

Washington, District of Columbia

February 27-March 6, 2006

Scope of Review:

A team from the U.S. Department of Education's (ED) Office of English Language Acquisition, Formula Grant Division conducted an on-site monitoring visit in the District of Columbia Public Schools (DCPS) the week of February 27-March 6, 2006. This was a comprehensive review to determine the extent to which the District of Columbia is carrying out its responsibilities for overall administration and oversight of Title III, Part A, of the Elementary and Secondary Education Act (ESEA), as reauthorized by the No Child Left Behind (NCLB) Act.

In conducting this comprehensive review, the ED team carried out a number of major activities. In its review of the Title III, Part A program, the ED team analyzed evidence of implementation of the State accountability system, reviewed the effectiveness of the language instruction educational programs and professional development processes established by the State to benefit local educational agencies (LEAs) as well as district level professional development implementation, and reviewed compliance with fiscal and administrative oversight activities required of the State educational agency (SEA).

During the onsite review, the ED team visited and interviewed administrative staff and teaching staff from the following schools:

- DCPS LEAs: Bancroft Elementary and Bell Multicultural High School
- Charter Schools: Elsi Whitlow Community Freedom PCS
- Private Schools: Sacred Heart Catholic School

District of Columbia Representatives:

Margaret McLeod, Executive Director, Office of Bilingual Education
Bethany Nickerson, Coordinator for Data, Assessment and Compliance
Elba Garcia, Coordinator for Training and Technical Assistance
Hoa Duong, Administrative Officer
Marsella Herran, Coordinator-Intake Center
Elizabeth Hood, Coordinator-Newcomer Center
Hilda Ortiz, Chief Academic Officer
Cheryl Hiers-Wilhoite, Assistant Superintendent for Differentiated Learning
Victor Vyfhuis, Executive Director, Office of Federal Grants
Kimberly Hood, Executive Director, LEA Grant Office
Troy Ashton, Office of Federal Grants
Mireya Muñoz-King, Budget Analyst

U.S. Department of Education Representatives:

Lorena-Amaya Dickerson, Education Program Specialist-Team Leader
Petraine Johnson, Education Program Specialist
Sue Kenworthy, Education Program Specialist
Jamila Booker, Program Analyst

Previous Monitoring Findings:

This is the first on-site monitoring review for Title III programs.

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State Submission Indicators

Element 1.1- State Submissions

Reviewed: DCPS SEA has submitted all reports required under Title III, Part A, and the Consolidated State Application to the U.S. Department of Education (USDE).

Citation: Section 3123, 34 CFR 80.40

Fiduciary Indicators

Element 2.1 – Reservation and Use of Funds

Reviewed:

DCPS SEA reserved 5% of its allocation for State level activities. DCPS LEA used 35% of its subgrant to conduct activities, such as professional development and technical assistance, that benefited not only DCPS schools, but Charter Schools in the District of Columbia that are independent LEAs. These activities were offered to all LEAs receiving Title III services. As a result, Charter Schools have not only received funds as eligible entities, but have also benefited from professional development activities offered by DCPS LEA from its subgrant.

Recommendation:

DCPS LEA Title III subgrant funds should not be used to benefit other LEAs, unless DCPS LEA is compensated by those LEAs for those services.

Finding (1):

DCPS SEA has failed to institute subgrant distribution procedures to ensure LEAs receive funds in a timely manner to begin Title III implementation by the beginning of the school year.

Further Action Required:

DCPS SEA must submit a subgrant distribution timetable that demonstrates that Title III funds will be awarded in a timely manner.

Finding (2):

DCPS SEA failed to provide clear documentation on the indirect cost being charge by LEAs. Under Title III, subgrantees of the State cannot charge more than 2% of their total allocation for indirect costs and direct administrative costs.

Further Action Required:

DCPS SEA must develop and submit written guidance that delineates the policies and procedures that the LEA should follow to address financial concerns.

Citation: Section 3111, 3114, 3115, and 3116

Element 2.2 – Allocation, Reallocation and Carryover

Finding (1):

DCPS SEA did not demonstrate that Title III funds are properly allocated to DCPS LEA and eligible Charter Schools. The State projects allocations based on the number of limited English proficient (LEP) students enrolled in LEAs in the District of Columbia to determine eligibility for a subgrant of at least \$10,000. However, it is not clear how funds that were initially projected to be allocated for LEAs, that ultimately were determined ineligible for a subgrant because of the \$10,000 minimum sub-grant award requirement under Title III, were reallocated when DCPS SEA made final determinations about which LEAs were eligible to receive a subgrant.

Further Action Required:

DCPS SEA must submit documentation of the State's policies and procedures for reallocating funds once DCPS SEA determines which LEAs are eligible to receive Title III funds. These policies and procedures must ensure that the amount of final subgrant awards are based on the formula set out in 3114(a).

Finding (2):

DCPS SEA did not provide evidence of procedures for reallocating Title III funds when it determines that an LEA will not use the funds for the intended purpose.

Further Action Required:

DCPS SEA must develop and submit policies and procedures for reallocation that meet the requirements in Section 3114(c).

Finding (3):

DCPS SEA did not consider all eligible entities that meet the significant increase criteria in the District of Columbia when determining eligibility for subgrants for immigrant children and youth. DCPS only considered LEAs that were eligible for a subgrant under 3114(a) for a 3114(d) subgrant. This approach did not allow Charter schools that might have experienced a significant increase in the number of immigrant children and youth, the criteria for eligibility under 3114(d), to apply for a subgrant under that section because they were not eligible or a subgrant under 3114(a).

Further Action Required:

DCPS SEA must revise the criteria for determining eligibility for subgrants under Section 3114(d). The criteria must demonstrate that the State will make awards based on the requirements in Section 3114(d).

Citation: Section 3114, 3115
EDGAR 34 CFR 76.707-76.710

Element 2.3 –Supplement, not Supplant

Finding:

DCPS SEA provided inaccurate guidance to LEAs regarding the proper use of Title III funds. Documentation reviewed at the LEA level demonstrates that the guidance provided by the State did not ensure that LEAs use Title III funds to supplement, and not to supplant, Federal, State, and local funds.

Further Action Required:

DCPS SEA must develop and issue guidance to ensure that Title III funds are used to supplement, and not supplant Federal, State and local resources. The State must review each subgrantee’s budget information and narrative to ensure compliance with non-supplanting requirement. The State must submit the results of the reviews, including the corrective actions taken by subgrantees that have not complied with the non-supplanting requirement.

Citation: Section 3115(g)

Element 2.4 –Equipment and Real Property

Reviewed:

DCPS LEA purchased computers, software and digital cameras for instructional purposes. DCPS staff described the processes for reviewing and approving requests for equipment, conducting inventories of equipment, and disposing of equipment.

The OELA monitoring team did not test the implementation of the processes and internal controls described. Our review focused on general application and knowledge of program rules and was not intended to identify systemic and/or severe non-compliance related to internal control and material weaknesses. Findings of that nature are generally identified in in-depth reviews conducted by the Department's Office of the Chief Financial Officer. Please see the OESE Title I program review findings regarding weaknesses in equipment and real property policies, procedures, and internal controls that were documented by the Department's Office of the Chief Financial Officer for additional information and the corrective actions required.

Citation: EDGAR 76.533

80.32

OMB Circular A-87

English Language Proficiency (ELP) Standards, Assessments

Element 3.1 –English Language Proficiency Standards

Reviewed:

DCPS SEA has developed English language proficiency standards (ELP) aligned to the State academic content areas of English language arts and mathematics. It is evident that the ELP standards have been widely disseminated through the District of Columbia.

Commendation:

DCPS SEA has provided intensive training to all LEAs on the newly developed ELP standards. It was evident during visits to DCPS LEA, Charter, and non-public schools that the training provided was effective and meaningful. Principals and teachers are knowledgeable and aware of the importance of the ELP standards aligned to the State content standards.

Citation: Section 3113

Element 3.2 –New English Language Proficiency Assessments

Reviewed:

DCPS SEA is a member of the WIDA consortium that developed an English Language proficiency screening and assessment instrument aligned to the English language proficiency standards. The State conducted bridge studies between the old assessment and the new assessment. The extensive training provided by DCPS SEA on the new assessment was evident during visits to both LEAs and non-public schools.

Commendation:

DCPS SEA has done a commendable job disseminating information on the new ELP assessment (ACCESS). It was evident that school principals and teachers were knowledgeable about the new assessment.

DCPS SEA has established a system that will enable it to track the number of students identified as LEP and the assessment results for all students in the States who take the ACCESS.

Citation: Section 3113

Element 3.3 –Annual Measurable Achievement Objectives (AMAOs)

Finding:

DCPS SEA did not clearly demonstrate that adequate yearly progress (AYP) for the limited English proficient (LEP) or English Language Learner (ELL) subgroup was considered as one of the three required components in determining whether LEAs had

met the annual measurable achievement objectives (AMAOs) under Title III. In order to meet the Title III AMAOs, the DCPS SEA must consider all three components (progress in learning English, attainment of English proficiency, and AYP). The DCPS SEA only considered the AYP participation rate in determining if LEAs met the Title III AMAOs.

Further Action Required:

DCPS SEA must submit a description of the annual measurable achievement objectives determination process and describe how the State will consider all three components (progress in learning English, attainment of English proficiency, and AYP), for making AMAO determinations for fiscal year 2005-2006.

Commendation:

Although a finding was identified in this area, it is important to recognize that LEAs visited were aware of the meaning and function of the Title III AMAOs.

Citation: Section 3122(a)(1)(2)(3), and Section 1111(b)(2)(B)

Element 3.4 –Data Collection

Finding:

Several offices in the DCPS SEA are responsible for collecting data on ELLs. Evidence demonstrates that there is a lack of coordination that has resulted in the following:

1. The DCPS SEA's failure to aggregate LEP data at the SEA level
2. The DCPS SEA's failure to apply the AMAO targets to Charter Schools receiving Title III subgrants.

Further Action Required:

The State must develop and submit a detailed coordination plan that delineates the steps it will take to ensure accurate and timely data collection from all LEAs receiving Title III funds. The plan must include details about the roles and responsibilities of each DCPS SEA office involved in collecting and analyzing data elements for Title III.

Citation: Section 3113, 3121, and 3122

Activities

Element 4.1 – State Level Activities

Reviewed:

DCPS SEA has developed a comprehensive professional development plan to assist LEAs. The professional development plan includes in depth training on the English language proficiency standards, the new English language proficiency assessment (ACCESS), scientifically-based methodologies to help ELLs acquire English and achieve proficiency in the content areas, linguistic and cultural diversity and other training related to the education and success of ELLs.

Citation: Section 3111 and 3122

Element 4.2 – Required Subgrantee Activities

Reviewed:

DCPS SEA has provided guidance to LEAs regarding the two required activities. DCPS LEA has several bilingual education programs at the elementary and secondary levels. Title III funds are being used to enhance these existing programs among others. However, the DCPS LEA uses its Title III subgrant to fund services and activities at all of its schools, which results in most schools receiving low levels of Title III services and activities.

Recommendation:

DCPS LEA should consider conducting a needs assessment to determine the most effective way to use Title III funds. The LEA should consider whether Title III funds can be used more effectively by carrying out highly focused activities to expand, enhance or develop new language instruction educational programs on a systemwide or schoolwide basis.

Citation: Section 3115

Element 4.3 – Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth

Reviewed:

DCPS SEA has used Title III funds to develop and implement a Newcomer Center in four school sites, two at the middle school and two at the high school level. The Center operates a content-based Literacy Programs to address the unique needs of newly arrived students. Other services provided include civic education, parent involvement and community service activities.

Commendation:

The Newcomer Centers' Literacy Program has been highly effective in meeting the needs of newly arrived students. The literacy program is designed to be completed in one year. Since its implementation, only one student has spent more than one year in the literacy program before being integrated into regular language instruction educational programs.

Citation: Section 3115

State Review of Local Plans

Element 5.1 – State Review of Local Plans

Finding:

DCPS SEA did not show evidence that it has an effective review, approval and notification process.

Further Action Required:

DCPS SEA must submit a plan that includes procedures and a timeline for reviewing and providing feedback to LEAs regarding their local plans.

Citation: Section 3116(a)

Element 5.2 – Teacher English Fluency

Finding:

DCPS SEA did not demonstrate sufficient oversight of its LEAs' compliance with the teacher fluency requirements when the language of instruction is other than English.

Further Action Required:

DCPS SEA must develop and submit guidance related to the teacher fluency requirement. In addition, DCPS SEA must also submit an assurance that LEAs are certifying that teachers teaching in a language instruction educational program where a language other than English is used for instruction are fluent in that language, including written and oral communication skills.

Recommendation:

As more LEAs in the State develop and implement programs in which one of the languages of instruction is not English, DCPS SEA should emphasize the teacher fluency requirement during monitoring and while providing technical assistance to LEAs.

Citation: Section 3116(c)

State Monitoring of Subgrantees

Element 6.1 – State Monitoring of Subgrantees

Finding:

DCPS SEA has conducted formal monitoring of Title III subgrantees. However, the monitoring instrument does not address all Title III specific requirements.

Further Action Required:

DCPS SEA must review Title III requirements and develop and submit a revised monitoring instrument. DCPS SEA must also submit a plan that includes a timeline for monitoring all Title III subgrantees.

Citation: Section 3113, 3122
EDGAR 34 CFR 76.770
80.40

Parental Notification

Element 7.1– Parental Notification

Reviewed:

DCPS LEA provided evidence of compliance with the parental notification requirements.

Citation: Section 3116(b)(4) and Section 3302