

Rhode Island Department of Education

May 23 to 26, 2005

Scope of Review: A team from the U.S. Department of Education's (ED) Office of English Language Acquisition, Formula Grant Division conducted a monitoring visit to the Rhode Island Department of Education the week of May 23 to 27, 2005. This was a comprehensive review of the State'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 two LEAs: Providence Public School District and the Bristol/Warren School District. In each of the school districts, the ED team interviewed administrative staff and teaching staff from the schools and the districts. A parent representative was also present at the interview at the Bristol/Warren School District.

State representatives: David Abbot, Deputy Commissioner; Thomas DiPaola, Director of Special Populations/Title III; Maria Lindia, Title III Coordinator; Deborah Kennedy, Federal Grants Coordinator; Virginia daMota, Director of School Improvement; Emily Klein, Education Specialist; Susan Rotblat-Walker, School Improvement and Accountability Specialist; David Luther, Title III Grant Officer; James Karon, Assessment Specialist; Mary Ann Snider, Director of Assessment and Accountability; Carolyn Dias, Director of Finance; Antonia Gibbs, Grants Officer and Janet Carroll, Title I

USED representatives: Harpreet Sandhu (Director, State Formula Grant Division; Elizabeth Judd (Education Program Specialist); and Fengju Zhang (Education Program Specialist).

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

Summary of Title III, Part A Monitoring Indicators

Title III, Part A – Indicator 1: Required Submissions			
Element Number	Critical element	Status	Page
Element 1.1	State Submissions: Follow-up on areas identified through desk audit and document reviews.	Commendation	6
Title III, Part A – Indicator 2: Fiduciary and Fund Use			
Element 2.2	Allocations, Reallocations and Carryover	Reviewed No further action required at this time	6
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.	Finding Further action required	6-7
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	7
Element 2.5	Equipment and Real Property: The SEA ensures that equipment is procured at a cost that is recognized as ordinary and the equipment 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 - Indicator 3: ELP Standards, Assessments and Accountability

Element Number	Critical element	Status	Page
Element 3.1	English language proficiency Standards: State English language proficiency standards have been developed, adopted, disseminated, and implemented	Commendation, Recommendation	7-8
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.	Commendation, Recommendation	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 assessment systems	Commendation	8-9
Element 3.4	New English language proficiency Assessment: Transition to new ELP assessment or revising the current State ELP assessment	Reviewed	9
Element 3.5	Annual Measurable Achievement Objectives: (AMAOs). AMAOs have been developed and AMAO determinations have been made for Title III-served LEAs	Reviewed No further action required at this time	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 cohort model	Reviewed No further action required at this time	9

Title III, Part A – Indicator 4: State Level Activities and Subgrantee Activities			
Element Number	Description	Status	Page
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"> • Professional development • Planning, evaluation, administration and interagency coordination • Promote parental and community participation • Provide recognition 	Commendation	10
Element 4.2	<p>Required Subgrantee Activities: The LEA/Subgrantee has responsibility for increasing the English proficiency of LEP students by providing high quality language instructional programs and to provide 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>	Commendation, Recommendation	10
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	11
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>	N/A For 2004-2005, Recommendation	11

Title III, Part A – Indicator 5: State Review of Local Plans			
Element Number	Critical element	Status	Page
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	12
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	12

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	12-13
Title III, Part A – Indicator 6: State Monitoring of Subgrantees			
Element 6.1	Monitoring: The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title III program requirements	Finding Further action required at this time	13
Element 6.2	Consortia: Any governance issues in the State; policy of fiscal agents	Reviewed No further action required at this time	13-14
Title III, Part A - Indicator 7: Parental Notification			
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, Recommendation	14

Title III, Part A
Indicator 1: Required Submissions

Element 1.1- State Submissions

Reviewed: The State submitted all required information to OELA. Local Educational Agencies (LEAs) submitted required information to the State Educational Agency (SEA).

Citation: Section 3111, 3123; EDGAR 34 CFR 76.720

Commendations: Rhode Island has established a comprehensive consolidated review process for local plans for Title III subgrants. The State provided effective technical assistance (TA) through this process to LEAs to ensure that the LEA plans are in compliance with Title III requirements.

Title III, Part A
Indicator 2: Fiduciary and Fund Use

Element 2.2 Allocations, Reallocations and Carryover.

Reviewed: Rhode Island allocated all funds to eligible LEAs and consortia of LEAs based on number of LEP students enrolled in the districts. Unexpended funds were reallocated in the following year.

Citation: Section 3114(d)(1), Section 3115

Element 2.3 – Reservation of funds

Finding: Rhode Island did not reserve any funds to support programs for immigrant students in 2004-2005. The State indicated that none of the local educational agencies in the State experienced an increase in their immigrant student populations.

Citation: Section 3111, Section 3114, Section 3115, Section 3116

Further Action Required: The State must reserve funds to support programs for immigrant students.

Element 2.4 – Supplement Not Supplant

Reviewed: Rhode Island approves local plans that specifically address the supplement not supplanting provisions in their proposed programs through the review of LEA applications process. All approved subgrantee programs provide expanded or enhanced instruction to LEP students and targeted professional development related to the teaching and learning of ELL students.

Citation: Section 3115(g)

Element 2.5 – Equipment and Real Property

Reviewed: Title III funds cannot be used to acquire real property. Rhode Island does not use Title III funds for equipment.

Citation: EDGAR, 34 CFR 76.533, 80.32

Title III, Part A

Indicator 3: ELP Standards, Assessments and Accountability

Element 3.1 - ELP Standards

Reviewed: Rhode Island is a member of the World-class Instructional Design and Assessment (WIDA) consortium, currently working on its ELP standards and assessment. Rhode Island conducted alignment of ELP standards to the State academic content standards. Rhode Island meets the requirements in establishing ELP standards for limited English proficient (LEP) students under Title III.

Citation: Section 3113(b)(2)

Commendations: Rhode Island did a significant amount of work in establishing ELP standards and aligning the ELP standards to academic content and achievement standards, and conducted alignment studies as required by the consortium.

Recommendations: The SEA continues to provide technical assistance to LEAs in implementing the new ELP standards and in aligning program curriculum to the new ELP standards and assessment.

Element 3.2 - ELP Assessments

Reviewed: Rhode Island tested all K-12 LEP students in all the required domains of language. As a member of the WIDA consortium, Rhode Island conducted alignment of the new ELP assessment to its ELP standards, bridge studies of the current ELP assessments and the new assessment, and piloted the new ELP assessment.

Citation: Section 3115, Section 3116

Commendations: Rhode Island conducted the alignment study of the new ELP assessment to the ELP standards to establish more realistic AMAOs for LEP students.

Recommendations: Rhode Island should examine the implementation of the new ELP assessment to refine the assessment based on findings from the pilot study and the first few years of data.

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

Reviewed: Rhode Island conducted a bridge study and data analysis and is progressing with the consortium timeline. Rhode Island will implement the new ELP assessment in spring 2006.

Citation: Section 3113

Commendations: Rhode Islands' student data system enables the State to disaggregate all the required data under Title III for accountability and reporting of LEP students.

Element 3.4 – Transition to new ELP assessment

Reviewed: Rhode Island piloted and field-tested the new ELP assessment developed by the consortium. The new ELP assessment will be administered in Spring 2006 for all LEP students in the State.

Citation: Section 3121, Section 3123

Element 3.5 – Annual Measurable Achievement Objectives (AMAOs)

Reviewed: Rhode Island has established Title III AMAOs and will be amending the AMAOs in 2006 with implementation of new ELP standards and assessment. Rhode Island applies Title III ELP standards, assessment and AMAOs to all schools and LEP students under State law. The State's data system is able to determine the status of LEAs meeting/not meeting the AMAOs.

Citation: Section 3122

Element 3.6 – Data Collection (Data collection system)

Reviewed: Rhode Island established a data system that can be used to track individual students' progress, to make determinations of LEAs meeting or not meeting Title III AMAOs, and to collect data for Title III reporting.

Citation: Sections 3121-3123

Title III, Part A
Indicator 4: State Level Activities and Subgrantee Activities

Element 4.1 – State Level Activities

Reviewed: The State provided effective technical assistance and professional development training for LEAs related to the implementation of Title III. LEAs reported that the training was useful, timely and addressed their needs.

Citation: Section 3111(b)(2)

Commendations: Rhode Island provided sufficient professional development training and technical assistance to LEAs in improving instructional programs for LEP students.

Element 4.2 – Required Subgrantee Activities

Reviewed: The Rhode Island SEA worked closely with LEAs on implementing Title III required subgrantee activities during the review of local plans and the approval of LEA applications.

Citation: Section 3115(c)

Commendations: Rhode Island established a comprehensive school assistance team that pulls all resources together to address the areas needing improvement in each school. This coordinated approach is effective in many ways, as services for LEP students are fully integrated into the school's instructional programs. LEP students benefit from programs provided under other federal and State funding.

Recommendations: While consolidating all resources and services, Rhode Island needs to monitor closely that Title III requirements are met by subgrantees. If a comprehensive monitoring document is used for all programs, the document should contain a section that clearly demonstrates how the implementation of the required grant activities and of the assurances under Title III programs will be monitored.

Element 4.3 – Authorized Subgrantee Activities

Reviewed: The Rhode Island SEA reviews and approves authorized subgrantee activities through the application review process.

Citation: Section 3115(d)

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

Reviewed: Rhode Island used a one-year formula grant process for subgrants for immigrant children and youth during the 2002-2004 school years. Because there was no increase in the immigrant population, the State did not grant any such subgrant in 2004-2005.

Citation: Sections 3114(d) and 3115(e)

Recommendations: Rhode Island must, as provided for in Section 3114(d)(1), reserve funds annually for programs for immigrant children and youth in schools. Such funds, if not used in the year in which they were awarded to Rhode Island, could be reallocated during the next fiscal year for the immigrant education programs. Rhode Island could also consider multi-year grant cycles for immigrant education programs, if necessary.

Title III, Part A
Indicator 5: State Review of Local Plans

Element 5.1 – State Review of Local Plans

Reviewed: Rhode Island has established a review and approval process for LEAs to annually submit local plans. Both the SEA and LEAs reported that the approval process works well. The timeline established for the review and approval process allows LEAs to make amendments to the local plans twice a year. Therefore, the process seems to be effective for improving the implementation of Title III programs.

Citation: Section 3116(a)

Element 5.2 – Private School Participation

Reviewed: Rhode Island requires LEAs to consult with non-public schools when receiving Title III funding. The LEAs that the OELA Team visited had designated personnel for contacting private schools on a regular basis. Consultation was conducted on an annual basis.

Citation: Sections 9501-9506

Element 5.3 – Teacher English Fluency

Reviewed: Rhode Island State teacher certification requires language fluency in both English and the native language for Bilingual teachers, but not for ESL teachers. LEAs are responsible for ensuring teacher language fluency. The SEA also started discussions with the Board of Regents in order to develop requirements that address teacher language fluency.

Citation: Section 3116 (c)

Recommendations: The State is advised to establish guidelines for teacher language fluency requirements and monitor LEAs to ensure this requirement is met.

Title III, Part A
Indicator 6: State Monitoring of Subgrantees

Element 6.1 – State Monitoring of Subgrantees

Findings: The State is conducting combined monitoring of LEAs, which is not program specific, i.e., not focused on any specific Titles. It is a monitoring of overall LEA performance, looking at LEP student issues and closing the gaps between LEP students and their peers.

Even though the State provided copies of self-assessment guidebooks, it was not clear to the OELA Monitoring Team whether there is an identifiable section on the Title III program in these

guidebooks. The Rhode Island SEA has not conducted focused monitoring to date for Title III programs. The State reported that a plan is being developed for this purpose.

Citation: Section 3113, CFR 76.770, 80.40

Further Action Required: The State needs to begin monitoring Title III programs. The SEA must ensure that subgrantees are in compliance with Title III requirements.

Element 6.2 – Consortia

Reviewed: There is the possibility of members withdrawing from consortia. This withdrawal seems to be caused by a misunderstanding of the nature of the lead LEA’s responsibility, and of how that responsibility can be exercised for meeting the AMAOs by individual LEAs that are part of a consortium.

Citation: 3114(b)

Further Action Required: The OELA program specialist will forward the policy letter regarding consortia to the Rhode Island State Educational Agency. The State will provide LEAs with updated information and technical assistance.

Recommendations: The Rhode Island State Department of Education should provide technical assistance to LEAs in consortia and clarify the responsibilities of consortia membership, using MOUs (Memorandum of Understanding)/MOAs (Memorandum of Agreement) to define the responsibilities of each member of the consortium.

Title III, Part A Indicator 7: Parental Notification

Element 7.1– Parental Notification

Reviewed: Rhode Island requires parental notifications through the application process. The LEAs that the OELA Monitoring Team visited understood the requirement to notify parents for placement of children into programs for LEP students, but did not clearly understand the requirement to notify parents regarding program failure to meet Title III AMAOs.

Findings: One of the LEAs visited was not sure whether the SEA had formally notified the LEA whether or not it met Title III AMAOs last year. The LEA also could not determine whether parental notifications were issued.

Citation: Section 3116 (d), Section 3302 (a) – (b)

Further Action Required: The State must ensure that LEAs notify parents regarding the failure to meet Title III AMAOs according to the timeline specified in Section 3302.

Recommendations: The Rhode Island SEA should provide technical assistance to LEAs regarding all parental notification requirements under Title III as specified in Section 3302. If a combined Title I and Title III parent notification letter is used to inform parents, a clearly identifiable section for Title III programs should be included.