



MICHIGAN

OFFICE OF THE AUDITOR GENERAL

AUDIT REPORT



THOMAS H. McTAVISH, C.P.A.
AUDITOR GENERAL

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– Article IV, Section 53 of the Michigan Constitution

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Michigan
Office of the Auditor General
REPORT SUMMARY

Performance Audit
Migrant, English Language Learners, and
Bilingual Programs
Michigan Department of Education

Report Number:
31-250-05

Released:
September 2006

The Migrant Program ensures educational continuity for migrant children in an effort to improve school achievement. The English Language Learners (ELL) Program helps limited English proficient children learn English and meet challenging State academic content and student academic achievement standards. The Bilingual Program assists such children in developing cognitive skills in their native language while acquiring skills in English.

Audit Objective:

To assess the effectiveness of the Michigan Department of Education's (MDE's) efforts in evaluating the Migrant Program.

Audit Conclusion:

MDE's efforts were moderately effective in evaluating the Migrant Program.

Reportable Conditions:

MDE had not fully developed and implemented a comprehensive process to evaluate the effectiveness of the Migrant Program (Finding 1).

MDE's on-site monitoring of local school districts' migrant programs did not include verification of student eligibility (Finding 2).

Noteworthy Accomplishments:

MDE hosted six teachers from Mexico during the summers of 2004 and 2005 to deliver a curriculum regarding history, heritage, and culture to all migrant students. In addition, the teachers visited six local school districts to share Mexican curriculum and expectations and visited

with migrant families from Mexico to encourage the use of the appropriate scholastic documentation to facilitate re-entry into Mexican schools.

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Audit Objective:

To assess the effectiveness of MDE's efforts in evaluating the ELL and Bilingual Programs.

Audit Conclusion:

MDE's efforts were moderately effective in evaluating the ELL and Bilingual Programs.

Reportable Conditions:

MDE had not developed and implemented a comprehensive process to evaluate the effectiveness of the ELL Program (Finding 3).

MDE did not perform procedures to ensure student eligibility during its on-site monitoring of local school districts' ELL programs (Finding 4).

Noteworthy Accomplishments:

MDE developed modules designed to provide information and technical assistance to schools with ELL Program students. The nine modules provide school districts with non-ELL Program staff necessary guidance to provide services to non-English speaking students from the time of enrollment through the delivery of services.

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Agency Response:

Our audit report contains 4 findings and 4 corresponding recommendations. MDE's preliminary response indicates that it agrees with all the recommendations.

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A copy of the full report can be obtained by calling 517.334.8050 or by visiting our Web site at: <http://audgen.michigan.gov>



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September 29, 2006

Mr. Michael P. Flanagan
Superintendent of Public Instruction
Michigan Department of Education
John A. Hannah Building
Lansing, Michigan

Dear Mr. Flanagan:

This is our report on the performance audit of the Migrant, English Language Learners, and Bilingual Programs, Michigan Department of Education.

The report contains our report summary; description of programs; audit objectives, scope, and methodology and agency responses and prior audit follow-up; comments, findings, recommendations, and agency preliminary responses; and a glossary of acronyms and terms.

Our comments, findings, and recommendations are organized by audit objective. The agency preliminary responses were taken from the agency's responses subsequent to our audit fieldwork. The *Michigan Compiled Laws* and administrative procedures require that the audited agency develop a formal response within 60 days after release of the audit report.

We appreciate the courtesy and cooperation extended to us during this audit.

AUDITOR GENERAL

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Description of Programs

The Michigan Department of Education (MDE) was established by the Executive Organization Act of 1965 (Act 380, P.A. 1965). In accordance with the State Constitution, MDE operates under the supervision of the elected eight-member State Board of Education. The principal executive officer is the Superintendent of Public Instruction, who is appointed by the Board. Article VIII, Section 3 of the State Constitution vests in the State Board of Education the leadership and general supervision over all public education.

The Academic Support Unit, within the MDE Office of School Improvement, administers the federally funded Migrant and English Language Learners (ELL) Programs (Title I and Title III, respectively, of the No Child Left Behind Act) and the State-funded Bilingual Program (Section 41 of the State School Aid Act). MDE allocates the Migrant, ELL, and Bilingual Programs' funds to participating school districts using a formula based on eligible students.

The Migrant Program is designed to ensure educational continuity for migrant children in an effort to improve school achievement, decrease drop-out rates, and increase high school completion rates. Migrant Program funding was \$4.3 million, \$4.0 million, and \$3.9 million for fiscal years 2002-03, 2003-04, and 2004-05, respectively, through Title I, Part C of the No Child Left Behind Act.

The ELL Program is designed to improve the education of limited English proficient children 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. ELL Program funding was \$4.2 million, \$6.0 million, and \$7.8 million for fiscal years 2002-03, 2003-04, and 2004-05, respectively.

The Bilingual Program is designed to assist limited English proficient children and ELL students in developing cognitive skills in their native language while acquiring skills in English and in achieving in all school subject areas at a rate commensurate with their age, ability, and grade level. The bilingual education programs in the local school districts are funded by Section 41 of the State School Aid Act. Students are allowed to participate for three years in the programs. Bilingual Program funding was \$4.2 million for fiscal year 2002-03 and \$2.8 million for each of fiscal years 2003-04 and 2004-05.

As of November 30, 2005, the Academic Support Unit had 12 full-time equated employees and 2 contractual employees to administer all of its programs.

Audit Objectives, Scope, and Methodology and Agency Responses and Prior Audit Follow-Up

Audit Objectives

Our performance audit* of the Migrant, English Language Learners (ELL), and Bilingual Programs, Michigan Department of Education (MDE), had the following objectives:

1. To assess the effectiveness* of MDE's efforts in evaluating the Migrant Program.
2. To assess the effectiveness of MDE's efforts in evaluating the ELL and Bilingual Programs.

Audit Scope

Our audit scope was to examine the program and other records of the Migrant, English Language Learners, and Bilingual Programs, which included the examination of student files and other records of four school districts. Our audit was conducted in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States and, accordingly, included such tests of the records and such other auditing procedures as we considered necessary in the circumstances.

Audit Methodology

Our audit fieldwork, performed from July through November 2005, included examination of the Migrant, ELL, and Bilingual Programs' operations and other selected records primarily for the period July 1, 2003 through June 30, 2005.

Our methodology included a preliminary review of the Migrant, ELL, and Bilingual Programs' operations. This involved interviewing various staff of the Migrant, ELL, and Bilingual Programs and reviewing applicable statutes, policies and procedures, reports, management plans, and other reference materials.

To accomplish our first audit objective, we reviewed applicable federal regulations and MDE policies and procedures. We reviewed the Migrant Program's oversight activities, including evaluation and monitoring of local school districts' migrant programs. Also, we reviewed grant allocations for the migrant programs and reviewed MDE's allocation approval process. We visited four school districts that accounted for 26% of the

* See glossary at end of report for definition.

students in the Migrant Program during fiscal year 2003-04. At each school district, we selected a random sample of student names from its migrant program and examined student records to determine proper eligibility and the types of services provided to the students. In addition, we reviewed each school district's evaluation process for its migrant program.

To accomplish our second audit objective, we reviewed applicable federal regulations, State statutes, administrative rules, and MDE policies and procedures. We interviewed ELL and Bilingual Programs' staff at MDE and local school districts. Also, we reviewed the Programs' funding methodology and allocation process for Title III and Section 41 funds. In addition, we visited four school districts that accounted for 24% of the students in the ELL and Bilingual Programs during fiscal year 2004-05. At each school district, we selected a random sample of student names from its ELL and bilingual programs and examined student records to determine proper eligibility and the types of services provided to the students. In addition, we reviewed each school district's evaluation process for its ELL and bilingual programs.

We use a risk and opportunity based approach when selecting activities or programs to be audited. Accordingly, our audit efforts are focused on activities or programs having the greatest probability for needing improvement as identified through a preliminary review. By design, our limited audit resources are used to identify where and how improvements can be made. Consequently, our performance audit reports are prepared on an exception basis. To the extent practical, we add balance to our audit reports by presenting noteworthy accomplishments for exemplary achievements identified during our audits.

Agency Responses and Prior Audit Follow-Up

Our audit report contains 4 findings and 4 corresponding recommendations. MDE's preliminary response indicates that it agrees with all the recommendations.

The agency preliminary response that follows each recommendation in our report was taken from the agency's written comments and oral discussion subsequent to our audit fieldwork. Section 18.1462 of the *Michigan Compiled Laws* and Department of Management and Budget Administrative Guide procedure 1280.02 require MDE to develop a formal response to our audit findings and recommendations within 60 days after release of the audit report.

We released our prior performance audit of the Bilingual, Migrant, and Selected King-Chavez-Parks Initiative Programs, Department of Education (#3125098), in January 2000. Within the scope of this audit, we followed up 7 of the 15 prior audit recommendations. MDE had complied with 4 of the 7 prior audit recommendations, 2 prior audit recommendations were repeated, and 1 prior audit recommendation was rewritten for inclusion in this audit report.

COMMENTS, FINDINGS, RECOMMENDATIONS,
AND AGENCY PRELIMINARY RESPONSES

MIGRANT PROGRAM

COMMENT

Background: Students are eligible to receive Migrant Program services if they meet the definition of a migrant child. School districts document student eligibility by completing a certificate of eligibility (COE), which identifies the student's last qualifying move within the preceding 36 months and the type of agricultural or fishing work of the qualifying parent. The migrant agricultural or fishing employment must be the principal means of livelihood.

Audit Objective: To assess the effectiveness of the Michigan Department of Education's (MDE's) efforts in evaluating the Migrant Program.

Conclusion: MDE's efforts were moderately effective in evaluating the Migrant Program. Our assessment disclosed reportable conditions* related to evaluation of the Migrant Program and monitoring of migrant programs (Findings 1 and 2).

Noteworthy Accomplishments: MDE hosted six teachers from Mexico during the summers of 2004 and 2005 to deliver a curriculum regarding history, heritage, and culture to all migrant students. In addition, the teachers visited six local school districts to share Mexican curriculum and expectations and visited with migrant families from Mexico to encourage the use of the appropriate scholastic documentation to facilitate re-entry into Mexican schools.

FINDING

1. Evaluation of the Migrant Program

MDE had not fully developed and implemented a comprehensive process to evaluate the effectiveness of the Migrant Program.

Without a comprehensive evaluation process, MDE does not have assurance that migrant children are receiving services to help reduce educational disruptions, barriers, and other problems that may inhibit their educational progress and to ensure that they receive appropriate opportunities to meet academic standards. In

* See glossary at end of report for definition.

addition, MDE cannot ensure compliance with federal requirements and identify best practices from effective programs and share those best practices with school districts.

Title 34, Part 200, Section 84 of the *Code of Federal Regulations* requires that MDE measure the effectiveness of the implementation and results of its Migrant Program against measurable outcomes and the State performance targets. Also, MDE must ensure that local school districts properly conduct their own program evaluations.

An evaluation process should include performance indicators* for measuring outputs* and outcomes*, performance standards* or benchmarks that describe the desired level of outputs and outcomes based on management expectations, a system to accurately gather relevant output and outcome data, a comparison and reporting of the actual data to desired outputs and outcomes, and recommendations to improve effectiveness and efficiency*.

Our review of MDE's efforts to evaluate the Migrant Program disclosed:

- a. MDE had not established measurable standards for its performance indicators that would describe the desired level of outputs and outcomes based on management's expectations. MDE had established some performance indicators, such as the percentage of students who are at or above the proficient level in reading/language arts and mathematics on the State's assessment test and the percentage of limited English proficient students who have attained English proficiency by the end of the school year. However, MDE did not include measurable standards for these performance indicators to determine the effectiveness of each school district's migrant program. Without measurable standards, MDE cannot determine which local migrant programs are achieving an acceptable level of results.
- b. MDE did not collect and evaluate relevant output and outcome data.

Without collecting and evaluating output and outcome data, MDE cannot determine if its Statewide Migrant Program and individual school districts' migrant programs are meeting Migrant Program goals*. For example, MDE

* See glossary at end of report for definition.

had established graduation rate as a program outcome, but did not gather this data for migrant students to compare actual results with desired results (performance standard). Other types of relevant output and outcome data that MDE could collect include the number of migrant students who drop out of school and the number of migrant students who are at or above the proficient level in reading.

- c. MDE had not developed a system to accumulate output and outcome performance data from school districts to aid in evaluation of their migrant programs.

To evaluate the effectiveness of the Migrant Program, MDE needs to accumulate local school district and aggregated output and outcome data to compare with national standards and its measurable performance standards. Also, local school districts may be able to compare migrant data among districts and track student activity, including academic and health-related history data.

RECOMMENDATION

We recommend that MDE fully develop and implement a comprehensive process to evaluate the effectiveness of the Migrant Program.

AGENCY PRELIMINARY RESPONSE

MDE agrees with the recommendation and will work with local program staff to identify measurable standards for reading/language arts and mathematics performances by migrant students on the State assessment. MDE informed us that existing output and outcome data, such as high school completion rates for migrant students, will be reviewed to determine possible extension of both data collection and comparison to performance standards. MDE also informed us that staff will work with local school district staff and directors to determine a set of measurable performance standards that can serve as the basis for comparing against other migrant program and national program standards.

FINDING

2. Monitoring of Migrant Programs

MDE's on-site monitoring of local school districts' migrant programs did not include verification of student eligibility. As a result, MDE had no assurance that local school districts provided program services to only eligible students, which can increase the risk of loss of federal funds to MDE. Also, inaccurate student eligibility could impact the distribution of federal funds to local school districts.

MDE is responsible for performing oversight of school districts' migrant programs, which includes technical assistance and periodic on-site monitoring to help ensure that the programs operate in compliance with federal regulations and MDE policies and procedures. On-site monitoring includes a structured review of applicable compliance and service issues, issuance of a report, and subsequent follow-up to determine that the school districts have resolved noted deficiencies.

MDE performed two types of on-site compliance monitoring reviews during our audit period. However, neither of the reviews included verification of the number of eligible students as reported by school districts, verification of student eligibility, or verification that the school districts performed the required program evaluations.

We visited 4 school districts that accounted for 26% of the migrant students funded for fiscal year 2003-04 and reviewed 181 family COEs and corresponding student attendance records. MDE performed monitoring reviews at 2 of the 4 school districts in fiscal year 2002-03 and at 1 school district in 2003-04. We noted instances of missing documentation related to student eligibility, program attendance, and services provided, which may have been detected with an improved monitoring function. For example, we noted:

- a. Three school districts improperly identified 10 (6%) of 181 students as eligible, even though the COEs indicated that the students' last qualifying move was more than three years prior to the COE. Section 1309 of Title 1, Part C of the No Child Left Behind Act requires that the last move of a child must be within the preceding 36 months of the last qualifying move for the student to be considered a migrant child.

MDE informed us that it initiated a COE eligibility re-interview process of students identified as migrants for school year 2003-04 to determine if the

students met migrant eligibility requirements and had properly completed COEs.

- b. Three districts could not provide documentation to support student attendance for 10 (11%) of 93 students who received funding for the fiscal year 2003-04 summer program. Federal regulations require that school districts maintain separate and accurate student attendance records for eligible migrant children ages 3 through 21.
- c. Two school districts' programs could not provide documentation to support student contact for 60 students who received funding for the home summer program. In addition, the school districts' programs did not maintain documentation to support the eligibility of 21 (35%) of the 60 students for both fiscal years 2003-04 and 2004-05.

We reported on this issue in our prior audit. In response to our prior recommendation, MDE stated that it had initiated an on-site monitoring process.

RECOMMENDATION

WE AGAIN RECOMMEND THAT MDE'S ON-SITE MONITORING OF LOCAL SCHOOL DISTRICTS' MIGRANT PROGRAMS INCLUDE VERIFICATION OF STUDENT ELIGIBILITY.

AGENCY PRELIMINARY RESPONSE

MDE agrees with the recommendation and informed us that it has implemented a new Web-based data collection system which will facilitate certification of eligibility for local monitoring, as well as State and federal reporting. MDE also informed us that it completed a comprehensive data analysis process that focused on re-interviewing migrant families that had been previously certified as eligible to verify eligibility during school year 2003-04. In addition, MDE informed us that the resulting Statewide eligibility error rate for all Michigan migrant education programs was 7.91%, well below the national average of 9.778%. Further, MDE informed us that it is currently completing the re-interview process for school years 2004-05 and 2005-06. MDE informed us that it has undertaken an extensive Recruiter Training Program and is in the process of establishing a Migrant Recruiter Certification Program to improve local programs' eligibility determinations.

ENGLISH LANGUAGE LEARNERS (ELL) AND BILINGUAL PROGRAMS

COMMENT

Background: Local school districts identify potential ELL Program students through a home language survey. School districts identify students who speak a language in their home other than English and assess the students' English proficiency level through an approved language test.

ELL Program students are those who meet the local, State, or national definitions for limited English proficient status. These students have sufficient difficulty in reading, writing, speaking, and listening in English-language classrooms that they require further support and assistance. It is the prerogative of each district to select a specific educational approach to meet the needs of its particular ELL Program student population. While the definition in the federal statute refers to students as "limited English proficient," MDE chooses to use the term "English language learner" because it focuses on potentials and achievement rather than deficits.

The following two instructional approaches are the most prevalent in local school district ELL programs:

- a. English as a Second Language (ESL): An instructional approach of techniques, methodology, and special curriculum designed to teach ELL program students English language skills, which may include listening, speaking, reading, writing, study skills, content vocabulary, and cultural orientation. ESL instruction is usually in English with little use of native language.

- b. Bilingual Education Program: This instructional approach uses a student's primary language in instruction. The program maintains and develops language proficiency in two languages by receiving instruction in English and another language. School districts use variations of a dual language (bilingual) program, depending on the English proficiency level of the students in the classroom.

The State provides State and federal funding to local school districts' ELL programs through Title III of the No Child Left Behind Act and Section 41 (Bilingual Program) of the State School Aid Act.

Audit Objective: To assess the effectiveness of MDE's efforts in evaluating the ELL and Bilingual Programs.

Conclusion: MDE's efforts were moderately effective in evaluating the ELL and Bilingual Programs. Our assessment disclosed reportable conditions related to evaluation of the ELL Program and monitoring of ELL programs (Findings 3 and 4).

Noteworthy Accomplishments: MDE developed modules designed to provide information and technical assistance to schools with ELL Program students. The nine modules provide school districts with non-ELL Program staff necessary guidance to provide services to non-English speaking students from the time of enrollment through the delivery of services.

FINDING

3. Evaluation of the ELL Program

MDE had not developed and implemented a comprehensive process to evaluate the effectiveness of the ELL Program. As a result, MDE could not ensure that local school districts' programs helped ELL Program students achieve levels of academic performance comparable to those of the general English-speaking population. Also, MDE could not identify local school districts' ELL programs with best practices and share those practices with other school districts.

Title III, Section 3121 of the No Child Left Behind Act requires that MDE use evaluation data gathered by local school districts to determine the effectiveness of programs and activities in assisting children who are limited English proficient to attain English proficiency and meet State academic content and student academic achievement standards.

MDE can best evaluate the effectiveness of its ELL Program by establishing a comprehensive process that measures effectiveness. Such a process should include performance indicators for measuring outputs and outcomes, performance standards that describe the desired level of outputs and outcomes based on management expectations, a system to accurately gather relevant output and outcome data, a comparison and reporting of the actual data to desired outputs and outcomes, and recommendations to improve effectiveness.

Our review of MDE's efforts to evaluate the effectiveness of its ELL Program disclosed:

- a. MDE had not developed comprehensive performance indicators to measure outputs and outcomes by which it could assess the effectiveness of the ELL Program.

MDE had developed some performance indicators to measure outcomes, including ELL Program student graduate and drop-out rates. However, the remaining "indicators" were actually resources applied to the ELL Program, such as the percentage of classes being taught by "highly qualified" teachers, the percentage of teachers receiving high-quality professional development, and the percentage of paraprofessionals who are "qualified" rather than program outcome measures. Although MDE had developed these limited performance indicators, local school districts were not aware of the performance indicators.

The lack of performance indicators negatively impacts MDE's ability to evaluate the effectiveness of its ELL Program and to identify needed changes.

We identified additional Program outputs and outcomes which MDE could evaluate as potential indicators of Program effectiveness:

- (1) Improvements in the ELL Program students' English proficiency test scores over time or the percentage of ELL Program students who achieve English proficiency for the State grade level standard.
- (2) The percentage of ELL Program students promoted to the next grade level or placed in gifted and talented and other special programs.
- (3) The percentage of ELL Program students whose improvement scores meet the school district's "adequate yearly progress" improvement requirement.

- b. MDE had not established performance standards that described the desired level of outputs and outcomes based on management's expectations.

Without performance standards, MDE cannot determine which local school districts' programs are achieving an acceptable level of results. For example, MDE could establish a standard that a certain percentage of its ELL Program students achieve grade level English proficiency each year.

- c. MDE did not collect and evaluate relevant output and outcome data from local school districts regarding their ELL programs and student achievements.

Without collecting and evaluating the output and outcome data, MDE cannot determine if the ELL Program is achieving its program goals. For example, while MDE collected output data on the number of bilingually endorsed staff at each school district, MDE did not evaluate this data. If MDE had evaluated this data, it would have realized that the data was not relevant because it did not identify how many bilingually endorsed staff directly taught students in a bilingual instruction setting. For example, during our visit to one school district, we noted that the school district reported 16 bilingually endorsed teachers on its Section 41 application; however, only one teacher taught in a direct bilingual instruction setting.

In addition, school districts reported aggregate student English proficiency test scores for all ELL Program students; however, MDE did not analyze the test scores to determine if it could use the scores to assess student success and program effectiveness.

RECOMMENDATION

We recommend that MDE develop and implement a comprehensive process to evaluate the effectiveness of the ELL Program.

AGENCY PRELIMINARY RESPONSE

MDE agrees with the recommendation and informed us that specific standards have been established and will be used to determine if adequate progress is also being made by ELL students in learning English. MDE will use the new Michigan English Language Proficiency Assessment (ELPA) to measure ELL Program effectiveness. MDE will use the State accountability process to also measure Program effectiveness by the degree of ELL student progress on State assessments of academic content in science, social studies, and mathematics. In addition, MDE will develop and implement a process to biannually evaluate the

State programs for ELL students to answer the question "How effective is the State program for ELLs in Michigan?"

FINDING

4. Monitoring of ELL Programs

MDE did not perform procedures to ensure student eligibility during its on-site monitoring of local school districts' ELL programs.

Without adequate monitoring, MDE cannot ensure that school districts received Title III and Section 41 funding only for eligible ELL Program students and provided appropriate services to those students. This could result in school districts and the State having to return federal funds for students determined to be ineligible for the programs.

Title III, Section 3121, of the No Child Left Behind Act requires that MDE monitor school districts' ELL programs to ensure that eligible students receive appropriate services. MDE performs ELL program oversight, which includes technical assistance and periodic on-site monitoring to help ensure that programs operate in compliance with policies and procedures and the *Michigan Administrative Code*.

We noted that MDE performed 8, 2, and 3 on-site reviews of the 132 ELL programs in fiscal years 2002-03, 2003-04, and 2004-05, respectively. The scope of MDE's review was to identify if the school district complied with various requirements; however, the scope of the reviews did not include a review of documentation of individual student eligibility and verification of school districts' total count of students in the ELL programs.

Our review of the eligibility of 240 students during our on-site visits at 4 school districts disclosed:

- a. Three school districts' lists of students receiving ELL program services did not reconcile to the number of eligible ELL and bilingual program students reported to MDE for fiscal years 2003-04 and 2004-05. For example, based on 1 school district's supporting documentation, its ELL and bilingual program student totals were overreported by 226 and underreported by 13 students for fiscal years 2003-04 and 2004-05, respectively. This school district may have

to return federal funds for students determined to be ineligible for the program in the amount of \$99 and \$125 per student in fiscal years 2003-04 and 2004-05, respectively.

Michigan Administrative Code R 388.706 states that a school district shall receive funds based on the number of eligible students enrolled in and receiving bilingual instruction on the pupil membership count day.

- b. One school district improperly included all ELL program students in its bilingual program count; however, some did not receive bilingual instruction for fiscal year 2004-05. The school district could not identify which ELL program students received bilingual instruction.
- c. Three school districts did not include any documentation to support eligibility for ELL and/or bilingual program funding for a total of 28 (12%) of 240 students.
- d. All four school districts either did not test or could not provide current test scores for 22 (9%) of 240 students for whom they granted eligibility for ELL program services.

Title III, subpart 1, Section 3116 (d)(2) of the No Child Left Behind Act requires local school districts to annually assess the English proficiency of all children with limited English proficiency participating in ELL programs. Also, *Michigan Administrative Code R 388.705* states that a school district shall not determine eligibility on the basis of test scores more than six months old.

- e. Three school districts improperly granted eligibility to a total of 15 (6%) of 240 students although their test score exceeded the eligibility cutoff.

These exceptions are examples of noncompliance issues that improved on-site monitoring visits should identify and resolve in a timely manner. We reported on this issue in our prior audit. In response to our prior recommendation, MDE stated that it had initiated an on-site monitoring process.

RECOMMENDATION

WE AGAIN RECOMMEND THAT MDE PERFORM PROCEDURES TO ENSURE STUDENT ELIGIBILITY DURING ITS ON-SITE MONITORING OF LOCAL SCHOOL DISTRICTS' ELL PROGRAMS.

AGENCY PRELIMINARY RESPONSE

MDE agrees with the recommendation and plans to develop procedures that will be implemented beginning with academic school year 2006-07. MDE's procedures will include in-depth on-site reviews that include the examination of student records for compliance with eligibility and instructional support requirements for programs with greater than 300 students and field services consultants will check student records of ELL Program eligible students for compliance with federal and State requirements during on-site reviews of consolidated application programs (federal Title I, II, III, and V, and state 31A and desk audits for programs with enrollment of less than 300 ELL students).

GLOSSARY

Glossary of Acronyms and Terms

COE	certificate of eligibility.
effectiveness	Program success in achieving mission and goals.
efficiency	Achieving the most outputs and outcomes practical with the minimum amount of resources.
ELL	English Language Learners.
ELPA	English Language Proficiency Assessment.
ESL	English as a Second Language.
goals	The agency's intended outcomes or impacts for a program to accomplish its mission.
MDE	Michigan Department of Education.
outcomes	The actual impacts of the program.
outputs	The products or services produced by the program.
performance audit	An economy and efficiency audit or a program audit that is designed to provide an independent assessment of the performance of a governmental entity, program, activity, or function to improve public accountability and to facilitate decision making by parties responsible for overseeing or initiating corrective action.
performance indicators	Information of a quantitative or qualitative nature used to assess achievement of goals and/or objectives.
performance standard	A desired level of output or outcome.

reportable condition

A matter that, in the auditor's judgment, represents either an opportunity for improvement or a significant deficiency in management's ability to operate a program in an effective and efficient manner.

