

English Learner (EL) Program Review and Title III Monitoring Protocol 2012 - 2013

Table of Contents

Introduction	3
Selection Criteria	3
Format of the EL Program Review.....	4
Step 1 – Arranging the Review	4
Appendix A – Checklist and Tips for the Program Review Coordinator (PRC)	5
Appendix B – EL Program Description	5
Appendix C – Self-Assessment Report	5
Appendix D – Onsite Review Schedule	5
Step 2 – Compiling Evidence.....	6
Step 3 – Onsite Review	6
Step 4 – Follow Up	6
Minnesota Department of Education English Learner Program Contacts.....	7
Appendix A: Checklist and Tips for the Program Review Coordinator.....	A-1
Appendix B: English Learner Program Description	B-1
Appendix C: English Learner Programs Self-Assessment Report.....	C-1
Critical Element 1 – Identification, Placement and Program Exit	C-2
Critical Element 2 – Appropriate Programs	C-5
Critical Element 3 – Appropriate Staff and Professional Development	C-7
Critical Element 4 – Parent Involvement	C-9
Critical Element 5 – Accountability Requirements	C-11
Critical Element 6 – Fiscal Requirements.....	C-13

Critical Element 7 – Nonpublic School Participation in Language Instruction Education
Program.....C-14

Appendix D: Onsite Visit ScheduleD-1

Day 1D-1

Day 2D-2

Introduction

This document is a resource guide supporting the Minnesota Department of Education's (MDE's) English Learner (EL) Program Review and Title III Monitoring process.

English Learner (EL) Program Review and Title III Monitoring focuses on quality and compliance with state and federal requirements for programming for ELs, immigrants and refugees. The Minnesota Department of Education (MDE), together with the US Department of Education and the Office of Civil Rights (OCR), is charged with the responsibility of enforcing Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color or national origin. *Lau v. Nichols*, a US Supreme Court case, requires Local Education Agencies (LEAs) to take steps to help ELs overcome language barriers and to ensure that they can participate meaningfully in educational programs.

The No Child Left Behind Act of 2001 (NCLB) Title III, Part A requires the state education agency (SEA) to monitor the implementation of Title III program requirements¹ and the expenditure of federal funds by all subgrantees. Monitoring Title III at the local level ensures compliance with regulations and assures the quality of the program and instructional delivery for ELs. The MDE is also charged with the responsibility of providing quality technical assistance to LEAs and schools serving ELs.

The MDE EL Program Review and Title III Monitoring Protocol consists of selecting and notifying LEAs of the onsite review at least six weeks prior to the scheduled visit, a review of the Self-Assessment Report and EL Program description submitted by the LEA prior to the onsite visit, the onsite monitoring visit which includes a document review of additional evidence gathered for the onsite review, and a post-monitoring report from the MDE for each LEA monitored.

Selection Criteria

MDE selects LEAs or consortia for onsite review using the following criteria:

1. Stage of AMAO in Need of Improvement status in the previous academic year.
 - a. Program Modification – 50% of LEAs reviewed in the current year
 - b. Continuing Needs Improvement – 30% of LEAs reviewed in the current year
 - c. Needs Improvement – 20% of LEAs reviewed in the current year
2. Diversity of programming for ELs, immigrants and refugees.
3. Geographic representation and demographics of LEAs and consortia.
4. Request or formal complaint.
5. Information submitted through the English Learner Plan of Service review and other data sources.

LEAs selected for onsite review will be notified at least six weeks prior to the review.

¹ References for Program Requirements: Title III language Instruction for Limited English Proficient Students Public Law 107-110, Sections 3001-3304; EDGAR; OMB Circular A-87; ED Compliance Supplement; Office of Management and Budget Circular A-133

Format of the EL Program Review

EL Program Review and Title III Monitoring consist of four main steps:

<p>Step 1: Arranging the Review</p>	<ul style="list-style-type: none"> • MDE notifies Superintendent or Charter School Director of EL Program review. • LEA assigns EL Program Review Coordinator (PRC). • LEA submits to MDE at least seven business days prior to review: <ul style="list-style-type: none"> – Completed EL Program Description. – Completed Self-Assessment. – Onsite Review Schedule.
<p>Step 2: Compiling Evidence</p>	<ul style="list-style-type: none"> • LEA compiles evidence for onsite review. • MDE reviews LEA documents submitted.
<p>Step 3: Onsite Review</p>	<ul style="list-style-type: none"> • MDE review team conducts onsite review. • MDE conducts exit interview to confirm findings or to clarify questions. • MDE reviews evidence and submits monitoring report to LEA within 45 business days of the onsite review.
<p>Step 4: Follow Up</p>	<ul style="list-style-type: none"> • LEA responds to MDE within 45 days of receipt of monitoring report with corrective actions taken. <ul style="list-style-type: none"> – MDE approves corrective actions or requests additional information.

Step 1 – Arranging the Review

Upon notification of the EL Program Review and Title III Monitoring, the superintendent or charter school director assigns an EL Program Review Coordinator (PRC). The PRC has the following responsibilities:

- Assemble and submit required documentation at least seven business days prior to the onsite review: EL Program Description and Self-Assessment Report.
- Develop an hour-to-hour Onsite Review Schedule.
- Compile evidence for the onsite review based on the critical elements detailed in the Self-Assessment Report.
- Facilitate the onsite review.
- Respond to requests for follow up information after the review.

The PRC completes the EL Program Description document and the Self-Assessment Report in consultation with appropriate personnel. Additionally, the PRC prepares schedules for MDE staff for the onsite visit that may include multiple buildings and a variety of meetings/interviews

as described in this document. **The PRC submits these documents to MDE at least seven business days prior to the onsite visit.**

Appendix A – Checklist and Tips for the Program Review Coordinator (PRC)

This document details all the activities, including tips, to be completed in preparation for, during, and after the review to ensure a successful review process.

Appendix B – EL Program Description

The EL Program Description is an executive summary of the LEA's EL programs. It is a concise description of the key features of the LEA and EL programs and serves to set the stage for the onsite visit. The EL Program Description document must be emailed to the MDE EL Program Review contact (see notification letter) at least one week prior to the onsite visit.

Appendix C – Self-Assessment Report

The Self-Assessment Report is an opportunity for the LEA to ensure that their system is in compliance with the NCLB Act of 2001, Title III, Part A regulations. The Self-Assessment process provides LEAs with the necessary guidance to maintain high standards for compliance and program delivery. The Self-Assessment Report must be emailed to the MDE EL Program Review contact at least one week prior to the onsite visit.

Appendix D – Onsite Review Schedule

The schedule will consist of a variety of interviews with the various stakeholders as well as classroom observations. When scheduling the onsite visit, consider the following:

1. The size and scope of the EL program. Include a variety of settings so that MDE staff may get a sense of the entire program. If the district has a larger EL program in one particular building, more time may be spent at that building.
2. The wide range of school personnel who come into contact with the ELs, i.e., administrators, EL teachers, mainstream teachers working with ELs, counselors, business manager, MARSS person and other building staff.
3. Plan for two MDE staff unless otherwise notified. If the district is located outside of the Twin Cities metro area, MDE staff will likely have only one car and may need some help with transportation if they are scheduled to visit different buildings separately.
4. Time and place should be made available for MDE staff to talk and synthesize their findings in a secure place during the day as indicated in the sample schedule.
5. An introductory meeting and exit interview with leadership and EL staff to for an overview of the EL program and to summarize the visit, respectively, will be included as part of the visit.

Please review Appendix A for more detailed information.

Step 2 – Compiling Evidence

The LEA compiles and organizes evidence for the onsite review based on the **EL Self-Assessment Report**. Additional information may be included in order to present the full breadth and depth of the district's EL program. The MDE team will review compiled evidence on site. The compiled evidence is not sent to MDE prior to the onsite review. MDE will keep one copy of the compiled evidence for follow-up after the onsite review.

Clear organization of materials will allow proper showcasing of the district's EL program and will help the site visit go smoothly. All evidence must align with the critical elements detailed in the Self-Assessment Report. In addition to the materials in the report, include copies of EL staff schedules and a roster of LEP identified students in the district for the onsite review. The EL student list may be district-wide or organized by building or classes (at the secondary level).

Listed below are a few suggestions for organization of materials:

- A portfolio divided into sections based on the **EL Self-Assessment Report Critical Elements**, or
- A portfolio divided into sections based on the district's EL program timeline, or
- A file box organized by folders arranged topically, alphabetically or by **Critical Element**.

Step 3 – Onsite Review

The onsite review will last two to five days depending on the size of the LEA, the scope of the EL program, and any findings under investigation. The onsite visit will begin with a meeting with LEA leadership, including the EL Director or Coordinator. The MDE will review program documentation and student records and interview stakeholders. Site visits to schools will be conducted to confirm and support the LEA's written descriptions and plans.

Step 4 – Follow Up

MDE will provide a written report to the LEA Superintendent within 45 business days of the onsite visit, with a copy to the EL/Title III Coordinator. Within 45 business days of receipt of the MDE Title III monitoring report, the LEA will respond to any findings of noncompliance with a written plan outlining corrective actions to be implemented. MDE will review the LEA written response to determine the appropriate corrective action has been developed and will inform the LEA of the status of its monitoring report. LEA status may be designated as follows:

- a) Title III corrective actions approved for implementation.

OR

- b) Unresolved Title III corrective actions pending receipt of additional information.

MDE will work with each LEA to develop approvable corrective actions which are ready for implementation.

The response letter will be sent to the LEA Superintendent with a copy to the EL/Title III coordinator. MDE will maintain a record of all monitoring reports. Summary analyses of the

findings and recommendations of reports will be used to aid the department in providing leadership and technical assistance to LEAs.

Evidence of implementation will be verified in one or more of the following ways:

- Review of most recent Title III Self-Assessment Report.
- Review of most recent Title III Program Application with corresponding attachments.
- Review of requested interim reports (desk monitoring).
- Onsite visit to the LEA.

Minnesota Department of Education English Learner Program Contacts

Questions may be directed to:

Leigh Schleicher	English Learner Education Supervisor	651-582-8326 leigh.schleicher@state.mn.us
Anh Tran	English Learner Education Specialist	651-582-8508 anh.tran@state.mn.us
Ruslana Westerlund	English Learner Education Specialist	651-582-8574 ruslana.westerlund@state.mn.us
Ursula Lentz	World Language and English Learner Education Specialist	651-582-8664 ursula.lentz@state.mn.us

Appendix A: Checklist and Tips for the Program Review Coordinator

How to Maximize the Impact of the English Learner (EL) Program Review

Step	Activities
<p>Step 1 - Arranging the Visit</p> <p><i>Share the responsibilities among staff to ensure you have an adequate system of checks and balances. An integrated process in which each staff member understands and focuses on his or her role can function more efficiently than a system where one person must handle all the tasks alone.</i></p>	<ul style="list-style-type: none"> ❑ Complete the EL Program Description document in consultation with appropriate personnel. ❑ Complete the Self-Assessment Report in consultation with appropriate personnel. ❑ Submit EL Program Description and Self-Assessment to MDE staff within seven business days prior to the onsite review. ❑ Develop the schedule for the onsite review and submit to MDE staff for confirmation within seven business days prior to the onsite review. <i>(Plan for two MDE staff unless otherwise notified)</i>. See sample schedule, Appendix D in the EL Program Review Protocol. <ul style="list-style-type: none"> ○ Schedule an introductory team meeting on the first day of the review to go over objectives and review schedule and to get to know each other. The introductory team meeting is to be facilitated by the PRC. Administrators, EL staff, and other stakeholders should be included. If possible, it should be held at the building where site visits take place in the morning to minimize time lost for travel. ○ Schedule interviews with various stakeholders: <ul style="list-style-type: none"> ▪ Administrators, EL teachers, general education/content teachers working with ELs, counselors, business manager, MARSS staff, EL students (<i>grades 4-12 only</i>), and parents of ELs. Additional personnel such as the superintendent, district assessment coordinator, special education staff, specific program staff, may also be interviewed or observed as needed. ▪ Allot a 60 minute meeting with EL Coordinator to review documents and procedures. This may include additional staff such as staff responsible for MARSS or lead ESL teachers, as needed. ▪ Allot 30-45 minutes for individual administrator interviews. ▪ Allot 30 minutes for student (<i>schedule only students in grades 4-12</i>), parent, and staff interviews. They may be scheduled individually or with a maximum of three persons. It is recommended that parent interviews be scheduled toward the beginning or end of the day, to the extent possible, so that MDE staff may meet with as many school personnel and students as possible during the day. ○ Schedule classroom observations (<i>include addresses and room numbers on schedule</i>): <ul style="list-style-type: none"> ▪ Include a variety of settings such as elementary/secondary, general education/content, EL or collaborative classrooms. ▪ Include guided walk-throughs for a sense of building layout, resources, and general education or mainstream compared to EL designated classrooms. ▪ Inform staff being observed that: <ul style="list-style-type: none"> ❖ Reviewers want to have minimal impact on classroom routines, and should not be introduced at length.

Step	Activities
	<ul style="list-style-type: none"> ❖ Observations are part of a larger program interview, and will not result in individual evaluations. ○ Schedule time (about an hour) and secure space daily at a central location for MDE staff to synthesize their findings as a team (MDE work time). ○ Schedule a one-hour exit interview on the final day following MDE work time with district administration, EL leadership, and other stakeholders as appropriate. MDE staff will facilitate the exit interview and will provide a brief oral summary of the visit. The exit interview is also an opportunity to answer any questions that may come up during the review. ○ Allot time for travel between sites in the schedule. ○ Inform appropriate building personnel including office and security staff so they are aware of program review purpose, dates and schedule. □ Plan for transportation during the visit. <ul style="list-style-type: none"> ○ If located outside of the metro area, it may be necessary to provide transportation if MDE staff are scheduled to visit different buildings separately. ○ Prepare maps to different locations as needed. ○ Inform reviewers of visitor parking areas as needed. ○ Provide building maps if possible.
Step 2 – Compiling Evidence	<ul style="list-style-type: none"> □ Compile evidence for each Critical Element as described in the Self-Assessment Report in consultation with appropriate personnel. <ul style="list-style-type: none"> ○ Organize evidence: <ul style="list-style-type: none"> ▪ Limit your evidence to a portfolio or a file box. ▪ Organize your evidence topically, alphabetically or by Critical Element. ▪ Do not send the evidence to MDE prior to the onsite review. ▪ Make one set of copies of the evidence for MDE to keep for follow-up after the onsite review. □ Compile EL staff schedules. □ Compile a roster of LEP identified students. <ul style="list-style-type: none"> ○ The EL student list may be district-wide or organized by building or classes (at the secondary level).
Step 3 – Site Visit	<ul style="list-style-type: none"> □ Facilitate introductory meeting. Be prepared to present an overview of the LEA’s EL program. □ Be accessible to MDE reviewers to answer questions or provide further documentation upon request. It is unnecessary to accompany reviewers during the onsite visit, aside from providing transportation as needed. □ Check in with MDE reviewers at the end of each day. □ Participate in exit interview.
Step 4 – Follow Up	<ul style="list-style-type: none"> □ Provide further documentation to MDE upon request. □ Respond to report findings as directed by superintendent or charter school director.

Please contact MDE staff assigned to the district or

charter school's program review with any questions.

Appendix B: English Learner Program Description

English Learner (EL) Program Review and Title III Monitoring

Directions: Please complete this form and submit it to the EL team at MDE at least seven business days prior the scheduled monitoring visit. The purpose of the form is to provide an overview for the reviewers to grasp the big picture of the Local Education Agency's (LEA) EL programs. Please be brief in your descriptions of demographics, program of service, staffing, and successes and challenges experienced pertaining to addressing the needs of ELs and their parents.

1. Demographics of English Learners

*Please provide an overview of the LEA's demographics and a brief history of the most recent changes in the ethnic and linguistic make-up of the student body. **Limit your response to 1-2 pages.***

2. Program Models

*Please provide an overview of the LEA's program models used to provide services to English learners. **Limit your response to 1-2 pages.***

3. Description of Staff Serving English Learners

*Please provide an overview of the LEA's staff that provides services to English learners. **Limit your response to 1 page.***

4. Successes and Challenges

*Briefly describe the LEA's most recent challenges and the LEA's efforts to overcome them as well as successes in addressing the needs of English learners and their parents. **Limit your response to 1-2 pages.***

Appendix C: English Learner Programs Self-Assessment Report

English Learner (EL) Program Review and Title III Monitoring

LEA Name:	LEA Number:
Title III/EL Coordinator:	SAR Due Date:
Directions	
<p>The EL Programs Self-Assessment Report (SAR) guides local education agencies (LEAs) in conducting self-assessment of their EL programs. Steps for completing the Self-Assessment Report for submission prior to the onsite review:</p> <ol style="list-style-type: none"> 1. Collaboratively review each critical element and the evidence sources to be on file as documentation. 2. Mark whether each critical element is fully, partially, or not in place. For items marked fully or partially in place, specify evidence including documentation. A list of acceptable documentation is provided but is not limited to the evidence included. Additionally, marking all or a few sources of documentation does not necessarily mean that particular element is fully or partially in place, respectively. 3. For items marked partially or not in place, please specify needed actions or questions for clarification. 4. Sign Assurances as indicated. 5. Submit a copy of the Self-Assessment Report to MDE at least one week prior to the onsite review. Maintain a copy for LEA files. <p>If technical assistance is needed, please contact the MDE staff assigned to the onsite review.</p>	
Assurances	
<p>The authorized representative assures the Minnesota Department of Education that the LEA will:</p> <ol style="list-style-type: none"> 1. Keep records and supporting documentation; provide such information as may be necessary for the program review; provide the Minnesota Department of Education any information needed to carry out its responsibilities under state and federal law. 2. Adhere to the requirements of the applicable federal statutes and regulations, the state rules governing the English Learner program, and all other applicable statutes, including: Title VI of the Civil Rights Act of 1964. 	
<p>Signatures of Authorized Representatives:</p> <p>Superintendent: _____ Date: _____</p> <p>Title III/EL Coordinator: _____ Date: _____</p> <p>Submission Date: _____</p>	

Critical Element 1 – Identification, Placement and Program Exit LEAs must identify and place EL in appropriate programs.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
1.1 The LEA administers a home language questionnaire to all students. Minnesota Statutes, section 124D .58 to 124D.65 Education for Limited English Proficient Students Act PL 107-110, the No Child Left Behind Act of 2001, Section 3301	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> A completed home language questionnaire. <input type="checkbox"/> Guidance regarding the use of home language questionnaire from a staff handbook. <input type="checkbox"/> Written policies and procedures. <input type="checkbox"/> Other:
Needed Actions/Questions:				
1.2 The LEA uses developmentally appropriate measures to identify and place English learners in a program. Minnesota Statutes, section 124D.58 to 124D.65 Education for Limited English Proficient Students Act PL 107-110, the No Child Left Behind Act of 2001, Section 3301	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Guidance regarding what measures are considered developmentally appropriate to determine English learners' proficiency in English. <input type="checkbox"/> Evidence that a diagnostic instrument is used for identification and initial placement. <input type="checkbox"/> A description of how data informs placement decisions. <input type="checkbox"/> Written policies and procedures. <input type="checkbox"/> Informational documents for parents. <input type="checkbox"/> Other:
Needed Actions/Questions:				
1.3 The LEA uses developmentally appropriate measures to exit and reclassify English learners. Minnesota Statutes, section 124D.58 to 124D.65 Education for Limited English Proficient Students Act PL 107-110, the No Child Left Behind Act of 2001, Section 3301	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> A description of exit criteria and procedures that includes an example of how a student progresses through the exit and reclassification process. <input type="checkbox"/> An example of how student progress through the intake process such as a flowchart or decision-making tree. <input type="checkbox"/> A description of how data informs exit decisions.

Critical Element 1 – Identification, Placement and Program Exit LEAs must identify and place EL in appropriate programs.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
				<input type="checkbox"/> A description of reclassification procedures. <input type="checkbox"/> A description of how a student progresses through the EL program <input type="checkbox"/> Other:
Needed Actions/Questions:				
1.4 The LEA communicates with parents regarding their children’s participation in the language instruction education program in an understandable and uniform format and in a primary language of the pupils. <i>a. State:</i> <ul style="list-style-type: none"> • <i>Within 10 calendar days upon entering the program.</i> • <i>Informs parents of option to decline services.</i> Minnesota Statutes, section 124D.60 Education for Limited English Proficient Students Act <i>b. Federal (Title III):</i> <ul style="list-style-type: none"> • <i>Within 30 days upon entering the program if the child enrolled at the beginning of the school year.</i> • <i>Within two weeks after the enrollment of the child in a program during the middle of the school year.</i> PL 107-110, the No Child Left Behind Act of 2001, Section 1118 (b) (1), Section 3302 (a-d)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> A description of LEA’s communication initiatives as related to ELL programming. <input type="checkbox"/> Samples of parent notification letters (returned to sender). <input type="checkbox"/> Communication such as email, forms or phone logs. <input type="checkbox"/> Other:
Needed Actions/Questions:				
1.5 The LEA parent notice includes all required elements as follows: <i>a. The reasons why the child has been placed in the program.</i> <i>b. The child’s level of English proficiency, how the level was assessed and the child’s current level of academic</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Samples of parent notification letters. <input type="checkbox"/> Other:

Critical Element 1 – Identification, Placement and Program Exit LEAs must identify and place EL in appropriate programs.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
<p><i>achievement.</i></p> <p><i>c. The method of instruction used in the program and other available offerings of the district, including how the program differs from those other offerings in content, instructional goals, and use of English and native language instruction.</i></p> <p><i>d. How the program will meet the educational needs and strengths of the child and specifically help the child to learn English and meet academic achievement standards for grade promotion and graduation.</i></p> <p><i>e. The specific exit requirements for the program, the expected rate of transition from the program into the regular curriculum, and, for children in secondary level programs, the expected graduation rate.</i></p> <p><i>f. How the program meets the objectives of the child’s individual education program (IEP), if applicable.</i></p> <p><i>g. The right of the parents to have the child immediately removed from the program on request.</i></p> <p><i>h. The options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available.</i></p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 1118 (b) (1), Section 3302 (a-d).</p>				
Needed Actions/Questions:				

Critical Element 2 – Appropriate Programs LEAs must implement high-quality language instruction educational programs for English learners and evaluate their effectiveness.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
<p>2.1 The LEA has in place a written plan of services that:</p> <p>a. <i>Describes the amount, scope and sequence and specific to each level of language proficiency.</i></p> <p>b. <i>Is aimed at providing high-quality language instructional programs that may make instructional use of both English and a child’s native language to enable the child to develop English proficiency.</i></p> <p>c. <i>Is based on scientific research demonstrating the effectiveness of the program in increasing English proficiency in speaking, reading, writing and listening comprehension, and student academic achievement in the core academic subjects.</i></p> <p>Minnesota Statutes, section 124D.61 (2) Education for Limited English Proficient Students Act</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 3116 (c) (2)</p> <p>Section 3301 (8) (B)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> A description of the EL program that includes a description of the types of services provided. <input type="checkbox"/> A description of how the EL program is differentiated to accommodate the progress of students in academic proficiency. <input type="checkbox"/> Rationale or data that informed decisions regarding EL program design. <input type="checkbox"/> Evidence that the EL program is included in the LEA’s curriculum-writing process. <input type="checkbox"/> Evidence of English language proficiency (ELP) standards implementation. <input type="checkbox"/> Evidence of the alignment of ELP and content standards, especially for those courses or services that are credit-bearing. <input type="checkbox"/> Evidence of participation in staff training for implementation of ELP and content standards for ELL. <input type="checkbox"/> Sample student schedules, teacher schedules and master schedules as evidence that schedules support curriculum implementation. <input type="checkbox"/> Other:
<p>Needed Actions/Questions:</p>				
<p>2.2 The programs and activities are evaluated to determine effectiveness. <i>The evaluation must be:</i></p> <p>a) <i>Based on an educational theory.</i></p> <p>b) <i>Based on reasonable calculations of the programs and practices, including resources and personnel to implement this theory effectively.</i></p> <p>c) <i>Adjusted where needed to ensure language barriers are actually being</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Needs assessment. <input type="checkbox"/> Minutes from data retreats. <input type="checkbox"/> Written evaluation. <input type="checkbox"/> Evidence of necessary adjustments being made to the program. <input type="checkbox"/> Other:

Critical Element 2 – Appropriate Programs LEAs must implement high-quality language instruction educational programs for English learners and evaluate their effectiveness.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
<p><i>overcome.</i></p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 3121 (b)</p> <p>Castañeda v. Pickard, 1982 [648 F.2d 989 (5th Cir., 1981)]</p>				
Needed Actions/Questions:				
<p>2.3 Elementary and/or secondary school language instruction educational programs for English learners are coordinated with other relevant programs and services for maximal use of resources.</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 1115 (c) (1) (D) (H), Section 3115 (d)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><input type="checkbox"/> Examples of collaboration may include Title I Part A, Title I Part C, Title II Part A, Title II Part D, Title III, Title IV, Title V, Special Education, curriculum review, tutoring, parent involvement and professional development initiatives and other grants such as 21st Century, Drop Out Prevention, Refugee School Impact Grant, Title III Immigrant or other.</p> <p><input type="checkbox"/> Observations of program implementation.</p> <p><input type="checkbox"/> Other:</p>
Needed Actions/Questions:				
<p>2.4 If applicable, the LEA has implemented specific programs for immigrant children and youth.</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 3241 to Section 3248</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><input type="checkbox"/> Title III Immigrant Children and Youth workplan.</p> <p><input type="checkbox"/> Other:</p>
Needed Actions/Questions:				

Critical Element 3 – Appropriate Staff and Professional Development LEAs must utilize appropriate staff to serve ELs.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
3.1 The LEA assures that teachers are licensed and highly qualified in their teaching assignment. Minnesota Rule 8710.4400 Teachers of English as a Second Language, Subparts 1-9 Minnesota Rule 8710.4150 Teachers of Bilingual/Bicultural Education, Subparts 1-7 PL 107-110, the No Child Left Behind Act of 2001, Section 1115 (a) (E), Section 1119 (a) (b) (c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Evidence that all teachers are licensed and highly qualified in their teaching assignment. <input type="checkbox"/> Teacher licensure file folders. <input type="checkbox"/> A description of the process for certifying highly qualified staff and for ensuring teacher fluency in English and any other language used for instruction. <input type="checkbox"/> A description of the instructional responsibilities of the staff. <input type="checkbox"/> Other:
Needed Actions/Questions:				
3.2 The LEA assures that all teachers in any language instruction education program for English learners are fluent in English and in any other language used for instruction, including having written and oral communication skills. PL 107-110, the No Child Left Behind Act of 2001, Section 1116 (c). Section 3116 (c)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Teacher licensure file folders. <input type="checkbox"/> Other:
Needed Actions/Questions:				
3.3 The LEA assures that instructional paraprofessionals work under the supervision of a certified or licensed teacher including individuals employed in the language instruction education program. PL 107-110, the No Child Left Behind Act of 2001, Section 3301 (2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Paraprofessionals' job descriptions. <input type="checkbox"/> Schedules of paraprofessionals and teachers. <input type="checkbox"/> Other:
Needed Actions/Questions:				

Critical Element 3 – Appropriate Staff and Professional Development LEAs must utilize appropriate staff to serve ELs.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
<p>3.4 Professional development is:</p> <ul style="list-style-type: none"> a. <i>Based on the needs assessment.</i> b. <i>Provided to classroom teachers (including mainstream teachers), administrators, principals, and other school or community-based organizational personnel who work with participating children.</i> c. <i>Designed to improve the instruction and assessment of English learners.</i> d. <i>Designed to enhance the ability of all teachers working with English learners to understand and use curricula, assessment measures, and instruction strategies for English learners.</i> e. <i>Based on scientifically based research demonstrating the effectiveness of the professional development in increasing children’s English proficiency or increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers.</i> f. <i>Of sufficient intensity and duration to have a lasting impact on teacher performance. Program does not consist of one-day workshops and conference alone.</i> <p>Minnesota Statutes, section 124D.61 Education for Limited English Proficient Students Act</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 3115 (c)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> <input type="checkbox"/> A description of professional development initiatives as related to EL for instructional and non-instructional staff. <input type="checkbox"/> Needs assessment results. <input type="checkbox"/> Agendas from trainings. <input type="checkbox"/> Sign-in sheets for trainings. <input type="checkbox"/> Other:
Needed Actions/Questions:				

Critical Element 4 – Parent Involvement LEAs must involve parents and community in the planning, development and implementation of the language instruction education program.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
<p>4.1 The LEA has implemented an effective means of outreach to parents of limited English proficient children to inform such parents how they can:</p> <p><i>a. Be involved in the education of their children.</i></p> <p><i>b. Be active participants in assisting their children to learn English and achieve high levels in core academic subjects; meet the same state academic standards as all children are expected to achieve.</i></p> <p><i>c. Access school and district EL program information.</i></p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 3302 (e)</p> <p>Minnesota Statutes, section 124D.61 (2) Education for Limited English Proficient Students Act</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> A written parent involvement policy. <input type="checkbox"/> A description of the LEA’s parent involvement initiatives as related to English learners. <input type="checkbox"/> Meeting/ training schedules. <input type="checkbox"/> Process for communicating to parents on how they access the district EL program. <input type="checkbox"/> An example of information disseminated to all the stakeholders including district and building staff, parents, students and community members. <input type="checkbox"/> Other:
Needed Actions/Questions:				
<p>4.2 The LEA holds regular meetings and sends parents of English learners, notices of such meetings for the purpose of formulating and responding to recommendations from parents.</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 3302 (e) (2)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Copies of notices sent to parents asking for parents input and responding to it. <input type="checkbox"/> Other:
Needed Actions/Questions:				
<p>4.3 The LEA promotes parental and community participation in the planning, development and implementation of the parent involvement program and programs for</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Meeting minutes. <input type="checkbox"/> Agendas.

<p>English learners.</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 1118 (a) (b), Section 3116 (b) (4)</p>			<input type="checkbox"/> Other:
<p>Needed Actions/Questions:</p>			

Critical Element 5 – Accountability Requirements LEAs must adhere to state and federal accountability requirements.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
5.1 The LEA ensures that all English learners are annually assessed and assessment is in accordance with state and federal requirements. Minnesota Statutes, section 124D.58 TO 124D.65 Education for Limited English Proficient Students Act PL 107-110, the No Child Left Behind Act of 2001, Section 3113 (b) (3) (D)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> A description of the testing program and procedures. <input type="checkbox"/> A description of progress data and how the progress data informs programming decisions. <input type="checkbox"/> A description of how accommodations are being used. <input type="checkbox"/> Evidence that all English learners participate in statewide and district assessments. <input type="checkbox"/> Assessment policy and procedures. <input type="checkbox"/> Other:
Needed Actions/Questions:				
5.2 The LEA has met the three required Annual Measurable Achievement Objectives or has implemented improvement planning accordingly. PL 107-110, the No Child Left Behind Act of 2001, Section 3122 (b) (2), Section 3122 (b) (4) (A), Section 3122 (3) (A).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> AMAO Improvement Plan. <input type="checkbox"/> AMAO Program Modification Plan. <input type="checkbox"/> Evidence of training related to improvement planning. <input type="checkbox"/> Other:
Needed Actions/Questions:				
5.3 The LEA notifies all parents or guardians of students of their school's failure to make progress on the annual measurable achievement objectives no later than 30 calendar days after such failure occurs. PL 107-110, the No Child Left Behind Act of 2001, Section 3302 (b)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Sample letter to parents/guardians <input type="checkbox"/> Evidence that letter was sent to all EL parents. <input type="checkbox"/> Other:

Critical Element 5 – Accountability Requirements LEAs must adhere to state and federal accountability requirements.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
Needed Actions/Questions:				
5.4 Policies and procedures related to individual student data collection, which adhere to state and federal requirements including Plyler v. Doe are in place. PL 107-110, the No Child Left Behind Act of 2001, Section 1118 (a) (b), Section 3116 (b) (4) PL 107-110, the No Child Left Behind Act of 2001, Section 1114 (a) (4), Section 1115 (c) (F), Section 9101 (34) (A) (B) (37). <i>Plyler v. Doe</i> , 457 U.S. 202 (1982)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Evidence of process for providing technical assistance to schools on how to administer English language proficiency assessments and statewide assessments with accommodations. <input type="checkbox"/> Evidence that ELL programs and programs for immigrant and refugee children are evaluated using assessment and other data. <input type="checkbox"/> Evidence that no questions are asked on the enrollment documents that might reveal the immigration status of students. <input type="checkbox"/> Other:
Needed Actions/Questions:				
5.5 For Title III Immigrant Children and Youth, LEA has a data collection system to ensure that the immigrant student count submitted to MDE includes only eligible immigrant students. PL 107-110, the No Children Left Behind Act of 2001, Part C, Section 3301 (6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Documentation of data collection procedures. <input type="checkbox"/> Other:
Needed Actions/Questions:				

Critical Element 6 – Fiscal Requirements LEAs must adhere to state and federal fiduciary requirements.	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
<p>6.1 The LEA can demonstrate that it is not using Title III funds to provide services that are required to make available under state or local laws or other federal laws; and it is not using Title III funds to provide services that it provided in the previous year with state, local or other federal funds.</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 3115 (g)</p> <p><i>Lau v. Nichols</i>, 1973 [Title VI of the Civil Rights Act of 1964]</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Evidence of implementation of required and authorized activities. <input type="checkbox"/> Documents which describe what is provided with the state-funded EL program and what is provided with Title III funding. <input type="checkbox"/> A description of how Title III and other funding sources are integrated including a breakdown of line item expenditures. <input type="checkbox"/> Other:
Needed Actions/Questions:				
<p>6.2 Fiscal management procedures ensure state and federal requirements including appropriate time and effort record keeping, evidence of two percent (2%) administrative cap, and evidence that purchased equipment is properly labeled and inventoried.</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 1118 (a) (b), Section 3116 (b) (4).</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Section 1114 (a) (4), Section 1115 (c) (F), Section 9101 (34) (A) (B) (37)</p> <p>Education Department General Administrative Regulations EDGAR 80.32, Part 130</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Maintenance of Effort (MOE) documentation. <input type="checkbox"/> Purchase orders. <input type="checkbox"/> Records of expenditures. <input type="checkbox"/> Evidence that not more than 2 percent of Title III allocation is reserved for Title III administration. <input type="checkbox"/> Evidence that both direct and indirect costs are included in 2 percent for administration. <input type="checkbox"/> MARSS data entry practices. <input type="checkbox"/> All equipment purchased with Title III and state LIEP funding is properly labeled and inventoried. <input type="checkbox"/> Other:
Needed Actions/Questions:				

<p>Critical Element 7 – Nonpublic School Participation in Language Instruction Education Program</p> <p>The LEA must include nonpublic school participation in language instruction education program.</p>	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
<p>7.1 The LEA has consulted with nonpublic schools to determine services for English learners that are located in the geographic area served by the LEA.</p> <p>Minnesota Statutes, section 124D.65 (6) Education for Limited English Proficient Students Act</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Title IX, Part E, Secs. 9501-9506</p> <p>Education Department General Administrative Regulations (EDGAR), Part 76, Secs. 76.650-76.662</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> <input type="checkbox"/> A description of the consultation process. <input type="checkbox"/> Timeline of district-initiated consultation with nonpublic schools. <input type="checkbox"/> Copies of meeting agendas. <input type="checkbox"/> Letter Intent to Participate, if applicable. <input type="checkbox"/> Affirmation of Consultation With Nonpublic School Officials Including Student Selection Criteria. <input type="checkbox"/> Other:
<p>Needed Actions/Questions:</p>				

<p>Critical Element 7 – Nonpublic School Participation in Language Instruction Education Program</p> <p>The LEA must include nonpublic school participation in language instruction education program.</p>	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
<p>7.2 The LEA has consulted with appropriate nonpublic school officials during the design and development of the Title III program on issues such as:</p> <p><i>a. How the English learners’ needs will be identified.</i></p> <p><i>b. What services will be offered.</i></p> <p><i>c. How, where, and by whom the services will be provided.</i></p> <p><i>d. How the services will be assessed and how the results of the assessment will be used to improve those services.</i></p> <p><i>e. How and when the district will make decisions about the delivery of services, including a thorough consideration of the views of the nonpublic school officials on the provision of contract services through potential third-party providers.</i></p> <p><i>f. The size and scope of the services to be provided to the nonpublic school children and educational personnel.</i></p> <p><i>g. The amount of funds available for those services.</i></p> <p>Minnesota Statutes, section 124D.65 (6) Education for Limited English Proficient Students Act</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Title IX, Part E, Secs. 9501-9506</p> <p>Education Department General Administrative Regulations (EDGAR), Part 76, Secs. 76.650-76.662</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Evidence of process for providing technical assistance to nonpublic schools on how to: <ol style="list-style-type: none"> 1. Identify English learners. 2. Size and scope of services. 3. Administer English language proficiency assessments and statewide assessments with accommodations. <input type="checkbox"/> Written agreements with nonpublic schools regarding equitable service to eligible students. <input type="checkbox"/> A description of the consultation process. <input type="checkbox"/> Evidence of assessment of nonpublic students and evaluation of effectiveness of services. <input type="checkbox"/> Documentation of how nonpublic students are identified. <input type="checkbox"/> Documentation of how teachers needs were identified. <input type="checkbox"/> Other:
<p>Needed Actions/Questions:</p>				

<p>Critical Element 7 – Nonpublic School Participation in Language Instruction Education Program</p> <p>The LEA must include nonpublic school participation in language instruction education program.</p>	Fully in Place	Partially in Place	Not in Place	Evidence/Documentation
<p>7.3 The LEA ensures equitable participation by public and nonpublic students in a Title III program. Equitable means:</p> <p>a. <i>The LEA assesses, addresses and evaluates the needs and progress of public and nonpublic school students and educational personnel on a comparable basis.</i></p> <p>b. <i>The LEA provides approximately the same amount of services to students and educational personnel with similar needs.</i></p> <p>c. <i>The LEA spends an equal amount of funds to serve similar public and nonpublic school students and educational personnel.</i></p> <p>d. <i>The LEA provides both groups of students and educational personnel equal opportunities to participate in program activities.</i></p> <p>Minnesota Statutes, section 124D.65 (6) Education for Limited English Proficient Students Act</p> <p>PL 107-110, the No Child Left Behind Act of 2001, Title IX, Part E, Secs. 9501-9506</p> <p>Education Department General Administrative Regulations (EDGAR), Part 76, Secs. 76.650-76.662</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Program description. <input type="checkbox"/> Schedules of nonpublic students. <input type="checkbox"/> Other:
<p>Needed Actions/Questions:</p>				

Appendix D: Onsite Visit Schedule

English Learner (EL) Program Review and Title III Monitoring

This is a sample schedule only. Your schedule may look different depending on size and scope of the program as well as the area or areas of programming you would like to highlight during the onsite visit.

Day 1

Time	Building	MDE Staff 1	MDE Staff 2
8:00-8:30	Sunnybrook Elementary	Introductory Team Meeting: MDE staff, District administration and EL team Main Office, Room A	
8:35-9:20		Interview K teacher Room 1	Interview building principal Principal's Office
9:25-9:55		Class Observation - 2 nd grade co-taught class Room 20	Interview ESL teacher Room 15
9:55 – 10:15	travel		
10:15-10:50	Brookstone Elementary	Interview 4th grade teacher Room 22	Interview business manager Office
10:55-11:15		Class observation - ESL 4 th grade Room 25	Walk-through with Principal
11:20-12:00		Interview MARSS Data Staff Office	Interview 5 th Grade Students Office
12:00-12:30	lunch/travel		
12:30-1:30	District Office	MDE Work Time Office, Room B	
1:30-2:00		Interview Director of Teaching and Learning Office, Room A	Interview Data/Assessment Coordinator Office, Room B
2:05-3:35		Interview/Document walk-through with EL Coordinator Office, Room B	
3:40-4:30		Interview EL parents (20 minutes each) from Elm Middle School Office, Room A	Document Review Office, Room B

Day 2

Time	Building	MDE Staff 1	MDE Staff 2
8:00-8:30	Elm Middle School	Interview ESL teacher Room 22	Class observation ESL Level 1 Room 30
8:35-9:05		Class observation - ESL Level 3 Room 25	Class observation - 7 th Grade English Language Arts Room 34
9:05-9:35		Class observation - Science 8 co-taught class Room 10	Interview 8 th grade ESL students
9:55 – 10:15	travel		
10:15-10:50	Willow Creek High School	Class observation Sheltered ESL Language Arts Class Room 1133	Class observation ESL Level 3 Reading and Writing Room 2020
10:55-11:15		Interview cultural liaison Room 1134	Interview ESL teacher Room 2021
11:20-12:00		Interview 2 students Room 1333	Interview guidance counselor Guidance Office
12:00-12:30	lunch/travel		
12:30-2:30	District Office	MDE Work Time Office, Room B	
2:30-3:30		Exit Team Meeting: MDE staff, District administration and EL team	