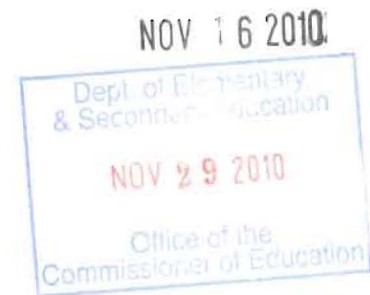




UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

Honorable Chris L. Nicastro
Commissioner
Missouri Department of Elementary
& Secondary Education
205 Jefferson Street 6th Floor
Jefferson City, Missouri 65102



Dear Commissioner Nicastro:

Thank you for your October 1, 2010 response to our review of the Missouri Department of Elementary and Secondary Education (DESE) submission to the report of findings for the review conducted during the week of June 14-18, 2010 by the U.S. Department of Education's (ED) Student Achievement and School Accountability Programs (SASA).

The enclosed document provides an updated summary of the Title I compliance issues. Please provide your responses to all unresolved issues within 30 days after the receipt of this letter.

We look forward to working further with your staff on any follow-up activities, and in assisting them to improve the delivery of Title I services in Missouri.

Sincerely,

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

cc: Margie Vandeven

SASA Review of
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Title I, Part A
Monitoring Area: Fiduciary Responsibilities

Indicator 3.1 - Within State Allocations, Reallocations, and Carryover

Finding: The DESE has not met requirements related to the reallocation of funds. The DESE reallocates Title I funds on a proportional basis to all LEAs except those from which they came.

Further action required: The DESE must ensure that it meets requirements related to the reallocation of funds. The DESE must provide ED with evidence that it has established written criteria for the reallocation of Title I funds. These criteria must address how the DESE will determine which LEAs need additional funds.

October 1, 2010 Status: Resolved.

ED agrees with the information that the DESE submitted.

Indicator 3.5 - Equitable Services

Finding (1): The DESE has not ensured that its LEAs that provide Title I services to private school children maintain control of the program. In Osage Number Two School District, the private school signs the timesheet of the Title I teacher.

Further action required: The DESE must require all LEAs serving private school children to maintain control of the Title I program for the eligible private school children. The DESE must provide ED with a detailed description of how and when it informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. In addition, the DESE must provide ED with evidence that, for the 2010-2011 school year, Osage Number Two School District has met these requirements.

October 1, 2010 Status: In progress.

The DESE indicated that it sent this information out to LEAs not served by the Bypass as well as posted it on its website. The DESE has scheduled webinars for October 13 and 15. The DESE will conduct an on-site review specific to all findings identified in this section in late winter. The DESE must provide ED with evidence that this on-site review was conducted.

Finding (2): The DESE has not ensured that its LEAs that provide Title I services to private school children meet requirements related to evaluation of the program. Osage Number Two School District has not established the evaluation measure that will be used to measure the effectiveness of the Title I program.

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Further action required: The DESE must ensure that its LEAs providing Title I services to children attending private schools meet evaluation requirements. The DESE must provide ED with evidence that it has provided technical assistance to its LEAs regarding this requirement. In addition, the DESE must provide ED with evidence that, for the 2010-2011 school year, Osage Number Two School District has met these requirements.

October 1, 2010 Status: Resolved.

The DESE indicated that it sent this information out to LEAs not served by the Bypass as well as posted it on its website. The DESE has scheduled webinars for October 13 and 15. The DESE provided information on the evaluation that Osage Number Two School District will use this school year for its evaluation.

Finding (3): The DESE has not ensured that its LEAs that provide Title I services to private school children meet equitable service requirements. Title I services for private school children in Osage Number Two School District began late.

Further action required: The DESE must ensure that its LEAs providing Title I services to children attending private schools meet equitable services requirements. The DESE must provide ED with evidence that it has provided technical assistance to its LEAs regarding this requirement. In addition, the DESE must provide ED with evidence that, for the 2010-2011 school year, Osage Number Two School District has met these requirements.

October 1, 2010 Status: In progress.

The DESE indicated that it sent this information out to LEAs not served by the Bypass as well as posted it on its website. The DESE has scheduled webinars for October 13 and 15. The DESE will conduct an on-site review specific to all findings identified in this section in late winter. The DESE must provide ED with evidence that this on-site review was conducted.

Finding (4): The DESE has not ensured that its LEAs that provide Title I services to private school children meet requirements related to allowable activities. At the private school in Osage Number Two School District, Title I funds pay for the Dibels Test that is used for all children in order to determine Title I eligibility.

Further action required: The DESE must ensure that its LEAs providing Title I services to children attending private schools meet requirements related to using Title I funds only to meet the special education needs of participating children. The DESE must provide ED with evidence that it has provided technical assistance to its LEAs regarding this requirement. In addition, the DESE must provide ED with evidence that, for the 2010-2011 school year, Osage Number Two School District has met these requirements.

October 1, 2010 Status: In progress.

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The DESE indicated that it sent this information out to LEAs not served by the Bypass as well as posted it on its website. The DESE has scheduled webinars for October 13 and 15. The DESE indicated that Osage Number Two School District provided information on the prescreening devices that will be used to develop the eligibility list. The DESE will conduct an on-site review specific to all findings indentified in this section in late winter. The DESE must provide ED with evidence that this on-site review was conducted.

Finding (5): The DESE has not ensured that its LEAs that provide Title I services to private school children meet requirements related to professional development activities for the private school teachers of the Title I participating children. Osage Number Two School District just invites the teachers to its professional development activities.

Further action required: The DESE must ensure that its LEAs providing Title I services to children attending private schools meet requirements related to professional development activities that are to be provided to the private school teachers of participating private school children. The DESE must provide ED with evidence that it has provided technical assistance to its LEAs regarding this requirement. In addition, the DESE must provide ED with evidence that, for the 2010-2011 school year, Osage Number Two School District has met these requirements.

October 1, 2010 Status: In progress.

The DESE indicated that it sent this information out to LEAs not served by the Bypass as well as posted it on its website. The DESE has scheduled webinars for October 13 and 15. The DESE indicated that staff from Osage Number Two School District met with private school officials on September 23rd to discuss the professional development needs of its teachers. The DESE will conduct an on-site review specific to all findings indentified in this section in late winter. The DESE must provide ED with evidence that this on-site review was conducted.

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**Title I, Part A
Standards, Assessment and Accountability**

Indicator 1.1 – System of Academic Content Standards, Academic Achievement Standards, and Assessments:

Finding: The DESE does not clearly require performance on the statewide English language proficiency (ELP) exam as a common exit criterion to be used statewide. Criteria for student exit from the limited English proficient (LEP) subgroup vary across LEAs in the State due to the flexibility the DESE allows with respect to these criteria.

Further action required: The DESE must require all of its LEAs to use a consistent cut score on the statewide ELP exam to exit a student from the LEP subgroup for the purposes of AYP calculations and accountability reporting. The DESE must also clearly document this policy for its LEAs and schools and provide ED with documentation along with evidence that such documentation has been provided to LEAs and schools.

October 1, 2010 Status: Resolved.

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

Finding: The DESE has not updated its accountability workbook to reflect current practices in compliance with various provisions of the ESEA. For example, the State's accountability workbook does not indicate 1) compliance with the requirement to provide parents with notice of public school choice options 14 days prior to the start of school (it refers to providing such notice prior to the start of school), 2) the change of ELP exam from the LAS Links to the ACCESS for ELLs (English language learners) for the 2010–2011 school year and beyond; and 3) the State's minimum n-size for accountability and participation purposes.

Further action required: The DESE must update its accountability workbook to reflect its current practices in compliance with the provisions of the ESEA. The DESE must also submit this to ED for review and approval and, upon ED approval, post this updated version of the workbook on its website.

October 1, 2010 Status: Resolved.

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

Finding: The DESE publishes an annual State report card. However, the most recent State report card available did not include the number of recently arrived LEP students who are not assessed on the State's reading/language arts assessment.

Further action required: The DESE must submit to ED the 2009–2010 Missouri State Report Card that includes this required element.

October 1, 2010 Status: Resolved.

Indicator 1.4 – The SEA has ensured that LEAs have published annual report cards.

Finding: The DESE publishes annual LEA and school reports cards. However, the most recent LEA report cards did not include the number of recently arrived LEP students who are not assessed on the State's reading/language arts assessment.

Further action required: The DESE must submit to ED the 2009–2010 LEA report cards from SLSD and FFSD that include this required element.

October 1, 2010 Status: Resolved.

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Title I, Part A: Instructional Support

Indicator 2.1 - The SEA designs and implements procedures that ensure the hiring and retention of qualified paraprofessionals and ensure that parents are informed of educator credentials as required.

Finding: The DESE has not ensured that all instructional paraprofessionals working in Title I schools meet the hiring requirements in section 1119(c)(1) of the ESEA. While SLSD provided a list of all staff employed as Title I paraprofessionals, it did not provide adequate documentation for verifying that their paraprofessionals met the certification requirements as highly qualified.

Further action required: The DESE must review the status of paraprofessionals working in programs supported by Title I funds and report to ED the total number of paraprofessionals who are required to meet the qualification requirements but currently do not do so. The DESE must also submit to ED a plan indicating the steps it will take to ensure that any paraprofessional who does not currently meet the qualification requirements be immediately reassigned to a non-Title I program until that time that they fully meet requirements.

October 1, 2010 Status: Resolved.

The DESE provided ED with a copy of paraprofessionals, by LEA, who may not have met the certification requirements in section 111999c)(1) of the ESEA. The DESE submitted as evidence a letter sent to all Federal Program coordinators describing actions that must be taken regarding uses of title I funds when a paraprofessional has not met certification requirements. Additionally, the DESE provided ED with a compliance plan for ensuring all paraprofessional funded under Title I meet such requirements.

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

Finding (1): The DESE has not ensured that LEA school-level parental involvement policies included all of the required elements and were distributed to parents. FFSD did not distribute the parental involvement policy to the parents of children in Title I schools for the 2009-2010 school year. Additionally, although the district indicated that the parental involvement policy was a strategy within the school-wide plan located in one of the goals, FFSD did not develop a school level parental involvement policy with all requirements.

Further action required: The DESE must submit evidence to ED of how it will ensure requirements are met, that its LEAs develop, distribute and review LEA and school parental involvement policies.

October 1, 2010 Status: Resolved.

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The DESE provided ED with a plan for ensuring that it will receive and evaluate evidence of parental involvement policies being developed and distributed.

Finding (2): The DESE has not ensured that its LEAs notified parents of their right to request information regarding the qualifications of their child's teachers. In FFSD, parents were not notified of their right to request information about the qualifications of the teachers and paraprofessionals working with their children. SLSD notified the parents of their right to request this information, but did not provide them with contact information or guidance about how to go about making such a request.

Further action required: The DESE must submit to ED evidence of how it will ensure that districts send out the required parent's right to know letters, including how parents may contact the LEA for further information, as well as how it will monitor LEAs for compliance with this requirement.

October 1, 2010 Status: Resolved.

The DESE provided ED with a plan for ensuring that it will receive and evaluate evidence of parents' right-to-know letters are being developed and distributed.

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

Finding (1): The DESE did not ensure that the public school choice notification letters were sent out by its LEAs with Title I schools in improvement, corrective action or restructuring in a timely manner, and that the letters contained all of the required elements. Specifically, in SLSD the school year began on August 20, 2009 and the school choice letters were sent home on August 20, 2009 for the schools in restructuring that were interviewed. The parents were to select a choice option by September 30, 2009.

Further action required: Although the DESE has provided written guidance and technical assistance to its LEAs with Title I schools in improvement, corrective action, or restructuring on the requirements for parent notification letters be sent prior to, but not later than 14 calendar days prior to the start of the school year, the DESE must ensure that LEAs are complying with the requirement. The DESE must provide ED with evidence that its districts have complied with the notification requirement by providing ED with a dated copy of the notification letter to be distributed to parents for the 2010-2011 school year for SLSD.

October 1, 2010 Status: Resolved.

The DESE provided ED with dated parent notification letters from SLSD schools.

Finding (2): For schools in improvement, corrective action or restructuring in SLSD, the public school choice letters did not have all the required components with the information for the

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parents' choice options. The letter indicated that the parents may choose a school that met their AYP targets; however SLSD did not provide information on the schools that were available for the parents to choose.

Further action required: Although the DESE has provided written templates and guidance to its LEAs with Title I schools in improvement, corrective action, or restructuring on the requirements for parent notification letters including the requirement for academic information for the schools available for choice options, the DESE must ensure that LEAs are following the requirements. The DESE must provide ED with evidence that its districts have complied with the requirement that public school choice letters to parents include, at a minimum, information on the academic achievement of the schools to which their child may transfer, including a dated copy of the letter to be distributed for the 2010-20011 school year for SLSD.

October 1, 2010 Status: Resolved.

The DESE provided a template for determining if LEAs are out of compliance with one or more requirements for parent notification letters when schools are identified as being in improvement, corrective action, or restructuring. The DESE provided evidence that letters sent out by SLSD included information on the schools' relative ranking to the district and State averages. The letters provided information on the schools available for choice by stating that they made AYP. ED recommends such letters include the percentage of students that made AYP in the categories used for relative comparison.