

**New Hampshire Department of Education**  
**May 21-24, 2007**

**Scope of Review:** The U.S. Department of Education's (ED) Office of English Language Acquisition, State Consolidated Grant Division, conducted an on-site monitoring review of the New Hampshire Department of Education (NHDOE) May 21-24, 2007. The purpose was to conduct a comprehensive review of the NHDOE's administration of the Title III, Part A program authorized by the No Child Left Behind (NCLB) Act.

During the review, the U.S. Department of Education's team conducted several monitoring activities. The team reviewed evidence of the implementation of the State's Title III accountability system, State level monitoring, technical assistance activities as well as fiscal and administrative oversight activities. The team also conducted monitoring visits to two local education agencies (LEAs).

**New Hampshire Department of Education Participants:**

Dr. Lyonel B. Tracy, Commissioner, Office of the Commissioner  
Mary Heath, Deputy Commissioner, Office of the Commissioner  
Sue Stepick, Consultant, Title III SEA director  
Deborah Wiswell, Administrator, Bureau of Accountability  
Linda Wright, Accountant II, Office of Business Management  
Maureen Clark, Accountant II, Office of Business Management  
Susan Morgan, Program Specialist IV, Bureau of Accountability  
Michael Bieniek, Administrator, Office of Business Management  
Gay Fedorchack, Education Consultant, Bureau of Accountability

**Nashua Public School Participants:**

Dr. Henry, Acting Associate Superintendent  
Robert Cioppa, Title III LEA Director  
Glenys Chaput, Federal Bookkeeper, Business Office  
Julie Simons, Business Director, Central Office  
Jenifer Seusing, Principal, Nashua High School  
DeAnn Conture, ELL Teacher, Nashua High School  
Susana Middleton, Home/school liaison  
Maria Azcona, parent  
Jose Azcona, parent  
Rose Hoaney, parent  
Frank Puppo, parent

School visits: Nashua High School

**Manchester Public Schools Participants:**

Dr. Michael Ludwell, Superintendent of Schools  
Dr. Henry Aliberti, Assistant Superintendent for Elementary Education  
Maureen Richardson, ELL Coordinator for Secondary Schools  
Katherine Frink, ELL Coordinator for Elementary Schools

Sheila Brission, Federal Project Director  
Lisa Paris, Assistant Business Administrator  
Brendon McCafferty, Assistant Principal, McLaughlin Middle School  
Sasha Duffy, Assistant Principal, McLaughlin Middle School  
Anne Mcquade, ELL Teacher, McLaughlin Middle School  
Gay Cestaro, ELL Teacher, McLaughlin Middle School  
Ellie Murphy, Principal, Beach Elementary School  
Kim Warren, ELL Summer Director/Librarian, Beach Elementary School  
Carol Birch, Family Coordinator, Beach Elementary School

School visits: Mc Laughlin Middle School, Beech St. Elementary School

**U.S. Department of Education Participants:**

Margarita Pinkos, Associate Assistant Deputy Secretary, OELA  
Amy Weinmann, Education Program Specialist, OELA  
Sue Kenworthy, Education Program Specialist, OELA  
Ethan Raymond Allen, Senior Budget Analyst, OELA

**Previous Audit Findings:** None.

**Previous Monitoring Findings:** None. This is the first Title III on-site monitoring review.

## Summary of Title III, Part A Monitoring Indicators

<b>State Submissions</b>			
<b>Element Number</b>	<b>Critical element</b>	<b>Status</b>	<b>Page</b>
Element 1.1	State Submissions: Follow-up on areas identified through desk audit and document reviews	Reviewed	7
<b>Fiduciary</b>			
Element 2.1	Reservation and Use of Funds: The SEA has a system in place that enables it to account for: (1) Funds reserved for State administration, (2) Funds reserved to provide technical assistance and other State level activities (3) Funds reserved for immigrant activities, and (4) Funds that become available for reallocation.	Fiscal Report Forthcoming	7
Element 2.2	Allocations, Reallocations, and Carryover: The SEA complies with the requirements in: a. Section 3114 for allocating Title III funds b. Section 3114(b) concerning subgrants of at least \$10,000 under 3114(a) c. Section(c), provisions for reallocation of funds if the SEA determines that the subgrantee has not used the funds for the purpose for which the allocation was made	Fiscal Report Forthcoming	7
Element 2.3	Supplement not Supplant: The SEA ensures that Title III funds are used only to supplement or increase Federal, State and local funds used for the education of participating children and not to supplant funds.	Fiscal Report Forthcoming	7
Element 2.4	Equipment and Real Property: The SEA ensures that equipment is procured at a cost that is recognized as reasonable and that the necessary for the performance of the Federal award. Title III funds may not be used to acquire Real Property.	Fiscal Report Forthcoming	7

<b>ELP Standards, Assessments and Accountability</b>			
<b>Element Number</b>	<b>Critical element</b>	<b>Status</b>	<b>Page</b>
Element 3.1	English Language Proficiency (ELP) Standards: The State provided evidence of a process that complies with Section 3113.	Finding-Further action required Recommendation	7
Element 3.2	English Language Proficiency (ELP) Assessments: The State provided evidence of a process that complies with Title III Section 3113 and evidence that an ELP assessment has been administrated to all K-12 students in the State.	Commendation	7
Element 3.3	New English Language Proficiency Assessment: The State provided evidence of a process that complies with Title III Section 3113. The process addresses the transition to a new ELP assessment or revision of the current State ELP assessment aligned to the State developed ELP standards, if applicable.	Reviewed	8
Element 3.4	Annual Measurable Achievement Objectives (AMAOs): AMAOs have been developed and AMAO determinations have been made for Title III-served LEAs.	Finding-Further action required	8
Element 3.5	Data Collection: The State has established and implemented clear criteria for the administration, scoring, analysis, and reporting components of its ELP assessments, and has a system for monitoring and improving the ongoing quality of its assessment systems. Data system is in place to meet all Title III data requirements, including capacity to follow Title III-served students for two years after exiting; State approach to follow ELP progress and attainment over time.	Reviewed	8

<b>State Level Activities; LEA Authorized and Required Activities, Immigrant Children and Youth</b>			
<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</b>
Element 4.1	<p>State Level Activities: Using administrative funds, the State carries out one or more activities that may include:</p> <ul style="list-style-type: none"> <li>• Professional development</li> <li>• Planning, evaluation, administration and interagency coordination</li> <li>• Promoting parental and community participation</li> <li>• Providing recognition to subgrantees that have exceeded AMAO requirements</li> </ul>	Commendation	8
Element 4.2	<p>Required Subgrantee Activities: The subgrantee must provide high quality language instructional education programs and sustained professional development activities to all classroom teachers of LEP students (including teachers in classroom settings that are not defined as language instructional education programs). Training activities must also include principals, administrators, and other school or community based organization personnel.</p>	Finding-Further action required	8
Element 4.3	<p>Authorized Subgrantee Activities: The LEA may use the funds by undertaking one or more authorized activities.</p>	Reviewed	9
Element 4.4	<p>Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth: The subgrantee receiving funds under Section 3114(d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth.</p>	Recommendation	9

<b>State Review of Local Plans</b>			
<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</b>
Element 5.1	Application: The SEA ensures that its LEAs comply with the provision for submitting an application to the SEA (Section 3116(a)).	Recommendation	9
Element 5.2	Private School Participation: LEAs are complying with NCLB requirements regarding participation of LEP students and teachers in private schools under Title III.	Reviewed	9
Element 5.3	Teacher English Fluency: Certification of teacher fluency requirement in English and any other language used for instruction (Section 3116)	Reviewed	9
<b>State Monitoring of Subgrantees</b>			
Element 6.1	Monitoring: The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title III program requirements	Finding-Further action required	9
<b>Parental Notification</b>			
Element 7.1	Parental Notification: Parental notification in an understandable format as required under Section 3302 for identification and placement and for not meeting the State AMAOs.	Finding-Further action required	10

## State Submissions

### Element 1.1 - State Submissions

#### Reviewed

Citation: Section 3123, 34 CFR 80.40

### Fiduciary

Fiscal Report Forthcoming from the ED Office.

### Element 2.1: Reservation and Use of Funds

Citation: Section 3111, 3114(d), 3115, and 3116

### Element 2.2: Allocations, Reallocations, and Carryover

Citation: OMB A-87, EDGAR; 34 CFR 76.722

### Element 2.3: Supplement, not Supplant

Citation: Section 3115(g);

### Element 2.4: Equipment and Real Property

Citation: OMB A-87; EDGAR 76.533, 80.32

## ELP Standards, Assessments, and Accountability

### Element 3.1 - ELP Standards

Finding: The NHDOE did not provide evidence that it has a process that complies with Section 3113 (b)(2).

Further action required: The NHDOE must provide evidence that it has a process for aligning the new ELP standards to the State's content standards.

Citation: Section 3113 (b)(2)

### Element 3.2 - ELP Assessments

Commendation: The NHDOE has provided extensive training on the new State ELP assessment, which was evident during visits to both LEAs. School principals and teachers were knowledgeable about the new assessment.

Citation: Section 3113(b)(2) and (b)(3)(D)

### **Element 3.3 – Transition to New ELP Assessment**

Reviewed: See Element 3.2.

Citation: Section 1111(b)(7); Section 3113(b)(3)(D)

### **Element 3.4 – Annual Measurable Achievement Objectives (AMAOs)**

The NHDOE received an Attachment T that specified conditions governing its Title III Part A grant award made on July 1, 2007. Please refer to the Attachment T (copy attached) for an explanation of findings specific to Element 3.4.

Citation: Section 3122(a)(3)(A)(iii)

### **Element 3.5 – Data Collection (Data Collection System)**

Reviewed

Citation: Section 3121(a)(4)

## **State Level Activities; LEA Authorized and Required Activities; Immigrant Children and Youth**

### **Element 4.1 – State Level Activities**

Commendation: The NHDOE demonstrated effective integration of Federal programs at the State level. For example, the State assessment team works very closely with the Title III SEA Director regarding administration of the State’s ELP assessment, ACCESS.

Citation: Section 3111(b)(2)

### **Element 4.2 – Required Subgrantee Activities**

Finding: The NHDOE has not ensured that subgrantees carry out professional development activities that are of sufficient intensity and duration as required under Section 3115.

Further action required: The NHDOE should provide evidence that demonstrates it ensures subgrantees provide for professional development of sufficient intensity and duration.

Citation: Section 3115(c)

### **Element 4.3 – Authorized Subgrantee Activities**

Reviewed

Citation: Section 3115(d)

**Element 4.4 – Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth**

Reviewed: The State described how it reviews local plans for activities under the immigrant children and youth program through the Title III local plan.

Recommendation: The NHDOE should consider whether it would be advantageous to make use of multi-year grants or competitive grants under Section 3114(d) of Title III, which authorizes subgrants to LEAs experiencing a substantial increase in immigrant children and youth. The SEA should provide guidance to LEAs in determining the activities that are the most effective for immigrant students.

Citation: Section 3115(e)

**State Review of Local Plans**

**Element 5.1 – State Review of Local Plans**

Reviewed:

New Hampshire has implemented a review process of LEA local plans. The State provided evidence of its guidelines for developing and evaluating Title III LEA plans/applications. The guidelines provide information to LEAs regarding the purpose of Title III, required and authorized activities, elements of the local plan, and the evaluation and monitoring process. Annual applications are reviewed and approved to ensure that programs meet statutory requirements.

Recommendation: An earlier due date for the State’s review of local plans and subsequent earlier date for allocations would increase the overall benefit of timely Title III allocations.

Citation: Section 3116(a)

**Element 5.2 – Private School Participation**

Reviewed

Citation: Sections 9501 - 9506

**Element 5.3 – Teacher English Fluency**

Reviewed

Citation: Section 3116(c)

## **State Monitoring of Subgrantees**

### **Element 6.1 – State Monitoring of Subgrantees**

Finding: The NHDOE did not provide sufficient evidence that it has implemented a monitoring plan for evaluating how LEAs comply with Title III requirements.

Further action required: The NHDOE must provide evidence that demonstrates the State develops and implements a monitoring plan to evaluate how LEAs comply with Title III requirements.

Citation: Section 3113 and 34 CFR 80.40

## **Parental Notification**

### **Element 7.1– Parental Notification**

The NHDOE received an Attachment T that specified conditions governing its Title III Part A grant award made on July 1, 2007. Please refer to the Attachment T (copy attached) for an explanation of findings specific to Element 7.1.

Citation: Section 3302(a) and (b)