

FEDERAL PROGRAMS RESPONSE
TO THE
IDEAS REPORT

Submitted by:

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August 13, 2009

Section I. Executive Summary

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The Federal Programs Coordinator, the Exceptional Programs Coordinator and the Director of Instruction all demonstrated during interviews their awareness of the conditions attached to grants whose budgets fall under their authority, but there are no systematic process controls to ensure that expenditures under those programs are limited to permissible uses.

I do not agree with the IDEAS auditors. What evidence is being used to make this claim?

Section III. TMS Organization

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The Federal Programs Coordinator and Exceptional Programs Coordinator have also seen an enormous increase in their administrative workloads, as the brunt of the work involved in applying for and monitoring the federal and state funds that are available to support the requirements for additional services has fallen on them, as well as that of responding to the onerous reporting requirements that accompany each grant and each mandated service.

I agree with this statement.

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The present organization chart has separate chains of command for Special Education Programs and Federal Programs, each of which is led by a highly qualified and highly paid Coordinator. These two coordinators collaborate informally with the Director of Instruction to ensure that the two groups of programs are complementary to and synchronized with both each other and the general curriculum. However, there is no one resource who is responsible for maintaining and pursuing an integrated strategy for leveraging available grants and supporting desirable program expansions through targeted grant applications.

I agree that the Special Education and Federal Programs Coordinator are highly qualified but on what basis is the statement that we are highly paid made? What evidence is there to make the claim? I believe this statement is an opinion and not based on fact. On what basis is the statement that “there is no one responsible for maintaining and pursuing an integrated strategy for leveraging available grants” also being made? Again, I believe this is opinion and not situated on fact.

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Instruction, Federal Funds and Special Education have all become enormously complex to administer as a result of the proliferation of special programs emerging from NCLB and now from ARRA. A great deal of the complexity, though, is in the recordkeeping and verification aspects of these programs, not in the curricular or didactic aspects.

Moreover, the recordkeeping and verification needed to meet reporting requirements for these programs is heavily technology driven. The data required to be reported must be mined from the district’s information systems in ways that are auditable and verifiable. More and more reporting is submitted electronically instead of on paper, and

sophisticated technology skills are required to ensure that reporting is accurately transferred from the local system to the funding agency system.

Correct statement – much more of the reporting to state and federal agencies is being transmitted electronically. The exception is in transmitting sensitive student information.

Section IV. Finance

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POs for Federal Programs are only entered on one day a week, so that a need discovered the day after the POs have been run may not be committed to a PO until almost a week later. If there is a discrepancy or error in a PO, it will be further delayed for a full week.

Correct statement – although this situation has improved.

Section VI. Director of Instruction

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The DI and Federal Programs Coordinator at one time had a process of “walk through” classroom observation visits using a checklist to note compliance to standards.

Incorrect statement – The classroom walkthroughs included the DI, Federal Programs Coordinator, Exceptional Programs Coordinator, Student Nutrition Coordinator, Health Services Coordinator and the Technology Coordinator. Not including these individuals gives the perception that only the DI and Federal Programs Coordinator were responsible for these walk-throughs, and this was simply not the case. Furthermore, these walkthroughs consisted of much more than just using a checklist verifying compliance to standards.

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No grant application, particularly no grant application that involves ARRA funds in any manner, should be submitted absent a detailed plan for verifiably documenting compliance with grant conditions. To apply for funds, or to expend funds, from these grant programs without being able to demonstrate that systems are already in place that are capable of producing the required compliance reporting in ways that can withstand audit puts the district at risk of having to repay every penny, and moreover, at risk of being debarred from applying for related grants for a period of time.

Incorrect statement – it is unclear what grant the auditors are addressing. With regard to the Title I ARRA Grant application submitted under Federal Programs, a detailed plan was submitted and approved by both the School Board and the NM PED. Approval of the grant was made on the fact that the district was able to demonstrate that the necessary systems are in place that are capable of producing the required reporting needed for compliance. These statements from the auditors are hearsay and they have not provided any evidences to substantiate their claims.

The fact that so many federal programs have been identified as having compliance issues reinforces our recommendation for a full forensic audit of district finances. If irregularities in the funding of one program are self-reported to US Department of Education officials, it is likely that the district can avoid being penalized in other programs.

Incomplete statement – the auditors have not identified what federal programs they are referring to. Again without identifying the specific program and the compliance issues they are referring to, these statements are once again without merit and are inaccurate statement. Many of the programs under the Federal Programs umbrella have been audited and the district is in compliance with the rules and regulations governing these federal grants.

Section VIII. Federal Programs

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A. Overview of the Department and Its Role

“Like Exceptional Programs, the ‘department’ itself consists of few, largely administrative staff. Teachers and educational assistants who receive compensation under these program report primarily to their principals, with only a weak dotted line report to the Federal Programs Coordinator. (The individual presently in this position does not hold an administrator’s license and so cannot exercise supervision over an individual who holds a teaching license.)

Incomplete – The Federal Programs Coordinator agrees with only the first statement in this paragraph. The remaining statements are incomplete because what the IDEAS Auditors failed to recognize, is that my part of my job description, which was approved by the School Board, states under the *Supervisory Responsibilities section* that my responsibilities are to “Supervise the Federal Programs Bookkeeper II, Bilingual Data Clerk/Bookkeeper I, Federal Programs Social Worker, Indian Education Program Manager, and approximately 32 Federal Program staff indirectly.” Furthermore, as per my job description, an administrative certificate is preferred and not required. A Master’s Degree with at least 5 years successful experience in school administration with graduate credit and teaching experience in the general academic area of the particular program and or/project is what is required. I had met these requirements at the time I applied for the position. Furthermore, no where in my job description is it stated that I will supervise teachers. Had the auditors been more thorough in their investigation, they would have discovered that I met the required experience with the program/project needed to be the Federal Programs Coordinator.

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B. Programs

“The Federal Programs Department manages nine different federal grant programs with a total budget of around \$2.6 million.”

Incorrect – The FPC currently manages 16 different programs. Table A lists all the programs that fall under the Federal Programs umbrella.

Table A

Federal Program	Title Name	Fund #	Budget
Bilingual Program	State Bilingual Program	11000	* (1) 300,000.00
K-3+	Kindergarten through Third Grade	27166	626,571.00
Title I Part A	Improving the Academic Achievement of the Disadvantaged	24101	1,075,681.00
Title I Part D	Neglected and Delinquent Children	24101	11,149.00
Title I Part A	Stimulus Funding	24201	557,562.0000
Title I Part D	Stimulus Funding	24201	5,770.00
Title II Part A	Preparing, Training, Recruiting Highly Qualified Teachers & Principals	24154	256,095.00
Title II Part D	Enhancing Education Through Technology E2T2	24133	* (2) 0.00
Title III	Incentive Grant	24143	* (3) 0.00
Title III	Language Acquisition	24153	31,360.00
Title III	Immigrant Funding	24163	* (4) 0.00
Title IV	Safe and Drug Free Schools and Communities	24157	17,769.00
Title V Part A	Innovative Programs	24150	4,092.00
Title VI Part B	Rural Low Income Schools	24160	* (5) 85,190.00
Title VII Part A	Indian Education	25184	45,421.00
Title VIII	Impact Aid – Special Education	25145	11,763.00
Title VIII	Impact Aid – General Education	25147	15,869.00
	TOTAL :		3,044.292.00

*(1) State Bilingual funding is contingent on the actual numbers of students participating in the bilingual program by number of hours services are provided. All funding goes to the district as part of the SEG. The FPC oversees only the amount for actual purchased service and materials/supplies. The rest of the funding is utilized by the district.

*(2) Taos did not receive funding for the 2008-2009 / 2009-2010 school years but did for several years prior.

*(3) Allocations for each year usually comes after the July 1 date and is dependent on academic growth of ELL students.

*(4) Annual funding is based on a 3% growth of immigrant students from the previous year.

*(5) Allocation awards have not yet been determined by the state. Taos Schools are scheduled to receive an award. Any award will be above the amount already listed.

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“These programs are all mandated programs: the federal government funds them, but it also requires that the funded sources be provided. Federal flow-through grants are awarded to the state, which then distributes the funds to individual districts; federal grants are paid directly to the district. Funding for Kindergarten Three Plus is provided through a combination of a competitive federal grant to the state and a state match and is disbursed through reimbursement only.”

Incomplete – Federal Flow-Through grants beginning with a 24000 fund code fall into this category. Grants beginning with a 25000 fund code fall into the Federal Direct Grants category. Any grant beginning with a 27000 fund code are considered State Flow-Through grants. Any funding coming into the district with the 11000 fund code comes into the district as part of the State Equalization Guarantee (SEG) funding and is called “Operational” funding. This is the case with the State Bilingual Funding as the funding comes as part of all the operational funds awarded the district. As such, the Federal Programs Coordinator oversees only a minimal amount of the bilingual funding, with most of it going toward bilingual or ESL stipends for certified bilingual and ESL teachers currently teaching in a bilingual or ESL setting. The district uses its own discretion in how the rest of the bilingual funds get expended. However, the documentation required to receive the bilingual funding is considerable. This is also the case with all funds under the Federal Programs umbrella.

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1. Title I: The purpose of Title I of NCLB is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education. Title I provides funds to improve achievement of the lowest achieving students – those who are failing, or are most at risk of failing, to meet State academic achievement standards – enrolled in high poverty schools.

Incomplete – The information listed is above is a blanket statement taken out of the Federal Title I description. Title I does provide services to students most at risk of failing to meet State academic achievement standards in the highest poverty schools. However, what the auditors did not include the manner in how Title I funding is distributed to schools. The amount that is designated per pupil is based on the total poverty rate for that school. The standard allocation based on enrollment of a school is NOT what drives the amount per school. It is the poverty rate for schools. According to federal regulations, LEAs are required to provide support to schools with a poverty rate of 75% and above. The higher the poverty rate is at a school, the higher the per pupil allocation for that particular school. For schools between 35% and 74% funding can be provided to schools and funding is NOT allowed for schools with a poverty rate of 34% or below.

The supplemental educational services (SES) to be provided are defined in the federal No Child Left Behind Act (NCLB) and include one on one tutoring. Schools that are classified as School Improvement 2 or Corrective Action are required to offer SES, but schools with 40% or more poverty may use these funds for schoolwide programs to increase the achievement of all students, particularly at risk students.

Incorrect – The information listed above is again a blanket statement taken out of the Federal Title I Regulations governing SES. SES after school tutoring is a requirement under Title I. One on one tutoring is not required. Tutoring can be offered in 1:1; 1:2; 1:3 and up to 1:6 settings. The preference is of course one to one tutoring, but this not always in the best interest of the students. For many students a small group setting works best. The tutor to student ratio decision is made by the parents, student, and tutor jointly based on the needs of that individual student. SES funding CANNOT be used to fund school wide programs. SES funding comes off the top of the entire Title I allocation received by the District. By law, the District is required to set aside 20% of the total allocation for SES annually and the amount distributed to each student comes in the form of a predetermined amount from the NM PED. The District is then required to use this amount for SES tutoring only. All outside SES tutoring providers must be pre-approved by the NM PED. The District is then required to offer SES services from these outside providers to parents. All students attending a Title I school with a designation of School Improvement-II, Corrective Action, and Restructuring I or II are eligible for SES tutoring.

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This is the largest grant TMS receives in this category, and it carries a “supplement not supplant” requirement, intended to ensure that services provided with this money are in addition to, and do not replace or supplant, services that students would otherwise receive. Part of the Stimulus Fund grants this year are directed at supplementing Title I grants and will have to be spent in the same way. These funds cannot be used to provide services that the district is required to make available under state law or any federal law other than Title I. Funds are allocated through four statutory formulas that are based primarily on census poverty estimates and the cost of education in each state., but if poor children make up at least 40 percent of enrollment they may use Title I funds for programs that serve all children in the school. The district must use Title I funds to provide academic enrichment services to eligible children enrolled in private schools.

Correct statement. Title I Stimulus funds follow all regular Title I rules and regulations. As such Title I and Title I Stimulus follow the supplement not supplant guideline. Supplanting is providing funding for services that the District is already required to provide, while supplementing is just that. We supplement what is needed above and beyond what the District is required to provide. At this time we do not have any private schools that have opted to participate in Title I.

2. English Language Acquisition: Grants under Title III of the NCLB are designed to improve the education of limited English proficient (LEP) children and youths by helping them learn English and meet challenging state academic content and student academic achievement standards. The program provides enhanced instructional opportunities for immigrant children and youths. Funds are distributed to states based on a formula that takes into account the number of immigrant and LEP students in each state, and in turn distributed by the state to the district based on the same formula. While there are many students in TMS who may fit the definition of LEP, they do not fit the very narrow

regulatory definition of immigrant, and the district receives less funding than might be expected through this program.

Incomplete – The information listed above is incomplete. The Title III Language Acquisition Program provides enhanced instructional opportunities for limited English proficient (LEP) or English Language Learners (ELLs), and immigrant students and migrant children and youth. Not all ELLs are immigrant students. Many of the ELL students that the district receives Title III Language Acquisition funds for are in fact native New Mexican students. Title III Funding for immigrant students is separate from the funding for ELLs and in order for a district to receive funding it must demonstrate a 3% growth in immigrant students from the previous school year. To be considered LEP/ELL an individual must be aged 3 through 21, be enrolled or preparing to enroll in an elementary or secondary school, and fulfill one of the following requirements:

- **Be born outside the United States or have a native language other than English;**
- **Be a Native American, Alaska Native, or a native resident of an outlying area, and from an environment where a language other than English has had a significant impact on his or her level of English proficiency; or**
- **Be migratory, have a native language other than English and come from an environment where a language other than English is dominant.**

In addition to the above requirements, an LEP/ELL individual must be someone whose difficulties in speaking, reading, writing, or understanding in the English language may be sufficient to deny him/her one of the following:

- **The ability to meet the state’s proficient level of achievement on state assessments described under Title I;**
- **The ability to successfully achieve in classrooms where the language of instruction is English; or**
- **The opportunity to participate fully in society.**

Immigrant children and youth are defined as individuals aged 3 through 21, who were not born in any state (“state” is defined as each of the 50 states, the District of Columbia, and Puerto Rico), and who have not been attending one or more schools in any state for more than three full academic years.

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3. Teacher/Principal Training & Recruiting: Title II, Part A of NCLB aims to increase academic achievement by improving teacher and principal quality. Awards are made to the state, and it, in turn, makes formula subgrants to local districts. State agencies for higher education also receive a (separate) formula grant used to award competitive grants to partnerships that must include at least one institution of higher education and its division that prepares teachers and principals, a school of arts and sciences, and a high need local district.

Incomplete- The information listed above is a blanket statement about Title II taken out of the Federal Title II description. In the district the Title II funding is used for preparing, training, and recruiting highly qualified teachers and principals. This funding allows our district to use funds for professional development activities and for recruitment and retention of teachers, paraprofessional educators, (educational

assistants) and principals. Funding needs to be used to ensure that teachers have the necessary subject matter knowledge and teaching skills in the subjects they teach. Principals must have the instructional leadership skills to help teachers teach and students learn. Teacher certification and licensing requirements must be aligned with state academic content and achievement standards. This grant is intended to provide professional development in core academic areas and to develop and provide assistance to school districts to bring about sustained, high-quality professional development.

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4. Safe and Drug-Free Schools and Communities: Grants under Title IV, Part A of NCLB support programs that prevent violence in and around schools; that prevent the illegal use of alcohol, tobacco, and drugs; that involve parents and communities; and that are coordinated with related federal, state, school, and community efforts and resources to foster a safe and drug free learning environment that supports student academic achievement.

Incomplete – The description above is a blanket statement about Title IV taken from the Federal Title IV Regulations. Funding from Title IV supports district programs geared toward making positive choices. Life Skills programs such as Character Counts, Conflict Mediation, Anger Management, PATHS, Build Respect, and Anti-Bullying Programs are how the funds in the district are spent.

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5. Rural and Low-Income School Grant Program (RLIS): Title VI, Part B of NCLB provides financial assistance to rural districts to assist them in meeting AYP. Applicants do not compete but rather are entitled to funds if they meet basic eligibility requirements as defined by statute.

Incomplete – The information listed above is a blanket statement about the RLIG fund. Funding from the Rural Low Income Grant for the Taos Municipal Schools is used for a wide variety of activities authorized under Title I, Title II, Title III, Title IV, or Title V under the No Child Left Behind Act. All funding received under the Rural Low Income Grant may only be used to supplement and not supplant other federal, state, and local funds. All activities align with the district’s EPSS goals of moving toward increasing student achievement.

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6. Impact Aid (Special Education): Title VIII of NCLB, the Impact Aid, provides payments to school districts based on an annual count of federally connected school children to make up for lost property tax revenue or increased expenditures due to the presence of tax-exempt Federal or reservation property in the district, or to the enrollment of federally connected children, including children living on Indian lands. It has four components, rigorous reporting requirements and has to be completely expended each federal year. Section 8003(d), Payments for Children with Disabilities, provides additional assistance to school districts that educate federally connected children who are eligible for services under the Individuals with Disabilities Act (IDEA). These payments are in addition to the basic IDEA funds and a school district that

receives these funds must use them for the increased costs of educating federally connected children with disabilities.

Incorrect – Statement above is a blanket statement about Impact Aid and is incorrect. Impact Aid Special Education: says it provides funding to school districts for federally connected children to make up for lost property tax revenue, when it really is funding in lieu of property tax revenue. This section also says it must be fully expended each year which is incorrect. The Title VII Indian Education Formula Grant is the one that must be fully expended each year. Funding under Title VIII does not have to be completely expended each federal year.

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7. Impact Aid (Indian Education): The federal government has further recognized that districts who serve populations living on Indian Reservations may encounter unique problems in meeting the needs of that population, and it provides additional dollars to help a district adequately provide equal opportunity for students residing on Indian lands. No money from an Impact Aid grant can support a full-time employee: it may only be used to provide increments, stipends or additional hours of service.

Incorrect – The information listed above is also a blanket statement about this portion of Impact Aid. Impact Aid (Indian Education) should be correctly identified as (Regular Education) and should be added and identified as generating Operational funds in lieu of property tax revenues to educate children who reside on non-taxable federal property such as low rent housing projects, US Forest Service, BLM Or other non-taxable federal properties. It is correct to state that “No money from an Impact Aid grant can support a full-time employee: it may only be used to provide increments, stipends or additional hours of service”,

Impact Aid needs to be more clearly described as providing three types of funds to the district. Title VIII Regular Education is for Indian students residing on the reservation. Title VIII Special Education is for Indian students with disabilities residing on the reservation. Operational is for all other students who reside on non-taxable federal property.

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8. Indian Education Formula: This program is designed to address the unique education and culturally related academic needs of American Indian and Alaska Native students, including preschool children, so that these students can achieve to the same challenging state performance standards expected of all students. Grant funds supplement the regular school program and support projects to help Indian children sharpen their academic skills, assisting students in becoming proficient in the core content areas, and provide students an opportunity to participate in enrichment programs that would otherwise be unavailable. Funds support such activities as after-school programs, early childhood education, tutoring, and dropout prevention.

Incomplete – This description listed above is a blanket statement on the Indian Education Grant. A correction to the information listed in the Impact Aid section is that the Indian Education Formula Grant is the one grant that has to be fully expended each year, and not the Impact Aid funding as described by the IDEAS

auditors. Funding under this grant currently provides early childhood education, tutoring, and drop out prevention. Funding could be used for after school programs, but the funding we receive is not enough to be able to provide this service. The Taos Schools award does not currently provide after school programs separately for our Indian students as the funding we receive is not enough to cover this service. All students that need after school care can participate in the Discovery After School program if they so choose.

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9. Kindergarten Three Plus: Successfully piloted in New Mexico from 2003 to 2006, the Kindergarten plus program is intended to demonstrate that increased time in kindergarten and the early grades narrows the achievement gap between disadvantaged students and other students, increases cognitive skills and leads to higher test scores for all participants. The program extends the school year for kindergarten through third grade by 25 instructional days, beginning before school starts. Schools must have an approved full-day kindergarten program and 85 percent or more of the students must be eligible for free or reduced lunch. There are special reporting and evaluation requirements for participating schools, including student and program assessments. This is the second largest program managed through this department.

Incomplete – The information listed above is once again a blanket statement about the statewide program, but not about the program in the Taos Schools. The Kindergarten through Third Grade Plus pilot project does provide funding for approved full-day kindergarten and grades one through three to be extended by at least 25 days prior to the start of the school year. The program provides funding for extended year classrooms to be scheduled in advance. Funding includes paying the teaching staff (teachers and EAs) at their daily rate. The program in Taos is unique to other programs across the state. In Taos, the K-3+ program has incorporated specific program components such as the Guided Language Acquisition Design (GLAD) strategies into the instructional model. Furthermore, the Taos program has embraced the K-3+ program using the same principals and classroom teachers in the extended day program as during the regular school year. Also the K-3+ program has been integrated in the elementary schools EPSS plan. It is important to know that K-3+ is a school improvement strategy and not an intervention plan.

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Each of the grants listed above has different reporting and evaluation requirements, and those will be even tighter for supplemental grants provided this year through ARRA. Restrictions on how the money may be spent are very specific, and each year the department facilitates a “Fed/SPED” retreat, an inservice program to explain in depth the different services that can be offered through the federal programs available through this department and Exceptional Programs.

Correct – there are many restrictions on how the funds from each grant can be spent. Various meetings occur during the school year where information regarding any of the federal grants is given to staff. The Fed/Sped Retreat is just one of the many meetings that has been used as a vehicle for transmitting information to staff.

Page 88***C. Social Work Services***

Only the Social Worker provides direct services to the students funded by Title I. He serves at risk students in the general population who are referred by teachers, counselors, parents, principals or themselves, and may serve as a resource or back up to special education social workers. He has office hours at each of the schools in rotation at least twice a week, but often makes home visits at odd hours to be able to connect with families. At various times, he works with some 30 local agencies to coordinate services for the students he sees. These include everything from UNM Taos and Highlands University to the Juvenile Probation and Parole Office and Taos County DWI program, as well as neighboring school districts and local law enforcement agencies.

Incomplete – The Social Worker is one of several social workers in the district, but is the only one funded by Title I. However, he is the only one that serves non-special education students, which could conceivably be 80% or more of the student population in the district. Many of the services provided by the Title I Social worker can range from screening referrals, to assessing situations, and developing treatment plans in conjunction with students, parent, teachers, counselors, and outside collateral agencies. Availability of these types of services demands an on-going process. The description given by the IDEAS auditors does not fully capture the wide range of activities provided by the Title I Social Worker at all school sites.

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The Federal Programs Coordinator and Social Worker assist teaching staff to identify resources available through programs funded by the federal grants managed in this department or through collaboration with other local agencies. At various times throughout the year, but at least once at the beginning of the academic year there are group meetings at which the social worker provides a program orientation to administrators and teachers. He also visits classrooms to deliver presentations that address bullying, decision-making for adolescents, gang prevention and to prepare middle school students for the transition to high school. He may participate in IEPs, is usually a member of the Student Assistance Team when a student is referred for assessment and assists in developing 504 Plans when they are used.

Incomplete- The duties of Title I Social Worker are many. It appears that the description given by the auditors minimizes all that this person does for the students in the district. He is available for parents and teachers to provide presentations. He has been trained through the NM PED on the Parent Toolkit. This instrument was developed as a way of increasing parental involvement. Often crisis situations in the district or in the community involving students will present themselves with little or no warning and as a result, daily schedules will need to be revised. The position of the Title I Social Worker requires a great deal of travel to do school visits, home visits and meeting with community agencies in all kinds of weather. Responsibilities include anything that is required to meet the needs of the school community. Special Education Social Workers serve only Special Education students, while the Title I Social Worker serves all students who have been referred by teachers or parents with needs ranging from behavior issues, academic needs to family dysfunction, abuse situations dealing with neglect, and exploitation of children. The Title I Social

Worker takes on the issue of educational neglect seriously, making sure to highlight the importance of education to parents. Because of the many facets to this position, it is extremely important to know of all the available community resources, what their own eligibility requirements are and the specific referral process each entity has in order to meet the needs of students.

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D. Indian Education

Indian Education programs require special handling, as the grant applications and programs must have the approval of the Pueblo government. The Indian Education Program Manager devotes a significant amount of her time and attention to maintaining the district's relationships with the sovereign governments of neighboring Pueblos and their school boards. Students who attend the Bureau of Indian Education sponsored Taos Day School graduate to the Taos High School, the Cyber Magnet School or one of the local charter high schools at the end of 8th grade.

Incorrect- while many of the students from the Taos Day School move on to high school, not all attend district schools. In fact many of these students prefer to attend the Santa Fe Indian School instead of one of the district schools. Close to 20% of the total student body at Vista Grande Charter High School are Indian students. The rest of the students leaving the Taos Day School will attend Chrysalis Alternative, Cyber Magnet (Red Willow), or Taos High School. The Indian Education Program Manager is from Taos Pueblo so maintaining the district's relationship with the Pueblo is easily facilitated.

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The Indian Education Program Manager manages all Impact Aid grants and visits every federal location at least once a year. These grants are based on head count, and forms are collected at the beginning of the year on which students report if they reside on federal or Indian lands, generating the head count of students coming from untaxed land of any kind.

Incorrect – the Federal Programs Coordinator manages the Impact Aid Grant. The Indian Education Program Manager collects the information annually required for the application as much of the data needs to be collected from the Taos Pueblo. As a tribal member, her role in collecting this data is crucial.

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Head count reporting for the purposes of establishing the amount of the grant involves collecting the information from families, verifying that it has been correctly input into STI, verifying that it has been achieved its intended objective adds the parameter of MAPS data (short cycle testing results). All of the data is assembled manually: there is no one report that produces what is required for the different report templates so the report template is compiled from STARS reports, printed STI reports and STI screens and printed MAPS result reports.

Correct statement – collecting and verifying the information for the grant comes from various sources and not from one location.

Page 89***E. Bilingual Services***

The Bilingual Data Specialist/Statistician performs similar manual compilations to those performed for Impact Aid and Indian Education reporting. Here, the role is tied to the risk factor and not the specific grant that addresses it. Demographic data is matched to assessment data, and further matched to service delivery records. Bilingual programs have different profiles at each school, as driven by the demographics of that school: one, two or three hours of services may be delivered per day at different schools.

Correct statement - The student information collected must be tied to the home language survey, bilingual program they are tied to, assessment data, and certified and licensed bilingual teacher. Each bilingual program provided at each of the school that have applied for bilingual funding has met the requirements from the NM PED and have been granted the funding.

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Head count and demographic data is pulled from STI and STARS, assessment data is added as is information from principals and bilingual teachers. The Bilingual Data Specialist works with HR to verify bilingual teacher licensing information.

Incorrect Statement – in addition to the individuals/entities named, the district STARS Coordinator and school registrars must also be included.

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Results from the New Mexico English Language Proficiency Assessment (NMELPA) and the Woodcock-Muñoz Language Survey®, which provides a norm-referenced measure of reading, writing, listening, and comprehension to establish language proficiency level in English or Spanish, are used to report effectiveness of grant expenditures. Spanish proficiency testing is performed at the beginning and end of each year. The list of students to be tested is obtained from each school and test administration (purchase, distribution, collection and submission for scoring of tests and making arrangements for proctors) is coordinated with the DI's office, although Federal Programs takes the lead for this battery of tests and dedicates 40 percent of one staff person to this function.

Incorrect – The NMELPA (English) and Woodcock Muñoz (Spanish) tests do provide data on the four skills needed for achieving linguistic and academic proficiency. The NMELPT (Placement Test) is administered to new students in the district who have indicated a home language other than English on the Home Language Survey during the beginning of the school year. The NMELPA test is given to all students requiring this assessment during January. The Woodcock Muñoz is administered to new students during the Fall and for the rest of the bilingual students in the Spring.

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For this reporting set, the difficulties involved in communication between STARS and STI create mission-critical issues. The grants for which reports are prepared must be used to support bilingual education services delivered to English Language Learners (ELL). STI records are of dubious accuracy, but should show the ELL status of every student by name at every school. This information is dumped to a spreadsheet, which is used to

manually verify the ELL status of every student in every school. Manual corrections are made to the spreadsheet but not necessarily uploaded to correct STI, necessitating the repetition of this process each year. In 2008-2009, ELL and bilingual fields did not roll over in STI and data had to be recreated for every student.

Incorrect – ELL status of students is matched between STI and STARS and also between the Bilingual and Title III counts for each school, by program description and by grade. All corrections made are matched to Worksheets 3 and 4 of the Bilingual and Title III Programs and then these changes ARE entered into STI, which is then reflected on STARS website. It is important to note that just because a student is in a bilingual program, this does not mean he will be in the same bilingual program the following school year. There are many factors involved in ensuring accuracy that necessitates this process be repeated for each reporting period. While most students remain in the same program, many of these students move from one location to another, and the data on STI/STARS needs to be tied to individual students and then connected to the bilingual teachers. Simply going by counts is not appropriate or legal.

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The tally of ELL students is matched to a STARS report that shows students by ID only by program. The STI and the STARS report do not match, and the Data Specialist performs time-consuming manual lookups to verify which program (one-, two- or three-hour) each student is participating in so that the appropriate amount of reimbursement can be applied for. Assessment results for each student determine when that student transitions out of the program because s/he has achieved English proficiency. When the data has been assembled as accurately as possible, it is incorporated into a state-mandated narrative template that contains recommendations as well as reporting results. Reports are submitted on the 20th day of the school year and thereafter every forty days, followed by a final report on the last day.

Incorrect – During the past year student information was listed only by state ID number, but this is no longer the case. All data is matched by student name and ID which has facilitated correctly identifying the students by program and hours of service. It is correct that reports are submitted on the 20th, 40th, 80th, 120th, and end of year reporting periods.

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F. Financial Management

This department is one of those whose bookkeeper is permitted limited access into Visions® in order to prepare purchase requisitions. In addition to expending money specifically earmarked for the purchase of supplemental educational supplies, the department issues open purchase orders for SES services required under Title I at the beginning of each state and federal fiscal year and manually tracks invoices against these open purchase orders. The Coordinator estimated that the department manages about 3000 purchase orders each year. As the state requires that all purchase orders be closed at the end of the state fiscal year, a new purchase order must be issued at the beginning of the following fiscal year to encumber moneys remaining in the federal grant that will be expended between the beginning of the state fiscal year and the end of the

federal fiscal year. At the end of the federal fiscal year, a new purchase order will be created to encumber the new federal grant.

Incomplete – the Federal Programs Bookkeeper does have limited access into the Visions software. Our office is required under Title I to provide SES tutoring to district students and for each outside provider contracted to provide tutoring; a separate purchase order must be generated. Invoices are tracked manually against these open purchase orders to ensure fiscal and implementation compliance with the Title I Program. The Federal Programs office generates several hundred purchase orders a year, but not the 3000 as listed in the IDEAS report.

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Twenty percent of the total Title I grant (about \$250,000) is required to be spent on SES. Because of the demographics of TMS, every student at four schools in the district is eligible for SES. Parents are notified through a letter sent out in English and in Spanish at the beginning of each year that is accompanied by a form on which they can request specific services. The department sources and contracts with the required providers. The Federal Programs Coordinator creates a matrix to match the requested services to an appropriate provider. Providers arrange delivery of services directly with the parents and record encounters in progress narratives and on time logs. These are matched to the invoices when they are received in the program office.

Correct Statement – 20% of the total award under Title I must go to the required set-aside earmarked for SES tutoring. Parents are notified by letter the first week of school informing them about this service. This letter is provided to parents in English and Spanish. Once the Federal Programs Office receives these registration forms from the schools eligible for SES tutoring, a matrix is created and the various SES providers are notified. These providers are then responsible to contact the parents to arrange tutoring services. Invoices received are matched to required documentation outlining the tutoring students have received.

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The individual now occupying the bookkeeper position is new, having recently replaced a deceased employee. She received no training or instruction on district policies and procedures or on the use of internal systems and internal forms and has basically had to teach herself by experimenting and asking questions. Although the bookkeeper does have access to some portions of Visions® she reported that the most useful report of funds expended to date had to be requested in hard copy from the Finance Department.

Because of the time lag between the request for a report and its receipt, and between the remote entry of a purchase requisition and its release into the general ledger to encumber the funds by the Finance Office on one day a week only, the department is never quite sure where it stands with regard to expenditures to date against budget.

Correct statement. The new Federal Programs Bookkeeper replaced an individual that had been in the district for over 38 years and with Federal Programs the majority of these years. In addition to this, the Finance Department was also unable to replace the Federal Programs Bookkeeper housed in their department due to an unexpected illness. Loss of these two individuals and the lack of full access to Visions has posed problems for the Federal Programs Office, especially when we have had

to wait 24 hours or longer to get a report. This lack of cohesiveness has decreased efficiency all around and has added to the backlog at the Finance Department, especially when they needed to stop processing their work to generate a report for Federal Programs. However both departments have consistently worked at improving this situation.

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The nature of services required each year is not easily estimated, and it is normal for this department to generate a number of Budget Adjustment Requests (BARs) to move money from one line item to another, such as between contracted services and stipends, or among supply lines. BARs for federal programs are also entered on one day a week only. Depending on the cycle of the board meetings at which they need to be approved, this may result in as much as a three week delay between the request and its completion.

Correct statement. In previous years, there was a Federal Programs Bookkeeper stationed in the district's Finance Department and only dealt with federal funds. Since this person's departure, there has been no one in the Finance Department dedicated solely to Federal Programs even though, the indirect costs generated through the various Federal Programs are enough to pay the full salary and benefits of this person. The lack of a person dedicated solely to Federal Programs has created a back log delaying BARs for up to three weeks or up to two months in some cases.

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G. Findings and Recommendations

Administration of federal grants that come with very specific restrictions on how the funds may be used requires a great deal of verification. This is not a high-level function. In this program, as in so many others, a highly qualified subject matter expert is performing verification functions that could be performed at a much lower level. The systems issues identified in this department are merely a magnification, because of the frequency and intensity of reporting required here, of issues shared in other departments. STI/STARS issues are a systemic problem across the district and need to be addressed systemically.

Inaccurate Statement – I do not agree with the auditors in their assessment of the qualifications needed. There is a great deal of knowledge required of the position. In addition to familiarity with the teaching profession (this means actually having been a teacher) is needed to understand what classroom teachers experience on a daily basis, especially since the beginning of NCLB. Expecting one do to do a job where they have no background knowledge is how problems are created. I do agree, however, with the statement that STI/STARS issues are a systemic problem and do need to be addressed by all levels of users.

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Much of the funding provided by grants managed by this department must be spent on staff compensation through payroll, yet the department has no access to the payroll module of Visions®. There is, justly, a concern about opening access to a module that contains information protected by privacy laws, such as benefits information and social

security numbers. However, reporting directly from the payroll module is the only way that compliance with the grant requirements can be verified.

Inaccurate – I do not agree with the auditors statements that the only way compliance with the grant requirements can be verified is through the payroll module. The Federal Programs Office staff work very closely with the Payroll Office and any information needed has always been supplied by that department. Compliance with any grant comes in many forms. Payroll for staff is but one piece of how the grant funding is spent for some of the grants overseen by the Federal Programs Office.

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Customized reports should be built that will allow the Federal Programs Bookkeeper to verify expenditures for partial FTEs, stipends, additional compensation and part-time service providers by fund, by school, by provider. This, in turn, must be accompanied by activation of the Remote Requisition function in Visions® so that encumbrance takes place immediately when a requisition is initiated. The Federal Program Bookkeeper must be trained to understand the reporting available through Visions® so that she can monitor expenditures against budget in real time.

Correct statement – I agree with the auditors that customized reports should be built that would allow the Federal Programs Bookkeeper the opportunity to encumber and/or verify expenditures as soon as a purchase requisition is generated. I also agree that training is crucial. One cannot be expected to know all that needs to be done without having received the training needed to perform the job required.

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There are economies to be achieved through better collaboration between this function and others that have been artificially separated into individual directorships/ departments. Because the administrative functions in this department are largely funded through the federal grants (it draws less than \$60,000 from operational funds), it has not in the past been subject to the same degree of budget scrutiny as other departments. This is a mistake, as inefficiencies here cause inefficiencies elsewhere, and some of those will impact operational expenditures. The department needs to be reintegrated into a single unit with curriculum and special education programs so that synergies can be identified and exploited.

Incorrect statement – I do not agree with the auditor’s statement that this department “has not been subject to the same degree of budget scrutiny as other departments”. The Federal Programs Office has had many of its programs audited by the state. Title I, our largest program, was audited in 2007 and the program was found to be in compliance and in several areas we received commendations. We were the only district audited that year that did not have any findings. The Title Bilingual and Title III Programs were audited in 2008 and the findings were minimal. Title II was also audited in 2008 and the findings were minimal. Kindergarten through Third Grade was also audited in 2008 with no findings, only suggestions. With respect to all the programs audited, in NO cases were there any findings with the financial or fiscal implementation of the programs. I also disagree with the auditor’s statement that this “department needs to be reintegrated into a

single unit with curriculum and special education programs so that synergies can be identified and exploited”. Following this advice would be detrimental to the programs and services provided to the students and schools from each of these separate departments. One grant is not the same as the next, nor is one department the same as the next. To expect one person to know all the regulations surrounding all the programs overseen through the Federal Programs and then in turn know all the regulations surrounding Special Education, and Student Health Services is near to impossible. This is specifically why these departments are separate. To combine these departments in the interest of saving money will only cost the district a thousand times over in the cost of litigation when one piece of the program is not in compliance with all statutory requirements.