

English Learner (EL) Program Ongoing Program Self-Evaluation Tool (OPSET) for Categorical Program Monitoring (CPM): An Ongoing Monitoring Process

Background

Both state and federal laws require the California Department of Education (CDE) to monitor categorical programs operated by local educational agencies (LEAs). This state oversight is accomplished in part by conducting annual monitoring of categorical programs administered by LEAs for one-quarter of all LEAs. The CDE monitors LEAs for compliance with requirements of each categorical program, including fiscal requirements.

In 2005, the CDE instituted the Categorical Program Monitoring (CPM) cycle to monitor current state and federal legal requirements. All the legal requirements are organized under seven program dimensions operating within six processes that lead to documented actions.

Desired Outcomes

Categorical programs are established by state or federal law that identifies the intent of the program. This intent is the desired outcome for the required actions and use of program funds. CPM is organized around the desired outcomes.

1. English Learners (ELs) acquire full proficiency in English as rapidly and effectively as possible.
2. ELs meet state standards for academic achievement.

Program Dimensions

Each categorical program is reviewed using the following interrelated seven dimensions:

- I. Involvement.** Parents, staff, students, and community members participate in developing, implementing, and evaluating core and categorical programs.
- II. Governance and Administration.** Policies, plans, and administration of categorical programs meet statutory requirements.
- III. Funding.** Allocation and use of funds meet statutory requirements for allowable expenditures.
- IV. Standards, Assessment, and Accountability.** Categorical programs meet state standards, are based on the assessed needs of program participants, and achieve the intended outcomes of the categorical program.
- V. Staffing and Professional Development.** Staff members are recruited, trained, assigned, and assisted to ensure the effectiveness of the program.
- VI. Opportunity and Equal Educational Access.** Participants have equitable access to all programs provided by the local educational agency, as required by law.
- VII. Teaching and Learning.** Participants receive core and categorical program services that meet their assessed needs.

Six Processes Used in the CPM Cycle

The following six processes are not listed in hierarchical order:

1. Seek input.
2. Reaffirm or revise goals.
3. Revise improvement strategies and expenditures.
4. Inform governing board or seek its approval.

5. Monitor implementation.
6. Measure effectiveness of improvement strategies.

Documented Actions

Documented actions are the artifact or evidence indicating that program requirements have been met. Documented actions address the following:

1. What action was taken
2. Who received or provided the action
3. When the action took place
4. Why the action was taken
5. What the context was

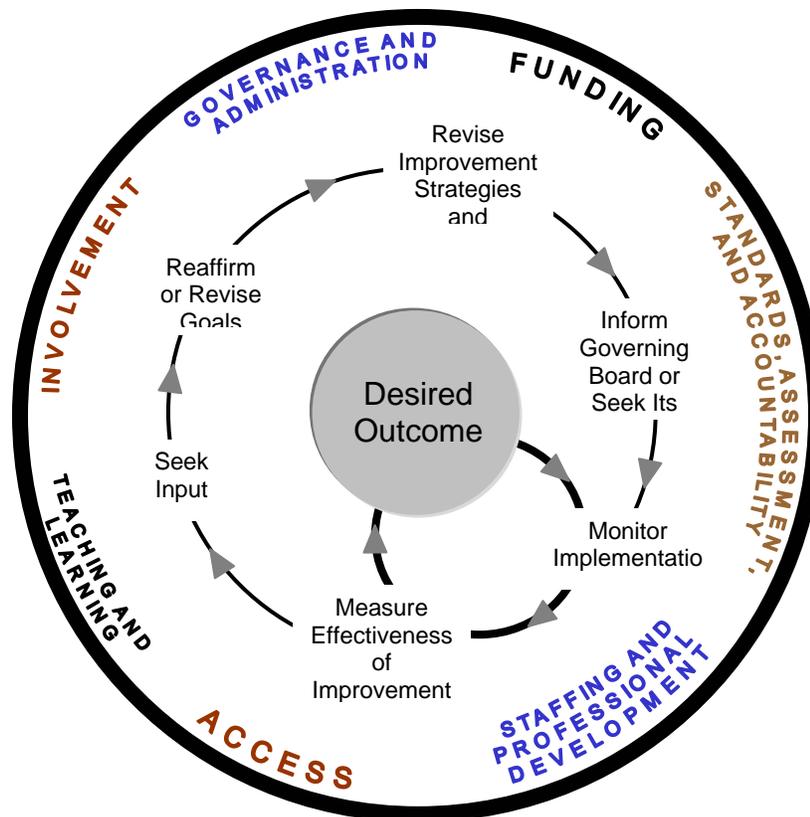
Required actions are stipulated in statute. However, if statute does not stipulate specific actions, then the local governing body determines the action. The LEA is responsible for documenting the action and showing that the required action took place.

Model of Ongoing Monitoring

CPM incorporates a general model of ongoing improvement for the following items:

1. LEA Plan
2. Single Plan for Student Achievement
3. LEA ongoing monitoring
4. CDE monitoring process

The diagram represents this model and incorporates the desired outcomes, seven dimensions, and six processes:



I	<p>Involvement</p> <p>Parents, staff, students, and community members participate in developing, implementing, and evaluating core and categorical programs.</p>
Synthesis of Requirements	
<p>The LEA provides parents of ELs with opportunities to be active participants in assisting their children to achieve academically.</p>	
Core and Supporting Items	
<p>I-EL 1. The LEA outreach to parents of ELs includes the following actions:</p> <p>(a) The LEA sends notice of and holds regular meetings for the purpose of formulating and responding to the parents' recommendations.</p> <p>(b) The LEA informs the parents how they can be involved in the education of their children and be active participants in assisting their children to:</p> <ol style="list-style-type: none"> 1. Attain English proficiency 2. Achieve at high levels in core academic subjects 3. Meet challenging state academic standards expected of all students <p>(c) A LEA that has failed to make progress on the annual measurable achievement objectives (AMAOs) informs parents/guardians of ELs of such failure not later than 30 days after such failure occurs.</p> <hr/> <p>I-EL 2. A school site with 21 or more ELs has a functioning EL Advisory Committee (ELAC) that meets the following requirements:</p> <p>(a) Parent member are elected by parents or guardians of ELs.</p> <p>(b) Parents of Els constitute at least the same percentage of the committee membership as their children represent of the student body.</p> <p>(c) The school may designate an existing school level advisory committee, or subcommittee of such advisory committee, to fulfill the legal responsibilities of ELA, if the advisory body meets the criteria in (b).</p> <p>(d) The ELAC advises the school site council (SSC) on the development of the Single Plan for Student Achievement (SPSA).</p> <p>(e) The ELAC advises the principal and staff on the school's program for ELs.</p> <p>(f) The ELAC assists in the development of the school's:</p> <ol style="list-style-type: none"> 1. Needs assessment 2. Language Census Report (Form R-30 LC) 3. Efforts to make parents aware of the importance of regular school attendance 	

I	<p>Involvement</p> <p>Parents, staff, students, and community members participate in developing, implementing, and evaluating core and categorical programs.</p>
	<p>(a) The ELAC receives training materials and training, planned in full consultation with committee members, to assist members in carrying out their legal responsibilities. (5 CCR 11308[d])</p> <p>(b) The ELAC has the opportunity to elect at least one member to the DELAC or has participated in a proportionate regional representation scheme when there are 31 or more EL parent advisory committees in the district.</p>
	<p>I-EL 3. A LEA with 51 or more ELs has a functioning DELAC or a subcommittee of an existing district committee in which at least 51 percent of the members are parents (not employed by the district) of ELs.</p> <p>(a) The DELAC advises the school district governing board on all of the following tasks:</p> <ol style="list-style-type: none"> 1. Development of a district master plan for educational programs and services for ELs that takes into consideration the SPSA 2. Conducting of a district-wide needs assessment on a school-by-school basis 3. Establishment of district program, goals, and objectives for programs and services for ELs 4. Development of a plan to ensure compliance with any applicable teacher and instructional aide requirements 5. Administration of the annual Language Census Report 6. Review and comment on the school district's reclassification procedures 7. Review and comment on the written notifications required to be sent to parents and guardians <p>(b) The LEA provides training materials and training, planned in full consultation with committee members, appropriate to assist members in carrying out their legal advisory responsibilities.</p>

I	<p>Involvement</p> <p>Parents, staff, students, and community members participate in developing, implementing, and evaluating core and categorical programs.</p>
<p>Examples of Evidence: Evidence of compliance may be derived from single or multiple sources. Complex compliance items may require several sources of evidence.</p>	
<p>Documents</p> <ul style="list-style-type: none"> ○ Bylaws (If the committee has bylaws.) ○ LEA policies and procedures on parent involvement ○ Interviews with parents, teachers, principals, and LEA administrators ○ Communiqués: <ul style="list-style-type: none"> • Sample of communications provided to parents in languages other than English • ELAC meeting notifications, agendas, including information about ELAC election process • Notification to parents of ELAC election process • Newsletters • Published articles • Translations, if required • Copy of letter sent to parents if the LEA fails to make progress on annual measurable achievement objectives • Calendar of regularly scheduled parent meetings 	
<ul style="list-style-type: none"> ○ Record of meetings: <ul style="list-style-type: none"> • Agendas, minutes, and sign-in sheets for meetings of ELAC, SSC (if formally delegated by ELAC), LEA Governing Board meeting(s) where DELAC provided advice. • Sign-in sheets • Training materials for ELAC, DELAC, SSC (if formally delegated by ELAC) ○ Membership rosters of representative groups, with parents of ELs indicated <ul style="list-style-type: none"> • ELAC • DELAC • SSC, if formally delegated by ELAC <p>*Where noted, indicates documentation required by law or regulation.</p> <p>Suggested Prompts for Ongoing Compliance</p> <ul style="list-style-type: none"> ○ For ELAC, DELAC, parents, and SSC member(s), if ELAC has delegated responsibilities to SSC: 	

I	<p>Involvement</p> <p>Parents, staff, students, and community members participate in developing, implementing, and evaluating core and categorical programs.</p>
	<p>What opportunities does the LEA provide you to help your child to achieve?</p> <ul style="list-style-type: none"> • How does the district help parents to understand communications from the school and district? • Describe the election process used for parent members of the ELAC. • Describe the selection process for the DELAC. • What training did you receive related to the responsibilities of the ELAC or DELAC? Did you help plan the training? • What advice has the ELAC given to the principal or site staff? • What advice has the DELAC given to the governing board? <p>○ If the LEA received Title III funding and did not meet annual measurable achievement objectives (AMAOs):</p> <ul style="list-style-type: none"> • What notification did it send? • In which languages was the notification sent? <p>When was the notification sent?</p>
	<p>Observe</p> <p>○ Committee meetings</p>
	<p>Resources</p> <p>California Department of Education, EL resources. http://www.cde.ca.gov/sp/el/er/</p> <p>California Department of Education, Parent/Family. http://www.cde.ca.gov/ls/pf/pf</p> <p>California Department of Education, Title III. http://www.cde.ca.gov/sp/el/t3/</p> <p>Family Involvement Network of Educators. http://www.finenetwork.org</p> <p>Language Policy. http://www.cde.ca.gov/sp/el/t3</p> <p>Parental Information and Resource Center. http://www.pirc-info.net</p> <p>Recursos en español (education resources for Spanish speakers). http://www.ed.gov/espanol</p> <p>U.S. Department of Education. http://www.ed.gov</p>

II	<p>Governance and Administration</p> <p>Policies, plans, and administration of categorical programs meet statutory requirements.</p>
Synthesis of Requirements	
<p>The LEA identifies, assesses and notifies parents of their child's language assessment results and program placement.</p>	
Core and Supporting Items	
<p>II-EL 4. The LEA properly identifies, assesses, and reports all students who have a primary language other than English.</p> <p>4.1 A home language survey (HLS) is used at the time of initial enrollment to determine the student's primary language.</p> <p>4.2 Within 30 calendar days of initial enrollment, each student whose home language is other than English, as determined by the HLS, is assessed for English proficiency by means of the California English Language Development Test (CELDT). The assessment has been conducted following all of the publisher's instructions.</p> <p>4.3 Within 90 calendar days of initial enrollment, each EL is assessed for primary language proficiency.</p> <p>4.4 Parents/guardians of ELs are notified of their child's initial English language and primary-language proficiency assessment results. Parents/guardians of initial fluent English-proficient students are notified of their child's English language proficiency assessment results.</p> <p>4.5 (For school districts receiving Title III funds) Within 30 calendar days after the beginning of the school year (or during the school year, within two weeks of child being placed in program), parents/guardians of ELs are notified of:</p> <ol style="list-style-type: none"> 1. Their child's initial English language and primary language proficiency level 2. How such level was assessed 3. Their child's language designation 4. Descriptions of program options 5. Program placement 6. Exit criteria 7. For ELs with a disability with an individualized education program (IEP), how such program will meet objectives of the IEP 8. The expected rate of graduation from secondary school if funds under this part are used for children in secondary school 	

**Governance and Administration**

Policies, plans, and administration of categorical programs meet statutory requirements.

- 4.6 (For school districts receiving Title III funds) Parents/guardians of ELs are informed annually, not later than 30 days after the beginning of the school year, of
1. Their child's English language proficiency level
 2. How such level was assessed
 3. The status of the child's academic achievement
 4. Their child's language designation
 5. Descriptions of program options
 6. Program placement
 7. Exit criteria
 8. For ELs with a disability (on IEPs), how such program will meet objectives of the IEP
 9. The expected rate of graduation from secondary school if funds under this part are used for children in secondary school
- 4.7 Each EL is annually assessed for English language development and for academic progress.
- 4.8 All currently enrolled ELs are assessed for English language proficiency by administering the CELDT during the annual assessment window.
- 4.9 Each EL with disabilities is assessed for English language development using accommodations, modifications, or alternate assessments for the CELDT if specified in the pupil's IEP or 504 Plan.
- 4.9a Parents/guardians of ELs are notified annually of their child's English language proficiency assessment results within 30 calendar days following receipt of results of testing from the test contractor.



Governance and Administration

Policies, plans, and administration of categorical programs meet statutory requirements.

Examples of Evidence: Evidence of compliance may be derived from single or multiple sources. Complex compliance items may require several sources of evidence.

Documents

- LEA policies and procedures that describe identification of ELs and notifications to parents.
- Student records (Including CELDT data, academic assessment and primary language assessment)
- Interviews with parents, teachers, principals, and LEA administrators
- Home Language Survey,* including:
 - Date
 - Answers to all questions
 - Parent or guardian signature
- Assessments:
 - Initial CELDT results* (hand scored or official report)
 - Primary language assessment results*
 - Annual CELDT assessment results*
 - Interim LEA assessment results
- Individualized education programs (IEPs) (selected students)
- Notifications sent to parents including notification in language other than English

*Where noted, indicates documentation required by law or regulation.

Suggested Prompts for Ongoing Compliance

- Describe the LEA's EL identification and assessment process.
- In what ways are assessment and placement information shared with parents?
- Describe how the LEA has ensured that parent notifications have been provided in a language the parent can understand.
- Describe how the CELDT examiners are informed that an EL student has disabilities and whether the student requires accommodations, modifications, or an alternative assessment.
- How are primary language assessment data used to determine appropriate instruction in the core content areas?

Observe

Classrooms

Resources

California English Language Development Test (CELDT). <http://www.cde.ca.gov/ta/tq/el>

California Department of Education, Title III. <http://www.cde.ca.gov/sp/el/t3/>

California Department of Education, Special Education. <http://www.cde.ca.gov/sp/se/>

III	<p>Funding Allocation and use of funds meet statutory requirements for allowable expenditures.</p>
Synthesis of Requirements	
<p>The LEA uses general funds for core instruction of ELs and uses EIA/LEP and Title III funds for services that supplement the core.</p>	
Core and Supporting Items	
<p>III-EL 5. Adequate general fund resources are used to provide each EL with learning opportunities in an appropriate program, including English language development, and the rest of the core curriculum. The provision of such services is not contingent on the receipt of state or federal categorical aid funds.</p> <p>5.1 Funds provided by Economic Impact Aid (EIA) and Title III for limited-English-proficient (LEP) students supplement, but do not supplant, general funds or other categorical resources at the school.</p>	
<p>Examples of Evidence: Evidence of compliance may be derived from single or multiple sources. Complex compliance items may require several sources of evidence.</p>	
<p>Documents</p> <ul style="list-style-type: none"> ○ Consolidated Application,* site allocation pages ○ LEA Plan* and Single Plan for Student Achievement* ○ ELAC and SSC minutes of approval of Single Plan for Student Achievement, including proposed expenditures for EIA/LEP and Title III funds ○ For School-Based Coordinated Program (SBCP), minutes of approval of EIA/LEP expenditures as part of the SBCP ○ Centralized services expenditure report ○ LEA fiscal records for EIA-LEP, Title III funds ○ Memorandum of Understanding (MOU) of Title III consortia ○ Private MOU ○ List of LEA-adopted core curriculum and supplemental materials for ELs ○ Interviews with parents, teachers, principals, LEA administrators, and paraprofessionals ○ Time-accounting records of single and/or multifunded staff (Personnel Activity Reports/PARs) ○ Job descriptions and/or duty statements <p>*Where noted, indicates documentation required by law or regulation.</p>	

Suggested Prompts for Ongoing Compliance

- How does the LEA use its resources to provide services for ELs?
- Which instructional materials and services for ELs did the LEA purchase with general funds?
- How are EIA/LEP and Title III funds used to supplement ELs' learning of the core curriculum?
- What activities were identified in the approved LEA Plan, and were they accomplished?
- How do Title III expenditures support the LEA Plan activities?
- What percentage of Title III funding was allocated to administrative costs? (2% maximum)
- If the LEA is a member of a Title III consortia, is there a Memorandum of Understanding (MOU) on file, and were products and/or services provided in accordance with the MOU?
- If a private school participates in Title III funding:
 - Is a MOU on file with the private school and LEA indicating products and/or services provided?
 - What products and/or services were provided?

Observe

- Classroom observations, including support staff services, to ensure instructional materials and services are consistent with EIA and Title III requirements

Resources

California Department of Education, Title III. <http://www.cde.ca.gov/sp/el/t3/>

Consolidated Application general assurances pages. <http://www.cde.ca.gov/fg/aa/co>

Federal Register, Vol. #69, No.127, Friday, July 2, 2004, Notices

School wide programs. <http://www.cde.ca.gov/sp/sw/rt>

State Board of Education Policy #98-04, educational programs and services for ELs.
<http://www.cde.ca.gov/be/ms/po/policy98-04-oct1998.asp>

Title I, Part A, Accountability. <http://www.cde.ca.gov/ta/ac/ti>

IV	<p>Standards, Assessment, and Accountability</p> <p>Categorical programs meet state standards, are based on the assessed needs of program participants and achieve the intended outcomes of the categorical program.</p>
Synthesis of Requirements	
<p>The LEA determines the effectiveness of its program for ELs and modifies the program as needed.</p> <p>The LEA reclassifies ELs by following policies and procedures that are consistent with current legal requirements.</p>	
Core and Supporting Items	
<p>IV-EL 6. The LEA implements a process and criteria to determine the effectiveness of programs for ELs, including:</p> <p>(a) A way to demonstrate that the programs for ELs produce within a reasonable period of time:</p> <ol style="list-style-type: none"> 1. English language proficiency comparable to that of average native speakers of English in the district 2. Academic results indicating that ELs are achieving and sustaining parity of academic achievement with students who entered the district's school system already proficient in English <p>(b) An ongoing mechanism for using the procedures described above to improve program implementation and to modify the program, as needed, to ensure that each EL achieves full proficiency in English and academic achievement at grade level.</p>	
<p>IV-EL 7. The LEA reclassifies a pupil from EL to proficient in English by using a process and criteria that include, but are not limited to:</p> <p>(a) Assessment of English language proficiency (CELDT) (<i>EC 313[d][1]; 5 CCR 11303[a]</i>)</p> <p>(b) Comparison of pupil's performance in basic skills against an empirically-established range of performance such as: California Standards Test for English Language Arts (CST-ELA) (<i>EC 313[d][4]; 5 CCR 11303[d]</i>)</p> <p>(c) Teacher evaluation that includes, but is not limited to, the pupil's academic performance. "Teacher" refers to the classroom teacher and other certificated staff with direct responsibility for teaching or placement decisions of the pupil. (<i>EC 313[d][2]; 5 CCR 11303[b]</i>)</p> <p>(d) Opportunities for parent opinion and consultation during the reclassification process (<i>EC 313[d][3]; 5 CCR 11303[c]</i>)</p> <p>The LEA maintains in the pupil's permanent record documentation of the following:</p> <ol style="list-style-type: none"> 1. Language and academic performance assessments 2. Participants in the reclassification process 3. Decision regarding reclassification 	

The LEA monitors for a minimum of two years the progress of pupils reclassified to ensure correct classification, placement, and additional academic support, if needed.

IV	<p>Standards, Assessment, and Accountability</p> <p>Categorical programs meet state standards, are based on the assessed needs of program participants and achieve the intended outcomes of the categorical program.</p>
<p>Examples of Evidence: Evidence of compliance may be derived from single or multiple sources. Complex compliance items may require several sources of evidence.</p>	
<p>Documents</p> <ul style="list-style-type: none"> ○ EL program evaluation reports ○ Longitudinal data on academic achievement of ELs and former ELs ○ Individualized Education Program (Selected students) ○ If applicable, Title III Improvement Report addendum ○ Title III Action Plan or EL Subgroup Self-Assessment (ELSSA) ○ LEA Plan and Addendum ○ LEA-established criteria/procedures for reclassification and follow-up ○ Documentation verifies that reclassified students have met the LEA reclassification criteria ○ Documentation verifies that students who have met the criteria have been reclassified ○ Documentation that reclassified students are being monitored for two years to ensure they are continuing to achieve academic success with evidence of appropriate interventions as needed ○ List of students reclassified as fluent English proficient including academic achievement data ○ List of ELs by time spent in program, including CELDT scores and academic achievement data <p>*Where noted, indicates documentation required by law or regulation.</p> <p>Suggested Prompts for Ongoing Compliance</p> <p>Describe the LEA process for determining the effectiveness of programs for ELs.</p> <ul style="list-style-type: none"> ○ How does the LEA use assessment results for student placement and to guide instruction? ○ What do the results of last year's program evaluation indicate about the effectiveness of the program for ELs? ○ What modifications, if any, have been made to the site/LEA programs for ELs during the past year based on the results of district or site program evaluation? ○ What are the LEA's reclassification criteria? ○ How does the LEA ensure that all students who have met the district's reclassification criteria have been reclassified? ○ What is the LEA's procedure to conduct follow-up monitoring of reclassified students? ○ How is the academic progress of reclassified students monitored? 	

- Which interventions are given to reclassified students who are not making adequate academic progress? What evidence indicates that interventions have been effective?
- What services are offered to ELs who reached English proficiency status on CELDT but whose academic skills are far below the criteria needed for reclassification?

Observe

- Classrooms

Resources

California Department of Education. <http://www.cde.ca.gov>

California Department of Education, Special Education. <http://www.cde.ca.gov/sp/se/>

California Department of Education, Title III. <http://www.cde.ca.gov/sp/el/t3/>

DataQuest. <http://data1.cde.ca.gov/dataquest>

EL Evaluation and Accountability Support. <http://www.wested.org/cs/we/view/u/43>

Section IV, Reclassification of ELs to Fluent English Proficient, California English Language Development Test (CELDT), assistance packet. <http://www.cde.ca.gov/ta/tg/el/assistancepkt.asp>

Title III Accountability, EL Subgroup Self-Assessment (ELSSA).
<http://www.cde.ca.gov/sp/el/t3/acct.asp>

V	<p>Staffing and Professional Development</p> <p>Staff members are recruited, trained, assigned, and assisted to ensure the effectiveness of the program.</p>
Synthesis of Requirements	
<p>Teachers assigned to instruct ELs are appropriately authorized or are actively in training. When the LEA has identified a shortage of such teachers, it has adopted and implemented measures to remedy such a shortage. The LEA also provides appropriate professional development for staff responsible for the education of ELs.</p>	
Core and Supporting Items	
<p>V-EL 8. Teachers assigned to provide English language development or access to core curriculum instruction for ELs are appropriately authorized or are actively in training for an appropriate EL authorization.</p> <p>8.1 On documentation of a local shortage of qualified teachers to provide such instruction, the district has adopted and is implementing measures by which it plans to remedy the shortage.</p> <hr/> <p>V-EL 9. The LEA provides high-quality professional development to classroom teachers, principals, administrators, and other school or community-based personnel that is:</p> <ul style="list-style-type: none"> (a) Designed to improve a the instruction and assessment of ELs. (b) Designed to enhance the teacher's ability to understand and use curricula, assessment measures, and instructional strategies for ELs. (c) Based on research demonstrating the effectiveness of the professional development in increasing the pupil's English proficiency or the teacher's subject matter knowledge, teaching knowledge, and teaching skills. (d) Of sufficient intensity and duration (which shall not include activities such as one-day or short-term workshops and conferences) to have a positive and lasting impact on the teacher's performance in the classroom. 	

V	<p>Staffing and Professional Development</p> <p>Staff members are recruited, trained, assigned, and assisted to ensure the effectiveness of the program.</p>	
<p>Examples of Evidence: Evidence of compliance may be derived from single or multiple sources. Complex compliance items may require several sources of evidence.</p>		
<p>Documents</p> <ul style="list-style-type: none"> ○ LEA policies, directives, procedures, and notifications to teachers regarding EL assignments and teaching authorizations ○ Interviews with parents, teachers, principals, and LEA administrators ○ List of teachers assigned to teach ELs and their training status. ○ For teachers in training, documentation verifying commitment to complete authorization (such as Memorandum of Understanding [MOU]) ○ LEA policy or plan to assure that all teachers are appropriately authorized ○ Professional development policies ○ LEA and site professional development records for teachers, paraprofessionals, counselors, administrators <p>*Where noted, indicates documentation required by law or regulation.</p> <p>Suggested Prompts for Ongoing Compliance</p> <ul style="list-style-type: none"> ○ How does the LEA monitor and notify teachers who are not appropriately authorized? ○ Does the LEA have a strategy to remedy a shortage of authorized teachers? ○ Describe the professional development offered by the LEA. ○ Who attended the LEA’s professional development? ○ Were the professional development activities described in the LEA Plan implemented? ○ Are Title III funds used to train teachers in accordance with the approved LEA Plan? <p>Observe</p> <ul style="list-style-type: none"> ○ Classrooms 		
<p>Resources</p>		
<p>California Commission on Teaching Credentialing Web data and information on ELs.</p> <p>http://www.ctc.ca.gov/credentials/CREDS/english-learners.html</p> <p>http://www.ctc.ca.gov/credentials/leaflets/cl622.pdf</p> <p>California Department of Education information on ELs.</p> <p>http://www.cde.ca.gov/ds/sd/lc</p> <p>http://www.cde.ca.gov/ta/cr/el/elresources.asp</p> <p>http://www.cde.ca.gov/sp/el/er</p> <p>http://www.cde.ca.gov/sp/el/t3/</p>	<p>California Department of Education information and professional development topics related to the needs of ELs.</p> <p>http://www.cde.ca.gov/sp/el/bt</p> <p>http://www.cde.ca.gov/pd/te</p> <p>http://www.cde.ca.gov/pd/te/er</p> <p>Language Census (Form R30-LC).</p> <p>http://www.cde.ca.gov/ds/ss/lc</p>	

VI	<p>Opportunity and Equal Educational Access</p> <p>Participants have equitable access to all programs provided by the local educational agency (LEA), as required by law.</p>
Synthesis of Requirements	
<p>The LEA has notified parents of ELs about program choices and placement, including the opportunity to apply for a waiver.</p>	
Core and Supporting Items	
<p>VI-EL 10. All pupils are placed in English language classrooms unless a parental exception waiver has been granted for an alternative program.</p> <p>10.1 Based on LEA criteria of reasonable fluency, ELs are placed in structured English immersion (SEI) or in English language mainstream (ELM) program settings. ELs who do not meet the LEA criteria for participation in an ELM are placed in an ELM program if the parent or guardian so requests.</p> <p>10.2 The LEA has designed and implemented an SEI English language acquisition process in which the curriculum and instruction are designed for children who are learning the language.</p> <p>Note: The individualized education program (IEP) team determines placement of each special education student regardless of language proficiency.</p> <hr/> <p>VI-EL 11. Parents and guardians of ELs are informed of the placement of their children in an English language classroom and are notified of an opportunity to apply for a parental exception waiver for their children to participate in an alternative program.</p> <p>11.1 LEA procedures for granting parental exception waivers include the following components:</p> <ol style="list-style-type: none"> 1. Parents and guardians are provided, on enrollment and annually, full written and, on request, spoken descriptions of the structured English immersion program, English language mainstream program, alternative programs, all educational opportunities available to the pupil, and the educational materials to be used in the different options. 2. Parents and guardians are informed that a pupil under age ten must be placed for not less than 30 calendar days in an English language classroom the first year of enrollment in a California school. 3. Parents and guardians are informed of any recommendation by the school principal and educational staff for an alternative program and are given notice of their right to refuse the recommendation. 4. Parental exception waivers are acted on within 20 instructional days of submission to the school principal. However, waivers submitted under Education Code Section 311(c) must be acted on either no later than ten calendar days after the expiration of the 30-day English language classroom placement or within 20 instructional days of submission of the waiver, whichever is later. 	

11.2 Parental exception waivers are granted unless the school principal and educational staff determines that an alternative program offered at the school would not be better suited for the overall educational development of the pupil.

11.3 If a waiver is denied, parents and guardians are informed in writing by the principal and other educational staff of the reason for denial and advised that they may appeal to the local board of education or to the court.

11.4 Each school in which 20 or more pupils of a given grade level have been granted a waiver provides such a class. If fewer than 20 waivers are granted, the school provides such a class or allows the pupils to transfer to a public school in which such a class is offered.

Note: The Individualized Education Program (IEP) team determines placement of each special education student regardless of language proficiency.

VI	<p>Opportunity and Equal Educational Access</p> <p>Participants have equitable access to all programs provided by the local educational agency (LEA), as required by law.</p>
<p>Examples of Evidence: Evidence of compliance may be derived from single or multiple sources. Complex compliance items may require several sources of evidence.</p>	
<p>Documents</p> <ul style="list-style-type: none"> ○ LEA policies and procedures ○ LEA criteria for reasonable fluency* ○ Student records ○ Descriptions of SEI and ELM program designs ○ Alternative program(s) description(s) ○ Local educational agency policies for ELM and SEI placement* ○ Parent notification of program placement and waiver opportunity ○ LEA descriptions of structured English immersion, English language mainstream class, alternative program designs ○ The instructional materials to be used in the different options ○ List of students in alternative programs ○ List of student waivers, by grade level, of those approved and denied. ○ Parental exception waiver forms,* procedures, and completed requests ○ Documented LEA action on waiver requests* ○ IEPs (selected students) ○ Interviews with parents, teachers, principals, and LEA administrators <p>*Where noted, indicates documentation required by law or regulation.</p> <p>Suggested Prompts for Ongoing Compliance</p> <ul style="list-style-type: none"> ○ Do you have a written description of program services for ELs based upon their language proficiency level? ○ Describe how ELs are placed among the different program options (including special education ELs). ○ Describe how ELs receive curriculum, materials, and instruction targeted to their English proficiency level. 	

- What information are parents provided to enable them to make decisions about the placement of their child?
- How are parents of ELs informed of the opportunity to apply for a parental exception waiver?
- Has the school received any parental exception waiver requests, and, if so, what action was taken?
- Explain the process for placing ELs with disabilities in an instructional program.

Observe

- Classrooms

Resources

Attorney General's Opinion No. 99-802-February 25, 2000. <http://caag.state.ca.us/opinions/index.htm>

California Department of Education response to Pajaro Valley Unified School District, January 15, 1999.

California Department of Education, Special Education. <http://www.cde.ca.gov/sp/se/>

Frequently Asked Questions Regarding the Implementation of EC § 300-340 (Proposition 227), California Department of Education, August 1999.

Implementation and Review of Legal Requirements Parental Exception Waivers, California Department of Education, November 2003.

McLaughlin v. State Board of Education, 75 Cal. App. 4th 196, 202 1999.

VII	<p>Teaching and Learning</p> <p>Participants receive core and categorical program services that meet their assessed needs.</p>
Synthesis of Requirements	
<p>Each EL receives instruction in English language development (ELD) and the core curriculum.</p>	
Core and Supporting Items	
<p>VII-EL 12. Each EL receives a program of instruction in English language development in order to develop proficiency in English as rapidly and effectively as possible.</p> <hr/> <p>VII-EL 13. Academic instruction for ELs is designed and implemented to ensure that they meet the district’s content and performance standards for their respective grade levels in a reasonable amount of time.</p> <p>13.1 The LEA has developed and is implementing a plan for monitoring and overcoming any academic deficits ELs incur while acquiring English. Actions to overcome academic deficits are taken before the deficits become irreparable.</p>	

VII	<p>Teaching and Learning</p> <p>Participants receive core and categorical program services that meet their assessed needs.</p>
Examples of Evidence: Evidence of compliance may be derived from single or multiple sources. Complex compliance items may require several sources of evidence.	
<p>Documents</p> <ul style="list-style-type: none"> ○ LEA Plan, Goal 2, and Title III Addendum,* if required ○ LEA Plan for monitoring student progress (Including criteria/benchmarks.) ○ Single Plan for Student Achievement (SPSA)* ○ List of all ELs by time in program, including CELDT and CST data ○ LEA English language development (ELD) / English language arts (ELA) materials ○ ELD curriculum/course descriptions ○ Elementary level: classroom ELD schedule ○ Secondary level: master schedule indicating ELD classes, ELA classes with integrated ELD, and classes that provide ELs access to the core curriculum ○ LEA “catch-up” plan for monitoring and overcoming any academic deficits (including criteria/benchmarks)* 	

VII**Teaching and Learning**

Participants receive core and categorical program services that meet their assessed needs.

- Student records for a sampling of students (e.g., CELDT and CST assessment data and report card grades)
- Records of students participating in intervention programs and selection criteria.
- List of special education ELs
- Individualized education program (IEP) for a sampling of special education ELs

*Where noted, indicates documentation required by law or regulation.

Suggested Prompts for Ongoing Compliance

- Describe the district's ELD program.
- Does the LEA have ELD standards and benchmarks for the rate of progress?
- What expenditures are made with EIA/LEP or Title III funds?
- What is the school's ELD curriculum?
- Explain how the school ensures that the ELD instruction is targeted to the student's English proficiency level.
- What assessments or monitoring mechanisms are used to measure students' progress in meeting ELD standards?
- Is time set aside daily for ELD?
- Are ELs assigned to mainstream English classes? If so, what criteria are used for placement?
- Explain how ELD is provided for ELs in the mainstream English classes.
- How do ELs with IEPs receive ELD?
- Who provides ELD at the elementary level: the student's classroom teacher or other teacher? And at the secondary level, is ELD provided by the ELD or mainstream English teacher?
- Describe the evidence of individual and group data at the district level and school level that demonstrates the effectiveness of the ELD program and how rapidly English language proficiency is acquired.
- What ongoing and annual assessment data on ELs does the district/school use?
- What individual and/or group data does the school receive from the district on its ELs?
- Does the school use additional site data to determine the effectiveness of its ELD program?

VII**Teaching and Learning**

Participants receive core and categorical program services that meet their assessed needs.

- How does the school site council (SSC) use data to identify needed improvements in the ELD program through the SPSA?
- Do classroom teachers receive specific data on ELs?
- Does the district have benchmark assessments and/or ELD profiles? Are they implemented at the school sites?
- Are ELs concurrently enrolled in adult education academic content courses and/or in English as a second language classes?
- What specially designed academic instruction in English (SDAIE) strategies are used to make academic content accessible to ELs?
- Does the LEA analyze individual and group data for academic content areas by age and time spent in the program or by proficiency level?
- Describe how academic data are shared with the schools.
- Do the SSC and staff review annual and ongoing academic content performance data for ELs?
- Describe the LEA's "catch-up" plan for monitoring and overcoming academic deficits incurred by ELs.
- Describe how the school implements the district's "catch-up" plan for ELs.
- Explain how ELs with academic deficits are identified and what interventions are provided.
- What additional services do students on a "catch-up" plan receive?
- Who monitors the progress of ELs that are on a "catch-up" plan?
- What evidence indicates the effectiveness of the "catch-up" plan?
- What evidence indicates the effectiveness of interventions?
- Describe the process for communicating language needs of ELs with disabilities between special education and general education.
- How is grade-level content instruction provided for ELs at different grade levels and different English proficiency levels?
- How are ELs at the beginning level of English proficiency provided access to the core curriculum?

Observe

Classrooms

VII	<p>Teaching and Learning</p> <p>Participants receive core and categorical program services that meet their assessed needs.</p>
Resources	
<p>Academic Performance Index (API) data for ELs. http://data1.cde.ca.gov/dataquest</p> <p>California Content Standards. http://www.cde.ca.gov/be/st/ss</p> <p>California Department of Education, Special Education. http://www.cde.ca.gov/sp/se/</p> <p>California Department of Education, Title III. http://www.cde.ca.gov/sp/el/t3/</p> <p>California English Language Development Test (CELDT) data. http://celdt.cde.ca.gov/reports.asp</p> <p>California Standards Test (CST) data http://star.cde.ca.gov/star2007/viewreport.asp</p> <p>Clearinghouse for Multilingual Documents. http://www.cde.ca.gov/ls/pf/cm</p> <p>English-Language Development (ELD) Standards http://www.cde.ca.gov/re/pn/fd/documents/englangdev-stnd.pdf</p> <p>Information and resources for developing programs for linguistically and culturally diverse students. http://www.cde.ca.gov/sp/el/er</p> <p>National Clearinghouse for English-Language Acquisition and Language Instruction Educational Programs. http://www.ncela.gwu.edu</p> <p>2002 Primary Reading Language Arts/English-Language Development (RLA/ELD) Adoption. http://www.cde.ca.gov/ci/rl/im/rlaeld2002adoption.asp</p>	