

## **Alternative ELE Programs for Level 4 Schools**

Chapter 12 of the Acts of 2010, *An Act Relative to the Achievement Gap*<sup>1</sup> (herein, the Act), was signed into law on January 18, 2010 and took effect immediately. Its purpose is to foster education innovation and turn around underperforming schools forthwith. Among other things, this law makes sweeping changes to the statutes on underperforming schools and school districts, Mass. General Laws chapter 69, sections 1J and 1K. Under the Act, superintendents of Level 4 schools (schools that are among the lowest performing) are primarily responsible for developing turnaround/redesign plans, with final approval by the Commissioner.

Turnaround/redesign plans should include alternative English language education programs for limited English proficient students, notwithstanding the requirements of MGL Ch. 71A,<sup>2</sup> (including the requirement that limited English proficient [LEP] students be educated through Sheltered English Immersion [SEI]).<sup>3</sup> In other words, the school has the option of creating programs such as Transitional Bilingual Education, which are not currently permitted under Ch. 71A without a waiver.

The Department will review proposals for alternative English language education programs in Level 4 schools as part of their overall turnaround/redesign plan. Districts planning to implement an alternative English language education program should ensure that the components in the template below are addressed in the appropriate section of the turnaround/redesign plan.

### **English Language Education Program Planning – recommended steps**

1. **Enrollment:** Identify the number of limited English proficient (LEP) students, and the total enrollment in the school. (*Total enrollment/LEP percentage ratios would indicate to OELAAA the most likely program*)

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<sup>1</sup> See [www.mass.gov/legis/bills/senate/186/st02pdf/st02247.pdf](http://www.mass.gov/legis/bills/senate/186/st02pdf/st02247.pdf)

<sup>2</sup> See <http://www.mass.gov/legis/laws/mgl/gl-71a-toc.htm>

<sup>3</sup> “Sheltered English immersion” is defined in MGL Ch. 71A §2 as an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language. Books and instruction materials are in English and all reading, writing, and subject matter are taught in English. Although teachers may use a minimal amount of the child’s native language when necessary, no subject matter shall be taught in any language other than English, and children in this program learn to read and write solely in English. This educational methodology represents the standard definition of “sheltered English” or “structured English” found in educational literature.

*models. For example, schools with a very high percentage of ELLs of one particular language group would be likely candidates for a Transitional Bilingual Education model.)*

2. **Language groups** Identify the language groups represented and approximate percentages of each in the Level 4 school. *(This would indicate whether TBE and/or models specifically designed for low-incidence populations would be applicable at this school. Schools with a high percentage of one language group more likely would be candidates for a TBE model.)*
3. **MEPA Proficiency Levels and growth data for all ELLs.** Identify the proficiency levels and growth data for each grade of ELL students. *(What are the patterns and trends? Have certain groups of ELLs been stagnant at one proficiency level for several years? Why?)*
4. **ESL teachers** Identify the ESL teachers employed in the Level 4 school. Gather licensure information for each teacher (e.g., licensed, unlicensed, waived). *(Indicator: Many schools with large numbers of unlicensed and/or waived staff will need basic teacher licensure resources such as MTEL prep courses, while schools with the majority of teachers licensed may benefit from the MELT initiative, which is a dual licensure program, i.e. elementary/ESL licensure.)*
5. **General education teachers** Gather licensure information and identify Category trainings each general education teacher has completed. *(Lack of Category training means this primarily no-cost option can be a starting point for improving test scores and outcomes for LEP students. Also, if it is an option, ESE may consider other hybrid models of Category training still in the development stage in OELAAA. It is important to consider how teachers will be supported after completing Category training. This may be part of the coach's responsibility.*
6. **ESL curriculum:** Is the ESL curriculum based on the ELPBO? Do ESL teachers create yearly, monthly, and/or weekly curriculum maps based on the ELPBO? *(A low-cost fix for improving outcomes since ESE currently runs one session on ESL curriculum development in the summer PDIs; ESE may consider more for the Level 4 schools.)*
7. **Current ESL models being used in your school:** Describe which program(s) are in use: Sheltered English Immersion, Transitional Bilingual Education, Two-Way/Dual Immersion, or another program
8. **Alternative or revised Program Proposal**, if any. Describe:

- a. The rationale for the specific population of students you serve, accompanied by data specific to your district, and recent research that supports this model.
  - b. See criteria from (*Castañeda v. Pickard*, 648 F.2d 989 (5th Cir., 1981) in the Appendix at the end of this document.
  - c. Staff being assigned to the alternative ELE program and why.
  - d. How the district has involved stakeholders in the development of the alternative ELE program.
9. **Achievement Gap** Describe the steps being taken to address the achievement gap for LEP students, as required by the Act.
  10. **Measurable annual goals** Identify the goals established for assessing progress of LEP students, and the reduction of achievement gaps among different groups of students, as required by the Act.
  11. **Professional Development and Planning** Describe how professional development and planning time for teachers and administrators at the school will include specific strategies and content designed to “maximize the rapid academic achievement of limited English proficient students”, as required by the Act. *(Per the Act, this should include [1] strategies for teachers that involve teacher input and feedback, and [2] strategies for administrators that develop leadership skills and use the principles of distributive leadership.)*
  12. **Parent Advisory Council** If the school operates a limited English proficient program or programs for limited English proficient students in any one language group, describe whether and how the school has established a limited English proficient parent advisory council, as required by the Act.<sup>4</sup>

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<sup>4</sup> The parent advisory council (PAC) shall be comprised of parents or legal guardians of students who are enrolled in LEP programs within the school. Each PAC shall have at least one representative from every language group in which a program is conducted in a given school. Membership shall be restricted to parents or legal guardians of students enrolled in LEP programs within the school. The duties of the PAC shall include, but not be limited to, advising the school on matters that pertain to the education of students in LEP programs, meeting regularly with school officials to participate in the planning and development of a plan to improve educational opportunities for LEP students, and to participate in the review of school improvement plans established under section 59C of chapter 71 as they pertain to LEP students. Any PAC may, at its request, meet at least once annually with the school council. The PAC shall establish bylaws regarding

## Frequently Asked Questions

### **1. What is Transitional Bilingual Education? Is a Transitional Bilingual Education (TBE) program permitted without a waiver?**

Transitional Bilingual Education is defined in MGL Ch. 71A, §2 as a language acquisition process for students in which all or substantial portions of the instruction, textbooks, or teaching materials are in the child's native language other than English. TBE is an educational theory that states that students can most easily become fluent in their target language by first acquiring fluency in their native language. Fluency is defined as linguistic fluency (speaking) as well as literacy (reading and writing).

The goal of TBE is to help transition a student into an English-only classroom as quickly as possible. A bilingual teacher instructs children in subjects such as math, science, and social studies in their native language, so that once the transition is made to an English-only classroom, the student has the knowledge necessary to compete with his peers in all other subject areas. The length of time a student is taught English while learning other subjects in his first language is typically three years. Research has shown that many of the skills learned in the native language can be transferred easily to the second language later. TBE also includes English language development instruction by an appropriately certified teacher.

Notwithstanding the requirements of MGL ch. 71A, including those regarding waivers for TBE programs, districts may choose to implement TBE in Level 4 schools as an alternative English language education program for limited English proficient students. After reviewing relevant data, schools may choose to implement TBE programs if the Redesign Team has determined that the TBE programs will benefit a majority of the ELLs who attend the school, provide equitable English language services for students of low incidence language, and demonstrate proven effectiveness within in a short period of time. (Maximum 2 years).

### **2. What qualifications must teachers possess in order to teach in an alternative English language education program?**

In order to teach ESL, teachers need an ESL license, regardless of program model.

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officers and operational procedures. In the course of its duties under this section, the PAC shall receive assistance from the director of LEP programs for the district or other appropriate school personnel as designated by the superintendent.

Teachers with a TBE license can instruct content courses in the native language, provided they also possess licensure in that content area as well.

**3. What are the English language education program model options that Level 4 schools have?**

The three most common English language education program models are Sheltered English Immersion, Transitional Bilingual Education, and Two-Way or Dual Immersion. Districts must not under any circumstance use an English submersion model, in which students are placed in an English-only environment with no supports. See appendix for specific districts with these models.

**4. Must teachers of content in alternative English language education programs complete Category training?**

Yes. All teachers who instruct LEP students must either possess an ESL or ELL license and be able to shelter content for English language learners. At this point, the only state-approved method for learning how to shelter content is the Category Trainings. Teachers who possess an ESL or ELL license do not need to attend Category training. It is assumed that they will have gained the appropriate knowledge in their teacher preparation programs.

**5. Are staff members at Level 4 schools eligible for Department trainings and/or additional funding for this?**

Yes. The Department's OELAAA office will give Level 4 schools and their respective districts priority for all relevant training opportunities. District and School Assistance Centers (DSACs) also will be giving priority to Level 4 schools.

**6. How quickly can schools begin to implement their chosen models?**

As soon as a school receives approval of its turnaround/redesign plan, it may begin to implement its chosen model (or hybrid approach).

**7. How long is the set trial period?**

Three years – the length of the turnaround/redesign plan.

**8. How do schools evaluate English language education programs in order to determine their effectiveness?**

Evaluation should include multiple measures of effectiveness, including MEPA and MCAS scores, standardized tests, graduation and dropout data,

grades, and other indicators of LEP student success as well as the licensure data referenced above.

**9. Must districts include parents or local stakeholders in the development of the alternative ELL programs?**

Districts are required to provide an opportunity to Local Stakeholder Groups and school-level Redesign Teams to comment on the development of the turnaround/redesign plans. If a Level 4 school operates a limited English proficient program or programs for limited English proficient students in any one language group, the district must establish a limited English proficient parent advisory council.

## APPENDIX

### ***Legal Standard (Castañeda) for Evaluating Alternative ELL Programs***

**The alternative program must be based on “sound educational theory.”**

The ELE program must have a strong foundation of research in theory and practice of Bilingual Education and/or English as a Second Language.

It must be recognized as sound by experts in the field or considered by experts to be a legitimate experimental strategy. *Castañeda* makes clear that districts are responsible for ensuring that LEP students receive effective and appropriate content instruction at appropriate academic levels.

The programs and practices, including resources and personnel, must be reasonably assigned to implement the theory effectively.

**The district must utilize appropriately licensed staff and materials specifically designed for English language learners, and the program must be taught in an appropriate space for the number of students served.**

Typically, due to the nature of the instructional techniques used, ESL and foreign language classrooms contain smaller numbers of students in order to promote interactive and collaborative learning.

**After a set trial period, the program must be evaluated and found to be effective in overcoming language barriers that impede equal participation. Adjustments must be made where needed to ensure that language barriers are actually being overcome.**

The district/school must use MEPA along with any number of appropriate test measurements of English language learning ability.

The district/school’s ELE program must include a battery of formative and summative interim assessments. These assessments, in addition to the MEPA, MELA-O and MCAS, must accurately measure English language acquisition and learning of content. The assessments must be designed for students learning English as an additional language.

Suggested districts for observing program models:

Sheltered English Immersion: Lowell, Worcester and Chelsea

Two-Way Models: Cambridge (Amigos Program)

Transitional Bilingual Education: Framingham