



# ELE Compliance and Alternative Programming Proposals

MATSOL 2019



01

# ELE Compliance Tiered Focused Monitoring (TFM)

# Compliance Reviews

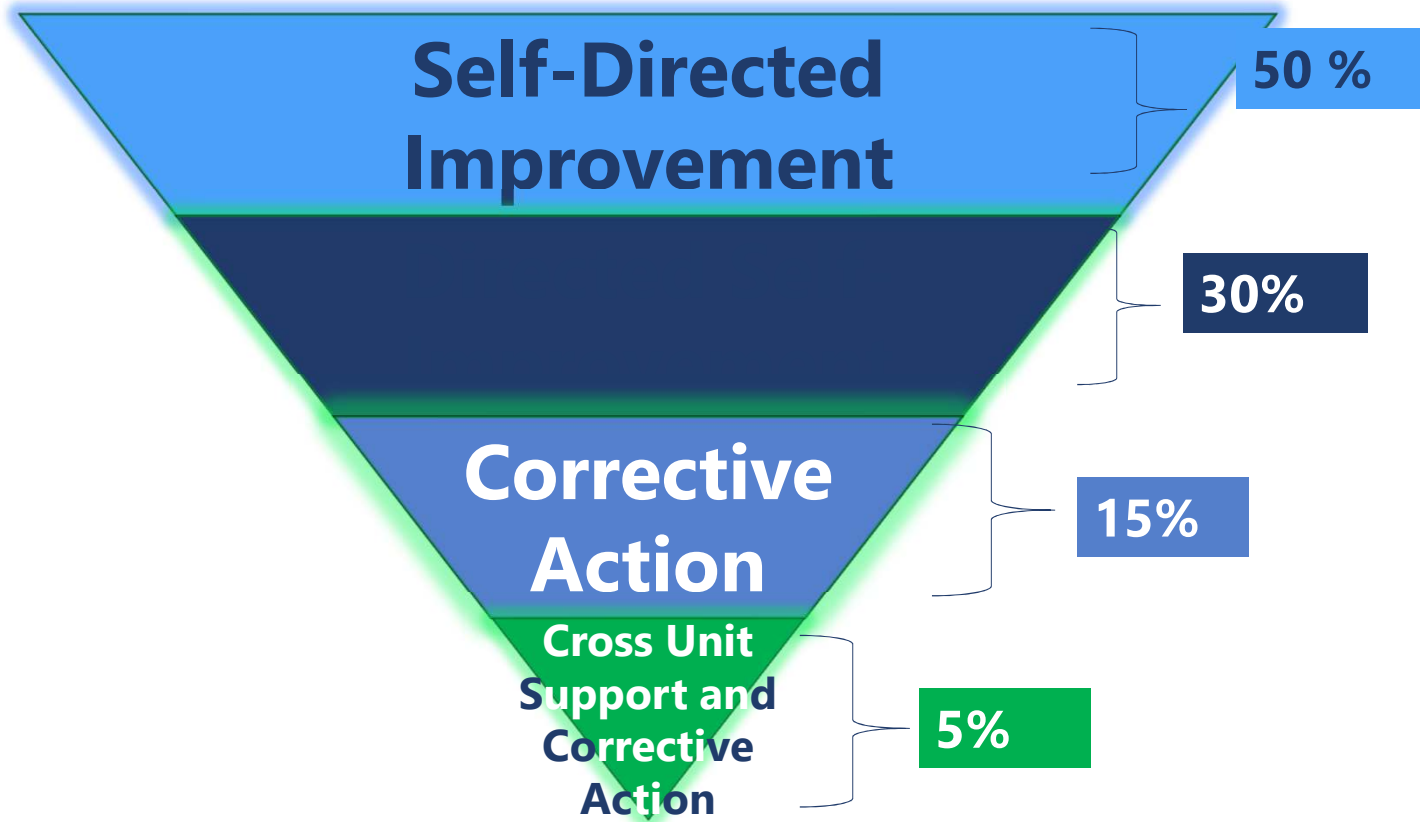


- The Office of Language Acquisition (OLA) oversees local compliance with English Learner Education (ELE) requirements through the Tiered Focused Monitoring (TFM) process.
- All school districts and charter schools participate in the public school monitoring process every six years.

# State Law and Compliance Monitoring

- The evaluation (by the Department) shall include, but shall not be limited to:
  - (i) a review of individual student records of English learners;
  - (ii) a review of the programs and services provided to English learners;
  - (iii) a review of the dropout, graduation, discipline and special education incidence rates of the English learner population in the district;
  - (iv) using the best available data, a review of the dropout, graduation, discipline and special education rates of English learners who exited the English learner education program within the 3 school years preceding the on-site visit for that 3-year period;
  - (v) a description of the processes by which school-based teams, consisting of educators, administrators and support staff, monitor the progress of English learners and former English learners;
  - (vi) a review of the amount, frequency and effectiveness of English as a second language instruction; and
  - (vii) a review of the administration and coordination of English learner education programs. The advisory council for bilingual education established under section 1G of chapter 15 shall annually review the results of the department's monitoring of English learner programs in school districts.

# Tiers in Tiered Focused Monitoring



# Tiered Focus Monitoring



- [Tiered Focused Monitoring Toolkit RLO](#)
- [ELE Program Compliance Criteria](#)

## ELE 1 & 2: Annual Language Proficiency Assessment State Accountability Assessment



www.clipartof.com · 439842

- ELs must be assessed annually using the ACCESS for ELLs 2.0 test until such time as their assessments and other relevant data indicate English language proficiency.
- 95 percent or more of ELs must participate in the ACCESS for ELLs 2.0 and MCAS tests in order to be in compliance with ELE 1& 2.
- Accommodations for academic subject matter testing in English

## ELE 3: Initial Identification of ELs and FELs

- Written policies and procedures in place for accurately identifying ELs and FELs in a timely, valid, and reliable manner
- Schools must identify ELs in need of language assistance services in a timely manner.
- **Retesting before PreK students start Kindergarten: There is no requirement to retest PreK ELs before they start Kindergarten. Districts will have flexibility to determine whether retesting is necessary.**
- The Home Language Survey (HLS) is the most common tool used to identify potential ELs.
- The HLS must be completed for **ALL** students at time of registration.
- An HLS must be administered effectively to ensure accurate results.
- Districts are expected to have written policies and procedures in place for identifying FELs in order to monitor their progress and provide support as needed



## Recommended HLS Administration Procedures

- Trained HLS administrators
- HLS administrators should determine whether the parent speaks and reads enough English to complete the registration forms.
- HLS administration script can help HLS administrators explain the purpose of the form and answer questions parents may have.



## Online Registration

- The oral script should be supplied in written form for online systems.
- Translated HLSs should be available
- There should be procedures in place for parents who don't have access to the web or who need support completing the HLS.

## ELE 5: ELE Programs and Services



- The Department uses the three-prong test set out in the case of *Castañeda v. Pickard* to determine whether the ELE program(s) meets federal and state requirements.
  - 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.
  - The program and practices used by the district are reasonably calculated to implement effectively the educational theory adopted by the district.
  - The program is effective when producing results indicating that students' language barriers are actually being overcome within a reasonable period of time.

# ESL Instruction

- **ESL is a required component of all ELE programs**
- **ELE services for students in Pre-K:** Children attending Kindergarten and Pre-K are developing language in general. Districts should reflect on how children at this early age learn language and to what extent existing classroom practices are responsive to young children's developmental needs.
- ESL teachers should be involved in the planning of English language development services for ELs at that age and those services should be provided in the context of an inclusive, language-rich classroom environment and actively support both social and academic language.
- Districts should establish procedures to monitor the progress of ELs in Kindergarten and Pre-K in English language acquisition.

## Benchmark Requirements

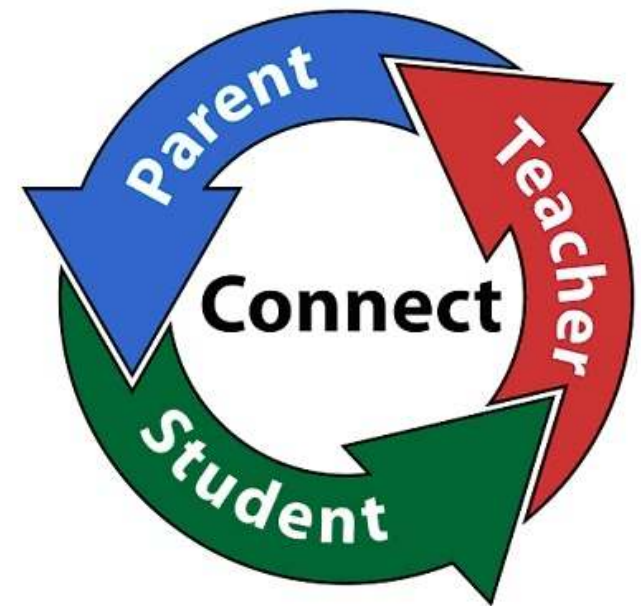
- English language proficiency benchmarks for ELs support district staff to strengthen student outcomes for ELs.
- Meeting benchmarks means that an EL is on track to attain English proficiency within six years of entering a Massachusetts public school.
- The Department will define and disseminate to districts each fall the English language proficiency benchmarks, or individual targets, for each student's annual progress toward English proficiency.

## ELE 6: Program Exit and Readiness

- ACCESS for ELLs 2.0 is the language proficiency assessment used in Massachusetts, and the result of the assessment must be considered first when making reclassification decisions.
- Students with at least an overall score of **4.2** and a composite literacy score of **3.9** on ACCESS for ELLs may be reclassified as Former English Learners (FELs) ) if they are able to demonstrate the ability to perform ordinary class work in English as indicated by one or more of the measures listed on Other Relevant Data.
- Other Relevant Data are identified as:
  - 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;
  - The written observations and recommendations documented by the student's classroom teachers;
  - The *WIDA Performance Definitions* which describe the criteria used to define performance at each WIDA proficiency level, and the *CAN DO Descriptors*;
  - The student's performance on MCAS content area tests.
- Districts cannot reclassify ELs who do not meet the minimum exit criteria provided by the Department.

## ELE 7: Parent Involvement

- Schools and districts should provide multiple opportunities for parent-teacher communication.
- Districts must provide language assistance (translation/interpretation) to all limited English proficient parents whose primary language is not English, even if their child is proficient in English.
- **EL Parent Advisory Councils (ELPAC):** Each school district serving 100 or more ELs or in which ELs comprise at least five percent of the student population, whichever is less, shall establish an English learner parent advisory council.
- **New parental rights:**
  - Parents may request to enroll their children in or transfer the student into a specific English learner education program offered by the school district.
  - Parents of not less than 20 students may request the district to implement a specific program to provide language instruction.



## ELE 8: Declining Entry to a Program

- A parent or guardian of an English learner may withdraw the student from an English learner education program in accordance with state and federal law.
- Monitoring: The district provides English language support to students whose parents have declined entry or withdrawn from an ELE program.
- **No more waivers**
- **Parents should revisit their decision to opt-out every year and submit a new request for the current academic year.**
- **Students will be provided ELE services if the school district attempts to contact the parent to renew the opt-out request and does not receive such a request from parents in the new school year.**



## ELE 10: Parental Notification

- State law parental notification requirement: Notice shall be sent by mail **no later than 10 days after the enrollment** of the student in the school district to inform them of their rights:
  - to choose a language acquisition program among those offered by the school district;
  - request a new language acquisition program; or
  - withdraw a student from a language acquisition program.
- Federal law parental notification requirement: This notification must be provided **not later than 30 days after the beginning of the school year.**

## ELE 13: Follow-Up Support

- Districts must monitor FELs for four years and provide support as needed.
- Districts must design a monitoring process that may include:
  - regular, structured meetings between an ESL teacher and the students' 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 some FELs fail to make academic progress due to English language proficiency they can be classified as ELs and start receiving ELE services. Parents of such students should be notified of the new placement in an ELE program.



## ELE 14: Licensure Requirements

- 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)
- Requirement of an appropriate license or current waiver issued by DESE except at Commonwealth charter schools, for *every* teacher or other educational staff member who teaches ELs
- SEI endorsement requirement for all core academic teachers of ELs and administrators who supervise such teachers (coming up: requirement for vocational technical teachers)
- The requirement to have Supervisor/Director license and an English as a Second Language (ESL), Transitional Bilingual Education (TBE) or an ELL license for any director of ELE program(s) who is employed in that role for one-half time or more except at Commonwealth charter schools
- The requirement to have a bilingual endorsement for core academic teachers responsible for the instructional component provided in a language other than English in dual language programs

## ELE 15: Professional Development

- 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.



## ELE 17: Program Evaluation

- Every district in Massachusetts must conduct periodic evaluations of its ELE program at least every two years to determine whether the program is efficient in developing students' English language skills and increasing their ability to participate meaningfully in the district's general educational program.
- Where the district determines that the program is not effective, it must take steps to make appropriate program adjustments or changes that are responsive to the outcomes of the program evaluation.



## ELE 18: Records of ELs

- EL student records include:
  - home language survey;
  - results of identification and proficiency tests and evaluations;
  - ACCESS for ELLs 2.0 report;
  - MCAS report;
  - information about students' previous school experiences, if available;
  - copies of parent notification letters;
  - progress reports, in the native language, if necessary;
  - report cards, in the native language, if necessary;
  - evidence of follow-up monitoring for reclassified and opt-out students, if applicable;
  - annual documentation of a parent's consent to "opt-out" of ELE program, if applicable.
- Districts may keep these records electronically or in students' cumulative and EL folders. However, districts must be ready to provide these documents upon request from state and federal audit teams or parents.



## New SIMS Codes

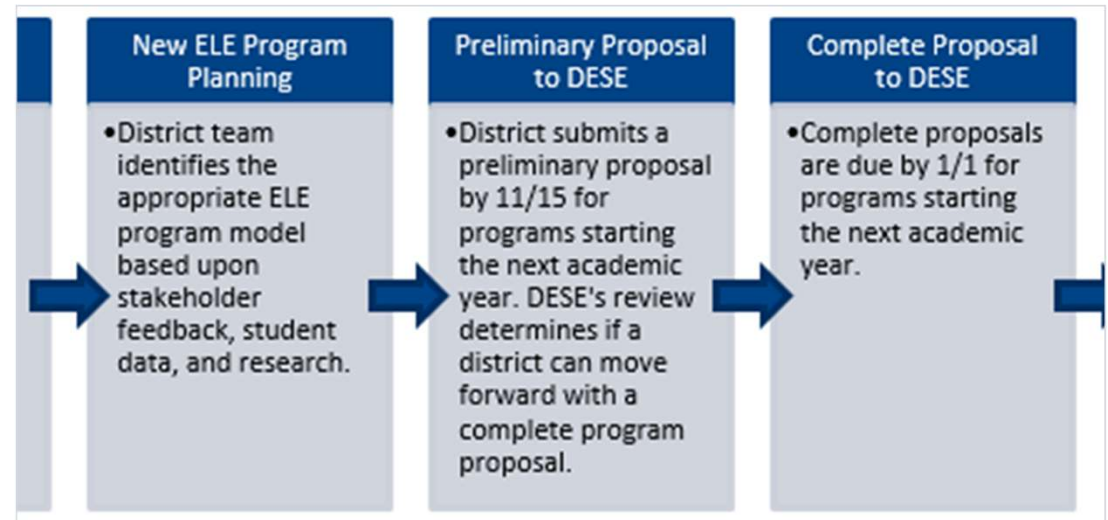
- Preschoolers will NOT be coded as “not enrolled in an ELE program”.
- 02: Two-Way Immersion — A bilingual program designed to promote bilingualism and biliteracy, cross-cultural competency and high levels of academic achievement for both native English speakers and English learners from a single language background.
- 03: Other bilingual programs — Other bilingual instructional program for English learners (i.e., not Two-Way Immersion or Transitional Bilingual Education)
- 05: Transitional Bilingual Education - An instructional program in which the native language of the EL student is used to support the student’s development of English and content learning and is then gradually phased out of instruction as a student’s English proficiency increases.

02





## Alternative Programming Proposals



# Starting a New ELE Program



- [Starting a New ELE Program - Quick Reference Guide](#)
- [Preliminary ELE Program Proposal](#) (new)
- [New ELE Program Complete Proposal](#) (new)

Scenario	Submit a Program Proposal
<p><i>The district has:</i></p> <ul style="list-style-type: none"> <li>• <i>SEI program in Grades K-12,</i></li> <li>• <i>Spanish Two-Way Immersion program in two separate elementary buildings,</i></li> <li>• <i>Transitional Bilingual Education (TBE) program in Portuguese at the high school and</i></li> <li>• <i>Transitional Bilingual Education (TBE) program Spanish at the high school</i></li> </ul>	 <p>District has to complete a program proposal for the TBE Spanish program in middle school.</p>
<p><i>The district is proposing a:</i></p> <ul style="list-style-type: none"> <li>• <i>TBE Spanish program at a middle school for the following year.</i></li> </ul>	 <p>District has to complete a program proposal for the TBE Spanish program in middle school.</p>
<p><i>The district currently has:</i></p> <ul style="list-style-type: none"> <li>• <i>SEI program in 13 different locations across Grades PK-12.</i></li> </ul>	 <p>District does not have to submit a program proposal since there will be no change in programming for the following school year.</p>
<p><i>The district currently has an:</i></p> <ul style="list-style-type: none"> <li>• <i>SEI program in Grades PK - 12 and would like to start a new Two-Way Immersion Spanish program at one elementary school.</i></li> </ul>	 <p>District must submit a program proposal for the new Two-Way Immersion Spanish program at the elementary school.</p>

## Implementation of the LOOK Act-Program Approved Proposals: Boston

Boston:

**Developmental Bilingual Program:** The Developmental Bilingual program aims to teach both academic content and English language development as well as the Chinese language with the goal for students to become bilingual and biliterate for students who all share the same language background.

**Dual Language ASL:** Dual Language programming at the Horace Mann School for the Deaf

### Dual Language Programs:

#### Spanish:

- Mario Umana Academy (expand / add Grade 5-8 over the next 4 years, one grade per year)
- Sarah Greenwood (expand / add Grade 7-8 over the next two years, one grade per year)

#### Haitian Creole

- Mattahunt (expand / add Grade 1-6 over the next 6 years, one grade per year)

#### Mandarin

- Add a program starting at K1-5 program, starting with the K1 level in the 2020-2021 school year

#### Heritage Language Programs:

##### Mandarin and Spanish at the secondary level:

- Quincy Upper (Grades 6-12), starting with grade 6 in 2019-2020, growing one grade per year

##### Portuguese for Cape Verdean students at the secondary level

- Start in grade 6, growing one grade per year

# Other DLE Program Approved Proposals

**Amherst Pelham** submitted a proposal for a DLE program that will begin with Kindergarten in the 2019-2020 school year, and one grade level will be added each year. They anticipate that the program will enroll approximately 20 ELs per grade level.

**Worcester** submitted a proposal to begin their new Dual Language (DL) programs in August 2019 with a Grade 8 class at Burncoat Middle School and a new Kindergarten class at a new school site.



## DESE Supports the Implementation of Bilingual Education Programs

- **Bilingual Endorsement MTEL**
- **Bilingual Endorsement in EDWIN:**  
(anticipated 2019-20)
- **Bilingual Education Endorsement Guidelines:**
  - Institutions of Higher Education (IHEs) can apply to become approved providers of Bilingual Education courses that result in the bilingual endorsement.
  - DESE has approved one IHE program thus far: Bridgewater State College



## DESE Supports the Implementation of Bilingual Education Programs

Since the passage of revised ELE regulation in June 2017, approximately **\$1 million dollars** spent to support the **implementation of bilingual education programs** statewide including:

- Hired state and national experts to assist with **updating the Two-Way Immersion and TBE Guidance**.
- Awarded two \$300K competitive grants (a total of \$600K) to **Amherst/Holyoke** and **Salem/Lynn** to design and implement new bilingual education programs.
- Will soon inform/award recipient(s) of the Gateway Cities Grants (\$250K) that will be used for the same purpose.
- Selected a vendor to develop and deliver:
  - a **webinar** that will include key information around **Bilingual Education** for interested districts;
  - one **two-day training** for **elementary school leaders** that will go into depth regarding **bilingual education** programs at elementary level; and
  - one **two-day training** for **secondary school leaders**.

*Plan to have more \$\$\$ which **may** be put into additional competitive grants as seed money for new Bilingual Education programs **this year and in 19-20.***

# THANK YOU

**Sibel Hughes, Assistant Director, Office of Language Acquisition**

---

 (781) 338-3569

 shughes@doe.mass.edu

 [www.doe.mass.edu](http://www.doe.mass.edu)

 75 Pleasant Street, Malden, MA 02148

