This is the official Notification of Findings (NOF) report of the review visit conducted by the California Department of Education (CDE). Because the methodology of the review involves sampling, it is not an assessment of all legal requirements. Nevertheless, the local educational agency (LEA) is responsible for operating its federal categorical programs in compliance with all applicable laws and regulations.

**Local Educational Agency:** Berkeley Unified (016114300000000)

**Review Date(s):** 10/17/2016 - 10/21/2016

**Regional Team Leader(s):** Shireen Miles, 916-319-0953

**FPM Coordinator(s):** Patricia Saddler, 510-644-6202

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<thead>
<tr>
<th>Program Reviewed</th>
<th>Program Reviewer</th>
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<tr>
<td>Adult Education (AE)</td>
<td>Christine Hess</td>
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<td>Before and After School (BASP)</td>
<td>Iqbal Badwalz</td>
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<td>Compensatory Education (CE)</td>
<td>Monique Moton</td>
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<td>Career Technical Education (CTE)</td>
<td>Teri Alves</td>
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<td>Education Equity (EE)</td>
<td>Murjani McTier</td>
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<td>Deborah Busch</td>
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<td>Susie Lackie</td>
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<td>Improving Teacher Quality (ITQ)</td>
<td>Geeta Rezvani</td>
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The LEA is required to resolve each Federal Program Monitoring (FPM) finding within 45 calendar days which ends on 12/05/2016. Corrective actions made to resolve findings must be implemented at all sites in the LEA and the new procedures must be used in the future.

When a FPM finding cannot be resolved within this 45 calendar day period, the LEA submits a resolution agreement request using the "Resolution Agreement" process via CMT. Authorized LEA staff may request suggestions from CDE staff on the resolution of findings.

NOTE: Copies of this report were distributed to the Agency. This is a public report and must be made available upon request. (California Public Records Act, Government Code section 6250)

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<tr>
<th>Sites Reviewed</th>
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Federal Program Monitoring 2016-17  
Notification of Findings  
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<td>Malcolm X Elementary (01611436090286)</td>
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<td>Willard Middle (01611436056865)</td>
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**Monitoring Results by Program**

**Adult Education**

No program findings resulted from this monitoring review. No further action is required.

**Before and After School**

1. **BASP 20: Staff Minimum Qualifications**

   The LEA/grantee agency ensures that all staff members who directly supervise pupils meet the minimum qualifications for an instructional aide according to the policies of the school district.

   The district did not maintain and/or provide evidence that all staff who directly supervise pupils meet the minimum qualifications. In a review of documents submitted and interviews held with the grant coordinator at the district's office, it was determined that the district did not maintain and/or provide evidence that all staff who directly supervise pupils meet the minimum qualifications.

   The district must maintain and submit documentary evidence, such as the transcripts for meeting the minimum requirements or having passed an alternative examination administered by the district.

**Compensatory Education**

No program findings resulted from this monitoring review. No further action is required.

*The means by which a finding is resolved is the responsibility of the LEA unless specified in law. Authorized LEA staff may request suggestions from CDE staff on the resolution of findings.*
Career Technical Education

1. CTE 01: Advisory Committee

Each local educational agency (LEA) receiving Perkins IV funds must involve parents, students, academic and CTE teachers, faculty, administrators, career guidance and academic counselors, representatives of tech prep consortia (if applicable), business and industry, labor organizations, special populations, and other interested individuals in the development, implementation, and evaluation of CTE programs. The governing board of each school district participating in a CTE program shall appoint a CTE advisory committee to develop recommendations on the program and to provide liaison between the district and potential employers. The committee shall consist of one or more representatives of the general public knowledgeable about the disadvantaged, students, teachers, business, industry, school administration, and the field office of the Employment Development Department. Each CTE program assisted with Section 131 or 132 funds must have extensive business and industry involvement, as evidenced by not less than one annual business and industry advisory committee meeting and planned business and industry involvement in program activities as described in the Guidelines for the 2008-2012 Local Plan for CTE and instructions for the annual application for funds.

During site observation and review of uploaded narratives by the LEA, it was determined that Berkeley Unified School District (BUSD) does not have an independent CTE Advisory Committee.

BUSD must form its own CTE Advisory Committee comprised of Berkeley parents, students, academic and CTE teachers, faculty, administrators, career guidance and academic counselors, business and industry, labor organizations, special populations, and other interested individuals in the development, implementation, and evaluation of BUSD’s CTE programs.

In addition, the district must provide evidence that BUSD’s CTE Advisory Committee was approved by their governing board. BUSD’s CTE Advisory Committee must provide evidence that the group has met a minimum of once per year by providing an agenda, sign-in sheet, and minutes.

2. CTE 03: Inventory

The governing board of each school district shall establish and maintain a historical inventory, or an audit trace inventory system, or any other inventory system authorized by the State Board of Education.

A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.

If the LEA is authorized or required to sell the property, proper sales procedures must be established to ensure the highest possible return.

After interviews with administration, and a review of document, a physical inventory of Perkins
funded property has not been established and maintained.

Berkeley Unified School District (BUSD) must provide evidence (policy document, narrative of policy, Board approved inventory policy) that there is a system in place for a Perkins historical inventory and that this inventory is reviewed and reconciled with district property records at least once every two years. BUSD’s historical inventory list must include current inventory used in the classroom and the disposed equipment inventory, including copies of the VE-35 forms filled out and forwarded to the California Department of Education.

3. CTE 04: Perkins Funds Support CTE Programs

CTE 04

Funds made available under Carl D. Perkins Act, Title 1, Part C, must be used to support and improve CTE programs that:

Strength the academic, career and technical skills of students participating in career and technical education programs, by strengthening the academic and career and technical education components of such programs through the integration of academics with career and technical education programs in a coherent sequence of courses, such as career and technical programs of study;

Provide professional development programs to secondary and postsecondary teachers, faculty, administrators, and career guidance and academic counselors who are involved in integrated career and technical education programs;

Evaluate the CTE programs including an assessment of how the needs of special populations are being met; Provide activities to prepare special populations, including single parents and displaced homemakers for high skill, high wage, or high demand occupations that will lead to self-sufficiency; Ensure the LEA charges costs to the program that are reasonable, necessary, and allowable in accordance with applicable statutes, regulations, and program plans.

In reviewing course outlines and holding interviews with the CTE teachers, and administration, it became apparent that Berkeley Unified School District (BUSD) does not have all pathways of CTE courses in a coherent sequence. In addition, Professional Development programs provided to BUSD’s CTE teachers were not sufficient in that there was little evidence that the teachers had a working knowledge of the new CTE Standards. It was determined that BUSD does not have a system in place to ensure that purchases are made in accordance with applicable statutes, regulations, and program plans, and as a result, Perkins funds have been expended for unallowable expenditures, i.e. warranties.

BUSD must post pathway courses that are in a logical sequence. CTE course materials (e.g., course descriptions and course outlines) must be submitted, showing alignment with the current CTE Model Curriculum Standards.

BUSD must create and submit a professional development plan for their CTE teachers that is
ongoing, familiarizes their CTE teachers with the CTE Model Curriculum Standards and keeps the teachers up to date with industry standards.

BUSD must provide evidence that the LEA will have personnel attend regional Perkins Training throughout the school year. BUSD must provide evidence such as a board approved purchasing policy, narrative of Perkins purchasing policy that ensures that all purchases are in accordance with Perkins guidelines and must remit payment per invoices for: (amount to be determined pending review of additional documentation.

4. CTE 05: Supplement Not Supplant

Funds made available under the Carl D. Perkins Act, Title 1, Part C, shall be used to supplement, and not supplant, non-Federal funds expended to carry out career and technical education activities and tech prep program activities.

Upon review of Perkins expenditures, along with the applicable detailed backup, it was determined that there were instances in which Perkins funding was used to supplant expenditures that should programmatically be paid for through District funds.

District must use funds to supplement (expand, improve, or enhance) their current CTE courses according to the Perkins law and guidelines. District must reimburse the Perkins expenditures applicable to this finding for an amount to be determined upon further review and investigation of applicable and supporting documents.

The LEA must provide the requested invoices for review, including all back up documentation for invoices as needed to support the CTE Perkins expenditures. Pending the results of the review of the uploaded documentation, LEA will remit an amount to be determined.

Additionally, Perkins Coordinator and applicable personnel will attend CTE training in their region and as many professional development opportunities for Perkins information and guidelines as possible. Perkins Coordinator will provide email documentation to the CDE Reviewer twice per year (1/31/17 and 6/31/17). This will include documentation of CTE training participation that includes attendees’ names, conference title and/or field experience, and dates of attendance.

5. CTE 08: Indicators of Performance

All LEAs shall annually prepare and submit data directly to the California Department of Education (CDE) regarding the progress in achieving the local adjusted levels of performance on the core indicators of performance including disaggregated data for each of the core indicators for the student categories. The LEA must identify and quantify any disparities or gaps in performance by any category of students and must ensure no duplicative data is reported. The LEA must make the annual report available to the public through a variety of formats, including electronically through the Internet. The LEA must use annual evaluation results, including achieved core indicators performance levels, to determine needed program improvements, modifications, and professional development activities for staff.

The means by which a finding is resolved is the responsibility of the LEA unless specified in law. Authorized LEA staff may request suggestions from CDE staff on the resolution of findings.
Since Berkeley Unified School District (BUSD) does not have a consistent manner of identifying CTE courses, E-1 and E-2 data shown included courses that were not CTE and should not have been included in the reports. Data personnel had not been trained in CTE course definition and policy, therefore the data submitted was not accurate and could not inform the success of the program.

In addition, yearly evaluation results, including core indicator performance levels to determine program improvements and strategies were absent.

After clearing CTE 04 finding, Berkeley must collect and report E-1 and E-2 data only for identified CTE pathway courses and submit this evidence to address this finding.

After analyzing program specific data, improvement plans, modifications, and professional development plans for CTE courses and teachers should be submitted.

6. CTE 09: High Quality CTE Program

The State Board-approved CTE plan requires that each LEA receiving funds under Perkins include a sequence of courses in all CTE programs; provide students with coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills; and include the following planning, organizational, and instructional elements determined by the state to be critical to high quality CTE programs: Provide for the development of student leadership skills through an established career technical student organization or an alternate strategy that incorporates this instruction in all of the courses that make up the sequence; and have a coherent sequence of CTE courses, consisting of not less than two full-year CTE courses with a combined duration of not less than 300 hours.

During the site visit to Berkeley High School, a review of the Berkeley website, and interview with administration, there was evidence of only one pathway (health) incorporating student leadership into classroom instruction (HOSA).

Berkeley Unified School District’s (BUSD) CTE courses and pathways were not all in a coherent sequence and are not all aligned with the State’s CTE Model Curriculum Standards and Framework. BUSD’s CTE courses must embed leadership opportunities for students in every pathway, as they do in their health pathway (HOSA). The site must either affiliate with a CTSO, or incorporate all aspects of leadership independently into each course. BUSD must submit course outlines and a professional development plan that show evidence of leadership instruction.

Each pathway must be written into a coherent, articulated series of courses that fully cover the CTE Model Standards.

Education Equity

The means by which a finding is resolved is the responsibility of the LEA unless specified in law. Authorized LEA staff may request suggestions from CDE staff on the resolution of findings.
1. **EE 01: Administrative Requirements**

The local educational agency (LEA) adopted a policy that prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. The LEAs nondiscrimination announcements include the name, office address, and office telephone number of the officer responsible for equity and compliance with Title IX. Identified the person in the LEA responsible for implementation of the policy prohibiting discrimination, harassment, intimidation, and bullying; and the person responsible for investigating complaints, as well as ensuring compliance with the following: Cal. Code of Regs., Title 5, sections 4600 et seq. and 4900 et seq.; and Ed. Code sections 200-283.

Based on the documentation that was reviewed, the LEA does not meet the legal requirements of this section.

The BUSD must upload the following documents so that compliance with the legal requirements may be assessed: Amended (1) "Student: Nondiscrimination/ Harassment" board policy to reflect the name, title, office address and phone number of the administrator delegated as the Title IX Compliance Officer; and (2) Add the district’s nondiscrimination statement language to the certificated postings that are currently on EdJOIN.org.

2. **EE 02: Governance Counseling Materials and Staff**

All of the LEAs counselors, employees and materials do not discriminate against any student based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. The LEA develops and uses an internal procedure to ensure that different counseling materials for students are not used on the basis of sex or the use of materials does not permit or require different treatment of students based on sex. The LEA takes action to ensure that any disproportionate number of students of one sex enrolled in a particular class is not the result of counseling or appraisal materials.

Based on the documentation provided, the LEA does not meet the legal requirements of this section.

The BUSD must upload the following documents in order for legal compliance to be assessed: (1) Guidance counseling materials relating to career and guidance counseling materials that encourage all students to participate in all programs, courses, or activities; (2) Elementary and Middle School - BUSD policy or statement explaining the master course scheduling process and how agency identifies and resolves disproportionate numbers of students of one sex in a particular course; (3) Outreach materials sent to parents/students promoting academic counseling resources - i.e. newsletters, posters, etc. that contain the nondiscrimination statement language; and (4) Educational program recruitment - i.e. - information advertising...
STEM Programs, CTE Pathways et c., that contain the nondiscrimination statement language.

3. **EE 03: Marital and Parental Status**

The LEA applies no rule concerning a student’s actual or potential parental, family, or marital status that treats students differently on the basis of sex. The LEA does not exclude or deny any student from any educational program or activity solely on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom. The LEAs pregnant students and parenting male or female students are not excluded from participation in their regular school programs or required to participate in pregnant-student programs or alternative educational programs. The LEAs pregnant/parenting students who voluntarily participate in alternative programs are given educational programs, activities, and courses equal to the regular program. The LEA treats pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disability.

Based on the documentation, interviews and review of current processes, the LEA did not provide evidence that meets legal requirement of this section.

The BUSD must upload the following documents in order to prove legal compliance with this section: (1) Amend Parent / Student Handbook(s) to add the information regarding pregnant and/or parenting students, which can be found in EE 3.0 - 3.4 and proof of dissemination to all students and their parents and /or guardians and (2) Proof of a Lactation Accommodation policy and procedure for parenting students who wish to nurse their babies during the school day with proof of dissemination to students and staff.

4. **EE 04: Sex Equity**

The LEAs governing board policy prohibits sexual harassment as a form of sexual discrimination and provides notification of available remedies. The LEA notifies students, parents, employees, and others that it does not discriminate on the basis of sex. The LEA maintains records of complaints of sexual harassment brought by pupils and employees of the school district.

Based on the documentation and interviews with administrators, the LEA does not meet the legal requirements of this review.

*The means by which a finding is resolved is the responsibility of the LEA unless specified in law. Authorized LEA staff may request suggestions from CDE staff on the resolution of findings.*
The BUSD must upload the following documents: (1) Amend (a) the "Personnel: Sexual Harassment" governing board policy to reflect the name, title, office address and phone number of the administrator delegated as the Title IX Compliance Officer, (b) Amend the "Personnel: Sexual Harassment" board policy to reflect the current practices of the district office or change the practices of the district office to match the procedures outlined in the board policy; and (c) Amend AR 1312.3 as the Student: Sexual Harassment board policy references the compliance office, update to reflect the name, title, office address and phone number of the administrator delegated as the Title IX Compliance Officer; (2) Amend BUSD Certificated employee job announcement on EdJoin.org with the name, office address and phone number of the Title IX Compliance Officer for employees; (3) Statement showing the step-by-step informal complaint process for school sites as it pertains to the handling of sexual harassment complaints.

5. EE 05: Athletic Funding

The LEAs athletic programs supported by public funds provide equal opportunity for participation by all students and ensure equitable use of such funds. If the LEA reduces its athletic budget, it does so consistent with state and federal gender equity laws.

Based on the documents that were uploaded and interviews with staff the LEA does not meet the legal requirements of this section.

The BUSD must upload the following information so that legal compliance can be assessed: (1) Provide funding information for all athletics program and competitive teams that are sex segregated, provide the line item expenditures for things like tennis balls, soft balls, base balls, basket balls, helmets, pads/padding, uniforms, rackets, bats, transportation, facility rental fees, referee fees school sites. Additionally, any funding or expenditure disparities must have accompanying documentation as to why the difference exists and must also be uploaded to assess compliance. Please use records beginning in August of 2016 to December of 2016.

6. EE 06: Opportunity and Equal Educational Access

The LEA programs, activities, and student clubs are available to all persons without regard to actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race, ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics. The LEA monitors compliance with any and all applicable nondiscrimination rules and regulations.

Based on the documents that were uploaded the LEA does not meet the legal requirements of this section.

The BUSD must upload the following information so that legal compliance can be assessed: (1)
Outreach materials sent to parents/students promoting student programs, activities and clubs i.e. newsletters, newspapers (print or electronic) posters, etc. that contain the nondiscrimination statement language; (2) Agency policy or process on monitoring compliance with civil rights rules and regulations.

Early Education and Support

1. EES 02: Family Eligibility Requirements

Families with children enrolled in the program have met the eligibility requirements of that contract, and the required documentation is complete. A family data file has been established for each family, including a completed application for services and supporting documentation. The LEA verifies the eligibility of each family or child within 30 days of a change in eligibility status or at intervals not to exceed 12 months and at least once each contract period.

Based on a review of the family data files:

in two of 20 files the family did not submit sufficient documentation to establish income eligibility;

in two of 20 files the family was re-certified beyond the twelve month interval.

The above findings contributed 21% to the Governance and Administration Unit’s assessed error rate.

The combined error rate for Dimension II exceeds the error rate threshold of 10 percent. The LEA shall submit a corrective action plan with an Error Rate Reduction Plan as part of the corrective action plan. The plan shall address how the LEA will collect sufficient documentation to verify income eligibility, and ensure families are re-certified at least once each contract period.

2. EES 03: Child Need Requirement Verification

With the exception of families enrolled in a part-day CSPP, families with children enrolled in a contract have met the need requirements. Certified hours of child care correspond to the need of the parent/caretaker. The contractor verifies the need of each family or child within 30 days of a change in need status or at intervals not to exceed 12 months and at least once each contract period.

Based on a review of the family data files:

in three of the 20 files there was insufficient documentation of employment to establish a basis of need;
in two of the 20 files the contractor did not collect all of the documentation needed to establish a Vocational Training need; and

in one of the 20 files the family did not identify a general description of when days and hours would be needed for a seeking employment plan.

The above findings contributed 78% to the Governance and Administration Unit’s assessed error rate.

The combined error rate for Dimension II exceeds the error rate threshold of 10 percent. The LEA shall submit a corrective action plan with an Error Rate Reduction Plan as part of the corrective action plan. The plan shall address how the LEA will collect sufficient documentation to verify employment, Vocational Training, and the days and hours for seeking employment.

3. **EES 05: Correct Fee Assessed**

Families with children enrolled are assessed the correct monthly fee according to the current Family Fee Schedule issued by the California Department of Education with the exception of families certified in a part-day/part-year CSPP program.

Based on a review of the family data files, in two of 20 files the contractor did not select the appropriate family fee based on family’s size and income.

The above findings contributed 1% to the Governance and Administration Unit’s assessed error rate.

The combined error rate for Dimension II exceeds the error rate threshold of 10 percent. The LEA shall submit a corrective action plan with an Error Rate Reduction Plan as part of the corrective action plan. The plan shall address how the LEA will ensure the correct family fee is assessed based on verified total countable income and family size.

4. **EES 18: Environment Rating Scale**

The program shall complete an environment rating scale to measure program quality for the appropriate age group and setting and shall achieve a rating of “Good,” defined as scoring at least an average of 5.0 on each sub-scale of the environment rating scale.

For the Franklin Preschool site room D2 the following scores were assessed for the Early Childhood Environment Rating Scale:

Space and Furnishings----- 7.00

Personal Care----- 3.8

The means by which a finding is resolved is the responsibility of the LEA unless specified in law. Authorized LEA staff may request suggestions from CDE staff on the resolution of findings.
Language-Reasoning----- 6.25
Activities----- 6.22
Interactions----- 5.80
Program Structure----- 6.75
Parents and Staff----- 6.09

For the Malcom X BEARS School-age site, room 2, the following scores were assessed for the School-age Care Environment Rating Scale:

Space and Furnishings----- 2.40
Activities----- 3.00
Interactions----- 5.00
Program Structure----- 3.00

Corrective actions:

For the Franklin Preschool site the LEA shall provide a corrective action plan for the Personal Care sub-scale to bring the score to the level of 5 or better. The plan would address training for the staff and the process to work with the children to support and learn the correct hand washing process.

For the Malcom X BEARS School-age site the LEA shall provide a corrective action plan for Space and Furnishings, Activities and Program Structure sub-scales to bring the scores to the level of 5 or better.

The corrective action plan would address the provision of enough space and furnishings for the program to function at the level of 5 or better.

English Learner

1. EL 01: Parent Outreach and Involvement

The LEA must provide training activities to parents on how they can be involved and become active participants in assisting their children to: (i) Attain English proficiency; (ii) Achieve at high levels in core academic subjects; (iii) Meet challenging state academic content and achievement standards expected of all students.

A review of documentation and interviews with staff and parents revealed that there were no
training activities provided to English learner parents at Malcolm X Elementary.

The LEA must upload documentation (evidence of training activities) to demonstrate that it has implemented training activities for parents of English learners at Malcolm X.

2. **EL 04: English Learner Advisory Committee (ELAC)**

   A school site with 21 or more ELs must have a functioning English Learner Advisory Committee (ELAC) that meets requirements (a) through (e).

   A review of documentation and interviews with staff and parents revealed that Malcolm X and Berklely Arts Magnet did not have fully functioning ELAC committees that meet the criteria of (a) through (e).

   The LEA must upload documentation (e.g., sign-ins, agendas, minutes, election results) showing that it has established ELACs at Malcolm X and BAM.

3. **EL 11: Supplement, Not Supplant, with Title III & EIA-LEP**

   General fund resources must be used to provide services and programs for ELs, including English language development and access to the core curriculum. The provision of such services and programs must not be contingent on the receipt of state or federal supplementary funds. The LEA must use Title III funds only to supplement, not supplant, other federal, state, and local public funds.

   During the review of Title III Immigrant expenditures for 2015-16, the salaries for the Director of Programs and District Professional Development coordinator were found to be split among four funding sources without a clear explanation of the supplemental duties being performed under each source.

   The LEA must upload documentation showing a refund of the 2016-17 Title III LEP salaries for the Director of Programs and District Professional Development Coordinator, or a description of the job duties under each funding source with timekeeping (PARs) for two months that support the percentages of time spent on activities for each funding source. In addition, the LEA must upload an addendum to the LEA plan, Goal 2 showing the activities that will be implemented with refunded Title III monies including $34,000 in salaries returned to Title III for the 2015-16 EL Coach and Program Assistant; the $1290 to Title III Immigrant, and any other funds returned to Title III as a result of a reconfiguration of salaries after this review.

4. **EL 14: Reclassification**

   The LEA must reclassify a student from EL to proficient in English by using a process and criteria that includes, but is not limited to (a) through (d). The LEA must monitor the progress of reclassified pupils for a minimum of two years to ensure correct classification, placement, and additional academic support, as needed.

   A review of documentation and interviews with staff revealed that there were no reclassification criteria or processes for reclassifying students in grades 1 and 2, and that reclassification
criteria had been inconsistently applied across the district, resulting in a number of ELs who could have been reclassified in earlier grades.

The LEA must submit documentation (e.g., board-approved criteria for reclassification, reclassification forms - names redacted, revised initial/annual letters) that it has developed reclassification criteria for grades 1 and 2 and has implemented processes and procedures for reclassifying English learners at all grade levels. The LEA must also submit documentation (e.g., ELAC, DELAC minutes) showing that it has consulted with EL parent groups about the reclassification criteria and procedures, and evidence (e.g., forms or lists of newly reclassified students) that it has reviewed the longitudinal files of English Learners for possible reclassification.

**Fiscal Monitoring**

1. **FM 01: Timekeeping Requirements**

To support salaries and wages for employees that work on federal programs, local educational agencies (LEAs) are required to maintain time accounting records that accurately reflect the work performed. These time accounting records must: (1) be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated; (2) be incorporated into the official records of the LEA; (3) reasonably reflect the total activity for which the employee is compensated by the LEA, not exceeding 100% of compensated activities; (4) encompass both federally assisted and all other activities compensated by the LEA on an integrated basis, but may include the use of subsidiary records as defined in the LEA’s written policy; (5) comply with the established accounting policies and practices of the LEA; and (6) support the distribution of the employee’s salary or wages among specific activities or cost objectives if the employee works on more than one Federal award; a Federal award and non-Federal award; an indirect cost activity and a direct cost activity; two or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity. Budget estimates or percentages determined before the services are performed alone do not qualify as support for charges to Federal awards.

The California Department of Education’s (CDE) review of a sample of LEA employees who work in federal programs found two employees who did not maintain personnel activity reports (PAR) in accordance with program requirements. Specifically, the PARs reported budgeted, rather than actual hours worked. In response, the LEA provided alternative timekeeping documentation which could be utilized to demonstrate that the employees worked in the federal programs. However, the alternative documentation did not support the employees’ PARs to meet federal timekeeping requirements. As a result, the LEA was unable to substantiate that the salaries and wages are properly charged to federal programs in accordance with program requirements.

The LEA must reimburse $51,936 to Title I, Part A, $13,785 to the Title II and $34,600 to Title III for the unsupported salaries and benefits charged to the programs for FY 2015-16 uploading into CMT the documentation that supports the transfer of funds from unrestricted sources.
Homeless Education

No program findings resulted from this monitoring review. No further action is required.

Improving Teacher Quality

1. ITQ 03: Use of Funds

The LEA must use categorical funds only to supplement, and not supplant, state and local funds.

Review of the FY 2015-16 Title II General Ledger, job descriptions and interviews with staff indicated that Title II-A funds are used to partially pay for several staff positions. In the absence of the requested additional documentation that could demonstrate that Title IIA use is supplemental, and thus allowable, the total amount charged to Title II A for these positions must be reimbursed.

The LEA must either upload documentation providing evidence that the Title IIA use was supplemental or submit Journal Entry documentation indicating that the cost associated with these positions has been reimbursed using unrestricted funds.