UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

Honorable Hanna Skandera
Secretary of Education
New Mexico Public Education Department
300 Don Gasper Education Building
Santa Fe, New Mexico 87501-2786

FEB 2 4 2011

Dear Secretary Skandera:

During the week of November 1, 2010, a team from the U.S. Department of Education's (ED) Student Achievement and School Accountability Programs (SASA) office reviewed the New Mexico Public Education Department (NMPED) 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);
- Title III, Part A; and
- Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act (Education for Homeless Children and Youth Program).

Enclosed is a report based upon this review; however, the Title III, Part A program is addressed in a separate report.

The 2010-2011 fiscal year began the second year of the third cycle of monitoring under ESEA. Based on six years of monitoring, we have learned significantly more about the status of States, districts, and schools in implementing the requirements of Title I. ED has collected data on critical compliance issues under the ESEA 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, 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 the ESEA.

Monitoring for the Title I, Part A; Neglected and Delinquent; and Education for Homeless Children and Youth Program is 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 three programs.

The enclosed report contains a listing of the critical monitoring elements in each of the three areas for the three programs monitored, a description of the scope of the monitoring review, and the findings, required corrective actions, and recommendations that the ED team cited as

a result of the review. The NMPED 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 New Mexico at the time of SASA's onsite review. The NMPED 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 Sam Ornelas and his 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 three 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 New Mexico.

Sincerely,

Patricia A. McKee

Patricia A. McKee
Acting Director
Student Achievement and
School Accountability Programs

Enclosure

cc: Sam Ornelas, Director
Arturo Martinez, ND Coordinator