



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 9.2

**Meeting Date:** December 14, 2023

**Subject:** English Language Advisory Committees Update

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**Division:** Multilingual Literacy Department

**Recommendation:** Informational Item Only

**Background/Rationale:** Districts in the state of California are required to adhere to the policy enacted to serve English learners and their families. The California English Learner Roadmap State Board of Education Policy enacted in 2017 explicitly focuses on the improvement of the educational system, the quality of teaching and learning, and educational outcomes. It centers on standards, curriculum frameworks, assessments and accountability, educator quality, early childhood/preschool, social and family support services, parent/community involvement, and higher education. As part of the assets-oriented and needs-responsive schools principle, schools are expected to respond to the needs of parents and families and build upon the cultural and linguistic assets students bring to their education (EL Roadmap, 2015).

Moreover, any school site with 21 or more English learners must have a functioning English Learner Advisory Committee (ELAC) that meets the following requirements:

1. Parent members are elected by the parents or guardians of ELs.
2. Parents of ELs constitute at least the same percentage of the committee membership as their children represent in that school community.
3. The ELAC shall be responsible for assisting in the development of schoolwide needs assessment and ways to make parents aware of the importance of regular school attendance.

4. The ELAC shall advise the principal and staff in the development of a site plan for ELs and submit the plan to the school site council for consideration for inclusion in the School Plan for Student Achievement (SPSA).
5. The ELAC receives training materials and training, planned in full consultation with committee members, to assist members in carrying out their legal responsibilities. (California *Education Code* [EC] sections 52176 [b], 62002.5; Title 5, *California Code of Regulations* [5 CCR] Section 11308)

**Financial Considerations:** The District's Title III English Learner and Immigrant allocations include support to engage English learner families to support parent/community involvement. Each school is also responsible for addressing parent engagement and involvement in their School Plans for Student Achievement (i.e. Title I, LCFF EL and LCFF Free and Reduced).

**LCAP Goal(s): Engagement and Empowerment**

**Documents Attached:**

1. California English Learner Roadmap State Board of Education Policy: Educational Programs and Services for English Learners
2. English Learner 2022-2023 Program Instrument
3. English Learner FPM Findings 2023

**Estimated Time of Presentation:** 15 minutes

**Submitted by:** (Yvonne Wright, Chief Academic Officer; Dr. Olga L. Simms, Multilingual Literacy Director)

**Approved by:** Lisa Allen, Interim Superintendent



## **California English Learner Roadmap State Board of Education Policy: Educational Programs and Services for English Learners**

This policy is intended to assist the California Department of Education in providing guidance to local educational agencies (LEAs) in welcoming, understanding, and educating the diverse population of students who are English learners attending California public schools. Many English learners represent the newest members of our society (including recently arrived immigrants and children of immigrants) who bring a rich diversity of cultural backgrounds and come from families with rich social and linguistic experiences. They also bring skills in their primary languages that contribute enormously to the state's economic and social strengths as a talented multilingual and multicultural population.

This policy explicitly focuses on English learners in the context of the state's efforts to improve the educational system, the quality of teaching and learning, and educational outcomes. It centers on standards, curriculum frameworks, assessment, accountability/school improvement, educator quality, early childhood/preschool, social and family support services, parent/community involvement, and higher education. Its purpose is to promote local capacity-building and continuous improvement in each of these areas and their interrelationship, based on evidence of effectiveness from local experience as well as the most current rigorous research evidence that speaks to the strengths and needs of the diverse population of English learners.

The impetus for this policy comes from a number of important related developments in California as well as nationally. If properly coordinated and articulated as part of a coherent California English Learner Roadmap, these developments can better serve the state's large population of English learners to attain college- and career-ready standards and to further promote the rich linguistic diversity of the state as it thrives in a global economy and culture of learning, innovation, and advanced technology.

The adopted academic State Standards and the Next Generation Science Standards, and corresponding English Language Development (ELD) standards, signal an important shift toward emphasizing academic uses of language for all students, and student engagement with college- and career-ready curriculum using English and other languages. Taken together, these standards highlight the tightly interconnected nature of developing disciplinary content understandings, analytical practices, and academic uses of language for all students. This shift enables the educational system to move beyond remediating students' English language skills to simultaneously developing their language and literacy skills while engaging in the full range of academic content learning.

The State Seal of Biliteracy encourages districts to recognize students' biliterate proficiency. Developing assessments in languages other than English that are aligned to state academic standards (e.g., the California Spanish Assessment) are key to recognizing biliteracy and academic achievement in more than one language. The passage of the California Education for a Global Economy Initiative, known as Proposition 58 (amending Proposition 227), moves us beyond improvement efforts focused solely on language of instruction to programs and pathways that effectively develop academic content knowledge, discipline-specific practices and academic language uses, and bilingual-biliterate proficiency.

California's Local Control Funding Formula (LCFF) is premised on local districts providing equitable learning conditions, pupil outcomes, and effective engagement of English learners. Districts are expected to set, with their parent and community partners, meaningful goals and outcomes that require full access to the curriculum, assure English learners' meaningful progress toward attaining academic English proficiency, and closing gaps in academic achievement for students entering as English learners. LCFF provides districts additional resources to build local capacity to implement and support evidence-based practices. State-produced documents provide coherent guidance for districts on implementing more and better comprehensive, research evidence-based services for diverse groups of English learners via the Local Control and Accountability Plan (LCAP) process, and provides support for continuous improvement.

Our accountability system is state-determined, and is consistent with federal guidance provided for states to implement the Every Student Succeeds Act (ESSA), which supports our aligning federal and state policies to better integrate and leverage resources, services, assessment and accountability. Consonant with LCFF, ESSA elevates English language proficiency to a central indicator for Title I accountability. It values English language development, which California has identified as both, designated ELD equally with integrated ELD—as presaged in California's English Language Arts (ELA)/ELD Curriculum Framework.

Given ESSA's Title III provisions, California will re-examine standardized, statewide EL entrance and exit procedures and criteria, and report academic performance of key sub-categories of English learners, such as long-term English learners and students with disabilities. The broader federal stance on multiple indicators of performance also complements our system's use of multiple state and locally-collected indicators on academic achievement, EL progress, high school graduation, chronic absenteeism and student suspension, school climate and parent engagement to advance a more complete picture of district program effectiveness.

This policy also reflects the current national research consensus on second language learning, bilingualism, program effectiveness, and policy research<sup>1</sup>, much of which is consistent with earlier syntheses from the California Department of Education<sup>2</sup>.

Findings include the following:

- English language proficiency development is a process that takes five to seven years for those entering with emerging English, benefits from coherent and aligned instruction across that time period, and can take place as an integrated process simultaneous with academic content learning in addition to designated ELD and the development of bilingualism/biliteracy.
- Bilingualism provides benefits from the capacity to communicate in more than one language and may enhance cognitive skills, as well as improve academic outcomes.
- Establishing proper and consistent procedures and criteria for identifying, monitoring, and exiting English learners using appropriate assessment procedures—while developing professional capacity to use assessment results—constitutes a key lever for effective system improvement.
- The diversity of the EL population (e.g., newcomers, long-term English learners, students with interrupted formal education, students with disabilities, gifted and talented students, and the expected continuous exiting of students from the EL category) necessitates pedagogy and educational support services that are differentiated and responsive.
- Brain development research reinforces the crucial period of birth through early childhood in the areas of cognitive, social, and language development. There is great need for coherent, aligned support for dual language learners across the preschool and primary grade systems to begin developing their bilingual and biliterate capacities.

The current research evidence base also supports the need to attend to the following instructional factors:

- Explicit literacy instruction especially in the early grades
- Peer-assisted and small-group learning opportunities

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<sup>1</sup> National Academies of Sciences, Engineering, and Medicine (2017). *Promoting the Educational Success of Children and Youth Learning English: Promising Futures*. Washington, DC: The National Academies Press. DOI: 10.17226/24677

<sup>2</sup> CDE (1984) *Schooling and Language Minority Students: A Theoretical Framework*; CDE (1986) *Beyond Language: Social and Cultural Factors in Schooling Language Minority Students*; and CDE (2010) *Improving Education for English Learners: Research-Based Approaches*.

- Providing academic language support during content area instruction, balanced with structured explicit opportunities for oral and written language skills development
- Appropriate assessment in various forms (e.g., formative, benchmark, summative) to understand and support student learning
- Processes related to social emotional development and identity formation

California is a state that welcomes newcomers and their families, and that addresses their linguistic diversity with a positive, additive orientation. Our schools need to reflect this orientation by affirming, welcoming and responding to a diverse range of student strengths, needs, and identities, and prepare graduates with the linguistic, academic and social skills and competencies needed for college, career and civic participation in a global, diverse and multilingual world.

### ***California's Vision of Success for English Learners***

English learners fully and meaningfully access and participate in a 21<sup>st</sup> century education from early childhood through grade twelve that results in their attaining high levels of English proficiency, mastery of grade level standards, and opportunities to develop proficiency in multiple languages.

### ***Mission***

California schools affirm, welcome and respond to a diverse range of EL strengths, needs and identities. California schools prepare graduates with the linguistic, academic and social skills and competencies they require for college, career and civic participation in a global, diverse and multilingual world, thus ensuring a thriving future for California.

### ***Four Principles***

Four principles support our vision and provide the foundation of California's English Learner Roadmap. These principles are intended to guide all levels of the system towards a coherent and aligned set of practices, services, relationships, and approaches to teaching and learning that together create a powerful, effective, 21<sup>st</sup> century education for our English learners. Underlying this systemic application of the Principles is the foundational understanding that simultaneously developing English learners' linguistic and academic capacities is a shared responsibility of all educators, and that all levels of the schooling system have a role to play in ensuring the access and achievement of the 1.3 million English learners who attend our schools.

#### **Principle #1: Assets-Oriented and Needs-Responsive Schools**

Pre-schools and schools are responsive to different EL strengths, needs and identities, and support the socio-emotional health and development of English learners. Programs value and build upon the cultural and linguistic assets students bring to their education in

safe and affirming school climates. Educators value and build strong family, community, and school partnerships.

### **Principle #2: Intellectual Quality of Instruction and Meaningful Access**

English learners engage in intellectually rich, developmentally appropriate learning experiences that foster high levels of English proficiency. These experiences integrate language development, literacy, and content learning as well as provide access for comprehension and participation through native language instruction and scaffolding. English learners have meaningful access to a full standards-based and relevant curriculum and the opportunity to develop proficiency in English and other languages.

### **Principle #3: System Conditions that Support Effectiveness**

Each level of the school system (state, county, district, school, pre-school) has leaders and educators who are knowledgeable of and responsive to the strengths and needs of English learners and their communities, and utilize valid assessment and other data systems that inform instruction and continuous improvement; resources and tiered support is provided to ensure strong programs and build the capacity of teachers and staff to build on the strengths and meet the needs of English learners.

### **Principle #4: Alignment and Articulation Within and Across Systems**

English learners experience a coherent, articulated and aligned set of practices and pathways across grade levels and educational segments beginning with a strong foundation in early childhood and continuing through to reclassification, graduation and higher education. These pathways foster the skills, language(s), literacy and knowledge students need for college- and career-readiness and participation in a global, diverse multilingual 21<sup>st</sup> century world.

The California State Board of Education will direct the California Department of Education to provide guidance to districts and intermediary support organizations (e.g., county offices of education, California Collaborative for Educational Excellence) on how districts and schools can implement and strengthen comprehensive, research-based programs and services for all profiles of English learners via the LCAP, and provide support for establishing continuous improvement strategies and expectations that enable access to college- and career-ready learning as well as opportunities to attain the State Seal of Biliteracy.

The guidance will invest in and build educators' professional capacity; emphasize collaborative efforts; support effective pedagogy; and develop systemic solutions to create a coherent and positive education system. The guidance will encourage innovative district and school implementation of evidence-based practices for curricula, materials adoption and development, instruction, professional development and leadership that are responsive to the differentiated strengths and needs of English learners, and strengthening appropriate assessment tools and practices. The guidance will be consistent with the requirements set forth in state and federal laws addressing English learners.

Adopted by the California State Board of Education (SBE) on July 12, 2017. To obtain the posted SBE agenda and item, please visit the California Department of Education SBE web page at <https://www.cde.ca.gov/be/ag/ag/yr17/agenda201707.asp>.

California Department of Education, July 2017





# English Learner 2022–23 Program Instrument

California Department of Education  
May 2022

## I. Involvement

### EL 01: English Learner Advisory Committee (ELAC)

- 1.0 A school site with 21 or more English learners (ELs) must have a functioning ELAC that meets the following requirements:
  - (a) Parent members are elected by parents or guardians of ELs.
  - (b) Parents of ELs constitute at least the same percentage of the committee membership as their children represent of the student body.
  - (c) The ELAC shall be responsible for assisting in the development of the schoolwide needs assessment and ways to make parents aware of the importance of regular school attendance.
  - (d) The ELAC shall advise the principal and staff in the development of a site plan for ELs and submit the plan to the school site council for consideration for inclusion in the School Plan for Student Achievement (SPSA).
  - (e) The ELAC receives training materials and training, planned in full consultation with committee members, to assist members in carrying out their legal responsibilities.

(California *Education Code* [EC] sections 52176[b], 62002.5; Title 5, *California Code of Regulations* [5 CCR] Section 11308)

- 1.1 A school may designate an existing school-level advisory committee, or subcommittee of such advisory committee, to fulfill the legal responsibilities of ELAC, if the advisory body meets the criteria in paragraph “b”, above. (EC Section 52176[b]; 5 CCR Section 11308[d])

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- 1.2 Each ELAC has the opportunity to elect at least one member to the District English Learner Advisory Committee (DELAC) or participants in a proportionate regional representation scheme when there are 31 or more ELACs in the local educational agency (LEA). (5 CCR Section 11308[b])

### Evidence Requests

#### English Learner Advisory Committee

Abbreviation: ELACadvsry

Description: For each site under review, provide current and previous year member rosters with their child’s English Language acquisition status, roles, meeting agendas, attendance records, minutes, including input for the SPSA, needs assessment, and training materials.

Item Instructions: EL 01: If the ELAC has opted to create bylaws (not required for ELAC), please provide them.

Related Items: EL 01

### EL 02: District English Learner Advisory Committee (DELAC)

- 2.0 Each LEA with 51 or more ELs must form a DELAC unless the district designates for this purpose a subcommittee of an existing districtwide advisory committee. Parents or guardians, or both, of pupils of limited English proficiency who are not employed by the district shall constitute a majority of the DELAC. (EC sections 52176[a], 62002.5; 5 CCR Section 11308)
- 2.1 The DELAC shall advise the school district governing board on all of the following tasks:
- (a) Development of an LEA master plan, including policies, per the State Board of Education (SBE) EL Roadmap Policy, guiding consistent implementation of EL educational programs and services that takes into consideration the SPSAs.
  - (b) Conducting of an LEA-wide needs assessment on a school-by-school basis.
  - (c) Establishment of LEA program, goals, and objectives for programs and services for ELs per the SBE-adopted EL Roadmap Policy.
  - (d) Development of a plan to ensure compliance with any applicable teacher and instructional aide requirements.
  - (e) Review and comment on the LEA’s reclassification procedures.

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- (f) Review and comment on the written notifications required to be sent to parents and guardians. (5 *CCR* Section 11308)
  - (g) Under the local control funding formula, LEAs with at least 50 ELs and whose total enrollment includes at least 15 percent ELs must establish a DELAC, and that DELAC must carry out specific responsibilities related to the Local Control and Accountability Plan (LCAP), including providing input regarding the LEA’s existing language acquisition programs and language programs, and, where possible, the establishment of other such programs. If the DELAC acts as the ELAC under *EC* sections 52063(b)(1) and 52062(a)(2), the DELAC shall also review and comment on the development or annual update of the LCAP. (5 *CCR* Section 11301)
- 2.2 Each LEA must provide appropriate training materials and training, planned in full consultation with committee members, to assist members in carrying out their legal advisory responsibilities. (5 *CCR* Section 11308[d])
- 2.3 The consolidated application must also include certifications by appropriate district advisory committees, including the DELAC, that the application was developed with review and advice of those committees. (*EC* Section 64000[c])

### Evidence Requests

#### District English Learner Advisory Committee

Abbreviation: DELACadvstry

Description: Current and previous year member rosters, roles, meeting agendas, minutes, attendance records, needs assessment, training materials, and written input into the LCAP development.

Item Instructions: EL 02: If the DELAC has opted to create bylaws (not required for DELAC), please provide them.

Related Items: EL 02

## II. Governance and Administration

### EL 03: EL Identification and Assessment

- 3.0 Each LEA must properly identify and assess all students who have a home language other than English. (20 United States Code [U.S.C.] 6823[b][2]; *EC* sections 313, 60810)
- 3.1 At or before the time of a student’s initial California enrollment, an LEA shall conduct, in writing, a home language survey (HLS) to identify whether the

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primary or native language of the student is a language other than English. (20 U.S.C. 6823[b][2]; 5 CCR Section 11518.5[a])

- 3.2 If a parent or guardian HLS response indicates a primary or native language other than English, and the LEA determines the student is eligible for initial assessment, the LEA shall promptly notify the parent or guardian, in writing, prior to the administration of the English Language Proficiency Assessments for California (ELPAC) initial assessment. (20 U.S.C. 6823[b][2]; 5 CCR Section 11518.5[c])
- 3.3 The LEA shall administer the ELPAC initial assessment to each student eligible for the initial assessment, locally produce the official score in accordance with the directions of the test contractor, and notify the parent or guardian, in writing, of the results of the initial assessment within 30 calendar days after the student's initial date of California enrollment. (20 U.S.C. 6823[b][2]; EC Section 313; 5 CCR Section 11518.5[d])
- 3.4 Each LEA must annually assess the English language proficiency (ELP) and academic progress of each EL. An LEA shall administer the ELPAC summative assessment during the annual summative assessment window. (20 U.S.C. sections 6311[b][2][G], 6823[b][3][B]; EC sections 313, 60810; 5 CCR sections 11306, 11518.15[a])
- 3.5 When administering an initial or summative ELPAC assessment to a pupil with a disability, the LEA shall provide designated supports or accommodations, in accordance with the pupil's individualized education program (IEP) or Section 504 plan. When a pupil's IEP or Section 504 plan specifies that the pupil has a disability that precludes assessment such that there are no appropriate accommodations for assessment in one or more of the domains (listening, speaking, reading, and writing), the pupil shall be assessed in the remaining domains in which it is possible to assess the pupil. (5 CCR Section 11518.25)
- 3.6 When a pupil's IEP team determines that the pupil has a significant cognitive disability such that the pupil is unable to participate in the initial or summative assessment, or a section of either test, even with resources, the pupil shall be assessed as specified in the pupil's IEP. (5 CCR Section 11518.30)

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### Evidence Requests

#### Combined EL Assessment, Placement, and Enrollment Data

Abbreviation:	CombAllELdata
Description:	Most recent ELP and academic assessment results and dates, and language acquisition program placement. Identify long term English learners (LTELs) or ELs at risk of becoming LTELs.
Item Instructions:	EL 03: Include all currently enrolled ELs in the LEA. See sample spreadsheet for EL 03, 13, and 15 in Resource Box.
Related Items:	EL 03, EL 13, EL 15

#### EL Identification

Abbreviation:	ELId
Description:	Home Language Surveys.
Item Instructions:	EL 03: Three samples of actual completed, dated, Home Language Surveys for each site under review.
Related Items:	EL 03

#### EL Initial Identification Policies and Procedures

Abbreviation:	ELIdPlcsPrcdrs
Description:	LEA policies and procedures for the initial identification of ELs.
Item Instructions:	EL 03: Current board policies, administrative regulations, EL Master Plan or EL plan.
Related Items:	EL 03

#### ELPAC Designated Supports and Accommodations

Abbreviation:	ELPACDsgntdSprtsAcmdtns
Description:	ELP assessment of ELs on an active IEP or Section 504 Plan.
Item Instructions:	EL 03: Three samples of completed EL IEPs and/or Section 504 Plans containing ELP assessment results and English language development (ELD) instructional placement from each site under review.
Related Items:	EL 03

## EL 04: Implement, Monitor & Revise Title III Plan

- 4.0 Each LEA and consortium receiving Title III funds must annually update, implement, and monitor a Title III plan for the use of funds in a subgrant year.
- 4.1 The LEA or consortium receiving Title III funds must use these supplemental funds to implement effective approaches and methodologies for teaching ELs and immigrant children and youth. Each LEA must use Title III funds to:
- (a) Increase the ELP of ELs by providing effective language instruction educational programs that meet the needs of ELs and demonstrate success in increasing:
    - i. ELP; and
    - ii. Student academic achievement; (20 U.S.C. Section 6825[c][1][A–B])
  - (b) Provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals and other school leaders, administrators, and other school or community-based organizational personnel, that is:
    - i. Designed to improve the instruction and assessment of ELs;
    - ii. Designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for ELs;
    - iii. Effective in increasing children’s ELP or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and
    - iv. Of sufficient intensity and duration (which shall not include activities such as one-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers’ performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher’s supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any LEA employing the teacher, as appropriate. (20 U.S.C. Section 6825[c][2][A–D])
  - (c) Provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for ELs, which:

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- i. Shall include parent, family, and community engagement activities; and
  - ii. May include strategies that serve to coordinate and align related programs. (20 U.S.C. Section 6825[c][3][A–B])
- 4.2 Authorized subgrantee activities may use funds by undertaking one or more of the following activities:
  - (a) Upgrading effective EL instructional strategies; (20 U.S.C. Section 6825[d][1])
  - (b) Improving EL instructional programs through supplemental curricula, instructional materials, educational software, and assessment procedures; (20 U.S.C. Section 6825[d][2])
  - (c) Providing to ELs:
    - i. Tutorials and academic or career and technical education; and
    - ii. Intensified instruction, which may include materials in a language that the student can understand, interpreters, and translators. (20 U.S.C. Section 6825[d][3])
  - (d) Developing and implementing effective preschool, elementary, or secondary school language instruction programs coordinated with other relevant programs and services; (20 U.S.C. Section 6825[d][4])
  - (e) Improving the ELP and academic achievement of ELs; (20 U.S.C. Section 6825[d][5])
  - (f) Providing community participation programs, family literacy services, parent and family outreach, and training activities to ELs and their families to:
    - i. Improve the English language skills of ELs; and
    - ii. Assist parents and families in helping their children to improve their academic achievement and become active participants in the education of their children. (20 U.S.C. Section 6825[d][6][A–B])
  - (g) Improving the instruction of ELs, which may include ELs with a disability, by providing:
    - i. The acquisition or development of educational technology or instructional materials;
    - ii. Access to, and participation in, electronic networks for materials, training, and communication;

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- iii. Incorporation of resources into curricula and programs; and  
(20 U.S.C. Section 6825[d][7][A–C])
  - (h) Offering early college high school or dual or concurrent enrollment programs to help ELs achieve success in post-secondary education.  
(20 U.S.C. Section 6825[d][8])
  - (i) Carrying out other activities that are consistent with the purposes of this section. (20 U.S.C. Section 6825[d][9])
- 4.3 Immigrant children and youth means individuals who:
- (a) Are aged 3 through 21;
  - (b) Were not born in any U.S. State; and
  - (c) Have not been attending one or more schools in any one or more U.S. State for more than three full academic years. (20 U.S.C. Section 7011[5])
- 4.4 Each LEA receiving Title III Immigrant funds must provide enhanced instructional opportunities for immigrant children and youth, which may include:
- (a) Family literacy, parent and family outreach, and training activities for parents and families;
  - (b) Recruitment of and support for personnel, including teachers and paraprofessionals, who have been trained, or are being trained, to provide services to immigrant children and youth;
  - (c) Provision of tutorials, mentoring, and academic or career counseling;
  - (d) Identification, development, and acquisition of curricular materials, educational software, and technologies;
  - (e) Basic instructional services directly attributable to the presence of immigrant children and youth in the LEA, including payment of costs of additional classroom supplies, transportation, or other attributable services;
  - (f) Instructional services designed to assist the achievement of immigrant children and youth in United States schools, such as programs of introduction to the educational system and civics education; and
  - (g) Activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to offer comprehensive community services to parents and families of immigrant children.



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(20 U.S.C. Section 6825[e][1][A–G])

### Evidence Requests

#### Immigrant Services and Procedures

Abbreviation: ImgrntSrvcsPrcdrs

Description: LEA procedures to provide enhanced instructional opportunities to eligible immigrant children and youth.

Item Instructions: EL 04: Provide local procedure for making available any specialized immigrant student instructional opportunities or family outreach services funded by Title III Immigrant funds (resource 4201).

Related Items: EL 04

#### LEA Title III Plan

Abbreviation: TtIIIPln

Description: LEA Title III Plan for the current subgrant year, such as the LCAP Federal Addendum and current annual evaluation and revision of Title III spending plan, which meets the criteria of EL 04.

Item Instructions:

Related Items: EL 04

#### Title III Consortia Memorandum of Understanding

Abbreviation: Ttl3lcnstia

Description: Applies only to Title III consortium leads and members Memorandum of Understanding (MOU) between lead and member LEA(s).

Item Instructions: EL 04: Provide Title III consortium MOU with appropriate signatures. If not applicable, please state so in the California Department of Education Monitoring Tool (CMT) comment section.

Related Items: EL 04

## EL 05: EL Program Inclusion in the SPSA (Schoolwide)

- 5.0 The EL program must be included in the development of the SPSA. (*EC* Section 64001[c])
- 5.1 The development of the SPSA shall include the following actions:
- (a) The administration of a comprehensive needs assessment with an analysis of academic performance and language development data, that includes a determination of EL student and program needs. (*EC* Section 64001[g][2][A])
  - (b) Identification of the process for annually evaluating and monitoring implementation and progress toward accomplishing program goals identified in the SPSA, including those which address the needs of ELs not meeting or at risk of not meeting challenging state academic content standards. (20 U.S.C. 6314[b][6]; 34 *Code of Federal Regulations* [CFR] Section 200.25[a]; *EC* Section 64001[g][2][B])
- 5.2 An approved SPSA must contain:
- (a) Goals to improve student outcomes, identified through the needs assessment, including those which address the academic and language proficiency needs of ELs. (*EC* Section 64001[g][3][A])
  - (b) Evidence-based strategies, actions, or services to reach goals. (*EC* Section 64001[g][3][B])
  - (c) Proposed expenditures based on the projected resource allocation from the governing board or body of the LEA, to address the findings of the needs assessment consistent with the state priorities including identifying resources inequities, which may include a review of the LEAs budgeting, its SPSA-related portion of the LCAP, and school-level budgeting, if applicable. (*EC* Section 64001[g][3][C])
- 5.3 The SPSA shall be reviewed and updated annually, and approved by the local governing board whenever there are material changes to the plan. (*EC* Section 64001[i])

## 2022–23 English Learner Program Instrument

### Evidence Requests

#### EL Program Inclusion in the SPSA or School Plan

Abbreviation: ELinSPSA

Description: Current board approved SPSA or school plan for each site under review, with evidence of EL program inclusion. Indicate the pages or sections that address all criteria set forth in EL 5.1 (a–b) and 5.2 (a–c).

Item Instructions: EL 05: Include the school name, a budget with specific federal program information that aligns to the school’s academic goals and key improvement strategies, and evidence of required approvals by Schoolsite Council and local governing board.

Related Items: EL 05

### EL 06: Title III Inventory

6.0 For all categorical programs, each LEA must maintain a historical inventory record for each piece of equipment with an acquisition cost of more than \$500 per unit that is purchased with Title III funds. The record must describe the acquisition by:

- (a) Type/description;
- (b) Model/name;
- (c) Serial/identification number;
- (d) Funding source;
- (e) Acquisition date;
- (f) Original Cost;
- (g) Location and use;
- (h) Percentage of Federal participation in the project costs for the Federal award under which the property was acquired;
- (i) Title holder;
- (j) Current condition; and
- (k) Transfer, replacement, or disposition of obsolete or unusable equipment.

(2 CFR Section 200.313[d][1]); EC Section 35168; 5 CCR Section 3946)

## 2022–23 English Learner Program Instrument

- 6.1 Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity. (2 CFR Section 200.439[b][2])
- 6.2 Equipment purchased with a fair market value in excess of \$5,000 may be retained, sold, or disposed of with written approval of the Federal awarding agency or pass-through entity. Equipment with a current fair market value of \$5,000 or less may be retained, sold, or otherwise disposed of with no further obligation to the Federal awarding agency or pass-through entity. (2 CFR Section 200.313[e][1]-[4])
- 6.3 Each LEA must have conducted a physical check of the inventory of equipment within the past two years and reconciled the results with inventory records. (2 CFR Section 200.313[d][2])

### Evidence Requests

#### Equipment Inventory Records

- Abbreviation: EqmntInvntyRcrds
- Description: Historical inventory list of all equipment purchased for \$500 or more per Education Department General Administrative Regulations/*EC* requirements and a record of the last physical check of items. If no purchases were made, indicate that in a comment.
- Item Instructions: EL 06: For Title III purchases only, include the last five years of purchases, and record of physical verification of location.
- Related Items: AE 02, AE 09, ELC 06, EXLP 08, EXLP 11, CTE 02, EL 06, HE 08, ME 06, CE 14, NorD 04

### III. Funding

#### EL 07: Supplement, Not Supplant with Title III

- 7.0 General fund resources must be used to provide services and programs for ELs, including ELD and access to the standard instructional program. The provision of such services and programs must not be contingent on the receipt of state or federal supplementary funds.  
(EC sections 300, 305[a])
- 7.1 Each LEA must use Title III funds only to supplement, not supplant federal, state, and local public funds that, in the absence of such availability, would have been expended for programs for ELs and immigrant children and youth and in no case to supplant such federal, state, and local public funds.  
(20 U.S.C. Section 6825[g])
- 7.2 The LEA shall ensure that costs charged to the program(s) under Title III are reasonable, necessary, and allocable in accordance with applicable statutes, regulations, and program plan(s). (2 CFR 200.403 – 200.405)
- 7.3 Each LEA must use no less than 98 percent of Title III EL apportionments on direct services to ELs and may not use more than 2 percent of such funds for the cost of administration of this program for a fiscal year.  
(20 U.S.C. Section 6825[b])

#### Evidence Requests

##### Instructional Materials

- Abbreviation: InstrctnlMtrls
- Description: A list of purchased standard and supplemental instructional materials for all courses in which ELs are enrolled, for all grades, with the funding sources.
- Item Instructions: EL 07: See sample template for EL 07 and EL 14 in the CMT Resource File.
- Related Items: EL 07, EL 14

## 2022–23 English Learner Program Instrument

### Title III Expenditure Report

Abbreviation: T3expndtrRpt

Description: Detailed general ledger for the current and previous year, with the beginning and ending balances for standardized account code structure resource codes 4203-Title III EL and 4201-Title III immigrant. Include a chart of accounts, including carryover and administrative costs.

Item Instructions: EL 07: Title III general ledger for 2021–22 and 2022–23; include date, description, vendor name, and total amount for each expenditure line item for entire period(s) under review. Upon review, additional documents may be requested.

Related Items: EL 07

### Title III Funded Professional Development

Abbreviation: T3FndPrfnlDvlpmt

Description: A list of standard instructional program professional development and Title III funded supplemental professional development (denoting funding sources) designed to enhance the learning and instruction of ELs and immigrant students.

Item Instructions:

Related Items: EL 07

### Duty Statements

Abbreviation: DtyStmnt

Description: An individual employee's duty statement describing responsibilities and activities (cost objectives), as agreed to by employer and employee.

Item Instructions: EL 07: Include all positions partially or completely funded with Title III. Delineate duties by funding source.

Related Items: EL 07, EL 08, AE 04, FM 01, FM 03, EXLP 11, SEI 05, SEI 07, CTE 02, ME 09, CE 10, CE 11, CE 13, NorD 06

## 2022–23 English Learner Program Instrument

### Title III Payroll Records

Abbreviation: PrlRcrds

Description: Record of salaries and benefits paid to employees that work at the LEA for the current and previous fiscal year under review, that identifies the employees' name, hours worked, gross pay, net pay, deductions, and payroll period.

Item Instructions: EL 07: Submit payroll records showing wages and benefits funded by Title III resources (4201 and 4203). Upon review, additional documents may be requested.

Related Items: EL 07

### EL 08: Time and Effort Requirements (Title I and Title III)

8.0 The LEA must properly charge and document allowable salaries and wages that are reasonable and necessary in accordance with applicable Title III program requirements and federal accounting requirements. (2 CFR sections 200.302, 200.303, 200.430[a] and [i])

### Evidence Requests

#### Time and Effort Policies and Procedures

Abbreviation: TmEffrtPlyPrcdrs

Description: The LEA's established written policies and procedures for documenting time and effort of employees that work on federal programs. Current year.

Item Instructions: EL 08: Documentation should include the LEA's specific policies and procedures for documenting actual hours worked, including related internal controls, employee training, reconciliation processes, deadlines, and authority.

Related Items: AE 02, FM 01, CTE 02, EL 08, CE 13, NorD 06

## 2022–23 English Learner Program Instrument

### Time and Effort Records

Abbreviation: TmEfrtRcrds

Description: Documentation to support salaries and benefits charged to each program funding source under review in accordance with federal requirements. Records may include personnel activity reports, semiannual certifications, or other equivalent records. Budget estimates do not qualify as support.

Item Instructions: EL 08: Provide time and effort records for any employee whose duties and/or activities were charged to Title III, including extra duties, overtime, or stipends.

Related Items: AE 02, FM 01, FM 03, EXLP 09, CTE 02, EL 08, HE 10, ME 09, CE 10, CE 13, NorD 05

### Duty Statements

Abbreviation: DtyStmnt

Description: An individual employee's duty statement describing responsibilities and activities (cost objectives), as agreed to by employer and employee.

Item Instructions: EL 08: Include all positions partially or completely funded with Title III. Delineate duties by funding source.

Related Items: EL 07, EL 08, AE 04, FM 01, FM 03, EXLP 11, SEI 05, SEI 07, CTE 02, ME 09, CE 10, CE 11, CE 13, NorD 06

### Title III Position Control Report

Abbreviation: T3posCont

Description: Budget report of employees planned to be paid in whole, or in part, with federal funds by resource code in the previous and current fiscal year under review.

Item Instructions: EL 08: This LEA-wide report should include the employees' name, resource code(s), salary or hourly rate, and benefits for all funding sources.

Related Items: EL 08



## IV. Standards, Assessment, and Accountability

### EL 09: Evaluation of Title III-Funded Services and Programs

- 9.0 Each LEA must evaluate all services and programs funded by Title III to determine the effectiveness of those activities. (20 U.S.C. Section 6841)
- 9.1 Each such LEA receiving Title III funds must provide a program evaluation report that includes:
- (a) A description of the programs and activities conducted with Title III funds, including how such programs and activities supplemented programs funded primarily with state or local funds;
  - (b) The number and percentage of ELs making progress toward attaining English language proficiency, including ELs with a disability;
  - (c) The number and percentage of ELs attaining English language proficiency based on the SBE-approved ELPAC overall score of 4;
  - (d) The number and percentage of ELs reclassified each school year;
  - (e) The number and percentage of students reclassified to fluent English proficient (RFEP) that are meeting state grade-level content standards during each of the four years after reclassification, including ELs with a disability;
  - (f) The number and percentage of LTEL students and their date of first enrollment at the LEA or charter; and
  - (g) Analytical findings on the effectiveness of Title III-funded services and programs.

(20 U.S.C. Section 6841[a][1-7])

### Evidence Requests

#### Title III-Funded Services and Supplemental Program Evaluation

Abbreviation: TtIIIFnddSrvcsMtrlsRprt

Description: An evaluation of the effectiveness of Title III funded activities. Include all supporting data listed in 9.1 (a–f).

Item Instructions: EL 09: Provide relevant EL-related data and an analysis of findings that may result in recommended changes to improve the effectiveness of Title III-funded programs and services.

Related Items: EL 09

## EL 10: Reclassification

- 10.0 Each LEA must reclassify English learners to proficient in English by using a process and criteria that includes, but is not limited to the following:
- (a) Assessment of ELP.  
(*EC* Section 313[f][1]; 5 *CCR* Section 11303[a])
  - (b) Teacher evaluation that includes, but is not limited to, the student's academic performance. The term "teacher" refers to the classroom teacher and other certificated staff with direct responsibility for teaching or placement decisions of the student. (*EC* Section 313[f][2]; 5 *CCR* Section 11303[b])
  - (c) Opportunities for parent opinion, consultation, and involvement during the reclassification process. (*EC* Section 313[f][3]; 5 *CCR* Section 11303[c])
  - (d) Comparison of student's performance in basic skills against an empirically established range of performance in basic skills, based upon the performance of English proficient students of the same age, which demonstrates whether the student is sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English.  
(*EC* Section 313[f][4]; 5 *CCR* sections 11302, 11303[d])
- 10.1 Regardless of the physical form of such record and to ensure transfer of documentation, each LEA must maintain the following in the student's permanent record:
- (a) Language and academic performance assessments;
  - (b) Participants in the reclassification process; and
  - (c) Any decisions regarding reclassification. (5 *CCR* Section 11305)
- 10.2 Each LEA must monitor the progress of reclassified pupils for a minimum of four years to ensure correct classification, placement, and additional academic support, as needed.  
(20 U.S.C. Section 6841[a][4][5]; 5 *CCR* Section 11304)

## 2022–23 English Learner Program Instrument

### Evidence Requests

#### Reclassification Criteria

Abbreviation: ReclsCrtria

Description: Current approved LEA reclassification criteria for grades kindergarten through twelve (K–12) that includes the statewide criteria of overall performance level 4 on the ELPAC.

Item Instructions:

Related Items: EL 10

#### Reclassification Process

Abbreviation: ReclsPrcls

Description: Current approved local board policy or administrative regulations that describe the reclassification process.

Item Instructions:

Related Items: EL 10

#### Reclassification Records/Forms

Abbreviation: ReclsRcrdsFrms

Description: For each site under review, reviewer will request three completed reclassification records/forms with proof of parent/guardian consultation.

Item Instructions: EL 10: Reviewer will select from RFEP progress monitoring spreadsheet provided by the LEA.

Related Items: EL 10

#### Reclassified to Fluent English Proficient (RFEP) Progress Monitoring

Abbreviation: RFEPPrclsMntrng

Description: Submit a sortable spreadsheet of all students in the LEA reclassified beginning in 2018–19 through the current year.

Item Instructions: EL 10: Data should include: local student ID; school site; grade level; ELPAC test date; ELPAC summative score; RFEP date; current status showing courses failed or standard not met; interventions (if applicable). For RFEP through the IEP process, please notate in a separate column.

Related Items: EL 10

## V. Staffing and Professional Development

### EL 11: Teacher EL Authorization

11.0 Teachers assigned to provide ELD and instruction in subject matter courses in which ELs are enrolled must have the appropriate authorizations and be fluent in English.

(20 U.S.C. Section 6826 [c]; *EC* sections 44253.1, 44253.2, 44253.3, 44253.4, 44253.5, 44253.6, 44253.7, 44253.10; *Castañeda v. Pickard* [5th Cir. 1981] 648 F.2d 989, 1012–1013; 5 *CCR* Section 11309[c][2])

### Evidence Requests

#### EL Teacher Authorization

Abbreviation: ELTchrAthrzn

Description: Sortable spreadsheet with all currently employed teachers listed only once by name (first, middle, and last), site, and appropriate Commission on Teacher Credentialing EL authorization code (e.g., ELA1, S12, BLSP, etc.) or evidence of a temporary county certificate (TCC) with EL authorization.

Item Instructions: EL 11: Include only teachers of record. Do not include non-teaching certificated staff, such as administrators, speech pathologists, school psychologists, nor counselors.

Related Items: EL 11

### EL 12: Professional Development Specific to English learners

12.0 Each LEA must provide sufficient professional development (PD) to effectively implement the LEA's EL program. (5 *CCR* 11309(c)(2); *Castañeda v. Pickard* [5th Cir. 1981] 648 F.2d 989, 1012–1013)

12.1 PD is provided to classroom teachers, principals and other school leaders, administrators, and other school or community-based organizational personnel, that is:

- (a) Designed to improve the instruction and assessment of ELs;
- (b) Designed to enhance the ability of teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for ELs;
- (c) Effective in increasing the student's English language proficiency or substantially increasing the teacher's subject matter knowledge, teaching

## 2022–23 English Learner Program Instrument

knowledge, and teaching skills as demonstrated through classroom observation; and

- (d) Of sufficient intensity and duration (which shall not include activities such as one-day or short-term workshops and conferences) to have a positive and lasting impact on the teacher’s performance in the classroom.  
(20 U.S.C. Section 6825[c][2][A–D])

### Evidence Requests

#### EL-Specific Professional Development

Abbreviation: ELspecPD

Description: LEA and site level EL-specific PD provided to classroom teachers, administrators, and support staff that is of sufficient intensity and duration, to impact EL achievement.

Item Instructions: EL 12: PD calendars, agendas, descriptions, presentation materials, and sign-in sheets.

Related Items: EL 12

#### Implementation of EL-Specific PD

Abbreviation: ImplmntnELpd

Description: Sample observations or other evidence that demonstrates the implementation of EL-specific PD relevant to the grade-level standard instructional program, including ELD.

Item Instructions: EL 12: Three samples from each site under review.

Related Items: EL 12

## VI. Opportunity and Equal Educational Access

### EL 13: Language Acquisition Program Options and Parent Choice

- 13.0 School districts and county offices of education must, at a minimum, provide ELs with a structured English immersion (SEI) program. SEI programs provide nearly all classroom instruction in English, but with curriculum and a presentation designed for students who are learning English. (*EC* sections 305[a][2], 306[c][3])
- 13.1 Parents or legal guardians of students enrolled in the school may choose a language acquisition program that best suits their child. “Language acquisition program” refers to educational programs designed for English learners to ensure English acquisition as rapidly and as effectively as possible. Such programs must include instruction on the state-adopted academic content standards, including the ELD standards. Language acquisition programs shall be informed by research and must lead to grade level proficiency and academic achievement in both English and another language.  
(*EC* sections 306[c], 310[a]; 5 *CCR* sections 11300[d], 11309[c])
- 13.2 The annual notice of parent and guardian rights and responsibilities shall also notify parents of the language acquisition and language programs available in the LEA. The annual notice must be distributed as required by *EC* sections 48980 and 48981. Parents of all pupils enrolling in an LEA after the beginning of the academic school year shall be provided the notice of rights and responsibilities described above upon enrollment. The annual notice of parent and guardian rights and responsibilities shall include all of the following:
- (a) A description of any language acquisition programs provided, including Structured English Immersion;
  - (b) Identification of any language to be taught in addition to English, when the program model includes instruction in another language;
  - (c) The information set forth in section 5 *CCR* Section 11309[c];
  - (d) The process to request establishment of a language acquisition program
  - (e) If the LEA offers language programs, the notice shall specify the language(s) to be taught, and may include the program goals, methodology used, and evidence of the proposed program’s effectiveness.

## 2022–23 English Learner Program Instrument

(*EC* sections 305, 306, 310, 48980, 48981, and 5 *CCR* Section 11310; 20 U.S.C. sections 1703[f], 6311 and 6318)

- 13.3 Schools in which parents or legal guardians of 30 students or more per school, or the parents or legal guardians of 20 students or more in any grade request a language acquisition program designed to provide language instruction must be required to offer such program to the extent possible. (*EC* Section 310[a])
- 13.4 When the parents of 30 pupils or more are enrolled in a school, or when the parents of 20 pupils or more in the same grade level are enrolled in a school, request the same or substantially similar type of a language acquisition program, the LEA shall respond by taking actions to demonstrate the timelines and requirements in 5 *CCR* Section 11311[h] are met by the LEA.
- 13.5 In the case where the LEA determines it is not possible to implement a language acquisition program requested by parents, the LEA shall provide in written form an explanation of the reason(s) the program cannot be provided and may offer an alternate option that can be implemented at the school. (5 *CCR* Section 11311[h][3][B])

### Evidence Requests

#### Combined EL Assessment, Placement, and Enrollment Data

Abbreviation:	CombAllELdata
Description:	Most recent ELP and academic assessment results and dates, and language acquisition program placement. Identify long term English learners (LTELs) or ELs at risk of becoming LTELs.
Item Instructions:	EL 13: Include all currently enrolled ELs in the LEA. See sample spreadsheet for EL 03, 13, and 15 in Resource Box.
Related Items:	EL 03, EL 13, EL 15

## 2022–23 English Learner Program Instrument

### Parental Notice

Abbreviation: PrntlNtc

Description: The LEA's parental notice of rights and responsibilities required by EC 48980 and 48981 which includes the information in 13.2 above: language acquisition and language programs offered, including SEI, and the local procedure for determining placement which demonstrates parent choice.

Item Instructions: EL 13: The LEA's parent handbook or parent rights and responsibilities notice provided to all parents/guardians upon a child's enrollment. EL program placement must demonstrate parent's right to choose a program for their child.

Related Items: EL 13

### Program Request Process

Abbreviation: PrgrmRqstPrccs

Description: Submit LEA board policy, administrative regulations, board adopted EL master plan (or EL plan) with processes and procedures for schools responding to parent requests for language acquisition programs.

Item Instructions: EL 13: The process for parents to request an additional program must be present in board policies as well as the annual notice of parent and guardian rights and responsibilities.

Related Items: EL 13

## VII. Teaching and Learning

### EL 14: ELD

14.0 As part of the standard instructional program provided through general funds, all identified ELs must receive a program of ELD instruction, which shall include designated and integrated ELD.

(a) Designated ELD means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted ELD standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR Section 11300 [a])

(b) Integrated ELD means instruction in which the state-adopted ELD standards are used in tandem with the state-adopted academic content



## 2022–23 English Learner Program Instrument

standards. Integrated ELD includes specially designed academic instruction in English. (5 *CCR* Section 11300 [c])

- 14.1 ELD instruction must be designed for ELs to develop proficiency in English as rapidly and effectively as possible and to meet state priorities. (20 U.S.C. Section 6825 [c][1][A], *EC* sections 305, 306, 310; 5 *CCR* sections 11300 [a] and [c], 11309; *Castañeda v. Pickard* [5th Cir. 1981] 648 F.2d 989)
- 14.2 Each LEA must take appropriate action to overcome language barriers that impede equal participation by students in instructional programs. Title III funds shall be used to supplement the standard instructional ELD program. (20 U.S.C. sections 1703 [f], 6825 [c][1][A]; *EC* sections 300, 305, 306, 310; 5 *CCR* sections 11302[a], 11309; *Castañeda v. Pickard* [5th Cir. 1981] 648 F.2d 989)
- 14.3 ELD must be based on sound educational theory, implemented effectively with adequate resources and personnel, and evaluated for its effectiveness in overcoming language barriers. (20 U.S.C. Section 1703 [f]; *Castañeda v. Pickard* [5th Cir. 1981] 648 F.2d 989, 1009–1010; 5 *CCR* Section 11309)

### Evidence Requests

#### Designated ELD Program Description

- Abbreviation: DsgntdELDPrgmDscptn
- Description: A description of designated ELD programs, for all grades, transitional kindergarten through grade twelve (TK–12), and all ELP levels.
- Item Instructions: EL 14: Course descriptions, grouping, course placement, and expected objectives to progress into the next course.
- Related Items: EL 14

## 2022–23 English Learner Program Instrument

### EL Instructional Scheduling

Abbreviation: InstrctnlSchdng

Description: Evidence of EL enrollment in ELD and the standard instructional program.

Item Instructions: EL 14: Provide a master or daily schedule for all sites under review. In addition, provide 3 redacted transcripts or schedules with current ELP level, for each secondary site under review.

Related Items: EL 14, EL 15

### ELD Evaluation

Abbreviation: ELDEvltn

Description: An evaluation of whether the LEA's comprehensive ELD program has been implemented effectively and whether adjustments are needed to assist ELs in overcoming language barriers within a reasonable amount of time.

Item Instructions: EL 14: Include all supporting data (ELPAC, RFEP, EL graduation rates, etc.) and a report on analytical findings.

Related Items: EL 14

### Instructional Materials

Abbreviation: InstrctnlMtrls

Description: A list of locally adopted and supplemental instructional materials for all courses in which ELs are enrolled, for all grades, with the funding sources.

Item Instructions: EL 14: See sample template for EL 07 and EL 14 in CMT Resource File.

Related Items: EL 07, EL 14

## 2022–23 English Learner Program Instrument

### Integrated ELD Program Description

Abbreviation: IntgrdELDPrgmDscptn

Description: A description of integrated instructional strategies for all grades, TK–12, and ELP levels.

Item Instructions:

Related Items: EL 14

### EL 15: Access to Standard Instructional Program

- 15.0 Academic instruction for ELs in grades TK–12 must be designed and implemented to ensure that ELs meet the LEA’s content and performance standards for their respective grade levels within a reasonable amount of time. Academic instruction may be facilitated by the SBE EL Roadmap policy.
- 15.1 Each LEA must ensure that ELs in middle and high school are not denied participation in the standard instructional program, meaning they cannot be denied any of the following:
- (a) Enrollment in the standard instructional program, which, at a minimum, consists of:
    - i. Core curriculum courses (reading/language arts, mathematics, science, and history/social science),
    - ii. Courses required to meet state and local high school graduation requirements, and
    - iii. Courses required for middle school grade promotion;
  - (b) Enrollment in a full course load of courses that are part of the standard instructional program, and
  - (c) Enrollment in courses that are not part of the standard instructional program but either meet the subject matter requirements for purposes of recognition for college admissions, or are advanced courses, such as honors or advanced placement courses.
- 15.2 Each LEA must monitor student academic progress and provide additional and appropriate educational services to ELs in grades TK–12 for the purposes of overcoming language barriers in each subject matter. Actions to overcome content academic barriers must be taken before the deficits become irreparable.

## 2022–23 English Learner Program Instrument

(20 U.S.C. sections 1703 [f], 6825 [c][1][B]; *EC* sections 305[a][2], 310; 33126, 60811.8; 5 *CCR* Section 11302[b]; *Castañeda v. Pickard* [5th Cir. 1981] 648 F.2d 989.)

### Evidence Requests

#### Combined EL Assessment, Placement, and Enrollment Data

- Abbreviation: CombAllELdata
- Description: Most recent ELP and academic assessment results and dates, and language acquisition program placement. Identify long term English learners (LTELs) or ELs at risk of becoming LTELs.
- Item Instructions: EL 15: Include all currently enrolled ELs in the LEA. See sample spreadsheet for EL 03, 13, and 15 in Resource Box.
- Related Items: EL 03, EL 13, EL 15

#### EL Access to the Standard Instructional Program

- Abbreviation: AcsSndrdInstrnlPrgm
- Description: Procedural guidelines and criteria for placement of ELs including newcomers in grades 6–12, at all proficiency levels, in the standard instructional program and interventions.
- Item Instructions:
- Related Items: EL 15

#### EL Instructional Scheduling

- Abbreviation: InstrctnlSchdng
- Description: Evidence of EL enrollment in ELD and the standard instructional program.
- Item Instructions: EL 15: Provide a master or daily schedule for all sites under review. In addition, provide 3 redacted transcripts or schedules with current ELP level, for each secondary site under review.
- Related Items: EL 14, EL 15

## 2022–23 English Learner Program Instrument

### **EL Student Progress Monitoring**

Abbreviation: StdntPrgrsMntrng

Description: Description of progress monitoring and support services implemented for ELs in the standard instructional program.

Item Instructions: EL 15: Provide a description and three redacted samples from each site under review of individual EL student progress monitoring that includes interventions and objectives for exiting intervention programs.

Related Items: EL 15

### **Language Instruction in the Standard Instructional Program**

Abbreviation: LngInstrctnCrCntnt

Description: Descriptions of how instructional strategies and materials in the standard instructional program classes are differentiated for ELs at different grade levels.

Item Instructions:

Related Items: EL 15



# California Department of Education Federal Program Monitoring 2022-23 Notification of Findings

May 04, 2023

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:** Sacramento City Unified (3467439000000)

**Review Date(s):** 04/24/2023 - 05/04/2023

**Regional Team Leader(s):** Clement Mok, 916-319-0357

**FPM Coordinator(s):** Kelley Odipo, 916-643-9053  
Olga Simms, 916-893-1289

Program Reviewed	Program Reviewer	Total Findings
Adjusted Cohort Graduation Rate (ACGR)	Wendy Jenkins	0
Adult Education (AE)	Shadidi Sia-Maat	0
Federal Stimulus Monitoring (CA)	Robert Bernstein, Lorene Euerle	3
Compensatory Education (CE)	Kyle Holmes, Micah Spangler	6
Career Technical Education (CTE)	Robert Wilson	2
Education Equity (EE)	Murjani McTier, Amy Fowler	8
Early Education Division (EED)	Cassandra Lewis	4
English Learner (EL)	Barbara Garcia	4
Expanded Learning Programs (EXLP)	Jen Taylor	3
Physical Education (PE)	Pernia Hassan	5
Supporting Effective Instruction (SEI)	Teresa Battenburg	1
Student Support and Academic Enrichment (SSAE)	Marquia Anderson	0
School Support and Improvement (SSI)	Kyle Holmes, Micah Spangler	2

The LEA is required to resolve each Federal Program Monitoring (FPM) finding within 45 calendar days which ends on 06/18/2023. 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



**Federal Program Monitoring 2022-23  
Notification of Findings  
Sacramento City Unified (34674390000000)**

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)

<b>Sites Reviewed</b>	<b>Programs Reviewed</b>
Am Winn Preschool (6743)	EED
C. K. McClatchy High (34674393435419)	ACGR
California Middle (34674396059281)	CE, EL, PE, SSI
Charles A. Jones Education Center (Adult) (34674393430030)	AE
Elder Creek Children's Ctr (6743)	EED
Fern Bacon Middle (34674396059307)	CE, EL, SSI
Fr. Keith B. Kenny Preschool (6743)	EED
George Washington Carver School of Arts and Science (34674390101899)	ACGR
Hiram W. Johnson High (34674393434636)	ACGR, CE, CTE, EL, PE, SSI
John F. Kennedy High (34674393434768)	ACGR, CTE, EXLP
John H. Still (34674396059323)	CE, EL
Kit Carson International Academy (34674396061832)	EXLP
Leatata Floyd Preschool (6743)	EED
Luther Burbank High (34674393431012)	ACGR, CTE, EXLP
Pacific Elementary (34674396034193)	CE, EL, PE, SSI
Parkway Elementary (34674396034201)	CE, EL, SSI
Peter Burnett Preschool (6743)	EED
Rosemont High (34674390101972)	ACGR, CTE
Woodbine Elementary (34674396034334)	CE, EL, SSI

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*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.*



Federal Program Monitoring 2022-23  
Notification of Findings  
Sacramento City Unified (34674390000000)

## Monitoring Results by Program

### Adjusted Cohort Graduation Rate

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

### Adult Education

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

### Federal Stimulus Monitoring

#### 1. CA 04: Procurement

The LEA must follow appropriate procurement processes for its contracts. In addition, the LEA must demonstrate that it used arm's length bargaining and received a fair price for its contracts in accordance with federal and state requirements. Furthermore, the LEA must document that all procurement through noncompetitive proposals only occurred because the item was only available from a single source, an emergency would not permit a delay, the CDE expressly authorized noncompetitive proposals in writing, or after solicitation of sources, competition was deemed inadequate.

The LEA failed to provide the procurement documentation the CDE requested for a sample of its expenditures charged to ESSER I, GEER I, ESSER II, and ESSER III funds. As a result, the LEA is unable to substantiate that the appropriate procurement processes were followed for three ESSER I expenditures for \$181,070.50, three GEER I expenditures for \$2,935,266.90, six ESSER II expenditures for \$986,998.05, and two ESSER III expenditures for \$371,328.18; a total of \$4,474,663.63 in unsupported expenditures.

To determine whether the appropriate procurement processes were followed, the LEA must upload into the CMT the requested procurement documentation for review. If the LEA fails to upload the documentation, or the documentation does not meet federal requirements, the LEA may be required to use unrestricted funding source(s) to reimburse the federal programs up to \$1,358,326.23, including six ESSER II expenditures for \$986,998.05 and two ESSER III expenditures for \$371,328.18. The LEA may also be required to remit up to \$3,116,337.40 to CDE using an unrestricted funding source for the unsupported ESSER I and GEER I expenditures, which were required to be obligated by September 30, 2022.

#### 2. CA 05: Equipment/Inventory Management

The LEA must maintain documentation to substantiate that all equipment purchases are reasonable, necessary, and allowable in accordance with federal state and program requirements. Also, an LEA must establish and maintain a historical inventory system for equipment with an acquisition cost of \$500 or more per unit, which contains all required

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elements as specified in 2 CFR 200.313(d)(1) and the LEA must conduct a physical inventory of the property and the results must be reconciled with the property records at least once every two years. In addition, the LEA must obtain prior written approval from CDE for capital expenditures to be allowable; and, the LEA must follow applicable construction regulations. The LEA must ensure heating, ventilation, and air conditioning (HVAC) systems require the use of American Society of Heating, Refrigeration, and Air Conditioning Engineer (ASHRAE) standards and the LEA must ensure every contract for minor remodeling, renovation, repair, or construction contracts in excess of \$2,000 contains a provision stating the prevailing wages that must be paid to laborers and mechanics that are not less than those established for the locality of the project.

The LEA failed to provide documentation to show a complete inventory that includes all equipment purchased with Federal Stimulus funds. For example, the LEA purchased interactive display technology, picnic tables, cargo containers, firewall technology, and air filtration systems using Federal Stimulus funds with ESSER I (RC 3210) and ESSER III (RC 3213); however, the items were not properly documented on the LEA's inventory to substantiate the total of \$206,136.87 in equipment purchased with Federal stimulus funds.

The LEA must update its equipment inventory listing to include all equipment purchased with a price of \$500 or more with ESSER I and ESSER III funding.

**3. CA 08: Equitable Services**

The LEA is responsible for providing equitable services in the same manner as provided under section 1117 of the ESEA of 1965 to students and teachers in non-public schools (NPS) and conducting a consultation to ensure the NPS wished to participate in the ESSER I and GEER I program. Also, the LEA is responsible for maintaining control of funds for the services and assistance provided to a non-public school and title to materials, equipment, and property purchased with such funds.

The LEA failed to provide sufficient documentation to show that expenditures were allowable for goods and services provided to an NPS (CBHS) totaling \$40,000 in accordance with ESSER I (RC 3210) program requirements.

The LEA must upload evidence to substantiate that expenditures at the NPS (CBHS) were allowable from the ESSER I program. Pending the results of the review of the uploaded documentation or if the LEA fails to upload the requested documentation, the LEA may be required to remit up to \$40,000 to CDE using unrestricted funds, as ESSER I was required to be obligated by September 30, 2022.

## **Compensatory Education**

**1. CE 05: Schoolsite Council Composition**

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The School Site Council (SSC) members are selected by their peers. In elementary schools, half the members shall consist of the principal, classroom teachers, and other school personnel. Classroom teachers shall make up a majority of this group. The remaining half of the members shall consist of parents or other community members selected by parents; and, in secondary schools, half of the members shall consist of the principal, classroom teachers, and other school personnel. Classroom teachers shall make up a majority of this group. The remaining half of the members shall consist of equal numbers of students selected by students, and parents or other community members selected by parents.

During review of the documentation uploaded for Pacific Elementary, evidence of all Parent/Community SSC members being selected by their peers was not provided.

The LEA must submit the following evidence for resolution: Evidence of peer selection for the requested Parent/Community SSC members at Pacific Elementary.

### 2. CE 06: School Site Activities

An eligible school operating a SWP shall develop a comprehensive plan, to be consolidated into a single plan, known as the SPSA (school plan) in California, pursuant to section 64001(a) of the California Education Code. The school plan shall remain in effect for the duration of the school's participation under this part and shall be regularly monitored and revised as necessary based on student needs. The school plan shall be based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging state academic standards, particularly the needs of those children who are failing, or are at risk of failing, to meet the challenging state academic standards and any other factors as determined by the LEA. The comprehensive needs assessment shall include an analysis of verifiable data, consistent with all state priorities and informed by all indicators, as applicable. The school plan shall include a description of methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, help provide an enriched and accelerated curriculum, address the needs of all children in the school, particularly the needs of those at risk of not meeting the challenging state academic standards, and provide opportunities for all children to meet the challenging state academic standards. The school plan shall include goals set to improve pupil outcomes, including addressing the needs of pupil groups as identified through the needs assessment. The school plan shall include evidence-based strategies, actions, or services. The school plan shall include proposed expenditures, based on the projected resource allocation from the governing board or body of the LEA, to address the findings of the needs assessment. The school plan required by this section shall be reviewed annually and updated, including proposed expenditure of funds allocated to the school through the consolidated application and the LCAP, if any, by the SSC.

In reviewing the SPSAs for Hiram Johnson, Pacific Elementary, California Middle, John Still, Parkway Elementary, Fern Bacon Middle, and Woodbine Elementary, the plans do not adequately outline evidence based strategies, actions or services to address the findings of comprehensive needs assessments or clearly propose expenditures to support these strategies. In reviewing ledgers and interviewing SSCs, site plans are not being regularly monitored and revised (including proposed expenditures) as necessary based on student needs.

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The LEA must submit the following evidence for resolution: drafts of the 2023-2024 SPSAs for each of the sampled sites that clearly outlines evidence based strategies, actions and services to address each school's comprehensive needs assessment, as well as proposed expenditures to support these strategies. Additionally, the LEA must submit policies and procedures for a SPSA revision process to ensure SPSAs are regularly monitored and revised as necessary to support student needs.

3. CE 11: Allowable Use of Funds

The LEA shall ensure the activity/expenditure is aligned to meet the challenging State academic content standards. The LEA shall ensure the activity/expenditure is an evidenced-based educational strategy. The LEA shall ensure that costs charged to the program(s) under Title I are reasonable, necessary, and allocable in accordance with applicable statutes, regulations, and program plan(s). For schools that are operating a program that requires a school plan, the LEA shall ensure that the activity/expenditure is included in the school plan.

After reviewing SPSAs, general ledgers, time and effort documentation and conducting interviews, it was determined that not all of the LEA's Title I expenditures are allowable.

To resolve this finding, the LEA must submit:

Duty statements for HEDEGARD, S', ALLEN, K, HANSEN, E that clearly identify the duties from each funding source, or a journal entry demonstrating the reversal of Title I salary and benefits for the 2022-2023 school year.

Evidence that the Hiram Johnson HS SSC budgeted for these expenditure. If the SSC was not consulted, a journal entry demonstrating the reversal of Title I funds from an unrestricted funding source:

P22-03831 CDW GOVERNMENT 97407580 EX23-01431 CHROMEBOOKS/PRINTERS  
07/27/22 10,437.52

P23-00259 SDI INNOVATIONS INC dba SCHOOL DATEBOOKS EN23-02645 STUDENT  
PLANNERS FOR 2022-2307/29/22 9,975.89

P22-03831 CDW GOVERNMENT 97412159 EX23-15448 CHROMEBOOKS/PRINTERS  
02/02/23 4,564.37

P23-01919 APPLE INC EN23-05647 LAPTOPS FOR MEDIA CLASS 09/13/22 25,370.09

PARRA, O - School Community Liaison (100% Title I funded)

Journal entries demonstrating reversal of the following non-allowable expenditures from an unrestricted funding source:

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John H. Still

CHB23-00363 ODP BUSINESS SOLUTIONS LLC EN23-09570 SCHOOL SUPPLIES 11/02/22  
\$30,000.00

P23-00808 AMAZON CAPITAL SERVICES EN23-07053 AMAZON-HEADPHONES 09/29/22 for  
\$434.91

DR23-00257 EX23-08543 BUSINESS CARDS FOR JOANNA EVANS 10/19/22 for \$50.88

DR23-00610 EX23-18936 READMITS/EARLY DISMISSALS 03/22/23 for \$503.60

Salary and benefits for LYNCH, E. - Science Teacher's Title I funding

Parkway Elementary

P23-01822 AMAZON CAPITAL SERVICES EN23-12398 Tech for admin 12/13/22 for \$67.85

R23-05271 LAKESHORE LEARNING MATERIALS EN23-23996 04/13/23 for \$4,274.97

R23-05469 GOPHER SPORT EN23-24661 PE 04/14/23 for \$1,494.59

P23-02600 DELTA WIRELESS INC EN23-19826 03/14/23 for \$3,250.04

R23-04351 CDW GOVERNMENT EN23-21012 EPSON 03/23/23 for \$5,888.27

Fern Bacon

Salary and benefits for FERGUSON, J's non-allowable sections of Media

4. CE 13: Comparability of Services

The LEA shall have written assurances/policies showing comparability of services across district schools. The assurances shall address the following items: (1) LEA-wide salary schedule; (2) a policy to ensure equivalence among schools in teachers, administrators, and other staff; and (3) a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies. The LEA shall develop procedures for compliance and shall maintain records that are updated biennially to demonstrate compliance and maintain data to support allowable exclusions of funds and/or staff from the calculations.

During the review, Sacramento City Unified provided a comparability of services calculation form indicating several school sites within the district were not comparable.

In order to resolve this item, the LEA must submit a current comparability of services calculation

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form demonstrating comparability of all school sites OR submit a plan that aligns with district policy to address and correct the comparability issue prior to the upcoming 2023-2024 school year.

5. CE 15: Local Educational Agency Equipment Inventory

The LEA spending Title I, Part funding on equipment shall maintain a historical inventory record for each piece of equipment with an acquisition cost of \$500 or more per unit. The record must describe all elements of CE 15. The LEA must conduct a physical inventory of the property and the results reconciled with the property records at least once every two years.

During the review, Sacramento City Unified submitted an equipment inventory that does not match or include several of the items on the inventory submitted 10/26/2021 as part of the 2020-2021 FPM review, including Apple and HP computers. Additionally, it did not contain items purchased during the 2022-2023 school year, such as the Apple computers purchased by Hiram Johnson High School.

The LEA must submit the following evidence for resolution: A narrative explaining the discrepancy OR a revised inventory that reflects all items costing \$500 or more purchased with Title I, Part A funds throughout the district.

6. CE 19: School Site Evaluation of Program Effectiveness

A school operating a SWP shall annually review and regularly monitor the implementation of, and results achieved by, the program, using data from the state's annual assessments and other indicators of academic achievement to determine whether the program has been effective in increasing the achievement of students in meeting the challenging state academic standards, particularly for those students who had been furthest from achieving the standards. The school must update and revise the plan, as necessary, based on the results of the regular monitoring and annual review, to ensure continuous improvement of students in the program.

In reviewing SPSAs and evaluation material, Hiram Johnson, California Middle, John Still, Parkway Elementary, and Fern Bacon did not use data to determine whether the program has been effective in increasing the achievement of students.

The LEA must submit the following evidence from Hiram Johnson, California Middle, John Still, Parkway Elementary and Fern Bacon for resolution: Evaluation report and evidence used to determine which Title I program actions and strategies are improving student achievement. Identify what is working or not working, and note modifications made to improve services. Additionally, the LEA must provide records (e.g., agendas, meeting minutes, sign-in sheets, etc.) of SSC's involvement in evaluating the effectiveness of Title I, Part A funded programs and services specified in the SPSA.

## Career Technical Education

1. CTE 05: Fiscal Requirements: Inventory

5.1 - Historical inventory records must include a description of the property; a serial number

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or other identification number; the source of property; who holds title; the acquisition date and cost of the property; percentage of federal participation in the cost of the property; the location, use and condition of the property; and any ultimate disposition data including the date of disposal and sale price of the property.

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

SCUSD did not provide documentation of a policy to address historical inventory records or a procedure to track physical inventory.

To clear this finding, SCUSD must submit policies that address historical inventory records and procedures for a physical inventory that will be conducted at least once every two years for items purchased with Perkins grant funds.

## 2. CTE 07: Programmatic Requirements: Sufficient Scope and Quality

(7.4) The State Board-approved CTE plan requires that each LEA receiving Perkins V grant funds will ensure that all courses in all CTE programs are aligned with the State's CTE Model Curriculum Standards and Framework, focusing on current or emerging high skill, high wage, or high demand occupations, and include planned career awareness and exploration experiences. The plan shall integrate the development of CTE and academic skills in order to prepare students for immediate employment upon graduation and for further education or training by providing practical application and experience through actual or simulated work-based learning assignments.

SCUSD did not submit course outlines for all the CTE courses in its pathways and thus did not meet the requirements listed above.

SCUSD must submit a course outline for each CTE courses in each pathway, appropriately formatted to show that it is meeting the requirements listed above.

## Education Equity

### 1. EE 01: Prohibition of Discrimination, Harassment, Intimidation, and Bullying

The LEA's nondiscrimination, harassment, intimidation, and bullying policies shall be readily accessible in a prominent location on the LEA's existing internet website in a manner that is easily accessible to parents/guardians and pupils. The LEA must have an implemented complaint process to receive and investigate complaints of discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, color, disability, gender, gender identity, gender expression, immigration status, 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 must publicize adopted policies that prohibit discrimination, harassment, intimidation, and bullying, including information about the manner in which to file a complaint, to pupils, parents/guardians, employees, the governing board, and the general

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public. The information shall be translated pursuant to EC section 48985. LEAs shall also include a notice of nondiscrimination policies in any publications used in connection with the recruitment of pupils or employees.

Based on the documents provided by the Agency, the Program is unable to assess the Agency's compliance under the legal requirements of this section. The Agency's current policy for Pupil Complaints Policy and Procedures is missing required language. Consequently, the translated policies are noncompliant as is the bullying grievance procedures. Additionally, although the Agency met the requirements in its Nondiscrimination, Harassment, and Intimidation policy under this section, further documentation is needed to assess if the Agency has posted this policy effectively on its website.

The Agency must submit to the CMT the following documents so that compliance may be assessed: 1) legible screenshots of the Nondiscrimination, Harassment, and Intimidation Policy Website Postings; 2) Pupil Cyberbullying Complaint Procedures; 3)

updated and board approved Pupil Complaints Policy and Procedures; and 4) Translated Pupil Complaints Policy and Procedures. The Agency must adhere to the addenda and dissemination process to inform stakeholders of its policy updates and amended publicized materials. Proof of dissemination of said materials and addenda to parents/guardians, students and staff must also be provided.

## 2. EE 02: Prohibition of Sexual Harassment

The LEA shall provide a copy of the written policy to all pupils as part of any orientation program conducted for new and continuing pupils at the beginning of each quarter, semester, or summer session, as applicable. A copy of the LEA's written policy on sexual harassment shall be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or at the time that there is a new employee hired. A copy of the LEA's policy shall appear in any publication that sets forth the comprehensive rules, regulations, procedures, and standards for conduct for the LEA. The LEA, serving pupils in any grades 9 through 12, inclusive, shall create a poster that notifies pupils of the applicable written policy on sexual harassment.

Based on the documents provided, although the Agency does maintain policies and procedures for sexual harassment complaints under Title IX, providing notice to parents/guardians, staff and students of such policies and procedures was not demonstrated. Additionally, the Agency did not provide sufficient documentation of their sexual harassment posters, and training provided to all staff that conduct Title IX grievances. Lastly, the Agency's current Nondiscrimination policy does not incorporate assurances for the prohibition of Sexual Harassment in its educational activities and supporting programs.

Agency must submit to the CMT the following documents so that compliance may be assessed: 1) publicized materials (i.e., Employee Handbook, Annual Notification, Student/Parent/Guardian Handbook(s) containing AR5145.71, BP 5145.3; 2) general nondiscrimination policy aligned with the Agency's Sexual Harassment policy (BP5145.3) updated and board approved; 3) proof of

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training for all members of Title IX grievance team; 4) written determination template; and 5) sexual harassment posters. The Agency must also use the addenda process to inform stakeholders of its changes to its Nondiscrimination Policy and its updates of various publications. Proof of dissemination of the addenda and the corresponding publicized materials to parents/guardians, students, and employees, must be provided in order to resolve findings under this section.

**3. EE 03: Suicide Prevention and Pupil Safety**

The governing board or body of a LEA that serves pupils in grades 7 to 12, inclusive, shall, before the beginning of the 2017–18 school year, adopt, at a regularly scheduled meeting, a policy on pupil suicide prevention in grades 7 to 12, inclusive and shall be readily accessible in a prominent location on the LEA’s existing internet website in a manner that is easily accessible to parents/guardians and pupils. The governing board or body of a LEA that serves pupils in kindergarten and grades 1 to 6, inclusive, shall, before the beginning of the 2020-21 school year, adopt, at a regularly scheduled meeting, a policy on pupil suicide prevention in kindergarten and grades 1 to 6 inclusive and shall be readily accessible in a prominent location on the LEA’s existing internet website in a manner that is easily accessible to parents/guardians and pupils and include a reference to the age appropriateness of the policy. Commencing October 1, 2020, a public school, including a charter school, or a private school, that serves pupils in any of grades 7 to 12, inclusive, and that issues pupil identification cards shall have printed on either side of the pupil identification cards the telephone number for the National Domestic Violence Hotline: 1-800-799-7233.

Based on the documents provided, the Agency did not meet the legal requirements under this section. The Suicide Prevention Board Policy for students K-6 and 7-12 did not provide all assurances to pupils. Consequently, without a compliant policy, the Agency’s website, where it is required to maintain a K-6 and 7-12 policy is also out of compliance. Pupil identification cards provided to students for those schools under review were inconsistent in providing all the required information or were not submitted for review.

The Agency must submit to the CMT the following documents so that compliance may be assessed: 1) revised Suicide Prevention Board Policy (BP 5141.52) for grades 7 - 12; 2) Suicide Prevention Board Policy for K – 6 at a 6th grade readability as per the Flesch-Kincaid standard; 3) Suicide Prevention Policy Website Postings, demonstrating the click path from the Agency’s homepage to the landing page indicating two links whereby each portion or each policy can be found; and 4) Pupil Identification cards for Hiram Johnson & Fern Bacon. The Agency must also use the addenda process to amend publicized materials and inform stakeholders of its changes to its Suicide Prevention Board Policy. Proof of dissemination of the addenda to parents/guardians, students, and employees, must be provided in order to resolve findings under this section.

**4. EE 05: Section 504 Complaint Procedures**

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An LEA that employs fifteen or more persons shall designate at least one person to coordinate its efforts to comply with this part. The LEA must adopt and publish a complaint procedure providing for prompt and equitable resolution of student and employee complaints alleging any discrimination based on sex or disability.

Based on the documents provided, the Agency did not demonstrate compliance under this section. Although the Agency maintains a current board policy and administrative regulation with the rights and options afforded to students in the standards and practices of Section 504, the Agency did not demonstrate compliance in notifying students, parents/guardians and staff of those rights and options in its various publicized materials.

The Agency must submit to the CDE Monitoring Tool the following all publicized materials provided to parents/guardians, students and staff with its 504 policy and grievance procedures. The Agency must adhere to the addenda process to inform stakeholders of its Section 504 policy and procedures, as well as demonstrate that it has amended its various publicized materials. Proof of dissemination of the addenda & associated publicized materials to parents/guardians, students, and employees, must be provided in order to resolve findings under this section.

5. EE 07: Immigration and Citizenship

The LEA shall report to the responsible governing board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures confidentiality and privacy of any potentially identifying information. If an employee of a school is aware that a pupil's parent or guardian is not available to care for the pupil, the school shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. A school is encouraged to work with parents or guardians to update the emergency contact information and not to contact Child Protective Services to arrange for the pupil's care unless the school is unable to arrange for care through the use of emergency contact information or other information or instructions provided by the parent or guardian. The LEA's governing board shall provide information to parents and guardians, as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs and educate pupils about the negative impact of bullying other pupils based on their actual or perceived immigration status or their religious beliefs and customs.

All LEAs shall adopt policies based on the model policies developed by the Attorney General's Office (Guidance), or equivalent policies.

Based on the evidence provided, the Agency did not demonstrate compliance under this section. Various immigration policies did not meet the Attorney General's guidelines or were not provided for review. Training of staff and students regarding hate crimes and bullying associated with the immigration experience and or religious and cultural differences was not provided for assessment.

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The Agency must submit to the CDE Monitoring Tool the following documents so that compliance may be assessed: 1) Immigration Status, Citizenship Status, and National Origin Information; 2) Training Related to Hate Crimes and Bullying; 3) Monitoring and Receiving Visitors onto Campus; 4) Information Sharing; 5) Annual Notification – Pupil Directory Information; 6) Response to Hate Crimes and Bullying; 7) “Know Your Educational Rights”; 8) Parental Notifications of Immigration-Enforcement Actions; 9) Response to the Detention and Deportation of a Pupil’s Family Member; 10) Annual Notification – General Information Policy; 11) Collecting and Retaining Pupil Information; 12) Response to On-Campus Immigration Enforcement; and 13) Social Security Numbers or Cards. The Agency must review and follow the feedback provided in the comments, regarding the specific next steps for evidence requests under this section.

#### 6. EE 08: Curriculum Instruction and Counseling Materials

An LEA that uses testing or other materials for appraising or counseling pupils shall not use different materials for pupils on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability unless such different materials cover the same occupations and interest areas, and the use of such different materials is essential to the elimination of bias and discrimination.

Based on the documents provided by the Agency, the Program is unable to assess the Agency’s compliance under the legal requirements of this section. More specifically, the Agency did not provide Academic, Career, and Guidance Counseling Materials for review.

The Agency must submit to the CDE Monitoring Tool its Academic, Career, and Guidance Counseling Materials so that compliance may be assessed. The Agency must adhere to the addenda and dissemination process to inform staff, parents/guardians and students of the updates as well as provide proof of dissemination.

#### 7. EE 09: Pupil Activities, Clubs and Programs

An LEA shall not provide or otherwise carry out any of its extracurricular or activities separately or require or refuse participation therein by any of its pupils on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability. All pupil clubs shall have equal access to LEA facilities to conduct a meeting and a fair opportunity to meet within the limited open forum of the LEA, if the LEA has a limited open forum.

Membership in student clubs must be open to all pupils regardless of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability. A pupil shall be permitted to participate in sex-segregated school programs and activities and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil’s records.

Based on the documents provided by the Agency, the Program is unable to assess the Agency’s compliance under the legal requirements of this section. The Agency’s current board policy regarding Pupil Activities, Clubs, and Programs does not meet the requirements. Additionally, not all requested materials pertaining to activities, clubs, and programs offered by the Agency

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were provided for review.

The Agency must submit to the CDE Monitoring Tool the following documents so that compliance may be assessed: 1) Pupil Activities, Clubs, and Programs Policy; and 2) Activities, Clubs, and Program Materials. The Agency must adhere to the addenda process to inform stakeholders of its policy updates, as well as demonstrate that it has amended its various publicized materials. Proof of dissemination of the addenda & associated publicized materials to parents/guardians, students, and employees, must be provided in order to resolve findings under this section.

8. EE 10: Athletics

No person shall on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color or mental or physical disability be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise discriminated against in interscholastic, intramural, or club athletics. The LEA shall not, on the basis of sex, exclude from participation in, or deny equivalent opportunity in, athletic programs.

LEA shall ensure that Athletic programs supported by public funds provide equal opportunity to both sexes for participation and for use of facilities. The LEA accommodates the interests and abilities in athletics of both sexes. An LEA which only provides one team in a particular sport for members of one sex but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have previously been limited, members of the excluded sex must be allowed to try out and compete with the LEA's team. The same standards for eligibility shall be applied to every pupil trying out for a team. The LEA ensures that each public elementary school, secondary school, and charter school offering competitive athletics shall make all of the following information publicly available at the end of the school year: (1) total enrollment of the school, classified by gender; (2) number of pupils enrolled at the school who participate in competitive athletics, classified by gender; and (3) number of boys' and girls' teams, classified by sport and competition level. The information shall reflect the total number of players on a team roster on the first official day of team competition. This information shall be posted on the school's internet website, or if the school does not maintain an internet website, on the district or charter school operator's internet website and the information for each school shall be disaggregated by school site. All materials used to compile each school's information shall be retained by the school for a minimum of three years after the information is posted on the Internet. If the LEA reduces its athletic budget, it does so consistently with its legal obligation to comply with both state and federal gender equity laws.

Based on the documents provided by the Agency, the Program is unable to assess the Agency's compliance under the legal requirements of this section. Evidence provided was insufficient and required further documentation.

The Agency must submit to the CDE Monitoring Tool the following documents: 1) Athletic Eligibility; 2) Athletic Recruitment and Participation Materials; 3) Athletic Rosters; 4) Athletics Webpage; 5) Athletic Facility Site Maps; 6) Athletic Competition Schedules; and 7) Athletic Fiscal Records. The Agency must review and follow the feedback provided at the evidence level. The addenda must be used to inform stakeholders of any changes to its athletic publication(s). Proof of dissemination of the addenda and updated publication(s) to

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parents/guardians, students, and employees, must be provided in order to resolve findings under this section.

## Early Education Division

### 1. EED 06: Recording and Reporting Attendance

The parent (or other adult authorized by the parent to drop off/pick up a child), or the designated staff person (responsible for entering the times of arrival and departure if the child is not dropped off/picked up by a parent or other adult authorized by the parent) shall enter the time of arrival and departure on a sign-in and sign-out sheet and shall sign the sheet using their full (legal) signature.

In the review of sign-in and out sheets for January 2023 and classroom sign-in and out sheets at Elder Creek, Father Keith B. Kenney, Leataata Floyd, and Peter Burnett preschools, it is evident that:

1. Parents, or other adults authorized by the parent to drop off or pick up children, do not sign-in and out using their full signature.
2. At least four (4) parents signed-in and out upon arrival.

To resolve this item, the district must submit to the CDE via the CMT:

1. Written procedures that will ensure the correction of this item.
2. Documentation of staff and parent training on said procedures.
3. Written procedures of a quality control system that will ensure ongoing compliance.
4. One (1) month of samples from 15 classrooms of compliant work with evidence that signatures are full (legal) signatures.

### 2. EED 07: Parent Involvement and Education

The parent involvement program shall include the following: 1) an orientation for parents that includes topics such as program philosophy, program goals and objectives, program activities, eligibility criteria and priorities for enrollment, family fee requirements, and due process procedures; 2) at least two individual conferences with the parent(s) per year; 3) parent meetings with program staff; 4) an open-door policy that encourages parents to participate in the daily activities whenever possible; 5) a parent advisory committee that advises the contractor on issues related to services to families and children; and 6) sharing information between staff and parents concerning the child's progress.

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Per the review of written materials for parents, parent conference sheets, and interviews with staff members, evidence for the following parent involvement activities was not available: 1) an orientation for parents that includes topics such as program philosophy, program goals and objectives, program activities, eligibility criteria and priorities for enrollment, family fee requirements, and due process procedures; 2) parent conferences with content individualized for each child; 3) an open-door policy that encourages parents to participate in the daily activities whenever possible; and 4) parent advisory committee that advises the contractor on issues related to services to families and children.

To resolve this item, the district must submit to the CDE via the CMT a corrective action plan (CAP) that will ensure completion of all required parent involvement activities. For the CAP, include the activity, actions required to implement the activity, staff member responsibilities, timelines, evaluation, and follow-up.

**3. EED 11: Environment Rating Scales**

For each environment rating scale completed, the district must achieve a minimum average score of 5.0, which is "Good," on each subscale.

As evident in the classroom observation on April 25, 2023, the subscale Personal Care Routines scored a 2.67. Therefore, a score of 5.0 on the Early Childhood Environment Rating Scale–Revised was not achieved.

To resolve this issue, the district must submit to the CDE via the CMT:

1. Documentation that the subscale Personal Care Routines achieves a score of 5.0. Include a score sheet for the identified subscale and photos depicting improvements made.
2. Evidence of staff training on the storage of hazardous materials in the classroom. Include agenda, content, and documentation of staff participation.

**4. EED 13: Developmental Profile**

The district must use information from the Desired Results Developmental Profile (DRDP) to plan and conduct age and developmentally appropriate activities for enrolled children.

Per the review of completed DRDPs, lesson plans, interviews with staff members, and classroom observations on April 25 – 27, 2023, it is evident that information obtained from the DRDPs is not consistently used to plan and conduct developmentally appropriate activities for children enrolled in the program.

To resolve this item, submit to the CDE via the CMT:

1. Written procedures for teaching staff on a lesson planning process to ensure that the

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information obtained from the DRDP is used to develop activities for children. Ensure that teacher observations are used to complete the child's DRDP.

2. Written monitoring procedures to ensure that planned activities are conducted in the classroom.
3. As evidence of compliant work, submit from three (3) classrooms one (1) month of completed lesson plans. Include completed DRDP(s) for one (1) child or a cohort, with a summary describing how the planned activities are derived from the DRDP(s) of the child or cohort. Include in the lesson plans the child or cohort's strengths and challenges.

## English Learner

### 1. EL 01: English Learner Advisory Committee (ELAC)

A school site with 21 or more English learners (ELs) must have a functioning English Learner Advisory Committee (ELAC) that meets the following requirements: (a) parent members are elected by parents or guardians of ELs, (b) parents of ELs constitute at least the same percentage of the committee membership as their children represent of the student body, (c) the ELAC shall be responsible for assisting in the development of the schoolwide needs assessment and ways to make parents aware of the importance of regular school attendance, (d) the ELAC shall advise the principal and staff in the development of a site plan for ELs and submit the plan to the school site council for consideration for inclusion in the School Plan for Student Achievement (SPSA), (e) the ELAC receives training materials and training, planned in full consultation with committee members, to assist members in carrying out their legal responsibilities. A school may designate an existing school-level advisory committee, or subcommittee of such advisory committee, to fulfill the legal responsibilities of ELAC, if the advisory body meets the criteria in "b", above. Each ELAC has the opportunity to elect at least one member to the District English Learner Advisory Committee (DELAC) or participants in a proportionate regional representation scheme when there are 31 or more ELACs in the local educational agency (LEA).

After a review of the submitted agendas, sign-in sheets, meeting minutes, and interviews with EL parents from only three of the seven sites reviewed, it is determined that not all sites have a functioning ELAC. Most of the sites under review cite that recruiting EL parents continues to be a struggle. Four of the seven sites under this review have combined their ELAC with the School Site Council but still could not meet the EL parent composition requirement in "b" above.

Sacramento City Unified School District (SCUSD) must submit into the CDE Monitoring Tool (CMT) the following:

1. Evidence of established policies and procedures and an action plan to develop and sustain meaningful EL parent participation to meet the legal requirements for ELACs at all qualifying school sites in SCUSD.

Note: Based on the CDE review of the resolution documentation provided by SCUSD, further

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documentation may be requested.

**2. EL 03: EL Identification and Assessment**

Each LEA must properly identify and assess all students who have a home language other than English. At or before the time of a student's initial California enrollment, an LEA shall conduct, in writing, a home language survey (HLS) to identify whether the primary or native language of the student is a language other than English. If a parent or guardian HLS response indicates a primary or native language other than English, and the LEA determines the student is eligible for initial assessment, the LEA shall promptly notify the parent or guardian, in writing, prior to the administration of the English Language Proficiency Assessments for California (ELPAC) initial assessment. The LEA shall administer the ELPAC initial assessment to each student eligible for the initial assessment, locally produce the official score in accordance with the directions of the test contractor, and notify the parent or guardian, in writing, of the results of the initial assessment within 30 calendar days after the student's initial date of California enrollment. Each LEA must annually assess the English language proficiency (ELP) and academic progress of each EL. An LEA shall administer the ELPAC summative assessment during the annual summative assessment window. When administering an initial or summative ELPAC assessment to a pupil with a disability, the LEA shall provide designated supports or accommodations, in accordance with the pupil's individualized education program (IEP) or Section 504 plan. When a pupil's IEP or Section 504 plan specifies that the pupil has a disability that precludes assessment such that there are no appropriate accommodations for assessment in one or more of the domains (listening, speaking, reading, and writing), the pupil shall be assessed in the remaining domains in which it is possible to assess the pupil. When a pupil's IEP team determines that the pupil has a significant cognitive disability such that the pupil is unable to participate in the initial or summative assessment, or a section of either test, even with resources, the pupil shall be assessed as specified in the pupil's IEP.

After a review of the submitted home language surveys, EL student data, and EL student IEPs, it is determined that the most recent ELP assessment was not always included in EL student IEPs and that designated supports and/or accommodations during the ELPAC assessment, in accordance with the pupil's IEP or Section 504 plan, are not consistently addressed in EL student IEPs.

Sacramento City Unified School District (SCUSD) must provide in CMT up-to-date policies, procedures, and processes related to identifying and tracking all students in the LEA that should be administered the ELPAC, including ELs with IEPs, and the policy for ensuring that the IEP section for supports and accommodations during the ELPAC assessment is completed appropriately.

Note: Based on the CDE review of the resolution documentation provided by SCUSD, further documentation may be requested.

**3. EL 10: Reclassification**

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Each local educational agency (LEA) must reclassify a student from English Learner (EL) to proficient in English by using a process and criteria that include the following: (a) assessment of English Language Proficiency, (b) teacher evaluation that includes but is not limited to, the student's academic performance. The term "teacher" refers to the classroom teacher and other certificated staff with direct responsibility for teaching or placement decisions of the student, (c) opportunities for parent opinion, consultation, and involvement during the reclassification process, and (d) comparison of student's performance in basic skills against an empirically established range of performance in basic skills, based upon the performance of English proficient students of the same age, which demonstrates whether the student is sufficiently proficient in English to participate effectively in a curriculum designed for students of the same age whose native language is English. Regardless of the physical form of such record and to ensure transfer of documentation, each LEA must maintain the following in the student's permanent record: (a) language and academic performance assessments; (b) participants in the reclassification process; and (c) any decisions regarding reclassification. Each LEA must monitor the progress of reclassified pupils for a minimum of four years to ensure correct classification, placement, and additional academic support, as needed.

A sortable spreadsheet of all students in the LEA reclassified beginning in 2018–19 through the current year was not provided for review. A review of the other documentation provided, including reclassification forms and notification letters to parents, shows inconsistent documentation to support parent involvement in the reclassification process and that the Sacramento City Unified School District (SCUSD) Reclassification Notification Letter (2022-23) sent to parents in December 2022, incorrectly states that after reclassification a child's progress will be monitored for only two years (reviewer does note that documentation provided by the LEA for other EL evidence items correctly states the monitoring period after reclassification will be four years).

SCUSD Sacramento City Unified School District must submit the following evidence to the CDE Monitoring Tool (CMT):

1. A sortable spreadsheet listing all students in the LEA who were reclassified beginning in 2018-19 through the current year. Please see the EL-10\_Sample RFEP Data Request Spreadsheet in the CDE Box. The data should include: local student ID; school site; grade level; ELPAC test date; ELPAC summative score; RFEP date; current status showing courses failed or standard not met; interventions (if applicable). For those students reclassified through the IEP process, please notate in a separate column.
2. A revised Reclassification Notification Letter showing the correct monitoring period of four years.
3. Written processes and procedures for ensuring each school site thoroughly documents and maintains the following documentation in the student's permanent record: (a) language and academic performance assessments; (b) participants in the reclassification process; and (c) any decisions regarding reclassification.

Note: Based on CDE review of the resolution documentation provided by SCUSD, further

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documentation may be requested.

**4. EL 14: ELD**

As part of the standard instructional program provided through general funds, all identified English Learners (ELs) must receive a program of English Language Development (ELD) instruction, which shall include designated and integrated ELD: a) Designated ELD means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted ELD standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (b) Integrated ELD means instruction in which the state-adopted ELD standards are used in tandem with the state-adopted academic content standards. Integrated ELD includes specially designed academic instruction in English. ELD instruction must be designed for ELs to develop proficiency in English as rapidly and effectively as possible and to meet state priorities. Each LEA must take appropriate action to overcome language barriers that impede equal participation by students in instructional programs. Title III funds shall be used to supplement the standard instructional ELD program. ELD must be based on sound educational theory, implemented effectively with adequate resources and personnel, and, after a trial period, evaluated for its effectiveness in overcoming language barriers.

Since this review took place during a testing period for several of the sites under review, classroom observations for designated ELD did not take place at one site due to conflicting schedules, however, classroom observations for integrated ELD took place at all sites.

The review of documentation provided at Fern Bacon Middle School shows no designated ELD sections. English learners are clustered into content subjects, but this is integrated ELD, not designated ELD. Observation of one of these classes showed that the focus of the instruction in those sections was on the content standards, not the ELD standards.

Beginning with the 2023-24 school year, SCUSD must regroup English learners at Fern Bacon and any other site employing this model of designated ELD instruction to ensure that English learner students have a separate, dedicated ELD instructional block where the focus is on the California ELD standards, and linguistic forms and functions of English.

Sacramento City Unified School District (SCUSD) must submit into the CDE Monitoring Tool (CMT) the following:

1. A new master schedule for Fern Bacon showing where English learners of all language proficiency levels are placed for designated ELD, separate from other core content classes.
2. A description of each course in the designated ELD sequence including the proficiency levels of all the students enrolled, the curriculum used, the assessments used to monitor interim English acquisition, and the criteria for movement to the next course.
3. A student roster for each of the designated ELD classes with the student ID number and the English Language Acquisition Status of each student enrolled in each section as well as the teacher's first and last names.

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4. Three sample lesson plans for each new course.

After this evidence is submitted, CDE will randomly select five students for whom a current schedule and transcript must be provided to verify that the students are enrolled in a designated ELD course that meets the requirements.

Note: Upon the CDE review of resolution evidence provided by the LEA, further documentation may be requested.

## Expanded Learning Programs

1. EXLP 03: Serves Eligible Students in Appropriate Grade Levels

The LEA/grantee agency serves eligible students for ASES in kindergarten and grades one through nine, inclusive, at participating public and charter schools.

On May 2, 2023, during onsite observation of Kit Carson, the EXLP Reviewer observed that the program was serving students in grades 10 and 11 for the ASES program. Additionally, these grades were listed on the ASES attendance sheet during the observation.

The LEA/grantee agency must submit evidence that the site serves eligible students for ASES in kindergarten and grades one through nine. This includes 2 weeks of ASES attendance sheets (May 8, 2023-May 19, 2023) reflecting the eligible students in appropriate grade levels.

2. EXLP 09: Funding Direct Services to Students

The LEA/grantee agency allocates no less than 85 percent of total grant amount to the school sites for direct services to pupils. The agency spends no more than 15 percent of the amount of the grant for administrative costs, which includes any indirect costs.

After reviewing documentation submitted, there was not enough evidence to substantiate if the LEA/grantee agency allocates no less than 85 percent of total grant amount to the school sites for direct services to pupils and spends no more than 15 percent of the amount of the grant for administrative costs, which includes any indirect costs.

The LEA/grantee agency must submit detailed percentage breakdowns and general ledgers for ASES Funding (FY 2021-22) for Kit Carson that show at least 85 percent of expenditures were direct services to students and no more than 15 percent is spent on administrative costs, which includes any indirect costs.

The LEA/grantee agency must submit detailed percentage breakdowns and general ledgers for ASSETs Funding (FY 2021-22) by site level for Kennedy High School and Burbank that show at least 85 percent of expenditures by were direct services to students and no more than 15

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percent is spent on administrative costs, which includes any indirect costs.

This requirement applies to the LEA and subcontracted partners. If evidence submitted does not reflect statutory requirements on direct and administrative costs, the agency may have to reverse funding/make funding transfers to meet requirements.

3. EXLP 11: Supplement not Supplant

The LEA/grantee agency uses categorical funds only to supplement, not supplant, state and local funds.

After reviewing documentation submitted, there was not enough evidence to substantiate if the LEA/grantee agency uses categorical funds only to supplement, not supplant, state and local funds.

The LEA/grantee agency must submit subcontractor agreements with detailed fiscal records for ASES (Kit Carson) and ASSETs (Kennedy High School and Burbank High School) including general ledgers and time and effort records for FY 2021-2022. If evidence submitted does not reflect statutory requirements on supplement, not supplant, the agency may have to reverse funding/make funding transfers to meet requirements.

## Physical Education

1. PE 01: Instruction—Elementary School

Local Education Agencies (LEAs) must provide instruction to pupils in grades one through six, inclusive, in physical education (PE) for a total period of time of not less than 200 minutes each 10 school days exclusive of recesses and the lunch period.

Based on the review of Pacific Elementary School's PE instructional minutes, discussions with staff members and observations there is insufficient evidence that all students in grades one through six receive 200 minutes of PE each 10 school days.

To resolve this finding and meet the legal requirements, Sacramento City Unified School District must upload in CMT a master schedule for Pacific Elementary that includes the following:

- a. Each teacher's daily and weekly schedule in grades one through six
- b. Recess and lunch times
- c. Any special activities that are offered to students (computer class, library, art, etc.)
- d. When PE is being offered by teachers in grades one through six

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- e. When PE is being offered by PE teacher(s)

2. PE 02: Instruction—Middle and High School

Local Education Agencies (LEAs) must provide instruction in Physical Education (PE) for a total period of time not less than 400 minutes each 10 school days to pupils in grades seven to twelve, inclusive.

Based on the review of Hiram Johnson High School's PE schedule, PE course descriptions, class rosters of students enrolled in PE, and discussions with staff members, there is evidence that not all students are enrolled in a PE class and there are no students who are exempted from PE. Also, there is insufficient evidence that students enrolled in the JROTC program (and receive PE credit) are meeting the requirement of receiving 400 minutes each 10 schools days of basic military drilling and physical fitness training. Thus, the LEA is not meeting the legal requirements for secondary instructional minutes.

In order to resolve this finding and meet the legal requirements, Sacramento City Unified School District must select one option below and upload proper evidence in CMT.

Option 1: Enroll all 9, 10, 11, and 12th grade students in PE courses that meet for no less than 400 minutes each 10 school days. Upload evidence of this for the 2023-24 school year.

Option 2: Upload a template record or spreadsheet of student exemptions for the 2023-24 school year. Data on the spreadsheet must include the following:

- a. PE exemptions students may apply for
- b. Student ID number
- c. The type of PE exemption
- d. The criteria was met for the exemption
- e. The date of student application
- f. The date the school board approved the exemption
- g. The expiration date of the exemption (if applicable)

Also, evidence should be provided that shows the following:

- 1. Students applied for a PE exemption on an individual basis
- 2. Students who applied for a PE exemption were aware of the other PE elective courses they could take.

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3. Descriptions of each of the PE electives that will be offered in the 2023-24 school year

For the JROTC classes, please provide the following evidence:

- a. A daily class schedule and a weekly class schedule with a breakdown of the total minutes for various class activities. Students should be receiving 400 minutes each 10 school days of basic military drilling and physical fitness training.

3. PE 04: Testing—FITNESSGRAM

The law requires that each pupil participates in the California Physical Fitness Performance Testing (PFT) program (FITNESSGRAM) in grades five, seven, and nine during the months of February, March, April, or May of each school year.

Based on the School Accountability Report Cards of California Middle School and Hiram Johnson High School and discussions with staff, a significant number of students did not participate in the PFT. In order for the LEA to resolve this finding and meet the legal requirements, an action plan must be uploaded in CMT that states:

1. The participation of all grade five, seven, and nine students in the Physical Fitness Test (PFT) in the 2023-2024 school year
2. Dates the PFT will occur next year for California Middle School and Hiram Johnson High School.
3. How staff who tests students will record the PFT results.
4. This document should be on letterhead with the signatures of the principal and department chair. If there is not an appointed department chair, the action plan should include the signatures of all the PE teachers.

4. PE 07: Teaching and Evaluation—High School

LEAs that maintain a high school shall provide a course of study in PE to pupils in any of grades nine to twelve, inclusive, where instruction and evaluation of pupil progress is delivered in a developmentally appropriate sequence that includes: the effects of physical activity upon dynamic health, the mechanics or body movement, aquatics, gymnastics and tumbling, individual and dual sports, rhythms and dance, team sports, and combatives.

Based on the review of Hiram Johnson High School's master schedule, course syllabi, and staff discussions there is insufficient evidence to determine that the PE Course of Study instruction and evaluation is being delivered in a developmentally appropriate sequence that includes all

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eight required PE content areas including combatives and tumbling.

To meet the legal requirements for PE Course of Study the Sacramento City Unified School District must upload the following documentation in CMT.

1. Updated course outlines that reflect current instruction and meet the PE Course of Study requirement.
2. Evidence of developmentally appropriate sequence of instruction (this can be included in the course outlines).
3. A variety of student evaluations that are used to communicate student progress in each required PE content area.

5. PE 08: Coeducational, Inclusive Manner

All Physical Education classes shall be conducted in the coeducational, inclusive manner prescribed by law. LEAs must provide instruction in PE that provides equal access and equal opportunities for participation for all pupils in grades one through twelve, inclusive, regardless of gender or gender expression, sexual orientation, and mental or physical disability. (EC sections 220, 221.5[f], 33352[b][8]; 5 CCR sections 4900, 4930, 4931, 4940, 4960; Title IX 106.33, 106.34; Code of Federal Regulations Section 300.108)

The currently uploaded local governing board policy does not contain the specific language as required by law.

To meet the legal requirement, Sacramento City Unified School District should upload a revised and approved Board Policy 6142.7 that includes the required language with the legal codes and has a date of approval from the local governing board.

## Supporting Effective Instruction

1. SEI 05: Use of Funds

An LEA that receives a subgrant under Title II, Part A, shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive programs and activities: (1) in accordance with the purpose of Title II; and (2) that address the learning needs of all students. Costs must be allowable, necessary, and reasonable for the performance of the Title II program.

The review of expenditures, invoices, and interviews with LEA staff revealed that the LEA charged the Title II, Part A program unallowable costs for expenditure #7. V22-00651 6/15/2022 Conf Travel CADA \$100.22.

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The LEA must reimburse the Title II, Part A program for the above expense including the total cost charged to Title II for this conference. For example, if the registration fee was the expenditure sample, but other participant and travel expenses were also charged to Title II for the same conference, the entire amount must be credited to the program. The credit must be from general unrestricted funds, and the evidence of the transaction must be submitted to the CMT for review.

## Student Support and Academic Enrichment

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

## School Support and Improvement

### 1. SSI 01: School Site Activities

Upon receiving notification from the state of any school served by the local educational agency (LEA) that is identified for comprehensive support and improvement (CSI), the LEA shall, for each school identified by the state and in partnership with stakeholders (including principals and other school leaders, teachers, parents, and family members), locally develop and implement a CSI plan for the school to improve student outcomes. The plan shall be informed by all indicators described in subsection 1111(c)(4)(B) of the federal Elementary and Secondary Education Act (ESEA), as amended by the federal Every Student Succeeds Act (ESSA), including student performance against state-determined long-term goals. The plan shall include evidence-based interventions. The plan shall be based on a school-level needs assessment. The plan shall identify resource inequities, which may include a review of LEA and school-level budgeting, to be addressed through implementation of such plan. The plan shall be approved by the school, LEA, and state educational agency (SEA).

During the review, Sacramento City Unified did not provide sufficient evidence demonstrating the requirements of SSI 01 at Hiram Johnson High School. Specifically, the submitted SPSA for Hiram Johnson does not adequately identify resource inequities or provide evidence-based interventions to support low performing students.

To resolve the finding, the LEA must submit additional evidence, data, narratives, etc. to address the requested requirements of SSI 01 for Hiram Johnson High School during the 2022-2023 school year.

### 2. SSI 06: Local Educational Agency Equipment Inventory

The LEA spending CSI funds on equipment shall maintain a historical inventory record for each piece of equipment with an acquisition cost of \$500 or more per unit. The record must describe all elements of SSI 06.

During the review, Sacramento City Unified did not submit a historical inventory record for equipment purchased with CSI funds with an acquisition cost of \$500 or more per unit prior to

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the 2021-2022 school year.

To resolve the finding, the LEA must provide a historical inventory record for each piece of equipment with an acquisition cost of \$500 or more per unit with CSI funds, for at least the previous five school years.

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