

DATE: February 1, 2017

TO: ELL Task Force

FROM: Janet Anderson and Michael Berardino, Task Force Members

RE: Subcommittee Report on October 2016 DOJ Report Submitted by OELL

On December 7, 2016, on behalf of the ELL Task Force, we met with Kim Tsai and Dr. Frances Esparza from OELL to review the most recent report to the Department of Justice. Copies of the slide deck prepared for this meeting have been shared with all members of the Task Force. This memo summarizes the key points and highlights.

1. In October 2016, the OELL submitted a required set of reports to the DOJ. The list of the 25 different reports submitted is listed on page 3 of the slide deck. This summary focuses mainly on Paragraph 54, which reports on the compliance status of services for ELs. OELL has all the reports printed and Task Force members can review the reports upon request.
2. In a July 2016 letter from the DOJ to the Boston Public Schools states that the “current administration and by extension the schools are taking our Agreement seriously, and that BPS is turning the corner on compliance.” The Task Force may be interested to know that during Spring 2016, the DOJ visited nine schools: Dever, Madison Park, Jackson-Mann, Charlestown High, McKay K8, Carter Center, BINCA, and both McKinley Elementary and McKinley South End.
3. One of the main concerns historically for the DOJ has been whether students are receiving the services to which they are entitled. There are four key variables that need to be met. These include ELs receiving the (i) appropriate type of ESL instruction for the (ii) appropriate number of minutes per week, and that (iii) students are grouped correctly based on ELD level with (iv) teachers who are ESL certified. All reports are based on the “traditional” schools in the district (i.e. non charter, dual language, or Level 5 schools). We are pleased to report, based on the data shared with us, that improvement has been made in all categories over the past year (from October 2015 to October 2016).
4.
 - a. For **appropriate instruction**, ELD Level 1,2, and 3 students need direct ESL instruction whether provided through push-in, pull-out or SEI instruction. Students with ELD Levels 4 and 5 may receive imbedded instruction through the literacy block with an ESL-certified teacher. Students receiving appropriate instruction increased from 77% to 82% of all students.
 - b. The **appropriate number of minutes** remained relatively the same with around 89% of students receiving the required number of minutes. However, time seemed to be more difficult at the secondary level (85% of ELs) compared to Elementary (92%).
 - c. The percent of students served by **ESL certified teachers** increased from 72% to 87%.
 - d. EL’s **correctly grouped** increased from 65% to 76%, though there were still 16% of students incorrectly grouped. This again was more of an issue for secondary students (66%) compared to elementary students (84%). One continued obstacle is the grade configurations in the district. For example, a K-8 schools will likely be a low incident ELL schools by the middle school grades making the correct grouping more challenging.

5. When you combine the four variables into a single measure of who is receiving the full services to which they are entitled, the percent of students receiving “perfect” ESL services increased from 43% to 62% in the past year – significant improvement, but some gaps remain. (See Slide 8.) Again, we see a difference between elementary (69%) and secondary (54%) EL students being in compliance with receiving the full set of services.
6. Overall, while significant improvement has been made both in the reporting of data at the school level and actual service delivery, the challenges to being in full compliance appear to be how students are grouped based on ELD level and how to provide full services to secondary EL students.

References

OELL DOJ Report Updates for ELL Task Force, December 7, 2016 (slide deck)

Submission of Paragraphs 54 and 55 Per Successor Agreement, October 15, 2016