



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

Honorable Angela Faherty
Commissioner
Maine Department of Education
23 State House Station
Augusta, Maine 04333-0023

DEC 10 2010

Dear Commissioner Faherty:

During the week of October 4, 2010, a team from the U.S. Department of Education's (ED) Student Achievement and School Accountability Programs (SASA) office reviewed the Maine Department of Education (MDE) administration of the following programs authorized by the Elementary and Secondary Education Act of 1965 (ESEA), as amended:

- Title I, Part A (Basic);
- Title I, Part D (Neglected and Delinquent); and
- Title VII, Subtitle B of the McKinney-Vento Homeless Assistance Act (Education for Homeless Children and Youth Program).

Enclosed is a report based upon this review.

The 2010-2011 fiscal year began the second year of the third cycle of monitoring under ESEA. Based on six years of monitoring, we have learned significantly more about the status of States, districts, and schools in implementing the requirements of Title I. ED has collected data on critical compliance issues under the ESEA in all States. This knowledge has informed the current cycle of monitoring, and is reflected in the procedures and monitoring protocols utilized in the onsite review process.

The ESEA, as amended, has increased the emphasis on accountability for all students, and has focused on States' responsibilities to work with districts and schools to improve instruction and student achievement. ED will continue to work closely with States to define their responsibilities in implementing the requirements of the ESEA.

Monitoring for the Title I, Part A; Neglected and Delinquent; and Education for Homeless Children and Youth Program is conducted in three broad areas – accountability; program improvement, parental involvement and options; and fiduciary responsibilities. Prior to, during, and following the onsite monitoring review, the ED team conducted a number of activities (described in the enclosed report) to verify compliance with the critical monitoring indicators in each of the three broad areas for all three programs.

The enclosed report contains a listing of the critical monitoring elements in each of the three areas for the three programs monitored, a description of the scope of the monitoring review, and the findings, required corrective actions, and recommendations that the ED team cited as a result of the review. The MDE has 30 business days from receipt of this report to respond to all of the compliance issues contained herein. ED staff will review your response

for sufficiency and will determine which areas are acceptable and which will require further documentation of implementation. ED will allow 30 business days for receipt of this further documentation if required. ED recognizes that some corrective actions may require longer than the prescribed 30 days, and in these instances ED will work with you to determine a reasonable timeline. In those instances where additional time is required to implement specific corrective actions, you must submit a request for such an extension in writing to ED, including a timeline for completion of all related actions.

Each State that participates in an onsite monitoring review and that has significant compliance findings in one or more of the programs monitored will have a condition placed on that program's grant award specifying that the State must submit (and receive approval of) documentation that all compliance issues identified in the monitoring report have been corrected. When documentation sufficient to address all compliance areas has been submitted and approved, ED will then remove the condition from your grant award.

Please be aware that the issues presented in the enclosed report reflect the status of compliance in Maine at the time of SASA's onsite review. The MDE may receive further communication from ED that will require it to address noncompliance occurring prior or subsequent to the onsite visit.

The ED team would like to thank Rachelle Tome and her staff for their hard work and the assistance they provided prior to and during the review in gathering materials and providing access to information in a timely manner. The ED team was impressed with the efforts of your State's staff to implement the many requirements of the three programs monitored.

We look forward to working further with your staff to resolve the issues contained in this report and to improve the quality of Title I programs in Maine.

Sincerely,



Patricia A. McKee
Acting Director
Student Achievement and
School Accountability Programs

Enclosure

cc: Rachelle Tome, Director
Jacqueline Godbout, ND Coordinator

Maine Department of Education
October 4-8, 2010

Scope of Review: A team from the U.S. Department of Education's (ED) Student Achievement and School Accountability Programs (SASA) office monitored the Maine Department of Education (MDE) the week of October 4 – October 8, 2010. This was a comprehensive review of the MDE's administration of the following programs authorized by the Elementary and Secondary Education Act of 1965 (ESEA), as amended: Title I, Part A and Title I, Part D. Also reviewed was Title VII-B of the McKinney-Vento Homeless Assistance Act (also known as the McKinney-Vento Homeless Education Assistance Improvements Act of 2001).

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 week, the ED team visited Portland Public Schools (PPS), and Lewiston Public Schools (LPS), interviewed administrative staff, interviewed school staff in the LEAs that have been identified for improvement, interviewed private school officials of two private schools, and conducted two parent meetings.

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, technical assistance provided to SAs, the State's oversight and monitoring plan and activities, SA subgrant plans and local evaluations for projects in the Maine Department of Corrections (DOC) and two DOC facilities: Long Creek Youth Development Center, and Mountain View Youth Development Center. The ED team interviewed LEA representatives for the Title I, Part D, Subpart 2 programs operated by School Administrative District (SAD) 6 and Region School Unit (RSU) 18. The ED team also interviewed the Title I, Part D State coordinator to discuss administration of the program.

In its review of the State's administration of programs authorized by McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 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 PPS and LPS, as well as local liaisons from regional LEAs without subgrants - RSU#57 and RSU #4. The ED team also interviewed the McKinney-Vento State coordinator to confirm information obtained at the local sites and discuss administration of the program.

Previous Audit Findings: None.

Previous Monitoring Findings: ED last reviewed Title I, Part A programs in Maine in June 2007. The MDE had the following compliance issues for Title I, Part A: requirements regarding parents-right-to-know letters; annual evaluation of the content and effectiveness of the LEAs parental involvement policy in improving the academic quality of schools; required elements missing in notices sent to parents for schools in improvement; required elements missing in the supplemental educational services (SES) contracts; required elements missing in schoolwide plans; incorrect calculation for equitable services for private school students; incorrect calculation of the required 1% for parental involvement activities; not ensuring that its LEAs provide Title I services only to eligible private school students;

The MDE had the following compliance issue for Title I, Part D: did not ensure that the SA applications for Part D address all the required elements; did not ensure that LEAs entered into an agreement with local institutions for the purposes of providing services under Part D, Subpart 2; required reservation for transition services not identified in budget or budget narrative; did not conduct monitoring of Subpart 1 program.

The MDE had the following compliance issue for the McKinney-Vento program: did not conduct compliance monitoring of its grantees.

Overarching Requirement – SEA Monitoring

A State’s ability to fully and effectively implement the requirements of the ESEA 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 the ESEA.

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 they are able to collect and review critical implementation data with the frequency and intensity required to ensure effective (and fully compliant) programs under the ESEA. Such a process should promote quality instruction and lead to achievement of the proficient or advanced level on State standards by all students.

Status: Recommendation.

The ED team observed that the MDE has a five-year plan for coordinated compliance monitoring. Because the MDE uses three or more sources for collecting evidence of compliance as part of a monitoring review, it appears confusing and no one document captures all the requirements for Title I. ED recommends consolidating the various monitoring review documents into a single protocol that allows the State monitors to have a comprehensive overview of Title I (and other Federal) requirements.

**Title I, Part A
Summary of Monitoring Indicators**

Monitoring Area 1, Title I, Part A: Accountability			
Indicator Number	Description	Status	Page
1.1	SEA has an 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 Recommendation	5-6
1.2	The SEA has implemented all required components as identified in its accountability workbook.	Findings Recommendation	6-8
1.3	The SEA has published an annual report card as required and an Annual Report to the Secretary.	Finding	9
1.4	The SEA has ensured that LEAs have published annual report cards as required.	Finding	10-11
1.5	The SEA indicates how funds received under Grants for State Assessments and related activities (section 6111 of the ESEA) will be or have been used to meet the 2005-06 and 2007-08 assessment requirements of the ESEA.	Met Requirements	N/A
1.6	The SEA ensures that LEAs meet all requirements for identifying and assessing the academic achievement of limited English proficient students.	Met Requirements	N/A

Title I, Part A
Monitoring Area 1: Accountability

Indicator 1.1: SEA has approved systems 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: The MDE conducts training for assessment administration; however, the MDE neither monitors the administration of assessments used for Title I purposes nor does the MDE ensure that LEAs monitor the administration of assessments in their schools.

Citation: Sections 9304(a)(1) and 9304(a)(3)(B) of the ESEA requires that the SEA must ensure that programs are administered in accordance with all applicable statutes, regulations, program plans, and that the State will adopt and use proper methods of administering the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluation. Additionally, section 80.40 of the Education Department General Administrative Regulations (EDGAR) requires grantees to monitor grant and subgrant activities to ensure compliance with applicable Federal requirements.

Further action required: The MDE must establish and implement, by the next administration of each state assessment implemented for ESEA purposes, procedures for monitoring test administration in LEAs and schools and for ensuring that LEAs monitor test administration in their schools. The MDE must submit these procedures to ED with evidence the new procedures are being implemented.

Recommendation: The MDE requires that publicly funded high school students enrolled in a private school that educates 60 percent or more students at public expense and special education students attending a private school at public expense, participate in State assessments administered to meet Title I requirements. Results from such assessments for special education students are included in AYP calculations and reporting by the sending LEAs, but results for high school students are not. It is recommended that Maine require the inclusion of the scores of high school students enrolled in a private school at public expense in AYP calculations and reporting by sending LEAs.

Recommendation: ED recommends that the MDE conduct an analysis of subgroups of students with low assessment participation rates.

For the high school reading/language arts assessments, at the State level for 2009-2010, participation rates for the following subgroups were below the 95 percent threshold for Adequate Yearly Progress (AYP) for the following reported subgroups: African American (92 percent), Hispanic (93 percent), Asian or Pacific Islander (92 percent), American Indian or Alaska Native (91 percent), economically disadvantaged (92 percent), migrant (80 percent), students with disabilities (90 percent) and limited English proficient (90 percent). In one LEA visited, participation rates for all students and all reported subgroups were below the 95 percent threshold. In the other LEA visited,

participation rates for eight of ten reported subgroups were below the 95 percent threshold.

For the high school mathematics, at the State level for 2009-2010, participation rates for the following subgroups were below 95 percent for the following subgroups: African American (94 percent), students with disabilities (94 percent) and limited English proficient (94 percent). In addition, in both LEAs visited, in 2009 (the most recent year for which data were provided during monitoring), participation rates for the mathematics assessments were below 95 percent for multiple subgroups.

For the high school science assessments, at the State level for 2009 (the most recent year for which data were provided during monitoring), participation rates for the following subgroups were below 95 percent for the following six of nine reported subgroups: African American (93 percent), Hispanic (93 percent), Asian or Pacific Islander (94 percent), American Indian or Alaska Native (93 percent), students with disabilities (92 percent) and limited English proficient (92 percent). In addition, in both LEAs visited, participation rates for the science assessments were below 95 percent for multiple subgroups.

ED recommends that the analysis identify LEAs with participation rates below 95 percent for all students and two or more reported subgroups in the 2009-2010 school year, the previous school year, or both. .

Recommendation: It is recommended that the MDE revise the accommodations guides for assessments implemented to meet Title I requirements so that they better distinguish between accommodations that are appropriate for students with disabilities and accommodations that are appropriate for LEP students.

Indicator 1.2: The SEA has implemented all required components as identified in its accountability workbook.

Finding (1): For cases where an LEA has exceeded the 1% cap on the percentage of students taking the alternate assessments based on alternate achievement standards that may be counted as proficient for AYP purposes, Maine does not have in place adequate processes for either counting the excess scores as non-proficient for AYP purposes or allowing LEAs to apply for exceptions to the 1 percent cap in accordance with ED's *Alternate Achievement Standards for Students with the Most Significant Cognitive Disabilities Non-Regulatory Guidance* (see www2.ed.gov/policy/elsec/guid/altguidance.pdf).

Citation: Section 200.13(c)(1)(ii) of the Title I regulations states that in calculating AYP, the State and school districts must include scores for students with disabilities and may include the proficient and advanced scores of students with the most significant cognitive disabilities based on the alternate academic achievement standards in Sec. 200.1(d), provided that the number of those students who score at the proficient or advanced level on those alternate achievement standards at the LEA and at the State levels, separately,

does not exceed 1.0 percent of all students in the grades assessed in reading/language arts and in mathematics.

Further action required: For AYP determinations based on testing in the 2010-2011 and future school years, The MDE must establish adequate processes for either counting excess scores as non-proficient or granting exceptions to LEAs in cases where an LEA has exceeded the 1.0 percent cap. These processes must address how Maine will count proficient scores that exceed the 1.0 percent cap at the LEA level in cases where an LEA is not granted an exception to the cap. These processes also must follow ED's *Alternate Achievement Standards for Students with the Most Significant Cognitive Disabilities Non-Regulatory Guidance*. Maine must submit to ED documentation of the procedures established to address this finding and evidence of their dissemination to LEAs. Maine also must amend its accountability workbook to reflect the procedures established to address this finding (see Accountability Workbook Critical Element 5.3).

Finding (2): For one identified school in PPS, parental notification was not provided in time to permit informed decisions regarding choice and supplemental educational services; no letter had been sent to parents at the time of the monitoring visit, several weeks after the start of school. Information gathered during monitoring indicated that the lack of notification resulted from lack of clear communication between the MDE and the LEA.

Citation: Section 1116(b)(1)(A) and (B) of the ESEA requires that a local educational agency identify for school improvement any elementary or secondary school served under Title I that fails for two consecutive years to make AYP, and that the identification take place before the beginning of the school year. 34 C.F.R. § 200.37(b)(4)(iv) requires that the explanation of school choices must be made sufficiently in advance of, but no later than 14 calendar days before, the start of the school year.

Further action required: The MDE must submit to ED a description of the cause of the miscommunication resulting in lack of timely notification to parents regarding choice and supplemental educational services. The MDE also must submit to ED a description of improvements it will make to MDE procedures in order to prevent such lack of timely notification to parents in the future.

Finding (3): The MDE has not adequately documented the procedures it applies for making AYP determinations for small schools, specifically schools for which aggregation of data across three years does not reach 20 students. The MDE indicated that it reviews progress in such schools by considering information gathered through a qualitative review as well as test data, but did not document procedures for such reviews or the factors considered in making determinations regarding progress.

Citation: Section 1111(b)(2)(A) of the ESEA requires that the SEA implement all required components as identified in its accountability workbook.

Further action required: The MDE must amend its accountability workbook to describe the procedures it applies for making AYP determinations for small schools, specifically schools (both Title I and non-Title I schools) for which aggregation of data across three years does not reach 20 students. The amendment must include: a description of the procedures for such reviews and outline the factors considered in making a determination regarding progress for such small schools; as well as a description of the procedures the MDE applies for making AYP determinations for small schools, specifically schools for which aggregation of data across three years does not reach 20 students.

Recommendation: ED recommends that the MDE –

- Clarify the MDE’s definition of a full academic year. The MDE’s current accountability workbook refers to a student “being enrolled continuously in a school, SAU, and/or state from a date on or before October 1 in the academic year of testing through the date of testing.” Given that the MDE has shifted to fall testing for certain grades, the reference to “in the academic year of testing” should be revised. (Critical Element 2.2)
- Update rules for AYP determinations. The MDE indicated that its practices for determining when a school LEA or the state has not met AYP is based on the entity missing targets in the same subject (or other academic indicator, OAI) for two years in a row, as opposed to missing targets in either subject or OAI. This practice is not reflected in the State’s accountability workbook. (Critical Element 3.2)
- Document that the state applies a confidence interval to safe harbor calculations (Critical Element 4.1)
- Add the State’s operational definition of an LEP student and criteria for student exit from the LEP accountability subgroup. (Critical Element 5.4)
- Document the MDE’s practice of counting a student’s participation in the English language proficiency (ELP) assessment screener rather than the ELP assessment for AYP participation calculations in cases when a “newly arrived” LEP student enrolls in a school or LEA after the assessment window for the ELP assessment but before spring reading/language arts assessment window. (Critical Element 5.4)
- Add the MDE’s minimum number of students required for reporting. The MDE’s current accountability workbook includes the minimum number of students required for accountability purposes but does not include the minimum number of students required for reporting purposes. (Critical Element 5.4)
- Clarify whether, in calculating participation rates, two or three years of data are only used if the minimum cell size is not met with one year of data or if such data are routinely used in cases where AYP was not met with one year of data. (Critical Element 10.2)

Indicator 1.3: The SEA has published an annual report card as required and an annual Report to the Secretary

Finding: The MDE’s State NCLB report card did not include the following required components:

- For science:
 - information in the aggregate, on student achievement at each proficiency level on the State academic assessments disaggregated by race, ethnicity, gender, disability status, and migrant status, English proficiency and status as economically disadvantaged (where the minimum “n” has been met).
 - comparison of the actual achievement levels of each group of students previously described to the State’s annual measurable objectives for each required assessment;
 - the percentage of students not tested, disaggregated by the same categories noted above by subject;
 - the most recent two-year trend in student achievement in each subject at each grade-level, for grades in which assessment is required;
- Information on LEAs in the State regarding whether they made AYP, including the number and names of schools identified for school improvement; and
- The number of recently arrived LEP students who are not assessed on the State’s reading/language arts test.

Citation: Section 1111(h)(1)(C) of the ESEA requires that the State annual report card include: Information, in the aggregate, on student achievement at each proficiency level on the State academic assessments described in subsection (b)(3) (disaggregated by subgroup; information that provides a comparison between the actual achievement levels of each subgroup and the State’s annual measurable objectives for each such group of students on each of the academic assessments required under this part; the percentage of students not tested disaggregated by subgroup; 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; and information on the performance of local educational agencies in the State regarding making adequate yearly progress, including the number and names of each school identified for school improvement under section 1116 of the ESEA. In addition, section 200.6(b)(4)(i)(C) of the Title I regulations requires that a state and its LEAs must report on State and LEA report cards under section 1111(h) of the ESEA the number of recently arrived LEP students who are not assessed on the State’s reading/language arts assessment.

Further action required: The MDE must add the required information noted in this finding to its state report card. The MDE must submit to ED a template for the revised state report card and a copy of the final revised state report card when it is released.

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

Finding: The MDE prepares LEA and school reports for LEAs and schools in the State to meet ESEA reporting requirements. The MDE did not ensure that LEA report cards contain the required elements. LEA report cards were missing certain required elements including:

- For science:
 - information in the aggregate, on student achievement at each proficiency level on the State academic assessments disaggregated by race, ethnicity, gender, disability status, and migrant status, English proficiency and status as economically disadvantaged (where the minimum “n” has been met).
 - comparison of the actual achievement levels of each group of students previously described to the State’s annual measurable objectives for each required assessment;
 - the percentage of students not tested, disaggregated by the same categories noted above by subject; and
 - the most recent two-year trend in student achievement in each subject at each grade-level, for grades in which assessment is required;
- Information on the performance of the LEA regarding whether it made AYP and whether it has been identified for improvement, including the number and percent of schools identified for school improvement by name and how long the schools have been so identified; and
- The number of recently arrived LEP students who are not assessed on the State’s reading/language arts test.

The MDE also did not ensure that school reports contain all of the required elements. School report cards were missing certain required elements including:

- For science:
 - information in the aggregate, on student achievement at each proficiency level on the State academic assessments disaggregated by race, ethnicity, gender, disability status, and migrant status, English proficiency and status as economically disadvantaged (where the minimum “n” has been met).
 - comparison of the actual achievement levels of each group of students previously described to the State’s annual measurable objectives for each required assessment;
 - the percentage of students not tested, disaggregated by the same categories noted above by subject; and
 - the most recent two-year trend in student achievement in each subject at each grade-level, for grades in which assessment is required; and
- Whether the school has been identified for school improvement,

Citation: Section 1111(h)(2)(B) of the ESEA requires the SEA to ensure that LEA and school report cards include certain information, including:

- Information, in the aggregate, on student achievement at each proficiency level on the State academic assessments described in subsection (b)(3) (disaggregated by

subgroup; For both LEAs and schools: information that provides a comparison between the actual achievement levels of each subgroup and the State's annual measurable objectives for each such group of students on each of the academic assessments required under this part; the percentage of students not tested disaggregated by subgroup; 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;

- In the case of an LEA: Information on the performance of the LEA regarding making adequate yearly progress (see reference to Section 1111(h)(1)(C) of the ESEA and the number and percentage of schools identified for school improvement under section 1116(c) of the ESEA and how long the schools have been so identified; and
- In the case of a school: whether the school has been identified for school improvement.

In addition, section 200.6(b)(4)(i)(C) of the Title I regulations requires that a state and its LEAs must report on State and LEA report cards under section 1111(h) of the ESEA the number of recently arrived LEP students who are not assessed on the State's reading/language arts assessment.

Further action required: The MDE must add the required information noted in this finding to its LEA and school reports. The MDE must submit to ED templates for the revised LEA and school reports and samples of the revised final reports when they are released.

**Title I, Part A
Summary of Monitoring Indicators**

Monitoring Area 2, Title I, Part A: Instructional Support			
Indicator Number	Description	Status	Page
2.1	The SEA has developed procedures to ensure the hiring and retention of qualified paraprofessionals.	Met Requirements	N/A
2.2	The SEA has established a statewide system of support that provides, or provides for, technical assistance to LEAs and schools as required.	Met Requirements	N/A
2.3	The SEA ensures that LEAs and schools meet parental involvement requirements.	Finding	13-16
2.4	The SEA ensures that LEAs and schools identified for improvement, corrective action, or restructuring have met the requirements of being so identified.	Finding	16-17
2.5	The SEA ensures that requirements for public school choice are met.	Finding	17-19
2.6	The SEA ensures that requirements for the provision of supplemental educational services (SES) are met.	Finding* Recommendation	17-19
2.7	The SEA ensures that LEAs and schools develop schoolwide programs that use the flexibility provided to them by the statute to improve the academic achievement of all students in the school.	Finding Recommendation	19-20
2.8	The SEA ensures that LEA targeted assistance programs meet all requirements.	Met Requirements	N/A

* There is a joint finding for Indicators 2.5 and 2.6 based on the October 2008 Title I regulations that required certain information to be posted on SEA and LEA websites.

Title I, Part A
Monitoring Area 2: Instructional Support

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

Finding (1): The MDE failed to ensure that school-level parental involvement policies included all of the required elements. School-level parental involvement policies reviewed in PPS and LPS did not include all of the required elements and in some cases the school-level policies were exactly the same for all of the schools in the LEA rather than reflecting the specific needs of parents in a particular school. Missing elements included how the school will be:

- assisting parents with understanding such topics as State standards,
- providing materials to parents,
- educating teachers and other staff on the importance of parental involvement,
- integrating with other programs,
- sending information in an understandable format, and
- providing activities requested by parents.

Citation: Section 1118(b)(1) of the ESEA states that each school that receives Title I, Part A funds must jointly develop with, and distribute to, parents of participating children a written parent involvement policy, agreed on by such parents, that shall describe the means for carrying out the requirements of subsections (c) through (f) of the statute.

Further action required: The MDE must submit evidence to ED that it has provided guidance and technical assistance to its LEAs on the requirements for developing, distributing and reviewing LEA and school parental involvement policies. The MDE must submit to ED copies of any materials it uses in providing this guidance and technical assistance.

Finding (2): The MDE failed to ensure that parent notification letters included all of the required elements. The parent notification letters reviewed for PPS (official letters had not been sent out at the time of the ED team visit, but draft letters were shared with the ED team) and LPS did not always include: how the school in improvement compared to other schools in the LEA and/or the State, and how parents can be involved in helping the school to improve. In addition, a registration form was not provided and it was not clear how parents were to follow up if they were interested in transferring their child. This is repeat finding from the June 4-8, 2007 monitoring visit.

In addition, the parent notification letters for PPS had not been mailed out as of the ED team visit. The draft letters reviewed by the ED team were dated September 20, 2010, but had not been mailed out as of the ED team visit on October 5, 2010.

Prior to the ED team visit, a parent from SAD11, an LEA not visited by the ED team, called ED regarding the letter she received notifying her that her child's school was in improvement for the first time. The parent indicated that she was only given a week to

respond and that she was told her child would have to return to the sending school at the end of the year. The MDE followed up with SAD11 staff and submitted to the ED team a copy of the letters sent to parents regarding school improvement and public school choice. A review of the letter by ED staff found that the letters did not include all of the required information, no registration form was provided and parents were only given one week to respond if they were interested in participating in public school choice. (See Indicator 1.2, Finding (2))

Citation: Section 1116(b)(6) of the ESEA requires that LEAs shall provide promptly to parents of each student enrolled in a school identified for improvement, corrective action, or restructuring:

- (A) An explanation of what the identification means and how the school compares in terms of academic achievement to other elementary or secondary schools served by the LEA and the SEA;
- (B) The reasons for the identification;
- (C) An explanation of what the school identified for improvement is doing to address the problem of low achievement;
- (D) An explanation of what the LEA or SEA is doing to address the problem of low achievement;
- (E) An explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for improvement; and
- (F) An explanation of the parents' option to transfer their child to another public school or to obtain SES.

Section 200.37(b)(4)(ii) of the Title I regulations requires that the parent notification letter must include, at a minimum, information on the academic achievement of the school or schools to which the child may transfer. The explanation may include other information on the school or schools to which the child may transfer, including a description of any special academic programs or facilities, the availability of before- and after-school programs, the professional qualifications of teachers in the core academic subjects, and a description of parental involvement opportunities.

Section 200.37(b)(4)(iv) of the Title I regulations requires that the explanation of the available public school choices must be made sufficiently in advance of, but no later than, 14 calendar days before the start of the school year so that parents have adequate time to exercise their choice option before the school year begins.

Further action required: The MDE must submit evidence to ED that it has provided guidance and technical assistance to its LEAs with Title I schools in improvement, corrective action, or restructuring on the requirements for parent notification letters, including the materials that were used to provide this guidance and technical assistance. The MDE must also update the handout titled "Parent Notification-Required Requirements – CIP1 (First Year)." In the section that includes the required elements for

a parent notification letter, item #8 states, “there is a reasonable time limit for the decision to transfer (one week).” ED expects that parents will have at least two weeks to make this decision.

MDE must provide documentation of the guidance and technical assistance provided to SAD11 staff to ensure that parent notification letters contain the required elements and that erroneous information is not provided to parents that could serve as a disincentive to parent participation in public school choice.

Finding (3): The MDE failed to ensure that parents of children attending schools in LEAs in improvement or corrective action under the ESEA were notified of the schools’ and LEAs’ designation as required by statute. Parents in PPS and LPS had not been notified of the LEAs’ improvement designation at the time of the ED team’s visit.

Citation: Section 1116(c)(6) of the ESEA requires that the SEA shall promptly provide to parents of each student enrolled in a school served by an LEA identified for improvement, the results of the review under paragraph (1) and, if the agency is identified for improvement, the reasons for the identification and how parents can participate in upgrading the quality of the LEA. Section 1116(c)(10)(E) of the ESEA requires the SEA to publish, and disseminate to parents and the public, information on any corrective action the SEA takes for LEAs in corrective action, through such means as the Internet, the media, and public agencies.

Further action required: The MDE must submit to ED evidence that it has in place a process to ensure that parents of students attending an LEA in improvement or corrective action are notified of the LEA’s designation and that the notification includes all the required information. The MDE may provide this notice directly or, if it does not have access to individual addresses, may provide this information to the LEAs for distribution to parents. The MDE must submit copies of any materials it uses in conducting this technical assistance, submit evidence that this technical assistance was provided and that parents in PPS and LPS, and any other LEA in improvement or corrective action, have been notified that their LEA is in improvement or corrective action for the 2010-2011 school year.

Finding (4): The MDE failed to ensure that SES notification letters included all of the required elements. Additionally, in PPS and LPS parents were required to attend the provider fair or contact the school to receive specific information regarding providers. The SES notification letter reviewed for PPS and LPS did not always include the following information: the qualifications and evidence of effectiveness for each provider, providers that are able to serve students with disabilities or LEP students, and an explanation of the benefits of receiving SES. In addition, registration forms were not sent with the notification letters. Requiring parents to attend provider fairs or contact the school or LEA to receive information about specific providers can serve as a disincentive to participation in SES.

Citation: Section 1116(e)(2)(A) of the ESEA requires an LEA to provide, at a minimum, annual notice to parents of the availability of supplemental educational services, the identity of approved providers of those services that are within the local educational agency or whose services are reasonably available in neighboring local educational agencies; and a brief description of the services, qualifications, and demonstrated effectiveness of each provider.

Section 200.37(b)(5)(ii)(B)-(C) of the Title I regulations requires an LEA with schools subject to offering SES to annually notify parents and provide the following information:

- (B) A brief description of the services, qualifications, and demonstrated effectiveness of the providers referred to in paragraph (b)(5)(ii)(A) of this section, including an indication of those providers who are able to serve students with disabilities or limited English proficient students, and
- (C) An explanation of the benefits of receiving supplemental educational services.

Further action required: The MDE must provide guidance and technical assistance to its LEAs required to offer SES on the required information that must be included in the annual notice to parents. The MDE must submit copies of any materials it uses in conducting this technical assistance and submit evidence that this technical assistance was provided.

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 MDE failed to ensure that school improvement plans included all of the required elements. School improvement plans reviewed for schools in PPS or LPS did not always include all of the required elements: specific, measurable objectives toward all students achieving proficiency or above in reading and mathematics; activities before and after school; how written notice will be provided to parents, and teacher mentoring programs.

Citation: Section 1116(b)(3) of the ESEA requires that each school identified for improvement, no later than three months after being so identified, develop or revise a school plan, in consultation with parents, school staff, the LEA serving the school, and outside experts, for approval by the LEA. The plan shall:

- Include strategies based on scientifically based research,
- Adopt policies and practices concerning the school's core academic subjects that have the greatest likelihood of ensuring that all groups of students specified in section 1111(b)(2)(C)(v) of the ESEA and enrolled in the school will meet the State academic assessment described in section 1111(b)(3) not later than 12 years after the end of the 2001-02 school year;
- Provide an assurance that the school will spend not less than ten percent of the funds made available to the school under section 1113 of the ESEA for each fiscal year that the school is in school improvement status for the purpose of providing to the school's teachers and principal high-quality professional development;

- Specify how the professional development funds specified in the previous bullet will be used to remove the school from school improvement status;
- Establish specific annual, measurable objectives for continuous and substantial progress by each group of students specified in section 1111(b)(2)(C)(v) to ensure that all groups of students will meet the State academic assessment described in section 1111(b)(3);
- Describe how the school will provide written notice about the identification to parents of each student enrolled in such school, in a format and, to the extent practicable, in a language that the parents can understand;
- Specify the responsibilities of the school, the LEA, and the SEA serving the school under the plan, including the technical assistance to be provided by the LEA, and the LEA's responsibilities under section 1120A of the ESEA;
- Include strategies to promote effective parental involvement in the school;
- Incorporate, as appropriate, activities before school, after school, during the summer, and during any extension of the school year; and
- Incorporate a teacher-mentoring program.

Further action required: The MDE must provide guidance and technical assistance to all LEAs regarding the required elements for school improvement plans. The MDE must provide to ED copies of any materials or correspondence that it uses in providing this guidance and technical assistance.

Indicator 2.5: The SEA ensures that requirements for public school choice are met.

Finding: The MDE failed to ensure that LEAs offered at least two public school options when at least two options were available. One of the three middle schools in PPS is in Title I school improvement. Only one of the other two middle schools was offered as a choice option because the third middle school was a non-Title I school in improvement. Both of the other middle schools should be offered as public school choice options since the State has no policy prohibiting this option. In addition, the draft letter reviewed by the ED team during the monitoring visit did not include information on how the middle school in improvement compared to other schools in the LEA or the state and no registration form was included for parents to indicate their choice of schools.

Citation: Section 200.44(a)(3)(i)(A)-(B) of the Title I regulations states that schools to which students may transfer may not include schools that the LEA has identified for improvement under section 200.32, corrective action under section 200.33, or restructuring under section 200.34; or schools that are persistently dangerous as determined by the State. Section 200.44(a)(4)(i) of the Title I regulations states that if one or more school meets the criteria in paragraph (a)(3) of this section, the LEA must provide to parents eligible to transfer under paragraph (a)(1) of this section a choice of more than one school.

Further action required: In the absence of a statewide policy addressing this issue, the MDE must provide documentation that both middle schools not in Title I school improvement are offered as public school choice options and that the required information is included in the PPS parent notification letter. In its parental notification letter, PPS can indicate that one of the options is a non-Title I school in improvement under MDE criteria.

Indicator 2.5: The SEA ensures that requirements for public school choice are met, and Indicator 2.6: The SEA ensures that requirements for supplemental educational services are met.

Finding: The MDE did not ensure that all of the information regarding public school choice and supplemental education services (SES) required by the statute, the Title I regulations were posted on the SEA's or an LEA's websites. The required information was not found on the MDE, PPS, or LPS websites. While the MDE website did include a list of approved providers, it did not include the other required information (see citations below for specific information required to be posted). None of the required information was posted on the PPS or LPS websites.

Citation: Sec. 200.39(c)(1)(i)-(iv) of the Title I regulations (October 2008) requires LEAs to prominently display certain information regarding public school choice and SES:

(c)(1) Except as provided in paragraph (c)(2) of this section, the LEA must prominently display on its website, in a timely manner to ensure that parents have current information, the following information regarding the LEA's implementation of the public school choice and SES requirements of the ESEA and this part:

(i) Beginning with data from the 2007-2008 school year and for each subsequent school year, the number of students who were eligible for and the number of students who participated in public school choice.

(ii) Beginning with data from the 2007-2008 school year and for each subsequent school year, the number of students who were eligible for and the number of students who participated in supplemental educational services.

(iii) For the current school year, a list of supplemental educational services providers approved by the State to serve the LEA and the locations where services are provided.

(iv) For the current school year, a list of available schools to which students eligible to participate in public school choice may transfer.

(2) If the LEA does not have its own website, the SEA must include on the SEA's Web site the information required in paragraph (c)(1) of this section for the LEA.

Section 200.47(a)(1)(ii)(B) of the Title I regulations requires that an SEA must post on its website, for each LEA in the State: (1) the 20 percent obligation that the LEA must spend for choice-related transportation and SES; and (2) the maximum per-pupil allocation for SES in the LEA (the LEA's Title I, Part A allocation divided by the number of children in low-income families as determined by the Census Bureau).

Section 1116(e)(4)(C) of the ESEA requires an SEA to post an updated list of approved providers across the State, for each LEA, from which parents may select. Section 200.47(a)(3)(ii) of the Title I regulations requires an SEA to indicate which providers are able to serve students with disabilities or LEP students.

Sections 200.37(b)(5)(ii)(A) and 200.39(c)(1)(iii) of the Title I regulations require an LEA to list on its website all SES providers approved by the State to serve the LEA. This includes SES providers approved by the State that are located within the LEA, as well as in its general geographic location, including providers of technology-based or distance learning supplemental educational services.

Further action required: The MDE must provide guidance and technical assistance to all LEAs regarding the requirement to post on their websites the required information regarding public school choice and supplemental educational services. The MDE must provide ED with copies of any materials or correspondence that it uses in providing this guidance and technical assistance. The MDE must provide evidence that the required information has been posted for the 2010-2011 school year on its website and any websites of LEAs required to post such information.

Recommendation: The MDE should consider posting the SES 20 percent obligation figure and the SES per-child amounts for each LEA in a single table. The SES per-child information is currently posted for each school and not by each LEA and the 20 percent obligation figure is not available on the website. Having a single table eliminates redundancy and should reduce potential confusion.

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 MDE failed to ensure that schoolwide plans included all of the ten required elements. The schoolwide plan for Riverton Elementary in PPS did not include strategies to attract high-quality, highly qualified teachers to high-need schools. This is a repeat finding from the June 4-8, 2007 monitoring visit.

Citation: Section 1114(b)(1)(A-J) of the ESEA specifies the ten required elements for a schoolwide plan:

- a comprehensive needs assessment;
- schoolwide reform strategies;
- instruction by highly qualified teachers;

- high-quality and ongoing professional development;
- strategies to attract high-quality, highly qualified teachers to high-need schools;
- strategies to increase parental involvement in accordance with section 1118 of the ESEA;
- plans for assisting preschool children in the transition from early childhood programs to local elementary school programs;
- measures to include teachers in the decisions regarding the use of academic assessments;
- activities to ensure that students who experience difficulty mastering the proficient or advanced levels of academic achievement standards are provided with effective, timely additional assistance; and
- coordination and integration of Federal, State and local services and programs.

Further action required: The MDE must provide guidance and technical assistance to all LEAs regarding the required elements for schoolwide plans. The MDE must provide to ED copies of any materials or correspondence that it uses in providing this guidance and technical assistance.

Recommendation: The schoolwide plan reviewed by the ED team in LPS was for the 2004-2005 school year. Plans are updated annually through the annual applications LEAs submit to the MDE. If a person is not aware of the annual update process, it may appear that the schoolwide plan is outdated and hasn't been reviewed and updated on an annual basis, as required by statute. ED suggests that the MDE consider revising the schoolwide cover page to show the dates of the annual review and a reference to where the updated information can be found. This should also help to show that the school improvement and schoolwide plans are aligned and reflect the current situation of the school.

Title I, Part A
Summary of Monitoring Indicators

Monitoring Area 3, Title I, Part A: Fiduciary Responsibilities			
Indicator Number	Description	Status	Page
Indicator 3.1	<p>Within State Allocations, Reallocations, and Carryover. The SEA complies with:</p> <ul style="list-style-type: none"> • The procedures for adjusting ED-determined allocations from funds made available under ARRA and the regular FY 2009 appropriation outlined in §200.70 – 200.75 of the regulations. • The procedures for reserving funds for school improvement, State administration, and (where applicable) the State Academic Achievement Awards program from the amount allocated to the State under ARRA and the regular FY 2009 appropriation. • The reallocation and carryover provisions in §1126 (c) and §1127 of the ESEA. 	Met Requirements	N/A
Indicator 3.2	LEA Plan. The SEA ensures that its LEAs comply with the provision for submitting an annual application to the SEA and revising LEA plans as necessary to reflect substantial changes in the direction of their program. § 1112 of ESEA	Met Requirements	N/A
Indicator 3.3	Within District Allocation Procedures. LEA complies with the requirements 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 §1113, 1116, 1118 of the ESEA and § 200.77 and §200.78 of the Title I regulations	Finding	22
Indicator 3.4	<p>Fiscal Requirements: Maintenance of Effort, Comparability, Supplement, not Supplant, and Internal Controls. The SEA ensures that the LEA complies with--</p> <ul style="list-style-type: none"> • The procedures for ensuring maintenance of effort (MOE) as outlined in §1120A and §9021 of the ESEA. • The procedures for meeting the comparability requirements as outlined in § 1120A of the ESEA. • The procedures for ensuring that Federal funds are supplementing and not supplanting non-Federal sources used for the education of participating children as outlined in §1120A of the ESEA, §1114 of the ESEA, §1115 of the ESEA, and §1116 of the ESEA. 	Finding	22-23
Indicator 3.5	Services to Eligible Private School Children. The LEA complies with requirements with regard to services to eligible private school children, their teachers and their families. § 1120 and 9306 of the ESEA, § 443 of GEPA, and § 200.62 – 200.67, 200.77 and § 200.78 of the Title I Regulations	Finding	23
Indicator 3.6	Committee of Practitioners (COP). The SEA establishes a Committee of Practitioners (COP) and involves the committee in decision making as required. §1903 and § 1111 of the ESEA	Met Requirements	N/A

Title I, Part A
Monitoring Area 3: Fiduciary

Indicator 3.3: Within District Allocation Procedures

Finding: The MDE has not ensured that LEAs receiving more than \$500,000 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. The ED team reviewed the LEA approved plans for school year 2010 because the current year plans had not been approved. PPS and LPS could not provide evidence that they had allocated at least 95 percent (after deducting the amount calculated for parental involvement for families of private school participants) of the one percent of the parental involvement reservation to public 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 MDE must require its LEAs to allocate 95 percent of the required one percent reservation (after deducting the amount calculated for equitable services to parents of private school participants) to the Title I public schools. The MDE must also provide ED with a description of how it will ensure the correct implementation of this requirement.

Indicator 3.4: Maintenance of Effort, Comparability, Supplement not Supplant and Internal Controls

Finding (1): The MDE did not ensure that LEAs met the comparability requirements. Although the MDE reviews LEA comparability reports annually, in PPS, the MDE did not require the LEA to make timely adjustments to two of the schools that were reported as not meeting comparability. Additionally, the MDE reviews the source data used to compile the LEA's comparability reports every five years as a part of the State's monitoring process rather than at least biennially as required.

Citation: Section 1120A(c) of the ESEA requires that an LEA may meet comparability requirements if it files with the SEA a written assurance that it has developed and implemented: 1) a local educational agency-wide salary schedule; 2) a policy to ensure

equivalence among schools in teachers, administrators, and other staff; and 3) a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies. An LEA must keep records to document that the salary schedule and policies were actually implemented annually and that they resulted in equivalence among schools in staffing, materials, and supplies so that, in fact, the LEA has maintained comparability among its Title I and non-Title I schools.

The Education Department General Administrative Regulations (EDGAR), 34 C.F.R. Part 80 contain provisions requiring States to monitor subrecipients to ensure compliance with applicable Federal requirements. An SEA is ultimately responsible for ensuring that its LEAs remain in compliance with the comparability requirement annually. The SEA must review LEA comparability calculations at least once every two years.

Further action required: The MDE must establish a process to ensure that comparability source data is accurate at least once every two years. In addition, the MDE must establish and provide ED with its process to ensure that all of its LEAs have met comparability requirements as a condition of those LEAs receiving a Title I, Part A allocation.

Indicator 3.5: Services to Eligible Private School Children

Finding: The MDE has not ensured that its LEAs are providing complaint procedures to private school officials. Although the complaint procedures are available on-line, the private school officials interviewed were not aware of them.

Citation: Sections 1120(b)(5) and (c)(2) and 9503 of the ESEA describe the complaint process and procedures that private school officials must use to file a complaint against an LEA for such issues as lack of timely and meaningful consultation by the LEA, non-consideration given by the LEA to the views of the private school officials, or a dispute regarding low-income data.

Further action required: The MDE must ensure that its LEAs provide the State's procedures to private school officials who are participating in the Title I, Part A program. The MDE must require its LEAs to give complaint procedures to appropriate private school officials. The MDE must provide ED with a copy of the complaint procedures and a description of how and when it notified its LEAs of this requirement.

**Title I, Part D
Summary of Monitoring Indicators**

Neglected, Delinquent or At-Risk of Dropping-Out Program			
Indicator Number	Description	Status	Page
1.1	The SEA conducts monitoring and evaluation of its subgrantees sufficient to ensure compliance with Title I, Part D program requirements and progress toward Federal and State program goals and objectives.	Met Requirements	N/A
2.1	The SEA ensures that State Agency (SA) programs for eligible students meet all requirements, including facilities that operate institution-wide projects.	Met Requirements	N/A
2.2	The SEA ensures that local education agency (LEA) programs for eligible students meet all requirements.	Finding	25
3.1	The SEA ensures each State agency complies with the statutory and other regulatory requirements governing State administrative activities, providing fiscal oversight of the grants including reallocations and carryover, ensuring subgrantees reserve funds for transition services, demonstrating fiscal maintenance of effort and requirements to supplement not supplant.	Met Requirements	N/A
3.2	The SEA ensures each LEA complies with the statutory and other regulatory requirements governing State administrative activities, providing fiscal oversight of the grants including reallocations and carryover, and allowable uses of funds.	Finding	25-26

Title I, Part D

Indicator 2.2: The SEA ensures that local education agency (LEA) programs for eligible students meet all requirements.

Finding: The MDE has not ensured that the application for Subpart 2 programs describes the formal agreements between juvenile correctional facilities and alternative school programs serving children and youth involved with the juvenile justice system.

Citation: Section 1423(2)(A) and (B) of the ESEA requires that LEAs submit an application to the SEA that must include a description of formal agreements, regarding the program to be assisted, between the local LEA and correctional facilities and alternative school programs serving children and youth involved with the juvenile justice system. Section 1425 of the ESEA identifies the program requirements for correctional facilities entering into such agreements with LEA.

Further action required: The MDE must submit to ED copies of formal agreements that describe how the LEA and each funded facility in FY 2010 will coordinate to meet the requirements of the Title I, Part D program.

Indicator 3.2: The SEA ensures each LEA complies with the statutory and other regulatory requirements governing State administrative activities, providing fiscal oversight of the grants including reallocations and carryover, and allowable uses of funds.

Finding: Rather than providing these funds directly to LEAs, the MDE has withheld 50 percent of its Subpart 2 award amounts to LEAs and plans to allocate those funds to other LEAs that are not party to the original application to provide transition services to youth exiting the N or D facilities served by Title I, Part D. Other entities, such as another LEA, the SEA, or a private non-profit organization cannot provide these services on behalf of the applicant LEA without a written agreement between that LEA and the entities providing transition services. ED has advised in its Title I, Part D Non-Regulatory Guidance (N-2) that the applicant LEA may subcontract with another agency to provide services but it must exercise administrative control and assume responsibility for monitoring the contract to ensure compliance with applicable statutory and regulatory requirements. The local neglected or delinquent agencies should also be informed of this plan to provide transition services to youth exiting their facilities through other LEAs.

Citation: Sections 1402(b) and 1422(a) of the ESEA describes the allocation of funds under Title I, Part D to SEAs for the purpose of making subgrants to local educational agencies under Subpart 2.

Further action required: The MDE must submit to ED copies of agreements between the Subpart 2 applicant LEAs and other entities providing transition services to youth exiting facilities they are serving with Title I, Part D funds. These agreements with other LEAs should be mentioned in the formal agreements between the applicant LEA and the N or D facilities served with Title I, Part D funds.

**McKinney-Vento Homeless Education Program
Summary of Monitoring Indicators**

McKinney-Vento Homeless Education Program			
Indicator Number	Description	Status	Page
Indicator 1.1	The SEA conducts monitoring and evaluation of LEAs with and without subgrants, sufficient to ensure compliance with McKinney-Vento program requirements.	Met Requirements	N/A
Indicator 2.1	The SEA implements procedures to address the identification, enrollment and retention of homeless students through coordinating and collaborating with other program offices and State agencies.	Met Requirements	N/A
Indicator 2.2	The SEA provides, or provides for, technical assistance to LEAs to ensure appropriate implementation of the statute.	Met Requirements	N/A
Indicator 3.1	The SEA ensures that Local Education Agency (LEA) subgrant plans for services to eligible homeless students meet all requirements.	Recommendation	27
Indicator 3.2	The SEA complies with the statutory and other regulatory requirements governing the reservation of funds for State-level coordination activities.	Met Requirements	N/A
Indicator 3.3	The SEA has a system for ensuring the prompt resolution of disputes.	Met Requirements	N/A

McKinney-Vento Homeless Education Program

Indicator 3.1: The SEA ensures that Local Education Agency (LEA) subgrant plans for services to eligible homeless students meet all requirements.

Recommendation: ED recommends that the MDE have its LEA subgrant applicants describe the numbers of identified homeless students at all grade levels, their educational needs, and how they are being met by LEA programs and resources. In PPS, the entire subgrant project and funds are directed toward the Portland Street Academy, which is part of the Adult Education division of PPS. Section 723 (c) of the McKinney-Vento Act enumerates many elements of need for and quality of an LEA program. However, there is no mention in the PPS application of the numbers and needs of other homeless students enrolled in the LEA and how those needs are being met by other LEA resources. Furthermore, even the mention of the local liaison and Title I, Part A are only in relation to their support of the Portland Street Academy. While grant awards may be small and the project may be longstanding and excellent, the LEA applicant should justify the project in relation to district-wide needs and services for homeless students.