

English Learner 2015-16 Program Instrument for School Sites

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PLEASE NOTE: Missing Items #s are district level functions and do not require evidence from schools.

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California Department of Education

English Learner Onsite

2015-16 Program Instrument

I. Involvement

I-EL 01: Parent Outreach and Involvement

I-EL 1. The LEA must implement outreach to parents of English learners that includes the following:

(a) The LEA sends notice of and holds regular meetings for the purpose of formulating and responding to the parents' recommendations. (20 United States Code (U.S.C.) § 7012 (e)(2).)

(b) The LEA provides training activities to parents on how they can be involved and become active participants in assisting their children to:

1. Attain English proficiency
2. Achieve at high levels in core academic subjects
3. Meet challenging state academic content and achievement standards expected of all students (20 U.S.C. § 7012 (e)(1).)

Evidence

Parent involvement meeting documentation*

Parent meeting calendar, minutes and agendas other than ELAC.

Parent notifications of opportunity to be involved at schools

Parent involvement policy*

Documentation on training, workshops and newsletters sent to EL parents so that they can be involved and actively participate in their child's education.

I. Involvement

I-EL 02: Translation of Information for Parents

I-EL 2. The LEA must provide parents and guardians with information on school and parent activities in a format and, to the extent practicable, in a language the parents can understand. (20U.S.C.§6318(e)(5))

2.1 When 15 percent or more of students enrolled in a public school speak a single primary language other than English, as determined by language census data from the preceding year, all notices, reports, statements, and records sent to parents of such students must be written in English and the primary language. (*California Education Code (EC) § 48985; 5 California Code of Regulations (CCR) § 11316.*)

Evidence

EL phone logs*

Communication with parents by phone system.

Translation of school-to-home documents*

School-to-home communication in other languages

- report cards
- parent handbook
- progress reports
- newsletters
- etc.

I. Involvement

I-EL 04: English Learner Advisory Committee (ELAC)

I-EL 4. A school site with 21 or more English learners must have a functioning English Learner Advisory Committee (ELAC) that meets the following requirements:

- (a) Parent members are elected by parents or guardians of English learners. (5 CCR § 11308(b).)
- (b) The school may designate an existing school level advisory committee, or subcommittee of such advisory committee, to fulfill the legal responsibilities of ELAC. (64001(a), 5 CCR § 11308(d).)
- (c) Conducting of a school-wide needs assessment (5 CCR § 11308(c)(2), (d).)
- (d) The ELAC advises the school site council (SSC) on the development of the Single Plan for Student Achievement (SPSA). (EC § 64001(a).)
- (e) The ELAC receives training materials and training, planned in full consultation with committee members, to assist members in carrying out their legal responsibilities. (5 CCR § 11308(d).)
- (f) The ELAC has the opportunity to elect at least one member to the DELAC or has participated in a proportionate regional representation scheme when there are 31 or more English learner parent advisory committees in the district. (5 CCR § 11308(b).)

(EC §§ 35147, 52176(a), 62002.5.) (20 U.S.C § 6318(c)(5), 20 U.S.C. § 7012)

Evidence

ELAC meeting documentation*

ELAC meeting calendar, notifications, agendas, and sign-in sheets for current school year

ELAC member roster*

ELAC member roster with designation of EL parents for selected sites.

ELAC training materials*

ELAC activities provided to parents (roles, responsibilities, etc.) for selected sites.

ELAC minutes*

indicating where the ELAC has fulfilled legal requirements

II. Governance and Administration

III-EL 09: EL Program Inclusion in Development of the SPSA

II-EL 09. The EL program must be included in the development of the SPSA.

9.1 For schools with EIA-LEP carryover, the approved SPSA must contain:

- (a) An analysis of academic performance and language development data to determine EL student and program needs
- (b) School goals to meet the identified academic and language proficiency needs of EL students
- (c) Activities to reach school goals that improve the academic performance of EL students
- (d) Expenditures of EIA-LEP carryover allocated to the school through the Consolidated Application and Reporting System
- (e) The means of annually evaluating the progress of programs toward accomplishing the goals, including determining whether the needs of all children have been met by the strategies used, particularly the needs of English learners, low-achieving students, and those at risk of not meeting state academic content standards (*EC* § 64001(f).)

9.2 The local governing board must review and approve the SPSA annually and whenever there are material changes to the plan (e.g., the school is designated as Program Improvement). (*EC* §§ 64000(a)(3), 64001(g).)

9.3 The SPSA must be consistent with the LEA Plan. (*EC* § 64001(h).)

9.4 LEAs that distribute Title III funds or services directly to schools must ensure that the Title III programs operated at the schools are included in SPSAs, administered in accordance with the LEA plan submitted to the CDE, and adhere to all applicable statutes and regulations. (20 U.S.C. §§ 9304(a))

Evidence

School Site Council documentation*

Documents that show ELAC's input to SSC (minutes and agendas for past two years).

Evidence of meeting EL needs in SPSA

III. Funding

III-EL 12: Time Accounting Requirements

III-EL 12. The LEA must properly assess charges for direct or indirect costs of Title III LEP and Immigrant funds for salaries and wages in proportion to the allowable and identified quantity and duties of the employee.

12.1 Each employee paid in part from Title III and in part from other revenue, or an employee paid from multiple cost objectives, must complete a Personnel Activity Report (PAR) each pay period, or an approved sampling method must be used. (2 *CFR* 200, Attachment B, 8h)

12.2 Employees funded solely under Title III must complete a semiannual certification of such employment. (*California School Accounting Manual (CSAM)*); 2 *CFR* 200 Attachment B, 8.h; 2 *CFR* 200, Subpart F; ED Cross-Cutting Section, III.B.2); (*EC* § 52853(a)(7).) (20 U.S.C. § 6825 (b).)

Evidence

EIA-LEP carryover/Title III funded personnel*

List of positions funded with Title III funds for selected Sites.

Personnel Activity Reports*

Personnel Activity Reports (PARs) for selected sites for positions funded through Title III.

IV. Standards, Assessment, and Accountability

IV-EL 13: Evaluation of English Learner Program Effectiveness

IV-EL 13. A program evaluation shall be provided by the LEA and shall be used to determine:

- (a) Necessary improvements to programs and activities for which Title III have been used for LEP and immigrant students
- (b) The effectiveness of programs and activities in assisting EL students to attain proficiency and to meet academic achievement and content standards
- (c) Whether or not to continue the program or activities
- (d) The degree to which, within a reasonable amount of time:
 - i. English learners are achieving English language proficiency comparable to that of average native speakers of English in the district
 - ii. . Academic results indicating that English learners are achieving and sustaining parity of academic achievement with students who entered the district's school system already proficient in English (20 U.S.C. §§ 1703(f), 6841 (b) (c); *Castaneda v. Pickard* [5th Cir. 1981] 648 F.2d 989,1009-1011; EC § 64001(f).)

Evidence

EL student data analysis

EL analysis of English learner student data by school and documentation of actions taken as a result of data analysis

IV. Standards, Assessment, and Accountability

IV-EL 14: Reclassification

IV-EL 14. The LEA must reclassify a pupil from EL to proficient in English by using a process and criteria that include, but are not limited to:

- (a) Assessment of English language proficiency (*EC* § 313(d)(1); 5 *CCR* § 11303(a).)
- (b) Comparison of pupil's performance in basic skills against an empirically established range of performance in basic skills based upon the performance of English proficient pupils of the same age that demonstrate whether the pupil is sufficiently proficient in English to participate effectively in a curriculum designed for pupils of the same age whose native language is English. (*EC* § 313(d)(4); 5 *CCR* § 11303(d).)
- (c) Teacher evaluation that includes, but is not limited to, the pupil's academic performance. ("Teacher" refers to the classroom teacher and other certificated staff with direct responsibility for teaching or placement decisions of the pupil.) (*EC* § 313(d)(2); 5 *CCR* § 11303(b).)
- (d) Opportunities for parent opinion and consultation during the reclassification process. (*EC* § 313(d)(3); 5 *CCR* § 11303(c).)

14.1 The LEA must maintain in the pupil's permanent record (regardless of the physical form of such record and to ensure transfer of documentation) the following:

- (a) Language and academic performance assessments
- (b) Participants in the reclassification process
- (c) Decision regarding reclassification (5 *CCR* §§ 432, 434, 438.)

14.2 The LEA must monitor for a minimum of two years the progress of reclassified pupils to ensure correct classification, placement, and additional academic support, if needed. (20 U.S.C. § 6841; 5 *CCR* § 11304.)

Evidence

Interventions for RFEP students

Evidence of interventions for reclassified students not making academic progress.

Two-year follow-up of all RFEP students*

Documentation of follow-up forms or sample records (e.g., computer data sheets) of follow up with student names redacted.

Reclassification Data*

Spreadsheet of ELs by CELDT level, time in program, grades in core courses, number and % who have failed one or more core courses.

V. Staffing and Professional Development

V-EL 16: Professional Development Specific to English Learners

V-EL 16. The LEA must provide professional development specific to the implementation of programs for English learners.

16.1. The LEA must provide sufficient professional development to implement the LEA's research-based English learner program. (*Castaneda v. Pickard* [5th Cir. 1981] 648 F.2d 989, 1009-1011.)

16.2 For LEAs receiving Title III, the LEA must provide supplemental high-quality professional development to classroom teachers, principals, administrators, and other school or community-based personnel that is:

(a) Designed to improve the instruction and assessment of English learners (20 U.S.C. § 6825 (c)(2)(A).)

(b) Designed to enhance the teacher's ability to understand and use curricula, assessment measures, and instructional strategies for English learners (20 U.S.C. § 6825 (c)(2)(B).)

(c) Based on research demonstrating the effectiveness of the professional development in increasing the pupil's English proficiency or the teacher's subject matter knowledge, teaching knowledge, and teaching skills (20 U.S.C. § 6825 (c)(2)(C).)

(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. § 6825 (c)(2)(D).)

Evidence

EL professional development documentation*

EL professional development records (e.g., agendas, sign-in sheets, etc.) to verify EL strategies for classified staff, counselors, teachers, and administrators.

ELD classroom observation protocols*

Sample formal or informal protocols of ELD classroom observation conducted by administrators, coaches, and/or peers from each selected site.

V. Opportunity and Equal Educational Access

VI-EL 17: Appropriate Student Placement

VI-EL 17. All pupils must be placed in English language classrooms unless a parental exception waiver has been granted for an alternative program in which some or all of the instruction is delivered in the pupil's primary language. Based on LEA criteria of reasonable fluency, English learners must be placed in one of the following programs:

- (a) Structured English immersion (SEI), in which the language acquisition process, curriculum and instruction are designed for children who are learning the language. (EC §§ 305, 306, 310, and 311.)
- (b) English Language Mainstream (ELM) program, a classroom in which the pupils are either native English language speakers or already have acquired reasonable fluency in English. (English learners who do not meet the LEA criteria for participation in an ELM are placed in an ELM program at any time during the school year, if the parent or guardian so request.) (5 CCR § 11301(b))
- (c) For students with an approved parental exception waiver, an alternative program in which some or most of the instruction is delivered in the pupil's primary language, unless there is an IEP in which the IEP team determined the need for primary language instruction.

Evidence

Placement criteria*

EL student placement criteria for ELD and core classes.

VI. Opportunity and Equal Educational Access

VI-EL 18: Parental Exception Waiver for Alternative Program

VI-EL 18. Parents and guardians of ELs must be notified of the opportunity to apply for a parental exception waiver for their children to participate in an alternative program in which some or all of the instruction is delivered in the pupil's primary language. (34 *CFR* § 300.324 (2)(ii).) (20 U.S.C. § 6312(g)(1)(A); *EC* 48985.)

18.1 LEA procedures for granting parental exception waivers must include the following:

(a) Parents and guardians are provided, on enrollment and annually, full written, and upon request, spoken descriptions of the structured English immersion program, English language mainstream program, alternative programs, and all educational opportunities available to the pupil. The descriptions of the programs shall include the educational materials to be used in the different options. (5 *CCR* §11309(a)(b)(1), *EC* § 310.)

(b) Parents and guardians are informed that a pupil must be placed for not less than 30 calendar days in an English-language classroom the first year of enrollment in a California school. (5 *CCR* § 11309(b)(2), *EC* § 311.)

(c) Parents and guardians are informed of any recommendation by the school principal and educational staff for an alternative program and are given notice of their right to refuse the recommendation. (5 *CCR* § 11309(b)(3), *EC* § 311.)

(d) Parental exception waivers are acted on within 20 instructional days of submission to the school principal. However, waivers submitted under *EC* § 311(c) must be acted on either no later than ten calendar days after the expiration of the 30-day English language classroom placement or within 20 instructional days of submission of the waiver, whichever is later. (5 *CCR* § 11309(c).)

18.2 Parental exception waivers shall be granted unless the school principal and educational staff determine that an alternative program offered at the school would not be better suited for the overall educational development of the pupil. (5 *CCR* § 11309(b)(4).)

18.3 If a waiver is denied, parents and guardians must be informed in writing of the reason(s) for denial and advised that they may appeal the decision to the local board of education if such an appeal is authorized by the local board of education, or to the court. (5 *CCR* § 11309(d).)

18.4 Each school in which 20 or more pupils of a given grade level receive a waiver shall be required to offer such a class; otherwise they must allow the pupils to transfer to a public school in which such a class is offered. (*EC § 310.*)

Evidence

Parental exception waiver process*

Evidence of a process and timelines to request a waiver.

Program options*

Evidence of how parents are informed of program options.

Parental Exception Waiver Policies*

Policies and procedures regarding the parental exception waiver for an alternative program.

EL sample waiver forms*

Sample waiver forms with student names redacted.

EL sample waiver renewal forms*

Sample waiver forms with student names redacted.

VII. Teaching and Learning

VII-EL 19: ELD

VII-EL 19. As part of the core program provided through general funds, each English learner must receive a program of English language acquisition in order to develop proficiency in English as rapidly and effectively as possible. (Other funding sources may be used to supplement the core program.) (20 U.S.C. §§ 1703 (f), 6825 (c)(1)(A); EC §§ 300, 305, 306, 310, 313.1 (b); 5 CCR § 11302(a); *Castañeda v. Pickard* [5th Cir. 1981] 648 F.2d 989, 1009-1011.)

Evidence

ELD course/curriculum descriptions* (secondary only)

Description of core ELD courses and curriculum used in the core.

ELD daily/master schedule daily*

ELD schedule for self-contained classes; master schedule containing ELD classes for middle and high school per site reviewed.

ELD Lesson Plans

Sample lesson plans from all teachers with ELs

VII. Teaching and Learning

VII-EL 20: Access to the Core Subject Matter

VII-EL 20. Academic instruction for ELs must be designed and implemented to ensure that English learners meet the district's content and performance standards for their respective grade levels within a reasonable amount of time.

20.1 The LEA must have a means to assist English learners to achieve at high levels in the core academic subjects to ensure that they meet the same challenging state content and achievement goals all children are expected to meet.

20.2 The LEA must monitor student academic progress and take action to overcome any academic deficits incurred while acquiring English. Actions to overcome academic deficits must be taken before the deficits become irreparable.

(20 U.S.C. §§ 1703 (f), 6312, 6825 (c)(1)(B); *EC* §§ 306, 310; 5 *CCR* § 11302(b); *Castañeda v. Pickard* [5th Cir. 1981] 648 F.2d 989, 1009-1011.)

Evidence

Courses designed for ELs* (secondary only)

Descriptions of courses and/or master schedule of courses designated for ELs.

Course schedules for ELs at various proficiency levels demonstrating access to the core

Interventions for EL and RFEP students*

Evidence of interventions for EL and RFEP students not making academic progress.

Procedural guidelines and criteria for placement of ELs in interventions.

English Learner Students' Access (do not print for privacy reasons, but have available; see reviewer onsite)*

Spreadsheet of ELs by CELDT level, time in program, grades in core courses, number and % who have failed one or more core courses.

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