

What ESSA Says About Monitoring



VANDER WEELE GROUP^{LLC}
Facts Into Strategy

(773) 929-3030

4725 N. Sheridan Road, 1-S, Chicago, IL 60640 • 16103 LaSalle Street, South Holland, IL 60473

975 South Durkin Drive, Suite 201, Springfield, IL 62704

<https://www.education-oversight.com/>

WHAT ESSA SAYS ABOUT MONITORING

The *Every Student Succeeds Act of 2015* shifts power from the U.S. Department of Education to the states. Less prescriptive than its predecessor, the *No Child Left Behind Act of 2001*, ESSA empowers states to develop their own K-12 education plans. By choosing accountability systems, approaches to school improvement, and interventions, each state can finally put its own "Vision in Flight".

With newfound flexibility comes an increased focus on monitoring. While all grantees must monitor their funds, they must also notify subrecipients of their obligations to monitor and provide new assurances that their responses to monitoring reviews are truthful.

The U.S. Secretary of Education also has new responsibilities. They include analyzing monitoring results and providing guidance based on the trends identified.



METHODOLOGY

The following chart contains references to monitoring from the *Every Student Succeeds Act of 2015*. The citations were derived from two versions of the Act, which reauthorized the *Elementary and Secondary Education Act of 1965*. They include:

The *Every Student Succeeds Act of 2015*, Public Law 114-95, enacted January 6, 2015. It can be accessed here: <https://www.gpo.gov/fdsys/pkg/PLAW-114publ95/pdf/PLAW-114publ95.pdf>

The *Elementary and Secondary Education Act of 1965*, as Amended by Public Law 114-328, the *National Defense Authorization Act for Fiscal Year 2017*, enacted December 23, 2016. It can be accessed here: <https://legcounsel.house.gov/Comps/Elementary%20And%20Secondary%20Education%20Act%20of%201965.pdf>

A version of ESEA as amended by the *Every Student Succeeds Act* was released on December 10, 2015, and can be accessed here: <https://www2.ed.gov/documents/essa-act-of-1965.pdf>

Most of the citations in the chart below were derived from the *Elementary and Secondary Education Act of 1965*, as Amended by Public Law 114-328. However, this version omits Title IX and, therefore, Title IX citations are derived from the original *Every Student Succeeds Act*.

More information is available here: <https://ed.gov/policy/elsec/leg/essa/legislation/introduction.pdf>

Monitoring Requirements under ESSA

U.S. Secretary of Education

Who	Topic	Requirement*	Citation
U.S. Secretary of Education	General Requirement	The Secretary of Education must notify each grantee of its responsibility to comply with all monitoring requirements under the applicable program(s).	<i>Title IX, Part B, Sec. 9204 (1)(A), ESSA</i>
U.S. Secretary of Education	General Requirement	The Secretary must notify each grantee of its responsibility to monitor properly any subgrantee under the applicable program or programs.	<i>Title IX, Part B, Sec. 9204 (1)(B), ESSA</i>
U.S. Secretary of Education	General Requirement	The Secretary must notify each grantee of its responsibility to inform each subgrantee, if applicable, of its responsibility to comply with all monitoring requirements and to properly monitor their subgrantees.	<i>Title IX, Part B, Sec. 9204 (1), ESSA</i>
U.S. Secretary of Education	General Requirement	The Secretary must require each applicant for a grant to provide an assurance that their responses to monitoring and compliance reviews are truthful and accurate.	<i>Title IX, Part B, Sec. 9203 (3)(A), ESSA</i>
U.S. Secretary of Education	General Requirement	The Secretary must require each applicant for a subgrant to provide an assurance that their responses to monitoring and compliance reviews are truthful and accurate.	<i>Title IX, Part B, Sec. 9203 (3)(B), ESSA</i>
U.S. Secretary of Education	General Requirement	The Secretary shall review and analyze the results of monitoring and compliance reviews to understand trends and common issues.	<i>Title IX, Part B, Sec. 9204 (2)(A), ESSA</i>
U.S. Secretary of Education	Guidance to Grantees	The Secretary shall issue guidance to grantees, based on its trend analysis, before taxpayer funding is lost or misused.	<i>Title IX, Part B, Sec. 9204 (2)(B), ESSA</i>
U.S. Secretary of Education	Guidance to DOE Employees	The Secretary shall work with the DOE Inspector General to ensure DOE employees understand how to adequately monitor grantees.	<i>Title IX, Part B, Sec. 9204 (4), ESSA</i>
U.S. Secretary of Education	Hotline Number	The Secretary shall require that each recipient of a grant or a subgrant display in a public place the hotline number of the U.S. Department of Education Inspector General.	<i>Title IX, Part B, Sec. 9203 (1), ESSA</i>
U.S. Secretary of Education	Report Fraud	The Secretary shall annually notify employees of the Department of Education of their responsibility to report fraud.	<i>Title IX, Part B, Sec. 9203 (2), ESSA</i>
U.S. Secretary of Education	Subgrantees	The Secretary shall work with the DOE Inspector General to help ensure grantees adequately monitor subgrantees.	<i>Title IX, Part B, Sec. 9204 (4), ESSA</i>
U.S. Secretary of Education	Migratory Children	The Secretary shall ensure the accuracy of information regarding migratory children.	<i>Title I, Part C, Sec. 1303 (f) (2), ESEA as Amended by P.L. 114-328</i>
U.S. Secretary of Education	Indian Education	The Secretary must conduct a monitoring and evaluation review of a sampling of recipients under Part A, Subpart 1 (Formula Grants to LEAs for programs for Indian students).	<i>Title VI, Part A, Subpart 1 Sec. 6117 (e)(1)A, ESEA as Amended by P.L. 114-328</i>
U.S. Secretary of Education	Tribal Educational Agencies	The Secretary may award grants to Tribal Educational Agencies to receive training from the SEA and LEA in areas such as grants management, monitoring, and fiscal accountability.	<i>Title VI, Part A, Subpart 3, Sec. 6132 (c)(2)(C), ESEA as Amended by P.L. 114-328</i>

State Education Agencies and State Entities			
Who	Topic	Requirement*	Citation
SEAs	21st Century Community Learning Centers	A SEA may reserve not more than 5% for activities that include monitoring and evaluating programs and activities assisted under this Part.	Title IV, Part B, Sec. 4202 (c)(3)(A), ESEA as Amended by P.L. 114-328. See also Title IV, Part B Sec. 4205 (b) (1) describing Measures of Effectiveness.
SEAs	Charter Schools	A State Entity must describe how the State will better authorize charter schools e.g. by establishing authorizing standards that may include monitoring of charter schools.	Title IV, Part C, Sec. 4303 (f)(1)(A)(xii)(I), ESEA as Amended by P.L. 114-328. Also see Purpose, Part C, Sec. 4301 (7)
SEAs	Charter Schools	State Entities must adequately monitor charter school applicants receiving subgrants under the State entity's program. Application for funds will be evaluated, in part, based on this section of the State Entity's plan.	Title IV, Part C, Sec. 4303 (g)(1)(D)(i), ESEA as Amended by P.L. 114-328
SEAs/State Entities	Charter Schools	In their applications, State Entities must provide assurances that they will ensure that authorized public chartering agencies that receive funding under Title IV, Part C, monitor each charter school in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and English learners.	Title IV, Part C, Sec. 4303, (f)(2)(C), ESEA as Amended by P.L. 114-328
SEAs/State Entities	Charter Schools	State Entities must provide assurances that they will promote quality authorizing such as through providing technical assistance to public chartering agencies on how to improve their ability to monitor.	Title IV, Part C, Sec. 4303 (f)(2)(E), ESSA as Amended by P.L. 114-328
SEAs	Comprehensive Literacy	A SEA may reserve not more than 5% for certain activities, including monitoring the implementation of Comprehensive Literacy State Development subgrants by eligible entities.	Title II, Part B, Subpart 2, Sec. 2222 (f)(2)(E), ESEA as Amended by P.L. 114-328
SEAs	Correction of Deficiencies	A State that submits a consolidated State plan or application must sign assurances that it will adopt and use proper methods of administering each program including . . . the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluations.	Title VIII, Part C, Sec. 8304 (a)(3)(B), ESEA as Amended by P.L. 114-328
Applicants other than SEAs that submit a plan	Correction of Deficiencies	Any applicant, other than a SEA that submits a plan or application under the Act, shall sign assurances that they will adopt and use proper methods of administering each program including . . . the correction of deficiencies in program operations that are identified through audits, monitoring, or evaluations.	Title VIII, Part C, Sec. 8306 (a)(3)(B), ESEA as Amended by P.L. 114-328
SEAs	Direct Service Providers	SEAs shall develop and implement procedures for monitoring the quality of services provided by direct student service providers.	Title I, Sec. 1003A (e)(4), ESEA as Amended by P.L. 114-328

Who	Topic	Requirement	Citation
SEAs / LEAs, School or Indian Tribe	Educational Flexibility	A SEA or Indian Tribe that desires a waiver shall describe the methods used to monitor and regularly evaluate the effectiveness of its plan developed under the waiver request.	Title VIII, Part D, Sec. 8401 (b)(1)(D), ESEA as Amended by P.L. 114-328
SEAs	Educational Flexibility	Each SEA participating in the educational flexibility program must monitor the activities of LEAs, Educational Service Agencies, and Schools receiving waivers under the educational flexibility program.	Title IX, Part B, Sec. 9207 (b) amending Sec. 4 of the Educational Flexibility Partnership Act (a)(5)(A), ESSA
SEAs	Educational Flexibility	A SEA may use funds available under Sec. 8301 (Consolidation of State Administrative Funds/Flexibility) for training personnel engaged in monitoring activities.	Title VIII, Part B, Sec. 8201 (b)(2)(G), ESEA as Amended by P.L. 114-328
SEAs	Effective Instruction	The State is responsible for properly and efficiently administering and monitoring funds provided Under Part A for Effective Instruction, including provision of technical assistance to LEAs.	Title II, Part A, Sec. 2101 (c)(4)(B)(vi), ESEA as Amended by P.L. 114-328
SEAs	Effective Instruction	Each State application must contain an assurance that the state will both a) monitor the implementation of formula grants and subgrants for supporting effective instruction and b) provide technical assistance.	Title II, Part A, Sec. 2101 (d)(2)(G), ESEA as Amended by P.L. 114-328
SEAs (and Specially Qualified Agencies)	English Language Learners	Each SEA and specially qualified agency desiring a grant for English Language Acquisition, Language Enhancement, and Academic Achievement shall submit a plan that provides an assurance that they will monitor each subrecipient for compliance with applicable Federal fiscal requirements.	Title III, Part A, Subpart 1, Sec. 3113 (b)(3)(F), ESEA as Amended by P.L. 114-328
SEAs (and Specially Qualified Agencies)	English Language Learners	Each SEA and specially qualified agency shall describe in plans for English Language Acquisition, Language Enhancement, and Academic Achievement how the agency will monitor recipients of these subgrants in helping English learners achieve English proficiency.	Title III, Part A, Subpart 1, Sec. 3113 (b)(8)(A), ESEA as Amended by P.L. 114-328
SEAs	Homeless Children	The Coordinator for Education of Homeless Children and Youths established in each state shall provide technical assistance to, and conduct monitoring of, LEAs in coordination with LEA liaisons to ensure compliance with requirements governing the Education of Homeless Children and Youths.	Title IX, Part A Sec. 9102 (f)(1)(5), ESSA
SEAs	Private Schools	A SEA must appoint an Ombudsman to monitor and enforce requirements relevant to private schools to help ensure equitable services are provided to children, teachers, and other personnel of private schools.	Title VIII, Part F, Subpart 1, Sec. 8501 (3)(B), ESEA as Amended by P.L. 114-328

Who	Topic	Requirement*	Citation
SEAs	School Improvement	The State will use a portion of school improvement funds for monitoring and evaluating the use of funds by LEAs.	<i>Title I, Sec. 1003 (b)(2)(B), ESEA as Amended by P.L. 114-328</i>
SEAs	School Improvement	SEAs shall monitor and periodically review the Comprehensive Support and Improvement Plans of LEAs.	<i>Title I, Part A, Subpart 1, Sec. 1111 (d)(1)(B)(vi), ESEA as Amended by P.L. 114-328</i>
SEAs	State Plans	Each state plan shall contain assurances that the SEA has involved a committee of practitioners in monitoring their state plans.	<i>Title I, Part A, Subpart 1, Sec. 1111 (c)(11). See also Sec. 1111 (g)(2)(L), ESEA as Amended by P.L. 114-328</i>
SEAs	State Reports	SEAs must submit a consolidated State annual report that contains, as the Secretary of Education determines necessary, information about monitoring activities.	<i>Title VIII, Part C, Sec. 8303 (b), ESEA as Amended by P.L. 114-328</i>
SEAs	Student Support and Academic Enrichment	Each State shall use a portion of funds for activities that may include monitoring of, training, technical assistance, and capacity building for LEAs that receive an allotment under Section 4105, Allocations to LEAs, under Title IV – 21st Century Schools.	<i>Title IV, Part A, Subpart 1, Sec. 4104 (b)(1), ESEA as Amended by P.L. 114-328</i>
SEAs	Student Support and Academic Enrichment	To receive an allotment under Sec. 4103, Formula Grants to States, a State must submit a plan that contains assurances that it will both monitor the implementation of funded activities and provide technical assistance to LEAs.	<i>Title IV, Part A, Subpart 1, Sec. 4103 (c)(2)(C)(ii), ESEA as Amended by P.L. 114-328</i>

Local Education Agencies / School Districts / Schools

Who	Topic	Requirement*	Citation
LEAs	School Improvement	LEAs applying for school improvement funds shall describe in their applications how they will monitor schools within their districts if funds are used for Targeted School Improvement.	<i>Title I, Sec. 1003 (e)(1)(C), ESEA as Amended by P.L. 114-328</i>
LEAs	Direct Service Providers	LEAs applying for school improvement funds must describe how they will monitor the provision of direct student services.	<i>Title I, Sec. 1003A (d)(6), ESEA as Amended by P.L. 114-328</i>
LEAs	School Improvement	LEAs that are notified by the SEA that they must implement a Targeted School Improvement plan must monitor the plan after it is implemented.	<i>Title I, Part A, Subpart 1, Sec. 1111 (d)(2)(B)(iv), ESEA as Amended by P.L. 114-328</i>
LEAs	Teacher and School Leader Incentive Grants	An eligible entity shall submit an application that includes a description of how activities funded under the Teacher and School Leader Incentive Program will be evaluated, monitored, and publically reported.	<i>Title II, Part B, Subpart 1, Sec. 2212 (c)(11), ESEA as Amended by P.L. 114-328</i>
LEAs	Magnet Schools	Applications for magnet school assistance must describe how the applicant will assess, monitor, and evaluate the impact of the activities funded under this part on student achievement and integration.	<i>Title IV, Part D, Sec. 4405 (b)(1)(D), ESEA as Amended by P.L. 114-328</i>
Schools	Schoolwide Program Plans	Schools operating schoolwide programs must develop and monitor their comprehensive plans.	<i>Title I, Part A, Subpart 1, Sec. 1114 (b)(3), ESEA as Amended by P.L. 114-328</i>

All Applicants / Grantees

Who	Topic	Requirement*	Citation
Any Applicant	General Requirement	Any applicant must provide assurances that any information submitted when applying for a grant and in their responses to monitoring and compliance reviews are truthful and accurate.	<i>Title IX, Part B, Sec. 9203 (3)(A), ESSA</i>
Grantees	General Requirement	Each recipient of a grant must comply with all monitoring requirements under the applicable program(s). If applicable, they must notify each subrecipient of their responsibility to comply.	<i>Title IX, Part B, Sec. 9204 (1)(A), ESSA</i>
Grantees	General Requirement	Each recipient of a grant must monitor properly any subgrantee under the applicable program(s).	<i>Title IX, Part B, Sec. 9204 (1)(B), ESSA</i>

* Requirements are written in plain language



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Vander Weele Group^{LLC}
Educational Grants Monitoring,
Oversight, and Assistance Services
(773) 929-3030 • www.edmonitoring.com

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- We perform fiscal and programmatic reviews to monitor how grant funds are used.
- We provide technical assistance during onsite reviews and through conferences, websites, and resource guides.
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For Districts, Schools, and Public Chartering Agencies

- We design and implement public school and charter school monitoring programs.
- We provide training and technical assistance to comply with the *Every Student Succeeds Act*, the Individuals with Disabilities Education Act, and other authorities.
- We screen and monitor Direct Service Providers to ensure they are ESSA compliant.
- We provide intensive reviews that document embezzlements, conflict of interest, real estate fraud, fictitious vendors, fictitious invoices, payroll fraud, conversion of government-funded equipment for personal use, small business fraud, and more.