

**HIGHLY QUALIFIED TEACHERS AND
IMPROVING TEACHER QUALITY STATE GRANTS (ESEA TITLE II, PART A)**

MONITORING REPORT

**Colorado Department of Education
December 3-4, 2008**

U.S. Department of Education Monitoring Team:

Jessica Clark
Darcy Pietryka (Westat)

Colorado Department of Education (CDE):

Robert Hammond, Deputy Commissioner of Administration and Operations
Pat Chapman, Executive Director, Office of Federal Programs
Lisa Medler, Title IIA and Highly Qualified Coordinator, Office of Federal Programs
Mariah Aldinger, HQT, Title II, A and B Consultant, Office of Federal Programs
David Lyon, Grants Fiscal Unit Director, Grants Fiscal Management Unit
Charm Paulmeno, Special Education Director, Office of Exceptional Student Leadership
Annette Severson, Data and Research Consultant, Data Collections Unit
Cheryl Miller, Title IIA and HQT Consultant, Office of Federal Programs
Barb Vassis, Grants Fiscal Consultant, Grants Fiscal Management Unit
Debbie Wolfe, Grant Fiscal Consultant, Grants Fiscal Management Unit
Robert Hawkins, Grants Fiscal Consultant, Grants Fiscal Management Unit
Jeff Blanford, Executive Director, Management Services
Alyssa Pearson, NCLB Programs Data Coordinator, Office of Federal Programs
Arti Winston, Consultant, Achievement Gap and Academic Support Unit
Anita Foxworth, Unit Director, Achievement Gap and Academic Support Unit

State Agency for Higher Education (SAHE):

Heather DeLange, Academic Program Coordinator, Colorado Department of Higher Education
Michael Evans, Controller, Colorado Department of Higher Education.

Local Education Agencies (LEAs) participating in the monitoring visit:

1. Boulder School District (in-person interview)
2. Denver Public schools (site visit)
3. Yuma School District (telephone interview)

Overview:

Number of LEAs:	201
Number of Schools:	1,701
Number of Teachers:	45,841

State Allocation (FY 2006¹)	<u>\$32,311,959</u>	State Allocation (FY 2007²)	<u>\$32,112,137</u>
LEA Allocation (FY 2006)	<u>\$30,389,398</u>	LEA Allocation (FY 2007)	<u>\$30,201,466</u>
“State Activities” (FY 2006)	<u>\$799,721</u>	“State Activities” (FY 2007)	<u>\$794,775</u>
SAHE Allocation (FY 2006)	<u>\$799,721</u>	SAHE Allocation (FY 2007)	<u>\$794,775</u>
SEA Administration (FY 2006)	<u>\$283,133</u>	SEA Administration (FY 2007)	<u>\$281,382</u>
SAHE Administration (FY 2006)	<u>\$39,986</u>	SAHE Administration (FY 2007)	<u>\$39,739</u>

Scope of Review:

Like all State educational agencies (SEAs), the Colorado Department of Education, as a condition of receiving funds under Title I, Part A and Title II, Part A of the *Elementary and Secondary Education Act (ESEA)* of 1965, as amended by the *No Child Left Behind Act (NCLB)* of 2001, provided an assurance to the U.S. Department of Education (the Department) that it would administer these programs in accordance with all applicable statutory and regulatory requirements, including those in Title I, Part A that concern “Highly Qualified Teachers” (HQT) and those that govern the use of Title II, Part A funds. See §9304(a)(1) of the *ESEA*. One of the specific requirements the Department established for an SEA’s receipt of program funds under its consolidated State application (§9302(b)) was submission to the Department of annual data on how well the State has been meeting its performance target for Performance Indicator 3.1: “The percentage of classes being taught by ‘highly qualified’ teachers (as the term is defined in §9101(23) of the *ESEA*), in the aggregate and in ‘high-poverty’ schools (as the term is defined in §1111(h)(1)(C)(viii) of the *ESEA*).”

The Department’s monitoring visit to Colorado had two purposes. One was to review the progress of the State in meeting *ESEA*’s HQT requirements. The second was to review the use of *ESEA* Title II, Part A funds by the SEA, selected LEAs and the SAHE to ensure that the funds are being used to prepare, retain and recruit high-quality teachers and principals so that all children will achieve to a high academic achievement standard and to their full potential.

Summary of Monitoring Indicators

State Educational Agency				
Critical Element	Requirement	Citation	Status	Page
I.1.	The State has established appropriate HQT requirements for all teachers who teach core subjects.	§9101(23)	Met requirements	NA
I.2.	The State has established appropriate HQT requirements for <i>special education teachers who teach core academic subjects</i> .	§602(10) of the <i>IDEA</i>	Met requirements	NA
I.3.	Teachers who are enrolled in approved alternative certification programs AND who have already earned a bachelor’s degree AND successfully demonstrated subject matter competence may be counted as highly qualified for a period of 3 years.	(34 CFR 200.56(a)(2)(ii))	Met requirements	NA
I.4.	The SEA ensures that all teachers hired after the first day of the 2002-2003 school year to teach in Title I programs were highly qualified at the time of hire.	§1119(a)(1)	Finding	5
I.5.	The SEA ensures that all teachers paid with Title II, Part	§2123(a)(2)(B)	Met	NA

¹ FY 2006 funds are those that became available to the State on July 1, 2006.

² FY 2007 funds are those that became available to the State on July 1, 2007.

	A funds for class size reduction are highly qualified.		Requirements	
I.6.	The SEA ensures that all LEAs that receive Title I funds notify parents of their right to request and receive information on the qualifications of their children’s teachers.	§1111(h)(6)(A)	Met Requirements	NA
I.7.	The SEA ensures that all schools that receive Title I funds notify parents when their children are taught by teachers who are not highly qualified.	§1111(h)(6)(B)(ii)	Met Requirements	NA
State Educational Agency				
Critical Element	Requirement	Citation	Status	Page
II.A.1.	The SEA reports annually to the Secretary in the Consolidated Performance Report (CSPR) the number and percentage of classes taught by highly qualified teachers, in the aggregate and in high- and low-poverty schools.	§1111(h)(4)(G)	Finding	5
II.B.1.	The SEA has published an annual report card with the required teacher information.	§1111(h)(1)(C)(viii)	Finding	6
II.B.2.	The SEA has ensured that LEAs have published annual report cards with the required teacher information for both the LEA and the schools it serves.	§1111(h)(2)(B)	Finding	6
III.A.1.	The SEA ensures that each LEA that has not met annual measurable objectives for highly qualified teachers for two consecutive years has an improvement plan in place and that the SEA has provided technical assistance to the LEA in formulating the plan.	§2141(a) and §2141(b)	Met Requirements	NA
III.A.2.	The SEA enters into an agreement on the use of funds with any LEA that has not made progress toward meeting its annual measurable objectives in meeting the highly qualified teacher challenge for three consecutive years and has also failed to make AYP for three years.	§2141(c)	Met Requirements	NA
III.B.1.	The SEA has a plan in place to ensure that poor and minority students are not taught at higher rates than other students by inexperienced, unqualified or out-of-field teachers.	§1111(b)(8)(C)	Met Requirements	NA
III.B.2.	The SEA ensures that LEA plans include an assurance that through the implementation of various strategies, poor and minority students are not taught at higher rates than other students by inexperienced, unqualified- or out-of-field teachers.	§1112(c)(1)(L)	Met Requirements	NA
IV.A.1.	Once hold-harmless provisions are taken into consideration, the SEA allocated additional funds to LEAs using the most recent Census Bureau data found at http://www.census.gov/hhes/www/saipe/district.html .	§2121(a)	Met Requirements	NA
IV.A.2.	The SEA has ensured that LEAs have completed assessments of local needs for professional development.	§2122(c)	Met Requirements	NA
IV.A.3.	To be eligible for Title II, Part A funds, LEAs must “submit an application to the State educational agency at such time, in such manner and containing such information as the State educational agency may reasonably require.”	§2122(b)	Met Requirements	NA

State Educational Agency				
Critical Element	Requirement	Citation	Status	Page
IV.B.1.	The SEA has ensured that LEAs maintain effort.	§9521	Met Requirements	NA
IV.B.2.	The SEA ensures that LEA funds do not supplant other, non-Federal funds.	§2123(b)	Met Requirements	NA
IV.B.3.	The SEA and LEAs are audited, as required by <i>EDGAR</i> §80.26.	<i>EDGAR</i> §80.26	Met Requirements	NA
IV.B.4.	The SEA regularly and systematically monitors LEAs for compliance with Federal statutes and regulations, applicable State rules and policies and the approved sub-grantee application, as required by <i>EDGAR</i> §76.770 and §80.40(a).	<i>EDGAR</i> §76.770 and §80.40(a)	Finding	7
IV.B.5.	The SEA ensures that LEAs comply with requirements with regards to services to eligible nonpublic schools.	§9501	Met Requirements	NA
V.1.	The SEA ensures that State-level activity funds are expended on allowable activities.	§2113(c)	Recommendation	7
V.2.	The SEA ensures that State-level activity funds do not supplant other, non-Federal funds.	§2113(f)	Met Requirements	NA
V.3.	The SEA complies with requirements with regards to services to eligible nonpublic schools using State-level activity funds.	§9501	Finding	8

State Agency for Higher Education				
Critical Element	Requirement	Citation	Status	Page
1.	The SAHE manages a competition to award grants to carry out appropriate professional development activities.	§2132 and §2133	Recommendation	
2.	The SAHE works in conjunction with the SEA (if the two are separate agencies) in awarding the grants.	§2132(a)	Met Requirements	NA
3.	The SAHE awards grants only to eligible partnerships that include at least an institution of higher education and the division of the institution that prepares teachers and principals, a school of arts and sciences and a high-need LEA.	§2131	Met Requirements	NA
4.	The SAHE ensures that each partnership awarded a grant engages in eligible activities.	§2134	Met Requirements	NA
5.	The SAHE has procedures in place to ensure that no partner uses more than 50 percent of the funds in the grant.	§2132(c)	Met Requirements	NA
6.	The SAHE regularly and systematically monitors grantees for compliance with Federal statutes and regulations, applicable State rules and policies and the approved sub-grantee application, as required by EDGAR §76.770 and §80.40(a)	EDGAR §76.770 and §80.40(a)	Finding	

STATE EDUCATIONAL AGENCY

AREA I: HQT DEFINITIONS AND PROCEDURES

Critical Element I.4: The SEA ensures that all teachers hired after the first day of the 2002-2003 school year to teach in Title I programs were highly qualified at the time of hire.

Citation: §1119(a)(1)

Finding: The State cannot ensure that all teachers hired to teach in Title I programs were highly qualified at the time of hire. Though the State administers proper guidance and monitors the LEAs for compliance with this requirement, in at least two LEAs interviewed, teachers hired to teach in a Title I program were not highly qualified at time of hire.

Further Action Required: Within 30 business days, the State must submit to the Department a written plan with specific procedures and a timeline the State will implement to ensure that all teachers hired for Title I positions are highly qualified. Also, the State must provide the Department with evidence that it is taking corrective actions when LEAs are found to be out of compliance.

AREA II: HQT DATA REPORTING AND VERIFICATION

Critical Element II.A.1: The SEA reports annually to the Secretary in the Consolidated Performance Report (CSPR) the number and percentage of classes taught by highly qualified teachers, in the aggregate and in high- and low-poverty schools.

Citation: §1111(h)(4)(G)

Finding: The State did not submit complete and accurate HQT data to the Department for the 2006-07 school year. The data submitted in the CSPR do not include special education classes in core subjects, as required by statute.

Further Action Required: Although the State has made substantial progress in improving the accuracy of its data on special education classes in core subjects, within 30 business days, the State must submit to the Department a written plan with specific procedures and a timeline that the State will implement to correct deficiencies that remain in the HQT data reported in its CSPR. The State must provide the Department with evidence that it is taking this corrective action.

Critical Element II.B.1: The SEA has published an annual report card with the required teacher information.

Citation: §1111(h)(1)(C)(viii)

Finding: As noted in Critical Element II.A.1, the State did not include complete and accurate data on special education teachers in its 2006-07 HQT data. Thus, data reported on the annual report card are also incorrect.

Further Action Required: Within 30 business days, the State must submit to the Department a written plan with specific procedures and a timeline that the State will implement to correct deficiencies in the HQT data reported in its Annual Report Card. The State must also provide the Department with evidence that it is taking this corrective action.

Critical Element II.B.2: The SEA has ensured that LEAs have published annual report cards with the required teacher information for both the LEA and the schools it serves.

Citation: §1111(h)(2)(B)

Finding: As noted in Critical Element II.A.1, the State did not include complete and accurate data on special education teachers in its 2006-07 HQT data. Thus, data reported on the LEA annual report cards are incorrect. The State also did not ensure that LEA report cards include data on the percentages of classes NOT taught by HQT. The LEA report cards currently do not include this information.

Further Action Required: Within 30 business days, the State must provide the Department with a plan with specific procedures and a timeline that the State will implement to ensure that LEAs' annual report cards include the required teacher information for both the LEAs and the schools they serve.

AREA III: HQT PLANS

No findings.

AREA IV: ADMINISTRATION OF TITLE II, PART A

Critical Element IV.B.4: The SEA regularly and systematically monitors LEAs for compliance with Federal statutes and regulations, applicable State rules and policies and the approved subgrantee application, as required by EDGAR §76.770 and §80.40(a).

Citation: EDGAR §76.770 and §80.40(a)

Finding: The State is not regularly and systematically monitoring LEAs for compliance with federal statutes and regulations, applicable State rules and policies and the approved subgrantee application. In addition, the State is not regularly monitoring the fiscal activities of its LEAs and, in the period being monitored, had several LEAs that were required to return funds to the State as a result of making drawdowns in excess of their allocation.

Further Action Required: Within 30 business days, the State must submit to the Department a plan and a timeline ensuring that it will regularly and systematically monitor LEAs for compliance with Title II, Part A requirements, as well as applicable federal and State statutes and regulations.

AREA V: TITLE II, PART A STATE-LEVEL ACTIVITIES

Critical Element V.1: The SEA ensures that State-level activity funds are expended on allowable activities.

Citation: §2113(c)

Recommendation: In the past, the SEA has incurred large carryover balances. It is recommended that the SEA develop written policies that would lead to the more efficient management of the drawdown and carryover of Title II, Part A funds.

Critical Element V.3: The SEA complies with requirements with regards to services to eligible nonpublic schools using State-level activity funds.

Citation: §9501

Finding: The State is not currently complying with requirements with regard to services to eligible nonpublic schools using State-level activity funds.

Further Action Required: Within 30 business days, the State must submit to the Department a plan and a timeline detailing how it will ensure compliance with requirements with regard to services to eligible nonpublic schools using State-level activity funds.

STATE AGENCY FOR HIGHER EDUCATION

Critical Element 1: The SAHE manages a competition to award grants to carry out appropriate professional development activities.

Citation: §2132 and §2133

Recommendation: The SAHE should consider providing technical assistance to prospective applicants before the application deadline in order to provide information and assistance, answer inquiries and increase the number and quality of the submitted proposals.

Critical Element 6: The SAHE regularly and systematically monitors grantees for compliance with Federal statutes and regulations, applicable State rules and policies and the approved sub-grantee application, as required by EDGAR §76.770 and §80.40(a).

Citation: EDGAR §76.770 and §80.40(a)

Finding: The SAHE is not regularly and systematically monitoring its grantees.

Further Action Required: Within 30 business days, the SAHE must submit to the Department a plan and a timeline to ensure that the SAHE will regularly and systematically monitor grantees for compliance, as required by statute.