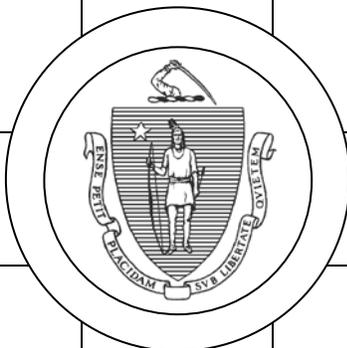# MASSACHUSETTS DEPARTMENT OF
ELEMENTARY AND SECONDARY
EDUCATION

COORDINATED PROGRAM REVIEW PROCEDURES

School District Information Package

English Learner Education (ELE) in Public Schools
Mass. Gen. Laws c. 71A

School Year 2016-2017

English Learner Education (ELE) in Public Schools
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ENGLISH LEARNER EDUCATION

INTRODUCTION

This *Information Package*, including the forms in the Appendix, provides guidance to districts in preparing for the English Learner Education (ELE) portion of the Department of Elementary and Secondary Education's Coordinated Program Review. The ELE Program Director's Checklist provides an overview of tasks to be completed.

The specific compliance standards to be addressed during the ELE portion of the Coordinated Program Review are identified in ELE Program Review Criteria and Implementation Guidance. The federal and state law on which the ELE criteria are based is detailed in Citations in the ELE Program Review Criteria.

In June 2012, the Department adopted new English language development standards and assessments: the World-class Instructional Design and Assessment (WIDA) English Language Development (ELD) standards and the Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLs) assessment.

Additionally, as of July 1, 2016 Department regulations require all public schools' core academic teachers of English Learners (ELs) and the principals/assistant principals and supervisor/directors who supervise or evaluate such teachers (hereafter "building administrators") to hold an SEI Teacher Endorsement and SEI Administrator Endorsement, respectively. It is the district's responsibility to take steps to assign ELs to SEI-endorsed teachers and to plan and project the need for SEI teachers from year to year to the maximum extent possible so that ELs have SEI- endorsed core academic teachers. There are several routes to qualify for the SEI Endorsement, one of which is a Department-developed course/training that will be available through Department-approved providers for a fee, and may be available through the district by arrangement with the Department. For purposes of this document, that Endorsement course is referred to as "the Department-developed SEI training."

More information about these activities and associated regulatory requirements may be found at http://www.doe.mass.edu/retell/ .

OVERVIEW OF G.L. CHAPTER 71A

G.L. c. 71A is applicable to the education of English learners in public schools in the Commonwealth. The law defines an English learner as "a child who does not speak English or whose native language is not English, and who is currently unable to perform ordinary work in English." The term "English learner" as defined in c. 71 A, and the terms "English language learner"(EL) and "limited English proficient (LEP) student" as defined in federal law (add citation to ESEA as amended by NCLB) are similar. This document refers to "ELs."

After a student is identified as an EL, the school district must place the student in an English language program, with limited exceptions. G.L. c. 71A, §5 requires that students classified as ELs be educated either in a Sheltered English Immersion (SEI) program or a Two-Way

Immersion program (TWI), unless a program waiver is sought for another ELE program model, such as Transitional Bilingual Education (TBE).

Core academic teachers[1] in **<u>ALL</u>** of these programs are expected to have the SEI Teacher Endorsement and to **shelter the content** for ELs to make the content of their lessons more comprehensible and to promote the development of academic language needed to successfully master content standards by providing English language development (ELD) to ELs. This will require school administrators to analyze and plan from school year to school year, and continuously throughout the year with new enrollments, to match ELs with core academic teachers who hold the SEI Endorsement. Where there are unforeseen enrollments in districts previously without an EL population, or unforeseen and significantly increased EL enrollments, school administrators may assign an EL to a non-SEI endorsed core academic teacher. In the latter case, the district must take "all reasonable steps" to ensure that the EL is assigned to SEI Endorsed-core academic teachers in subsequent school years. Furthermore, each non-SEI Endorsement core academic teacher who has been assigned an EL must obtain an SEI Endorsement within a calendar year of assignment of the EL to the educator's classroom. 603 CMR 14.07(3); see also 603 CMR 7.15(9)(b)1. Districts should make clear to the assigned teacher that it is the educator's responsibility to obtain that Endorsement.

These requirements apply to all districts that enroll one or more ELs and must be followed in all classrooms with ELs regardless of the ELE program adopted by the district.

The Department uses the term ELD to describe all of the English language development that takes place throughout the day in content classes and also during the time of dedicated ESL instruction as described below:

- **ELD in content:** English language development happens in an integrated way in all content classrooms that have at least one EL as SEI-endorsed, content-licensed educators shelter academic instruction and help ELs develop discipline-specific academic language. ELD occurs in SEI classrooms as ELs learn grade-level content along with their proficient English-speaking peers.

- **ELD in ESL**: English language development also takes place in ESL classes, when ELs are grouped together and licensed ESL teachers guide students in a systematic, dedicated, and sustained study time to develop various aspects of the English language that proficient English-speakers already know. For a full definition of the focus of ESL instruction in Massachusetts, please see the *Guidance on Identification, Assessment, Placement, and Reclassification of English Learners, Appendix J* at http://www.doe.mass.edu/ell/Guidance.pdf .

<u>English as a Second Language (ESL</u>)

Districts are required to include ESL instruction in the implementation of their ELE program to advance English language development and promote academic achievement of ELs. ESL instruction must include social and academic language in all four domains including listening, speaking, reading, and writing. ESL instruction must provide systematic, explicit, and sustained language instruction, and prepare students for general education by focusing on academic language. Effective ESL instruction supports student success in school, including improvement of ACCESS scores and acceleration of academic achievement. Effective ESL instruction also supports long term goals such as college and career readiness.

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[1] "Core academic teacher," for purposes of sheltered English immersion instruction, means: teachers of students with moderate disabilities, teachers of students with severe disabilities, and teachers of the following academic subjects: English, reading and language arts, mathematics, science, civics and government, economics, history, and geography; and early childhood and elementary teachers who teach such subjects. See 603 CMR 7.02; see also 603CMR 14.07(5).

Districts have the flexibility to choose the appropriate setting (push-in, pull-out, self-contained, or hybrid) and most effective combination of methods of ESL instruction (Total Physical Response, Communicative, Functional, etc). Whatever the chosen vision, setting, and methods for the program are, the ESL instructional focus must be evidenced by documentation such as lesson or unit plans or an ESL curriculum. **Academic tutoring of content subjects or sheltering the content for ELs in a regular education classroom as a part of a push-in model is not a substitute for ESL instruction.**

Sheltered English Immersion (SEI) program

"Sheltered English immersion" is defined in G.L. c. 71A as "an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language. Books and instruction materials are in English and all reading, writing, and subject matter are taught in English. Although teachers may use a minimal amount of the child's native language when necessary, no subject matter shall be taught in any language other than English, and children in this program learn to read and write solely in English."

Two-Way Immersion (TWI) Program:

A Two- Way Immersion (TWI) program is a dual language education model designed to promote bilingualism and bi-literacy, cross-cultural competency, and high levels of academic achievement for both native English speakers and English Learners (ELs) from a single language background. TWI programs are considered additive bilingual programs because all students develop and maintain their home language while adding a second language to their repertoire. They receive the same core curriculum as all students in the state and instruction is provided through two languages throughout the program. From a program design perspective, TWI programs must begin in the early grades (PreK–K) and may continue through the secondary level.

Transitional Bilingual Education and Other Bilingual Programs

As stated in Section 5 of G.L. c. 71A, ELs may also be placed in a Transitional Bilingual Education (TBE) or other bilingual programs if students have received a waiver to participate in these programs.

The goal of Transitional Bilingual Education (TBE) is for ELs to be able to achieve long-term academic success through English-medium instruction in general education classrooms. Although the home language is used for instructional purposes, the transitional nature of the program does not support the further development of the students' home language. TBE programs can be initiated at any level, including middle and high school.

All educators teaching ELs, except educators in Commonwealth charter schools, must meet the licensing requirements outlined in 603 CMR 7.04 for their respective content areas, and the additional literacy and fluency requirements of c. 71A.

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THE WEB-BASED APPROACH TO ENGLISH LEARNER EDUCATION MONITORING

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In the SY 2015-16, six school districts and charter schools from that year's monitoring cycle were reviewed using the web-based approach. Starting in SY 2016-17 all school districts and charter schools in that year's monitoring cycle will be monitored using the web-based approach. The web-based monitoring system (WBMS) allows both districts and the Department to submit, review, and exchange documents and information through the Department's security portal. This

new approach combines familiar elements from the standard CPR procedures in combination with new features that strengthen district/school accountability and oversight for English learner education on a continuous basis.

Criteria: The Program Review criteria for each WBMS review, begins with the district/school conducting a self-assessment across all eighteen criteria. Through its Desk Review procedures, Department staff at the offices of Public School Monitoring (PSM) and English Language Acquisition and Academic Achievement (OELAAA) examine the district/school's self-assessment submission and determine which criteria will be followed–up through onsite verification activities.

WBMS Methods: Methods used in reviewing ELE programs include the following three phases of a Program Review cycle:

Self-Assessment Phase:

- The district/school reviews the ELE documentation for required elements including document uploads. Upon completion of this portion of the district/school's self-assessment, it is submitted to the Department for review.
- The district/school reviews a sample of EL student records selected across grade levels, focus areas such as ELs, opt-out students, students on waivers, former ELs and students and/or parents who need translation and/or interpretation. Additional requirements for the appropriate selection of the student record sample can be found in **Student Record Review Procedures** of the School District Information Package for English Learner Education.

Based upon the total number of ELs enrolled in the district, the minimum number of records that will be selected include:

- 10 student records for LEAs with up to 100 ELs
- 15 student records for LEAs with 100- 150 ELs
- 20 student records for LEAs with 151-500 ELs
- 25 student records for LEAs with more than 500 ELs

The largest number of student records should be drawn representatively from ELs currently served through SEI programs. If a single language group is served by the district through two-way immersion or other program models, such as transitional bilingual education programs, then select a sampling of student records from each level, i.e., elementary, middle-junior high school, and high school, as appropriate.

There should be records selected for each of the focus areas to the extent it is applicable: ELs, opt-out students, students on waivers, former ELs and students and/or parents who need translation and/or interpretation.

Upon completion of these two portions of the district/school's self-assessment, it is submitted to the Department for review.

Desk Review Phase:

Monitoring Team Chairpersons from Public School Monitoring Office (PSM) and OELAAA, who are assigned to each district/school, reviews the district/school's responses to questions regarding the critical elements for appropriate policies, procedures, and practices, as well as actual documents and data submissions by criteria. The district/school's student record review data and explanatory comments

are examined by focus area and by criteria. The outcome of this review is used to determine the scope and nature of the Department's onsite activities.

On-site Verification Phase:

The Department conducts:

- interviews of administrative, instructional, and support staff consistent with those criteria selected for onsite verification.
- interviews of EL parent representatives and telephone interviews as requested by other EL parents or members of the general public.
- a review of EL records. The Department may select a sample of student records from those the district reviewed as part of its self-assessment as well as records chosen by the Department from the ELE student roster. Using standard Department procedures the onsite team will conduct this review to determine whether procedural and programmatic requirements have been implemented.
- surveys of parents of ELs. Parents of ELs whose files are selected for the record review, as well as the parents of an equal number of other ELs are sent a survey that solicits information regarding their experiences with the district's implementation of ELE programs, related services, and procedural requirements.
- observations of classrooms and other facilities. The onsite team visits a sample of classrooms and other school facilities used in the delivery of ELE programs and services to determine general levels of compliance with program requirements.

Report Preparation:

At the end of the onsite visit, the onsite team will hold an informal exit meeting to summarize its comments for the superintendent or charter school leader and anyone else he or she chooses. Within approximately 45 business days of the onsite visit, the onsite chairperson will forward to the superintendent or charter school leader a Draft Report containing comments from the Program Review. The Draft Report comments are provided to the district/school on-line through the Web-based Monitoring System (WBMS). These comments will, once the district has had a chance to respond, form the basis for any findings by the Department. The district will then have 10 business days to review the report for accuracy before the publication of a Final Report with ratings and findings (see below). The Final Report will be issued within approximately 60 business days of the conclusion of the onsite visit and posted on the Department's website at http://www.doe.mass.edu/ell/cpr/?section=reports or http://www.doe.mass.edu/pqa/review/cpr/reports/.

Content of Final Report:

Ratings: In the Final Report, the onsite team gives a rating for each compliance criterion it has reviewed; those ratings are "Commendable," "Implemented," "Implementation in Progress," "Partially Implemented," "Not Implemented," and "Not Applicable." "Implementation in Progress," used for criteria containing new or updated legal requirements, means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year.

Findings: The onsite team includes a finding in the Final Report for each criterion that it rates "Commendable," "Partially Implemented," "Not Implemented," or

"Implementation in Progress," explaining the basis for the rating. It may also include findings for other related criteria.

Response: Where criteria are found "Partially Implemented" or "Not Implemented", the district or charter school must propose corrective action to bring those areas into compliance with the relevant statutes and regulations. This corrective action plan (CAP) will be due to the Department within **20 business days** after the issuance of the Final Report and is subject to the Department's review and approval. Department staff will offer districts and charter schools technical assistance on the content and requirements for developing an approvable CAP.

Department staff will also provide ongoing technical assistance as the school or district is implementing the approved corrective action plan. **School districts and charter schools must demonstrate effective resolution of noncompliance identified by the Department as soon as possible but in no case later than one year from the issuance of the Department's final *Coordinated Program Review (CPR)* report.**

RECORD REVIEW PROCEDURES

During the Orientation session, the Monitoring Team Chairperson will provide the district with an updated list of names of ELs whose records have been selected for review by the Department. A representative sample of student records will be examined from those records that were part of the district's self-assessment, as well as a new sample of student records with activities since the start of the new school year. The Chairperson will refer to the district's the most recent roster to make the student record selection. This list of the selected records will enable the district to organize them before examination by the onsite team and to conduct the required local review of each record selected. **Where the parts of a selected student record are situated in more than one location, at a minimum, all of the relevant parts of the ELs student record (see ELE 18) must be brought together in one location for the purpose of the Department's record review.**

The ELE Student Record Review focuses on a sampling of ELE focus areas and students receiving SEI instruction, Two-Way Immersion instruction, and Transitional Bilingual Education instruction or instruction under other ELE education program models to determine whether required procedures are implemented and services are being provided. Standard Department record review procedures will be followed to assess compliance with procedural and program requirements of applicable laws and regulations.

A school district representative familiar with English learner education must be available during the Department's record review to assist the onsite team. The Department reserves the right to select additional student records for review during the course of monitoring. In many cases, these additional student records supply the missing information needed in order to rate a particular criterion or criteria as" Implemented".

Note: *Massachusetts Department of Elementary and Secondary Education Student Record Regulations provide Department employees with access to all information contained in student records without the consent of parents. [603 CMR 23.07: (4)(d)]*

Preparation of Interview and Observation Schedules

Working with the Department's chairperson, **the local Program Review coordinator is responsible for scheduling all interviews and observations.** The local coordinator should take into consideration the number of Department onsite team members to avoid over-scheduling. During the orientation meeting, the onsite chairperson will assist the district with any needed clarifications in this regard, including guidance on the estimated amount of time needed for specific interviews, the types and approximate number of personnel involved in interviews, and the number and type of observations to be conducted.

ESE Form 2: INTERVIEW AND OBSERVATION SCHEDULE must be returned to the onsite chairperson for approval **at least two weeks before the visit.** The Department will confirm all interviews to be conducted so that the district can notify all persons selected for interviews. The Monitoring Team Chairperson will provide the local Program Review coordinator with a standard letter and description of the review procedures, which is to be copied and distributed to every person selected for interview. In notifying local staff of the interview schedule, the district should emphasize that interviews are not to evaluate a staff member's individual performance, but to understand each staff member's experiences in the implementation of various program requirements. Every effort will be made to conduct the interviews in an efficient manner, recognizing that time is valuable to the district. The district coordinator must give consideration to spaces that allow interviews to be conducted in a confidential manner.

Sample templates for interview schedules and observations as well as a sample press release are also available as a resource in the WBMS Document Library.

Interviewees

ESE Form 1: LIST OF INTERVIEWEES FOR SE, CR AND ELE contains the titles of possible persons to be interviewed in the ELE portion of the review. Key administrators, guidance counselors, ESL, Two-Way Immersion, TBE and SEI teachers, and any instructional aides working with those teachers, parents, and other appropriate staff will be interviewed. The district, or the Department, may add others to this list who would be able to describe efforts undertaken to implement program requirements:

KEY PREPARATION ACTIVITY:

The Interview and Observation Schedule (ESE Form 3) must be returned to the onsite chairperson for approval by the Department <u>*AT LEAST TWO WEEKS*</u> <u>*BEFORE THE ONSITE VISIT*</u>.

CLASSROOM AND FACILITIES OBSERVATION

A sample of classrooms and other school facilities used in the delivery of English learner education services will be visited to determine general levels of compliance with program requirements. The Facilities/Classroom Observation Form (ESE Form 4) will be used by onsite team members as they complete this part of the Program Review.

The Monitoring Team Chairperson will also identify the SEI and ESL classrooms to be observed during the Orientation visit so that the local Program Review coordinator may inform principals and pertinent staff of these observations.

ELE PROGRAM DIRECTOR'S CHECKLIST

The following checklist will assist the Program Director in working with the local Program Review coordinator to plan and implement the ELE portion of the Coordinated Program Review:

[ ] 1. Participate in in both the Department's general introduction and regional training sessions to ensure the process of collecting, reviewing and inputting the ELE student record and document information for the self-assessment in the web-based monitoring system (WBMS) will be completed successfully. The first session consists of a detailed orientation webinar regarding (WBMS), which is followed by a mandatory hands-on computer lab training session.

[ ] 2. Prepare and submit the district's/charter school's student record and documentation self-assessment within the required timeline. Department staff are available to provide technical assistance for both regulatory content and WBMS technical questions.

[ ] 3. Work with the local Program Review coordinator to prepare English Learner Education (ELE) portion of the school district profile of effective programs and practices which includes a description of the strengths in the existing programs and practices. The profile of effective programs and practices should explain why the district believes that the programs and practices described exceed federal and state special education requirements. The provision of specific examples of effective programs and practices will be shared with the onsite team. It is recommended that this information be provided after the submission of the self-assessment. It can be submitted through "Additional Documents" in WBMS immediately after the self-assessment submission or can be provided to the Monitoring Team Chairperson at the time of the orientation.

[ ] 4. Participate in the local Program Review coordinator's and Monitoring Team Chairperson's orientation meeting(s) and inform administrative and teaching staff about the ELE portion of the Program Review, its purpose, the WBMS procedures, and the manner in which general and ELE staff will be expected to participate.

[ ] 5. Prepare student records for the Department's review. At the orientation meeting, the Monitoring Team Chairperson will inform the local program coordinator of which ELE student records from the WBMS self-assessment will be verified and which additional new records are selected for review. Each student record selected for verification should have a copy of the completed self-assessment (printed from WBMS) placed in the front of each student record. The additional new records selected for review will be reviewed for activities conducted since the beginning of the current school year. In coordination with the Monitoring Team Chairperson, prepare the interview and observation schedule (ESE Form 2) At least five days before the onsite visit, issue to every staff person included in the interview and classroom/program observation schedule the Department's standard notification letter prepared by the local district coordinator. The template is located in the WBMS Document Library.

[ ] 6. Be available throughout the onsite visit to answer questions, clarify data and generally facilitate the Coordinated Program Review process.

[ ] 7. With other district administrators, respond to factual accuracy of the Draft Report of Comments.

[ ] 8. With other district administrators, develop a dissemination plan for making the Final Report available to the public. At a minimum, this plan should include members of the school committee/board of trustees, key district administrative staff, parents and other constituent groups.

[ ] 9.Participate with other program directors in the Department's webinar sessions on developing approvable Corrective Action Plans and Progress Reports.

[ ] 10. Immediately after the Final Report is published, the Monitoring Team Chairperson will arrange for an onsite technical assistance visit with the local district coordinator. The superintendent, local program coordinator and all other program directors for those areas requiring corrective action should participate in this technical assistance visit.

[ ] 11. Draft a Corrective Action Plan for submission to the Department within 20 business days of receipt of the Final Report.

[ ] 12. Work with district staff and Department staff in implementing recommendations and correcting any noncompliance noted in the Final Report, in accordance with the corrective action approved or ordered by the Department.

[ ] 13. Submit any required progress reports and documentation requested by the Department to demonstrate the ongoing efforts of the district to implement the corrective action approved or ordered by the Department in a timely and effective manner.

[ ] 14. Work with other district administrators to incorporate the approved or ordered corrective action into local School Improvement Plans.

[ ] 15. Carefully monitor and document the full implementation and effectiveness of the corrective action that has been approved or ordered by the Department.

ELE PROGRAM REVIEW CRITERIA AND IMPLEMENTATION GUIDANCE

The ELE Program Review Criteria include abbreviated references to the laws and regulations on which specific criteria are based. These abbreviations denote the following laws and regulations:

Federal:

> (**Note**: *"U.S.C." refers to the United States Code, available at http://www.gpo.gov/fdsys/browse/collectionUScode.action?collectionCode=USCODE)*

Title VI: *Title VI of the Civil Rights Act of 1964*

Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color or national origin in programs or activities receiving federal financial assistance. Title VI is codified at 42 U.S.C. 2000d *et seq.*; regulations have been promulgated in the Code of Federal Regulations (CFR) at 34 CFR Part 100 (available at http://www.ed.gov/policy/rights/reg/ocr/edlite-34cfr100.html).

EEOA: *the Equal Educational Opportunities Act of 1974*

Prohibits the denial of equal educational opportunity to English language learners in public schools on account of national origin, "by…the failure to take appropriate action to overcome language barriers that impede equal participation …in its instructional programs." See 20 U.S.C. 1703(f). (The EEOA also prohibits the denial of equal educational opportunity based on race, color, or sex.)

NCLB: *the No Child Left Behind Act of 2001*

Governs elementary and secondary education. NCLB, which is codified at 20 USC 6301 *et seq.* and may be found at http://www.ed.gov/policy/elsec/leg/esea02/index.html. (Congress has reauthorized the *Elementary and Secondary Education Act* through the *Every Student Succeeds Act*. However, NCLB standards will continue to apply through SY 16-17).

Massachusetts:

> (**Note:** *Most Massachusetts education statutes are available at http://www.doe.mass.edu/lawsregs/statelaws.html. Legislation that has been filed may be found at https://malegislature.gov/Laws/GeneralLaws/Search . Department of Elementary and Secondary Education regulations are available at http://www.doe.mass.edu/lawsregs/stateregs.html.)*

G.L. c. 69: *Massachusetts General Laws, Chapter 69*

Establishes the powers and duties of the Department of Elementary and Secondary Education.

G.L. c. 71A: *Massachusetts General Laws, Chapter 71A*

Governs the education of English learners. Regulations have been promulgated under it at 603 CMR 14.00.

G.L. c. 71B: *Massachusetts General Laws, Chapter 71B*
Governs the education of students with disabilities. Special Education Regulations: 603 CMR 28.00.

G.L. c. 76: *Massachusetts General Laws, Chapter 76*
Governs school attendance and various other school-related matters. Section 5 prohibits discrimination in all public schools on the basis of race, color, sex, gender identity, religion, national origin, or sexual orientation. See also Access to Equal Educational Opportunities Regulations: 603 CMR 26.00.

St. 2002, c. 218: *Chapter 218 of the Massachusetts Acts of 2002*
Section 24 requires each school district to have at least one teacher licensed in ESL, TBE, or ELL. (See Implementation Guidance under ELE14.) In districts of 200 or more ELLs, any person appointed as director of an ELL program must be licensed in ESL or bilingual education, or hold such other license required by law for such other ELL program.

CRITERION NUMBER	I. ASSESSMENT OF STUDENTS	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 1 **Annual English Language Proficiency Assessment**	1. The district annually assesses the English proficiency of all ELs. 2. The ACCESS for ELLs is administered to ELs annually in grades K-12 by qualified staff. **Authority: NCLB, Title I and Title III; G.L. c. 71A, § 7; 603 CMR 14.02** **Implementation Guidance:** • ELs must be assessed annually using the ACCESS for ELLs test until such time as their assessments and other relevant data indicate English language proficiency. Districts must continue to assess ALL ELs, even those who have opted out of ELE services, under ELE 8. • 95 percent or more of ELs must participate in the ACCESS for ELLs tests in order to be in compliance with ELE 1. • Districts are required to assess the reading, writing, speaking, and listening skills of ELs using the ACCESS for ELLs test. • The ACCESS for ELLs test can only be administered by staff members who have participated in training and who have passed a certification test in the relevant subtest(s) of the assessment *http://www.doe.mass.edu/mcas/access/* .	ACCESS participation rates as shown in state database Qualifications of persons implementing assessment activities	Program Director ESL Teachers

CRITERION NUMBER	I. ASSESSMENT OF STUDENTS	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 2 **State Accountability Assessment**	ELs participate in the annual administration of the MCAS (Massachusetts Comprehensive Assessment System) or PARCC (The Partnership for Assessment of Readiness for College and Careers) exams as required and in accordance with Department guidelines. **Authority: NCLB, Title I, Title VI; G.L. c. 69, § 1I; c. 71A, § 7** **Implementation Guidance:** • Federal guidelines allow ELs the option of taking the MCAS or PARCC English Language Arts test in their first year of enrollment in U.S. public schools. **ALL** ELs are to participate in the MCAS or PARCC Mathematics and Science and Technology/Engineering tests scheduled for their grades. • 95 percent or more of ELs must participate in the MCAS/PARCC tests in order to be in compliance with ELE 2. • Any student who *currently is* or *has been* an EL may have access to an approved bilingual dictionary on MCAS or PARCC tests. Bilingual dictionaries and glossaries permitted for this purpose are limited to those that provide word-to-word translations (but not definitions). • For more information about EL participation requirements and additional MCAS or PARCC accommodations available for ELs, see *http://www.doe.mass.edu/mcas/participation/ell.pdf*.	MCAS or PARCC participation rates as shown in state database Descriptions of accommodations for academic subject matter testing in English	Program Director District and School Administrators

CRITERION NUMBER	II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 3 **Initial Identification**	1. The district uses qualified staff, appropriate procedures, and state-required assessments to identify students who are ELs and to assess their level of English proficiency in reading, writing, speaking, and listening. 2. Each school district shall establish procedures, in accordance with Department of Elementary and Secondary Education guidelines, to identify students who may be English learners and assess their level of English proficiency upon their enrollment in the school district. **Authority: Title VI; EEOA; G.L. c. 71A, §§ 4, 5; 603 CMR 14.02; G.L c. 76, § 5; 603 CMR 26.03** **Implementation Guidance:** • Districts are expected to have policies and procedures in place for accurately identifying ELs in a timely, valid, and reliable manner. • As of SY 2015- 2016, districts should use the home language survey available on the Department's website. Please, see *http://www.doe.mass.edu/ell/hlsurvey/*. When the language of the home is a language other than English, an interpreter should be available to assist in completing the survey. • All students whose home language survey indicates a language other than English for any of the survey questions, the student must be assessed by trained professional staff for English proficiency in **reading, writing, speaking and listening**, using the English proficiency criteria set by the Department. Please see *http://www.doe.mass.edu/ell/Guidance.pdf* • Districts are required to use WIDA screeners, including W-APT, MODEL, or the online WIDA Screener (available in 2016) for initial identification of ELs in grade levels K-12 and W-APT, Pre-IPT or Pre-LAS in Pre-K for initial identification of students in preschools. • Kindergarten students will be administered only the Speaking and Listening components of the Kindergarten W-APT, MODEL or the WIDA Screener test at the beginning of the school year. • To learn more about "qualified" staff, appropriate procedures and state required tests, please visit *http://www.doe.mass.edu/ell/guidance_laws.html* .	Description of policies and procedures Copies of Home Language Survey samples Testing data: A roster of potential ELs with the screening test results and placement determinations SIMS report Names and qualifications of persons implementing identification procedures Student record review Parent survey Interviews	Program Director ESL Teacher Staff responsible for the intake process

CRITERION NUMBER	II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 4 **Waiver Procedures**	1. Waivers of the requirement to be taught through sheltered English immersion instruction may be considered based on parent request, providing the parent annually visits the school and provides written informed consent. Parents must be informed of their right to apply for a waiver and provided with program descriptions *in a language they can understand.* 2. Students who are under age 10 may only be granted waivers if (a) the student has been placed in an EL classroom for at least 30 calendar days, (b) the school certifies in no less than 250 words that the student "has special and individual physical or psychological needs, separate from lack of English proficiency" that requires an alternative program, and (c) the waiver is authorized by both the school superintendent and principal. All waiver requests and school district responses (approved or disapproved waivers) must be placed in the student's permanent school record. For students under age 10, both the superintendent and the principal must authorize the waiver, and it must be made under guidelines established by and subject to the review of the local school committee. These guidelines may, but are not required to, contain an appeals process. Students who are over age 10 may be granted waivers when it is the informed belief of the school principal and educational staff that an alternative program would be better for the student's overall educational progress. Students receiving waivers may be transferred to an educationally recognized and legally permitted ELE program other than a sheltered English immersion or two-way bilingual program. See 603 CMR 14.04 and ELE 5. **Authority: G.L. c. 71A, § 5; 603 CMR 14.04(3)** **Implementation Guidance:** • Schools in which 20 or more students at the same grade level receive a waiver must offer a bilingual or other type of language support program. In all other cases, a student must be permitted to transfer to a public school within the district in which such a program is offered. • Students in special education programs and students on Section 504 plans are exempt from the waiver requirement if their educational plan provides for program access in their native language.	Sample parent notification in the home language(s) Copy of local waiver form Class roster of waived students Parent acknowledgement form showing that parents were provided with accurate information	Program Director Principal Parents

CRITERION NUMBER	II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
	• A parental exception waiver for students with disabilities does not mean that such students will or must forego an ELE program and districts will stop providing specialized language instruction to them. A waiver is granted for students with special needs only when the educational staff and the school principal concluded that an alternate ELE program would be better for the student's educational progress and rapid acquisition of English. The alternate course of study may include classes teaching English and other subjects through bilingual education techniques or other recognized educational methodologies permitted by law. • A request for a waiver is different from a request to "opt out" or decline entry into an ELE program. A "waiver" indicates a desire by the parent to waive the child from participation in the SEI program in favor of enrollment in another ELE program. For more information about waivers, including sample waiver forms, please see *Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners* located at *http://www.doe.mass.edu/ell/guidance_laws.html*. A parent's choice to "opt out" means an informed decision by the parent to not have the child placed in any ELE formal instruction program. (For example,these students do not receive direct ESL instruction, but school districts are still required to take steps to address the language barrier that impedes the student's access to the curriculum and other school activities. As such, the student must be placed in a classroom(s) with an SEI-endorsed core academic teacher(s) because SEI teachers are trained in methods and strategies that allow the student to access curricula content as required by federal law, namely, Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974 (EEOA). Waiver provisions do not apply to students in two-way bilingual programs.		

CRITERION NUMBER	II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 5 **Program Placement and Structure**	1. The district uses assessment data to plan and implement educational programs for students at different instructional levels. 2. G.L. c. 71A, §5 requires that students classified as ELs be educated either in a Sheltered English immersion (SEI) program or Two-Way Immersion program (TWI), unless a program waiver is sought for another ELE program model, such as Transitional Bilingual Education (TBE). The requirement to provide English language development services to ELs applies to all districts that enroll one or more EL students. 3. Core academic teachers in ALL of these programs are expected to hold the SEI Teacher Endorsement and to shelter the content for ELs to make the content of their lessons more comprehensible and to promote the development of academic language needed to successfully master content standards by providing English language development (ELD) to ELs. 4. Districts are required to include ESL instruction in the implementation of their ELE program to advance English language development and promote academic achievement of ELs. **Authority: Title VI; EEOA; G.L. c. 71A, §§ 2, 4, 7; 603 CMR 7.15; 603 CMR 14.07 Implementation Guidance:** • Any general education classroom in which ELs are placed must conform with standards under G.L. c. 71A and 603 CMR 14.00 (should be considered an SEI classroom). • Endorsement issues are monitored under ELE 14.	Castañeda's Three-Pronged Test (OELAAA Form 2) District ESL/ELD curriculum and/or other evidence of ESL instruction Student Record Review SIMS data Completion of the required forms (see Appendix, Part and Part 3) Interviews	Program Director ESL Teacher Guidance Counselor SEI teachers

CRITERION NUMBER	II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
	In designing, resourcing, and evaluating their ELE program(s), districts should be aware that the Department, similar to the US Department of Justice and the Office for Civil Rights of the U.S. Department of Education, will use the three-prong test first set out in the case of *Castañeda v. Pickard* to determine whether the ELE program(s) meets federal requirements (EEOA and Title VI), in addition to state requirements, to analyze a district's program for ELs. The three prongs include: 1. The educational theory underlying the language assistance program is recognized as sound by some experts in the field or is considered a legitimate experimental strategy. 2. The program and practices used by the district are reasonably calculated to implement effectively the educational theory adopted by the district. 3. The program is effective when producing results indicating that students' language barriers are actually being overcome within a reasonable period of time. For more information about ELE program implementation, please see *Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners* located at http://www.doe.mass.edu/ell/Guidance.pdf . • Federal law requires that any language support program offered by a district be designed and implemented to assure that ELs receive effective English language and content instruction at appropriate academic levels. ESL instruction should be appropriate to the student's level of English proficiency. Content and curriculum of sheltered content classrooms should also be appropriate to the age(s), and grade(s) of the students in the class. • If the classroom teacher does not speak the student's native language, it is recommended that another teacher or paraprofessional who does speak the native language be available for clarification, when necessary.		

CRITERION NUMBER	II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
	• Districts have the flexibility to choose the appropriate setting (push-in, pull-out, self-contained, or hybrid) and most effective combination of methods of ESL instruction (Total Physical Response, Communicative, Functional, etc). Whatever the chosen vision, setting, and methods for the program, the ESL instructional focus must be evidenced by documentation including at a minimum unit plans or ESL curriculum, and lesson plans that integrate the WIDA standards. Academic tutoring of content subjects or sheltering the content for ELs in a regular education classroom as a part of a push-in model is not a substitute for the ESL component of SEI programs.For more information about ESL instruction, please see *Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners* located *http://www.doe.mass.edu/ell/Guidance.pdf*. • Districts are required to include ESL instruction in the implementation of their ELE program to advance English language development and promote academic achievement of ELs. For more information about placement of ELs, please see *Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners* located at *http://www.doe.mass.edu/ell/guidance_laws.html* • Districts are expected to integrate the WIDA standards into all curricula, including ESL, for classes in which ELs participate.		

CRITERION NUMBER	II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**

ELE 6
 	
Program Exit and Readiness
	1. Each school district shall establish criteria, in accordance with Department of Elementary and Secondary Education guidelines, to identify students who may no longer be English learners.
	
	2. The district does not reclassify an English Learner (EL) as Former English Learner (FEL) until he or she is deemed English proficient and can participate meaningfully in all aspects of the district's general education program without the use of adapted or simplified English materials.
	
	3. Districts do not limit or cap the amount of time in which an EL can remain in a language support program. An EL only exits from such a program after he or she is determined to be proficient in English.
	
	Authority: Title VI; EEOA; G.L. c. 71A, § 4; ; 603 CMR 14.02
	Implementation Guidance:
	• Districts cannot reclassify ELs who does not meet the minimum exit criteria provided in the *Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners* located at http://www.doe.mass.edu/ell/guidance_laws.html. Reclassification decisions cannot be based solely on 1) the number of years in the program, and/or 2) eligibility for special education services.
	• School-based teams must review **ACCESS results** and other relevant data to determine whether a student should still be classified as an EL or should be reclassified as a FEL and exited from language programs. They should evaluate and consider a range of other evidence of the student's performance, including a review of:
	  ▪ student performance on other MCAS or PARCC content area tests.
	  ▪ the student's scores on locally-administered reading and other academic assessments (such as DIBELS, GRADE, DRA, Terra Nova, Stanford 9, and/or other District Determined Measures (DDMs)),
	  ▪ the student's scores on locally-administered diagnostic language assessments,
	  ▪ the student's academic grades,
		Description of district's reclassification process and program exit criteria (see http://www.doe.mass.edu/ell/resources.html)
		
		Student Record Review
		
		Interviews
		
		Reclassification rates as shown in state database
			Program Director
			
			Principal
			
			ESL teachers
			
			Guidance Counselor

CRITERION NUMBER	II. STUDENT IDENTIFICATION AND PROGRAM PLACEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
	▪ the written observations and recommendations documented by the student's classroom teachers, ▪ parental observations and consultation, ▪ WIDA Performance Definitions and the CAN DO Descriptors, which provide examples of realistic expectations of ELLs for each of the four language domains and five levels of English language proficiency. • It is a violation of federal law to maintain a student in a language acquisition program after the student has acquired English proficiency.		

CRITERION NUMBER	III. PARENT AND COMMUNITY INVOLVEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 7 Parent Involvement	The district develops ways to include parents or guardians of ELs in matters pertaining to their children's education and ELE programs. **Authority: Title VI; EEOA; Title III; G.L. c. 71A, § 7.** **Implementation Guidance:** • Parent involvement may be through the development of a parent advisory council on English language education, through membership on a school-based council, or through other means determined by the district. The district should provide multiple opportunities and a variety of methods for parent-teacher communication. • Language assistance (translation/interpretation) must be provided to all parents whose preferred language is not English even if their child is proficient in English. • For more information about translation/interpretation requirements, please see *Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners* located at *http://www.doe.mass.edu/ell/Guidance.pdf* .	Description and documentation of outreach to families of ELs School council membership Parent advisory council membership Parent survey SIMS Data	Parents Program Director Principal

CRITERION NUMBER	III. PARENT AND COMMUNITY INVOLVEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 8 Declining Entry to a Program	The district provides English language support to students whose parents have declined entry to a sheltered English immersion, two-way immersion, or other ELE program. **Authority: Title VI; EEOA; G.L. c. 71, §38Q1/2** **Implementation Guidance:** • Parents of ELs may notify the district of their wish to have their child "opt out" of an ELE program. The district must then place the student in an English language general education classroom and document the parent's notice in the student's file. Districts should encourage parents to allow their children to participate in ELE programs for a limited time before they make a final determination to "opt out" of the program. • Districts should also continue to keep parents of ELs, who have opted out, apprised of their child's progress. • The U.S. Department of Justice and the Office of Civil Rights have interpreted the EEOA and Title VI, respectively, to require districts to take steps to provide the student meaningful access to the educational program, even if a parent has declined an ELD program. To do so, the district, at a minimum must assign the student to core academic teachers who hold the SEI Endorsement and actively monitor the student's progress. • Where a district determines through monitoring that a student who has "opted out" is not progressing, without delay, the district must ensure that the student's academic and language needs are addressed.	Description of implementation practices Student records Curriculum accommodation plan, which may be part of a multi-year strategic plan (Required also under CR 18—submit only one copy) A list of opt out students Parent survey	Parents Program Director Principal ESL teachers SEI teachers

CRITERION NUMBER	III. PARENT AND COMMUNITY INVOLVEMENT	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**

	• ELs whose parents have "opted out" must still be reported as "EL" on the SIMS data and assessed annually using ACCESS for ELs test. Parent notification letters are required as long as English language proficiency assessments indicate the student is not yet "proficient."
	• A request for a waiver is different from a request to "opt out" or decline entry into an ELE program.
	    ▪ A "waiver" indicates a desire by the parent to waive the child from participation in the SEI program in favor of enrollment in another ELE program. For more information about waivers, including sample waiver forms, visit *http://www.doe.mass.edu/ell/Guidance.pdf* .
	    ▪ A parent's choice to "opt out" indicates an informed decision by the parent to not have the child placed in any ELE formal instruction program. (e.g., These students do not receive direct ESL instruction, but school districts are still required to take steps to address the language barrier that impedes the student's access to the curriculum and other school activities. As such, the student must be placed in a classroom(s) with an SEI-endorsed core academic teacher(s) because SEI teachers are trained in methods and strategies that allow the student to access curricula content as required by federal law, namely, Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974 (EEOA).		

CRITERION NUMBER	IV. CURRICULUM AND INSTRUCTION	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 9 **Instructional Grouping**	1. The district only groups ELs of different ages together in instructional settings if their levels of English proficiency are similar. 2. The district's grouping of students ensures that ELs receive effective content instruction at appropriate academic levels and that ESL instruction is provided at the appropriate proficiency level. ESL instruction should be aligned to the Massachusetts Curriculum Frameworks and must integrate components of the WIDA English Language Development (ELD) Standards. **Authority: Title VI; EEOA; G.L. c. 71A, § 4** **Implementation Guidance:** Developmental differences should be considered when students of different grade levels are clustered together.	Description of ELE Programs (see Appendix) ESL Teacher Schedules	Program Director ESL teachers

CRITERION NUMBER	IV. CURRICULUM AND INSTRUCTION	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**

ELE 10
 	
Parental Notification
	1. Upon identification of a student as EL, and annually thereafter, a notice is mailed to the parents or guardians written where practicable in the primary/home language as well as in English, that informs parents of:
	    a) the reasons for identification of the student as EL;
	    b) the child's level of English proficiency;
	    c) program placement and/or the method of instruction used in the program;
	    d) how the program will meet the educational strengths and needs of the student;
	    e) how the program will specifically help the child learn English;
	    f) the specific exit requirements;
	    g) the parents' right to apply for a waiver (see ELE 4), or to decline to enroll their child in the program (see ELE 8).
	2. The district shall send report cards and progress reports including, but not limited to, progress in becoming proficient in using English language and other school communications to the parents or legal guardians of students in the English learners programs in the same manner and the frequency as report cards and progress reports to the other students enrolled in the district The reports are, to the maximum extent practicable, written in a language understandable to the parent/guardian.
	
	Authority: NCLB, Title III, Part C, Sec. 3302(a), (c); G.L. c. 71A, § 7; 603 CMR 14.02
		A copy of the parent notification form used by the district
		
		Student record review
		
		Parent survey
		
		Interviews
		
		Sample progress reports and report cards
			Principal
			
			Program Director
			
			Parents

CRITERION NUMBER	IV. CURRICULUM AND INSTRUCTION	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
	Implementation Guidance: • Under federal and state law, the written notice required in part 1 must be translated only if the language spoken by the parent/guardian in question is one of the major languages spoken by EL families in the district. If the major language is an oral language, districts must provide oral interpretation. • For families who speak low-incidence languages the district should have at least a system of oral interpretation; information should be sent with the notice as to where to call for oral interpretation. See CR 7 in the CPR School District Information Package on Civil Rights and Other General Education Requirements, at *http://www.doe.mass.edu/pqa/review/cpr/instrument/civilrights.pdf* . • For more information about parental notification requirements, please see *Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners* located at *http://www.doe.mass.edu/ell/guidance_laws.html* • For sample parent notification in different language(s) visit *http://www.doe.mass.edu/ell/resources.html* • ESL is its own subject matter and is a required component of any ELE program serving ELs (SEI, TBE, TWDL, etc.). Parents or legal guardians of ELs must be informed of the progress ELs make in becoming proficient in using the English language. In addition to reporting ACCESS results to parents, districts should include ESL in the district's progress throughout the school year in the same manner and frequency as report cards and progress reports to other students in the district.		

CRITERION NUMBER	V. STUDENT SUPPORT SERVICES	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 11 **Equal Access to Academic Programs and Services**	1. The district does not segregate ELs from their English-speaking peers, except where programmatically necessary, to implement an ELE program. 2. The district ensures that ELs participate fully with their English-speaking peers and are provided support in non-core academic courses. 3. The district ensures that ELs have the opportunity to receive support services, such as guidance and counseling, in a language that the student understands. 4. The district ensures that ELs are taught to the same academic standards and curriculum as all students, and provides the same opportunities to master such standards as other students, including the opportunity to enter academically advanced classes, receive credit for work done, and have access to the full range of programs. 5. The district uses grade appropriate content objectives for ELs that are based on the district curricula in English language arts, history and social science, mathematics, and science and technology/engineering, taught by qualified staff members. 6. Reserved. 7. The district provides access to the full range of academic opportunities and supports afforded non-ELs, such as special education services, Section 504 Accommodation Plans, Title I services, career and technical education, and the supports outlined in the district's curriculum accommodation plan. 8. Information in notices such as activities, responsibilities, and academic standards provided to all students is provided to ELs in a language and mode of communication that they understand. **Authority: Title VI; EEOA; G.L. c. 71, § 38Q1/2; 603 CMR 28.03(3)(a); c. 71A, § 7; c. 76, § 5; 603 CMR 26.03; 603 CMR 26.07(8); 34 CFR 300.304(c) (2)**	Interviews List of all academic programs and services Student Records Parent survey Evidence of provision of information to ELs a language and mode of communication that they understand	Principal Program Director Parents Guidance Counselors

	V. STUDENT SUPPORT SERVICES	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
	Implementation Guidance: • All ELs should be placed together with native English-speaking students in specials and/or electives, such as art, music, and physical education. • When considering ELs for special education, districts must ensure that staff who are knowledgeable about second language acquisition are involved in the eligibility and IEP development process. The lack of English language proficiency alone is not a basis for finding a student either eligible or ineligible for special education. • Districts must ensure that ELs who may have a disability are identified and evaluated for special education and disability-related services in a timely manner. • To avoid inappropriately identifying ELs as students with disabilities because of their limited English proficiency, ELs must be evaluated to the extent practicable in an appropriate language based on the student's needs and language skills. • Districts must provide ELs with disabilities with both the language instruction and disability-related services to which they are entitled under federal and state law. • Students have a right to receive, in a language that they understand, any guidance and counseling supplied by the district, including, e.g., academic, psychological, college, and career counseling as supplied by the school psychologist, school adjustment counselor/social worker, guidance counselor, or career counselor. For more information about placement of ELs, please see *Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners* located at *http://www.doe.mass.edu/ell/Guidance.pdf* .		

CRITERION NUMBER	V. STUDENT SUPPORT SERVICES	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 12 **Equal Access to Nonacademic and Extracurricular Programs**	1. The district provides appropriate support, where necessary, to ELs to ensure that they have equal access to the nonacademic programs and extracurricular activities available to their English-speaking peers. 2. Information provided to students about extracurricular activities and school events is provided to ELs and to their parents/guardians in a language they understand. **Authority: Title VI; EEOA; G.L. c. 76, § 5; 603 CMR 26.06(2)**	List of all nonacademic programs, services and school sponsored extracurricular activities (including membership of ELs in each) Parent survey Evidence of provision of information about extracurricular activities and school events to ELs and to their parents/guardians in a language they understand	Principal Program Director Parents

CRITERION NUMBER	V. STUDENT SUPPORT SERVICES	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**

ELE 13
 	
Follow-up Support
	1. The district actively monitors students who have exited an ELE education program for four years and provides language support to those students, if needed.
	2. The district provides language support, if needed, to remedy any academic deficits the student incurred as a result of participation in the ELE program.
	
	Authority: Title VI; EEOA; NCLB; Title III
	
	Implementation Guidance:
	
	• Districts can design a monitoring process that is based on their specific language program and other local characteristics. Such monitoring processes may include:
	   ▪ Regular, structured meetings between an ESL teacher and the student's sheltered content instruction teachers and/or the school-based language assessment team to discuss the student's academic progress and progress in developing English language proficiency;
	   ▪ Regular observations of student participation and performance; and
	   ▪ Conversations with parents about student's academic performance and English language development.
	• If a former EL fails to make academic progress after his or her EL classification has been removed, as measured by his or her grades and content area assessments, and if a school-based team familiar with the student determines that this failure is due to lack of English proficiency, the student must be re-classified as an EL, and the instructional programming for such a student redesigned consistent with the Department guidelines.
	• Districts must be responsive to former ELs who struggle academically not due to language, but for reasons related to time spent in the ELD program and missed academic content.
		Description of follow-up policies and procedures
		
		Student schedules
		
		Student records
		
		Monitoring forms
		
		Interviews
			Program Director
			
			Principal
			
			ESL Teachers

CRITERION NUMBER	VI. FACULTY, STAFF AND ADMINISTRATION	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 14 **Licensure Requirements**	Licensure requirements for districts where ELs are enrolled: 1. Every district, including every Commonwealth charter school, has at least one teacher who has an English as a Second Language or Transitional Bilingual Education, or ELL license under G.L. c.71**,** § 38G and 603 CMR 7.04(3). (This requirement does not apply separately to Horace Mann charter schools.) 2. Except at Commonwealth charter schools, *every* teacher or other educational staff member who teaches ELLs holds an appropriate license or current waiver issued by the Massachusetts Department of Elementary and Secondary Education. 3. Core academic teachers*, of ELs, including charter schools and education collaboratives, must hold an SEI Teacher Endorsement as set forth in 603 CMR 7.00 and this section. A core academic teacher who does the have the Endorsement may be assigned an EL but the teacher must obtain the SEI Endorsement within a year of the assignment. as set forth at 603 CMR 7.15(9)(b)1. * Under Department regulations adopted in June 2012, starting on July 1, 2016, core academic teachers (including pre-school teachers) in public schools who are assigned to teach ELs must have an SEI Endorsement or must earn the Endorsement within one year of the assignment. 603 CMR §§7.15(9)(b)1 and 14.07(3); The following teachers are "core academic teachers" for purposes of providing SEI instruction: teachers of students with moderate disabilities; teachers of students with severe disabilities; subject-area teachers in English, reading or language arts; mathematics, science; civics and government, economics, history, and geography; and early childhood and elementary teachers who teach such content. Core academic teachers of ELs at Commonwealth charter schools are not required to hold an educator license but they are subject to the same SEI Endorsement requirements as core academic teachers of ELs in other public schools.	ESL Teacher Qualifications ELE Administrator Qualification ELAR database	Program Director

CRITERION NUMBER	VI. FACULTY, STAFF AND ADMINISTRATION	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
	4. Any school district that assigns an EL to a core academic teacher who has a year to obtain an SEI endorsement, must take all reasonable steps to ensure that such EL is assigned to core academic teachers with an SEI endorsement in subsequent school years. 5. Starting on July 1, 2016, no principal, assistant principal, or supervisor/director shall supervise or evaluate a core academic teacher who provides sheltered English instruction to an English learner unless such principal, assistant principal, or supervisor/director holds an SEI Teacher Endorsement or SEI Administrator Endorsement, or will earn either endorsement within one year of the commencement of such supervision or evaluation. 6. Except at Commonwealth charter schools, any director of ELE program(s) who is employed in that role for one-half time or more has a Supervisor/Director license and an English as a Second Language (ESL), Transitional Bilingual Education (TBE) or an ELL license. 7. If a district with 200 or more ELs—including all charter schools with 200 or more ELs—has a director of EL programs, that director has an English as a Second Language, Transitional Bilingual Education, or an EL license even if he or she is employed in that position for less than one-half time. (This requirement does not apply separately to Horace Mann charter schools.) **Authority: Title VI; EEOA; G.L. c. 71, § 38G, §89(qq); St. 2002, c. 218, §§ 24, 25, 30; 603 CMR 7.04(3), 7.09(3); 603 CMR 7.14 (1) and (2); 603 CMR 7.15(9)(b); 603 CMR 14.07.**		

CRITERION NUMBER	VI. FACULTY, STAFF AND ADMINISTRATION	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
	Implementation Guidance: • All ESL teachers employed by public schools, including Commonwealth and Horace Mann charter schools, must hold an appropriate license or a current waiver issued by the Massachusetts Department of Elementary and Secondary Education. • The following educator licenses, **supplemented by the SEI Teacher Endorsement**, may be used to teach in sheltered English immersion classrooms. Please note that other than the one teacher required by St. 2002, c. 218, s. 24 to have an ESL or TBE license, (see previous bullet), teachers at Commonwealth charter schools are not required to hold the following licenses. See G.L. c. 71, §89(qq), which provides, "No teacher shall be hired by a commonwealth charter school who is not certified pursuant to section 38G unless the teacher has successfully passed the state teacher test as required in said section 38G." However, as noted earlier, core academic teachers in Commonwealth charter schools **are** subject to the SEI Endorsement requirements: Early Childhood and Elementary Levels: a) ESL, EL license or approved waiver at the preK-8 or preK-9 level for ESL instruction (instruction focused primarily on learning English rather than subject matter content). For instruction in a particular content area, a teacher licensed in that subject area should be used in conjunction with the ESL teacher, or the ESL teacher may take the appropriate MTEL test(s) and attain the needed educator license for the content area to be taught; or b) TBE license or approved waiver in any language and in Early Childhood or Elementary license, as appropriate for grade served, and documentation maintained at the local level of timely participation in SEI cohort training to earn the SEI Teacher endorsement; or c) Early Childhood or Elementary license or an approved waiver, as appropriate for the grade served, and documentation of timely participation in SEI cohort training to earn the SEI Teacher endorsement.		

CRITERION NUMBER	VI. FACULTY, STAFF AND ADMINISTRATION	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
	Middle and Secondary Levels: a) ESL, ELL license or approved waiver at the preK-8, preK-9, or 5-12 level, for ESL instruction (instruction focused primarily on learning English rather than subject matter content). For instruction in a particular content area, a teacher licensed in that subject area should provide instruction in conjunction with the ESL teacher, or the ESL teacher may take the appropriate MTEL test(s) and attain the needed educator license for the content area to be taught; or b) TBE license or approved waiver in any language and subject matter license, and documentation maintained at the local level of timely participation in SEI cohort training to earn the SEI Teacher endorsement. The language of the TBE license need not be the primary language of the students; or c) Subject matter license or approved waiver and documentation maintained at the local level of timely participation in SEI cohort training to earn the SEI Teacher endorsement.		

CRITERION NUMBER	VI. FACULTY, STAFF AND ADMINISTRATION	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**

ELE 15
 	
Professional Development Requirements
	1. Districts with ELs must, develop a professional development plan and provide training for teachers in second language acquisition techniques for the re-certification of teachers and administrators. In accordance with 603 CMR 44.06(1)(a), as of July 1, 2016, educators with professional licenses must earn at least 15 Professional Development Points related to SEI or English as a Second Language in order to be eligible to renew their licenses.
	
	2. Districts awarded Title III funds must provide high-quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, 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 such teachers to understand and use curricula, assessment measures, and instruction strategies for ELs;
	   (C) based on scientifically based research demonstrating the effectiveness of the professional development in increasing children's English proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; 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 teachers' performance in the classroom.
	
	Authority: NCLB; Title III § 3115 (c) 2; EEOA; 603 CMR 14.07; G.L. c. 71, §§ 38G and 38Q
			District Administrators
			
			SEI Teachers
			
			ESL Teachers

CRITERION NUMBER	VI. FACULTY, STAFF AND ADMINISTRATION	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
	Implementation Guidance: • While an educator can learn a great deal about Sheltered English Instruction (SEI) through an SEI Endorsement course, there are many opportunities to extend that learning and practice. Whether or not an educator has been required to obtain the SEI Endorsement, starting July 1, 2016, every public school educator in the Commonwealth must earn 15 PDPs related to SEI or ESL to renew his or her license. 603 CMR 44.06(1) • Districts may use Title III funds to pay for professional development related to the implementation of the WIDA ELD standards, but not ACCESS training. Title III funds cannot be used to pay for state-required SEI Endorsement courses.		

CRITERION NUMBER	VII. SCHOOL FACILITIES	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 16 **Equitable Facilities**	The district ensures that ELs are provided facilities, materials, and services comparable to those provided to the overall student population. **Authority: Title VI; EEOA; G.L. c. 76, § 5; 603 CMR 26.07**	Facility observation	Principal Program Director

CRITERION NUMBER	VIII. PROGRAM PLAN AND EVALUATION	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 17 **Program Evaluation**	The district conducts periodic evaluations of the effectiveness of its ELE program in developing students' English language skills and increasing their ability to participate meaningfully in the educational program. Where the district documents that the program is not effective, it takes steps to make appropriate program adjustments or changes that are responsive to the outcomes of the program evaluation. **Authority: Title VI; EEOA. Title III § 3121** **Implementation Guidance:** • Every district in Massachusetts is expected to conduct periodic evaluations at least every two years of its ELE program in developing student's English language skills and increasing their ability to participate meaningfully in the district's educational program. A sample program evaluation form is available at *http://www.doe.mass.edu/ell/ProgramEvaluation.pdf* . • Districts should note that student performance in English language development and academic achievement is expected to meet the Department's target numbers in effective ELE programs. Please, see *Guidance on Identification, Assessment, Placement, and Reclassification of English Language Learners* located at *http://www.doe.mass.edu/ell/Guidance.pdf* . Should the district's ELE program evaluation indicate that the program is not effective, districts are required to make the necessary changes to ensure that ELs have meaningful access to their educational program.	Description of implementation practices Program evaluation reports Description of program adjustments or changes made in response to program evaluation	Program Director

CRITERION NUMBER	IX. RECORDKEEPING	SOURCE OF INFORMATION	
	Legal Requirement	**EVIDENCE**	**INTERVIEW**
ELE 18 **Records of ELs**	ELL student records include: a) home language survey; b) results of identification and proficiency tests and evaluationsACCESS for ELLs report c) MCAS/ PARCC report d) information about students' previous school experiences if available; e) copies of parent notification letters; f) progress reports, in the native language, if necessary; g) report cards, in the native language, if necessary; h) evidence of follow-up monitoring, if applicable; i) documentation of a parent's consent to "opt-out" of ESL instruction, if applicable; j) waiver documentation, if applicable; k) individualized learning plan (optional). **Authority: Title VI; EEOA; G.L. c. 69, § 1I; c. 71A, §§ 5, 7; 603 CMR 14.02, 14.04**	Student records	Principal Program Director

COORDINATED PROGRAM REVIEW PROCEDURES

School District

Information Package

English Learner Education (ELE) in Public Schools
G.L. c. 71A

2016-2017

APPENDIX :(INCLUDING PARTS I, II AND III): DOCUMENTATION REQUIREMENTS

School District ELL Documentation

To conduct the review, the onsite team relies heavily on the school district's documentation regarding its ELE programs and services. **The documentation that the district must submit is described in this Appendix. Part I contains forms that ESE will be using during the review process; Part II and Part III contain forms to be filled out and submitted by the charter school or the district.** All of this required documentation, including the forms and other documentation listed below, **must be provided at least 8 weeks before the onsite visit**. Please note that it is not unusual for Department staff to request follow-up information in order to clarify the submitted documentation. In many cases, this follow-up information is the missing piece that is necessary in order for the Department to rate a particular criterion as Implemented.

GENERAL DOCUMENTATION REQUIREMENTS

1. District Form 3: EL Student Roster
2. District Form 1: ELE Program Service Data Sheet

REQUIRED DOCUMENTS BY ELE CRITERIA

ELE 1: Annual Assessment	1. Names and qualifications of personnel administering assessments 2. Qualifications of persons implementing assessment activities and evidence of the required training to administer the annual English Language Proficiency assessment
ELE 2: State Accountability Assessment	Descriptions of accommodations for academic subject matter testing in English
ELE 3: Initial Identification	1. Home Language Survey (in all languages available) 2. Names and qualifications of personnel implementing identification procedures 3. Testing data: A roster of potential ELs with the screening test results and placement determinations 4. District identification procedures 5. Evidence of the required training to administer the screening test
ELE 4: Waiver Procedures & ELE 10: Parental Notification	1. A copy, in all required languages, of the sample notice sent to parents regarding identification of their child as EL, outlining the programs available, describing the district's waiver process, and providing information regarding the child's educational placement and progress 2. A description of the district's waiver process and guidelines, as well as a copy of the district's waiver form (s) 3. Copies of all approved and unapproved waiver requests with appropriate signatures (from state requirements), if applicable 4. A description of programs implemented in response to waivers, if applicable 5. A roster of waived students, if applicable
ELE 5: Program Placement and Structure & ELE 9: Instructional Grouping	1. District Form 3: EL Student Roster (also listed under "general documentation") 2. Names and licensure information of the teachers and/or administrators responsible of the program placement 3. District Form 1: ELE Program Service Data Sheet (also listed under "general documentation") 4. OELAAA Form 1: District ESL curriculum and/or curriculum development plan

ELE 5: Program Placement and Structure & ELE 9: Instructional Grouping (cont.)	5. OELAAA Form 2: Integration of Castañeda's Three-Pronged Test 6. ESL teacher schedules 7. Schedules for students whose records will be reviewed by the Department 8. Documentation (e.g., lesson plans, ESL curriculum) showing explicit, direct ESL instruction that integrates the WIDA standards
ELE 6: Program Exit and Readiness	1. OELAAA Form 3: Description of the district's re-designation/reclassification process, including exit criteria
ELE 7: Parent Involvement	A description and documentation of the means by which the district involves parents and guardians in matters regarding their children's education with a list of parents of ELs who have been involved within the district (school council membership, parent advisory council membership, etc.)
ELE 8: Declining Entry to a Program	1. A list of students designated as EL whose parents have chosen to opt out of ELE programs 2. The district's opt out policy and sample request form or other means for documenting the parents' wish to "opt out" of an ELE program 3. A description of the means by which the district provides for the education of students whose parents have "opted out" of an ELE program 4. Any forms used to monitor the progress of students whose parents have opted out of an ELE program
ELE 10: Parental Notification	1. A copy of parent notification form sent home upon identification of the student as EL 2. A copy of the parent notification form sent home annually informing the parents of the student's status in the ELE program
ELE 11: Equal Access to Academic Programs and Services & ELE 12: Equal Access to Non-Academic and Extracurricular Programs	1. A list of all academic programs and services 2. A list of all non-academic programs and services 3. Evidence that the district provides ELs information in notices about such topics as activities, responsibilities, and academic standards that is provided to all students in a language and mode of communication that they understand 4. Evidence that the district provides information about extracurricular activities and school events to ELs in a language they understand and a list of sample extracurricular activities in which ELs currently participate 5. A description of the means by which the district ensures that ELs participate fully with their English-speaking peers, and the nature and scope of the support provided 6. A description of the means by which ELs are considered for Title I, Special Education, and other academic services 7. EL student schedules, including class credit values (included in selected student records), and names of instructors
ELE 13: Follow-up Support	1. A list of students who have been re-designated/reclassified as former ELs and are currently being monitored 2. A description of the district's monitoring process and any monitoring forms developed to implement this process 3. Evidence of monitoring and support offered to former ELs who have exited ELE programs
ELE 14: Licensure Requirements	1. District Form 2: ELE Personnel Data Sheet 2. OELAAA FORM 4: ELE Program Director Qualification Form 3. OELAAA Form 5 : SEI Endorsement

ELE 17: Program Evaluation	1. A description of the district's most recent program evaluation and proposed improvements based on that evaluation. A sample form is available at *http://www.doe.mass.edu/ell/ProgramEvaluation.pdf* . 2. A description of program adjustments or changes made in response to the most recent program evaluation

COORDINATED PROGRAM REVIEW 2016-2017

PART I: ESE FORMS

ESE Form 1: LIST OF INTERVIEWEES FOR SE, CR, AND ELE

Key administrators, other appropriate staff, and parents will be interviewed pursuant to English Learner Education (ELE). The district or charter school—or the Department--may add to this list others who would be helpful in describing efforts undertaken to implement ELE requirements. The program administrator should consult with the local Program Review coordinator to prepare the interview roster for ELE. See the *Interviews* section of this Information Package for selection criteria.

TITLE	NAMES
Superintendent/Charter School Leader	
Principal(s) (or Asst. Principal(s)) (The Principal from each school in which classroom observations will be conducted)	
Regular Education Teacher(s) *See* **Interviews** *in Special Education, ELE and CVTE Information Packages for selection criteria*	
Teacher Aide(s)/Paraprofessional(s)/ Classroom Assistant(s)/Staff responsible of the intake process *See* **Interviews** *in Special Education and ELE Information Packages for selection criteria*	
Special Education Administrator	
Special Education Team Chairperson(s) (One Chairperson per level: Preschool, Elementary, Middle/Junior High, Senior High)	
Guidance Department Head/Staff	
Special Education Teacher(s) or Related Service Provider(s) *See* **Interviews** *in Special Education Information Package for selection criteria*	
Special Education PAC Member(s) (Chairperson and others selected by the PAC)	
Early Childhood Program Coordinator	
CR Coordinator	
ELE Director	
ELE Teacher(s) *See* **Interviews** *in ELE Information Package for selection criteria*	
ELE Parent(s)	

SCHOOL DISTRICT/CHARTER SCHOOL: _____

DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION TEAM MEMBER:_____

Date: _____ Day: _____

Time	Interviewee (or note "Observation")	Role (or type of facility)	Building Name	Room Location	Comments (including Student Follow-up)

ESE FORM 3: FACILITIES/CLASSROOM OBSERVATION FORM

School District: _____ Level: PS ☐ EL ☐ MID ☐ HS ☐ MULTI ☐

School: _____ Date: _____ Time of Observation: _____

Room #: _____

TEACHER (S)	CLASSROOM USE		FOR ROOM WITH HEARING-IMPAIRED STUDENTS:

<table>
<tr><td>TEACHER (S)</td><td colspan="2">CLASSROOM USE</td><td></td><td colspan="3">FOR ROOM WITH HEARING-IMPAIRED STUDENTS:</td></tr>
<tr><td></td><td>☐ Resource Room ☐ Tutorial</td><td></td><td></td><td>a. Classroom Has:</td><td>YES</td><td>NO</td></tr>
<tr><td>FLOOR</td><td>☐ Other: _____</td><td></td><td></td><td>b. Ceiling treated for good acoustics</td><td>☐</td><td>☐</td></tr>
<tr><td></td><td>_____</td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>LOCATION</td><td>☐ ELL instructional space</td><td></td><td></td><td>c. Shades or drapes on windows</td><td>☐</td><td>☐</td></tr>
<tr><td></td><td>☐ BSMT ☐ 1 ☐ 2 ☐ 3 ☐ Other</td><td>TEACHER / STUDENT RATIO   OK</td><td></td><td>d. Adequate overhead lighting</td><td>☐</td><td>☐</td></tr>
<tr><td></td><td>☐ Among other classrooms</td><td># Students _____ ☐</td><td></td><td>e. Visually cued fire alarm</td><td>☐</td><td>☐</td></tr>
<tr><td></td><td>☐ End of corridor</td><td># Teachers _____ ☐</td><td></td><td rowspan="2">f. Good maintenance of audio feedback equip.</td><td rowspan="2">☐</td><td rowspan="2">☐</td></tr>
<tr><td></td><td>☐ Other:</td><td># Aides _____ ☐</td><td></td></tr>
</table>

PHYSICAL CONDITION		OK	PROBLEM (DESCRIBE)		FOR FACILITY WITH MOBILITY IMPAIRED STUDENTS:		
	Space	☐	_____		Accessible:	YES	NO
	Ventilation	☐	_____		a. Building Entrance	☐	☐
	Lighting	☐	_____		b. lavatories	☐	☐
	Acoustics	☐	_____		c. classrooms	☐	☐
	Attractiveness	☐	_____		d. corridors	☐	☐
	Maintenance	☐	_____		e. cafeteria	☐	☐
SUMMARY	Distractions:				f. auditorium	☐	☐
	Visuals	☐	_____		g. playground	☐	☐
	Auditory	☐	_____		h. gymnasium	☐	☐

CLASSROOM/FACILITY IS:	YES	NO	COMMENTS
a. At least equal to average standard for rest of system	☐	☐	_____
b. Adequate for type of instruction/activity	☐	☐	_____
c. Adequate for number of students	☐	☐	_____
d. Placed in an area to facilitate integration with regular education	☐	☐	_____
e. Identified with positive or neutral sounding name, if any	☐	☐	_____
f. Free of physical problems	☐	☐	_____

If no mobility-impaired student is presently enrolled and building is the only one at the level, e.g., one high school and it is not accessible, there is a plan as required by s.504 for modifications to make building accessible.

COMMENTS:

LUNCHROOM:
Students sit with regular education students   ☐ ☐ _____

ESE Form 4: PROGRAM EVALUATION RUBRIC

District Name and Number:	Reviewed by:	Date reviewed:		
Category	**Meets criteria/ Acceptable**	**Does not meet criteria/Not acceptable**	**Acceptable but needs attention**	
Establish a Team				
Gather and Organize Data				
Analyze the Data (strengths)				
Analyze the Data (challenges)				
Set the Target				
Action Plan				
Monitoring				

Comments:

Plan is acceptable as written	
Plan is not acceptable as written	
Plan is acceptable but needs attention in the areas indicated above	

Step 1: Establish a Team	
Criteria	**Meets criteria?**
The district has identified a sufficient number of planning team members who are well informed about the issues involving English Learners (ELs), representing various roles and bringing to the table broad knowledge and influence. **Comments:**	□ Yes □ No □ Need more

Step 2: Gather and Organize Data	
Criteria	**Meets criteria?**
District has identified and described sufficient qualitative and quantitative data regarding services to ELs and area of impact on their performance in school to inform the team of strengths and challenges facing the district in ensuring program success. **Comments:**	□ Yes □ No □ Need more

Step 3: Analyze the Data (strengths)	
Criteria	**Meets criteria?**
District has sufficiently analyzed qualitative and quantitative data and determined how and why strengths in serving ELs and program effectiveness exist. **Comments:**	□ Yes □ No □ Need more

Step 3: Analyze the Data (challenges)	
Criteria	**Meets criteria?**
District has sufficiently analyzed qualitative and quantitative data and determined how and why challenges in serving ELs and program effectiveness exist. **Comments:**	□ Yes □ No □ Need more

Step 4: Set the Target	
Criteria	**Meets criteria?**
District has identified and described the goals it has set for improvement. Targets are set in order to meet these goals in accordance with the data gathered and analyzed in previous steps. **Comments:**	□ Yes □ No □ Need more

Step 5: Action Plan	
Criteria	**Meets criteria?**
District has sufficiently described the action steps it will take including focus areas, action steps, indicators of success, persons responsible, and timeline to ensure it is meeting the goals and targets set. **Comments:**	□ Yes □ No □ Need more

Step 6: Monitoring	
Criteria	**Meets criteria?**
District has identified action steps to be monitored, dates of monitoring the steps, effectiveness of the action steps, challenges, and modifications needed to ensure success of the program. **Comments:**	□ Yes □ No □ Need more

ESE Form 5: RUBRIC FOR CASTAÑEDA'S THREE-PRONGED TEST

The program and the practices in the district promote a rapid acquisition of English language as described in G.L. c. 71A. The checklist below will be used both by the district and the Department to determine the effectiveness of the district's ELE program and the compliance with the ELE criteria below:

- ELE 5: PROGRAM PLACEMENT AND STRUCTURE
- ELE 9: INSTRUCTIONAL GROUPING
- ELE 14: LICENSURE REQUIREMENTS
- ELE 15: PROFESSIONAL DEVELOPMENT
- ELE 16: EQUITABLE FACILITIES
- ELE 17: PROGRAM EVALUATION

I.   The educational theory underlying the language assistance program is recognized as sound by some experts in the field or is considered a legitimate experimental strategy.

CRITERIA	Yes/No
The district has an educationally sound program that addresses the needs of the ELs in the district. (Please, see "Elements of an Educationally Sound ELE Program"	

II.   The program and practices used by the district are reasonably calculated to implement effectively the educational theory adopted by the district.

CRITERIA	Yes/No
The district identified the number and categories of the instructional staff to ensure that the ELE program is appropriately implemented in the district.	
All staff providing ESL and/or content instruction to ELs is licensed in the subject area they are teaching.	
The district has an *ESL curriculum* that is aligned to WIDA ELD Standards and 2011 Massachusetts Curriculum Framework. The rubric will be available in SY 2015-16	
The district has *content curricula* that are aligned to WIDA ELD Standards and 2011 Massachusetts Curriculum Framework.	
ELs are provided facilities, materials and services equitable to overall student population.	

III. The program succeeds when producing results indicating that students' language barriers are actually being overcome within a reasonable period of time.

CRITERIA	Yes/No
The district conducts periodic evaluations of the effectiveness of its ELE program in developing students' English language skills and increasing their ability to participate meaningfully in the educational program. Please see http://www.doe.mass.edu/ell/ProgramEvaluation.pdf	
The student progress in English language development is consistent with the Department's goals. Please see the "Guidance on Identification, Assessment, Placement, and Reclassification of English Language" document at http://www.doe.mass.edu/ell/guidance_laws.html	
The student progress in academics is consistent with the Department's goals. Please see the "Guidance on Identification, Assessment, Placement, and Reclassification of English Language" document at http://www.doe.mass.edu/ell/guidance_laws.html	
The district has identified its strengths and challenges in ensuring ELs acquire English language proficiency and achieve academic success as a part of its program evaluation.	
The district has a plan to address the specific concerns identified while promoting the overall success of the program.	

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PART II: DISTRICT FORMS

District Form 1: ELE PROGRAM SERVICE DATA SHEET

SCHOOL DISTRICT/CHARTER SCHOOL:

Please provide the following information for each ELE program in your district, including: program location by building name, the name of the principal for that building, the number of the ESL instructional groups (classes) in that building, the grade level(s) for each group, the current number of students enrolled in each group, the instructional staff providing ESL instruction by name and the position each staff person holds ('ESL' for English as a Second Language teacher, 'TBE' for Transitional Bilingual Education teacher, 'TWI' for Two-Way Immersion teacher, 'GEN' for general education teacher, and 'A' for aide.) Use a separate copy of this form for each program model.

PROGRAM MODEL: ☐ **SEI**   ☐ **TWO-WAY IMMERSION**   ☐ **TBE**

PROGRAM LOCATION (name of school)	PRINCIPAL (by name)	#/ESL INSTRUCTIONAL GROUPS	GRADE LEVELS	CLASS SIZE	INSTRUCTIONAL STAFF (name)	STAFF POSITION (ESL, TBE, TWI, GEN, A)

District Form 2: ENGLISH LEARNER EDUCATION PERSONNEL DATA SHEET

SCHOOL DISTRICT/CHARTER SCHOOL:

Please provide the following information for all district personnel providing only direct ESL and bilingual instruction in your district. List the program administrator, **ESL teachers, TBE teachers and TWI teachers**.

STAFF NAME (last, first)	SCHOOL NAME	ASSIGNMENT (ESL, TBE OR TWI)	AREA OF CERTIFICATION LICENSURE OR WAIVER	LICENSE NUMBER FOR AREA OF CERTIFICATION OR DATE OF WAIVER

District Form 3: EL STUDENT ROSTER

SCHOOL DISTRICT/CHARTER SCHOOL

Please provide the following information for all the ELs in your district.

Student First Name	Student Last Name	Native Language	Grade	WIDA Proficiency Level (1-5)	Direct ESL Instruction periods and min/day	Program Model	Disabilities	
							IEP	504

COORDINATED PROGRAM REVIEW
2016-2017

PART III: OELAAA FORMS

INTRODUCTION TO PART III

This part of the Appendix contains forms that are intended to gather information about ELE programs in Massachusetts public schools—specifically, about the following ELE criteria:

ELE 5 & 9   Program Placement and Structure/Instructional Grouping
ELE 6   Program Exit and Readiness
ELE 14   Licensure Requirements

This information package is also available online at http://www.doe.mass.edu/pqa/review/.The forms may be copied there, filled out electronically, and emailed to the onsite chairperson. To ensure that your submission is complete, please refer to the Documentation Requirements.

INSTRUCTIONS FOR COMPLETING THE OELAAA FORMS

ELE 5 & 9 Program Placement and Structure/Instructional Grouping

When determining whether a school district's ELE program complies with federal and state laws and regulations, the Department will integrate the standards established by the United States Court of Appeals for the Fifth Circuit in Castañeda v. Pickard into its English Learner Education Review process. Castañeda's three-pronged test provides an analytical framework to analyze a district's program for ELLs. It is important for the districts to provide detailed information regarding their ELE programs by completing **OELAAA Form 2: Integration of Castañeda's Three-Pronged Test into ELE Program Review Process**

All districts should submit a copy of their **OELAAA Form 1: ESL CURRICULUM** with their **ESL curriculum** and also **teacher schedules.**

ELE 6   Program Exit and Readiness
Please submit your district's **written policy** for reclassifying* ELs (**OELAAA Form 3: PROGRAM EXIT AND READINESS)**

Reclassifying means students are no longer coded as EL in the October SIMS data collection. These documents should include the following:

1.   description of the district's reclassification procedures
2.   program exit criteria
3.   other forms developed by the district for purposes of monitoring reclassified ELLs

ELE 14   Licensure and SEI Endorsement Requirements
Regardless of the ELE program model, all districts should fill out **OELAAA Form 4: ELE PROGRAM DIRECTOR QUALIFICATIONS** . Districts also provide information regarding the SEI Endorsement status of the teachers assigned to ELs by completing **OELAAA FORM 5: SEI ENDORSEMENT.**

ELE 5 & 9: Program Placement and Structure/Instructional Grouping   **District: _____**

OELAAA Form 1: ESL CURRICULUM

Regardless of the program model used to provide instruction for ELs, districts are required to provide ESL instruction that is based on the *WIDA English Language Development (ELD) Standards*.

Does your district have an ESL curriculum?

☐   Yes. Please submit a copy of your district's ESL curriculum or plan to have it aligned to the Massachusetts Curriculum Frameworks and the WIDA ELD Standards.

☐   No

ELE 5 & 9: Program Placement and Structure/Instructional Grouping   **District: _____**

OELAAA Form 2 : INTEGRATION OF CASTAÑEDA'S THREE-PRONGED TEST INTO ELE PROGRAM REVIEW PROCESS

Introduction

The Commonwealth of Massachusetts recognizes the following ELE programs as sound: Sheltered English Immersion (SEI), Two-Way Immersion (TWI) and Transitional Bilingual Education (TBE) programs. A program waiver is required to attend a program other than the state mandated Sheltered English Immersion or Two-Way Immersion Programs.

The type of educational program and approaches that the district should implement for ELs depend greatly on the EL population enrolled in that district. Therefore, a comprehensive analysis of the EL population within the district must be completed in order to determine the type of program that the district will design and utilize. Once the EL population and their needs are well understood, the district should determine/define the type of program(s) that it employs for its ELs.

ELE programming requires consideration of various district-specific data. Please ensure that the focus areas listed in this document for SEI, TWI and TBE are captured along with evaluation of such data/information gathered from:

- District/Community Needs Assessment
- Demographic study & other comprehensive data collection: community and district.

  ➢ What is the breakdown of languages spoken by ELs in the district?
  ➢ What is the breakdown of the ELs' English proficiency levels by grade or grade cluster?
  ➢ What is the breakdown of ELs by grade or grade cluster? Are ELs concentrated at certain grades/grade clusters?
  ➢ What are the trends in EL enrollment (number, language, grade, etc)?
  ➢ How many SLIFE are enrolled in the district? Are they concentrated at particular grades/grade clusters?
  ➢ How many ELs with disabilities are enrolled in the district? Are they concentrated at particular grades/grade clusters?
- Program Vision
- Educational theory / theory of action

- Objectives and Desired Outcomes
- SMART plan to achieve objectives and outcomes
- Plan to meet goals embodied in the instructional vision: curricular planning and plan for delivery of instruction

Castañeda's Three Pronged Test

Please respond to the following prompts. Your answers should reflect **current** practice in the district.

I. **The educational theory underlying the language assistance program is recognized as sound by some experts in the field or is considered a legitimate experimental strategy.**

1. Describe **in detail** the district's ELE program and how it is implemented in the district considering the EL population being served. To determine whether the district's program is educationally sound, refer to the "*Focus Areas of Educationally Sound ELE Program*" section listed immediately following the Castañeda's Three Pronged Test prompts. If the educational program chosen by the district is not one of the programs recognized by the Commonwealth as a sound educational program (SEI, TWI, TBE), submit evidence, including research, of how the district's ELE program is accepted as a legitimate approach by experts in the field to ensure that ELs acquire English language proficiency and are provided meaningful access to the educational program and the district's process in obtaining a waiver for such a program if it is not SEI or TWI.

2. Please respond to prompts a-d in order to demonstrate how the district provides ESL instruction, with its own dedicated time and curriculum since it is a required component of **any** program serving ELs (SEI, TBE, TWI, etc.):

   a) Please describe the methodology and the setting (pull-out, push-in, co-teaching etc.) the district will use to provide students with ESL instruction.
   b) Please explain how this methodology and the setting will promote the rapid acquisition of English language as described in G.L. c. 71A.

c) Please submit evidence of systematic English language development occurring during the time dedicated to ESL such as unit plans oran ESL curriculum that is being used for the ESL instruction and/or lesson plans that ESL teachers use for ESL instruction.

d) Please include the targeted amount of dedicated ESL instruction (in minutes per week) the district will provide to ELs based on the students' WIDA proficiency levels.

Elementary	Level 1	Level 2	Level 3	Level 4	Level 5
Targeted ESL Instruction					

Middle School	Level 1	Level 2	Level 3	Level 4	Level 5
Targeted ESL Instruction					

High School	Level 1	Level 2	Level 3	Level 4	Level 5
Targeted ESL Instruction					

3. Explain how the district will ensure that ELs can meaningfully participate in the academic and special programs (*e.g.*, history, science, social studies, music, vocational education, etc.) offered by the district. (For example, are all of the district's core academic

teachers who are teaching ELs SEI endorsed or are there any non-licensed teachers or paraprofessionals employed in the district assigned to work with ELs or provide ESL instruction?)

4. Explain how the district develops ways to include parents of ELs in matters pertaining to their children's education and ELE programs.

II. The program and practices used by the district are reasonably calculated to implement effectively the educational theory adopted by the district.

5. Describe the settings/locations where ESL instruction will be delivered for different ELE programs and instructional methods that the district described in 1-3 and discuss if these locations are comparable to the classrooms of non-ELs in the school/district.

6. Explain how the district identified the appropriate number and categories of the instructional staff who will conduct the district's ELE program (e.g., qualified ESL and SEI teachers, interpreters, translators, community liaisons, teaching assistants, and other categories of support staff). Please, include the appropriate student-teacher and student-support staff ratio to provide services consistent with program objectives.

7. Core academic teachers who are assigned to provide sheltered English instruction to an English learner shall either hold an SEI Teacher Endorsement, or is required to earn such endorsement within one year from the date of the assignment. Administrators who shall supervise or evaluate core academic teachers who provide sheltered English instruction shall hold an SEI Teacher Endorsement or SEI Administrator Endorsement, or will earn either endorsement within one year of the commencement of such supervision or evaluation. Please, provide information about the qualifications of the instructional and administrative staff assigned to implement the ELE program. For example, teachers must have educational expertise consistent with state and local standards to meet the goals of the EL program model. If they are responsible for subject matter instruction as well as English language development, they need to be licensed in both areas of responsibility.

8. Provide information about the materials provided to ELs by both the content teachers and the ESL teachers in the district and discuss how they are comparable to the ones available to non-ELs.

9. Submit evidence that the ESL and content curricula used in the district integrate WIDA English Language Development (ELD) Standards and the 2011 Massachusetts Curriculum Frameworks.

10. Explain how the district utilizes WIDA's *Essential Actions for Academic Language Success* in implementing English language development standards. Please see https://www.wida.us/get.aspx?id=712 .

11. Explain how the district ensures that all ELs have access to support services such as guidance and counseling and to academic opportunities such as Gifted and Talented, Advanced Placement, Special Education programs, etc.

III. The program succeeds when producing results indicating that students' language barriers are actually being overcome within a reasonable period of time.

12. Submit the district's ELE program evaluation document(s). See the provided "Program Evaluation" form at http://www.doe.mass.edu/ell/ProgramEvaluation.pdf .

13. Explain the success of the district's ELE program(s) in meeting the target numbers below:

- Growth Target
- Proficiency Attainment Target
- Academic Achievement Target

14. Submit an analysis of the information collected by the district to determine how and why strengths and challenges exist in helping ELs acquire English language proficiency and achieve academic success (not necessary if submitted with the program evaluation).

15. Provide the district's plan that explains what procedural and program modifications will be undertaken to address the specific concerns identified in the program evaluation.

FOCUS AREAS OF EDUCATIONALLY SOUND ELE PROGRAMS
(SEI, TWI, TBE)

SEI

1. The language of instruction is English.
2. The program offers ELs grade-level content taught by SEI-endorsed core academic teachers using SEI knowledge and strategies to support access to the academic content and promote the development of academic English in all domains. Please see SEI Smart Card.
3. The program targets:

   - providing developmentally appropriate English language instruction tailored for students' level of English proficiency;
   - providing effective content instruction while developing English language proficiency;
   - developing and maintaining a positive attitude toward the native culture and that of the majority group.

4. ESL instruction is based on a language-driven ESL curriculum that is aligned to the WIDA and Massachusetts Frameworks.
5. The focus of instruction in the ESL class is at the same level of rigor as the general education program.
6. The use of sound, research-based techniques is central to the instructional program.
7. There is a system in place to accomplish ongoing language proficiency progress monitoring.
8. Building administration maintains a supportive school-wide climate and supervise teachers and students to ensure quality implementation and improvement.
9. The program provides a rich language environment where all students have the opportunity to learn academic English through scaffolded instruction.
10. The program has qualified personnel and resources.
11. Staff development for teachers and administrators includes ways of addressing and altering power relationships in the school: socio-political issues of diversity, difference, ethnicity, equity, bias, power struggles, and/or views about students of cultural and linguistic diversity.

12. ESL teachers are part of learning communities at the school that can be used to enhance agency and capacity for maintaining/improving the program.
13. The program is designed and implemented in such a way as to ensure that students can be placed appropriately, based on language proficiency, in order to effectively attain English proficiency in a timely manner.
14. ESL and content teachers are given adequate and structured time to collaborate.

TWO-WAY IMMERSION

1. The program targets:
    - developing high levels of proficiency in the student's first language;
    - developing high levels of proficiency in a second language;
    - developing academic performance for both groups of students that will be at or above grade level; and
    - demonstrating positive cross-cultural attitudes and behaviors.
2. The program includes fairly equal numbers of two groups of students: language majority students and language minority students. So in addition to ELs, TWI programs also enroll a variety of non-EL groups, including:
    - those who speak the partner language at home;
    - those who speak the partner language but also speak English proficiently;
    - those who are exposed to a heritage language through their families or communities; and
    - monolingual English speakers who speak different varieties of English;
    - third-language learners are also included in some programs.
3. The program distributes instruction in each language.
4. The program is integrated, meaning that the language majority students and language minority students are grouped together for academic instruction (i.e. not just physical education and music) for all or most of the day.
5. The program provides core academic instruction (i.e., content and literacy courses) to both groups of students in both languages.
6. Teachers use the minority language exclusively during instructional time in the minority language, and English exclusively during instructional time in English; this is considered bridging.
   The Bridge is the instructional moment when, after students have learned a concept well in the language of instruction, the teacher strategically and purposefully brings the two languages together to transfer content from one language to the other and to engage the

students in contrastive analysis of the two languages. After the Bridge, extension activities in the other language allow students to use and apply the new labels. The Bridge is an effective instructional strategy for teaching for biliteracy.

7. Students have the opportunity to be fully immersed in each language and have a strong reason to function in each language

8. Optimal language input (input that is comprehensible, interesting, and of sufficient quantity) as well as opportunities for output provided to students, include quality language arts instruction in both languages.

9. The program provides an additive bilingual environment where all students have the opportunity to learn a second language while continuing to develop their native language proficiency.

10. Classrooms include a balance of students from the target language and English backgrounds who participate in instructional activities together.

11. ESL instruction is a part of the district's TWI program for EL students.
   In addition to ESL, programs will also have language development for the target language. TWI programs may offer targeted ELD (English Language Development) or SLD (Spanish Language Development) during specific times of the day or week. These may occur in homogeneous or heterogeneous groupings and may occur in the classroom or in a separate setting with a designated teacher. In a 90/10 model, ELD must be explicitly developed through academic content.

12. ESL instruction is based on a language-driven ESL curriculum that is aligned to the WIDA and Massachusetts Frameworks.

13. There is a system in place to accomplish ongoing language proficiency progress monitoring in both languages.

14. Building administration maintains a supportive school-wide climate and supervises teachers and students to ensure quality implementation and improvement. Climate reflects equal value to both languages and promotes status of minority language.

15. The program provides a rich language environment where all students have the opportunity to learn academic language through scaffolded instruction.

16. The program has qualified/certified personnel and resources. Teachers in TWI programs must possess knowledge of the subject matter, curriculum, instructional strategies, methods of differentiation, and assessment. In addition, in TWI programs teachers require additional knowledge, skills, and competencies. These include an understanding of bilingual and second language acquisition theory, language teaching strategies, and culturally responsive practices.

17. Staff development for teachers and administrators includes ways of addressing and altering power relationships in the school: socio-political issues of diversity, difference, ethnicity, equity, bias, power struggles, and/or views about students of cultural and linguistic diversity.

TRANSITIONAL BILINGUAL EDUCATION (TBE)

1. The program targets to:
   - develop English skills without delaying or sacrificing content courses;
   - develop grade-appropriate levels of achievement in all subjects;
   - develop a positive attitude toward the native culture and that of the majority group; and
   - prepare students to enter mainstream English-only classrooms. Student characteristics that inform the pathway designation for students are prior schooling, background knowledge, and evidence of traumatic experiences.

   The closer the student's prior experiences and background knowledge align with the academic and cultural expectations of U.S. schools, the more likely it is that they can move through the program at a more rapid pace.
2. The program utilizes literacy in the native language as a foundation for English reading and writing. The native language is used initially for students to learn academic content. Content instruction begins in the home language, which is gradually phased out until students are able to successfully achieve in classrooms where the language of instruction is English. The amount of time used for content instruction in the home language and English in the TBE program varies according to the students' English language proficiency and grade levels. This shift in language of instruction continues for the student until the home language instruction is phased out.
3. The instruction in the minority language gradually decreases for the favor of the instruction in English until ELs are mainstreamed and/or exited. Content instruction begins in the home language, which is gradually phased out until students are able to successfully achieve in classrooms where the language of instruction is English. The amount of time used for content instruction in the home language and English in the TBE program varies according to the students' English language proficiency and grade levels. This shift in language of instruction continues for the student until the home language instruction is phased out.
4. The instructional program created through a comprehensive balanced curriculum: interdisciplinary language learning through all the content areas.
5. ESL instruction is a part of the district's TBE program.
6. ESL is based on a language-driven ESL curriculum that is aligned to the WIDA and Massachusetts Frameworks.
7. The use of sound, research-based techniques is central to the instructional program.
8. There is a system in place to accomplish ongoing language proficiency progress monitoring in both languages.

9. Building administration maintains a supportive school-wide climate and supervise teachers and students to ensure quality implementation and improvement. Students may enter the program at any and multiple grade levels. The student population may constantly change; therefore the program structure needs to be flexible. The program must monitor and respond to the varying language development needs for instructional planning and in particular, for planning for the integration with students in the general education classroom.
10. The program provides a rich language environment where all students have the opportunity to learn academic English through scaffolded instruction.
11. The program has qualified personnel and resources.
12. Staff development for teachers and administrators includes ways of addressing and altering power relationships in the school: socio-political issues of diversity, difference, ethnicity, equity, bias, power struggles, and/or views about students of cultural and linguistic diversity.

ELE 6: Program Exit and Readiness   **District:** _____

<u>OELAAA Form 3: PROGRAM EXIT AND READINESS</u>

Please submit your district's **<u>written policy</u>** for exiting ELs. These documents should include the description of the district exit procedures, exit criteria and other forms that the district has developed. Please, see the sample form at <u>http://www.doe.mass.edu/ell/resources.html</u>.

ELE 14: Licensure and SEI Endorsement Requirements   District: _____

<u>OELAAA Form 4: ELE PROGRAM DIRECTOR QUALIFICATIONS</u>

Please answer YES or NO to the following questions.

1. Does the district have more than 200 ELs?   _____

2. Does the district have a director of the ELE program?   _____
   If YES, please fill in the information below.
      ELE program director/ coordinator: _____
      E-mail address: _____
      Phone number: _____
   If NO, please fill in the information below for the person who holds administrative responsibility for the ELE program.

      Name: _____

      Job Title: _____

      E-mail address: _____

      Phone number: _____

If the district has an ELE program director,
3. Is the program director employed in that position for one-half time or more?   _____

4. Does the program director hold one of the following licenses? (Please check the appropriate box below and provide the license number.)
   ☐ ESL Lic. # _____
   ☐ Transitional Bilingual Education Lic. # _____
   ☐ Endorsement in Transitional Bilingual Learning

5. Does the program director hold a Supervisor/Director license? ____   Lic. # _____

ELE 14: Licensure and SEI Endorsement Requirements   District: _____

OELAAA Form 5: SEI ENDORSEMENT

(3) Starting on July 1, 2016, any core academic teacher[2](CAT) who is assigned to provide sheltered English instruction to an English learner shall either hold an SEI Teacher Endorsement, or is required to earn such endorsement within one year from the date of the assignment. Any school district that assigns an English learner to a core academic teacher who has a year to obtain an SEI endorsement, shall take all reasonable steps to ensure that such English learner is assigned to core academic teachers with an SEI endorsement in subsequent school years.

(4) Starting on July 1, 2016, no principal, assistant principal, or supervisor/director shall supervise or evaluate a core academic teacher who provides sheltered English instruction to an English learner unless such principal, assistant principal, or supervisor/director holds an SEI Teacher Endorsement or SEI Administrator Endorsement, or will earn either endorsement within one year of the commencement of such supervision or evaluation.

Please complete the tables below **by school** and provide a narrative description of how the district intends to make every reasonable effort to ensure that ELLs are assigned only to core academic teachers who hold the SEI Endorsement.

School Name:			
Grade Levels	**Number of ELLs**	**Number of CATs with ELs**	**Number of SEI endorsed CATs with ELs**
Pre-K			
K			
1			
2			
3			
4			
5			

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[2] For purposes of sheltered English immersion instruction, a core academic teacher (CAT) is defined as early childhood and elementary teachers, teachers of students with moderate disabilities, teachers of severe disabilities, and teachers of the following academic subjects: English, reading or language arts, mathematics, science, civics and government, economics, history, and geography.