessary documentation.	Finding	36
1.3	In making non-competitive continuation awards, the SEA reviews the progress of each subgrantee in meeting the objectives of the program and evaluates the program based on the indicators of program quality, and refuses to award subgrant funds to an eligible entity if the agency finds that the entity has not sufficiently improved the performance of the program.	Finding	36
1.4	The SEA develops indicators of program quality for Even Start programs, and uses the Indicators to monitor, evaluate, and improve projects within the State.	Met Requirements	N/A
1.5	The SEA ensures that projects provide for an independent local evaluation of the program that is used for program improvement.	Met Requirements	N/A
1.6	The SEA reports to ED in a timely manner using the required performance measures and ensures that local projects are assessing the progress of their participants using those measures.	Met Requirements	N/A
1.7	The SEA ensures compliance with all Even Start program requirements.	Met Requirements	N/A

Monitoring Area 2, Title I, Part B, Subpart 3: Program Support			
Indicator Number	Description	Status	Page
2.1	The SEA uses funds to provide technical assistance to local projects to improve the quality of Even Start family literacy services and comply with State indicators of program quality.	Met Requirements	N/A
2.2	Each program assisted shall include the identification and recruitment of eligible families.	Met Requirements	N/A
2.3	Each program assisted shall implement all 15 program elements.	Finding	37
2.4	The SEA ensures that all families receiving services participate in all four core instructional services.	Met Requirements	N/A
2.5	The local programs shall use high-quality instructional programs based on scientifically based reading research (SBRR) for children and adults.	Met Requirements	N/A

Monitoring Area 3, Title I Part B, Subpart 3: SEA Fiduciary Responsibilities			
Indicator Number	Description	Status	Page
3.1	The SEA complies with the allocation requirements for State administration and technical assistance and award of subgrants.	Finding	38
3.2	The SEA ensures that subgrantees comply with statutory and regulatory requirements on uses of funds and matching.	Finding	38
3.3	The SEA complies with the cross-cutting maintenance of effort provisions.	Met Requirements	N/A
3.4	The SEA ensures that grantees comply with requirements with regard to services for eligible private school children, their teachers, and their families.	Finding	39
3.5	The SEA has a system for ensuring fair and prompt resolution of complaints and appropriate hearing procedures.	Met Requirements	N/A

**Summary of Title I, Part B, Subpart 3 (Even Start)
Area 1: Accountability**

Indicator 1.2 – The SEA requires applicants to submit applications for subgrants with the necessary documentation.

Finding: The CDE has not ensured that its subgrant application (2005 State Request For Proposals) includes all of the required selection criteria and references to the statutory priorities. The subgrant application is missing a statement of the methods that will be used to serve most-in-need families; a description of how the plan is integrated with other Federal programs; and a description of how the program will incorporate the following required program elements: identification, recruitment, and service to most-in-need families; screening and preparation of parents; support services and flexible scheduling; coordination with other Federal education programs; regular attendance and retention; and independent evaluation.

Citation: Section 1237 of the ESEA states that to be eligible to receive a subgrant under Even Start, LEA's shall submit an application to the State educational agency that includes the required documentation and plan of operation.

Further action required: The CDE must integrate the omitted requirements into its application for Even Start subgrants, and the CDE must submit the revised application for 2008 Even Start subgrants to ED.

Indicator 1.3 - In making non-competitive continuation awards, the SEA reviews the progress of each subgrantee in meeting the objectives of the program and evaluates the program based on the indicators of program quality, and refuses to award subgrant funds to an eligible entity if the agency finds that the entity has not sufficiently improved the performance of the program.

Finding: The CDE did not ensure that it reviewed the progress of each subgrantee in meeting the objectives of the program and making sufficient progress on program indicators before granting 2007 continuation awards. The CDE did not require local projects to submit a continuation application for the 2007-2008 grant year.

Citation: Section 1238(b)(3) and 1238(b)(4) of ESEA states that in awarding subgrant funds to continue a program under Even Start after the first year, the State educational agency shall review the progress of each eligible entity in meeting the objective of the program referred to in section 1237(c)(1)(A) and shall evaluate the program based on the indicators of program quality developed by the State under section 1240 and according to whether or not the program has sufficiently improved the performance of the program.

Further action required: The CDE must review the progress of each eligible entity in meeting the objectives of the program and in making sufficient progress before awarding 2008-2009 continuation awards. The CDE must also submit a copy of the continuation application that will be used for continuation awards for the 2008-2009 grant year.

Summary of Title I, Part B, Subpart 3 (Even Start)
Area 2: Instructional Support

Indicator 2.3 – Each program assisted shall implement all 15 program elements.

Element #4: Intensity of Instructional Services

Finding: The number of hours offered in each of the four instructional components falls below ED’s minimum recommendation. As a result, the Pikes Peak Even Start does not offer intensive instructional services in the four core instructional components. On a monthly basis, the Pike’s Peak project visited offers approximately 38 hours in adult education, 44 hours in early childhood education, and 10 hours in parenting education and interactive literacy activities between parents and children.

Citation: Section 1235(4) of the ESEA requires that each project provide high quality, *intensive* instructional programs that promote adult literacy and empower parents to support the educational growth of their children, developmentally appropriate early childhood services, and preparation of children for success in regular school programs. Each of the four components is considered an instructional component.

Further action required: The CDE must develop, submit to ED, and implement an action plan to ensure that local projects provide high quality and intensive instructional programs that promote adult literacy and empower parents to support the educational growth of their children, and in preparation of children for success in regular school programs. The recommended minimum intensities for the four core components are:

- Adult Education – 60 hours per month
- Early Childhood Education (birth-3) – 60 hours per month
- Early Childhood Education (3-4) – 65 hours per month
- Parenting Education and Interactive Literacy Activities between Parents and Children – 20 hours per month

The CDE must submit to ED a copy of guidance it will provide to local programs regarding the recommended minimum intensities for the four core instructional components of the Even Start program.

Summary of Title I, Part B, Subpart 3 (Even Start)
Area 3: SEA Fiduciary Responsibilities

Indicator 3.1 - The SEA complies with the allocation requirements for State administration and technical assistance and award of subgrants.

Finding: The CDE did not use the correct percentage of their allocation for State administration and technical assistance. The CDE also used technical assistance funds to provide direct assistance to projects for program improvement or replication and these funds, unless used to implement sections 1240 and 1234(c), must be spent through one or more subgrants or contracts.

Citation: Section 1233(a) of the ESEA states that each State educational agency that receives a grant under Even Start may not use not more than a total of 6 percent of the grant for the costs of administration, which shall not exceed half of the total, and technical assistance, which must be provided through one or more subgrants or contracts.

Further action required: The CDE must ensure that it uses the correct percentage of their allocation for State administration and technical assistance, and that the technical assistance is provided through one or more subgrants or contracts and not with direct funds. The CDE must submit to ED a revised budget showing the correct percentage of their allocation for State administration, and technical assistance (through a grant or contract).

Indicator 3.2 – The SEA ensures that subgrantees comply with statutory and regulatory requirements on uses of funds and matching.

Finding: The CDE has not ensured that local projects include only allowable costs in their calculation for the match requirement. For example, one project included the value of leased space using the fair market value of the space even though the space is owned by the grantee or one of its partners. (The value of space owned by a grantee or any partner must be calculated using the depreciation and use formula). Neither project visited was aware of the appropriate formula that should be used to determine the rental value that should be charged for space owned by the grantee or one of its partners. Finally, the project budgets included some costs generally included as indirect costs in the negotiated indirect cost agreements; Even Start prohibits indirect costs either as an Even Start cost or as a cost associated with the matching requirement.

Citation: OMB Circular A-87, Attachment B, (May 10, 2004) “Selected Items of Cost,” paragraphs 37 (Rental costs of building and equipment) and 11 (Depreciation and use allowance) specifies the requirements for calculating rent in cases where the school LEA or partner own the property and the method by which the rent is calculated. Section 1234 of ESEA prohibits the use of funds for indirect costs.

Further action required: The CDE must ensure that the local projects understand how to calculate and document the correct matching share and that all costs included in the

match are allowable. The CDE must submit to ED an action plan for how it will provide guidance and training to address this concern and evidence that all local projects have met this requirement correctly.

3.4 – The SEA ensures that grantees comply with requirements with regard to services to eligible private school children, their teachers and their families.

Finding: The CDE shared guidance for local projects in the requirement for consulting with private schools, but the two sites visited did not provide any evidence that they consulted with private school officials on the provision of equitable services and benefits to eligible elementary and secondary school students attending non-public schools and their teachers or other instructional personnel.

Citation: Sections 9501-9506 of the ESEA require local Even Start projects to meaningfully consult, on a timely basis, with private school officials on how to provide Even Start services and benefits to eligible elementary and secondary school students attending non-public schools and their teachers or other instructional personnel, and to provide an appropriate amount of those services and benefits through and eligible provider.

Further action required: The CDE must develop and submit to ED a plan for ensuring that all Even Start projects meaningfully consult with private school officials in order to provide equitable Even Start services and benefits to eligible private school students and their teachers or other educational personnel on an equitable basis.

**Title I, Part D
Summary of Monitoring Indicators**

Neglected, Delinquent or At-Risk of Dropping-Out Program			
Indicator Number	Description	Status	Page
1.1	The SEA has implemented all required components as identified in its Title I, Part D (N/D) plan.	Met Requirements	N/A
1.2	The SEA ensures that State agency (SA) plans for services to eligible N/D students meet all requirements.	Finding	41
1.3	The SEA ensures that local educational agency (LEA) plans for services to eligible N/D students meet all requirements.	Met Requirements	N/A
2.1	The SEA ensures that institutionwide programs developed by the SA under Subpart 1 use the flexibility provided to them by law to improve the academic achievement of all students in the school.	Met Requirements	N/A
3.1	The SEA ensures each SA has reserved not less than 15 percent and not more than 30 percent of the amount it receives under Subpart 1 for transition services.	Met Requirements	N/A
3.2	The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title I, Part D program requirements.	Finding	41

Title I, Part A

Monitoring Area: Neglected, Delinquent or At-Risk of Dropping-Out Program

Indicator 1.2 The SEA ensures that State agency (SA) plans for services to eligible N/D students meet all requirements.

Finding: In its review the ED team found that the Department of Corrections did not have an assurance in its application to the CDE regarding parent involvement. This requirement has not been included in the application provided by the CDE to the State Agency.

Citation: Section 1414 (c)(14) of the ESEA states that State agencies that request funds to operate programs under Title I, Part D Subpart 1, need to submit in their application to the SEA an assurance that the State agency will work with parents to secure parents' assistance in improving the educational achievement of their children and youth.

Further action required: The CDE must require the SA to provide written assurance that they will contact and work with parents of children and youth participating in the Title I Part D program. ED requires the CDE to demonstrate how it will determine if SAs are complying with parent involvement requirements.

Indicator 3.2 The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title I, Part D program requirements.

Finding: The ED team found that the CDE has not monitored programs under the Department of Corrections, including the Division of Youth Corrections, for Part D of NCLB.

Citation: Section 1414 of the ESEA contains assurances that programs assisted under Title I, Part D will be carried out in accordance with the State plan. Additionally, the SEA is required to ensure that the State agencies and local educational agencies receiving Part D subgrants comply with all applicable statutory and regulatory requirements. Further, section 1426 of the ESEA requires the SEA to hold LEAs accountable for demonstrating student progress in identified areas. Finally, section 9304(a) of the ESEA requires that the SEA ensure that programs authorized under the ESEA are administered with all applicable statutes, regulations, program plans and applications.

Further action required: The CDE must provide a plan to ED that indicates how it will (1) implement a monitoring process that determines whether the Title I, Part D State agency programs are complying with Part D requirements; and (2) provide ED with information of how it will carry out comprehensive monitoring to ensure that Subpart 1 programs implement requirements.

**McKinney-Vento Homeless Education Program
Summary of Monitoring Indicators**

McKinney-Vento Homeless Education Program			
Indicator Number	Description	Status	Page
Indicator 1.1	The SEA collects and reports to ED assessment data from LEAs on the educational needs of homeless children and youth.	Met Requirements	N/A
Indicator 2.1	The SEA implements procedures to address the identification, enrollment and retention of homeless students.	Met Requirements	N/A
Indicator 2.2	The SEA provides, or provides for, technical assistance for LEAs to ensure appropriate implementation of the statute.	Met Requirements	N/A
Indicator 3.1	The SEA ensures that LEA subgrant plans for services to eligible homeless students meet all requirements.	Met Requirements	N/A
Indicator 3.2	The SEA ensures that the LEA complies with providing comparable Title I, Part A services to homeless students attending non-Title I schools.	Met Requirements Recommendation	43
Indicator 3.3	The SEA has a system for ensuring the prompt resolution of disputes.	Met Requirements	N/A
Indicator 3.4	The SEA conducts monitoring of LEAs with and without subgrants, sufficient to ensure compliance with McKinney-Vento program requirements.	Met Requirements	N/A

Title I, Part A
Monitoring Area: McKinney-Vento Homeless Education Program

Indicator 3.2 – The SEA ensures that the LEA complies with providing comparable Title I, Part A services to homeless students attending non-Title I schools.

Recommendation: The ED team observed that LEA liaisons were in some cases not part of Title I efforts to support homeless students for Title I purposes. ED recommends that the CDE offer technical assistance to LEAs to improve collaboration between McKinney-Vento and Title I programs. This can be accomplished by the CDE Title I office working with the State Homeless Education coordinator to determine the best ways to approach LEAs on issues that support homeless students attending Title I programs.