

CDE Categorical Programs Directors' Meeting

Friday, September 16, 2011

Federal Program Monitoring Update
Handout #1

Cindy Cunningham, Manager, Federal Program Monitoring Office
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2010-11 Frequency of Non-Compliant Items by Program Item # (Slide #2). Based on last year's FPM findings, this is the group of items that was the focus of training in various regions during the week of Sept. 12-16. LEA trainings occurred in Butte, Fresno, LA, Riverside, Sacramento, and Santa Clara. **CDE is planning 2012-13 training now. Mini-trainings on CAIS will be conducted.**

The CAIS system contains the most current review schedule (not the CDE website). The EL reviewers have not been named due to CDE reorganization, but they anticipate posting within a few days.

Online vs. On-Site Program Instruments look different compared to last year. The multiple colors caused confusion. This year, items that aren't monitored in Online Review simply won't appear on the instrument.

Document upload deadlines have been adjusted. For reviews occurring in October: they have 15 calendar days to upload. The rest of the reviews have a 30 calendar day window to upload.

Upcoming: Annually, the SBE approves ConApp. At the November SBE meeting, any LEAs with NOF over 365 days out of compliance will only have their ConApp conditionally approved. About 10 LEAs will have conditional approval and funding will be withheld.

Questions and Answers

For LEAs that were notified about a month ago for review dates, have those dates changed? Those dates won't change.

What's the thinking behind changing name to FPM, given that State programs are monitored? It was a political decision; CA Legislature thought CDE was continuing to monitor flexed state funds, so this indicates its different nature.

For Charters: Will there be a different instrument? No. Programs have opted out when they think they don't have the authority to monitor charters. UCP is an example.

Can we still start uploading things to CAIS if we aren't scheduled to be monitored this year? Email Cindy Cunningham of FPM office for approval on this.

Is there an appeal process if the LEA disagrees with a finding? There is no formal appeal process. This will be taken back to the FPM team for consideration.

Is there a consideration for holding FPM training earlier in the year? This is being considered for next year's plans.

Non-compliance issues: Item II CE-8: SSC/SPSA
Handout #2 (Compensatory Education)

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CONTEXT: CE 6 and 7 precede CE 8.

CE 6 (Slide 2): Evidence for this item documents LEA support of schools in PI. It describes assistance that was provided to help schools identify Professional Development needs, analyze student achievement data, etc. Technical Assistance can come from an external provider, and doesn't need to be one that is state approved.

CE 7 (Slides 3-4): SSC Composition

CE 8: This is a 3 page item in the instrument. It covers every area of law that addresses the SPSA, and addresses both TAS and SWP.

- **Key role of the SSC.** Many findings involve SSC's role in the development of the SPSA, and how well they know how the budget was developed. Can they articulate their role in expenditures decisions?
- Monitoring visits include interviews with SSC members and explores their integral role in developing the SPSA.
- **Involves annual evaluation of Title I program. The LEA must review and approve the SPSA.**
- Expenditures in SPSA must be aligned with ConApp.
- Reviewers look for alignment between SPSAs and LEAP, particularly for LEAs in PI.

Questions and Answers

What about the mismatch between ConApp submission and (timelines of) SPSA planning? Reviewer's guidance is not necessarily to find an exact match of dollars.

Are you looking for a line-item budget for expenditures by object code? In the review, if there's question about expenditures, it's more looking at general estimated figures. Also part of the review is for the business office to run a report on expenditures.

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Part of the proposed Title I budget is difficult. District projections take the ConApp from last year, reduce it by 10%, and then allocate out to schools. A review in the second part of the school year would be more accurate since ConApp is based on expenditures. An explanation to a reviewer that makes logical sense affects ability to reconcile the discrepancies.

What about SSC for continuation schools? CDE fully acknowledges how difficult it is to compose SSC for these schools. One option: there's a waiver process. Karen Nielsen is a good resource for that. (kNielsen@cde.ca.gov - 916-319-0946.) Also contact Jeff Breshears: JBreshears@cde.ca.gov (916) 319-0745. Go to website – search waivers. There's a one-page waiver form. When there are kids in group homes, representatives of group homes became members. <http://www.cde.ca.gov/re/lr/wr/>

When interviewing the SSC, who is being interviewed? All representatives, but they ensure parents are included. They may not all be in the same room at the same time.

Some parents have been trained (in SSC duties) and have participated (in budget and SPSA development), but may have trouble articulating/remembersing these activities. Before a finding is made, reviewers attempt to cross-reference answers.

**Non-compliance issues: Item I EL-2: ELAC
Handout #3**

**Mark Klinesteker, English Learner Accountability Unit
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ELAC is the #1 EL Compliance issue over several years. ELAC comes up as a finding in 63% of reviews. On the surface it seems like a simple concept: an advisory committee elected by parents, with a percentage that reflects student body composition. Actuality: execution of concept is complex.

An ELAC may designate existing advisory committee to fulfill its legal responsibilities IF it meets the composition criteria.

IMPORTANT: The ELAC ACTUALLY advises the SSC in development of the SPSA. This is demonstrated in the interview of the ELAC. Some ELAC members come to interviews with binders of notes from their training. If they have been trained, the reviewers find the parents are more likely to want to provide input on the budget.

ALL ELAC members must be trained. It's not enough to say, "We offer training at X school on X day. Some came, some didn't." The law says all members must receive training in full consultation.

Questions and Answers

What does it look like for an ELAC to advise on the Language Census, since it mostly exists in CALPADS. In an interview, the parents will be asked to demonstrate: Is there an awareness of the reports? DO they agree that this seems to be correct data for school/district?

Records within the past 12 months: sign-in sheets, agendas, minutes, etc. Many LEAs have gone to a format where required components are on the agenda every month, rather than once a year.

When a COE went through the process, they found that they couldn't JUST show all of the materials. They needed to document in the minutes which members provided specific feedback. This is not the only way to show compliance.

What's the percentage for representation if an ELAC delegates its roles to SSC? If a site council wants to take on responsibility, does the parent side have to reflect student composition? Yes.

Is there a minimum number of ELAC meetings? No minimum. What reviewers often see is 6-9 meetings. If all of the requirements can be met in four meetings, then this is appropriate.

Documentation of elections: In a Court and community setting, there can be documentation of soliciting interested parents. There aren't going to be tallies because there often aren't enough volunteers. If you're making a good-faith effort to involve parents, CDE can discuss that further.

**Carry-over Waivers Update
Handout #4**

**Jyoti Singh, Consultant Title I Accountability & Partnerships
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Background: There is a district level 15% cap on Title I, Part A carryover from one fiscal year to the next. The state may grant a waiver to LEAs, but it is limited to only one time in three years.

But then things changed with ARRA. Under ARRA guidance, CDE received a waiver which allowed it to grant districts a waiver of the 15% limit more than once in three years. Technically it could get a waiver for 08-09, 09-10, and 10-11.

09-10 funds were included in ConApp for carryover calculations, which was to allow LEAs the extra waiver.

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The blue chart contains 5 columns. Explanations follow:

- 1: Did LEA receive only Title I or Title I and ARRA?
- 2: Did an LEA receive a waiver to carryover 08-09 into 09-10? (Prior to ARRA.)
- 3: For 09-10 funds, did the district request a waiver to carryover into 10-11? (This is when ARRA came in.)
- 4: For 10-11 funds to be carried into 11-12. Is the LEA eligible?
- 5: For 11-12 to be carried into 12-13. (For those who want to ponder next year.)

Are we just checking the box on the ConApp again? No, because that was allowed on supplemental allocation of ARRA funds. But this time, it's for **regular Title I funding**. You'll have to fill out a waiver that lists the identified funds and expenditures. It's not a separate form, but you have to go to Section C in the ConApp. (*Part 2, Title I, Part A, Carryover Calculation and Waiver Request, p. 33*)

Parent Empowerment Update
NO HANDOUT

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SBE approved proposed regulations in September. The "package" will be sent to OAL today. They have 30 days to act on the regulations to approve or to reject. It's common for back and forth between OAL and Legal to work on language.

AB 203 (Brownley): Cleanup language for Parent Empowerment Bill. This should not interfere with approval of regulations.

EIA Funding Update
Handout #5

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Later this month, the first the apportionment will be posted. In October, entitlements will be posted for 11-12

Appropriation: For last year, \$7.5M was not allocated to LEAs or COEs. (Unused funds.) This year, \$9.5M increase in entitlements.

Three factors used to generate entitlements:

- 1) EL counts, that's 2011 counts collected spring under CALPADS. (Previously on R-30 Language Census.) **They think this will decrease statewide 2-3%.**
- 2) **Proxy for Economically Disadvantaged** = the Title I formula child count, which is created by ED based on census data and primarily created to generate Title I \$.
- 3) **Weighted concentration factor** = combined ED and EL >50% total enrollment

EIA – EL programs and SCE.

CDE based the 2011-12 appropriation on the ED estimated child count formula in January. It estimated a 3% increase. In June, actuals went up over 9%. It is possible that entitlements will be over the original estimation.

In 2010-11, ELAP funds got added into EIA. Total dollars added in.

In 2011-12, EIA per pupil rate (for LEAs that received ELAP) has been increased by an equivalent amount.

Go to 2010-11: Four apportionments, entitlement section, go to excel file and it shows 09-10 funding, EL counts, etc. Off to the right it shows if there were ELAP increases, and it shows the amount for each eligible pupil. The last column gives you a beginning rate. (NOTE: Vanessa is checking into this process.)

If it does turn out that the entitlement is higher than appropriation, what happens? That becomes part of the budget process. A decrease would be calculated and taken to the legislature.

Our district assumed there was a state rate. Does each LEA have its own per-pupil rate? In 2005, the program was benched under the old method for 2005-06 dollars. How much per the new method will the districts get? In 06-07 there was a \$350M augmentation, and LEA rates were increased dramatically. Figures vary dramatically. COEs are funded based on the statewide average. (**\$318 per pupil in 10-11, perhaps \$337 in 11-12.**) **If you built your budget on last year's figures, adjust it for this year.**

Basic Aid districts will get an off-set this year.

If you're applying for EIA: Remember you apply for funds in CADS on ConApp, part I, page 2. On page 2, make sure you mark "participating" or you won't get funds on the first apportionment. CARS winter release will capture EIA entitlements. This will be returned to CDE by January with school level allocations.

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Legislative Update
Handout #6

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AB 5 (Fuentes) – Teacher Evaluation: This has a good chance of ending up on Governor’s desk. It wouldn’t take effect until the deficit factor is paid back. (That would be a few years out.)

SB 547 (Steinberg) – Public School Accountability: Changes API to include other factors. No longer a punitive tool, but a picture of “what this school has to offer.” It has made it to the governor’s desk, unsure if he’ll sign it. He’s interested in continued conversation. If signed, a task force will be assigned to look at what the EQI might be.

SB 740 (Hancock) – Pupil Assessment: Would have stopped grade 2 STAR and take savings to support CCSS, but it was held in Senate Appropriations committee. There’s concern about needing to have a larger, public conversation about the assessment system.

AB 189 (Eng) – Education Funding: Would have required CDE to create a resource code to track flexed funds. CDE fought it. The bill now requires that LEAs have a **separate** meeting if they are going to stop funding a categorical activity. Also gives LEAs authority to charge for adult EL classes and citizenship.

AB 853 (Blumenfeld) – Online Education- School attendance: This vehicle will no longer exist. The policy and the bill will be put into a vehicle next year and “will jump all the way to the second house.” Allows for online education classes; addresses whether you pay for it through independent (as it is now) study or seat based ADA.

SB 753 (Padilla) – Pupils- English Learners- Assessment: Change CELDT AA to spring, but would also require that districts use the fall CELDT as the initial screener. It allows for banking of test scores. (Which is against federal regulations.) There is language in the bill stipulating it would go into effect if and only if federal regulations change.

All three bills work together as a package: AB 124, AB 250, SB 140

AB 124 – Align ELD standards to new ELA CCSS standards. Calls on a task force to do this alignment.

AB 250 – Materials, instructions, developing PD aligned to the Common Core academic content standards.

AB 140 – Allow the CDE to recommend, and SBE to approve, evaluation criteria to guide development of supplemental materials.

AB 165 (Lara) – Student fees. “This bill would prohibit a pupil enrolled in a public school from being required to pay a pupil fee, as defined, for participation in an educational activity, as defined, as specified.” The bill passed, and is on the Governor’s desk. **It creates a new type of UCP process to monitor.**

AB 18 (Brownley) – Education Finance: This has become a two-year bill. It’s intended to reform funding. The bill in print is now how it’s going to end up.

ARRA Accounts Update
Handout #7

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This is the last quarter of reporting. All money has to be obligated by the end of the month. (Except for EdJobs and SIG.) It has to match the grant award amount. You have until December to spend the money, but you need to contact CDE if you can’t expend it by the end of September to notify the CDE. (Like obligated in a contract. You need to let CDE program staff know so they can notify the feds on “late liquidation.”) For services, it’s the day the service is provided. If it’s specific to Title I, let that CDE program staff person know. If it’s IDEA, contact the appropriate CDE program staff person.

The system opened September 14 and remains open until September 23rd.

Is the request to the Feds for a late liquidation is a blanket for the state? Yes, but it’s individual by program.

There will be an annual SFSF report.

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Accountability Update
Handout #8

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SBAC is asking members of the public to review content specifications. Content Specifications aren't as detailed as frameworks or blueprints; this is much more broad. They will drive the next phase of the process, which is item writing and item specifications. This is a chance for professionals to be involved.

ELA will go out for Round Two next week. Opens September 19 and closes September 27th.

Directions: Read content specifications and submit an online survey. Individuals or groups can submit feedback.

Mathematics. Round One closes Monday, September 19. Round two opens October 10.

SBAC has created 10 working groups. (See slide 8.)

HIGHLIGHTS:

Technology – Given the differing needs/states of readiness, we want to be represented.

Performance Tasks– This is not something we've done on a statewide basis. This way we can take CA concerns to group and address it.

Formative Processes and Tools – This is not something we've done on a statewide basis. This way we can take CA concerns to group and address it.

Questions and Answers:

Will the additional 15% of standards be addressed by assessments? Maybe. SBAC assessments will not address that. If CA or any other state wants to assess over and above CCSS, that's "on our own dime." This is a conversation about STAR reauthorization. It will probably contain SBAC, plus CA specific assessments (like CAPA, CAHSEE?) Testing in different grade levels and content areas (Science, Social Science, PE.)

Common question: How can we reduce testing? CA Legislature has been clear, while education has taken budget cuts, we cannot cut assessment. Despite a growing interest in reducing testing time, nobody has taken that (legislative) step.

Accountability (Slides 17-18)

- CDE will update API, AYP, and PI to include complete statewide data (late testing districts)
- If you know about errors to graduation data reports, NOW is the time to correct them. CALPADS data pull will occur in October.
- October: re-run graduation rate data
- CDE will also post the new graduation rate targets based on Cohort Rate.

Pending State Accountability System Changes (Slides 19-20)

- Typically, Rachel goes to SBE in January with recommendations on API cycle. This slide lists things that could happen.
- Grade 8 and 9 dropouts, plus transition dropouts. Approved at July SBE meeting. Describes what happens when students attend comprehensive high school and transfer to alternative high school.
- Four-year cohort rates may be included in API.
- SB 547 – main concept: keep the API but build an umbrella over it that builds different indices that allow high schools to demonstrate college and career readiness.

School Improvement Grant Update
No Handout

Chad Portney, Consultant, Regional Coordination & Support
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SBE had originally said that Cohort 1, year 2 funding would be held until all 41 LEAs had submitted CA plans. Modified authority granted at SBE to have SBE President approve LEA plans. Anticipate communication next week, Wednesday September 23, whether there will be grant award notifications or more modification to the plans.

CDE also asked to authorize waiver for the teacher evaluation system that is attached to transformation model. The waiver would delay the timeline. The third year would be pilot year.

What's status of Year 2? CDE applied to Feds for a waiver to withhold funding – and received verbal confirmation for approval. Condition: CDE send out grant award notification by February 1 for implementation in 2012-13 SY. Next RFA will be posted by the end of September, and will be due mid-November. Reader's Conference will be in Week 1 of December so

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they can make recommendations to SBE in January. There's not a new list to be calculated, but they will go through unfunded LEAs from the other list.

Will each LEA get some kind of confirmation about whether their plan was approved? Yes, next week. CDE wants to ensure consistent feedback.

**Title I Comparability Report
Handout #9**

Sandi Ridge, District & School Improvement Division
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Annual submission for counties 31-58 is due by October 14th. Counties 1-30 are required to do the calculation and retain their records on file.

CHANGE: It will have its own item on FPM and be monitored through CE. WHEN?

CDE Update

Christine Swenson, Director, District and School Improvement
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What's being called CA's waiver request of the NCLB requirements: NOT A WAIVER REQUEST. It was actually a statement by the State Superintendent of what kind of flexibility we'd like to see happen throughout the states. "Schools Chief Torlakson Seeks Relief from NCLB Sanctions" <http://www.cde.ca.gov/nr/el/le/yr11ltr0823.asp>

View this letter as an effort by CA to shape the landscape of what the waiver climate becomes. CA is not applying for waivers until we know what waivers are being offered.

It is not an option that CA has, at least, not currently.

CDE will have a New Org Chart, effective October 1. Watch words: Innovate, Serve, Learn, Collaborate

The next meeting of the Categorical Program Directors is at the California Department of Education, Room 1101 on Friday, October 21, 2011, **9 a.m. through 12:30 p.m.**