



Englewood Schools  
Belong and Thrive

# Englewood Schools

## Culturally and Linguistically Diverse Education (CLDE)

### District English Language Development (ELD) Plan

#### 2019-2020 v1.2

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## CLDE: English Language Development Program

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## Purpose

Englewood Schools' District English Language Development (ELD) Plan was developed by district stakeholders in collaboration with the Colorado Department of Education, to articulate the systems and services provided to identified English Learners (EL), so that they are guaranteed equitable access to Englewood Schools K-12 educational system. Englewood Schools are responsible for providing the support and services outlined in this plan to promote the English language acquisition, and academic achievement of its multilingual learners. Englewood's ELD Plan outlines collaborative processes aligned to the District's mission, vision, and strategic plan.

The acquisition of English for multilingual learners requires a collaborative effort between school leadership, teachers, students, families and the community. Englewood Schools' Culturally and Linguistically Diverse Education (CLDE) program will provide professional development for teachers on how to use sheltered instruction and culturally responsive practices that promote English language acquisition through grade-level content and standards. The processes outlined in the District English Language Development Plan will foster a sustained effort to serve Englewood's multilingual students and their families.



## Federal Requirements

Englewood Schools is committed to providing educational opportunities for all students regardless of race, color, national origin, gender identification and sexual orientation. Below is an overview of federal laws and Supreme Court cases protecting English learners and district obligations in serving this population of students. (Adapted from the Guidebook on Designing, Delivering and Evaluating Services for English Learners (ELs). Colorado Department of Education, 2019).

- **Title VI of the Civil Rights Act (1964)**
  - Prohibits discrimination based on race, color or national origin
  - Students may not be excluded from any program or activity receiving federal financial assistance
- **Office for Civil Rights Memorandum (1970)**
  - Requires school districts to take affirmative steps to rectify language deficiencies
  - Prohibits assignment to special education classes based on English language skills
  - Requires parent notification of school activities
  - Forbids specialized programs for English learners to operate as an educational dead-end or permanent track
- **Lau v. Nichols-414 U.S 563 (1974) Supreme Court case which reaffirmed Title VI of the Civil Rights Act**
  - A civil rights case was brought by Chinese American English learners in San Francisco, California which claimed that lack of linguistically appropriate accommodations (e.g. educational services in English) effectively denied the students equal educational opportunities on the basis of their ethnicity, as required by Title VI of the Civil Rights Act of 1964.
  - The US Supreme Court in 1974 ruled in favor of the students, “There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.”
- **Equal Educational Opportunities Act of (1974)**
  - Denial of equal educational opportunity prohibited
  - Prohibits discrimination against faculty, staff and students, including racial segregation of students
  - Requires school districts to take action to overcome academic and linguistic barriers to students’ equal participation
- **Castañeda v. Pickard (1981)**
  - Court ruling established three prong approach to measure compliance with the Equal Educational Opportunities Act (1974) as it relates to English learner programs.
    - Theory-ELD program must be based on sound educational theory
    - Practice- ELD Program is implemented with fidelity and with appropriate fiscal and human resources, to transform theory into practice.

- Evaluation- Measures effectiveness of ELD Program
- Plyler v. Doe: Right to attend Free Public School (1982)
- Every Student Succeeds Act (ESSA), 2017 (Adapted from ELD Program Requirements Presentation CDE Fall 2019)
  - ESSA Programs reinforce Office of Civil Rights and Department of Justice district ELD Program obligations
  - Ensure that EL students make growth toward English proficiency and develop high levels of academic achievement in English
  - Achieving English proficiency in academic subjects based on same standards all students are expected to meet
  - Increasing English proficiency by providing high-quality language instruction, evidence-based
  - Provide high-quality, research-based professional development to district, school, and community-based personnel
  - Provide parent notification as to why their child was identified as EL and in need of ELD services
  - Must communicate meaningfully with EL families about all ESSA program, services or activities
  - Involve EL parents and community in the process to identify and prioritize activities to be implemented with ESSA funds at the district and school level(s)
  - Promote participation and engagement in language instruction programs for parents, families, and communities of ELs
- Title I, Part A- Improving the Academic Achievement of At-Risk Students
- Title III, Language Instruction for English Learners and Immigrant Students

## State Requirements

- Colorado Senate Bill 109-C.R.S. 22-24-106 ELP Assessment
  - W-APT/WIDA Screener state mandated assessment to identify English Learners
  - ACCESS 2.0—annual assessment to measure English language development and attainment
- Colorado House Bill 14-1298-C.R.S. 22-24-101 English Language Proficiency Act (ELPA)
  - Administer and implement evidence-based English Language Development Programs
  - Identify and Assess English learners
  - Students eligible for up to 5 years of funding
  - Provide effective professional development activities related to teaching English learners for all educators who may work with English learners
  - Expand programs to assist English learners in achieving greater content proficiency
  - Offset the cost of annually reporting the number of English learners who exit the English Language Proficiency Program

## English Language Development Program Model

The CLDE: English Language Development program uses the English as a Second Language model of Sheltered English Instruction to address the linguistic and academic needs of multilingual learners. In order for multilingual learners to participate meaningfully and equitably in educational programs, identified English Learners (EL) receive English Language Development (ELD) direct small group instruction, and academic language support within the general education classroom to meet their linguistic and academic needs.

Below is an outline of services and support that English learners (EL) receive in the program. English Language Development (ELD) teachers are responsible for advocating for the needs of identified English learners and working collaboratively with school leadership, classroom teachers, counselors, special educators, and parents to ensure that identified ELs receive the services that are listed below.

1. Highly qualified ELD teachers, support staff, and appropriate instructional materials.
2. English Language Development (ELD) Block/Class for NEP and LEP identified ELs, English Language Proficiency (ELP) direct language instruction for Newcomers.
  - a. Elementary ELD Services-Daily Small Group Instruction (ELD), Co-Teaching with Sheltered Instruction.
  - b. Secondary ELD Services- Scheduled ELD Class Period, Co-Teaching with Sheltered Instruction.
3. Academic Language Push-in Support. ELs cluster scheduled in the general education classroom for Academic Language Support in English/Language Arts, Math, Science and Social Studies.
4. Enrich: English Language Acquisition (EL) Plan updated annually with a goal to target the language and literacy needs of ELs. Monitored quarterly for NEP, LEP, FEPM1 and FEPM2 identified ELs.
5. ELD Curriculum: Language and Literacy Based Curriculum for NEP, LEP and LTEL identified ELs.
6. Assessment: WIDA Screener/W-APT Kindergarten, ACCESS for ELLs, ELD Curriculum Based Measures. WIDA Language Development Checklists and Formative Assessments.
7. Redesignation, Monitoring and Exit: Site-Based Multilingual Student Achievement (MSA) Teams (Administrator, ELD teacher, Content/Classroom Teacher, Special Education Teacher, and Counselors) collectively designate EL status based upon a Body of Evidence.
8. Infinite Campus ELD Services Tab: Documentation of Parent Notification/Permission, Assessment, Identification, Redesignation, Monitoring and Exit.

## Evidence-Based Sheltered English Instruction

The CLDE: English Language Development program uses the SIOP Model as an approach for teachers to integrate content and language instruction for students learning through a new language. Teachers use evidence-based techniques to make the content concepts accessible and also develop the student's skills in the new language. English learners whose teachers are trained in implementing the SIOP Model perform better on academic writing assessments than students whose teachers have no exposure to the model (Echevarria, Short, & Powers, 2006).

Below is a list of effective sheltered instructional practices.

- Classroom teachers identify how language is used in different subjects and give students explicit instruction and practice with it.
- ELD Teachers advance students' English language development with curricula addressing language proficiency standards (WIDA), but also incorporating the types of texts, vocabulary, and tasks used in core subjects to prepare the students for success in the regular, English-medium classroom.
- Teachers make specific connections between the content being taught and the student's experiences and prior knowledge, and they focus on expanding the student's vocabulary base.
- Teachers make the content comprehensible through techniques such as the use of visual aids, modeling, demonstrations, graphic organizers, vocabulary previews, adapted texts, cooperative learning, peer tutoring, and native language support.
- Teachers help English learners articulate their emerging understanding of the content both orally and in writing, often with sentence starters and language frame scaffolds.
- Student language learning is promoted through social interaction and contextualised communication as teachers guide students to construct meaning and understand complex concepts from texts and classroom discourse (Vygotsky, 1978).
- Students are explicitly taught functional language skills, such as how to negotiate meaning, confirm information, describe, compare, and persuade.
- Through instructional conversations (Goldberg, 1992-93) and meaningful activities, students practice and apply their new language and content.
- Teachers consider their student's affective needs, cultural backgrounds and learning styles. They strive to create a non threatening environment where students feel comfortable taking risks with language.

Echevarría, J., Vogt, M. E., & Short, D. (2017). *Making content comprehensible for English language learners: The SIOP model*. Pearson

\*Below are descriptions of English as a Second Language Models of instruction, including ELD Classes, SIOP Sheltered Instruction, and Co-Teaching. (English Learners Guidebook, CDE, 2019).

**English as a Second Language Models**

***Sheltered English, Specially Designed Academic Instruction (SDAIE), or Structured Immersion.*** This model works with students from any language background. Instruction is classroom based, delivered in English and adapted to the students’ proficiency level. Focus is on content area curriculum. It incorporates contextual clues such as gestures and visual aids into instruction, as well as attention to the language demands of the topics and activities. These strategies are applicable in all environments where students are learning through their second language.

Supporting Factors	Challenges
<p>May more easily serve student populations with a variety of native languages, as well as students who speak conversational English and fall into different English proficiency levels. Students are able to learn content and develop English language skills simultaneously.</p>	<p>May take more time for content area learning for students who are illiterate or in the low English proficiency levels.</p> <p>Does not account for literacy instruction or the beginning levels of language development</p> <p>Requires all teachers to use strategies to make instruction comprehensible.</p>

***ELD Classes-*** Traditionally known as “ESL” courses, they develop students’ English language in reading, writing, listening, and speaking. Schools group students based on language proficiency and their academic needs. ELD courses should be taught by teachers with ESL teaching certificates who have strong working knowledge of English language arts standards.

Supporting Factors	Challenges
<p>ELD classes develop student’s language proficiency in all areas-reading, writing, listening, and speaking.</p> <p>Ongoing formal and informal assessment data are used to appropriate place and transition students through the levels of the ELD courses.</p>	<p>Schools with small populations of ELs may need to group different proficiency levels together in one classroom; ELD teachers must be able to differentiate instruction.</p> <p>Districts and schools must develop policies that allow students to earn credit toward graduation through ELD courses.</p> <p>Schools must ensure that ELD teachers have access to research-based and appropriate materials for these courses.</p>

**The Sheltered Instruction Observation Protocol (SIOP)-** The SIOP PD program was developed to help teachers make content material comprehensible to ELs. This model is the result of the work of Jana Echevarria, Maryellen Vogt and Deborah J. Short (2010). SIOP includes teacher preparation, instructional indicators such as comprehensible input and the building of background knowledge. It comprises strategies for classroom organization and delivery of instruction. The resources include an observation tool for administrators so they can support the systemic practice of sheltered instruction throughout the school.

Supporting Factors	Challenges
<p>This model allows teachers and administrators to work collaboratively to develop school-wide practices that will improve the achievement of ELs.</p> <p>The SIOP can be implemented in classes with heterogeneous populations of ELs and native English speakers.</p>	<p>Teachers who first learn about the SIOP are often overwhelmed by the number of instructional components contained in the model.</p> <p>Administrators and coaches must help teachers to begin to implement the model through constant reflective practice.</p> <p>Administrators cannot use the SIOP as a simple checklist for observations, as it is rare that a single lesson will contain all the components. Again, the tool is best used as a vehicle for teacher reflection and change in meeting the needs of ELs.</p>

**Co-Teaching-** Schools with sufficient FTE can pair ESL and content teachers to co-teach content courses. Collaboration leads to lesson planning and instruction tailored to both linguistic and academic needs of ELs. In an effective co-teaching model, the students view both instructors as equals and benefit from the lower student-teacher ratio.

Supporting Factors	Challenges
<p>Two teachers in a classroom help meet the linguistic and academic needs of the EL population.</p> <p>Both teachers benefit from learning from one another: the content teacher learns about meeting linguistic needs and the ESL teacher learns more about the curriculum.</p>	<p>It is essential that common planning time is built into the schedule for the ESL and content teacher.</p> <p>Teachers must have a strong rapport with one another and dedication to working as equal partners.</p> <p>Schools should be selective in which courses are co-taught, focusing on the course where students will benefit most from the co-teaching model.</p>

## Identification, Entry, Monitoring, Redesignation and Exit

### Identification

1. All new enrollees complete Home Language Survey (HLS) with online registration.
2. ELD teachers receive notification that a student has registered at their school and indicated another language influence as indicated on the HLS and begin the screening, notification and identification process.
3. Beginning of the year timeline: 30 days to administer the K-WAPT/WIDA Screener to identify students who may need ELD services. Notify parents/guardians, and receive parent permission/refusal of ELD services.
4. Any new enrollees that indicate another language influence on the HLS after the start of the school year must be screened, identified and placed within 2 weeks of enrollment.

### Entry

1. Parent notification of screener results and signed permission/refusal ([English Español](#))
2. Placement in ELD Program based on language proficiency (NEP/LEP/FEP/FEPM1/FEPM2)
3. Intake process for newcomers and NEP designated students will be established at each school to ensure that newcomers and NEP level students are supported in their transition to the new school. Intake process should include the secretary, ELD Teacher, administrator and counselor to place the student in the appropriate classes to receive ELD services.

### Monitoring

1. Enrich: English Language Acquisition (EL) Plan updated annually with a goal to target the language and literacy needs of ELs. Monitored quarterly for NEP, LEP, FEPM1 and FEPM2 identified ELs.
2. Multilingual Student Achievement (MSA) Site-Based Teams (Administrator, ELD teacher, Content/Classroom Teacher, Special Education Teacher, and Counselors) meet quarterly to review the linguistic and academic progress of identified English learners and make recommendations for placement to best meet their needs.
3. Curriculum Based Measures- Use of Beginning, Middle and End of Year assessments to inform ELD instruction.

### Redesignation

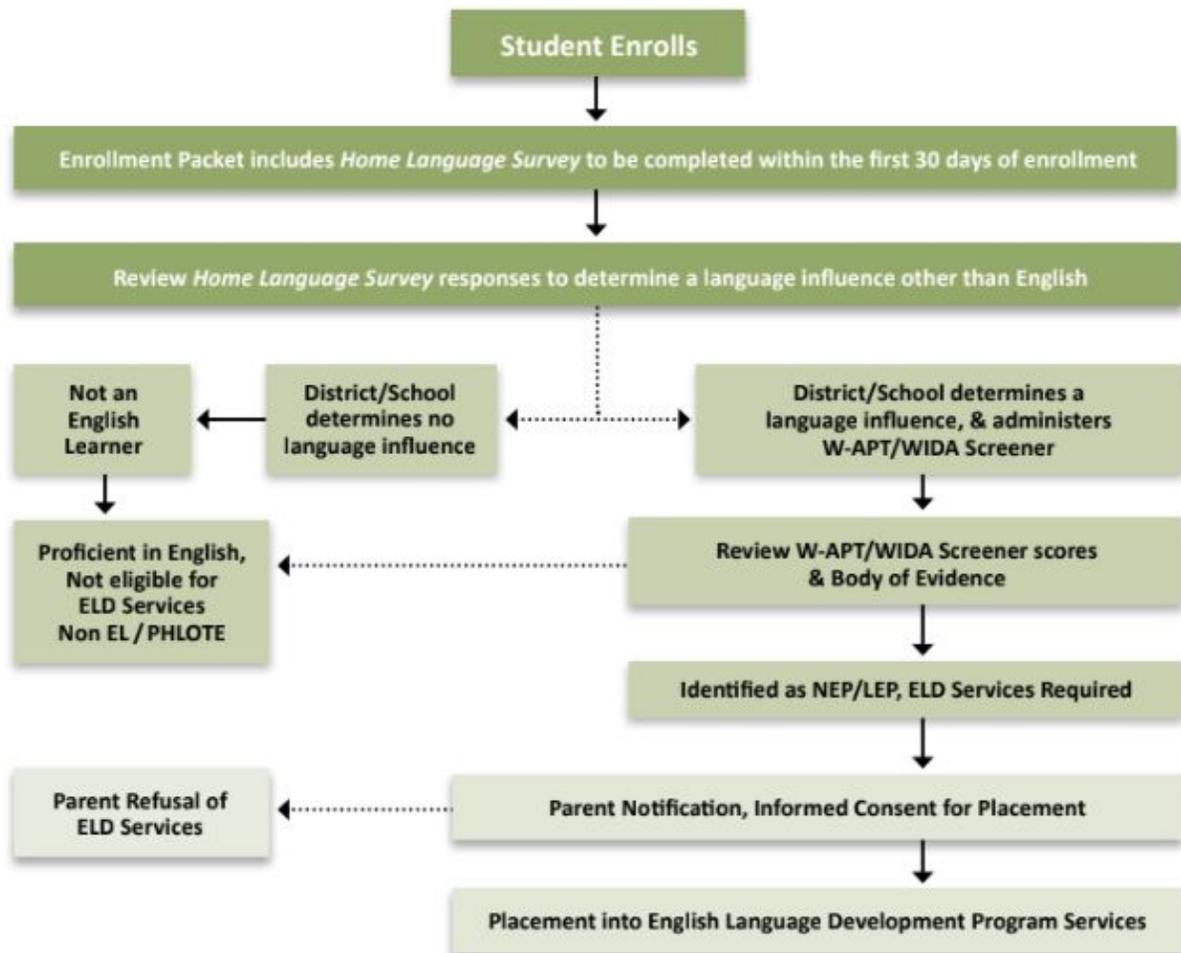
1. Pathway 1a. WIDA ACCESS scores must be 4.0 or higher Overall and Literacy to be considered for Redesignation to Fluent English Proficient. (English Learners Guidebook, CDE, 2019, p.38)
  - a. Pathway 1b. Is considered when a student's ACCESS 2.0 assessment is incomplete, a misadministration of a particular section has occurred or the school/district has determined that the score(s) are not reflective of the student's typical performance and/or English proficiency level.
  - b. In addition, EL students with disabilities whose disabilities preclude assessment in one or more domains (i.e. significant language disability, deaf or hard of hearing, intellectual disability and/or visually impaired). This pathway must include additional evidence of

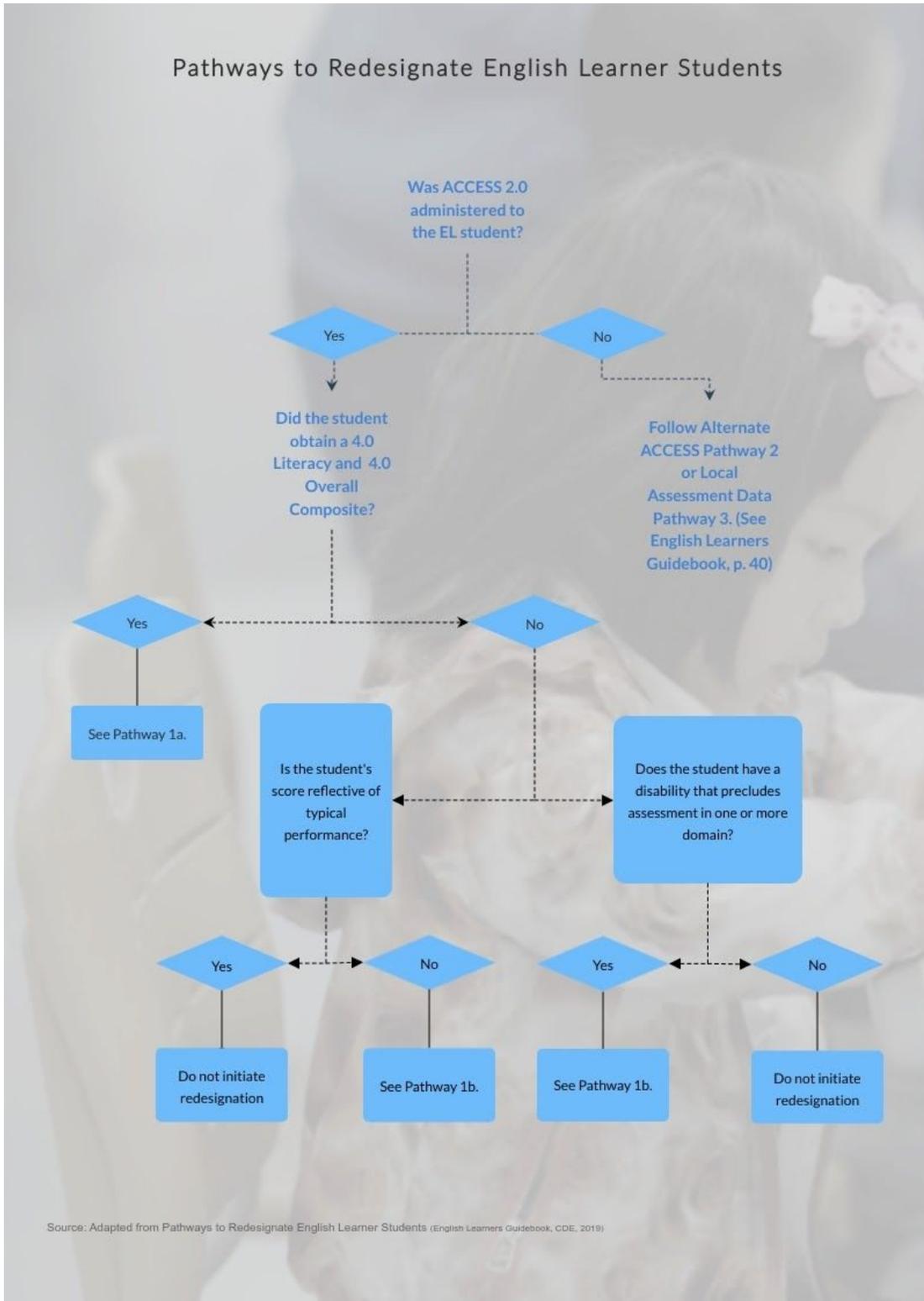
English Proficiency that is aligned with the Colorado English Language Proficiency (CELP) Standards in domains that do not reflect a student's typical performance.

2. Pathway 2 Alternate ACCESS Data (English Learners Guidebook, CDE, 2019, p. 38)
3. Pathway 3 Local Data (English Learners Guidebook, CDE, 2019, p. 39)
4. Body of evidence that includes two pieces of local data/evidence that demonstrate success in reading and writing through English/Language Arts, Science, Social Studies, Math and/or comparable to non-EL/Native English speaking peers.
5. Collective decision of redesignation by the MSA Team and Parent Notification.

Exit

1. After two years of monitoring Fluent English Proficient (FEP) students are designated (FELL) Former English Language Learner by MSA Team, and Parent Notification is sent home.





## Newcomers

Newcomers are identified as students who were not born in the United States or whose native language is a language other than English, that have not been attending one or more schools in any one or more states for more than 3 full academic years (ESEA, as amended by the No Child Left Behind Act of 2001 (NCLB), Section 3301(6)). Newcomers can also be defined as asylees, English learners, foreign born, immigrants, New Americans, refugees, students with interrupted formal education (SIFE), and unaccompanied youth.

Newcomers face unique challenges entering school, and the CLDE: English Language Development program will work to ensure that they are welcomed into inclusive learning communities that value their contributions. This section will outline the best practices in supporting newcomers entering Englewood Schools.

### Registration

1. District Registrar will notify school secretaries, and ELD Teachers that a Newcomer will be enrolling in their school and provide additional information and support to parents regarding school district programs and policies.

### Intake Process

1. Intake process for newcomers and NEP designated students will be established at each school to ensure that newcomers and NEP level students are supported in their transition to the new school.
2. Intake process should include the secretary, ELD Teacher, administrator and counselor to place the student in the appropriate classes to receive ELD services.
3. The intake team will notify the classroom teachers and support staff of the newcomers' start date, schedule, and language needs prior to their first day of attendance.

### English Language Proficiency Support

1. English Language Development (ELD) Block for NEP and LEP identified ELs, English Language Proficiency (ELP) direct language instruction for Newcomers.
  - a. Elementary ELD Services-Daily Small Group Instruction (ELD), Co-Teaching with Sheltered Instruction.
  - b. Secondary ELD Services- Scheduled ELD Class Period, Co-Teaching with Sheltered Instruction.

### Best Practices for Welcoming Newcomers

[\(Adapted from the U.S. Department of Education Newcomer Toolkit, September 2016\)](#)

- Knowledge about students, including their prior schooling and life experiences
- Program structures to support students' learning
- Communication with students and their families
- Parent and family engagement in the school community
- Cultural and language integration
- Community Integration

## Community and Family Engagement

The CLDE: English Language Development program builds a collaborative relationship with parents, guardians and community members through the Language Development Council (LDC). The LDC is an open group of parents of multilingual students, community members, teachers, and district leadership. The LDC meets monthly to discuss important information regarding programs, policies, and issues that relate to multilingual learners and their families.

### Best Practices for Community and Family Engagement

- Teachers
  - Understand and demonstrate effective and beneficial collaboration with EL parents and guardians.
  - Demonstrate cultural responsiveness when engaging in discussions with parents and guardians regarding highly effective ways to support their children at home.
  - Ensure that parents and guardians receive regular and comprehensive communication regarding school and district happenings.
  - Consistently invite EL parents into the classroom and school for a variety of purposes.
- Parents and Guardians
  - Understand programs and services offered by Englewood Schools.
  - Receive notification of identification, entry, redesignation, monitoring and exit of their child.
  - Understand the rights and protections of multilingual learners in public education.
  - Understand how to support both academic and linguistic needs of their children.
  - Be aware of who to contact at their child's school for support, guidance, assistance, in order to successfully advocate for and support their child.
- Advocacy and Engagement
  - Schools work to seek out parents of multilingual learners for volunteer and support opportunities.
  - Invite multilingual parents and guardians to serve on district advisory committees.
  - Schools offer parent education to multilingual parents and guardians.
  - District-wide culturally responsive professional development.
  - Provide multilingual parents and guardians with a “voice” in all district initiatives and policies.



**The Dual Capacity-Building Framework**

The U.S. Department of Education recently worked with researchers and practitioners to identify what is needed to move from "ineffective" to "effective" partnerships. After years of study, the Department developed the Dual Capacity-Building Framework. This framework outlines the opportunity conditions, as well as program and policy goals to help build the capacity of both school staff and families to have productive partnerships. A more detailed explanation of the framework and examples of how schools are putting it in practice can be found at <http://www.seidl.org/pubs/framework/email/Framework-Announcement.html> (English Learners Guidebook, CDE, 2019)

## Curriculum and Assessment

The CLDE: English Language Development program utilizes the WIDA ELD Standards and the Colorado English Language Proficiency Standards to plan and implement language instruction and assessment for multilingual learners as they learn academic content. The standards are used to:

- Promote and guide students' English language development
- Aid in the development of curriculum, instruction and assessment
- Encourage and maximize the use of multiple language resources in the classroom
- Support and frame the collaboration among educators of multilingual learners and instructional teams who serve them to ensure educational equity for all students

The WIDA ELD Standards work along with content standards to ensure students engage in the learning of the content standards as they continue to develop English.

**Standard 1 – Social and Instructional Language-** English language learners communicate for social and instructional purposes within the school setting.

**Standard 2 – Language of Language Arts-** English language learners communicate information, ideas and concepts necessary for academic success in the content area of language arts.

**Standard 3 – Language of Mathematics-** English language learners communicate information, ideas and concepts necessary for academic success in the content area of mathematics.

**Standard 4 – Language of Science-** English language learners communicate information, ideas and concepts necessary for academic success in the content area of science.

**Standard 5 – Language of Social Studies-** English language learners communicate information, ideas and concepts necessary for academic success in the content area of social studies.

## iLitELL

**iLit ELL-** Direct small group instruction will be provided to NEP and LEP (6-12) secondary identified English learners. iLit ELL delivers a research-proven instructional model through a mobile instructional system, which makes it engaging, accessible, and adaptive for teachers and students. iLit ELL produces accelerated growth for ELLs. The program is aligned to state standards and English Language Development (ELD) standards. Each day, students read, write, speak, and listen; they work to develop the skills necessary to achieve English proficiency as well as college and career readiness.

iLit ELL uses a gradual release approach to instruction, which includes established daily lesson routines that move students toward the independent application of skills. This Gradual Release of Responsibility model is organized into a workshop model for delivery of instruction. Opportunities for self-selected reading, an extensive, high-interest library, instant instructional support, and embedded coaching help ensure that every minute is productive—even when students work independently. iLit ELL also incorporates a Sheltered Instruction Observation Protocol—or SIOP®—which is a research-based instructional model that has proven effective in addressing the academic needs of ELLs.

iLit ELL uses assessment to build and focus instruction, and it helps teachers ensure that they deliver the right instruction to the right student. To reach this goal, iLit ELL integrates a full suite of diagnostic, formative, and summative assessments with a high-interest curriculum. For example, iLit ELL uses the Group Reading Assessment and Diagnostic Evaluation—or GRADE™—as both a diagnostic assessment for placement and an independent measurement of reading growth. Additionally, the program includes quick, whole-class assessments that let teachers know if the class understands what they have just taught the students.

Curriculum Based Measures will be used to inform instruction, monitor language progress, and write English Learner (EL) Plan goals.



**Learning A-Z: Raz-Plus ELL Edition-** Raz-Plus ELL Edition will be the core ELD resource for NEP and LEP (K-6) elementary identified English Learners. ELD teachers use Raz-Plus ELL Edition to support English language learners with tools, resources, and research-based strategies to achieve success with social and academic English. Learning A-Z's Raz-Plus ELL Edition provides reading, listening, speaking, and writing resources organized in content area topics at varying grade ranges.

ELL Edition Language Skill Packs provide content-based resources for developing vocabulary and strengthening English language learners' reading, listening, speaking, and writing skills. These comprehensive resources have been developed and organized by content area and grade range to correlate to Raz-Plus's ELL Assessments as well as WIDA, TESOL, and Common Core State Standards.

ELL Edition Assessments are designed for tracking students' language skills progress at key points in the school year. Assessments at all grade ranges give teachers in-depth information about students' language development across the domains of speaking, writing, reading, and listening. These resources connect to content-area vocabulary and specific language functions to correlate to WIDA, TESOL, and Common Core State Standards.

Curriculum Based Measures will be used to inform instruction, monitor language progress, and write English Learner (EL) Plan goals.

## CLDE: Professional Development

The CLDE: English Language Development program will provide professional development opportunities for all teachers aligned to the Knowledge of Culture, Diversity & Equity Quality Standards.

### **5.12 QS1: Knowledge of CLD Populations**

5.12(1) ELEMENT A: Educators are knowledgeable in, understand, and able to apply the major theories, concepts and research related to culture, diversity and equity in order to support academic access and opportunity for CLD student populations

5.12(2) ELEMENT B: Educators are knowledgeable in, understand, and able to use progress monitoring in conjunction with formative and summative assessments to support student learning.

### **5.13 QS2: Knowledge of 1st and 2nd Language Acquisition**

5.13(1) ELEMENT A: Educators are able to understand and implement strategies and select materials to aid in English language and content learning.

5.13(2) ELEMENT B: Educators are knowledgeable of, understand, and able to apply the major theories, concepts and research related to culture, diversity and equity in order to support academic access and opportunity for CLD student populations.

### **5.14 QS3: Understanding of Literacy Development for CLD Students**

5.14(1) ELEMENT A: Educators are knowledgeable in, understand, and able to apply the major theories, concepts and research related to literacy development for CLD students

5.14(2) ELEMENT B: Educators understand and implement strategies and select materials to aid in English language and content learning.

### **5.15 QS3: Knowledge of Teaching Strategies, Materials, Assessments**

5.15(1) ELEMENT A: Educators are knowledgeable in, understand and able to use the major theories, concepts and research related to language acquisition and language development for CLD students.

5.15(2) ELEMENT B: Educators are knowledgeable in, understand, and able to use progress monitoring in conjunction with formative and summative assessments to support student learning.

## District Interpretation and Translation

Multilingual parents are entitled to meaningful communication in a language they can understand, such as through translated materials or a language interpreter, and to adequate notice of information about any program, service, or activity that is called to the attention of non-LEP parents. The district will communicate meaningfully to parents of multilingual learners about all program services, or activities. All translation and interpretation services can be scheduled through the Student Services Department. [Englewood Schools Translation and Interpretation Services Process.](#)

## Multilingual Student Achievement School Accountability Checklist

The CLDE: English Language Development program requires that all school sites form a Multilingual Student Achievement Team that consists of an administrator, ELD teacher, general education teacher, special education teacher, and counselor/psychologist. The MSA team should also meet often to review school systems, scheduling, and staffing to ensure alignment with the responsibilities outlined in the District ELD plan. The MSA Team will meet quarterly to review the linguistic and academic progress of identified English learners and make recommendations for placement to best meet their needs.

\_\_\_\_\_ Identifying and Assessing All Potential EL Students- **Identification, Entry, Monitoring, and Exit** pg. 10

\_\_\_\_\_ Providing Language Assistance to EL Students- **English Language Development Program Model** pg. 6

\_\_\_\_\_ Staffing and Supporting an EL Program- **English Language Development Program Model** pg. 6

\_\_\_\_\_ Providing Meaningful Access to All Curricular and Extracurricular Programs

\_\_\_\_\_ Avoiding Unnecessary Segregation of EL Students

\_\_\_\_\_ Evaluating EL Students for Special Education and Providing Dual Services

\_\_\_\_\_ Meeting the Needs of Students Who Opt Out of EL Programs or Particular Services

\_\_\_\_\_ Monitoring and Exiting EL Students from EL Programs and Services

\_\_\_\_\_ Evaluating the Effectiveness of a District's EL Program

\_\_\_\_\_ Ensuring Meaningful Communication with Limited English Proficient Parents

U.S. Department of Justice, Civil Rights Division, U.S. Department of Education, Office for Civil Rights, [Ensuring English Learner Students Can Participate Meaningfully and Equally in Educational Programs](#).

## Common Civil Rights Issues

U.S. Department of Justice, Civil Rights Division, U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter: English Learner Students and Limited English Proficient Parents. P. 8-9 II Common Civil Rights Issues.*

Through OCR and DOJ enforcement work, the Departments have identified several areas that frequently result in noncompliance by school districts and that SEAs at times encounter while attempting to meet their Federal obligations to EL students. This letter offers guidance on these issues and explains how the Departments would evaluate whether SEAs and school districts met their shared obligations to:

- A.** Identify and assess EL students in need of language assistance in a timely, valid, and reliable manner;
- B.** Provide EL students with a language assistance program that is educationally sound and proven successful;
- C.** Sufficiently staff and support the language assistance programs for EL students;
- D.** Ensure EL students have equal opportunities to meaningfully participate in all curricular and extracurricular activities, including the core curriculum, graduation requirements, specialized and advanced courses and programs, sports, and clubs;
- E.** Avoid unnecessary segregation of EL students;
- F.** Ensure that EL students with disabilities under the Individuals with Disabilities Education Act (IDEA) or Section 504 are evaluated in a timely and appropriate manner for special education and disability-related services and that their language needs are considered in evaluations and delivery of services;
- G.** Meet the needs of EL students who opt out of language assistance programs;
- H.** Monitor and evaluate EL students in language assistance programs to ensure their progress with respect to acquiring English proficiency and grade level core content, exit EL students from language assistance programs when they are proficient in English, and monitor exited students to ensure they were not prematurely exited and that any academic deficits incurred in the language assistance program have been remedied;

I. Evaluate the effectiveness of a school district's language assistance program(s) to ensure that EL students in each program acquire English proficiency and that each program was reasonably calculated to allow EL students to attain parity of participation in the standard instructional program within a reasonable period of time;<sup>23</sup> and

J. Ensure meaningful communication with LEP parents.

This guidance also provides a non-exhaustive set of approaches that school districts may take in order to meet their civil rights obligations to EL students. In most cases, however, there is more than one way to comply with the Federal obligations outlined in this guidance.

In addition to the common civil rights issues discussed in this guidance with respect to EL student programs, Federal law also prohibits all forms of race, color, national origin, sex, disability, and religious discrimination against EL students. For example, among other requirements, SEAs, school districts, and schools:

- Must enroll all students regardless of the students' or their parents' or guardians' actual or perceived citizenship or immigration status;<sup>24</sup>
- Must protect students from discriminatory harassment on the basis of race, color, national origin (including EL status), sex, disability, or religion;<sup>25</sup>
- Must not prohibit national origin-minority group students from speaking in their primary language during the school day without an educational justification;<sup>26</sup> and
- Must not retaliate, intimidate, threaten, coerce, or in any way discriminate against any individual for bringing civil rights concerns to a school's attention or for testifying or participating in any manner in a school, OCR, or DOJ investigation or proceeding.<sup>27</sup>

Although these issues are outside the primary focus of this guidance, the Departments strongly encourage SEAs and school districts to review these and other non-discrimination requirements to ensure that EL students, and all students, have access to equal educational opportunities.

<sup>23</sup> Castañeda, 648 F.2d at 1011; see discussion *infra* in Part II. I, "Evaluating the Effectiveness of a District's EL Program."

<sup>24</sup> More information about the applicable legal standards regarding student enrollment practices is included in the Departments' Dear Colleague Letter: School Enrollment Procedures (May 8, 2014), available at [www.ed.gov/ocr/letters/colleague-201405.pdf](http://www.ed.gov/ocr/letters/colleague-201405.pdf).

<sup>25</sup> More information about the legal obligations to address discriminatory harassment under the Federal civil rights laws is available in OCR's Dear Colleague Letter: Harassment and Bullying (Oct. 26, 2010), available at [www.ed.gov/ocr/letters/colleague-201010.pdf](http://www.ed.gov/ocr/letters/colleague-201010.pdf). DOJ shares enforcement authority with OCR for enforcing these laws and can also address harassment on the basis of religion under Title IV of the Civil Rights Act of 1964.

<sup>26</sup> See, e.g., *Rubio v. Turner Unified Sch. Dist. No. 402*, 453 F. Supp. 2d 1295 (D. Kan. 2006) (Title VI claim was stated by a school's prohibition on speaking Spanish). EL students, like many others, often will feel most comfortable speaking in their primary language, especially during non-academic times or while in the cafeteria or hallways.

<sup>27</sup> More information about the legal obligations concerning the prohibition against retaliation under the Federal civil rights laws is available in the Department of Education's Dear Colleague Letter: Retaliation (Apr. 24, 2013) available at [www.ed.gov/ocr/letters/colleague-201304.html](http://www.ed.gov/ocr/letters/colleague-201304.html). See also 34 C.F.R. § 100.7(e) (Title VI); 34 C.F.R. § 106.71 (Title IX) (incorporating 34 C.F.R. §100.7(e) by reference); 34 C.F.R. § 104.61 (Section 504)

## CLDE: Glossary of Terms

**Academic Language-** The language needed by students to do the work in schools. It includes, for example, discipline-specific vocabulary, grammar and punctuation, and applications of rhetorical conventions and devices that are typical for a content area (e.g., essays, lab reports, discussions of a controversial issue.)

**At-Risk Students-** Term used in the United States to describe a student who requires temporary or ongoing intervention in order to succeed academically.

**CBM Curriculum Based Measure-** Curriculum-based assessment , also known as curriculum-based measurement (or the acronym CBM), is the repeated, direct assessment of targeted skills. The assessments use material taken directly from the curriculum to measure student mastery.

**CELP-** Colorado English Language Proficiency Standards

**CLDE-** Culturally and Linguistically Diverse Education

**Cluster Schedule-** Intentionally scheduling students with similar needs or language abilities into the same class to efficiently utilize limited personnel.

**Culturally Responsive-**The ability to learn from and relate respectfully with people of your own culture as well as those from other cultures.

**DOJ-** U.S. Department of Justice *Civil Rights Division*

**EL-** English Learner (other terms include multilingual learner, emerging bilingual, English language learner).

**ELD-** English Language Development

**English Language Acquisition-** the process by which humans acquire the capacity to perceive and comprehend language, as well as to produce and use words and sentences to communicate in English.

**ESEA-** Elementary and Secondary Education Act

**ESL-** English as a Second Language

**ESSA-** Every Student Succeeds Act

**FELL-** Former English Language Learner

**FEP-** Fluent English Proficient

**FEPE1, FEPE2-** Fluent English Proficient Exit Year 1, Fluent English Proficient Exit Year 2

**FEPM1, FEPM2-** Fluent English Proficient Monitor Year 1 and Fluent English Proficient Monitor Year 2

**LDC-** Language Development Council. The LDC is an open group that is comprised of parents of multilingual students, community members, teachers, and district leadership. The LDC meets monthly to discuss important information regarding programs, policies, and issues that relate to multilingual learners and their families.

**LEP-** Limited English Proficient

**Linguistic-** Relating to Language. Linguistics is the study of human speech including the units, nature, structure, and modification of language.

**LTEL- Long-Term English Learner.** Students who have been enrolled in American schools for more than six years, who are not progressing toward English proficiency, and who are struggling academically due to their limited English skills. Generally speaking, long-term English learners struggle with reading, writing, and academic language—the oral, written, auditory, and visual language proficiency and understanding required to learn effectively in academic program and consequently they have fallen behind their English-speaking peers academically and have accumulated significant learning gaps over the course of their education.

**MSA- Multilingual Student Achievement Team-** Multilingual Student Achievement (MSA) Site-Based Teams (Administrator, ELD teacher, Content/Classroom Teacher, Special Education Teacher, and Counselors) meet quarterly to review the linguistic and academic progress of identified English learners and make recommendations for placement to best meet their needs.

**Multilingual-** The ability to use or understand several languages.

**NCLB-** No Child Left Behind Act

**NEP-** Not English Proficient

**OCR-** U.S. Department of Education *Office for Civil Rights*

**Push-In Support-** Specialists work closely with students in the general education classroom. Instructional support, differentiated instruction or related services are provided in the classroom.

**SEA-** State Education Agency

**Sheltered Instruction-** Sheltered instruction is an approach to teaching English language learners which integrates language and content instruction.

**SIOP-** Sheltered Instruction Observation Protocol

**TESOL-** Teaching English to Speakers of Other Languages

**WIDA- World Class Instructional Design and Assessment-** An educational consortium of thirty eight states that designs and implements proficiency standards and assessment for grade K-12 students who are English language learners, as well as a set of proficiency standards and assessments for Spanish language learners. WIDA also provides professional development to educators and conducts research on instructional practices, as well as the results and use of the ACCESS and W-APT English language proficiency assessments.