

Florida Department of Education

November 5 - 9, 2007

Scope of Review: A team from the U.S. Department of Education's (ED) Student Achievement and School Accountability (SASA) Programs office monitored the Florida Department of Education (FDE) the week of November 5 – 9, 2007. This was a comprehensive review of FDE'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 B, Subpart 3; and Title I, Part D. Also reviewed was Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act (Education for Homeless Children and Youth) as amended by NCLB.

In conducting this comprehensive review, the ED team carried out a number of major activities. In reviewing the Part A program, the ED 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 of the State educational agency (SEA). During the onsite week, the ED team visited five LEAs – Broward County Public Schools (BCPS), Gadsden County Public Schools (GCPS), Osceola County Public Schools (OCPS), Polk County Public Schools (PCPS) and Pinellas County Public Schools (PiCPS) and interviewed administrative staff, visited 16 schools in these LEAs that have been identified for improvement, and conducted five parent meetings.

In its review of the Title I, Part B, Subpart 3 Even Start program, the ED team examined the State's request for proposals, State Even Start guidance, State indicators of program quality, and the most recent applications and local evaluations for two local projects located in Taylor County Public Schools (TCPS). During the onsite review, the ED team visited these local projects and interviewed administrative and instructional staff. The ED team also interviewed the Even Start State coordinator to confirm information obtained at the local sites and to discuss State administration issues.

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 and LEA applications under Subpart 2, technical assistance provided to SEAs and LEAs, the State's oversight and monitoring plan and activities, SA and LEA subgrant plans and local evaluations for projects in the Department of Corrections, Broward and Palm Beach Counties.

The ED team interviewed administrative, program and teaching staff. The ED team also interviewed the FDE Title I, Part D State coordinator to confirm information obtained at the local sites and discuss administration of the program.

In its review of Title VII of the McKinney-Vento Homeless Assistance Act (Education for Homeless Children and Youth), 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 projects in Broward, Gadsden and Jefferson (non grantee) Counties. The ED team also interviewed the FDE McKinney-Vento State coordinator to confirm information obtained at the local site and discuss administration of the program.

Previous Audit Findings: Subrecipient monitoring remains an ongoing deficiency. Based on the continued prior findings of the A-133 audit for FY 2004, the deficiencies reported in the onsite monitoring of FDE by ED in 2005, and the insufficient responses that the FDE submitted in November 2006, the FDE was required to develop and implement corrective actions. The FDE was required to submit to ED a revised monitoring plan that pertains to Title I with internal controls that documents how it will: implement a monitoring process that determines whether LEAs are complying with Title I basic fiscal requirements; carry out comprehensive monitoring to ensure that all LEAs implement programmatic requirements, and apply internal controls for selecting LEAs for onsite and desk monitoring, for issuing reports, developing corrective action plans, and maintaining a recordkeeping system for documenting and following up on corrective actions taken to ensure LEAs remain in compliance. The ED team reviewed these materials during the onsite week. See Overarching Requirement section on page 3 of this report for the results of that review.

Comparability is an additional issue that has been repeatedly identified in A-133 audits. The FDE was required to provide ED with a copy of the alternative methods used for meeting comparability requirements; provide evidence that it has received the required comparability reports from its LEAs, and provide evidence of the implementation of corrective action taken to ensure that LEAs remain in compliance with the comparability requirements under Title I, Section 1120A(c) of ESEA (20 USC 6321(c)).

Previous Monitoring Findings: ED last reviewed Title I programs in the FDE during the week of May 24 – 27, 2005. ED identified compliance findings in the following areas for Title I, Part A: implementation of all required components as identified in its accountability workbook; qualified paraprofessionals; statewide system of support; parental involvement requirements; school improvement; SES requirements; public school choice; audits, allocations; comparability; private schools; State reservation of funds; rank order of schools, and subrecipient monitoring. For Title I, Part B, Subpart 3 (Even Start): subgrant awards requirements, fiduciary responsibilities and instructional support; as well as Title I, Part D - Neglected, Delinquent or At-Risk of Dropping-Out Program: the Title I, Part D plans (State and local); plan approval and review; reservation of funds; subrecipient monitoring; and the McKinney-Vento Homeless Education Program: identification, enrollment and retention of homeless students, and subrecipient monitoring.

The FDE subsequently provided ED with documentation sufficient to address all compliance issues identified during this review, with the exception of subrecipient monitoring, within-district allocations and private schools. ED here notes that these issues were again identified during this review. (See pages 4, 16 and 22 of this report.)

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 States 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.

Finding: The FDE's procedures for monitoring its LEAs for compliance with Title I of the ESEA were insufficient to ensure that all areas of noncompliance were identified and corrected in a timely manner. The ED team reviewed the FDE's most recent monitoring reports for two of the LEAs visited during the onsite review (BCPS and GCPS), and determined that in a number of instances the ED team identified compliance issues that were not identified in the most recent monitoring review by the FDE, specifically in the areas of private schools, schoolwide programs and parental involvement. Since the ED team identified a number of areas in both LEAs where the FDE did not ensure compliance with the requirements of Title I programs reviewed, the ED team concludes that FDE's current procedures for monitoring its grantees are insufficient to ensure compliance with Title I requirements.

Citation: Section 80.40 of the Education Department General Administrative Regulations (EDGAR) - Grantees must monitor grant and subgrant activities to ensure compliance with applicable Federal requirements.

Section 9304 (a) of the ESEA requires that the SEA must ensure that (1) programs authorized under ESEA are administered in accordance with all applicable statutes, regulations, program plans, and applications; and (2) the State will use fiscal control and funds accounting procedures that will ensure the proper disbursement of and accounting for Federal funds.

Section 722(g)(2) of the ESEA states that State plans for the education of homeless children and youth requires the State to ensure that LEAs will comply with the requirements of the McKinney-Vento statute.

Further action required: The area of subrecipient monitoring has been identified by ED as a compliance issue in two successive monitoring reports as well as in several State audits. Since 2004, the FDE has been unable to demonstrate that it has developed and

implemented a process that is sufficient to ensure that it has an effective method to monitor for compliance with all requirements of Title I Part A, Part B, Part D and the McKinney-Vento Homeless Education Programs, including procedures to identify and correct issues of noncompliance.

Although the FDE has made significant progress in this area, it has not yet established a process that meets these requirements. The FDE must, therefore, provide a plan to ED that indicates how it will (1) implement a process that determines whether LEAs are complying with basic Title I fiscal requirements on an annual basis prior to the time it awards Title I funds; (2) carry out comprehensive monitoring to ensure that all LEAs implement programmatic requirements; and, (3) follow-up on all instances of noncompliance identified in the monitoring and/or single audit process to ensure that they are corrected in a timely manner.

Florida's Response:

Florida appreciates USED's acknowledgement of the progress toward developing an effective method of monitoring compliance with all requirements of Title I, Part A, Part B, Part D, and the McKinney-Vento Homeless Education Programs, including procedures to identify and correct issues of noncompliance. FDE will continue its progress toward enhancing the effectiveness of its monitoring system through a comprehensive monitoring process, under the direction of its Office of Federal Programs, established June 2007. We note however that no monitoring system will or can ever be 100% effective so that the mere fact of some undiscovered instances of noncompliance in some of our districts should not be the test of compliance of our system. Rather the system must be evaluated as a whole. Activities include:

- A revised online 2008-09 application with safeguards designed to ensure that LEAs include required elements for their NCLB programs, and show clear connections between identified needs, activities, and project funds – Completion Date - March 2008
- Comprehensive programmatic and budgetary reviews of applications – Completion Date - September 2008
- Review of the regular 5-year monitoring cycle, with LEAs selected on a set of data to determine LEAs most at-risk for noncompliance – Completion Date - August 2008
- Review of existing workpapers that focus on findings identified in the USED Monitoring Report, with specific attention to private schools, schoolwide programs, and parental involvement. – Completion Date - July 2008
- Development of a new online system for submission of workpapers and supporting documentation – Completion Date - August 2008

- Development of a new online system improvement plan process, with pre-populated findings and a built-in system of regular follow-up, requiring local education agencies to provide updates on progress to ensure successful implementation of activities identified in the plans – Completion Date - February 2009
- Review and redesign, if appropriate, of the comparability reports and technical assistance to support LEAs – Completion Date - December 2008
- Target monitoring as follow-up to the 2007-08 monitoring visits – Completion Date - August 2009

Title 1, Part A
Summary of Monitoring Indicators

Monitoring Area 1, Title 1, Part A: Accountability			
Indicator Number	Description	Status	Page
1.1	SEA has approved system 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.	Findings	7
1.3	The SEA has published an annual report card as required and an Annual Report to the Secretary.	Finding	8
1.4	The SEA has ensured that LEAs have published annual report cards as required.	Finding	9

Title I, Part A
Monitoring Area 1: Accountability

1.1 - SEA has approved system 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 (1): The FDE continues its use of an alternative assessment procedure for some English language learners with less than one year of English language service, instead of participating in the Florida Comprehensive Assessment Test (FCAT), and includes these scores in adequate yearly progress (AYP). The “List of Assessment Instruments for use as the English language learner (ELL) Alternative Assessment” includes reading as well as mathematics tests. The alternative assessments must meet the same technical quality standards and be comparable to the FCAT.

Citation: Section 1111(b)(C)(iii) of the ESEA requires that state assessments be used for purposes for which such assessments are valid and reliable, and be consistent with relevant, nationally recognized professional and technical standards. Section 1111(b)(3)(C)(ix)(III) of the ESEA requires state assessments that provide for the inclusion of limited English proficient students, who shall be assessed in a valid and reliable manner.

Further action required: These alternative assessments and procedures must be presented for peer review in March 2008 or their use must be discontinued for AYP purposes.

Florida’s Response:

In Florida, all recently arrived Limited English Proficient (“LEP”) students take the following assessments in their first year:

1. Either the FCAT or an alternative academic achievement assessment;
2. An assessment of English language proficiency for determination of LEP status, in accordance with the consent decree (taken soon after enrollment);
and
3. An annual assessment of English language proficiency (taken in April or May, with results reported in June and July).

Following the entry of the consent decree and in accordance with its provisions, FDOE developed its rules related to exemption of recently enrolled LEP students and developed the list of alternate assessments. The list of alternate assessments has been in place for a number of years and was included in FDOE’s approved Accountability Plan. The FDOE has approved district LEP plans (submitted for approval every three years) based on that list. FDOE received the final monitoring report on or about March 7, 2008, only four days prior to the beginning of the assessment calendar for FCAT reading and

mathematics. The timing of this finding prevented Florida from making any changes in its plan to assess limited English proficient students. At that point, the appropriate LEP students had already been exempted from FCAT, and it was not feasible to present its alternative assessments and procedures for review within the 17 working-day window to meet the March 2008 deadline for peer review. A change in mid-course at that late date would have been detrimental to students, would have resulted in fewer students being assessed, and would have undermined the integrity of the assessment data and skewed accountability determinations.

Therefore, for the 2007-08 school year, Florida will calculate AYP based on the alternative assessments already under way when it received the final monitoring report.

FDOE is certainly committed to making all necessary improvements in the assessment of English language learners. For the 2008-09 school year, Florida will select one (or a combination) of the following options: (a) exercise the flexibility announced by the Secretary on February 20, 2004, with respect to recently arrived English language learners and will not include them in AYP calculations; (b) submit an alternative assessment for peer review; or (c) require all students to take the FCAT. The FDOE will consult with many stakeholders before deciding which of these options to select, with the best interest of Florida's students in mind, as well as the most accurate and equitable accountability system.

The decision about which action to take will be made no later than August 2008, and forwarded to USED at that time. This submission will take the form of a proposed amendment to the State's Accountability Plan.

As acknowledged by the USED report, Florida is currently operating under a consent decree, a copy of which is attached, that establishes the procedure and criteria for determining the LEP status of a student. Under Part I.C. of the consent decree, each potential LEP student is assessed for English language proficiency. To be determined proficient, a student must pass: (a) an oral/aural proficiency assessment using a state approved test; and (b) for students in grade 4 or above, a reading and writing proficiency assessment using an approved norm referenced assessment test. If a student scores at or below the 32nd percentile on the reading and writing assessment, he/she must be determined to be an LEP.

The consent decree provides two exceptions to these assessment criteria for determining LEP status. First, in Part I.C.2.c., the LEP committee may make a determination on LEP status regardless of the test scores, using the criteria listed therein. (This provides a safety valve where the test score is inconsistent with the student's academic performance and observed level of proficiency.) Second, in Part I.C.2.e., in lieu of the assessment procedures described above, a district may propose an alternative test procedure, which the Department must review for approval based on whether the alternative is a valid and reliable measure of proficiency.

Historically, the FDOE has approved district LEP plans calling for a range of cut-scores on the reading/writing assessment tests, as long as the cut-scores were at least the 32nd percentile on a nationally norm-referenced test. Under the consent decree, the district LEP plans are approved in three year increments, and the FDOE is currently reviewing LEP plans for a cycle beginning in the 2008/2009 school year. In resolution of this Finding, the FDOE will require all districts to utilize the 32nd percentile as the cut-score for English language proficiency on the norm-referenced reading/writing assessments. Therefore, beginning with the 2008/2009 school year, the exit criteria for the reading/writing assessment will be set at 32nd percentile for all districts.

In addition, the FDOE has been implementing a statewide annual assessment of English proficiency, utilizing the Comprehensive English Language Learning Assessment (“CELLA”). This assessment is aligned to the state’s academic standards, and it tests proficiency in all four domains of listening, speaking, reading, and writing. This test has been administered twice, and the third administration is scheduled for April 2008. Statewide cut-scores have been proposed to and approved by the Florida State Board of Education on April 15, 2008. Once the statewide cut-scores are established, the Department will seek to transition to a one test system for assessment of English language proficiency. Since the consent decree sets the criteria for LEP status, full implementation of a one-test system may be dependent upon obtaining a modification of the consent decree.

Finding (2): Definitions of limited English proficient (LEP) students and criteria for student exit from the LEP subgroup may vary across LEAs in the state due to flexibility the state allows for districts in defining criteria for student exit from the LEP subgroup. The FDE permits districts to use different cut scores for English language proficiency tests to determine LEP status.

Citation: Section 1111(b)(2)(v)(I)(dd) of the ESEA requires AYP determinations for LEP students. Section 1111(b)(2)(C)(ii) requires that AYP progress shall be defined by the State in a manner that is statistically valid and reliable.

Further action required: For the purposes of AYP calculation and accountability reporting, the FDE must use a consistent cut score for English language proficiency tests to determine membership in the LEP subgroup. The Consent Decree indicates that the minimum a student may score to be exited from the ESOL program and be classified as a former English Language learner is at the 33rd percentile. Therefore, for the purposes of AYP calculation and accountability reporting, students who score at least at the 33rd percentile on the English language proficiency test will be included in the LEP subgroup. The FDE must clearly document these policies for LEAs and schools and provide documentation of these policies to ED along with evidence that such documentation has been provided to LEAs and schools.

Florida's Response:

As acknowledged by the USED report, Florida is currently operating under a consent decree, a copy of which is attached, that establishes the procedure and criteria for determining the LEP status of a student. Under Part I.C. of the consent decree, each potential LEP student is assessed for English language proficiency. To be determined proficient, a student must pass: (a) an oral/aural proficiency assessment using a state approved test; and (b) for students in grade 4 or above, a reading and writing proficiency assessment using an approved norm referenced assessment test. If a student scores at or below the 32nd percentile on the reading and writing assessment, he/she must be determined to be an LEP. (Please note that USED's interpretation of the consent decree above is incorrect. A score of at least the 33rd percentile would not place students in an LEP program.)

The consent decree provides two exceptions to these assessment criteria for determining LEP status. First, in Part I.C.2.c., the LEP committee may make a determination on LEP status regardless of the test scores, using the criteria listed therein. (This provides a safety valve where the test score is inconsistent with the student's academic performance and observed level of proficiency.) Second, in Part I.C.2.e., in lieu of the assessment procedures described above, a district may propose an alternative test procedure, which the Department must review for approval based on whether the alternative is a valid and reliable measure of proficiency.

Historically, the FDOE has approved district LEP plans calling for a range of cut-scores on the reading/writing assessment tests, as long as the cut-scores were at least the 32nd percentile on a nationally norm-referenced test. Under the consent decree, the district LEP plans are approved in three year increments, and the FDOE is currently reviewing LEP plans for a cycle beginning in the 2008/2009 school year. In resolution of this Finding, the FDOE will require all districts to utilize the 32nd percentile as the cut-score for English language proficiency on the norm-referenced reading/writing assessments. Therefore, beginning with the 2008/2009 school year, the exit criteria for the reading/writing assessment will be set at 32nd percentile for all districts. Completion date – August 2008.

In addition, the FDOE has been implementing a statewide annual assessment of English proficiency, utilizing the Comprehensive English Language Learning Assessment ("CELLA"). This assessment is aligned to the state's academic standards, and it tests proficiency in all four domains of listening, speaking, reading, and writing. This test has been administered twice in previous years, and the third administration began in April 2008. Statewide cut-scores were proposed to and approved by the Florida State Board of Education on April 15, 2008. Now that statewide cut-scores have been established, the Department will seek to transition to a one test system for assessment of English language proficiency. Since the consent decree sets the criteria for LEP status, full implementation of a one-test system may be dependent upon obtaining a modification of the consent decree. Completion date – undetermined.

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

Finding: The FDE’s State Report Card does not include student achievement at each proficiency level on the State academic assessments.

Citation: Section 1111(h)(1)(C)(i) and (ii) of the ESEA requires that the State annual report card include in the aggregate, on student achievement at each proficiency level on the State academic assessments described in subsection (b)(3).

Further action required: For 2007-2008, the FDE must add the required information noted above to its State report card and submit the revised report, or a web link to it, to ED.

Florida’s Response:

Beginning with reporting for the 2007-08 school year, the FDE will add the following table format for student performance in mathematics and reading to the state’s annual report card (NCLB School Public Accountability Reports):

Mathematics: Percentage of Students Scoring at Each FCAT Achievement Level, 2007-08															
Note: Based on FCAT results for students who are enrolled all year and included in the AYP calculation.															
	Level 1			Level 2			Level 3			Level 4			Level 5		
	School	District	State	School	District	State	School	District	State	School	District	State	School	District	State
All Students	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
White	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Black	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Hispanic	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Asian	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Am. Indian	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Multiracial*	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Students with Disabilities	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Economically Disadvantaged	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
English Language Learners	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Migrant*	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Female*	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Male*	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%

* Indicates subgroups not included as separate sub-populations in the AYP calculation.
A pound sign replaces results when fewer than 10 students were tested.

(A corresponding table on reading performance will also be added.)

The 2007-08 reports will be accessible at the following web address when production is completed: <http://doeweb-prd.doe.state.fl.us/eds/nclbpar/index.cfm>. - Completion Date - August 2008.

1.4 - The SEA has ensured that LEAs have published annual report cards as required.

Finding: The FDE's LEA Report Card did not include student achievement at each proficiency level on the State academic assessments.

Citation: Section 1111(h)(2)(B) of the ESEA requires that the SEA shall ensure that each local educational agency collects appropriate data and includes in the local educational agency's annual report the information described in paragraph (1)(C) as applied to the local educational agency and each school served by the local educational agency. This includes:

- Information, in the aggregate and disaggregated by required subgroups, on student achievement at each proficiency level on the State academic assessments
- Information that provides a comparison between the actual achievement levels of each group of students and the State's annual measurable objectives on each of the academic assessments required under this part;
- The percentage of students not tested for all required groups;
- The most recent 2-year trend in student achievement in each subject area, and for each grade level, for which assessments under this section are required;
- Aggregate information on any other indicators used by the State;
- Graduation rates for secondary school students;
- Information on the performance of LEAs regarding making adequate yearly progress, including the number and names of each school identified for school improvement under section 1116; and
- The professional qualifications of teachers in the State, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by highly qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools

Further action required: For 2007-2008, the FDE must submit to ED templates or web links to LEA report cards that include the missing required elements listed in this finding, i.e., student achievement at each proficiency level on the State academic assessments.

Florida's Response:

Beginning with reporting for the 2007-08 school year, the FDE will add the following table format for student performance in mathematics and reading to the LEA annual report cards (NCLB School Public Accountability Reports):

Mathematics: Percentage of Students Scoring at Each FCAT Achievement Level, 2007-08

Note: Based on FCAT results for students who are enrolled all year and included in the AYP calculation.

	Level 1			Level 2			Level 3			Level 4			Level 5		
	School	District	State	School	District	State	School	District	State	School	District	State	School	District	State
All Students	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
White	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Black	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Hispanic	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Asian	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Am. Indian	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Multiracial*	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Students with Disabilities	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Economically Disadvantaged	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
English Language Learners	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Migrant*	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Female*	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%
Male*	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%	##%

* Indicates subgroups not included as separate sub-populations in the AYP calculation.

A pound sign replaces results when fewer than 10 students were tested.

(A corresponding table on reading performance will also be added.)

The 2007-08 reports will be accessible at the following web address when production is completed: <http://doeweb-prd.doe.state.fl.us/eds/nclbpar/index.cfm>. - Completion Date - August 2008.

Monitoring Area 2, Title I, Part A: PIPIO

Indicator Number	Description	Status	Page
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	10
Indicator 2.3	The SEA ensures that the LEA and schools meet parental involvement requirements.	Finding	11
Indicator 2.4	The SEA ensures that schools and LEAs identified for improvement, corrective action, or restructuring have met the requirements of being so identified.	Finding	12
Indicator 2.7	The SEA ensures that LEAs and schools develop schoolwide programs that use the flexibility provided to them by law to improve the academic achievement of all students in the school.	Finding	13

Title I, Part A

Monitoring Area 2: Program Improvement, Parental Involvement, and Options

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 FDE has not demonstrated that it has fully implemented a statewide system of support that specifically addresses and provides ongoing and sustained support to Title I schools in corrective action and/or restructuring as well as to LEAs in improvement or corrective action. This was a similar finding during ED's 2005 monitoring review.

Currently, the FDE provides support to LEAs and schools through its Assistance Plus Teams that are coordinated in the Bureau of School Improvement. In discussions with LEA and school staff, it appears that the Assistance Plus teams are predominately assigned to schools that are designated as "D" and "F" that are not Title I schools. It is unclear how the Assistance Plus Teams are providing support to Title I schools and LEAs in various stages of improvement and how the Title I office is involved in assisting in this effort (either through consultation or planning).

Citation: Section 1117(a) of the ESEA requires that each State shall establish a statewide system of intensive and sustained support and improvement for local educational agencies and schools receiving funds under this part. In carrying out this requirement, the State shall first provide support and assistance to local educational agencies with schools subject to corrective action under section 1116, second provide support and assistance to other local educational agencies with schools identified as in need of improvement under section 1116(b), and third provide support and assistance to other local educational agencies and schools participating under this part that need that support and assistance in order to achieve the purpose of this part (section 1117(a)(2)(A)-(C) of the ESEA).

Further action required: The FDE must submit to ED documentation that it has established and is maintaining a statewide system of support and improvement consistent with the requirements in section 1117 of the ESEA. The FDE must specify the services, if any, that it has provided through the Assistance Plus Teams and other means to LEAs with schools in corrective action, and other schools in need of improvement for the 2007-2008 school year, and its plan of support and assistance to such schools for the 2008-2009 school year that meets all the requirements specified in section 1117(a) of the ESEA. Including how Title I schools in greatest need are identified to receive services from the Assistance Plus Teams

Florida's Response:

During the 2007-2008 school year, FDE began the redesign of a statewide system of support to facilitate the school and LEA-level improvement process. The current Assistance Plus team delivery model will be expanded and enhanced through

collaborative work with Florida and the Islands Comprehensive Center (FLICC), Comprehensive Center for Innovation and Improvement (CCII), Education Alliance at Brown University, Southern Regional Educational Board (SREB), and the Center for Data-Driven Reform in Education (CDDRE) at Johns Hopkins. Through a strategic mapping process, FDE will review the current statewide system of support, identify organizational structures and resources at the state and local level, and develop strategies for building state-level and LEA capacity to support comprehensive, systemic school improvement for Title I schools.

By the end of the current school year, FDE will have:

- Conducted an assessment of the current statewide system of support and developed recommendations to support all schools in need of improvement, corrective action, or restructuring (SINIs)
- Provided opportunities for LEAs with Title I schools identified as in need of improvement, corrective action, or restructuring to participate in training from the CDDRE to assist in building LEA capacity to improve student achievement and assist with the administration of a statewide system of support
- Provided LEAs with schools in need of improvement, correction action, or restructuring an opportunity to apply for school improvement funds targeted to building LEAs' capacity to serve SINIs and empower the LEAs to institute systemic change
- Provided opportunities for professional development relating to research-based programs and materials, strategic mapping, middle school math initiative, and secondary school redesign to all schools in need of improvement, corrective action, or restructuring
- Hired additional staff to coordinate activities in the Bureau of School Improvement and Bureau of Student Assistance related to the statewide system of support for Title I schools.

For the 2008-2009 school year, FDE will continue to build Department capacity to align the state and federal accountability systems and build LEA capacity to support low-performing schools, including Title I schools, as follows:

- Enhance collaborative partnership with FLICC, CII, SREB, and CDDRE
- Refine the statewide support system to articulate a service delivery plan to provide expanded support to low performing Title I schools
- Continue to monitor the LEAs' implementation of school improvement, corrective action, and restructuring plans that include all federal requirements and activities pursuant to school improvement grants.

Completion Date – July 2009.

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

Finding: Schools visited by the ED team did not consistently have school-level parental involvement policies as required by the statute. The ED team determined during the interview process that policies were created at the LEA level and not be individual schools.

Citation: Section 1118(b) of the ESEA requires that each school served under Title I, Part A of the ESEA jointly develop with and distribute to parents of participating children a written parental involvement policy agreed on by the parents that describes the requirements of subsections (c) through (f).

Further action required: The FDE must provide ED with documentation that all LEAs receiving Title I funds have been informed that they must require schools to develop a school parental involvement policy or another document detailing how the school will carry out the requirements of section 1118(b) of the ESEA. This document should be developed with parents and disseminated to them. Additionally, the FDE must submit to ED documentation as to how it will monitor to ensure that the Title I schools in Florida have school-level parental involvement policies or other documents as required. If school-level matters are not those that a school board would normally review, the mere fact that the statute uses the word "policy" should not be determinate. A school may attach whatever label it chooses to the document describing parental involvement opportunities. It must be in writing, however, and must be agreed to by parents of participating children. Further, a school must be able to implement its "policies" through whatever review and clearance process the district requires.

Florida's Response:

FDE will develop and disseminate a technical assistance paper to provide guidance to schools and local educational agencies regarding the development of a school-level written parent involvement policy. The technical assistance paper will address school responsibilities, parents' rights and responsibilities, outline the requirements to provide opportunities for meaningful parental participation in the education of their children, and inform LEAs of the requirement that every Title I school have a school-specific parental involvement policy developed jointly with parents. The document will also include a sample template that schools may use as a framework for developing their parental involvement policy. FDE will provide additional guidance to LEA and school staff to support the technical assistance paper through regularly scheduled conference calls and presentations at appropriate regional and state meetings. Department staff will also review and revise, if necessary, the 2008-2009 monitoring workpapers to ensure that all required components are included and will utilize the workpapers during the self-evaluation study, desktop review, and onsite monitoring visits to ensure compliance related to parental involvement policies. FDE will also develop and provide additional guidance regarding parental involvement in a Title I Handbook to be disseminated to all

LEAs. Completion Dates - August 2008 (for revision of the application and workpapers) and March 2009 (for revision of the Title I Handbook).

Indicator 2.4 - The SEA ensures that schools and LEAs identified for improvement, corrective action, or restructuring have met the requirements of being so identified.

Finding: The school improvement plans reviewed by the ED team in OCPS and PiCPS did not consistently include all the required components, such as strategies based on scientifically-based research. Some plans listed activities and programs as being scientifically research based without a description of the programs and why the school determined they were based on research. Further, the plans did not consistently demonstrate that the policies and programs adopted by the schools concerning the school's core academic subjects will have the greatest likelihood of ensuring that all groups of students will meet the State's Sunshine Standards and will be proficient by the 2013-2014 school year.

Citation: Section 1116(b)(3)(i)-(x) of the ESEA specifies the required elements of the school improvement plan that must be developed by each school identified as being in need of improvement.

Further action required: The FDE must provide additional written guidance and technical assistance to all LEAs on the requirements related to the development and implementation of school improvement plans. The FDE must submit to ED evidence that it has provided this guidance and technical assistance, along with one revised school improvement plan from OCPS and PiCPS.

Florida's Response:

FDE will review the state school improvement plan template required for all Title I schools identified as in need of improvement, corrective action, and restructuring to ensure that all federal requirements are clearly included in the template. FDE will revise the technical assistance document, "Planning and Evaluating Your School Improvement Process" to provide specific assistance to schools in planning, developing, and evaluating school improvement plans. The document will also include a correlation between the plan components and all federal requirements, guidance specifically related to utilization of scientifically research-based programs and strategies, and information regarding scientifically research-based programs and resources available through the Florida Center for Reading Research and Florida Center for Research in Science, Technology, Engineering, and Mathematics. Training related to developing school improvement plans will be provided to LEA and school staff. FDE will develop a checklist that school boards may use to review and approve school improvement plans to ensure that plans appropriately address all required components in specific detail. Completion Date - July 2008.

Indicator 2.7 - The SEA ensures that LEAs and schools develop schoolwide programs that use the flexibility provided to them by law to improve the academic achievement of all students in the school.

Finding: The FDE has not ensured that Title I schoolwide programs are implemented in accordance with statutory requirements in section 1114 of the ESEA. The eleven Title I schools in OCPS are designated as schoolwide programs; however, the ED team found that these schools were operating as targeted assistance schools. Specifically, OCPS distributes its Title I handbook, which includes the LEA’s parental involvement plan, only to those parents of students who receive “Title I supplemental services;” and school-parent compacts are only developed for students who receive Title I services in OCPS’ schoolwide programs.

In OCPS, PiCPS, and PoCPS, distinctions are made between staff paid with Title I funds and staff that are not in the schoolwide program schools. For example, each LEA noted that it has “Title I facilitators” at each of their schoolwide schools and refer to them as providing support to Title I activities.

Citation: Section 1114(a)(1) and section 2005(a) the ESEA state that the purpose of a schoolwide program is to “upgrade the entire educational program of a school” in order to improve academic achievement throughout the school so that all students, particularly the lowest-achieving students, demonstrate proficiency related to the State’s academic standards. Further, section 1114(a)(2) of the ESEA and section 200.25(c)(1) of the Title I regulations state that a school operating a schoolwide program *is not* required to identify particular children as eligible to participate.

Further action required: The FDE must make a determination as to whether the schoolwide programs in OCPS are being implemented in accordance with requirements in section 1114 of the ESEA in response to the concerns noted in this finding. The FDE must submit to ED a copy of its findings, including any corrective actions required of the OCPS. A determination about whether additional actions are needed will be made by ED based on the evidence the FDE submits.

The FDE must also provide additional technical assistance about the schoolwide program requirements to all its LEAs and schools operating schoolwide programs. This guidance must describe the purposes of Title I schoolwide programs and emphasize that in schools operating a schoolwide program, Title I is no longer a distinct program but is integrated into the regular program. The FDE must provide ED documentation that this written guidance has been developed and disseminated to all its LEAs and schools operating schoolwide programs.

Florida’s Response:

FDE will carefully review the schoolwide programs in OCPS, the recently released Non-Regulatory Guidance on Title I Fiscal Issues, as well as previous Non-Regulatory Guidance addressing schoolwide programs. The review of the OCPS schoolwide

programs will include, at a minimum, interviews with LEA personnel, and review of additional documentation submitted by the LEA. If necessary, an on-site review will also be conducted. Following this review, a written report including findings and corrective actions as appropriate will be provided to the LEA with a copy to the USED. The status of the LEA's implementation of any required corrective actions will be closely monitored. Completion Date – June 2008.

Because of numerous non-regulatory guidance documents ED has released regarding schoolwide programs, there has been some confusion regarding consolidating funds in a schoolwide school. At the time of this ED monitoring visit, it had not yet released the February 2008 Non-Regulatory Guidance on Title I Fiscal Issues, which amended ED's interpretation of schoolwide program requirements. This was the first comprehensive statement from ED explaining how it views the fiscal flexibility provided by schoolwide consolidation. Currently, FDE is carefully reviewing the Title I Fiscal Guidance. Following completion of this review, FDE will update and enhance written technical assistance materials regarding schoolwide programs including but not limited to the issues address on the finding and required further action. All written technical assistance materials will be disseminated to all LEAs, as well as schools operating schoolwide programs. Elements of the updated technical assistance materials will be incorporated, as appropriate, in the monitoring workpapers for 2008-09, and technical assistance will be provided as part of the technical assistance on compliance and monitoring. Written materials will be completed and disseminated by June 2008; Completion Date - August 2008.

Monitoring Area 3, Title I, Part A: Fiduciary Responsibilities

Indicator Number	Description	Status	Page
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.	Findings	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. 	Findings	17
3.6	SEA ensures that its LEAs comply with requirements regarding services to eligible private school children, their teachers and families.	Findings	21

Title I, Part A
Monitoring Area 3: Fiduciary Responsibilities

Indicator 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 (1): The FDE has not ensured that its LEAs receiving \$500,000 or more in Title I funds reserve one percent of their allocation for parental involvement activities and allocate at least 95 percent of the reservation to schools. BCPS could not provide evidence that, after it had reserved 1 percent of its allocation for parental involvement activities and subtracted the equitable services portion, it had distributed at least 95 percent of the remainder to its Title I schools. According to documents provided to the ED team, only 71.58 percent of the remainder was distributed to schools.

Citation: Section 1118(a)(3)(A) of the ESEA requires LEAs with a Title I, Part A allocation of greater than \$500,000 to reserve not less than one percent of their Title I, Part A allocation to carry out parental involvement activities. Section 200.65 of the Title I regulations requires LEAs to calculate from these funds the amount of funds available for parental involvement activities for families of private school students based on the proportion of private school students from low-income families residing in Title I attendance areas. The LEA then must distribute to its public schools at least 95 percent of the remainder, leaving the balance of the reserved funds for parental involvement activities at the LEA level. Any funds related to this requirement that the LEA does not use during that year must be carried over into the next fiscal year and used for parental involvement activities.

Further action required: The FDE must require that its LEAs that receive a Title I, Part A allocation of greater than \$500,000, after the equitable portion for services to families of private school students has been calculated if applicable, distribute 95 percent of the remainder of the one percent required for parental involvement to public schools. The FDE must ensure that LEAs that wish to use all or a portion of the 95 percent for LEA-wide activities such as parent resource centers appropriately document that the funds were allocated to the schools, and that each individual school agreed to give back its individual allocation to fund a district-wide activity for parents of Title I students. The FDE must provide ED with a detailed description of how and when the FDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The FDE must also provide to ED a description of how it will annually ensure the correct implementation of this requirement. In addition, the FDE must submit to ED evidence that, for the 2008 – 2009 school year, BCPS has distributed, after equitable services have been calculated, 95 percent of the remainder of the one percent required for parental involvement to public schools, or, if BCPS is using all or a portion of the 95 percent for district-wide activities such as parent

resource centers, that it has appropriately documented that the funds were allocated to the schools, and that each individual school agreed to give back all or a portion of its allocation to fund a district-wide activity for parents of Title I students.

Florida's Response:

The FDE will continue to inform LEAs of the requirements regarding reservation of funds for parental involvement and the allocation of such funds for LEA-wide and school-based activities. To implement this action, FDE will enhance existing technical assistance materials, including provision of a model worksheet for calculating the appropriate amounts to be used for LEA-wide and individual school purposes. Written technical assistance materials will be provided as soon as possible, but no later than May 30, 2008, with a copy provided to USED. In order to ensure that LEAs correctly implement this requirement, monitoring workpapers for 2008-09 will be revised to include monitoring of this provision by means of self-evaluation, desktop monitoring and onsite monitoring, as appropriate to the selected LEAs. To the extent feasible, the annual LEA application for funds will incorporate the worksheet provided as part of the technical assistance (since the on-line application for 2008-09 has already been developed, it will not be possible to implement this action until 2009-10, assuming that it is feasible – Completion Date – March 2009).

Finally, the FDE will require BCPS to submit to FDE a copy of the completed worksheet and any applicable documentation prior to approval of the 2008-09 application for funding, and will follow up on the actual distribution of funds no later than December 31, 2008.

Finding (2): The FDE has not ensured that that its LEAs correctly calculate equitable services for private school students, their teachers and families. BCPS did not provide evidence that it had correctly calculated equitable services for the families and teachers of private school students. GPS and PiCPS have incorrectly calculated equitable services for the families and teachers of private school students by using the number of private school students at poverty level rather than based on the proportion of private school students from low-income students. Although BCPS has reserved funds for additional instructional services for public school students, it has not calculated the equitable portion for private school students.

Citation: Section 1118(a)(3)(A) of the ESEA requires that LEAs with a Title I, Part A allocation of greater than \$500,000 to reserve not less than one percent of their Title I, Part A allocation to carry out parental involvement activities. Section 200.65 of the Title I regulations requires LEAs to calculate from these funds the amount available for parental involvement activities for families of private school students based on the proportion of private school students from low-income families residing in Title I attendance areas. The LEA then must distribute to its public schools at least 95 percent of the remainder, leaving the balance of the reserved funds for parental involvement activities at the LEA level. Any funds related to this requirement that the LEA does not use that year must be carried over into the next fiscal year and used for parental involvement activities. If an

LEA reserves more than the required one percent of its Title I, Part A funds for parental involvement activities, the requirement to allocate an equitable amount for the involvement of private school parents applies to the entire amount set-aside for this purpose.

If an LEA reserves funds under section 1119 of the ESEA for carrying out professional development activities, the LEA must provide equitable services to teachers of private school participants from this set-aside. Section 200.65(a)(1) – (2) of the Title I regulations requires an LEA to calculate the amount of funds available for professional development activities from the reserved funds based on the proportion of private school children from low-income families residing participating public school attendance areas. Activities for the teachers of private school participants must be planned and implemented with meaningful consultation with private school officials.

Section 200.64(a)(2)(i)(A) of the Title I regulations requires that if an LEA reserves funds for instructional related activities for public elementary or secondary students at the district level, the LEA must also provide from these funds, as applicable, equitable services to eligible private school children. The amount of funds available to provide equitable services from the applicable reserved funds must be proportional to the number of private school children from low-income families residing in participating public school attendance areas.

Further action required: The FDE must ensure that its LEAs calculate correctly on an annual basis equitable services for services to the teachers and families of participating private school students. The FDE must provide ED with a detailed description of how and when the FDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The FDE must also provide ED with a description of how it will annually ensure the correct implementation of these requirements. The FDE must submit to ED evidence that, for the 2008 – 2009 school year, GPS, BCPS and PiCPS have correctly calculated the amount of Title I funds including any applicable carryover funds that must be reserved for services for the teachers and families of private school students.

Florida’s Response:

FDE will review and revise the LEA application for 2008-2009, to include Specific Assurances that require LEAs to document compliance regarding equitable services to private school students, teachers, and families. The Department will develop and disseminate a Fact Sheet and provide technical assistant to all LEAs regarding specific guidance related to private schools and equitable services. Department staff will also review and revise, if necessary, the 2008-2009 monitoring workpapers to ensure that all required components are included and will utilize the workpapers during the self-evaluation study, desktop review, and onsite monitoring visits to ensure compliance. FDE will develop and provide additional guidance regarding the requirements for private schools in a Title I Handbook to be disseminated to all LEAs. Completion Date – March 2009.

Indicator 3.4 - 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 (1): The FDE has not ensured that its LEAs meet the requirements for supplement not supplant as demonstrated by the following:

- BCPS has indicated in its consolidated application that it is funding 50 FTE bus drivers to implement the Title I choice program. BCPS staff were unable to document how it had determined that, in addition to the amount of funding required by State and local law to provide transportation to children who live a certain distance from their zoned school or choose to transfer to another school under an existing choice plan, 50 FTE bus drivers were needed. BCPS Office of Transportation provided a document that included several examples of “Title I AYP runs.” The document indicated that, for several of the routes, some stops are for “Title I AYP,” and others are not. Consequently, it appears as though Title I funded bus drivers are providing transportation to both Title I choice students as well as non-Title I choice students.
- PiCPS is using Title I to fund the salaries of an Associate Superintendent and an office manager who are responsible for Title I schools and using non-Federal funds to pay the salaries of two other Associate Superintendents and their office managers who are primarily responsible for non-Title I schools. There is no non-Federally funded Associate Superintendent oversight for the schools for which the Federally-funded Associate Superintendent has responsibility.
- PiCPS is using Title I funds to pay the salaries of school facilitators (“Teachers on Special Assignment”) in Title I schools while using non-Federal funds to support school facilitators in non-Title I schools.
- OCPS is using Title I to fund the salaries of two district-level pre-K resource teachers. These resource teachers provide assistance to all the pre-K programs, in Title I and non-Title I schools. According to OCPS officials, all but two of OCPS’s pre-K classes are funded with State resources.
- OCPS is using Title I to expand the pre-k program being provided in the LEA. State funds provide pre-k programs at Title I and non-Title I sites. There are no criteria used in the selection of children to be served. Parents choose the site where their child will attend. Consequently, children who reside in the attendance area of a school may be attending a pre-k program at another school.
- PiCPS is using Title I funds to pay the salary of a nurse’s assistant in Title I schools and uses local funds to provide nurses’ assistants in non-Title I schools.

- PiCPS is using Title I funds to pay the full salary of a Plant Operator assigned to a building where both non-Federally funded staff and Federally funded staff are housed.

Citation: Section 1120A(b) of the ESEA requires that an LEA use Title I funds only to supplement the level of funds that would, in the absence of Title I funds, be made available from non-Federal sources for the education of students participating in Title I programs.

An LEA may use Title I funds only to supplement the level of funds that would, in the absence of Title I funds, be made available from non-Federal sources for the education of students participating in Title I programs.

Section 1112(b)(1)(K) of the ESEA allows an LEA to reserve an amount from the LEA's total allocation to operate a Title I preschool program for *eligible* children in the district as a whole or for a portion of the district. Section 1115(b) of the ESEA requires that to be *eligible* to attend a Title I preschool program in a targeted assistance school, preschool-age children — like school-age children — must be failing or most at risk of failing to meet the State's challenging student academic achievement standards as determined by multiple, educationally related, objective criteria established by the LEA and supplemented by the school. With respect to preschool children, this determination must be made on the basis of criteria such as teacher judgment, interviews with parents, and developmentally appropriate measures of child development.

In many of the instances above, LEAs are using Title I funds to provide services for children who attend or reside in the attendance areas of Title I schools that the LEA provides with non-Federal funds to children who attend or reside in the attendance areas of non-Title I schools. Consequently, Title I students receive the same services as students attending non-Title I schools.

In other instances, Title I funded employees are responsible for services for children in non-Title I schools as well as the at-risk children attending Title I schools. Consequently, the Title I program is not supplemental.

The “supplement not supplant” requirement does apply to Title I funds for transportation. Title I funds may be used only to supplement the level of funds that, in the absence of the Title I funds, would be made available from non-Federal sources for the transportation of children. Since The LEA may be required by State or local law to provide transportation to children who live a certain distance from their zoned school or choose to transfer to another school under an existing choice plan, it may not use Title I funds to supplant the State or local funds that it otherwise would use to provide transportation.

Further action required: The FDE must ensure that its LEAs meet the requirements for supplement not supplant. The FDE must provide ED documentation that it has informed its LEAs of these requirements. The FDE must also provide a description of how it will annually ensure the correct implementation of this requirement. In addition, the FDE

must require BCPS, OCPS and PiCPS to immediately cease the practices noted in this finding and must provide evidence to ED that each LEA has done so.

Florida's Response:

FDE will continue to provide technical assistance relative to the supplement not supplant requirements; however, it should be noted that several of the issues identified above may not be correctly identified as supplement not supplant issues and some may be appropriately remedied through proper cost allocation procedures at the district level. Specifically:

- BCPS transportation for Title I choice – FDE is working closely with USED staff to identify appropriate cost allocation models to be used to appropriately allocate transportation costs for choice with transportation to the Title I program. While we agree that costs were not properly allocated for the 2007-08 fiscal year and appropriate adjustments will be made to the BCPS accounting records, we do not agree that this is a supplement not supplant issue.
- PiCPS funding for salaries of an Associate Superintendent and an office manager – FDE is working closely with PiCPS to adjust the responsibilities of the Associate Superintendent and other Associate Superintendents within the LEA to ensure that supplanting is not occurring. Appropriate adjustments for the 2007-08 school year will be made to the PiCPS accounting records.
- PiCPS use of Title I funds to pay the salaries of school facilitators – FDE is working closely with PiCPS staff to review the responsibilities of school facilitators in Title I schools and those in non-Title I schools. It should be noted that the title, “school facilitator” is used generically and school facilitators do have differing responsibilities in different schools. Some facilitators provide training to multiple schools while other function more as technical assistant consultants. Pending the results of the review of the functions and assignments of school facilitators across the district, FDE will notify USED of the outcomes and the plans for correcting any instances of supplanting which may have occurred including adjustment of the 2007-08 fiscal year accounting records as appropriate.
- OCPS use of Title I to fund salaries of district-level Pre-K resource teachers – This practice will be stopped and appropriate adjustments to the OCPS 2007-08 fiscal year accounting records will be made.
- OCPS use of Title I to expand the Pre-K program provided by the LEA. OCPS has indicated that it will stop using Title I funds to expand the Pre-K program. FDE will continue to work with the LEA to identify ways to maximize the resources while not placing an undue burden on the district or radical changes in the delivery of Pre-K services.

- PiCPS use of Title I funds to pay the salary of nurse's assistants. Further review of this situation indicates that Title I funds are only being used to pay for nurse's assistants over and above what is available to the Title I school under the district-side staffing plan. These nurse's assistants would not be provided to the school (because of the number of students attending the school) if it were not for the federal funds; therefore it is not a supplanting violation. FDE will provide documentation of this allocation plan under separate cover.
- PiCPS use of Title I funds to pay the full salary of a Plant Operator – This is a cost allocation error rather than a supplanting issue. FDE will work with PiCPS to calculate an appropriate cost allocation plan and to make appropriate adjustments to the 2007-08 fiscal year accounting records.

FDE staff has already discussed these finding with representatives of BCPS, OCPS, and PiCPS. Each of the LEAs will submit a response to FDE regarding the specific findings. Based on those responses, FDE will confirm in writing that the actions being taken by the LEAs are appropriate or require further corrective actions as necessary. Copies of this correspondence and verification of adjustments to accounting records will be provided to USED by July 2008. The implementation of these corrective actions will be monitored during the 2008-09 school year.

Because Florida's Single Audit Act auditors (State of Florida Auditor General's Office) are in the best position to annually audit the supplement not supplant requirements, FDE will notify the Auditor General of these finding and work cooperatively with that agency to ensure that these requirements are met on an annual basis. FDE will continue to review proposed budgets in the annual LEA applications for funding to ascertain whether there are any indications of supplanting contained in those budgets. Additional training in the supplement not supplant requirements will be provided to FDE staff conducting monitoring activities. Completion Date – March 2009

Finding (2): The FDE has not ensured that its LEAs meet comparability requirements, as demonstrated by the following:

- OCPS uses instructional staff-student ratios to determine comparability, but does not have procedures that specify or define non-Federal instructional staff. Instead, the staff member who calculates comparability determines whether positions are instructional.
- PiCPS officials indicated that they do not determine whether skipped schools and charter schools that receive Title I funds are comparable.
- BCPS does not include any special education centers or alternative schools in its comparability calculations. The ED team was informed by the BCPS administrator responsible for preparing the LEA's annual comparability report that they were told not to include these schools in the calculations, but to list these schools at the end of the report.

Citation: Section 1120A(c) of the ESEA requires that LEAs develop procedures for complying with the comparability requirements. These procedures should be in writing and should, at a minimum, include the LEA's timeline for demonstrating comparability, identification of the office responsible for making comparability calculations, the measure and process used to determine whether schools are comparable, and how and when the LEA makes adjustments in schools that are not comparable.

Section 1120A(c) of the ESEA states that an LEA may receive Title I, Part A funds only if State and local funds are used in participating Title I schools to provide services that, taken as a whole, are at least comparable to services in non-Title I schools.

Section 1113(b)(1)(D)(ii) of the ESEA allows an LEA to elect not to serve a school that has a higher percentage of children from low-income families if the school meets comparability requirements.

Further action required: The FDE must ensure that its LEAs develop procedures for complying with the comparability requirements. Those procedures should be in writing and should, at a minimum, include the LEA's timeline for demonstrating comparability, identification of the office responsible for making comparability calculations, the measure and process used to determine whether schools are comparable, and how and when the LEA makes adjustments in schools that are not comparable. The FDE must provide ED with a detailed description of how and when the FDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The FDE must provide to ED a description of how it will annually ensure the correct implementation of this requirement. The FDE must also submit to ED evidence that, for the 2007 – 2008 school year, OCPS has developed procedures for complying with comparability requirements. Additionally, the FDE must submit evidence that, for the 2007 – 2008 school year, PiCPS has included charter schools receiving Title I funds and skipped schools in its comparability calculations.

Florida's Response:

FDE developed and disseminated a technical assistance paper regarding comparability of services in November 2007, to provide guidance and assistance regarding the process for making determinations of comparable state and local resources. FDE required LEAs to conduct comparability calculations and report to the Department by December 3, 2007, via an online system. FDE staff reviewed and monitored compliance with comparability through the online comparability reports and through the Department's NCLB monitoring process. Through the review and approval of districts' online comparability reports and the Department's monitoring process, FDE will continue to ensure that LEAs have written policies and procedures in place and that source documentation is maintained for comparability calculations. In addition, FDE will also monitor the corrective action the LEAs took to make non-comparable schools comparable, if applicable and require LEAs to maintain documentation of the additional resources provided to non-comparable schools. FDE consulted with USED staff for further guidance related to comparability of services and will incorporate this information into the online comparability report system

for 2008-09. FDE will develop and provide additional guidance regarding comparability in a Title I Handbook to be disseminated to all LEAs. Completion Date – March 2009

Indicator 3.6 - SEA ensures that its LEAs comply with requirements regarding services to eligible private school children, their teachers and families.

Finding (1): The FDE has not ensured that its LEAs that employ paraprofessionals to provide only instructional support to private school participants require the paraprofessionals to be under the direct supervision and in close proximity to a highly qualified public school teacher. BCPS employs several paraprofessionals who are providing direct Title I services to private school students and are not under the direct supervision of a highly qualified public school teacher.

Citation: Sections 1119(g)(2)(G) and (g)(3)(A) of the ESEA require that paraprofessionals providing instructional support work under the direct supervision of a public school teacher. A paraprofessional works under the direct supervision of a teacher if (1) the teacher prepares the lessons and plans the instructional support activities that the paraprofessional carries out, and (2) the paraprofessional works in close and frequent proximity to the teacher.

Further action required: The FDE must require that all LEAs that use paraprofessionals to provide instructional support to Title I students attending private schools work under the direct supervision of a highly qualified public school teacher. The FDE must provide ED with a detailed description of how and when the FDE informed its LEAs of this requirement. This description must include any documents such as letters to LEAs and/or agendas for technical assistance meetings. The FDE must also provide to ED information on procedures it will use to ensure the correct implementation of this requirement.

Florida's Response:

FDE will review and revise the LEA application for 2009-2010, to include Specific Assurances that require LEAs to document compliance with Section 1119, regarding teacher qualification, paraprofessionals, and professional development. The Department will develop and disseminate a Fact Sheet and provide technical assistance regarding specific guidance related to private schools and requirements for staff. Specifically, the Department will provide technical assistance on the requirement that paraprofessionals work under the direct supervision, and in close proximity, to a highly qualified teacher. Department staff will also review and revise, if necessary, the 2008-2009 monitoring workpapers to ensure that all required components are included and will utilize the workpapers during the self-evaluation study, desktop review, and onsite monitoring visits to ensure compliance. FDE will develop and provide additional guidance regarding the requirements for private schools in a Title I Handbook to be disseminated to all LEAs. Completion Dates – January 2009 (for revision of the application and technical assistance) and March 2009 (for revision of the Title I Handbook).

Finding (2): The FDE has not ensured that its LEAs have exercised proper oversight in awarding contracts for the provision of Title I services to participating private school students. The contract that BCPS has with a third-party to provide services to participating private school students does not have enough detail to enable BCPS to determine that the Title I statutory and regulatory requirements will be met. The contract has not delineated the specific amount for administration that the contractor is charging, the amount of funds for instruction, family involvement and professional development. Additionally, the contract does not provide a cap on the total amount of funding for services to private school students, their teachers and families.

Citation: Section 9306(a)(1) & (2) of the ESEA requires an LEA, when submitting a consolidated application, to ensure that Title I will be administered in accordance with all applicable rules, regulations, program plans, and applications and the LEA will maintain control of funds provided and title to any property acquired with Title I funds will be in the LEA and the LEA will administer those funds and property as required by Title I. Contracts must contain enough detail on how the third party provider will implement Title I requirements with detail sufficient to enable LEAs to determine that the Title I statutory and regulatory requirements will be met. Section 1120(a)(3) of the ESEA requires that educational services to eligible private school children be equitable in comparison to services for public school children. Section 200.77(f) of the Title I regulations requires that LEAs reserve such funds as necessary to administer Title I programs for both public and private school children, including capital expenses, if any, incurred in providing services to eligible private school children, such as (1) the purchase and lease of real and personal property; (2) insurance and maintenance costs; (3) transportation; and (4) other comparable goods and services, including non-instructional computer technicians.

Section 9304(a) of the ESEA requires that the SEA ensure that programs authorized under the ESEA are administered in accordance with all applicable statutes, regulations, program plans, and applications.

Further action required: The FDE must require BCPS and all its LEAs that provide services to private school students to ensure that the third parties are providing Title I services to eligible private school children, their teachers, and their families in accordance with all Title I requirements. The FDE must require its LEAs to have signed contracts or agreements with third parties that provide technical descriptions of the Title I services with detail sufficient to enable LEAs to determine that the Title I statutory and regulatory requirements will be met as required by section 9306 of the ESEA. Contracts must specify the amount or percentage for administrative costs. Contracts for more than one type of service, for example, for services for private school students, and, if applicable, family involvement and/or professional development must delineate the specific amount(s) for each type of activity. The FDE must provide ED with a detailed description of how and when it informed its LEAs of this requirement, what technical assistance it has or will provide to them regarding this requirement, how it will monitor this requirement, and a copy of one contract from BCPS that meets these requirements.

Florida's Response:

FDE sent a letter to BCPS regarding this finding on January 28, 2008. BCPS prepared a new contract with the provider and submitted it to FDE for review. Review comments have been incorporated into the contract which will be submitted to the School Board for approval. As soon as the District School Board has approved the contract, a copy will be forwarded to FDE for final review. Pending that review and any required amendments, a copy of the contract will be forwarded to USED.

FDE will provide additional information regarding this requirement to all of the LEAs no later than May 30, 2008, with a copy to the USED. The requirements will be incorporated into the monitoring workpapers used for self-evaluation, desktop monitoring and onsite monitoring, with technical assistance provided to monitoring staff in how to review such contracts. Revised workpapers will be provided to USED. Additional assistance in the monitoring of these contracts will be provided to program staff by the FDE Bureau of Contracts, Grants, and Procurement Management Services. Completion Date - January 2009.

Finding (3): The FDE has not ensured that its LEAs have met the requirements for consultation regarding the evaluation of the Title I program for private school students, including consultation regarding what constitutes annual progress for the Title I program serving eligible private school children, nor the requirement that these programs annually assess the progress of the Title I program toward enabling participants to meet the agreed-upon standards. Although BCPS and GPS assess individual students, they have not determined in consultation with private school officials how the Title I programs that are provided to private school children will be assessed, what the agreed upon standards are, and how the annual progress will be measured.

Citation: Section 1120(b)(1)(D) of the ESEA and section 200.63 (b)(5) of the Title I regulations require an LEA to consult with appropriate officials from private schools during the design and development of the LEA's program for eligible private school students on issues such as how the LEA will assess academically the services to eligible private school students and how the LEA will use the results of that assessment to improve Title I services.

Further action required: The FDE must ensure that its LEAs, as part of the consultation process, makes a determination as to what standards and assessments will be used to measure the annual progress of the Title I programs provided private school participants. The FDE must provide ED with a detailed description of how and when the FDE informed its LEAs of this requirement, what technical assistance it will provide to its LEAs, and how it will monitor this requirement to ensure that the Title I programs provide reasonable promise that the private school participants will achieve to high levels.

Florida's Response:

FDE will revise the 2009-2010 online LEA application and companion guidance document to provide additional information regarding requirements related to private school consultation. Specifically, the Department will provide guidance on the standards and assessments used to evaluate Title I programs provided by private schools. The Department will revise the 2009-2010 online LEA application to require LEAs to address anticipated timelines and processes related to the annual evaluation of Title I services to private schools. FDE will also review and revise the monitoring workpapers for 2008-2009, to include indicators regarding the consultation and planning to evaluate the effectiveness of Title I services in private schools. FDE will develop and provide additional guidance regarding the requirement for private schools in a Title I Handbook to be disseminated to all LEAs. Completion Dates – January 2009 (for technical assistance and revision of the application and workpapers) and March 2009 (for revision of the Title I Handbook).

Finding (4): The FDE has not ensured that its LEAs establish, in consultation with private school officials, multiple educationally related objective criteria to identify private school students for Title I services. Private school staff in Gadsden indicated that students are selected using one measure rather than multiple criteria.

Citation: Section 200.62(b)(1) of the Title I regulations require that, to be eligible for Title I services, a private school student must reside in a participating public school attendance area and meet the requirements in section 1115(b) of the ESEA which requires the LEA to use multiple, educationally related, objective criteria in selecting children to participate in the Title I program.

Further action required: The FDE must submit evidence that it has provided guidance on the selection of private school students to its LEAs serving private school children. The FDE must also provide ED with a detailed description of how and when the FDE informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The FDE must also provide to ED with a description of how it will ensure the correct implementation of this requirement.

Florida's Response:

FDE will review and revise the LEA application for 2008-2009 to include Specific Assurances that require LEAs to document compliance with Section 1120 regarding objective criteria to identify private school students for Title I services. The Department will develop and disseminate a Fact Sheet and provide technical assistance regarding specific guidance related to private schools and criteria to be used to identify eligible students for Title I services. Department staff will also review and revise if necessary the 2008-2009 monitoring workpapers to ensure that all required components are included and will utilize the workpapers during the self-evaluation study, desktop review, and

onsite monitoring visits to ensure compliance. FDE will develop and provide additional guidance regarding the requirements for private schools in a Title I Handbook to be disseminated to all LEAs. - Completion Dates – January 2009 (for technical assistance and revision of workpapers) and March 2009 (for revision of the Title I Handbook).

Finding (5): The FDE has not ensured that staff members providing Title I services to private school students are “independent of the private school.” The schedule for the Title I teacher in GPS who provides services to private school students indicates that the teacher is also a staff member of that private school. This teacher is employed 18 hours per week for Title I and 22 hours per week by the private school. The teacher’s schedule reflects that she works as both a Title I employee and a private school employee throughout the day.

Citation: Section 1120(d)(2)(B) of the ESEA requires that Title I services be provided to participating private school students by an LEA or third party contractor employee who is independent of the private school in the provision of Title I services. The private school teacher can only be employed for Title I purposes outside of the time he or she is employed by the private school and the private school teacher must be under the direct supervision of the LEA with respect to all Title I activities.

Further action required: The FDE must ensure that GPS and all its LEAs that provide Title I services to private school students employ staff members who are “independent of the private school.” The FDE must provide ED with a detailed description of how and when the FDE informed its LEAs of this requirement. This documentation may include letters to LEAs or agendas for technical assistance meetings. In addition, the FDE must provide evidence that, for the 2008 – 2009 school year, GPS has employed a staff member who is “independent of the private school.” The FDE must also provide to ED information on procedures it will use to ensure the correct implementation of this requirement.

Florida’s Response:

FDE will review and revise the LEA application for 2009-2010 to include Specific Assurances that require LEAs to document compliance with Section 1120 regarding the provision of Title I services to private schools. The Department will develop and disseminate a Fact Sheet and provide technical assistance to all LEAs regarding specific guidance related to private schools and the provision of services. Specifically the Department will provide guidance on hiring teachers independent of the public school to provide Title I services to private school students. Department staff will also review and revise if necessary the 2008-2009 monitoring workpapers to ensure that all required components are included and will utilize the workpapers during the self-evaluation study, desktop review, and onsite monitoring visits to ensure compliance. FDE will develop and provide additional guidance regarding the requirements for private schools in a Title I Handbook to be disseminated to all LEAs. Completion Dates – January 2009 (for technical assistance and revision of the application and workpapers) and March 2009 (for revision of the Title I Handbook).

Finding (6): The FDE has not ensured that its LEAs that hire teachers to provide services to private school children employ teachers who are “highly qualified.” GPS and PiCPS have hired teachers who do not meet the requirements for “highly qualified”.

Citation: Section 1119(a)(2) of the ESEA requires that all teachers be highly qualified and section 9101(23)(A)(i) states that the definition of “highly qualified” includes the requirement that a teacher hold a license to teach in his or her State.

Further action required: The FDE must ensure that LEAs that hire teachers to provide services to private school children only employ highly qualified teachers. The FDE must provide ED with a detailed description of how and when it informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The FDE must also provide to ED evidence that, for the 2008 – 2009 school year, GPS and PiCPS have met this requirement. The FDE must also provide to ED information on procedures it will use to ensure the correct implementation of this requirement.

Florida’s Response:

FDE will review and revise the LEA application for 2009-2010, to include Specific Assurances that require LEAs to document compliance with Section 1119 regarding qualification of private school service providers. The Department will develop and disseminate a Fact Sheet and provide technical assistance regarding specific guidance related to private schools and requirements for staff. Department staff will also review and revise if necessary the 2008-2009 monitoring workpapers to ensure that all required components are included and will utilize the workpapers during the self-evaluation study, desktop review, and onsite monitoring visits to ensure compliance. FDE will develop and provide additional guidance regarding the requirements for private schools in a Title I Handbook to be disseminated to all LEAs. - Completion Date - January 2009.

Finding (7): The FDE has not ensured that its LEAs maintain control of the Title I program being provided for eligible private school children. In the private school visited in Osceola, Title I services are delivered through a computer. OCPS has not determined the amount of services that students will receive each week; instead, the private school classroom teachers decide each day when or if Title I students may use the computer and for how long.

Citation: Section 1120(d)(1) of the ESEA requires that the LEA maintain control of the Title I funds, materials, equipment and property.

Section 1120(b)(1)(B) of the ESEA require that an LEA consult with appropriate officials from private schools during the design and development of the LEA’s program for eligible private school children. After consultation with appropriate private school officials, the LEA must design a Title I program that meets the needs of private school

participants. The LEA is responsible for planning, designing, and implementing the Title I program and may not delegate that responsibility to the private schools or their officials.

Further action required: The FDE must ensure that its LEAs maintain control of the Title I program being provided for eligible private school children. LEAs are responsible for designing and implementing the Title I program and cannot delegate their responsibilities to the private schools or their officials. The FDE must provide ED with a detailed description of how and when it informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The FDE must also provide to ED information on procedures it will use to ensure the correct implementation of this requirement. The FDE must require OCPS and any other LEA delegating this responsibility to private school officials to cease this practice immediately, and must provide evidence to ED that it has notified OCPS. The FDE must also provide to ED evidence that, for the 2008 – 2009 school year, OCPS has met this requirement.

Florida’s Response:

FDE will review and revise the LEA application for 2009-2010, to include Specific Assurances that require LEAs to document compliance with Section 1120 regarding control of Title I funds, materials, equipment, and property. The Department will develop and disseminate a Fact Sheet and provide technical assistance to all LEAs regarding specific guidance related to private schools and control of the Title I program implemented in private schools including control of funds, materials, equipment, and property and how they are used to benefit the eligible students. The Assurance will specifically provide that these decisions are to be made in consultation with private school officials. Department staff will also review and revise if necessary the 2008-2009 monitoring workpapers to ensure that all required components are included and will utilize the workpapers during the self-evaluation study, desktop review, and onsite monitoring visits to ensure compliance. FDE will develop and provide additional guidance regarding the requirements regarding LEA responsibilities for oversight of the implementation of the Title I program in private schools in a Title I Handbook to be disseminated to all LEAs. - Completion Dates – January 2009 (for technical assistance and revision of the application and workpapers) and March 2009 (for revision of the Title I Handbook).

Finding (8): The FDE has not ensured that its LEAs provide equitable services to private school students, their teachers and families.

- In the private school visited in Osceola, most of the computers were not operating when ED staff visited the school, and there was not evidence of a backup plan to ensure that equitable services are provided when the computers malfunction.
- OCPS officials indicated that they do not design family involvement and professional development activities in consultation with private school officials. Rather, they invite the parents of private school participants and private school

teachers to the LEA's parental involvement and professional development activities, respectively. These activities were not designed to meet the needs of teachers and parents of participating private school children.

Citation: Section 1120 of the ESEA requires LEAs to provide eligible children attending private elementary and secondary schools, their teachers, and their families with Title I services or other benefits that are equitable to those provided to eligible public school children, their teachers, and their families.

Section 200.65 of the Title I Regulations requires that, from the funds reserved for parental involvement and professional development under section 200.77, an LEA must ensure that teachers and families of participating private school students receive on an equitable basis professional development and parental involvement services. Activities for teachers and families of participating private school students must be planned and implemented after meaningful consultation with private school officials. The professional development activities for the private school teachers of participating students should address how those teachers can better meet the specific needs of Title I students. The parental involvement activities for families of participating private school students should address how those families can assist their children in meeting high academic standards.

Further action required: The FDE must ensure that its LEAs provide equitable services to participating private school students and their teachers and families. The FDE must provide ED with a detailed description of how and when the FDE informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The FDE must also provide to ED a description of how it will ensure the correct implementation of this requirement. The FDE must provide to ED documentation that OCPS has developed schedules for when private students will use the computer. Additionally, the FDE must provide to ED evidence that, for the 2008 – 2009 school year, OCPS has consulted with private school officials regarding, the amount of funds generated for parental involvement and professional development activities; and the activities that will be provided for the teachers and families of participating private school students.

Florida's Response:

FDE has incorporated information regarding the amount of funds that must be set aside for equitable services into the 2008-2009 LEA application. In addition, the Department will review and revise the LEA application for 2009-2010, to include Specific Assurances that require LEAs to document compliance with Section 1120, regarding equitable services to private school students, teachers, and families. The Department will develop and disseminate a Fact Sheet and provide technical assistance to all LEAs regarding specific guidance related to private schools and equitable services, including parental involvement for families and professional development for teachers in private schools. Additionally, the Department will provide specific technical assistance to OCPS regarding the assurance that the LEA develops a thorough plan to provide equitable

services to private school students. Department staff will also review and revise, if necessary, the 2008-2009 monitoring workpapers to ensure that all required components are included and will utilize the workpapers during the self-evaluation study, desktop review, and onsite monitoring visits to ensure compliance. FDE will develop and provide additional guidance regarding the requirements for private schools in a Title I Handbook to be disseminated to all LEAs -. Completion Dates – January 2009 (for technical assistance and revision of the application and workpapers) and March 2009 (for revision of the Title I Handbook).

Monitoring Area 3, Title I Part B, Subpart 3: SEA Fiduciary Responsibilities

Indicator Number	Description	Status	Page
3.4	The SEA ensures that grantees comply with requirements with regard to services for eligible private school children, their teachers, and their families.	Finding	29

Title I Part B, Subpart 3
Monitoring Area 3: Fiduciary

Indicator 3.4 - The SEA ensures that grantees comply with requirements with regard to services for eligible private school children, their teachers, and their families.

Finding: The FDE has not provided sufficient guidance to projects regarding equitable participation requirements. The guidance document issued by the FDE requires Even Start projects to notify private school officials on the availability of Even Start services such as a simple notification of available services does not meet the requirement.

Citation: Section 9501 of the ESEA requires recipients of Federal Even Start funds to provide eligible school-age children who are enrolled in private elementary schools and secondary schools and their teachers or other educational personnel, educational services and benefits under Even Start on an equitable basis. Eligible entities must provide the equitable services after timely and meaningful consultation with the appropriate private school officials.

Further action required: The FDE must develop guidance and training for local projects to ensure that they conduct timely and meaningful consultation with private school officials, and provide services and benefits to elementary and secondary school children attending private schools and their families, teachers, and other educational personnel that are equitable in comparison to the services and benefits provided to such public school students and families, teachers and educational personnel. The FDE must provide evidence of guidance and training to ED.

Florida's Response:

Florida Even Start will provide updated training to Even Start Coordinators targeting the notification and involvement of private schools and description of services available to eligible private school children, their teachers and their families as outlined in Sec. 9501 of federal regulations "Participation By Private School Children And Teachers" during the May 9, 2008 Even Start Coordinators meeting to be held in Orlando. The preceding sentence is unclear to me. Will the descriptions of services in Sec. 9501 be outlined in the Orlando training session? I think the sentence just needs to be reviewed. Training will include the process and procedures for notification to private schools. The process includes the following steps:

- Even Start programs will host a meeting with private schools. Letters will be sent to local private schools regarding notification of an Even Start informational meeting. The meeting may be held independently or in conjunction with other federally funded programs within a school LEA. Letters will include a release form for those private schools that choose not to attend the information meeting.

- Notification by mail will be followed by a phone call to private schools which will also include meeting information.
- The meeting agenda, sign-in sheets (including private schools participating) will be collected and stored within the local Even Start program office.
- Even Start program availability will also be presented locally at family fairs, private school forums (such as church activities) and other venues where applicable within a given LEA.
- Local Even Start programs will report to the Even Start State Office via email the number of private schools participating in the local information meeting.

Information regarding programs to be funded for 2008-2009 will be provided to private schools through a news article to be published in the Florida Department of Education Office of School CHOICE, newsletter. This newsletter will be provided to 307 private and independent schools within the LEA or community college areas where Even Start programs are based. - Completion Date – September 2008.