

Wyoming Department of Education

April 16-20, 2007

Scope of Review: The U.S. Department of Education's (ED) Office of English Language Acquisition, State Consolidated Grant Division conducted an on-site monitoring review of the Wyoming Department of Education (WDE) April 16-20, 2007. The purpose was to conduct a comprehensive review of the WDE's administration of the Title III, Part A program authorized by the No Child Left Behind (NCLB) Act.

During the review, the U.S. Department of Education's monitoring team conducted several monitoring activities. The team reviewed evidence of the implementation of the State's Title III accountability system, analyzed the effectiveness of the Title III funded State language instruction educational programs and professional development activities and conducted fiscal and administrative oversight activities. During the on-site review, the team also conducted monitoring visits to three local education agencies (LEA's): Albany County School District #1, Sweetwater County School District #1, Fremont County School District #14, and conducted a desk review on Teton County School District #1 to assess the depth and breadth of the state's implementation of the Title III requirements.

Wyoming Department of Education Participants:

Joe Simpson, Deputy Superintendent
Dianne Bailey, Finance Director
Fred Hansen, Finance Unit Director
Lori Nelson, Title III Program Manager, Migrant and Even Start
Brian Wright, Title I Director/Consolidated Grant Manager
Vince Meyer, Data Services Supervisor
Shannon Cranmore, Data Analyst/EDEN Coordinator
Christine Steele, Federal Programs Director
Carol Illian, Title II and IV Program Manager

LEA Representatives:

Albany County School District #1 Participants:

Mike Bowman, Assistant Superintendent
Suzanne Perry, Assistant Superintendent
Genevieve Balderston, ESL Teacher
Pat Sparr, Bookkeeper

Sweetwater County School District #1 Participants:

Ronald Kalicki, Director of Curriculum
Mollie Steel, Title III Coordinator
Brian P. Kaumo, Assessment Coordinator

Fremont County School District #14

Dan Hudson, Assistant Superintendent, Business and Finance
Pat Bekken, Consolidated Grant Facilitator/Title III Program Manager
Owen St. Clair, Elementary Principal

Teton County School District #1 (desk monitoring)

Deb Roehrkasse, Director, ESL

U.S. Department of Education Participants:

Margarita Pinkos, Associate Assistant Deputy Secretary, OELA
Rubén J. Vázquez, Education Program Specialist, OELA
Sue Kenworthy, Education Program Specialist, OELA
Ethan Allen, Senior Budget Analyst, OELA

Previous Audit Findings: None

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

Summary of Title III, Part A Monitoring Indicators

State Submissions			
Element Number	Description	Status	Page
Element 1.1	State Submissions: Follow-up on areas identified through desk audit and document reviews	Finding Cited in Special Conditions	8
Fiduciary			
Element 2.1	Reservation and Use 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) Funds reserved for immigrant activities, and (4) Funds that become available for reallocation	Fiscal Report Forthcoming	8
Element 2.2	Allocations, Reallocations, and Carryover: The SEA complies with— <ul style="list-style-type: none"> • The procedures for Title III allocations outlined in Section 3114 • The procedures for allocating funds for immigrant children and youth programs as outlined in Section 3114(d) • The reallocation provisions in Section 3114(c) 	Fiscal Report Forthcoming	8
Element 2.3	Supplement not Supplant: The SEA ensures that Title III funds are used only to supplement or increase Federal, State, and local funds used for the education of participating children and not to supplant those funds	Fiscal Report Forthcoming	8
Element 2.4	Equipment and Real Property: The SEA ensures that equipment is procured at a cost that is recognized as reasonable and that the equipment is necessary for the performance of the Federal award. Title III funds may not be used to acquire real property	Fiscal Report Forthcoming	8
Element 2.5	Other Financial Management Issues	Fiscal Report Forthcoming	8

ELP Standards, Assessments and Accountability			
Element Number	Description	Status	Page
Element 3.1	English Language Proficiency (ELP) Standards: State English language proficiency standards: the state provided evidence of a process that complies with Section 3113	Reviewed	8
Element 3.2	ELP Assessments: the State provided evidence of a process that complies with Title III section 3113 and evidence that an ELP assessment has been administered to all K-12 LEP students in the State. Accountability through data collection has been implemented	Findings: Further Actions Required	9
Element 3.3	New English Language Proficiency Assessment: The state provided evidence of a process that complies with Title III section 3113. Transition to new ELP assessment or revision of the current State ELP assessment aligned to the state developed ELP standards.	Reviewed	9
Element 3.4	Annual Measurable Achievement Objectives (AMAOs): AMAOs have been developed and AMAO determinations have been made for Title III-served LEAs	Finding Cited in Special Conditions	9
Element 3.5	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 ongoing quality of its assessment systems. Data system is 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	Refer to Element 1.1	9

State Level Activities; LEA Authorized and Required Activities, Immigrant Children and Youth			
Element Number	Description	Status	Page
Element 4.1	<p>State Level Activities: Using administrative funds, 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 • Promoting parental and community participation • Providing recognition to subgrantees that have exceeded AMAO requirements 	Reviewed	9
Element 4.2	<p>Required Subgrantee Activities: The subgrantee must provide high quality language instructional education programs and sustained professional development activities to all classroom teachers of LEP students (including teachers in classroom settings that are not defined as language instructional education programs). Training activities must also include principals, administrators, and other school or community based organization personnel</p>	Reviewed Recommendation	10
Element 4.3	<p>Authorized Subgrantee Activities: The LEA may use the funds by undertaking one or more authorized activities</p>	Reviewed	10
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	10

State Review of Local Plans			
Element Number	Description	Status	Page
Element 5.1	Application: The SEA ensures that its LEAs comply with the provision for submitting an application to the SEA (Section 3116(a))	Reviewed	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 Recommendation	11
Element 5.3	Teacher English Fluency: Certification of teacher fluency requirement in English and any other language used for instruction (Section 3116)	Finding: Further Action Required	11
State Monitoring of Subgrantees			
Element 6.1	Monitoring: The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title III program requirements	Reviewed Recommendation	11
Parental Notification			
Element 7.1	Parental Notification: Provisions for identification and placement and for not meeting the AMAOs; notification in an understandable format as required under Section 3302	Reviewed	12

State Submissions

Element 1.1- State Submissions

Wyoming received Special Conditions as part of the Title III State formula grant award on July 1, 2007. Please refer to the Special Conditions document (copy attached) for a complete explanation related to findings specific to Element 1.1.

Citation: Section 3123, 34 CFR 80.40

Fiduciary

Fiscal Report Forthcoming from OELA's Senior Budget Analyst

Element 2.1 – Reservation of Funds

Citation: Sections 3111, 3114(d), 3115, and 3116

Element 2.2 – Allocations, Reallocations, and Carryover

Citation: OMB A-87; EDGAR; 34 CFR 76.722; 34 CFR 80.4.

Element 2.3 – Supplement not Supplant

Citation: Section 3115(g); OMB Circular A-87 (Attachment A)

Element 2.4 – Equipment and Real Property

Citation: OMB A-87; EDGAR 76.533, 80.32

Element 2.5 – Other Financial Management Issues

ELP Standards, Assessments, and Accountability

Element 3.1 - ELP Standards

Reviewed: The WDE demonstrated that it has a process in place that addresses the requirements in Section 3113.

Citation: Sections 3113(b)(2) and (b)(3)(D).

Element 3.2 - ELP Assessments

Finding: The WDE does not annually assess all students who are categorized as LEP for English language proficiency.

Further Action Required: The WDE must ensure that all LEP students are annually assessed for English language proficiency as long as they are in the LEP category.

Citation: Section 3113(b)(2)

Element 3.3 – New English Language Proficiency Assessment

Reviewed: The WDE demonstrated that it has a process in place that addresses the requirements in Sections 3113 and 3116.

Citation: Section 3113 and 3116

Element 3.4 – Annual Measurable Achievement Objectives

Wyoming received Special Conditions as part of the Title III State formula grant award on July 1, 2007. Please refer to the Special Conditions document (copy attached) for a complete explanation related to findings specific to Element 3.4

Element 3.5 – Data Collection

Refer to Element 1.1

State-Level Activities; LEA Authorized and Required Activities; Immigrant Children and Youth

Element 4.1 – State-Level Activities

Reviewed: The State provided evidence to the ED monitoring team that it has disseminated information to LEAs regarding Title III program requirements and the new ELP assessment at regional conferences at various times of the year.

Citation: Section 3111(b)(2) and Section 3113

Element 4.2 – Required Subgrantee Activities

Reviewed: LEAs and schools in the State demonstrated their understanding of the required and authorized activities under Title III. The Title III State Director has provided technical assistance to LEAs regarding these activities.

Recommendation: LEAs requested that there be a statewide inter-agency coordination committee, focused on the training needs of teachers, paraprofessionals, and other staff responsible for the instructional needs of LEP students in the State. This committee could include representation from State/local institutions of higher education, school districts, and the State education agency.

Citation: Section 3115(c)

Element 4.3 – Authorized Subgrantee Activities

Reviewed: LEAs produced evidence of authorized activities provided to LEP students under Title III.

Citation: Section 3115(d)

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

Reviewed: Some school districts in the State have experienced a large enrollment increase in the number of immigrant children and youth. This has resulted in an increased need for Title III funding in order to accommodate the educational needs of immigrant children and youth. The State reserved 5% of its Title III funding for subgrants to these students in FY 2006.

Citation: Section 3114(d)(1)

State Review of Local Plans

Element 5.1 – State Review of Local Plans

Reviewed: LEAs in the State described the development of the Title III local plan and the application process. Wyoming has a consolidated application process in place for submission of Title III proposals and budget summaries. Wyoming should ensure that LEAs do not allocate more than 2% of their total Title III subgrant for administrative expenses.

Citation: Section 3116(a)

Element 5.2 – Private School Participation

Reviewed: LEA representatives demonstrated understanding of the requirement to serve LEP students and their teachers in non-public schools in their districts. The LEAs had systems in place to document consultation with non-public school officials.

Recommendation: The WDE should add a description of Title III-funded services in their consolidated information packet sent to non-public schools by the State.

Citation: Section 9501

Element 5.3 – Teacher English Fluency

Finding: Wyoming did not provide written evidence of the process it uses to ensure teacher fluency in English and any other language of instruction.

Further Action Required: The WDE must develop and implement a process for ensuring oral and written teacher language fluency in English and any other language of instruction. The process must include demonstrated teacher fluency of Native American languages used in instructional settings in Wyoming.

Citation: Section 3116(c)

State Monitoring of Subgrantees

Element 6.1 – State Monitoring of Subgrantees

Reviewed: The WDE monitors LEAs using a three-year cycle through a Consolidated Grant Fiscal/Programmatic Assurance process. The WDE's monitoring instrument contains Title III program specific questions to which LEAs must respond.

Recommendation: The WDE should consider developing a strategic plan in order to ensure that all Title III subgrantees are monitored.

Citation: Section 3116, 34 CFR 80.40

Parental Notification and Participation

Element 7.1– Parental Notification and Participation

Reviewed: Wyoming has developed guidance for LEAs regarding parental notification, identification, and placement of LEP students in language instruction educational programs.

See Element 3.4