

Series 2002-2003

Circular Letter: C-9

TO: Superintendents of Schools
Regional Education Service Center Directors
Charter School Directors

FROM: Theodore S. Sergi, Commissioner of Education

DATE: May 31, 2002 **Revised: August 15, 2002**

SUBJECT: **Update on No Child Left Behind Act**

The newly reauthorized Elementary and Secondary Education Act (ESEA), as amended by the **No Child Left Behind Act**, focuses on the themes of improving student achievement, closing the achievement gaps, increasing parental involvement, and using research-based approaches to improving school quality and student performance. It requires an expansion of the scope and frequency of student testing, a new accountability system, and assurance that every classroom is staffed by a highly qualified teacher. It also requires us as a state, and each district, school and sub-group of students to make “adequate yearly progress (AYP)”, increasing the percentage of students proficient in reading and math. While the U.S. Department of Education has increased its resource allocation to the state (including funding for early literacy programs, after-school programs, technology infrastructure and professional development, development of an assessment system covering grades 3 – 8, English language proficiency programs, class-size reduction and others), there are significant new requirements at both the state and local levels. This letter will serve to outline many of these requirements and to provide you with a projected timeline for some of the required activities. Department staff are reviewing the **No Child Left Behind Act**, seeking guidance from the USDE and making plans for implementing the programs authorized. The federal rulemaking process has not been completed and final guidance has not been issued.

As I am sure you are aware, the heart of the new legislation is testing in grades 3-8, beginning in 2005-2006. In addition, science will be assessed in grades 5, 8 and 10, beginning in 2007-2008. The accountability system and its measurement of adequate yearly progress have some very challenging assumptions and there is a great deal of debate in Washington, D.C. and across the country about implementation. We will provide you with more information on these matters within the coming months.

At this time, we wanted to outline our current understanding of some of the local responsibilities for implementation. Each of these requirements must be implemented **effective July 1, 2002**, unless otherwise noted.

Attached are two documents:

- ? Summary of new local education agency responsibilities and provisions; and
- ? Timelines for submitting local consolidated applications and orientation sessions.

We will keep you informed as we receive more information. Thank you.

This version supercedes the original C-Letter, issued May 31, 2002.

SUMMARY OF NEW LOCAL EDUCATION AGENCY RESPONSIBILITIES AND PROVISIONS

Title I, Part A-Improving Basic Programs Operated By Local Educational Agencies: provides assistance to improve the teaching and learning of children in high-poverty schools to enable those children to meet challenging State academic content and performance standards.

Parental Involvement: Districts receiving at least \$500,000 of Title I funds shall reserve at least 1 percent to carry out parental involvement activities, including promoting family literacy and parenting skills. Not less than 95% of the funds reserved for parent involvement shall be distributed to the school district's Title I schools, as identified in the consolidated application.

Note: Parental Involvement is defined in the No Child Left Behind Act as "the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring that parents play an integral role in assisting their child's learning; that parents are encouraged to be actively involved in their child's education at school and that parents are full partners in their child's education and are included, as appropriate, in decision making and on advisory committees to assist in the education of their child."

Parents-Right-To-Know: Parents of each student attending any school receiving Title I funds shall be notified at the beginning of each school year, that they may request, and the district will provide, in a timely manner, information regarding the professional qualifications of the student's classroom teachers. The information must include, at a minimum: if the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; if the teacher is teaching under an interim certificate, a durational shortage area, a minor assignment, or as a substitute teacher; the baccalaureate degree major and any other graduate degree held by the teacher; and the field of discipline of the certification or degree; and information on whether the student is provided services by a paraprofessional and, if so, their qualifications. Parents shall also be notified, in a "timely manner," if their child has been assigned, or has been taught for four or more consecutive weeks by a teacher who is not highly qualified.

Early Childhood: Title I funds may be used as a foundation to build preschool capacity by expanding the availability of high-quality full-day preschool programs. LEAs may use Title I funds to coordinate and support transitional services for pre-kindergarten children from early childhood development programs to the local educational agency. Districts receiving Title I funds shall, in conjunction with local Head Start agencies, and, if feasible, other early educational (Early Childhood) agencies, coordinate services between the LEAs and Early Childhood agencies; and link LEA educational services with services provided by local Head Start agencies, and entities carrying out Early Reading First programs.

LEA Report Cards: Districts receiving Title I funds shall prepare and disseminate an annual LEA report card, which presents information on the district as a whole and on each school within the LEA, and which must be disseminated by the LEA to all its schools and all its students' parents no later than the beginning of the 2002-03 school year; ensure that the report card is made widely available through such means as the internet or distribution to the media; and ensure that the report card contains the required elements of student performance on the Connecticut Mastery Test and the Connecticut Academic Performance Test, in the aggregate and disaggregated by race/ethnicity, gender, enrollment in special education, English proficiency, eligibility for free/reduced-price meals, migrant status and teachers' qualifications.

Note: For the 2002-2003 school year, the required report cards will be incorporated into the Strategic School and District Profiles, which will be issued as usual in the fall by the State Department of Education; and by State law will be available and discussed at the first local Board meeting of November.

Linguistic Assessment of Limited English Proficient (LEP) Students: All districts providing services to LEP, students shall annually assess their English proficiency in speaking, reading, writing and listening and

comprehending beginning in the 2002-2003 school year; annually report the results to the SDE; inform the parent(s) of Limited English Proficient (LEP) students who are provided language instruction using Title I and/or Title III funds, not later than 30 days after the beginning of school, of the following: reason for identification as LEP and need for a language program; level of English proficiency, how this was assessed and the status of the student's academic achievement; methods of instruction to be used in the program and in other available programs; the differences among programs including the use of English and native language instruction; how the program will meet their child's educational strengths and needs; how the program will specifically help their child learn English and meet age appropriate academic achievement standards and eventually meet graduation requirements; exit requirements and the expected rate of transition from the program into mainstream classes, the expected rate of graduation from secondary school for students in such a program, if Title III funds are used for LEP students in secondary schools; how for a student with a disability, the program meets the objectives of the IEP; and written guidance detailing parent's rights to have their child immediately removed from the program, the options that parents have for declining enrollment of their child in the program and for choosing another program of instruction and written guidance for assisting parents in selecting other available programs. In addition, each school district using Title III funds to provide a program and that has failed to make progress on the annual measurable achievement objectives (described in Section 3122) shall separately inform a parent or the parents of a student identified for participation in such a program, or participating in such a program, of such a failure not later than 30 days after such failure has occurred. All information to parents shall be provided in an understandable and uniform format and, to the extent possible, in a language that the parent can understand. Lastly, school districts operating programs with Title III funds shall implement an effective means of outreach to parents of LEP students regarding parental involvement in the education of their child, including how parents may be active participants in assisting their child in learning English, in achieving to high standards in core academic subjects and in meeting the same challenging State academic and content standards required of all students. This outreach shall include holding, and sending notice of opportunities for, regular meetings held to formulate and respond to recommendations from parents regarding their participation.

Note: In 2000, the SDE adopted the Language Assessment Scales (LAS) in Oral, Reading and Writing, which has been used by school districts providing bilingual education in fulfillment of Section 10-17f (c) of the Connecticut General Statutes. Since all districts will now have to annually assess their LEP students, all districts will use the same linguistic assessment with LEP students. The annual linguistic assessment must take place during a three-week period in May of each year. The Department has provided information on ordering the appropriate tests from the vendor, CTB McGraw-Hill. The vendor will also offer a series of workshops in March on the administration and scoring of these tests. The Department will collect the students' test results through an LEP data collection in June of the 2002-2003 school year, and annually thereafter. Since the ESEA requires the linguistic assessment to include oral, reading and writing in all grades, from kindergarten to 12, each year, this will change the current requirements of linguistic assessment for districts with bilingual programs. (Currently, the LAS, Oral, is used in grades kindergarten, one and two, and the LAS, Reading and Writing is used in Grades three through 12.)

Paraprofessional Qualifications: Districts receiving Title I funds shall ensure that all paraprofessionals hired after January 8, 2002, and funded through Title I, must have completed at least two years of study at an institution of higher education; or obtained an associate's (or higher) degree; or passed a rigorous state or local assessment. In addition, all existing paraprofessionals hired before January 8, 2002 and working in a program supported with Title I funds shall, not later than January 8, 2006, meet the requirements for new paraprofessionals. The preceding requirements for new and existing paraprofessionals shall not apply to a paraprofessional who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in programs funded by Title I by acting as a translator; or whose duties consist solely of conducting parental involvement activities. However, all paraprofessionals working in a program supported with Title I funds must have earned a secondary school diploma, or its recognized equivalent.

Note: The SDE is working with several other states and the Educational Testing Service (ETS) to develop an appropriate assessment for paraprofessionals, *Parapro*, which should be available by December of 2002. This *Parapro* test will become the state assessment adopted by the State Board of Education to fulfill this requirement. Local assessments will not be necessary.

Participation of Children Enrolled in Private Schools: For the purposes of allocating Title I funds for services to eligible private school children, school districts receiving Title I funds have the option of determining either each year or every 2 years the number of private school children from low-income families.

Districts receiving Title I funds shall ensure timely and meaningful consultation with appropriate private school officials during the design and development of such district's Title I programs on issues such as: how the children's needs will be identified; what services will be offered; how, where, and by whom the services will be provided; how the services will be academically assessed and how the results of that assessment will be used to improve those services; the size and scope of the equitable services to be provided; the proportion of the LEA's funds allocated to private school students; the method or sources of poverty data that are used to derive the allocation for private school students; and how and when the LEA will make decisions about the delivery of services to eligible private school students, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers; and how, if the district disagrees with the views of the private school officials on the provision of services through a contract, the school district will provide in writing to such private school officials an analysis of the reasons why the school district has chosen not to use a contractor.

Consultations shall include meetings of school district and private school officials and occur before the school district makes any decision that affects the opportunities of eligible private school children to participate in programs under Title I. Such meetings shall continue throughout implementation and assessment of services.

Districts shall retain in their records and provide to the State Department of Education, a written affirmation signed by officials of each participating private school that the consultation required has occurred. If such private school officials do not provide such affirmation within a reasonable period of time, districts shall forward the documentation that such consultation has taken place to the State Department of Education.

Title II, Part A-Teacher and Principal Training and Recruiting Fund: combines the Eisenhower Professional Development and the Class-Size Reduction programs into one program that focuses on preparing, training and recruiting high-quality teachers. It allows LEAs increased flexibility to allocate funds among professional development, class-size reduction, and other teacher quality activities, and eliminates the Eisenhower priority for professional development in mathematics and science. Districts may choose from among these new local activities, which include, among others: teacher and principal retention and retention initiatives; signing bonuses and other financial incentives; teacher and principal mentoring; reforming tenure system; merit pay; teacher testing; and pay differentiation initiatives. Districts are encouraged to allocate a portion of their new and increased Title II subgrant funds to cover expenses related to supporting beginning teachers in the BEST Program. Examples of allowable uses of these funds include (1) providing stipends and other financial incentives to mentor teachers or "master mentors;" (2) expanding the support of beginning teachers into their second or third year of teaching; (3) providing workshops of other professional development for beginning teachers and their mentors as well as principals around effective teaching practices and the portfolio process; and (4) providing release time for collaboration between beginning teachers and their mentors and/or content colleagues. If you spend any of these funds on professional development activities, you are required to include training on how to involve and work with parents in their child's education.

Title II, Part D, Subpart 1-Enhancing Education Through Technology: consolidates the current Technology Literacy Challenge Fund (TLCF) Program and the Technology Innovative Challenge Grant Program into a single State formula grant program. Fifty percent of the funds will be allocated to districts on a formula basis to districts receiving Title I funds. Fifty percent of the funds will be distributed on a competitive basis. The primary goal of the Ed Tech program is to improve student academic achievement through the use of technology in schools. It is also designed to assist every student in crossing the digital divide by ensuring that every student is technologically literate by the end of eighth grade, and to encourage the effective integration of technology with teacher training and curriculum development to establish successful research-based instructional methods. Districts are to ensure that education technology will be used to connect schools and families.

Title V, Part A-Innovative Programs: retains, with a few changes, the previous Title VI, Innovative Education Program Strategies that provides flexible funds to LEAs for innovative educational programs. New allowable activities include, among others: professional development and class-size reduction activities; charter schools;

community service programs; consumer, economic, and personal finance education; public school choice; programs to hire and support school nurses; school-based mental health services; alternative education programs; pre-kindergarten programs; academic intervention programs; programs for CPR training in schools; smaller learning communities programs; activities to advance student achievement; programs and activities that use best practice models; same-gender schools and classrooms; service-learning activities; school safety programs; programs that use research-based cognitive and perceptual development approaches and rely on a "diagnostic-prescriptive model" to improve students' learning; magnet schools; dropout prevention; gifted and talented education; and parental and community involvement.

Graduation Rates: Graduation rate, which is the percentage of students who graduate from a public secondary school with a regular diploma in the standard number of years (i.e., 4 years), is a required high school element of the ESEA accountability model and reporting system. Connecticut does not currently calculate a graduation rate for its regular education students, nor does it collect the data necessary to do so. The SDE will begin collecting graduation rate data on the class of 2006 through the new Connecticut Public School Information System.

Unsafe School Choice Options: The SDE is required to certify that it has established and implemented a policy requiring that students attending persistently dangerous public elementary or secondary schools, as determined by the State Department of Education, in consultation with the representative sample of local education agencies, or who become victims of violent criminal offenses, as determined by state law, while in or on the grounds of public and elementary and secondary schools that the students attend, be allowed to choose to attend a different, safe, public elementary or secondary school (including a charter school) within the local education agency.

Note: The SDE does not have such a policy or definition at this time – but will be developing one over the next few months.

Highly Qualified Teachers: The SDE is required to ensure that all public elementary and secondary school teachers in Connecticut are “highly qualified” – effective for the school year 2005-2006. “Highly qualified” means “... the teacher has obtained full State certification as a teacher (including certification obtained through alternative routes to certification) or passed the State teacher licensing examination, and holds a license to teach in such State ...; and the teacher has not had certification or licensure requirements waived on an emergency, temporary, or provisional basis. “

TIMELINE

Local consolidated application due to State Department of Education:	Published: June 4, 2002 Submission: On or before Sept. 27, 2002 Grant Award Notification: Applications will be approved on a first come basis and grant awards issued accordingly.	
Regional orientation sessions	June 4 Institute for Industrial Engineering at CCSU, New Britain, CT	8:00 am to 12:30 pm
	June 13 Gray Center University of Hartford	8:00 am to 12:30 pm
	June 18 EASTCONN	8:00 am to 12:30 pm

Note: The consolidated application will be available on the State Department of Education website at http://www.state.ct.us/sde/dsi/RFP/esearf02_03.htm and hard copies will be given out at the orientation sessions.