

## **Minnesota Department of Education**

**May 16-20, 2005**

**Scope of Review:** A team from the U.S. Department of Education's (ED) Office of English Language Acquisition, State Consolidated Grant Division reviewed the **Minnesota** Department of Education the week of **May 16-20, 2005**. This was a comprehensive review of Minnesota's administration of the following program authorized by the No Child Left Behind Act (NCLB): Title III, Part A.

In conducting this comprehensive review, the ED team carried out a number of major activities. In its review of the Title III, Part A program, the ED team analyzed evidence of implementation of the State accountability system, reviewed the effectiveness of the language instruction educational programs and professional development processes established by the State to benefit local educational agencies (LEAs) as well as district level professional development implementation and reviewed compliance with fiscal and administrative oversight activities required of the State educational agency (SEA). During the onsite review, the ED team visited 1 LEA: **St. Paul School District**. In the district, the ED team interviewed administrative staff and teaching staff from several schools and the district. The ED team also conducted a meeting with parents in the district.

**Previous Monitoring Findings:** None. This was the first Title III monitoring visit.

## 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.	Reviewed: No further action required at this time. Commendation	5
<b>Title III, Part A: Fiduciary Indicators</b>			
Element 2.3	Reservation of funds: The SEA has a system in place that enables it to account for: (1) funds reserved for State administration, (2) funds reserved to provide technical assistance and other state level activities (3) the reservation of funds for immigrant activities, and (4) funds that become available for reallocation.	Reviewed: No further action required at this time.	5
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.	5
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.	5
<b>Title III, Part A: ELP Standards, Assessments and Accountability Indicators</b>			
<b>Element Number</b>	<b>Critical element</b>	<b>Status</b>	<b>Page</b>
Element 3.1	English language proficiency Standards: State English language proficiency standards have been developed, adopted, disseminated, and implemented.	Finding: Further action required	6

Element 3.2	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	6
Element 3.3	Data Collection: The State has established and implemented clear criteria for the administration, scoring, analysis, and reporting components of its ELP assessments, and has a system for monitoring and improving the on-going quality of its ELP assessment system.	Reviewed: No further action required.	6
Element 3.4	New English language proficiency assessment: Transition to new ELP assessment or revising the current State ELP assessment.	Finding: Further action required Reviewed: No further action required	6&7
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	7
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.	7

**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>	Reviewed: No further action required.	7&8

Element 4.2	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.	Reviewed: No further action required	8
Element 4.3	Authorized Subgrantee Activities: The LEA may use the funds by undertaking one or more authorized activities.	Reviewed: No further action required	8
Element 4.4	Activities by Agencies experiencing substantial increases in immigrant children and youth	Reviewed: No further action required	8

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

<b>Element Number</b>	<b>Description</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	8
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 Commendation	9
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	9

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

<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</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	9
Element 6.2	Consortia: Any governance issues in the State; policy of fiscal agents	Reviewed: No further action required	9

**Title III, Part A: Parental Notification**

<b>Element Number</b>	<b>Description</b>	<b>Status</b>	<b>Page</b>
Element 7.1	Parental Notification: Provisions for identification and placement and for not meeting the AMAOs; notification in an understandable format (Section 3302)	Finding: Further action required	10

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

**Element 1.1- State Submissions**

Reviewed: The Minnesota State Department of Education has submitted all reports required under Title III, Part A and the Consolidated State Application to the U.S. Department of Education. All reports were submitted in a timely manner. Addendums were reviewed and found to be complete. The Title III Director has responded very responsibly to any requests for further additional or clarification from ED.

Citation: Section 3123; 34 CFR 80.40

Commendation: Reports were well written, comprehensive and submitted in a timely manner.

**Title III, Part A  
Fiduciary Indicators**

**Element 2.3 – Reservation of funds**

Reviewed: The State has a functioning system in place that enables it to account for funds reserved for State administration, technical assistance and other State-level activities, and reservation and allocation of funds for immigrant activities. The State provided adequate evidence of appropriate expenditures for State administration, funds for technical assistance, funds for immigrant children and youth and other allowable expenditures under Title III.

Citation: Sections 3111 and 3114

**Element 2.4 – Supplement Not Supplant**

Reviewed: The SEA provided evidence to the ED team in its monitoring document that Title III funds are used only to supplement, not to supplant district services.

Citation: Section 3115(g)

**Element 2.5 – Equipment and Real Property**

Reviewed: The State described its processes for ensuring that equipment obtained with grant funds is necessary for the performance of the federally-funded activities under Title III and is procured at a cost that is reasonable. These processes appear to be well managed and accountability is in place. Title III funds cannot be used to acquire real property.

Citation: OMB A-87 and EDGAR 34 CFR 76.533; 34 CFR 80.32

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

**Element 3.1 - ELP Standards**

Finding: The ED monitoring team reviewed Minnesota's English language proficiency standards during the on-site visit. The State demonstrated that English language proficiency standards in four language domains are in place and appear to be satisfactory under the current State academic requirements for LEP students. However, the ELP assessments will need to be aligned with the ELP standards for grades K-12.

Citation: Section 3113(b)(2)

Further action required: The State must further revise the ELP assessment to align with the ELP standards for grades K-12.

**Element 3.2 - ELP Assessments**

Finding: The State's ELP assessment the Test of Emerging Academic English (TEAE) will need to be aligned to the ELP standards for the purpose of testing English language proficiency in order to assess accurately ELP progress and attainment and meet the requirements in Section 3113.

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

Further action required: The State will need to further revise the TEAE to align with ELP standards.

**Element 3.3 – Data Collection (Reporting components of ELP assessments)**

Reviewed: Minnesota has established and implemented criteria for the administration, security, analysis and scoring of the ELP assessments utilized in the State. The State has communicated with LEAs concerning the assessment requirements under Title III.

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

**Element 3.4 – Transition to new ELP assessment**

Finding: The State must also ensure that the new assessment is aligned with the ELP standards.

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

Further action required: The State must address the implementation of an English language proficiency (ELP) assessment that is aligned to State ELP standards.

Reviewed: Minnesota is in the process of field testing a new Statewide ELP assessment (TEALES or the new Student Oral Language Observation Matrix (SOLOM)). The new computerized version of the SOLOM, while most likely effective for listening and speaking skills assessment, has had difficulties with the test administration.

Recommendation: The State must implement any improvement actions in test administration of the new assessment.

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

Finding: The State reported to the ED monitoring team that the majority of LEAs have not met Title III AMAO targets since No Child Left Behind began. The reasons that the SEA reported for the failure to meet AMAOs were partially attributed to a language-based curriculum, especially in mathematics, testing difficulties, excessively high AMAOs targets, lack of linkage/alignment between ELP and academic content standards, and a lack of uniformity in LEP programs throughout the State.

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

Further action required: The State must analyze the reasons for LEAs' failure to meet AMAO targets and take the necessary actions to help school districts with LEP students to meet these targets and provide technical assistance as needed.

### **Element 3.6 – Data Collection (Data collection system)**

Reviewed: The State provided evidence to the ED monitoring team that it is utilizing a state-wide data collection system called the Minnesota Automated Reporting Student System (MARSS). This data collection system appears to be very effective for aggregating and disaggregating data for LEP students under Title III.

Citation: Sections 3121(a)(4); Performance Indicator 2.1 of the Consolidated State Plan.

## **Title III, Part A**

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

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

Reviewed: The State has conducted a number of professional development workshops, informational meetings, and conferences regarding LEP students' educational needs. Technical assistance is provided to the LEAs as needed and does include web-based assistance and the Electronic Minnesota Accountability Process (EMAP) on-line application. The SEA maintains a website to provide a multitude of informational

resources which allows the internal and external public to readily access information in order to keep abreast of any new developments.

Citation: Section 3111(b)(2)

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

Reviewed: The on-site monitoring team visited a high school ESL program and an elementary school with the largest ELL population in St. Paul and was provided evidence of the LEA's compliance with required activities.

Citation: Section 3115(c)

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

Reviewed: The on-site visit to the St. Paul School District demonstrated that subgrantees are conducting authorized activities, such as parental outreach and family literacy services. However, the parents who participated in the site visit meeting expressed concern that the schools don't bridge the cultural gap and that they would be more willing to participate in school activities if they were notified of such activities in their native languages.

Citation: Section 3115(d) 3302

#### **Element 4.4 – Activities by Agencies experiencing substantial increases in immigrant children and youth**

Reviewed: Significant increases of immigrant children and youth are determined over the last 3 years of data. Title III funding is then distributed to those LEAs that have had a significant increase in the number of immigrant children and youth for the two preceding years.

Citation: Section 3114(d)(1)

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

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

Reviewed: The State utilizes an electronic online system for LEA applications for Title III funding review. LEAs may update their original application online without the need to submit a new application to the State.

Citation: Section 3116(a)

### **Element 5.2 – Private School Participation**

Reviewed: The State has informed the LEAs concerning Title III participation procedures and their requirement to report LEP numbers in non-public schools.

Citation: Sections 9501-9506.

Commendation: The State has strongly encouraged public LEAs to provide professional development and training concerning Title III and the improvement of teaching of LEP students to non-public school staff.

### **Element 5.3 – Teacher English Fluency**

Reviewed: The State indicated that teachers of LEP students in Minnesota are fully certified by the Minnesota State Board of Education as well as through institutions of higher education. Teachers are also deemed certified to teach LEP students through the Praxis II test. There is no formal assessment or mechanism currently in place in the State to determine teacher English fluency.

Citation: Section 3116(c)

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

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

Reviewed: The State has established a 3-year cycle for on-site monitoring each LEA. Desk monitoring is completed when the SEA cannot visit an LEA in a designated year. The SEA sends the monitoring report to the LEA, and the LEA must respond to required actions/findings.

Citation: Section 3113; 34 CFR 80.40

### **Element 6.2 – Consortia**

Reviewed: The State informed the ED monitoring team that there are 15 consortia in Minnesota. LEAs that do not have enough LEP students to qualify for an award of \$10,000 or more under section 3114(a) have joined these consortia. These consortia appear to be serving LEP students as required under Title III

Citation: Section 3114(b)

**Title III, Part A**  
**Parental Notification**

**Element 7.1– Parental Notification**

Finding: The State informed the LEAs of the Title III requirement to notify parents if the AMAO targets were not met. However, the State is currently unaware whether or not LEAs have issued parental notification letters.

Citation: Section 3302(b)

Further action required: The State must ensure that LEAs that fail to meet AMAOs notify parents in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand. The State should more closely monitor the LEAs to ensure that this Title III requirement is being met.