

**SASA'S Review of COLORADO'S May 19, 2008 Response to Report of Findings
Title I Monitoring Visit – October 22 - 26 2007**

TITLE I, PART A – STANDARDS, ASSESSMENTS, AND ACCOUNTABILITY

Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
		<p>Indicator 1.1 (1): The CDE permits an LEA to determine the criteria for student exit from LEP status using a locally determined body of evidence. This is in conflict with the statement in the approved Colorado Accountability Workbook which says, “Colorado categorizes English Language Learners under three language proficiency levels: <u>Non-English Proficient (NEP)</u>, Limited English Proficient (LEP) and Fluent English Proficient (FEP). The levels are consistent with proficiency levels on sanctioned language proficiency assessments.” Permitting LEAs to use a non-standardized, locally-determined body of evidence in addition to standardized assessment results to determine membership in the LEP subgroup results in inconsistent reporting of LEP assessment results and inconsistent adequate yearly progress (AYP) calculations for the LEP subgroup within the State.</p>	<p>The CDE must require consistent implementation of the State’s definition of Fluent English Proficient for students exiting from the LEP subgroup across the state. The CDE must clearly direct LEAs and schools to apply the exit criteria defined by the State as indicated in its Accountability Workbook. The CDE must submit to ED documentation of its communication to LEAs and evidence that it has implemented a consistent procedure for identifying Fluent English Proficient students in the databases used to report assessment and AYP results.</p>

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<p>Indicator 1.1 (2): The CDE has not remedied a finding from the previous monitoring report regarding the practice of counting as participants in state assessments for AYP all students for whom a test booklet is generated, whether or not a student attempted or completed a test. The CDE must not identify a student as a participant in the assessment if the student has not attempted an assessment (e.g., absent students, medically fragile students to whom a test is not administered).</p> <p>The CDE also allows exclusion from testing of LEP students on the basis of “unable to test due to language.” The CDE must include all LEP students in assessments administered to meet Title I requirements, with exceptions allowed only for “recently arrived LEP students” as outlined in Section 200.6 of the Title I regulations if the CDE opts to exercise such flexibility as allowed by ED.</p> <p>ED’s January 2005 monitoring visit to Colorado found that students are “counted as participating in the State assessments for NCLB accountability purposes even though</p>	<p>The CDE may count as participants only those students who have a valid score. In 2007-2008 and all future years, the CDE must identify students as participants in the CSAP, CSAP Alternate (CSAPA), and Colorado English Language Acquisition (CELA) assessments only if students actually were present and participated in the assessment and received a valid score. In addition, the CDE must assess all LEP students consistent with NCLB requirements. The CDE must submit to ED a plan and timeline to address this finding for 2007-2008 and future testing as well as documentation of implementation of the plan.</p>	<p>The May 2008 CDE response does not adequately address this finding. The CDE response indicates that students who do not attempt the test should not be counted as participants. The CDE response also indicates that students who do attempt the test should be counted as participants. The table the CDE provided as part of its response documents how CDE will implement these policies, and this documentation adequately addresses part of this finding with the following exceptions:</p> <ul style="list-style-type: none"> The CDE response provides for an appropriate interim approach for AYP for students coded as “test not completed” for 2007-08. The CDE must provide to ED documentation of policies for students who may fall into this category that the CDE will use for 2008-09 and future years, and these policies must meet all ED requirements. The CDE must apply rules approved by ED regarding this category of students 	<p>This issue has been resolved with the 2007-2008 calculations. CDE received approval from the USDE for the revised accountability workbook on August 4, 2008.</p> <p>See also the “Calculating AYP 8_12” document attached.</p> <p>See also “TitleIAppeals08202008” document attached.</p> <p>SEE TABS 3, 4, 5, AND 6</p>

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		<p>for all AYP decisions for 2008-09 and beyond. ED notes that the CDE approach to the “test not completed” category provides for counting students who attempt the test</p>	
<p>Indicator 1.1 (2): Continued they may not have attempted to take the State academic assessments” and “that the practice of counting students as participants in assessment by providing a test booklet for them is not permitted under the NCLB Act of 2001 and has not been approved by ED for implementation via the CDE’s accountability workbook.” The required action to address this finding was, “The CDE must amend its policy and practice of excluding English language learners’ (ELL) student assessment results from NCLB school, LEA and State accountability determinations. In addition, the CDE must discontinue its practice of counting students as participating in its standards-based assessment system for NCLB accountability purposes if a student has not actually attempted to take one of the Colorado Student Assessment Program (CSAP) assessments. A student may not be counted as participating on CSAP assessments for NCLB accountability purposes simply because an answer sheet exists for the student, even if a teacher or another person has marked the student’s answer sheet “deferred due to language.”</p>		<p>as non-participants in 2007-08, an approach inconsistent with the CDE’s statement that students who do attempt the test should be counted as participants. In the absence of a valid attempt rule, the CDE should apply to all students its rule that students who attempt the test should be counted as participants.</p> <ul style="list-style-type: none"> • For “non-approved accommodation” and “misadministration,” students must be counted as non-participants and not included in proficiency calculations. The CDE must apply this rule to AYP calculations for 2007-08. The CDE must provide ED with an assurance that it will apply this rule to AYP calculations for 2007-08. • The CDE response by use of a “district Ed services” category provides for counting students who do not attempt a test due to a medical emergency as non-participants. The CDE indicates 	

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		<p>that certain appeals will be allowed in such cases. The CDE must submit to ED documentation of its policy for such appeals, including the documentation provided to districts in this regard. This documentation must provide evidence</p>	
<p><u>Indicator 1.1 (2): Continued</u></p>		<p>that the CDE appeal policy is in compliance with applicable rules and must be submitted and approved by ED before the CDE grants any such appeals for AYP for the 2007-08 school year.</p> <p>The CDE response by use of an “unable to test due to language” category provides for the continued exclusion of LEP students from assessments that is inconsistent with the NCLB statute and regulations. The CDE must include all LEP students in assessments administered to meet Title I requirements, with exceptions allowed only for “recently arrived LEP students” as outlined in Section 200.6 of the Title I regulations if the CDE opts to exercise such flexibility as allowed by ED. The CDE must submit to ED documentation of policies for including all LEP students in assessments as required by the NCLB statute and regulations. The CDE must submit to ED a plan and</p>	

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		<p>timeline to address this finding for 2007-2008 and future testing as well as documentation of implementation of the plan, including evidence of communication of revised policies to districts and schools, including test administration manual.</p>	
<p><u>Indicator 1.1 (2): Continued</u></p>		<p>The CDE also must submit to ED for 2007-08 testing: the number of students by subgroup and subject who participated the State assessments for AYP; the number of students by Subgroup and subject who did not attempt such assessments; and the number of LEP students exempted from testing under ED’s regulation for recently arrived LEP students. In addition, the CDE must amend its Accountability Workbook. as needed to reflect these changes.</p> <p>To address this finding, the CDE should include: A revised student data grid for assessments and associated instructions; rules that determine “valid attempt” in order to establish whether a student who attempts the assessment will be deemed a participant; and procedures for communicating changes in policy and practice to address this finding to LEAs and schools. The CDE also must submit to ED for 2007-08</p>	<p>The Accountability Workbook has been amended and approved on August 4, 2008.</p> <p>Data is attached in file called “ParticipationrateUSDE”. 133 students statewide counted as participants for reading by taking the CELA assessment.</p> <p>Per our conversation with USDE staff at the LEP Partnership meeting, we will not create a specific “valid attempt rule.” However, test booklets that do not have enough information to be able to score will be counted as non-participants and removed from performance, safe harbor, matched safe harbor and other indicator calculations.</p>

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		<p>testing: the number of students by subgroup and subject who participated the State assessments for AYP; the number of students by Subgroup and subject who did not attempt such</p>	
<p><u>Indicator 1.1 (2): Continued</u></p>		<p>assessments; and the number of LEP students exempted from testing under ED's regulation for recently arrived LEP students. In addition, the CDE must amend its Accountability Workbook as needed to reflect these changes.</p>	

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<p>Indicator 1.1 (3): The CDE calculates AYP for subgroups only if the school has had 30 or more students in the subgroup for two consecutive years. This practice is not consistent with its approved Accountability Workbook which says, “In calculating AYP for student sub-populations, CDE has identified thirty as the minimum number of students for AYP sub-group accountability purposes to protect student identity and to assure high levels of reliability.” Under NCLB, annual AYP determinations must be made for every subgroup that meets the minimum subgroup size defined by the State.</p>	<p>In 2007-2008 and all subsequent years, the CDE must calculate AYP for each subgroup that meets the minimum subgroup size defined by the State each year.</p>	<p>The CDE must submit to ED documentation of the changes in policy and practice it will implement to address this finding.</p>	<p>This has been changed for 2007-2008 calculations. It is reflected in the approved Accountability Workbook (August 4, 2008).</p> <p>SEE TAB 5</p>

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<p>Indicator 1.1 (4): The CDE permits LEAs and schools to appeal their AYP determinations for reasons other than data errors. Some of the requests for appeals allowed by the CDE are inconsistent with requirements of NCLB and are not allowable. These include the following requests for reviews (with numbers corresponding to their placement in the CDE document <i>Title I Request for AYP Review</i>) that may be made if a school or LEA:</p> <ul style="list-style-type: none"> • Fails to reach a specific AYP target but 95% or more of students in every applicable subgroup are performing at or above the partially proficient level on CSAP/CSAPA in that content area. (#9) <p>This appeal is inconsistent with NCLB requirements for the following reason: Schools and LEAs are required to make all AYP targets in order to make AYP for a given year. AYP for schools and LEAs is based on the percent of students that reach a specific annual measurable objective (AMO), regardless of the percent of students in applicable subgroups that are performing at or above the partially proficient level.</p>	<p>The CDE must revise its process for appeals of LEA and school AYP determinations in a manner consistent with NCLB requirements. Appeals of school or LEA AYP status may be based only on data errors due to statistical or other substantive reasons, and must not permit alternative ways to calculate AYP. The CDE must submit documentation of the revised appeals process to ED, along with evidence that the revised process to has been communicated to LEAs, including copies of the actual documents provided to LEAs about the revised appeals process. The CDE must submit this information for ED approval before any appeals of AYP determinations</p>	<p>The CDE’s May 2008 response does not adequately addresses this finding. This section will address the various components of this finding by their number noted in the far left column.</p> <p>Regarding #9, the section of NCLB cited by the CDE is actually section 1116(b)(1)(C). Regarding #11, the CDE response is adequate.</p> <p>Regarding #12, the CDE response argues to continue to allow appeals to exclude from AYP scores of LEP students in reading. The CDE must administer to all non-“newly arrived” LEP students reading/language arts assessments that are valid and reliable. The CDE must take one of the two following actions: (1) Disallow appeals outlined as #12 and include the reading/language arts scores of all non-newly arrived LEP students in AYP. (2) Formally notify ED that the CDE believes its reading/language arts assessments are not valid and reliable for LEP students and develop assessments that will provide for the valid and reliable</p>	<p>These appeal issues have been changed for 2007-2008 calculations. It is reflected in the approved Accountability Workbook (August 4, 2008).</p> <p>See also “TitleIAppeals08202008” document attached.</p> <p>SEE TAB 4 AND 5</p>

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		reading/language arts assessment of all students, including LEP students (with the	
<p>Indicator 1.1 (4) Continued</p> <ul style="list-style-type: none"> Does not make the reading participation rate targets due to the inclusion of all ELLs. (#11). <p>Section 1111(b)(2)(I)(ii) requires that for a school to make AYP, not less than 95 percent of each group of students described in subparagraph (C)(v) who are enrolled in the school must have taken the assessments on which adequate yearly progress is based (except that the 95 percent requirement described in this clause shall not apply in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student).</p> <ul style="list-style-type: none"> Does not make the reading performance rate targets due to the inclusion of all ELLs. (#12) <p>This appeal is inconsistent with NCLB requirements for the following reason. Schools and LEAs are accountable for all</p>	<p>based on 2007-2008 data are granted to LEAs or schools in Colorado. ED notes that appeals can not be granted on the basis of local concerns about the validity and reliability of the CDE assessment system for students in Colorado. For ED approval of the CDE's assessment system, the CDE documented that the assessments it administers to Colorado students are valid and reliable. If the CDE no longer believes this to be the case, the CDE must inform ED of the actions being taken to ensure validity and reliability within 30 days of receiving the final report for this monitoring visit.</p>	<p>exception newly arrived LEP students).</p> <p>Regarding #14, must not allow such appeals unless the CDE is explicitly granted permission to do so by ED in writing as an approved amendment to its accountability workbook. In the absence of any such explicit approval, the CDE must proceed and put in place procedures to disallow such appeals.</p> <p>Regarding #15, the CDE response indicates that the CDE will include in "match rates" students transition from taking the Lectura to the CSAPs adequate, making this type of appeal unnecessary. Beginning with 2007-08 AYP calculations, the CDE must proceed to in "match rates" students transition from taking the Lectura to the CSAPs adequate and no longer identify such situations for appeals.</p>	

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<p><u>Indicator 1.1 (4) Continued</u> AYP targets for LEP students. Section 1111(b)(2)(I) of the ESEA requires that for a school to make adequate yearly progress each group of students must meet or exceed the objectives set by the State, except that if any group does not meet those objectives in any group does not meet those objectives in any particular year, the school will be considered to have made adequate yearly progress if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments for that year decreased by ten percent of that percentage from the preceding school year and that group made progress on the other academic indicators for AYP under NCLB, as described in subparagraph (C)(vi).</p>		<p>The CDE indicated it will submit documentation on its revised appeals process in summer 2008. The CDE must submit documentation of the revised appeals process to ED, along with evidence that the revised process to has been communicated to LEAs, including copies of the actual documents provided to LEAs about the revised appeals process. NOTE: The CDE must submit this information for ED approval before any appeals of AYP determinations based on 2007-2008 data are granted to LEAs or schools in Colorado.</p>	

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<p>Indicator 1.1 (4) Continued</p> <ul style="list-style-type: none">• Requests exclusion of CSAPA math scores from safe harbor calculations. (#14) <p>This appeal is inconsistent with NCLB requirements for the following reason: Section 1111(b)(2) (I)(1) of the ESEA requires AYP safe harbor calculations to include the scores of all students in the relevant subgroup (for students with disabilities this requires use of CSAP and CSAPA scores) If the CDE believes that the scores of all SWD cannot be included in safe harbor calculations in a valid and reliable manner for schools, then the CDE can not use safe harbor calculations as a way of determining AYP for LEAs or schools.</p>			
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<p><u>Indicator 1.1 (4) Continued</u></p> <ul style="list-style-type: none"> • Misses the longitudinal safe harbor target value. The CDE permits the LEA to appeal based on “Match Rate” calculations for students transitioning between the Lectura and the English CSAP. (#15) <p>This appeal is inconsistent with NCLB requirements for the following reason: As required for ED approval of its assessment system, the CDE documented the validity and comparability of the Lectura and the English CSAP. Consequently, there is no rationale for excluding students transitioning between the two assessments from match rate calculations.</p> <p>In addition, through its appeals process, the CDE makes options available to LEAs that should, if desired, be specified as part of AYP calculations statewide, specifically: averaging of participation rates (#8) and certain targets for students with disabilities (#10).</p>			

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<p>Indicator 1.1 (5): The CDE's accountability workbook does not reflect current State policy and procedures for the calculation of AYP.</p>	<p>The CDE must submit a revised accountability workbook to ED for review and approval. The calculation of AYP based on the 2007-2008 assessments and subsequent identification of schools and districts for improvement must be consistent with NCLB requirements and the procedures described in the approved accountability workbook. Revisions must address all components of Findings 1-4 above. The State must also clarify definitions and procedures such as:</p> <ul style="list-style-type: none"> • The definition of an LEP student and criteria for student exit from LEP status; • The inclusion of former LEP students in the LEP AYP subgroup; 	<p>The CDE 's May 2008 response does not adequately address this finding. The CDE has not amended its accountability workbook in the areas identified in the finding. The CDE did provide some information on how it intends to revise its accountability workbook in response to the finding. Based on this information, ED notes that the following issues must be addressed in the revisions:</p> <ul style="list-style-type: none"> • The definition of an LEP student in the CDE's accountability workbook should include an operational definition. • The definition of exit criteria included in the CDE's accountability workbook must be consistent with the further action required for Finding 1.1(1) above. <p>ED further notes that ED will review and determine whether to approve the substance of particular revisions to the CDE accountability workbook when the CDE submits a revised accountability workbook to ED for review and approval.</p>	<p>The Accountability Workbook has been updated and was approved on August 4, 2008.</p> <p>SEE TAB 5</p>

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<u>Indicator 1.1 (5) Continued</u>	<ul style="list-style-type: none"> • The definition of “full academic year”; • The definition of a “new school”; • The procedures for small school review; • The use of confidence intervals for AYP; • A policy for the exemption of students for significant medical emergencies; • NCLB accountability for alternative schools; • The CDE’s recent revisions to its definition of graduation rate; • How recently arrived LEP students are included in AYP determinations; 	<p style="color: red;">ED also notes that the CDE must ensure that AYP decisions for 2007-08 are based on targets explicitly approved by ED, including targets for students with disabilities.</p>	

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<u>Indicator 1.1 (5) Continued</u>	<ul style="list-style-type: none"> • AYP targets for the students with disabilities subgroup for 2007-08 and beyond; <p>ED reserves its option to take further administrative actions, including the withholding of funds if the CDE fails to calculate AYP as described in the approved accountability workbook. If ED decides to take such actions, it will notify the CDE of those actions in a separate document.</p>		

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INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	FOLLOW-UP ACTION TO BE RESOLVED	CDE Response
<p>Indicator 2.1: The CDE has not ensured that all paraprofessionals meet qualification requirements. Although the CDE has trained LEA staff on requirements for paraprofessionals, 30 percent of the Title I paraprofessionals in one of the LEAs visited do not meet qualification requirements. When five schools in this LEA transitioned from targeted assistance schools to schoolwide schools this fall, the LEA interpreted guidance from the CDE to say that it was permissible to give the paraprofessionals a year to meet qualification requirements.</p>	<p>The CDE 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 CDE must also submit to ED a plan indicating the steps it will take to ensure that any paraprofessional who does not meet the qualification requirements will do so by the end of the 2007-2008 school year. Further, the plan must indicate how the CDE will ensure that any paraprofessionals who do not meet the qualification requirements will not be working in a program supported with Title I funds as of the first day of the 2008-2009 school year. The CDE must provide to ED evidence that the plan is being implemented.</p>	<p>In its May 2008 response, the CDE indicated that it is working closely with LEAs to ensure that the 2007-2008 Title I paraprofessional data are accurate. The CDE provided training on the HQ rules and on how to submit data throughout the Fall and Winter. The CDE is currently reviewing the 2007-2008 Title I paraprofessional data available through the annual Human Resources (HR) and Special Education Human Resource collections. During June-July 2008 the CDE will use the information gleaned from the online HQ Planning Tool to cross check information provided in the Consolidated Federal Programs Applications. Applications that involve HQ paraprofessionals will not be awarded final approval. During July- August 2008 - Once the online system closes, LEAs will then be able to finalize their 2007-2008 HR and Special Education HR collections for 2007-2008. The CDE</p>	<p>94.04% of all paraprofessionals were HQ in the 2007-2008 school year.</p> <p>In the 2008-2009 Consolidated Application, only paras that are already considered HQ were approved.</p> <p>SEE TAB 7</p>

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<u>Indicator 2.1:</u> Continued		<p>will then pull the finalized numbers for Title I paraprofessionals. 2008-2009 School Year: The CDE will continue to follow-up on its monitoring of this indicator during the integrated visits and through the annual HR collections.</p> <p>In order to resolve this finding, the CDE must provide ED with a copy of an accurate count of non-HQ Title I paraprofessionals once it becomes available at the end of August 2008. The CDE must provide ED with the steps with will take to ensure that all Title-I paraprofessionals are HQ before the start of school in SY2008-2009. The CDE must also provide ED with a copy of the training provided on the HQ rules and how to submit data throughout the Fall/Winter 2008-2009.</p>	

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INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	Follow-Up Action To Be Resolved	CDE RESPONSE
<p>Indicator 2.3 (1): The CDE has not ensured that all Title I schools have school level parental involvement policies. Schools reviewed by the ED team did not have school level parental involvement policies as required by the statute. The CDE does monitor LEAs to ensure that there are school level parental involvement policies and cited LEAs as not having school level parental involvement policies in place during the last State monitoring visit in June of 2007.</p>	<p>The CDE must provide to ED evidence of the corrective actions that its LEAs have taken to comply with the CDE's June 2007 monitoring findings that not all its LEAs have ensured that their Title I schools have school level parental involvement policies as required.</p>	<p>In its May 2008 response the CDE indicated that through its C-FIRC monitoring system, it had identified three LEAs with missing Title I school level Parent Involvement Policies. These three LEAs have been contacted and the appropriate policies will be in place by June 30, 2008. The CDE has also provided clarifying information in its Buzz Newsletter. The CDE is working with its two PIRCs to strengthen LEA awareness of parental involvement requirements as well as effective parental information practices and it is in the process of hiring a department-wide Parental Involvement Coordinator to help ensure that LEAs meet all NCLB parent involvement requirements and understand the</p>	<p>Provided copies of the school-level parent involvement policies from Cripple Creek, Crowley, and Charter School Institute.</p> <p>SEE TAB 8</p>

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		<p style="color: red;">important role that parents play in their child's education.</p>	
<p><u>Indicator 2.3 (1): Continued</u></p>		<p style="color: red;">In order to resolve this finding, the CDE must submit to ED documentation of the Parental Involvement Policies that it is requiring LEAs to submit by June 30, 2008.</p>	

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<p>Indicator 2.3 (4): The CDE has not ensured that its LEAs notify parents about public school choice before the school year begins. Two LEAs visited by ED informed parents about the public school choice option after the school year began. One LEA mailed the letters on September 7, when school began at the end of August. (Parents in that LEA confirmed that they received the letters after the start of the school year.) Another LEA mailed the letters August 15, the first day of school, which ensured that the letters would arrive after the school year started.</p>	<p>The CDE must provide its LEAs written guidance indicating that they must notify parents about public school choice by mail before the start of the 2008-2009 school year, and provide ED with a copy of this guidance and evidence that it was given to all LEAs. The guidance should indicate that it is not sufficient to give students information about public school choice on the first day of school. The CDE must also provide ED with copies of Adams 14’s and Greeley 6’s public school choice notification letters for the 2008-2009 school year and the dates that school begins in these two LEAs.</p>	<p>The CDE indicated in its May 2008 response that an article identifying the requirements of a Public School Choice letter was included in the May 2008 issue of The Buzz, which is its monthly newsletter to federal program district contacts. The CDE is sending a “heads-up” letter to all of its LEAs with schools in improvement and schools with the potential to enter improvement status. The CDE anticipates that this letter will be sent by May 19, 2008. The CDE will be hosting a Webinar on May 21, 2008 for all of its LEAs with schools in improvement and schools that have the potential of entering improvement status. LEAs will be required to submit a draft of their Public School Choice notifications by June 26, 2008 for review by the CDE.</p>	<p>School start dates: Adams 14 – August 20, 2008 Greeley 6 – August 14, 2008 SEE TABS 9, 10, 11, 12, AND 14.</p>

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INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	FOLLOW-UP ACTION TO BE RESOLVED	CDE Response
<u>Indicator 2.3 (4): Continued</u>		<p>In order for this finding to be resolved, the CDE must inform ED when the Draft letter was mailed. The CDE must provide ED with a copy of the Webinar presentation that was provided to schools in improvement and schools with the potential of entering improvement status. The CDE must provide ED with copies of Adams 14 and Greeley 6 Public School Choice notification letters for the 2008-2009 school year along with the dates that school will begin in these two LEAs when it becomes available to CDE August 21, 2008.</p>	

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INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	FOLLOW-UP ACTION TO BE RESOLVED	CDE Response
<p>Indicator 2.3 (5): The CDE has not ensured that its LEAs include all required information in the public school choice notification letters. One LEA’s notification letter did not explain why the school was identified, and a letter from another LEA did not list the schools to which students could transfer under public school choice.</p>	<p>The CDE must provide its LEAs written guidance on the requirements of the public school choice notices to parents of children attending schools identified for improvement, corrective action, or restructuring. The guidance must specifically include a checklist of requirements and a sample of a parent notification letter that the LEAs may use to develop their notification letters. The CDE must provide ED with documentation that this guidance has been provided to the LEAs and give ED copies of the 2008-2009 Choice notices from Colorado Springs 11 and Greeley 6 that contain the required information.</p>	<p>The CDE indicated in its May 2008 response that an article identifying the requirements of a Public School Choice letter was included in the May 2008 issue of The Buzz, which is its monthly newsletter to federal program district contacts.</p> <p>The CDE is sending a “heads-up” letter to all of its LEAs with schools in improvement and schools with the potential to enter improvement status. It anticipates that this letter will be sent by May 19, 2008.</p> <p>The CDE will be hosting a Webinar on May 21, 2008 for all</p>	<p>SEE TABS 10, 11, AND 12</p>

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<p><u>Indicator 2.3 (5): Continued</u></p>		<p>of its LEAs with schools in improvement and schools that have the potential of entering improvement status.</p> <p>Districts will be required to submit a draft of their Public School Choice notifications by June 26, 2008 for review by the CDE.</p> <p>In order for this finding to be resolved, the CDE must inform ED when the Draft letter was mailed. The CDE must provide ED with a copy of the Webinar presentation that was provided to schools in improvement and schools with the potential of entering improvement status. The CDE must provide ED with copies of Adams 14 and Greeley 6 Public School Choice notification letters for the</p>	

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		2008-2009 school-year along with the dates that school will begin in these two LEAs when it becomes available to the CDE August 21, 2008.	
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INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	FOLLOW-UP ACTION TO BE RESOLVED	CDE Response
<p>Indicator 2.3 (6): The CDE has not ensured that its LEAs offer SES to all eligible students. One LEA sent an SES notification letter indicating that students who are eligible for SES are those who receive free and reduced price lunch and are failing to meet State standards. Another LEA's letter states that parents of eligible students must choose between the LEA's 21st Century program and SES services.</p>	<p>The CDE must provide its LEAs written guidance indicating that they must explain in their SES notification letters that SES is available to all low-income students enrolled in a school in its second year of improvement, corrective action, or restructuring, and that a student's achievement will only be considered if there are not enough funds to provide SES to all students whose parents request SES. This guidance must also instruct LEAs that participation in another after-school program does not disqualify a low-income student from receiving SES. The CDE must provide a copy of this guidance to ED and evidence that it was given to all LEAs. The CDE must also provide copies of the 2008-2009 SES notification letters from Adams 14, Colorado Springs 11, and Greeley 6</p>	<p>The CDE indicated in its May 2008 response that it is sending a 'heads-up' letter to all of its LEAs with schools in improvement and schools that have the potential of entering improvement. The CDE will be hosting a Webinar on May 21, 2008 for all of its LEAs with schools in improvement and schools with the potential of entering improvement. LEAs will be required to submit a draft of their supplemental educational services notifications by June 26, 2008 for review by the CDE. The SES final notification must be sent to the CDE by October 1, 2008. During the CDE's Annual Director's Meeting held in September, there will be a session on the required components of an SES Program.</p>	<p>SEE TAB 12</p>

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<p><u>Indicator 2.3 (6): Continued</u></p>		<p>In order for this finding to be resolved, the CDE, upon completion of the review of copies of LEA Draft Supplemental Educational Services notifications, must provide ED with copies of the 2008-2009 notification letters for Adams 14, Colorado springs, and Greeley 6. The CDE has scheduled a technical assistance workshop during the CDES Annual Director's Meeting to be held in September 2008. Upon completion of this session, the CDE must provide ED with a copy of the session on required components of an SES Program.</p>	
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INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	FOLLOW-UP ACTION TO BE RESOLVED	CDE Response
<p>Indicator 2.3 (7): The CDE did not ensure that parental notification letters regarding public school choice and SES include all of the required components. In at least one instance, the Spanish translation was missing one additional component compared to the same letter sent in English. Specifically, one letter lacked information on providers' record of effectiveness and omitted the names of some providers.</p>	<p>The CDE must provide its LEAs with written guidance on the requirements of the SES notices to parents of children attending schools identified for their second year of improvement, corrective action, or restructuring. The guidance must include a checklist of requirements and a sample of a parent notification letter that LEAs may use to develop their notification letters. The CDE must provide ED with documentation that this guidance has been provided to the LEAs and give ED a copy of the 2008-2009 SES notice from Greeley 6 that contains the required information.</p>	<p>The CDE indicated in its May 2008 response that an article identifying the requirements of a Public School Choice letter was included in the May 2008 issue of the Buzz which is its monthly newsletter to federal program LEA contacts.</p> <p>The CDE is sending a "heads-up" letter to all of its LEAs with schools in improvement and schools with potential of entering improvement status. It anticipates that the letter will be sent out by May 19, 2008. The CDE will be hosting a Webinar on May 21, 2008 for all LEAs with schools in improvement and schools with the potential for entering improvement status. LEAs will be required to submit a draft of both their Public</p>	<p>SEE TAB 13 AND 16</p>

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		<p>School Choice and Supplemental Education Services notifications by June 26, 2008</p>	
<p><u>Indicator 2.3 (7):</u> Continued</p>		<p>to the CDE. Each LEA that is required to offer choice will have to submit a final copy of the letter sent to parents by August 21, 2008. During the Annual Director's Meeting held in September, there will be a session on the required components of an SES program.</p> <p>In order to resolve this finding, the CDE must provide ED with a copy of the guidance that was provided to LEAs including a checklist of the requirements and a sample notification letter. The CDE must also provide ED with an updated copy of Greeley 6's SES notification for school year 2008-2009.</p>	

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<p>Indicator 2.4: Although the CDE provided training in 2007 on consolidating school improvement, schoolwide, and accreditation plans, the CDE has not consistently ensured that school improvement plans included all required components.</p>	<p>The CDE must provide guidance and technical assistance to ensure that LEAs and schools are developing school improvement plans that follow the integrated structure provided by the CDE in 2007. The CDE must monitor the progress of LEAs and schools and provide technical assistance for LEAs and schools that have not developed and implemented the new school improvement plans. The CDE must provide ED with a description of the monitoring and technical assistance along with evidence that it has been implemented.</p>	<p>The CDE indicated in its May 2008 response that school improvement plans were collected in the Spring of 08 and reviewed for compliance with the statute. LEAs with plans that did not meet the requirements were contacted and offered technical assistance to remedy the area of noncompliance. Information related to this will also be included in the June edition of the BUZZ. Additional technical assistance to LEAs and schools will be provided in the Fall, short after the list of schools identified for improvement has been posted. A new school improvement plan template that includes all required elements is currently being developed and will be made available to all LEAs.</p>	<p>Checklist included that has been added to the school planning document. It requires schools to identify the page on which each of the required components can be found in the plan.</p> <p>SEE TABS 12, 14, AND 15</p>

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		<p>Plans will be collected and reviewed yearly to ensure that</p>	
<p><u>Indicator 2.4:</u> Continued</p>		<p>they meet all NCLB requirements.</p> <p>In order to resolve this finding, the CDE must provide ED with a copy of the PowerPoint used for technical assistance that will be provided to districts and schools in the Fall 2008, after the list of schools identified for improvement have been posted. The CDE must also provide ED with a copy of the new school improvement plan template that includes all of the required elements, which is currently being developed.</p>	

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INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	FOLLOW-UP ACTION TO BE RESOLVED	CDE Response
<p>Indicator 2.5: The CDE has not ensured that its LEAs offer public school choice to all eligible students. Colorado statute permits open enrollment but there is confusion between the state requirements and NCLB choice requirements. If a student opts into a school but does not reside in that school’s attendance area and the school is subsequently identified for improvement, the student may be denied choice. This is consistent with Colorado statute but is not consistent with NCLB. One LEA offered public school choice only to students enrolled in a school identified for improvement who also live in a school attendance area of a school identified for improvement. Because the LEA has its own school choice program, those students enrolled in a school in improvement who do not reside in the attendance area of a school in improvement are not offered public school choice.</p>	<p>The CDE must provide its LEAs written guidance indicating that under NCLB they must make public school choice available to all students enrolled in a school identified for improvement, corrective action, or restructuring under section 1116 of the ESEA. The CDE must provide a copy of this guidance to ED and evidence that it was given to all LEAs, ensure that Colorado Springs 11 revises its “Title I Choice and Supplemental Educational Services Procedures and Implementation” document for SY 2008-2009 to reflect this change, and provide ED with a copy of the revised document. Finally, the CDE must provide ED with evidence that in 2008-2009 its LEAs are offering public school choice consistent with NCLB to all students enrolled in schools identified for improvement, corrective action, or restructuring regardless of</p>	<p>The CDE responded in May 2008 that an article identifying the requirements of a Public School Choice letter was included in the May issue of The Buzz which is its monthly newsletter to federal program district contacts. The CDE is sending a “heads-up” letter to all LEAs with schools in improvement or with schools that have potential of entering improvement. The CDE anticipates that this letter will be sent by May 19, 2008. The CDE will be hosting a webinar on May 21, 2008 for all LEAs with schools in improvement or with schools that have potential of entering improvement. LEAs will be required to submit a draft of both their Public Schools Choice and Supplemental Educational Services notifications by June 26, 2008 for review by the CDE. During the Annual Director’s Meeting held in</p>	<p>SEE TABS 11 AND 12</p>

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<p><u>Indicator 2.5:</u> Continued</p>	<p>whether the student resides in that school's attendance area.</p>	<p>September, there will be a session on the required components of an SES program.</p> <p>In order to resolve this finding, the CDE must provide ED with a final copy of the "heads-up" letter to all LEAs with schools in improvement or with schools that have potential of entering improvement. The CDE must provide ED with a copy of the webinar that was scheduled for May 21, 2008 for all districts with schools in improvement or with schools that have potential of entering improvement. The CDE must also provide ED with a copy of the LEAs' Public Schools Choice ad Supplemental Educational Services notifications, which is scheduled to be reviewed by the CDE by June 26, 2008. The CDE must provide ED with a copy of the agenda of the Annual Director's Meeting held that is scheduled to be held in September – including a session on the required components of an SES program.</p>	
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<p>Indicator 2.6 (1): The CDE has not ensured that its LEAs do not impose additional programmatic requirements on SES providers. One LEA has a contract with providers requiring that they conduct a “midpoint fluency test,” which the CDE does not require. Additionally, interviews with LEA staff revealed that the LEA would not sign agreements with providers if the provider did not target the specific subject area in which the LEA wanted them to provide services.</p>	<p>The CDE must provide written guidance to its LEAs indicating that the SEA, through its provider approval process, is responsible for setting programmatic requirements for providers, and give ED a copy of the guidance and evidence that it was distributed.</p>	<p>The CDE indicated in its May 2008 response that an article identifying the requirements of a Public School Choice letter was included in the May issue of The Buzz which is its monthly newsletter to federal program LEA contacts. The CDE will be hosting a webinar on May 21, 2008 for all LEAs with school in improvement or with schools that have the potential of entering improvement status. At this time the CDE will review the requirements through a PowerPoint presentation. The PowerPoint presentation is not yet available but can be forwarded after the webinar. There will also be an article in its June Buzz about the required components of SES. This article can be forwarded once the Buzz is published. During the Annual Director’s Meeting held in September, there will be a session on the required components of an SES program.</p>	<p>SEE TAB 11, 12, AND 17</p>

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INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	FOLLOW-UP ACTION TO BE RESOLVED	CDE Response
<u>Indicator 2.6 (1):</u> Continued		<p>In order for this finding the CDE must provide ED with a copy of the webinar that was scheduled to be hosted on May 21, 2008 for all LEAs with schools in improvement or with schools that have the potential of entering improvement status. The CDE must also provide ED with a copy of the June 2008 Buzz article once it is published, which should include the article focused on the required components of SES. The CDE must also provide ED with a copy of the SES PowerPoint and/or handouts used at the upcoming Annual Director's Meeting to be held in September.</p>	

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<p><u>Indicator 2.6 (2):</u> The CDE has not ensured that LEAs are consistently reviewing individual student agreements. A sample of SES service agreements provided by several LEAs indicated that individual student agreements were between parents and the provider, and also lacked the LEA's signature. In another LEA, the LEA's Title I Director explained that to date the process for developing student goals has been between providers and families and that the LEA has not been involved. In a third LEA, the process for enrolling students in SES involved parents signing up with providers rather than the LEA.</p>	<p>The CDE must provide written guidance to its LEAs indicating that when a parent selects a SES provider, an LEA must establish an agreement with the provider that includes the information required by section 1116(e)(2) of the ESEA. The CDE must also provide written guidance to providers indicating that they must sign agreements with LEAs. The CDE must provide ED with copies of the guidance to LEAs and SES providers and evidence that the guidance was distributed.</p>	<p>The CDE indicated in its May 2008 response that it will be hosting a webinar on May 21, 2008 for all LEAs with schools in improvement and schools with the potential for entering improvement status. At this time it will review the requirements through a PowerPoint presentation. The PowerPoint presentation is not yet available but can be forwarded after the webinar. There will also be an article in its June Buzz about the required components of SES. This article can be forwarded once the Buzz is published.</p>	<p>SEE TAB 12 AND 17</p>

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INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	FOLLOW-UP ACTION TO BE RESOLVED	CDE Response
<u>Indicator 2.6 (2):</u> Continued		<p>In order for this finding to be resolved, the CDE must provide ED with a copy of the webinar held on May 21, 2008 for all LEAs with schools in improvement or with schools that have potential of entering improvement. The CDE must provide ED with a copy of the PowerPoint presentation which is not yet available. The CDE must also provide ED with a copy of the article once it is published in the June Buzz Newsletter. The CDE must provide ED with a copy of the SES Program PowerPoint and/or handouts used at the Annual Director's Meeting to be held in September.</p>	

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INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	FOLLOW-UP ACTION TO BE RESOLVED	CDE Response
<p>Indicator 2.6 (3): The CDE has not ensured that its LEAs permit SES to be provided throughout the school year. One LEA's notification letter states that SES will be available only from November 6, 2007, to January 22, 2008. The LEA's Title I Director explained that the cutoff was to make sure that SES is provided before the State assessment. In the past, however, the LEA has not used its full 20 percent reservation for SES and public school choice, and there is no expectation that the maximum for 2007-2008 would be reached by the end of January.</p>	<p>The CDE must provide written guidance to its LEAs indicating that SES must be provided to each participating student until the allotted funds for the student are exhausted and that LEAs must offer SES throughout the school year, including enrolling additional students if the LEA has not used its entire SES reservation for students who initially enrolled. The CDE must provide ED with copies of this guidance and evidence that it was distributed to LEAs, as well as evidence that Greeley 6 is offering SES after January 2008.</p>	<p>The CDE indicated in its May 2008 response that it will be hosting a webinar on May 21, 2008 for all LEAs with schools on Improvement or with schools that have potential of entering improvement. At this time the CDE will review the requirements through a PowerPoint presentation. LEAs s will be instructed to review their letters as we walk through the requirements. The PowerPoint presentation is not yet available but can be forwarded after the webinar.</p> <p>During the webinar, the CDE will communicate the policy that 75% of SES services are to be provided prior to the beginning of the State's assessment administration.</p> <p>LEAs will be required to submit a draft of both their Public School Choice and Supplemental Educational Services notifications by June 26th for review by the CDE. Each LEA required to offer choice will have to submit a final signed copy of the letter</p>	<p>SEE TAB 16 AND 18</p>

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<u>Indicator 2.6 (3):</u> Continued		<p>sent to parents by August 21, 2008.</p> <p>In order for this finding to be resolved, the CDE must provide ED with a copy of the Webinar that was scheduled to be hosted on May 21, 2008 for all LEAs with schools in improvement or with schools that have the potential of entering improvement status. The CDE must provide ED with a copy of the PowerPoint presentation used, which will be available after the Webinar. The CDE must provide ED with a copy of the Public School Choice and Supplemental Educational Services notifications once they are reviewed by the CDE. The CDE must provide a copy of the final parent notification once it is received by the CDE on October 1, 2008.</p>	

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<p>Indicator 2.7: Although the CDE provided training in 2007 on consolidating school improvement, schoolwide, and accreditation plans, the CDE has not consistently ensured that schoolwide plans included all required components</p>	<p>The CDE must develop a plan with timelines to ensure that LEAs and schools develop schoolwide plans that follow the integrated structure provided by the State in 2007. The CDE must monitor LEA and school progress and provide technical assistance for LEAs and schools that have not developed and implemented the new schoolwide plans. The CDE must provide ED with a copy of the plan to monitor and provide technical assistance along with evidence that it has been implemented.</p>	<p>The CDE will conduct an annual review of Title I Schoolwide plans beginning in the 08-09 school year. This review will take the form of a three-year process, with schools that have been identified for NCLB Improvement and operate Title I Schoolwide programs being the first to be reviewed, as well as those LEAs visited by ED. The CDE currently contracts with an outside consultant to provide assistance to schools that are planning for Title I Schoolwide Plans. This consultant will also follow-up with Title I schools that have inadequate Title I Schoolwide Plans. The CDE is currently developing a revised schoolwide/school improvement plan template that incorporates all required schoolwide and school improvement plan elements. The CDE will hold regional schoolwide trainings. A</p>	<p>Indicator 2.7 Provide a copy of a plan with timelines to ensure that LEAs and schools develop SW plans that contain all the required components. Provide copy of protocol to be used to review plans and schedule to do so.</p> <p>Title I Schoolwide Review Plan</p> <ul style="list-style-type: none"> • January, 2009: Review all Title I Schoolwide Plans for Title I SW schools identified for NCLB Improvement (approximately one-third of all SW programs, 120 schools) using attached checklist of SW requirements • July, 2009: Collect detail expenditure for

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			<p>SW plans collected in January and review for alignment.</p> <ul style="list-style-type: none"> • June/July 2010: Review next 1/3 of Title I SW plans for required components and alignment with budget expenditures • June/July 2011: Review remaining 1/3 of Title I SW plans for required components and alignment with budget expenditures <p>Title I Schoolwide Plan Review Protocol</p> <ol style="list-style-type: none"> 1. Read each plan for inclusion of the 10 required components for Title I Schoolwide programs 2. Use the Title I schoolwide checklist for identifying the page on which each required component is found 3. Review the activities to
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			<p>be supported by Title I funds (if operating a non-consolidated Schoolwide program)</p> <ol style="list-style-type: none">4. Review the budget expenditure detail to ascertain alignment between activities in the plan and actual expenditures.<ol style="list-style-type: none">a. If FTE are being paid out of Title I, then be sure that there is a strategy that accounts for this FTE.5. Complete review sheet, noting whether the plan meets the requirements for a Title I Schoolwide Program.
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<u>Indicator 2.7:</u> Continued		<p>minimum of one representative from all current and planned schoolwides will be required to attend at least one of the trainings. A protocol for review of plans and a plan review schedule will be forwarded to the ED when they are complete (June 2008).</p> <p>In order to resolve this finding, the CDE must provide ED with a copy of the plan with timelines to ensure that LEAs and schools develop schoolwide plans that follow the integrated structure provided by the State. The CDE must also provide ED with a copy of the revised schoolwide/school improvement plan template that incorporates all required schoolwide and school improvement plan elements. The CDE must also provide ED with a</p>	SEE TAB 14 AND 19

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		copy of the protocol that will be used to review the plans and a plan review schedule once they are complete after June 2008.	
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TITLE I, PART A – FIDUCIARY RESPONSIBILITIES

Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
<p>Indicator 3.3 (1): The CDE has not ensured that its LEAs correctly calculate equitable services for private school students, their teachers and families. There is no mechanism at the State level to determine whether LEAs have calculated equitable services including, if appropriate, carryover. Denver Public Schools (DPS) staff said that they had calculated equitable services for families of private school students based on the <u>number of participants</u> rather than on the proportion of poverty students as required.</p>	<p>The CDE must ensure that its LEAs correctly calculate equitable services for services to the teachers and families of participating private school students annually. The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will annually ensure the correct implementation of these requirements. The CDE must submit to ED evidence that, for the 2008–2009 school year,</p>	<p>The CDE indicated in its May 2008 response that it held a meeting on May 21, 2008 to discuss equitable services.</p> <p>To resolve this finding, the CDE must submit to ED evidence that, for the 2008–2009 school year, DPS has correctly calculated the amount of Title I funds including any applicable carryover funds that must be reserved for services for the teachers and families of private school students.</p>	<p>An attachment includes a copy of evidence from Denver Public Schools that this action has been taken.</p> <p>SEE TAB 20</p>

TITLE I, PART A – FIDUCIARY RESPONSIBILITIES

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Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
<u>Indicator 3.3 (1):</u> Continued	DPS and all other LEAs providing services to private school students have correctly calculated the amount of Title I funds including any applicable carryover funds that must be reserved for services for the teachers and families of private school students.		

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TITLE I, PART A – FIDUCIARY RESPONSIBILITIES

Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
<p>Indicator 3.3 (2): The CDE has not ensured that its LEAs meet the requirements related to “grandfathering” of schools. JCPS indicated in its application that it has “grandfathered” four schools that do not meet the requirements for “grandfathering.”</p>	<p>The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will annually ensure the correct implementation of this requirement.</p>	<p>Although the CDE indicated in its May 2008 response that it had addresses the “further action required” activities in two documents, the Buzz and the consolidated application, ED is requesting copies of the email and the agenda for training that was held specific to this topic.</p> <p>In order to resolve this finding the CDE must send to ED copies of the two items identified above.</p>	<p>As an attachment, copy of the email and agenda for training relative to ‘grandfathering’ of schools and when this can occur.</p> <p>SEE TAB 21</p>

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Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
<p>Indicator 3.3 (3): The CDE has not ensured that its LEAs meet requirements related to allocations to schools. A12 has allocated a higher per pupil amount to several schools with a lower poverty rate than schools with a higher poverty rate.</p>	<p>The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will annually ensure the correct implementation of this requirement. In addition, the CDE must provide evidence to ED that, for the 2008–2009 school year, A12 has complied with this requirement.</p>	<p>In order to resolve this finding, the CDE must provide evidence to ED that, for the 2008–2009 school year, A12 has complied with this requirement.</p>	<p>An attachment provides a copy of the data tables from Adams Five Star School District that demonstrates compliance.</p> <p>SEE TAB 22</p>

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Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
<p><u>Indicator 3.3 (4):</u> The CDE has not ensured that its LEAs that are required to reserve 1% of their allocation for parental involvement activities allocate at least 95% of the reservation to schools annually.</p>	<p>The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will annually ensure the correct implementation of this requirement.</p>	<p>The Reference Manual for the CDE Consolidated application requires that LEAs receiving an allocation over \$500,000 must reserve at least one percent for parental involvement activities. At least 95% of that must be used for activities at the school level. However, section 1118 of the ESEA requires that LEAs <u>distribute</u> at least 95% to schools.</p> <p>In order to resolve this finding, the CDE must provide evidence that it has provided this guidance to its LEAs. In addition, the CDE must also provide to ED a description of how it will annually ensure the correct implementation of this requirement.</p>	<p>SEE NCLB REFERENCE MANUAL (http://www.cde.state.co.us/FedPrograms/consapp/download/index_refman.pdf), PAGE 53 AND 2008-2009 CONSOLIDATED APPLICATION TRAINING POWERPOINT SLIDES</p> <p>CDE Protocol for ensuring LEA compliance with 95% rule for parent involvement</p> <p>2008-2009 Consolidated Application</p> <ul style="list-style-type: none"> • Using data table 5b, identify whether the district has set aside 1% of its Title I allocation for parent involvement activities • Review sheet 7a (Statutory Budget Check page) of the electronic budget to ensure that the LEA has coded enough activities to account for the 1% set aside • Review sheet 3a (Budget Expenditure Detail page) of the electronic budget to locate the line item set aside of 95% of the 1%. Alternatively, identify on this page that the district is using no more than 5% of the 1% set aside for its use and remaining funds are being distributed to schools. <p>SEE TAB 23</p>

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Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response SEE TAB 24
<p>Indicator 3.4 (1): The CDE has not ensured that its LEAs comply with the comparability requirement. For the 2006-2007 school year, JC staff indicated that they had not calculated comparability. A12 had calculated comparability; however, the process that it used was not approved by the CDE. Based on the calculations provided, ED staff was unable to make a determination as to whether A12 had met comparability requirements.</p>	<p>The CDE must provide ED with a detailed description of how and when it informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will ensure the correct implementation of this requirement. The CDE must submit to ED evidence that, for the 2007–2008 school year, A12 and JC have correctly calculated comparability.</p>	<p>The CDE indicated in its May 2008 response that it is developing an online comparability system. It hopes to have this system operational for 2008-2009.</p> <p>In order to resolve this finding, the CDE must provide ED with a detailed description of how and when it informed its LEAs of these requirements. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide to ED a description of how it will ensure the correct implementation of this requirement. The CDE must submit to ED evidence that, for the 2007–2008 school year, A12 and JC have correctly calculated comparability.</p>	<p>For the 2008-2009 school year, all LEAs required to conduct comparability will do so using CDE’s new Online Comparability System. The Online Comparability System will direct LEAs through comparability calculations using the student/instructional staff ratio method. To ensure integrity and accuracy, the Online Comparability System will pre-populate requisite data for the LEAs (school code and name, Title I designation, grade span, student enrollment, and FTE instructional staff). This pre-populated data will be supplied from CDE’s secure Automated Data Exchange system. Because the Online Comparability System is programmed to calculate comparability based on student/instructional staff ratios, with pre-populated CDE maintained data, CDE can ensure that LEAs are correctly conducting comparability.</p> <p>Specifically, the Online Comparability System will guide LEAs, grade span by grade span, through the calculation process. The data tables are configured</p>

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			<p>to automatically calculate the student/instructional staff ratio for each school and determine the acceptable range variance at each grade span. The system will determine whether each Title I school is within the acceptable range and display these results for the LEA. After all data is run, LEAs will submit electronic assurances of the accuracy of the data and adherence to the comparability criteria. Additionally, LEAs will submit written assurances that they have implemented the policies required pursuant to section 1120A(2)(A).</p> <p>If a school(s) is found to be not comparable, CDE will work with the LEA to implement the required corrective action(s). CDE will help the LEA determine how to reallocate staff so that the student/instructional staff ratio for each school is within the acceptable range. Additionally, LEAs will have the option of conducting comparability using another method, such as student/instructional staff salary ratios or per pupil expenditures. CDE must approve the LEA's proposed alternative method for calculating comparability and will require the LEA</p>
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			<p>to submit all supporting documentation.</p> <p>Currently, CDE is in the process of determining which LEAs, based on Title I funds, student enrollment, and schools per grade span, are required to conduct comparability for the 2008-2009 school year. This list will be finalized shortly and LEAs will be notified about their obligation to conduct comparability. (Please see notification letter template.) This notice contains a brief explanation of comparability requirements and the process for conducting comparability.</p> <p>CDE will offer a variety of training session, including seminars, webinars, and web postings, in October/Early November 2008. Topics to be included in these sessions include: overview of the statutory requirements, introduction to the Online Comparability System, practice opportunities, and question and answer sessions.</p>
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Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
<p>Indicator 3.4 (2): The CDE has not ensured that its LEAs meet the requirements for supplement not supplant. Woodland Park Public Schools (WPPS) submitted a request to waive the 15% carryover limitation. In its request, WPPS indicated that it would be spending the carryover funds on professional development for all teachers in the LEA (including Title I and non-Title I schools). The CDE granted the request.</p>	<p>The CDE must ensure that its LEAs use Title I funds to supplement and not supplant. The CDE 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. The CDE must also provide ED with a description of how it will ensure the correct implementation of this requirement.</p>	<p>The CDE indicated in its response that it has revised its carryover form and will provide additional technical assistance.</p> <p>In order to resolve this finding, the CDE 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. The CDE must also provide ED with a description of how it will ensure the correct implementation of this requirement.</p>	<p>SEE TAB 21 AND 25</p> <p>Review Protocol for 15% Carryover Requests</p> <ol style="list-style-type: none"> 1. Convene Waiver Review Team 2. Review the requirements for approval of 15% carryover requests <ol style="list-style-type: none"> 1. LEA must provide a compelling reason for why it did not spend up to 85% of its Title I allocation 2. Identify how the LEA intends to use the carryover funds in the subsequent fiscal year <ol style="list-style-type: none"> a. Ensure supplement not supplant is maintained b. Ensure that carryover funds (if part of a statutory set aside) remain categorical for those requirements 3. Complete review by signing the waiver request authorization.

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Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
<p>Indicator 3.6 (1): The CDE has not ensured that its LEAs meet requirements regarding the selection of private school students to be served under Title I. DPS staff indicated that students are selected based on their free/reduced lunch status.</p>	<p>The CDE must provide ED with evidence that it has provided guidance on the selection of private school students to its LEAs serving private school children. The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide ED with a description of how it will ensure the correct implementation of this requirement. The CDE must also submit evidence to ED that, for the 2008–2009 school year, DPS has complied with this requirement.</p>	<p>The CDE indicated in its response that it hosted a meeting related to Title I services in private schools including selection of private school students. The CDE also indicated that it will develop a brochure.</p> <p>In order to resolve this finding, the CDE must provide ED with <u>evidence</u> that it has provided guidance on the selection of private school students to its LEAs serving private school children. The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide ED with a description of how it will ensure the correct implementation of this requirement. The CDE must also submit evidence to ED that, for the 2008–2009 school year, DPS has complied with this requirement.</p>	<p>From Denver Public School’s 2008-2009 Consolidated Application</p> <p>Eligible Title I Students</p> <p>In order to receive services, a student must:</p> <ul style="list-style-type: none"> • attend a private school • reside in a Title I-participating Denver Public School attendance area • be identified through multiple educationally related objective criteria, as failing or at risk of failing to meet the state standards, or other standards relevant to private school students <p>Selection for services is based entirely on low achievement, not low income.</p> <p>The Title I teacher assigned to the private school provides supplemental educational services in the areas of identified need e.g., reading, and/or math to students who are performing significantly below grade level and who reside in a Title I attendance area.</p> <p>SEE ALSO, MAY 21, 2008 WEBINAR ON NONPUBLIC SCHOOLS</p> <p>SEE TAB 26 AND 27</p>

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TITLE I, PART A – FIDUCIARY RESPONSIBILITIES

Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response															
<p>Indicator 3.6 (2): The CDE has not ensured that paraprofessionals who provide services to eligible private school students and are employed by an LEA with Title I funds are under the direct supervision of a highly qualified public school teacher. DPS staff indicated that, in one of the private schools, Title I services had been provided by a paraprofessional who was supervised by a central office staff member.</p>	<p>The CDE must provide ED with evidence that it has provided guidance on paraprofessionals to its LEAs serving private school children. The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide ED with a description of how it will ensure the correct implementation of this requirement. In addition, the CDE must submit evidence to ED that DPS has complied with this requirement for the 2008–2009 school year.</p>	<p>The CDE indicated in its response that it hosted a meeting related to Title I services in private schools including selection of private school students. The CDE also indicated that it will develop a brochure.</p> <p>In order to resolve this issue, the CDE must provide ED with evidence that it has provided guidance on paraprofessionals to its LEAs serving private school children. The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of this requirement. This documentation must include letters to LEAs or agendas for technical assistance meetings. The CDE must also provide ED with a description of how it will ensure the correct implementation of this requirement. In addition, the CDE must submit evidence to ED that DPS has complied with this requirement for the 2008–2009 school year.</p>	<p>SEE TAB 26 AND 28</p> <p>Below is the list of FTE that Denver Public Schools included in the 2008-2009 NCLB Electronic Budget. All personnel serving nonpublic school students are teachers. No paraprofessionals are being used.</p> <p>This area will be monitored yearly through the electronic budget, to ensure that Title I services are delivered by teachers. Where a paraprofessional is listed, the state will check with the LEA to ensure that there is direct supervision.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Halliwell, Julie</td> <td style="width: 20%;">Private/Teacher Elementary 181</td> <td style="width: 5%;">I</td> <td style="width: 5%;">1</td> <td style="width: 10%; text-align: right;">68,988</td> </tr> <tr> <td>Showalter, Vivian</td> <td>Private/Teacher Secondary (High) 181</td> <td>I</td> <td>0.5</td> <td style="text-align: right;">19,296</td> </tr> <tr> <td>Slay, Melinda</td> <td>Private/Teacher Elementary 181</td> <td>I</td> <td>1</td> <td style="text-align: right;">53,760</td> </tr> </table>	Halliwell, Julie	Private/Teacher Elementary 181	I	1	68,988	Showalter, Vivian	Private/Teacher Secondary (High) 181	I	0.5	19,296	Slay, Melinda	Private/Teacher Elementary 181	I	1	53,760
Halliwell, Julie	Private/Teacher Elementary 181	I	1	68,988														
Showalter, Vivian	Private/Teacher Secondary (High) 181	I	0.5	19,296														
Slay, Melinda	Private/Teacher Elementary 181	I	1	53,760														

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			Snyder, Jacqueline	Private/Teacher Elementary 181	I	0.5	35,388
			Sweeny, Margaret	Private/Teacher Elementary 181	I	0.75	39,324
			Snyder, Jacqueline	Private/Teacher Elementary 181	I	0.5	35,388
			TBA	Private/Teacher Elementary 181	I	1	50,147
			Asleson, Sue	Private/Teacher Hrly 00	I	0.42	15,960
			TBA2	Private/Teacher Hrly 00	I	0.33	11,447
			Hayes, Rose	Private/Teacher Hrly 00	I	0.22	7,627
			Hogan, Carrie	Private/Teacher Hrly 00	I	0.5	19,070
			Melamed, Heddy	Private/Teacher Hrly 00	I	0.04	1,600
			Meyer, Chaya	Private/Teacher Hrly 00	I	0.24	9,170
			Werner, Nancy	Private/Teacher Hrly 00	I	0.34	11,866

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			TBA1	Private/Teacher Hrly 00	I	0.43	15,253
			Gomez, Martha	Private/Reading & Writing Asst 00	I	0.4	8,473

TITLE I, PART A – FIDUCIARY RESPONSIBILITIES

Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
<p>Indicator 3.6 (3): The CDE has not ensured that within an LEA, the Title I funds generated by private school students for instruction, professional development and family involvement are spent for those activities. DPS staff indicated that funds for these activities are “lumped together.” Private school staffs decide how they will be used.</p>	<p>The CDE must require all LEAs serving private school students to reserve the amount of funds generated for instructional services for private schools for only instructional services for eligible students. The CDE must require DPS and any other LEA that is allowing funds generated for instructional services to be used for other activities to cease this practice immediately, and must provide evidence to ED that it has notified DPS. The CDE must provide ED with a detailed description of</p>	<p>The CDE indicated in its response that it hosted a meeting related to Title I services in private schools including selection of private school students. The CDE also indicated that it will develop a brochure. The CDE also indicated that DPS has been notified to cease this practice.</p> <p>In order to resolve this finding, the CDE must provide evidence to ED that the CDE has notified DPS. The CDE must provide ED with an agenda from the meeting that was held where this issue was discussed.</p> <p>The CDE must also provide ED with information on procedures it will use to ensure the correct implementation of this requirement.</p>	<p>CDE held a meeting with Denver Public Schools in August of 2008 to review the budget. Review of the budget identified the line item expenditures available for nonpublic schools and was broken out by PD, parent involvement, and instruction. The district understands that these funds will be used to reimburse nonpublic schools, when allowable activities have been conducted.</p> <p>SEE TAB 26 AND 29</p>

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	<p>how and when the CDE informed its LEAs of this requirement. This description must include any documents such as letters to LEAs and/or</p>		
<p><u>Indicator 3.6 (3): Continued</u></p>	<p>agendas for technical assistance meetings. The CDE must also provide ED with information on procedures it will use to ensure the correct implementation of this requirement.</p>		

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TITLE I, PART A – FIDUCIARY RESPONSIBILITIES

Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
<p>Indicator 3.6 (4): The CDE has not ensured that its LEAs have met the requirements for consultation regarding the evaluation of the Title I program for private school students, including consultation regarding what constitutes annual progress for the Title I program serving eligible private school children, and have not annually assessed the progress of the Title I program toward enabling participants to meet the agreed-upon standards. Although DPS assesses individual students, it has not determined in consultation with private school officials how the Title I program that is provided to private school children will be assessed, what the agreed upon standards are, and how the annual progress will be measured.</p>	<p>The CDE must ensure that its LEAs, as part of the consultation process, makes a determination as to what standards and assessments will be used to measure the annual progress of the Title I programs provided to private school participants. The CDE must provide ED with a detailed description of how and when the CDE informed its LEAs of this requirement, what technical assistance it will provide to its LEAs, and how it will monitor this requirement to ensure that the Title I programs provide reasonable promise that the private school participants will achieve to high levels.</p>	<p>The CDE indicated in its response that it hosted a meeting related to Title I services in private schools including evaluation. The CDE also indicated that it will develop a brochure.</p> <p>In order to resolve this finding, the CDE must provide ED with an agenda from the meeting that was held where this issue was discussed.</p>	<p>MAY 21, 2008 WEBINAR ON NONPUBLIC SCHOOLS AND NONPUBLIC SCHOOL GUIDANCE</p> <p>SEE TAB 26, 29, AND 30</p>

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TITLE I, PART B – EVEN START

Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response SEE TAB 31
<p>Indicator 2.3: The number of hours offered in each of the four instructional components falls below ED’s minimum recommendation. As a result, the Pikes Peak Even Start does not offer intensive instructional services in the four core instructional components. On a monthly basis, the Pike’s Peak project visited offers approximately 38 hours in adult education, 44 hours in early childhood education, and 10 hours in parenting education and interactive literacy activities between parents and children.</p>	<p>The CDE must develop, submit to ED, and implement an action plan to ensure that local projects provide high quality and intensive instructional programs that promote adult literacy and empower parents to support the educational growth of their children, and in preparation of children for success in regular school programs. The recommended minimum intensities for the four core components are: Adult Education – 60 hours per month; Early Childhood Education (birth-3) – 60 hours per month; Early Childhood Education (3-4) – 65 hours per month; Parenting Education and Interactive Literacy</p>	<p>The CDE must develop, submit to ED, and implement an action plan that specifically describes/explains the guidance that it will give to local programs regarding the recommended minimum intensities for the four core instructional components of the Even Start program. The plan should specifically include the number of hours the CDE will require local programs to offer in each of the four instructional components.</p>	<p>Indicator 2.3 USDE required that “The CDE must develop, submit to ED and implement an action plan that specifically describes/explains the guidance that it will give to local programs regarding the recommended minimum intensities for the four core instructional components of the Even Start program.”</p> <p>CDE has completed the following actions:</p> <ul style="list-style-type: none"> • During a face-to-face power point presentation, program coordinators were advised of the USDE recommended minimum number of hours for an Even Start program. • Program coordinators were advised of the discrepancies between the Colorado required number of hours and the USDE recommended number of hours. • Program coordinators were

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			<p>encouraged to increase the number of program hours.</p> <ul style="list-style-type: none"> • Program coordinators were made aware of technical assistance availability to assist in finding ways to increase program hours in the final year of the award. <p>CDE will, for future Even Start funding opportunities:</p> <ul style="list-style-type: none"> • Increase the required number of hours in Colorado programs • Award sub-grants and monitor Even Start programs with regard to compliance with these requirements <p>As this is the fourth and final year for all five Even Start programs in Colorado, it is a good time for CDE to review the expectations of the programs requesting future funding. With regard to time and intensity, CDE will utilize the local program coordinators, the State technical assistant, and the State evaluator, as well as the Committee of Practitioners, to review the research, analyze the local data, discuss the</p>
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			<p>implications, and establish rigorous requirements. Any future RFP for Even Start funding will include the expectation of increased time and intensity.</p> <p>Evidence: 1) Even Start Coordinators' Summer Meeting Agenda 2) Even Start Power Point</p>
<p><u>Indicator 2.3:</u> Continued</p>	<p>Children – 20 hours per month. The CDE must submit to ED a copy of guidance it will provide to local programs regarding the recommended minimum intensities for the four core instructional components of the Even Start program.</p>		

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TITLE I, PART B – EVEN START

Indicator Number and Finding	Further Action Required	DOCUMENTATION OF STATUS DESIGNATION FOR FURTHER ACTIONS SUBMITTED	CDE Response
<p>Indicator 3.1: The CDE did not use the correct percentage of their allocation for State administration and technical assistance. The CDE also used technical assistance funds to provide direct assistance to projects for program improvement or replication and these funds, unless used to implement sections 1240 and 1234(c), must be spent through one or more subgrants or contracts.</p>	<p>The CDE must ensure that it uses the correct percentage of their allocation for State administration and technical assistance, and that the technical assistance is provided through one or more subgrants or contracts and not with direct funds. The CDE must submit to ED a revised budget showing the correct percentage of their allocation for State administration, and technical assistance (through a grant or contract).</p>	<p>The SEA may reserve up to 6% of its Even Start grant for State level activities. The CDE must submit, to ED, a revised budget showing the correct percentage of their allocation for State administration, and technical assistance (through a grant or contract).</p>	<p>Indicator 3.1: Evidence: 1) Copy of Even Start 07-08 Budget 2) Copy of Even Start 08-09 Budget SEE TAB 32</p>

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TITLE I PART D - NEGLECTED, DELINQUENT OR AT-RISK OF DROPPING-OUT PROGRAM

INDICATOR NUMBER AND FINDING	FURTHER ACTION REQUIRED	FOLLOW-UP ACTION TO BE RESOLVED	CDE Response
<p><u>Indicator 3.2:</u> The ED team found that the CDE has not monitored programs under the Department of Corrections, including the Division of Youth Corrections, for Part D of NCLB.</p>	<p>The CDE must provide a plan to ED that indicates how it will (1) implement a monitoring process that determines whether the Title I, Part D State agency programs are complying with Part D requirements; and (2) provide ED with information of how it will carry out comprehensive monitoring to ensure that Subpart 1 programs implement requirements.</p>	<p>The CDE provided ED with information that it plans to conduct monitoring of Part D programs on a three-year cycle. In 2008-2009 DTC will be monitored. As this is a similar finding to ED's review of the CDE in 2005, this finding will be closed when the CDE has completed monitoring of the DYC and provided written documentation ED that this has occurred.</p> <p>The CDE provided ED with a protocol for monitoring SAs consistent with section 1414. ED recommends that the CDE use this opportunity to review transition activities and services provided through the section 1418 reservation.</p>	<p><u>Indicator 3.2:</u></p> <p>1) T1D-1 Monitoring Indicators 2) Completed T1D-1 Monitoring Evaluation</p> <p>SEE TAB 33</p>