



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

Honorable Kathy Cox
Superintendent of Education
Georgia Department of Education
2066 Twin Towers East
Atlanta, Georgia 30334

APR 03 2009

Dear Superintendent Cox:

During the week of January 26, 2009, a team from the U. S. Department of Education's (ED) Student Achievement and School Accountability Programs (SASA) office reviewed the Georgia Department of Education's (GaDOE) administration of the following programs authorized by the Elementary and Secondary Education Act of 1965 (ESEA), as amended.

- Title I, Part A (Basic);
- Title I, Part D (Neglected and Delinquent); and
- Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act (Education for Homeless Children and Youth Program) as amended by NCLB.

Enclosed is a report based upon this review.

The 2008-2009 fiscal year begins the third year of the second full cycle of monitoring for these requirements under NCLB. Based on five years of monitoring, we have learned significantly more about the status of States, districts, and schools in implementing the requirements of Title I. For the first time, ED has collected data on critical compliance issues under NCLB in all States. This knowledge has informed the current cycle of monitoring, and is reflected in the procedures and monitoring protocols utilized in the onsite review process.

The ESEA, as amended by NCLB, has increased the emphasis on accountability for all students, and has focused on States' responsibilities to work with districts and schools to improve instruction and student achievement. ED will continue to work closely with States to define their responsibilities in implementing the requirements of NCLB.

Monitoring for the Title I, Part A; Neglected and Delinquent; and Education for Homeless Children and Youth Program will continue to be conducted in three broad areas – accountability; program improvement, parental involvement and options; and fiduciary responsibilities. Prior to, during, and following the onsite monitoring review, the ED team conducted a number of activities (described in the enclosed report) to verify compliance with the critical monitoring indicators in each of the three broad areas for all four programs.

The enclosed report contains a listing of the critical monitoring elements in each of the three areas for the four programs monitored, a description of the scope of the monitoring review, and the findings, required corrective actions, and recommendations that the team cited as a result of the review. The GaDOE has 30 business days from receipt of this report to respond to all of the compliance issues contained herein. ED staff will review your response for sufficiency and will determine which areas are acceptable and which will require further documentation of implementation. ED will allow 30 business days for receipt of this further

documentation if required. ED recognizes that some corrective actions may require longer than the prescribed 30 days, and in these instances ED will work with you to determine a reasonable timeline. In those instances where additional time is required to implement specific corrective actions, you must submit a request for such an extension in writing to ED, including a timeline for completion of all related actions.

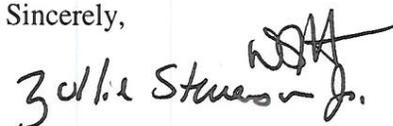
Each State that participates in an onsite monitoring review and that has significant compliance findings in one or more of the programs monitored will have a condition placed on that program's grant award specifying that the State must submit (and receive approval of) documentation that all compliance issues identified in the monitoring report have been corrected. When documentation sufficient to address all compliance areas has been submitted and approved, ED will then remove the condition from your grant award.

Please be aware that the issues presented in the enclosed report reflect the status of compliance in Georgia at the time of SASA's onsite review. GaDOE may receive further communication from ED that will require it to address noncompliance occurring prior or subsequent to the onsite visit.

The ED team would like to thank Clara Keith and her staff for their hard work and the assistance they provided prior to and during the review in gathering materials and providing access to information in a timely manner. The ED team was impressed with the efforts of your State's staff to implement the many requirements of the four programs monitored.

We look forward to working further with your staff to resolve the issues contained in this report and to improve the quality of Title I programs in Georgia.

Sincerely,



Zollie Stevenson, Jr., Ph.D.
Director
Student Achievement and
School Accountability Programs

Enclosure

cc: Clara J. Keith, Associate Superintendent
Sandra Moore, Homeless Coordinator
Chris Scott, Program Manager

Georgia Department of Education

January 26-30, 2009

Scope of Review: A team from the U.S. Department of Education's (ED) Student Achievement and School Accountability Programs (SASA) office monitored the Georgia Department of Education (GaDOE) the week of January 26-30, 2009. This was a comprehensive review of the GaDOE'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 D; and Title III, Part A. Also reviewed was Title VII-B of the McKinney-Vento Homeless Assistance Act (also known as the McKinney-Vento Homeless Education Assistance Improvements Act of 2001).

In conducting this comprehensive review, the SASA team carried out a number of major activities. In reviewing the Part A program, the SASA 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 required of the State educational agency (SEA). During the onsite week, the ED team visited two LEAs - Gwinnett County School District (GCSD) and Cobb County School District (CCSD), interviewed administrative staff, interviewed school staff in the LEAs that have been identified for improvement, and conducted two parent meetings.

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 applications; technical assistance provided to the SA; the State's oversight and monitoring plan and activities; and SA subgrant plans and evaluations for the Georgia Departments of Juvenile Justice, Corrections, and Human Resources. The ED team interviewed administrative, program and teaching staff. The ED team also interviewed the GaDOE Title I, Part D State coordinator to confirm information obtained at the State agency site and discuss administration of the program.

In its review of the Education for Homeless Children and Youth Program (Title VII-B of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001), 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 programs in GCSD, CCSD, Marietta City School District (MCSD) and Rockdale County School District (RCSD). The ED team also interviewed the GaDOE McKinney-Vento State coordinator to confirm information obtained at the local site and discuss administration of the program.

Previous Audit Findings: The audit report for the period of July 1, 2006 through June 30, 2007 identified the following two findings: 1) From the 185 subrecipients identified for single audits, 127 had not submitted their audits to the GaDOE within the nine-month period as required by the Office of Management and Budget (OMB) Circular A-133; and 2) Management decisions on audit findings were not being issued by the GaDOE within the time frame established in OMB Circular A-133.

The ED team spoke with the GaDOE's internal auditor who was recently hired to establish an internal audit function within the GaDOE. The internal auditor has completed goals 1 – 3 of the Internal Audit Work Plan and is currently working on the remaining goals 4 – 7. The function of the internal auditor is to identify risks in the GaDOE's internal controls.

Previous Monitoring Findings: ED last reviewed Title I programs in the GaDOE during the week of May 20-24, 2006. ED identified compliance findings in the following areas for Title I, Part A: alternate assessments, report cards, parental involvement policies, required reservations, public school choice, selection and service to Title I schools, calculation of funds for equitable services to private school participants, supplement not supplant issues, reimbursement requests submitted by its LEAs, private school program implementation and consultation, and control over Title I equipment and inventory.

ED identified compliance findings for Title I, Part D. The GaDOE did not have a comprehensive process to monitor its State agency programs. ED identified compliance findings in the McKinney-Vento program. The GaDOE did not submit required data on LEAs without subgrants for the prior two years to ED.

Improper Payments Act

During the week of January 26-30, 2009, the ED team also conducted a pilot review of the Improper Payments Act in the GCSD. Some of the fiscal topics discussed during the interview were time and effort; personnel; written policies and procedures; training, equipment, and allowable costs. The GaDOE's method of monitoring fiscal expenditures and controls was also discussed during the interviews. The following observations/recommendations were noted during the interviews:

- The GaDOE may need to provide more timely notification of the carryover amount that will be awarded to LEAs;
- The GaDOE may need to accurately determine if the LEAs are spending carryover or current allocations within the mandated timeframes if the funding sources are combined at the local level; and
- GaDOE should ensure that its districts establish a separate funding code to appropriately distinguish between current year and carryover funding and ensure that carryover funds are spent first.

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 they 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.

Status:

Met Requirements

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

Monitoring Area 1, Title I, Part A: Accountability			
Indicator Number	Description	Status	Page
1.1	The SEA has approved systems 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.	Finding	5
1.2	The SEA has implemented all required components as identified in its accountability workbook	Finding	6
1.3	The SEA has published an annual report card as required and an Annual Report to the Secretary.	Finding	6
1.4	The SEA has ensured that LEAs have published annual report cards as required.	Finding Recommendation	7
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 Requirements	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 Requirements	N/A

Indicator 1.1 – The SEA has approved systems 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.

Finding: The GaDOE did not ensure that its LEAs properly implement its policies regarding English for Speakers of Other Languages (ESOL) students. CCSD has a form for the “Annual Parent Waiver of English for Speakers of Other Languages (ESOL) Services.” According to this form, when parents decide to waive the (ESOL) program, then the parents are also waiving the opportunity for their child to receive testing accommodations on all standardized tests for the school year. This is not a State policy.

Citation: Section 1111(b)(3)(C)(ix)(III) of the ESEA states that student academic assessments shall provide for 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.

Further action required: The GaDOE must ensure that CCSD provides reasonable accommodations on assessments administered to limited English proficient (LEP) students. The GaDOE must provide ED with a revised form for the “Annual Parent Waiver of ESOL Services” from CCSD that does not exclude these students from appropriate accommodations on the State assessments.

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

Finding: The GaDOE did not ensure that adequate yearly progress (AYP) was calculated for all public elementary and secondary school students based on academic assessments that have been adopted for all public schools. Georgia has 14 non-standard high schools that are composed of 9th and 10th grades. Since the Georgia High School Graduation Test (GHS GT) is given in the 11th grade, these non-standard high schools do not give the GHS GT. For accountability purposes, these schools give the End of Course (EOC) tests in mathematics and reading. These assessments have not been adopted by the State to account for the achievement of all public elementary schools and secondary school students.

Citation: Section 1111(b)(2)(A)(i) of the ESEA requires that each State accountability system be based on the academic standards and academic assessments adopted under the state plan and meet the assessment requirements and other academic indicators and shall take into account the achievement of all public elementary schools and secondary school students.

Further action required: The GaDOE must ensure that the EOC tests given to the 14 non-standard high schools are adopted by the State and meet all of the academic assessment requirements by submitting the assessment for peer review by ED.

Indicator 1.3 -- The SEA has published an annual report card as required and an annual Report to the Secretary.

Finding: The GaDOE did not ensure that its report card contains all of the required elements. In the GaDOE State report card, two of the required elements are missing:

- a. The number of recently arrived LEP students who are not assessed on the State’s reading/language arts test; and
- b. Comparison of the actual achievement levels of each subgroup of students to the State’s annual measurable objectives for each required assessment.

Citation: Section 200.6(b)(4)(i)(C) of the Title I regulations requires that the State report card include the number of recently arrived LEP students who are not assessed on the State’s reading/language arts assessment. Section 1111(h)(2)(ii) of the ESEA requires

that the LEA report cards include: information that provides a comparison between the actual achievement levels of each group of students and the State's annual measurable objectives for each group of students on each of the academic assessments.

Further action required: The GaDOE must submit to ED a template of the State report card that includes the missing information. When the State report card for the Spring 2010 assessments is complete, GaDOE must submit the completed report card to ED.

Indicator 1.4 – The SEA has ensured that LEAs have published annual report cards.

Finding: The GaDOE did not ensure that LEA report cards contain all of the required elements. In the LEA report cards, two of the required elements are missing:

- a. The number of recently arrived LEP students who are not assessed on the State's reading/language arts test; and
- b. Comparison of the actual achievement levels of each subgroup of students to the State's annual measurable objectives for each required assessment.

Citation: Section 200.6(b)(4)(i)(C) of the Title I regulations requires that the State report card include the number of recently arrived LEP students who are not assessed on the State's reading/language arts assessment. Section 1111(h)(2)(ii) of the ESEA requires that the LEA report cards include: information that provides a comparison between the actual achievement levels of each group of students and the State's annual measurable objectives for each group of students on each of the academic assessments.

Further action required: The GaDOE must submit to ED a template of the LEA report cards that includes the missing information. When the LEA report cards for the spring 2010 assessments are complete, GaDOE must submit a sample of a completed LEA report card to ED.

Recommendation: ED recommends that the GaDOE make LEA and school report cards available to parents in a single format easily understood by parents and make this information widely available through public means, such as distribution to the media, distribution through public agencies, and hard copies available at school sites. The LEA report card and school report cards are available only on the Georgia website. Some of the elements of the report cards are in different locations on the website so they may be difficult for parents to find.

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.	Met Requirements	N/A
2.2	The SEA has established a statewide system of support that provides, or provides for, technical assistance to LEAs and schools as required.	Finding	8
2.3	The SEA ensures that LEAs and schools meet parental involvement requirements.	Findings Recommendations	9
2.4	The SEA ensures that LEAs and schools identified for improvement, corrective action, or restructuring have met the requirements of being so identified.	Met Requirements	N/A
2.5	The SEA ensures that requirements for public school choice are met.	Findings	11
2.6	The SEA ensures that requirements for the provision of supplemental educational services (SES) are met.	Met Requirements Recommendation	13
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.	Met Requirements	N/A
2.8	The SEA ensures that LEA targeted assistance programs meet all requirements.	Met Requirements	N/A

Indicator 2.2. – The SEA has established a statewide system of support that provides, or provides for, technical assistance to LEAs and schools as required.

Finding: The GaDOE did not provide evidence that it has a statewide system of support that meets the requirement of the statute. LEA staff members were not able to articulate the components of the system (school support teams, cadre of distinguished teachers and principals, and use of other assistance providers, etc.) and how the components were integrated to address the needs of Title I schools at different stages of improvement. ED staff was unable to determine how the GaDOE provided all the required elements of its statewide system of support.

Citation: Section 1117 of the ESEA requires that each State establish a statewide system of intensive and sustained support and improvement for its LEAs and schools that receive Title I, Part A funds in order to increase the opportunity for all students served by those agencies and schools to meet the State’s academic content standards and student

academic achievement standards. This statewide system shall to the extent practicable work with and receive support from regional technical assistance centers and the regional educational laboratories authorized under section 941(h) of the Educational Research, Development, Dissemination, and Improvement Act of 1994, or other providers of technical assistance. The statewide system shall include:

- the establishment of school support teams for assignment to and working in schools in the State;
- providing such support as the SEA determines necessary and available in order to ensure the effectiveness of such teams;
- designating and using distinguished teachers and principals who are chosen from schools served under Title I Part A that have been especially successful in improving academic achievement;
- devising additional approaches to providing such as assistance as through institutions of higher education and educational service agencies or other local consortia, and private providers of scientifically based technical assistance.

Section 1117(a)(A)(5) provides the composition of the School Support Teams and Section 1117(a)(5)(B) provides the functions of each school support team assigned to a school. Additional requirements of the statewide system of support include the State recognition for academic achievement awards program; distinguished schools; awards to teachers; and funding including special allocation rule for schools in high poverty areas.

Further Action Required: The GaDOE must provide ED with a comprehensive and detailed plan that illustrates how it is fully implementing all of the requirements of a statewide system of support included in section 1117. At a minimum, the plan must describe the components of the system, the composition of support teams, the cadre of distinguished teachers and principals, and how school support teams and cadre members are assigned or made available to schools. In addition, the GaDOE must provide ED with evidence that it has disseminated information or guidance to its LEAs and schools in improvement that explains the roles school support team members in the statewide system of support may have within their schools and LEAs.

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

Finding (1): The GaDOE has not ensured that all the school parental involvement policies and school-parent compacts contain all of the required elements. In CCSD, the content of one middle school's parental involvement policy, which reported information on activities in the early elementary school grades, was inconsistent with the grade level of the school. This policy raised questions of who was involved in reviewing and approving the policy.

Citation: Section 1118(b)(1) of the ESEA requires each Title I school to "jointly develop

with and distribute to, parents of participating children a written parental involvement policy, agreed on by such parents, that describes the means of carrying out the requirements in subsections (c) through (f)".

Section 1118(d) of the ESEA requires each Title I school to jointly develop with all parents of children served "a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibilities for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards".

Further Action Required: The GaDOE must submit to ED evidence that it has provided technical assistance and guidance to CCSD and other LEAs to review the requirements for school parental involvement policies and school-parent compacts, including the documents the GaDOE uses to provide this technical assistance and guidance. The GaDOE must submit to ED information on action taken by CCSD to determine if current school parental involvement policies are reviewed for accuracy of information.

Finding (2): The GaDOE has not consistently ensured that its LEAs notified parents of their right to request information regarding the qualifications of their children's teachers consistent with the statutory requirement. In the GCSD, the parents' right-to-know notification is a paragraph that has been embedded in the LEA handbook without the name of a specific contact person or telephone number. Some parents' right-to-know notifications regarding teacher qualifications had no easily identifiable contact information for parents that would assist them in making such a request. In CCSD, some schools' parents' right-to-know notification letters do not contain any contact information.

Citation: Section 1111(h)(6)(A) of the ESEA and 34 CFR Section 200.61 require an LEA at the beginning of each school year, to notify parents of children attending a Title I school that they may request, and the LEA "will provide the parents on request information regarding the professional qualifications of the students' classroom teachers including at a minimum the following:

- Whether the teacher has met State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
- Whether the teacher is teaching under emergency or other provisional status through which the State qualification or licensing criteria have been waived;
- The baccalaureate degree, major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree; and
- Whether the child is provided services by paraprofessionals, and if so, their qualifications".

Further action required: The GaDOE must review for compliance the parent right-to-

know notices distributed by its LEAs and schools. The GaDOE must submit to ED a copy of the revised notification letter prepared for dissemination to parents of the GCSD and CCSD for the 2009-2010 school year.

Recommendations:

Recommendation (1): ED recommends that the GaDOE ensure that all districtwide parental involvement policies have been approved and in place for the 2008-2009 school year. In GCSD, school board approval is required for the districtwide parental involvement policy. This level of approval has resulted in the districtwide parental involvement policy for GCSD not being in effect as of the date of this monitoring review for the 2008-2009 school year.

Recommendation (2): ED recommends that parental involvement policies are approved and implemented in a timely manner. In GCSD, school board approval is required for the LEA parental involvement policy. This level of approval has resulted in the LEA updated parental involvement policy for GCSD not being in effect as of the date of this monitoring review for the 2008-2009 school year. To avoid such delays, ED had previously provided guidance to States that the ESEA use of the word “policy” in the context of parental involvement does not determine whether an LEA’s parent involvement policy must be reviewed as a formal school board matter. Section 1118(a)(2) of the ESEA describes what a Title I parental involvement policy must include. If these are not the types of matters that a school board would normally review, the mere fact that the statute uses the word “policy” should not be determinate. An LEA may attach whatever label it likes to the document describing parental involvement opportunities. It must be in writing, however, and must be agreed to by parents of participating children. Further, an LEA must be able to implement its policies through whatever review and clearance process the district requires.

Recommendation (3): ED recommends that the GaDOE provide an information memorandum or similar communication to its LEAs and schools so that the LEAs and schools are aware that a contractor, Community in Schools (CIS), is actually the State’s Parent Information and Resource Center (PIRC). LEAs reported that CIS provides their parents information and resources. However, the CIS and the PIRC are one and the same. ED recommends that the GaDOE correct this misunderstanding so that LEAs, schools, and parents are aware that services and resources for parental involvement are available through the federally-funded PIRC.

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

Finding: The GaDOE has not complied with ED’s letter of October 20, 2008 that sets forth a series of required actions to correct the manner in which some of GaDOE’s LEAs (DeKalb County Public Schools-DCSD, GCSD, and Houston County School District-

HCSD) are implementing the transportation provision of section 1116(b)(1)(E) of the ESEA. GCSD and HCSD have implemented a policy of reimbursing parents of students exercising public school choice for the costs associated with transporting their children to the chosen schools. This policy by itself does not meet the statutory requirement for an LEA to provide or pay for the provision of transportation. The ED policy letter to the GaDOE stated, “a policy of reimbursement only is particularly inappropriate, and inconsistent with two provisions of the law (ESEA Sections 1116(b)(9) and 1116(b)(10(A)), if the LEA has not fully satisfied its 20 percent obligation for choice-related transportation and SES because, in this instance, the LEA is placing an undue burden on parents while not meeting its expenditure requirements. We note that a policy of reimbursement only may also have the effect of reducing demand for public school choice.” ED requires that an LEA with such a policy must supplement that policy with additional transportation options for parents, as needed, such as busing, public transportation vouchers, or other transportation arrangements. ED staff found no change in parent notification letters announcing the availability of public school choice relative to the provision of transportation in GCSD. The letters contained only the reimbursement provision for parents. Parents interviewed cited problems with this reimbursement only policy. Following the January monitoring review, ED received a letter from the GaDOE dated February 18, 2009 in response to the October 20, 2008 letter. ED is in the process of reviewing the response with the Office of General Counsel and intends to respond to GaDOE separately from this report. For the purposes of this report the finding will remain pending the outcome of the review.

Citation: Section 1116(b)(9) of the ESEA states that if a student exercises the public school choice option, the LEA “shall provide, or shall pay for the provision of, transportation for the student” to the chosen school.

Further Action Required: ED’s letter dated October 20, 2008 contains instructions and required actions which the GaDOE must take with its LEAs and schools to comply with this finding and must provide ED with copies of all SEA level directives and templates issued (including copies of revised notifications to parents from GCSD, DCSD, and HCSD) before the beginning of the 2009-2010 school year. Copies of all required actions shall be sent to ED immediately upon receipt of this report as evidence of compliance and implementation of the required actions should include:

- A copy of the GaDOE guidance to its LEAs that parent reimbursement alone is not sufficient to meet the public school choice requirements of the ESEA;
- Documentation of the steps the GaDOE has taken to ensure proper implementation of the public school choice provisions in DCSD, GCSD, and HCSD in the 2008-2009 school year;
- A copy of instruction or directive to DCSD, GCSD, and HCSD that it must offer, as soon as possible, additional transportation options to the newly requesting families who were only offered reimbursement transportation, as

well as to families who requested public school choice, but ultimately declined because they were unable to transport their child;

- A copy of DCSD's notification to those families identified in the above bullet for SY 2008-2009, including the date issued;
- A copy of instruction or directive to DCSD, (if not included in the notification identified in the immediate bullet above); and
- A copy of the instructions from the GaDOE to all its LEAs that, in future school years, they may not limit the transportation options for students exercising public school choice only to reimbursement and must inform all parents of students eligible for public school choice of the transportation options available to them.

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

Recommendation:

Recommendation: ED recommends that LEAs explore options to include SES, as appropriate, as part of the after-school campus activities. Neither CCSD nor GCSD allow SES to take place on their school campuses because the SES providers are not a part of the LEA. Both LEAs stated that they are interested in identifying strategies that will enable students to receive tutoring within their schools. The increase in demand for students applying for SES may be met if the tutoring could take place at the schools.

Monitoring Area 3, Title I, Part A: Fiduciary Responsibilities			
Indicator Number	Description	Status	Page
3.1	SEA complies with: (1) The procedures for adjusting ED-determined allocations outlined in sections 200.70 – 200.75 of the regulations; (2) The procedures for reserving funds for school improvement, State administration, and (where applicable) the State Academic Achievement Awards program; and (3) The reallocation and carryover provisions in sections 1126(c) and 1127f the 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.	Finding	15
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. 	Finding	16
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.	Met Requirements Recommendation	16
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.	Finding	16

Indicator 3.3 – Within District Allocation Procedures

Finding: The GaDOE did not ensure that its LEAs follow the statutory requirements for rank ordering schools. For rank ordering purposes, the GaDOE requires an LEA to include in its consolidated application the total number of private school, dropout, and home schooled children residing within each public school attendance area to determine the “Total Resident Students” for each public school attendance area. While parents of students enrolled at the public school are surveyed to determine free and reduced-price lunch eligibility, parents of home schooled students, dropouts and most private school children are not surveyed. Because the LEA did not include the number of dropouts, home schooled students and private school children from low-income families in its poverty determinations, the number of children from low-income families and the poverty percentages listed in the consolidated application are inaccurate.

Citation: Section 200.78 of the Title I regulations requires that an LEA must first determine which school attendance areas or schools are eligible to participate in the Title I program. As a general rule, a school attendance area is eligible if its percentage of children from low-income families is above the 35 percent poverty level or is at least as high as the percentage of children from low-income families in the LEA as a whole. An LEA may also serve a school in an ineligible area if the percentage of children from low-income families enrolled in that school is equal to, or greater than, the percentage of such children in a participating school attendance area.

For an LEA to include the number of private school children, dropout and home schooled children when ranking eligible public school attendance areas, an LEA would have to have the total number and the poverty data for all private school children, dropouts, and home schooled children residing in each attendance area available. Because obtaining this information may be difficult, the LEA, may, if necessary, rank its eligible school attendance areas on the basis of the number of children from low-income families attending public school only.

Further action required: The GaDOE must provide ED with evidence that it has adjusted its consolidated application for the school year 2009-2010 so that the LEA calculates the poverty percentages for each public school in the LEA on the “Enrollment Minus Pre-K” column divided by “Free/Reduced Meals Count Minus Pre-K” column.

Indicator 3.4 – Fiscal Requirements: Maintenance of Effort, Comparability, and Supplement not Supplant

Finding: During interviews with GaDOE staff, it was determined that GaDOE included Federal impact aid funds in making maintenance of effort determinations for LEAs.

Citation: 34 C.F.R. 299.5(d) states that: (1) In determining an LEA's maintenance of effort compliance, the SEA shall consider only the LEA's expenditures from State and local funds for free public education. These include expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities. (2) The SEA may not consider the following expenditures in determining an LEA's maintenance of effort compliance: (i) Any expenditures for community services, capital outlay, debt service or supplemental expenses made as a result of a Presidentially declared disaster; and (ii) Any expenditures made from funds provided by the Federal Government.

Further Action Required: The GaDOE must provide evidence that Federal fiscal year (FY) 2008 maintenance of effort determinations have been re-calculated excluding all federal funds for the second preceding year (FY 2006) and the comparison year (FY 2005).

Indicator 3.6 – Services to Private School Children

Recommendation: ED recommends that the GaDOE revise its template of an LEA invitation letter to private school officials to include a brief description of the Title I, Part A program. Some LEAs use this letter to invite private school officials to a consultation meeting where Title I services to eligible private school students are discussed. A brief description of the Title I, Part A program would provide private school officials an awareness of what services are available for their eligible children prior to them making any decisions on whether to accept or decline services for their eligible children.

Indicator 3.8 – Committee of Practitioners

Finding: The GaDOE did not ensure that its Committee of Practitioners (COP) has the required composition of membership. The GaDOE's COP is lacking local school board members and pupil services personnel.

Citation: Section 1903 (b) (2) states that “each such committee shall include –

- (A) as a majority of its members, representatives from local educational agencies;
- (B) administrators, including the administrators of programs described in NCLB;
- (C) teachers, including vocational educators;

- (D) parents;
- (E) members of local school boards;
- (F) representatives of private school children; and
- (G) pupil services personnel”

Further action required: The GaDOE must add members of local school boards and pupil services personnel to its list of Committee of Practitioners and forward the list to ED.

**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.	Met Requirements	N/A
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 institution-wide 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.	Met Requirements	N/A

**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	N/A
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