

## **Florida Department of Education**

**May 23-27, 2005**

**Scope of Review:** A team from the U.S. Department of Education's (ED) Office of English Language Acquisition, Consolidated State Grant Division conducted an on-site review of the Florida Department of Education (FL DOE) the week of May 23-27, 2005. This was a comprehensive review of the FL DOE's administration of the Title III, Part A program authorized by the No Child Left Behind Act (NCLB).

In conducting this comprehensive review, the ED team carried out a number of major activities. In its review of the Title III, Part A program, the ED team reviewed the seven elements addressed in the Title III monitoring guide. The review included analysis of implementation of English language proficiency standards, assessment, and accountability requirements, a review of State activities under Title III, and other essential components of the Title III State Formula Grant Program. During the on-site review, the ED team visited two LEAs: Hillsborough County Public School District and Orange County Public School District. During the LEA visits, the ED team interviewed school leadership, administrative staff, teaching staff, parents, and others responsible for the implementation of Title III LEA subgrants.

**FL DOE Participants:** Lisa Saavedra, Chief Bureau of Student Assistance, Mary Jane Tappen, Deputy Chancellor K-12 Student Achievement, Sue Wilkinson, Deputy Bureau Chief Office of Grants Management, Gloria Baez, Office of Multicultural Student Language Education, and Lisa Shuford, Educational Policy Consultant, Bureau of Student Assistance, Pat Faircloth, Program Specialist, Office of Multicultural Student Language Education.

**LEA Representatives:** Tomasita Ortiz, Director, Second Language Learning, Orange County Public Schools, Sandra Rosario, Supervisor Programs for LEP Students, Hillsborough County Public Schools.

**ED Team:** Samuel Lopez (Senior Education Program Specialist), and Elizabeth Bailey, (Education Program Specialist)

**Previous Audit Findings:** None.

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

## Summary of Title III, Part A Monitoring Indicators

<b>Title III, Part A: Submission Indicators</b>			
<b>Element Number</b>	<b>Critical element</b>	<b>Status</b>	<b>Page</b>
Element 1.1	State Submissions: Follow-up on areas identified through desk audit and document reviews.	Finding-Further action required	6
<b>Title III, Part A: Fiduciary Indicators</b>			
Element 2.3	<p>Reservation of Funds: The SEA has a system in place that enables it to account for:</p> <ul style="list-style-type: none"> <li>(1) funds reserved for State administration,</li> <li>(2) funds reserved to provide technical assistance and other State level activities</li> <li>(3) the reservation of funds for immigrant activities, and</li> <li>(4) funds that become available for reallocation.</li> </ul>	Reviewed-No further action required at this time	6
Element 2.4	Supplement not Supplant: The SEA ensures that Title III funds are used only to supplement or increase non-Federal sources used for the education of participating children and not to supplant funds from non-Federal sources.	Reviewed-No further action required at this time	6
Element 2.5	Equipment and Real Property: The SEA ensures that equipment is procured at a reasonable cost and is necessary for the performance of the Federal award. Title III funds cannot be used to acquire Real Property.	Reviewed-No further action required at this time	7

**Title III, Part A: ELP Standards, Assessments and Accountability Indicators**

<b>Element Number</b>	<b>Critical element</b>	<b>Status</b>	<b>Page</b>
Element 3.1	English Language Proficiency (ELP) Standards: State English language proficiency standards have been developed, adopted, disseminated, and implemented.	Finding-Further action required	7
Element 3.2	English Language Proficiency (ELP) Assessments: ELP assessments have been administered to all LEP students in the State in grades K-12. Accountability through data collection has been implemented.	Finding-Further action required Recommendation	7-8
Element 3.3	Data Collection: The State established and implemented clear criteria for the administration, scoring, analysis, and reporting components of its ELP assessments, and has a system for monitoring and improving the on-going quality of its ELP assessment system.	Commendation	8
Element 3.4	New English Language Proficiency Assessment: Transition to new ELP assessment or revising the current State ELP assessment.	Finding-Further action required	8
Element 3.5	Annual Measurable Achievement Objectives (AMAOs): AMAOs have been developed and AMAO determinations have been made for Title III-served LEAs.	Finding-Further action required	8-9
Element 3.6	Data system in place to meet all Title III data requirements including capacity to follow Title III served students for two years after exiting; State approach to follow ELP progress and attainment over time, using a cohort model.	Reviewed-No further action required at this time	9

**Title III, Part A: State Level Activities; LEA Authorized and Required Activities, Immigrant Children and Youth Indicators**

<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</b>
Element 4.1	<p>State Level Activities: Using funds reserved for State-level activities the State carries out one or more activities that may include:</p> <ul style="list-style-type: none"> <li>• Professional development</li> <li>• Planning, evaluation, administration and interagency coordination</li> <li>• Promoting parental and community participation</li> <li>• Providing recognition.</li> </ul>	Commendation	9
Element 4.2	<p>Required Subgrantee Activities: The LEA/Subgrantee is responsible for increasing the English proficiency of LEP students by providing high quality language instructional programs and providing high-quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instructional programs), principals, administrators, and other school or CBO personnel.</p>	Reviewed-No further action required at this time	9
Element 4.3	<p>Authorized Subgrantee Activities: The LEA may use the funds by undertaking one or more authorized activities.</p>	Reviewed-No further action required at this time	9
Element 4.4	<p>Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth: The subgrantee receiving funds under Section 3114 (d) (1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth.</p>	Reviewed-No further action required at this time	10

<b>Title III, Part A: State Review of Local Plans</b>			
<b>Element Number</b>	<b>Critical element</b>	<b>Status</b>	<b>Page</b>
Element 5.1	SEA ensures that its LEAs comply with the provision for submitting an application to the SEA (Section 3116(a)).	Reviewed- No further action required at this time	10
Element 5.2	Private School Participation: LEAs are complying with NCLB requirements regarding participation of LEP students and teachers in private schools under Title III.	Reviewed-No further action required at this time	10
Element 5.3	Teacher English Fluency: Certification of teacher fluency requirement in English and any other language used for instruction (Section 3116(c)).	Reviewed-No further action required at this time	10-11
<b>Title III, Part A: State Monitoring of Subgrantees</b>			
Element 6.1	Monitoring: The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title III program requirements.	Reviewed-No further action required at this time	11
Element 6.2	Consortia: Any governance issues in the State; policy of fiscal agents.	Commendation	11
<b>Title III, Part A: Parental Notification</b>			
Element 7.1	Parental Notification: Provisions for identification and placement and for not meeting the AMAOs; notification in an understandable format (Section 3302).	Reviewed-No further action required at this time	11

**Title III, Part A  
State Submission Indicators**

**Element 1.1- State Submissions**

Finding:

Florida did not submit data “on the number or percentage of children making progress in learning English” component of the Title III annual measurable achievement objectives (AMAOs) in the December 1, 2004, State Biennial Evaluation Report, or in the January 31, 2005, Consolidated State Performance Report.

Further action required:

Specify what timeline or projection is in place for revising, adopting, and submitting to OELA data and any revised AMAO targets in accordance with and relative to:

- attaining proficiency
- making progress, and
- making AYP

Citation: Section 3123, 34 CFR 80.40

**Title III, Part A  
Fiduciary Indicators**

**Element 2.3 – Reservation of Funds**

Reviewed:

Florida DOE provided documentation of the State’s reservation of funds under Title III, and documentation of the formula used for making State Formula and immigrant subgrants to LEAs.

No further action required at this time

Citation: Section 3111 and 3114

**Element 2.4 – Supplement Not Supplant**

Reviewed:

Florida has implemented State and LEA fiscal safeguards and management procedures to ensure that all Federal requirements regarding supplanting are met.

No further action required at this time

Citation: Section 3115(g)

## **Element 2.5 – Equipment and Real Property**

### Reviewed:

Florida has procedures in place for ensuring that equipment and is accounted for and adequately managed.

No further action required at this time

Citation: OMB A-87, EDGAR 76.533, 80.32

## **Title III, Part A English Language Proficiency (ELP) Standards, Assessments, and Accountability Indicators**

### **Element 3.1 - ELP Standards**

#### Finding:

Follow up of desk audit showed that Florida did not submit sufficient evidence in the Consolidated State Performance Report on how it is complying with the requirement to establish State English language proficiency (ELP) standards that are linked/aligned to State academic content and achievement standards in reading/language arts, mathematics, and science, as required by Section 3113(b)(2). The State ELP standards being implemented were established prior to the enactment of Title III of the Elementary and Secondary Education Act, as reauthorized by the No Child Left Behind Act. Florida must submit evidence regarding its process for reviewing the existing English language proficiency (ELP) standards to ensure that the ELP standards meet the requirements in Section 3113(b)(2).

Further action required: Florida must submit evidence of its full implementation of English language proficiency standards (ELP) that are linked/aligned with State academic content and achievement standards in reading/language arts, mathematics and science.

Citation: Section 3113 (b)(2)

### **Element 3.2 - ELP Assessments**

#### Finding:

Follow up of desk audit showed that Florida did not submit sufficient evidence in the December 1, 2004, State Biennial Evaluation Report or the Consolidated State Performance Report on how it will ensure that the State English language proficiency (ELP) assessment, the Comprehensive English Language Assessment (CELA) is aligned to State ELP standards.

Further action required

The State must address the implementation of an ELP assessment by spring 2006 that is aligned to State ELP standards and submit a plan for doing so by September 30, 2005 (Section 3113(b)(2) and (b)(3)(D)).

Recommendation:

Florida is encouraged to elicit greater interaction and increased participation on the part of LEAs that may assist with the piloting and adopting of its unitary statewide ELP assessment instrument. LEAs may help to advance the development and refinement of the State English language proficiency standards.

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

**Element 3.3 – Data Collection (Reporting Components of ELP Assessments)**

Commendation:

Florida's information collection system demonstrates great technical capacity for the collection and reporting of data. This extensive data collection system allows for easy disaggregating of LEP related data elements.

Citation: Section 1111(b)(7); Section 3113(b)(3)(D), 3121 and 3123

**Element 3.4 – Transition to New ELP Assessment**

Finding:

See comment for Element 3.2 (above).

Further action required: See Element 3.2

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

**Element 3.5 – Annual Measurable Achievement Objectives (AMAOs)**

Finding:

Florida did not submit a definition of making progress in learning English for limited English proficient (LEP) students in the State Biennial Evaluation Report or the Consolidated State Performance Report, as required under Sections 3121(c) and (d)(1), 3122(a)(3)(A)(i), 3123(a).

Further action required

Florida must submit its definition and provide data and targets of its Annual Measurable Achievement Objectives (AMAOs).

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

**Element 3.6 – Data Collection (Data Collection System)**

Reviewed:

Florida has a two-year data collection system in place to track students who exit the ESOL program.

No further action required at this time:

Citation: Section 3121

**Title III, Part A  
State Level Activities; LEA Authorized and Required Activities; Immigrant  
Children and Youth**

**Element 4.1 – State Level Activities**

Commendation:

Development and provision of five School Improvement Regions with a Florida Department of Education program officer assigned to provide technical assistance relative to student achievement concerns.

Citation: Section 3111(b)(2)

**Element 4.2 – Required Subgrantee Activities**

Reviewed:

LEAs, Hillsborough County Public School District and Orange County Public School District, produced evidence of required activities provided to LEP students under Title III, Section 3115(c).

No further action required at this time

Citation: Section 3115(c)

**Element 4.3 – Authorized Subgrantee Activities**

See comment for Element 2.3 (above).

No further action required at this time: See Element 4.2

Citation: Section 3115(d)

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

See comment for Element 4.2 (above).

No further action required at this time: See Element 4.2

Citation: Section 3115(e)

**Title III, Part A  
State Review of Local Plans**

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

Reviewed:

Florida continues to reach out to small and rural districts in the State to advise them of availability of Title III subgrants and to ensure implementation of Title III requirements. Florida has implemented a review process of LEA local plans.

No further action required at this time

Citation: Section 3116(a)

**Element 5.2 – Private School Participation**

Reviewed:

Florida continues to ensure that all private schools are notified and are provided an opportunity to participate in Title III services.

No further action required at this time

Citation: Sections 9501 - 9506

**Element 5.3 – Teacher English Fluency**

Reviewed:

Florida has submitted evidence that a system is in place for the State to ensure that Title III-served LEAs employ teachers working in language instruction educational programs that meet Title III teacher English fluency requirements.

No further action required at this time

Citation: Section 3116(c)

**Title III, Part A  
State Monitoring of Subgrantees**

**Element 6.1 – State Monitoring of Subgrantees**

Reviewed:

Florida has implemented a multi-year monitoring plan for on-site monitoring of LEA implementation of Title III, Part A.

No further action required at this time:

Citation: Section 3113 and 34 CFR 80.40

**Element 6.2 – Consortia**

Commendation:

Both Orange and Hillsborough counties' initiative and establishment of a multi-district consortia membership for the purpose of implementing a system for collaborating in training activities for professional development and sharing of ESOL instructional best practices strategies is reaping many rewards as reported by LEAs that comprise these eligible entities.

Citation: Section 3114(b).

**Title III, Part A  
Parental Notification**

**Element 7.1– Parental Notification**

Reviewed:

Florida has submitted evidence of its established procedure and timeline for ensuring that LEAs make parental notifications required under Section 3302. The State subscribes to a Web-based translation library, TransACT, to which LEAs subscribe in order to download and prepare parental notification forms that meet Title III requirements. System training was offered on-line to LEAs throughout the State.

No further action required at this time

Citation: Section 3302(a) and (b)