



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION
ACADEMIC IMPROVEMENT AND TEACHER QUALITY PROGRAMS

July 22, 2009

Ron Taylor
California Department of Education
1430 N Street, Suite 4309
Sacramento, CA 95814

Dear Ron:

On September 16, 2008, the California Department of Education submitted a response to the monitoring report that resulted from a program review conducted by the Academic Improvement and Teacher Quality Programs office of the U.S. Department of Education's Office of Elementary and Secondary Education (ED). The program office team reviewed your State's progress in meeting the highly qualified teacher provisions of the Elementary and Secondary Education Act and your State's administration of the ESEA Title II, Part A Improving Teacher Quality State Grants program. Thank you for sending this response to the monitoring report.

This response, in combination with additional information submitted on September 29, February 18, May 4, May 8, July 7, July 15, and July 16, satisfactorily addresses the findings identified in the monitoring report. Specifically, the CDE agrees to the following:

Critical Element I.7: By October 15, 2009, and annually thereafter, the CDE will require every California school district receiving Title I funds to take one of the following two actions: 1) either verify that all of their teachers are highly qualified by uploading the California Basic Educational Data System – Professional Assignment Information Form into the CAIS system, or 2) verify that parent notification letters were sent to parents of students taught by non-highly qualified teachers by uploading into the CAIS system a copy of the parent notification letter, a list of all non-highly qualified teachers, and proof that the letters were actually mailed.

By December 1, 2009, the CDE will submit to ED samples of LEA submissions showing that a district's teachers are 100% highly qualified and showing that a district's teachers are less than 100% highly qualified, with attendant attachments. The CDE will also submit a list of LEAs that have failed to comply with these reporting requirements.

Critical Element III.A.2.: The CDE has already entered into agreements with LEAs under section 2141(c) of the ESEA based on teacher quality and AYP data from school years 2005-06, 2006-07, and 2007-08. These agreements indicate how the LEAs will use their Title II, Part A funds to bring all teachers to highly qualified status. By September 30, 2009, the CDE will send a notification memo to all districts that are subject to section 2141(c) based on data from school years 2006-07, 2007-08, and 2008-09. This memo, which will be in the form submitted to the U.S. Department of Education (ED) on May 8, will include as attachments a Memorandum of Understanding (MOU), a Fiscal Agreement, and a worksheet. The CDE will send this memo,

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with the attachments, to each district subject to section 2141(c) by September 30 of each subsequent year.

The CDE will require the affected districts to return the completed Memorandum of Understanding, Fiscal Agreement, and worksheet by November 15 each year, including 2009, and it will act to approve the MOU, Fiscal Agreement, and worksheet by December 15 each year, including 2009.

Critical Element III. B.1.: Beginning in the 2009-10 school year, the CDE will monitor for compliance with its equitable distribution plan, and the equitable distribution plans of the LEAs, through the data LEAs are required to upload into the CAIS system each year. This includes Tables A.1 and B.1, which the SEA is requiring LEAs to submit by November 1 each year. Additionally, under the CDE's plan, LEAs may not assign teachers with Provisional Intern Permits (PIP) or Short Term Staff Permits to schools with high poverty levels. The distribution of teachers in alternative certification programs (known as "interns") must not be disproportionately higher in high-poverty schools than in low-performing schools. The CDE will apply additional equitable distribution requirements to districts that have not met AYP and/or have not met the 100% highly qualified AMO.

By July 30, 2009, the CDE will determine the measures it will use to analyze progress on its equitable distribution plan and report them to ED. It will submit to ED a report on the results of its analysis of progress by October 1, 2009. The 2009 report, and all subsequent annual reports on progress related to the State's equitable distribution plan, will be posted on the CDE's website by October 1 each year.

Critical Element IV.B. 4.: The CDE will use two distinct but aligned systems for monitoring LEAs under Title II, Part A. The first system (California Accountability and Improvement System (CAIS)), will apply to all districts that report that 100% of core subject classes are taught by highly qualified teachers. These districts will submit highly qualified teacher documentation annually, and the CDE will monitor them through a site visit at least once every 4 years.

The second system (Compliance Monitoring, Interventions, and Sanctions (CMIS)), will apply to all districts that do not report that 100% of their core classes are taught by highly qualified teachers. In addition to requiring the submission of various reports to allow desk monitoring, the CDE will also monitor these districts at least once every 4 years.

The CDE has submitted to ED the schedule for site monitoring visits under both CAIS and CMIS. This schedule ensures that every district will be visited at least once every 4 years. The CDE has also submitted to ED the monitoring protocol to be used for site visits under both CAIS and CMIS. By February, 2010, the CDE will submit documentation to ED showing use of the monitoring protocol in connection with site visits to two districts that are subject to section 2141(c) during the 2009-2010 school year.

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Critical Element V.1.: The CDE has submitted documentation showing that FY 2006 state level activity funds under Title II, Part A were used for allowable purposes. That account has been fully liquidated and no further action is required.

The CDE has also met with the California Private School Advisory Council (CPSAC) and the California Association of Private School Organizations (CASPO) and, together, the organizations developed an assessment of needs that could be addressed using state level activity funds under Title II, Part A. Every other year, beginning in 2009, the CDE will conduct a state-wide private school needs assessment, which will be completed by January. This needs assessment will be used to plan activities for the coming two years.

Every other year, beginning in 2010, CDE will initiate state-wide consultation with CPSAC and CASPO to review the most recent needs assessment and to determine the professional development activities that will be offered to meet those needs. The CDE will also meet more frequently with these groups for informal consultations.

The Department will follow up with CDE to ensure that progress is being made on these issues and that all agreed upon deadlines are met.

During the State agency for higher education (SAHE) portion of the monitoring review, the program team determined the SAHE was not adequately monitoring its subgrants. On August 8, 2008, the SAHE submitted an action plan for how future subgrantee monitoring would be conducted. This satisfies the further actions requirements for the SAHE portion of the monitoring report.

We commend your work in responding to the concerns raised by the monitoring report. We look forward to continuing to work with you and your staff to ensure that all teachers meet the highly qualified requirements and to help improve the delivery of ESEA Title II, Part A services in California.

Sincerely,



Michelle Meier
Program Officer

cc: Karen Humphrey
Lynda Nichols

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