

# Section B: Overview of Statutes, Regulations, and Non-Regulatory Guidance Related to Program Evaluation

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This section outlines the guiding statutes, regulations, and Federal guidance related to the evaluation of Migrant Education Programs (MEPs). Three main documents inform and guide MEPs and the evaluation of their service delivery:

- [Code of Federal Regulations \(C.F.R.\), Title 34, Sections 200.83, 200.84, and 200.85](#), *Responsibilities of state education agencies for evaluating the effectiveness of Migrant Education Programs, and using the results of evaluations to improve services to migratory children.*
- [Elementary and Secondary Education Act, Section 1304 and 1306](#), *Comprehensive needs assessment, service delivery plan, program evaluation; authorized activities*
- [Non-Regulatory Guidance for Title I, Part C Education of Migratory Children](#) (specifically Chapter VIII – Program Evaluation)

While a summary of the requirements is provided in this section, it is important to read the referenced documents fully, especially to clarify questions regarding program requirements.

## **B.1 Elementary and Secondary Education Act (ESEA) Evaluation Terms**

The following terms are defined for the evaluation of ALL students under ESEA:

- *State Performance Goals:* Part I of the Consolidated State Performance Report (CSPR) collects data related to the five ESEA Goals, established in the approved June 2002 Consolidated State Application, information required for the Annual State Report to the Secretary, as described in Section 1111(h)(4) of ESEA, and data required under Homeless Collection (added in FY 05-06). These goals broadly define the results that every state is expected to achieve for ALL students. For example, Performance Goal 1 states that all students will attain proficiency or better in reading/language arts and math by School Year 2013–14.
- *State Performance Indicators:* For each state performance goal, state performance indicators are the specific kinds of data that states are required to use as measures of progress toward the state performance goals. For example, one of the performance indicators for Goal 1 is annual state assessment data in reading/language arts for grades 3–12.
- *State Performance Targets:* Upon identification and consideration of its unique needs, a state education agency establishes specific state performance targets. These are annual

benchmarks for the progress of all students on each state performance indicator. These performance targets are the same as the Annual Measurable Outcomes (AMOs) that states include in their definitions of Adequate Yearly Progress (AYP). Using the example of Performance Goal 1 and the performance indicator for reading/language arts, a state sets a specific level of expected performance for ALL students in each grade. These expected levels of performance are the annual performance targets.

## **B.2 Office of Migrant Education Evaluation Terms**

State and local MEPs are required to assess the performance of migrant students on Performance Goals 1 and 5 using the state performance indicators for each goal, disaggregating the data by migrant status, and comparing it to state performance targets for each grade:

- Performance Goal 1: By 2013–2014, all students will reach high standards, at a minimum attaining proficiency or better in reading/language arts and math.
  - o Performance Indicator 1.1: The percentage of students at or above the proficient level each year on the state assessment in reading/language.
  - o Performance Indicator 1.2: The percentage of students at or above the proficient level each year on the state assessment in math.
- Performance Goal 5: All students will graduate from high school.
  - o Performance Indicator 5.1: The percentage of students who graduate from high school each year with a regular diploma.
  - o Performance Indicator 5.2: The percentage of students who drop out of school each year.

In compliance with the Government Performance and Results Act (GPRA) of 1993, the Office of Migrant Education (OME) has adopted four GPRA measures for monitoring progress and maintaining accountability in the federal MEP. MEPs are now required to report the following data annually to the U.S. Department of Education:

- (1) Percentage of MEP students that scored at or above proficient on their state's annual reading/language arts assessments in grades 3-8 and high school
- (2) Percentage of MEP students that scored at or above proficient on their state's annual Mathematics assessments in grades 3-8 and high school
- (3) Percentage of MEP students who were enrolled in grades 7-12 and graduated or were promoted to the next grade level
- (4) Percentage of MEP students who entered 11th grade and received full credit for Algebra I, or who were enrolled in a non-remedial Math course for which Algebra I was a prerequisite

Through the Comprehensive Needs Assessment (CNA), the state develops a sophisticated understanding of instructional and other factors that affect migrant students' participation and success in school. The CNA committee studies evidence-based solution strategies and selects specific strategies that address the underlying factors inhibiting migrant students' academic progress. The state then develops a Service Delivery Plan (SDP) to communicate the types of instructional and support services that are consistent with selected strategies and establishes Measurable Program Outcomes (MPOs) for these services.

- MPOs are established by the MEP for services to migrant students. State and local MEPs that provide services to migrant students are evaluated by the extent to which actual participation and academic performance of migrant students compare to these expected MPOs.
- The nature of an MPO varies depending on whether it is written for an instructional service or a support service:
  - MPOs related to Direct Instructional Services should be expressed as expected increases in performance on measures of academic achievement, including state assessments.
  - MPOs related to Non-instructional Support Services should be expressed as expected increases in students' active participation in school or other instructional programs.
- MPOs are not the same as either state performance targets or the AMOs that States use in their definitions of AYP.
  - State performance targets and AMOs are used to monitor the accomplishments of all educational initiatives combined. They are macro-outcomes.
  - MPOs are defined for specific educational or educationally related services. They are micro-outcomes.

Among all migrant students, those who are failing or at-risk of failing and who experience interruptions in their schooling are designated as having a Priority for Services (PFS). When funding is insufficient to serve all migrant students, the needs of PFS migrant students must be addressed first. Consistent with this priority:

- Achievement on state performance targets should be disaggregated for PFS and other migrant students to determine the overall effectiveness of state and local MEPs.
- Results related to MPOs should be disaggregated for PFS and other migrant students in order to evaluate the impact of services for migrant students who have the greatest needs.

MEPs are responsible for evaluating the implementation of programs as well as program results.

- An implementation evaluation examines how well a program is carried out to meet the needs of migrant students, especially PFS students.

- Results include the actual performance and participation of migrant students compared to the MPOs established for MEP services.

### **B.3 State Requirements for Evaluation**

If your state receives Title I, Part C funds for migrant education, you must evaluate the effectiveness of your state MEP using the following information:

- The four state performance targets related to Goals 1 and 5 (included in Section B.2 of the *Toolkit*) —disaggregated for PFS and other migrant students;
- MPOs established for specific activities and services disaggregated for PFS and other migrant students at the service delivery level and summarized at the state level.

States that adopt a performance target for school readiness determine their performance indicators, usually adopting some measure of early literacy. If your state adopted a performance target for school readiness or any other state performance targets, you must be prepared to provide services that enable migrant students to meet those targets and to disaggregate performance data for PFS students, other migrant students, and non-migrant students related to those targets.

Other requirements for state MEPs:

- The comprehensive state plan for service delivery must determine the effectiveness of its program through a written evaluation (34 C.F.R. Section 200.83). (See *Section C Planning The Evaluation*)
  - o The MEP should examine program implementation within the first or second year of the program and every two-three years thereafter. (*Guidance*, Chapter VIII, C5).
  - o MEP results based on performance measures, state performance targets, and measurable program outcomes should be examined every year (*Guidance*, Chapter VIII, C5).
  - o The state must focus on migrant children who are PFS students and develop methods for disaggregating state assessment data and measurable outcomes in order to determine the impact of the MEP on PFS students (34 C.F.R. Section 200.84; *Guidance*, Chapter VIII, C8).
- The state MEP must use the results of the evaluation to improve services to migrant children (34 C.F.R. Section 200.84 and 200.85) (See *Section G Using Evaluation Findings*).
- The state MEP must periodically document the evaluation in a written report (34 C.F.R. Section 200.84). (See *Section F Communicating Evaluation Findings*)
  - o OME requests that states submit a written program evaluation report once every two to three years (*Guidance*, Chapter VIII, C5).

- o States should report the *purpose* of the evaluation, *methodology* for what data were collected and how they were collected, *results* of the implementation evaluation, *results* for PFS and other migrant students, and the *implications* for making decisions about the program (*Guidance*, Chapter VIII, D2).

#### **B.4 Local Requirements for Evaluation**

Local operating agencies (LOAs) that receive subgrants from the state MEP for migrant education must also evaluate the effectiveness of their services for meeting the needs of migrant students, especially PFS students. The local project evaluation should measure both the implementation of the project and student performance against the project's MPOs, the state's MPOs, and the state's performance targets. (*Guidance*, Chapter VIII, C3)

- The LOA should develop MPOs that are aligned with the state's MPOs (*Guidance*, Chapter VIII, B6).
- The LOA must use the results of the evaluation to improve services to migrant children (34 C.F.R. Section 200.85).
- LOAs should evaluate progress of migrant children in the project against MPOs, report these outcomes to the state MEP, and use evaluation results to improve services for children in MEP preschool projects (*Guidance*, Chapter VIII, C10).

States should require that:

- The LOA project application include a description of the project and the services it will provide in accordance with the state's Service Delivery Plan (SDP), as well as the MPOs and a plan for evaluating whether the project achieves these outcomes.
- Additional needs not covered in the SDP, but identified by the LOA, may also be addressed in the project application along with appropriate MPOs for related activities and a plan for evaluating whether these additional activities achieve the specified MPOs.
- In addition to examining the implementation or delivery of services, the local MEP measures the performance of PFS and other migrant students against other state performance targets and MPOs.

#### **B.5 State Responsibilities to Local Education Agencies for Evaluation**

State MEPs must provide guidance to local MEPs for evaluating their projects and services and must also ensure that these evaluations are conducted properly. In addition, the state MEP must ensure that the LOA conducts the evaluation properly (*Guidance*, Chapter VIII, C3).

States should:

- Notify local MEPs in advance of specific data they will need for the statewide evaluation and provide guidance for how to collect the necessary data (*Guidance*, Chapter VIII, C3).
- Monitor the progress of local MEPs against state and local MPOs.
- Require appropriate changes to ineffective projects before additional funds can be subgranted to LEAs for these projects.

## **B.6 Reflection Questions**

1. Do I understand the requirements for evaluating the MEP on the state and local levels?
2. Are these requirements reflected in the Evaluation Plan included in the SDP?
3. Are we collecting the appropriate data to determine the impact of implementation and results?
4. What changes are needed to ensure that the evaluation system meets requirements for measuring program effectiveness?
5. What technical assistance and monitoring should the state provide to ensure that LOAs conduct proper evaluation and use results for program improvement?

## **B.7 Resources and Tools in Appendix B**

### Appendix B.1 Checklist for State Migrant Education Program (MEP) Evaluation

## Appendix B.1 Checklist for State Migrant Education Program (MEP) Evaluation

**The following checklist is based on the statutes, regulations, and Federal guidance related to state and local evaluation of MEPs (see *Section B Overview of Statutes, Regulations, and Non-regulatory Guidance Related to Program Evaluation* for links to the full documents). It is important to read and be very familiar with the law and guidance. You can use this checklist as a quick reference guide to help determine if the evaluation plan meets the Federal requirements. The state MEP Evaluation:**

- Includes a written evaluation plan in the statewide Service Delivery Plan (SDP), which specifies how the state will collect data related to the implementation of MEP activities and services as well as the results achieved through these services and activities (34 C.F.R. Section 200.84).
- Collects data on state performance targets related to Performance Goals 1 and 5 for each grade, disaggregated for Priority for Services (PFS), other migrant and non-migrant students (34 C.F.R. Section 200.84, *Guidance*, Chapter VIII, B3, C8).
- Collects data on additional state performance targets for school readiness and other needs, disaggregated for PFS, other migrant and non-migrant students, if applicable (*Guidance*, Chapter VIII, B5)
- Collects data on six Government Performance and Results Act (GPRA) measures and reports it annually to the Office of Migrant Education, to be used in the evaluation of the Federal MEP with an anticipated start date in 2004.
- Collects data on Measurable Program Outcomes (MPOs) established for all MEP activities and services, disaggregated for PFS, and other migrant students (*Guidance*, Chapter VIII, B5).
- Notifies local MEPs in advance of specific data needed for the statewide evaluation and provides guidance for how to collect the necessary data (*Guidance*, Chapter VIII, C3).
- Provides guidance to local MEPs on what to evaluate locally and how to evaluate it (*Guidance*, Chapter VIII, C3).
- Develops a plan for reviewing all evaluation findings and using the results to improve services to migrant children (34 C.F.R. Section 200.84 and Section 200.85).
- Documents the evaluation in a written report, including the purpose of the evaluation, what data were collected and how they were collected, the findings of the implementation evaluation, results for PFS and other migrant students compared to all other students, and the implications for making decisions about MEP activities and services (34 C.F.R. Section 200.84; *Guidance*, Chapter VIII, D2).