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| MAESELogo_695x338_color |  | **Lowell Middlesex Academy Charter (District)**  **Tiered Focused Monitoring Report**  **Continuous Improvement and Monitoring Plan**  **Onsite Dates:** **November 12-16, 2018**  **Tier Level** **2**  **Date of Final Report:** **05/28/2019** |
|  |  | **Jeffrey C. Riley****Commissioner of Elementary and Secondary Education** |
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During the 2018-2019 school year, Lowell Middlesex Academy Charter (District) participated in a Tiered Focused Monitoring Review conducted by the Department’s Office of Language Acquisition (OLA). The purpose of the Tiered Focused Monitoring Review is to monitor compliance with regulatory requirements focusing on English Learner Education.

District/charter schools are reviewed every six years through Tiered Focused Monitoring except the districts that repeat as Tier 4 for three consecutive years. These districts’ ELE programs are reviewed every 3 years until such time they are no longer Tier 4.

There are 13 ELE criteria that target implementation of the requirements related to ELE programs under state and federal law and regulations:

ELE 1: Annual English Language Proficiency Assessment

ELE 2: State Accountability Assessment

ELE 3: Initial Identification of ELs and FELs

ELE 5: ELE Program and Services

ELE 6: Program Exit and Readiness

ELE 7: Parent Involvement

ELE 8: Declining Entry to a Program

ELE 10: Parental Notification

ELE 13: Fallow-up Support

ELE 14: Licensure Requirements

ELE 15: Professional Development Requirements

ELE 17: Program Evaluation

ELE 18: Records of ELs

Tiered Focused Monitoring allows for differentiated monitoring based on a district’s level of need, the Tiers are defined as follows:

Districts in Tiers 1 and 2 have been determined to have no or low risk:

* Tier 1/Self-Directed Improvement: Data points indicate no concern on compliance and performance outcomes – meets requirements.
* Tier 2/Directed Self-Improvement: No demonstrated risk in areas with close link to student outcomes – low risk.

Districts in Tiers 3 and 4 have demonstrated greater risk:

* Tier 3/Corrective Action: Areas of concern include both compliance and student outcomes – moderate risk.
* Tier 4/Cross-unit Support and Corrective Action: Areas of concern have profound effect on student outcomes and ongoing compliance – high risk.

The monitoring process differs depending on the tier assigned to the district as well as the district’s previous tier assignment.

The review process includes the following:

1. Self-Assessment

* District reviews English Learner Education documentation for required elements including document uploads.
* District reviews a sample of English learner (EL) student records selected across grade levels and EL focus areas such as opt-out students, former ELs and students and/or parents who need translation and/or interpretation.
* Upon completion of these two internal reviews, the district’s self-assessment is submitted to the Department for review.

1. Verification

* Review of EL student records: The Department may select a sample of student records and request certain documentation to be uploaded to the WBMS as evidence of implementation of the ELE criteria.
* Review of additional documents for English Learner Education
* Surveys of parents of ELs: Parents of ELs are sent a survey that solicits information regarding their experiences with the district’s implementation of English Learner Education program(s), related services, and procedural requirements.
* Interviews of staff

**Report: For Tier 1 & 2 Tiered Focused Monitoring Reviews**

Within approximately 20 business days of the onsite visit, the onsite chairperson will forward to the superintendent or charter school leader the findings from the Tiered Focused Monitoring Review. Within 10 business days of receipt of the findings, the district reviews and comments on the findings for factual accuracy before they are finalized. After the report is finalized, all districts in Tiers 1 and 2, as part of the reporting process, will develop a Continuous Improvement and Monitoring Plan (CIMP) for any criteria receiving a rating of "Partially Implemented," "Not Implemented," and “Implementation in Progress.” The CIMP outlines an action plan, identifies the success metric, describes the measurement mechanism and provides a completion timeframe to bring those areas into compliance with the controlling statute or regulation. District and charter schools are expected to incorporate the CIMP actions into their district and school improvement plans, including their professional development plans.

# **DEFINITION OF COMPLIANCE RATINGS**

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| **Commendable** | Any requirement or aspect of a requirement implemented in an exemplary manner significantly beyond the requirements of law or regulation. |
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| **Implemented** | The requirement is substantially met in all important aspects. |
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| **Implementation in Progress** | This rating is used for criteria containing new or updated legal requirements and means that the district has implemented any old requirements contained in the criterion and is training staff or beginning to implement the new requirements in such a way that the onsite team anticipates that the new requirements will be implemented by the end of the school year. |
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| **Partially Implemented** | The requirement, in one or several important aspects, is not entirely met. |
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| **Not Implemented** | The requirement is totally or substantially not met. |
| **Not Applicable** | The requirement does not apply to the school district or charter school. |

For more information on the Tiered Focused Monitoring approach, please go to: [*http://www.doe.mass.edu/ell/cpr/*](http://www.doe.mass.edu/ell/cpr/)

Lowell Middlesex Academy Charter (District)

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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|  | **English Learner Education Requirements** |
| **IMPLEMENTED** | ELE 2, ELE 3, ELE 7, ELE 8, ELE 9, ELE 15, ELE 17, ELE 18 |
| **PARTIALLY**  **IMPLEMENTED** | ELE 5, ELE 6, ELE 10, ELE 13, ELE 14 |
| **NOT IMPLEMENTED** | ELE 1 |

| **CRITERION**  **NUMBER** | **ENGLISH LEARNER EDUCATION**  **I. ASSESSMENT OF STUDENT PROGRESS** | | |
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|  | **Legal Standard** | | |
| **ELE 1**  **Annual English Language Proficiency Assessment** | 1. The district annually assesses the English proficiency of all ELs. 2. The ACCESS for ELLs 2.0 is administered to ELs annually in grades K-12 by qualified staff.   **Authority: ESEA; G.L. c. 71A, § 7; 603 CMR 14.02.** | | |
|  | **Rating: Not Implemented** | **District Response Required**: | **Yes** |

**Department of Elementary and Secondary Education Comments:**

*A review of ACCESS participation rates as shown in the state database revealed that the district did not assess the English proficiency of EL students in the district.*

| **CRITERION**  **NUMBER** |  | | |
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|  | **Legal Standard** | | |
| **ELE 5**  **ELE Programs and Services** | 1. The Department shall conduct on-site visits to school districts at least once every year for the purpose of evaluating the effectiveness of programs serving English learners and to validate evidence of educational outcomes. 2. The district uses assessment data to plan and implement educational programs for students at different instructional levels. 3. Children who are English learners shall be educated through sheltered English immersion or an alternative instructional program that meets the requirements of federal and state law, during a temporary transition period not normally intended to exceed the timelines established by the Department in benchmarks established pursuant to G.L. c. 71A, § 11. Alternative instructional programs include, but are not limited to, transitional bilingual education and dual language education or two-way immersion programs. 4. ELE programs shall be research-based and include subject matter content and an English language acquisition component. 5. The district only groups ELs of different ages together in instructional settings if their levels of English proficiency are similar. 6. The district’s grouping of students ensures that ELs receive effective content instruction at appropriate academic levels and that ESL instruction is provided at the appropriate proficiency level. ESL instruction should be aligned to the Massachusetts Curriculum Frameworks and must integrate components of the WIDA English Language Development (ELD) Standards. 7. The evaluation of ELE programs (by the Department) shall include, but shall not be limited to: (i) a review of individual student records of English learners; (ii) a review of the programs and services provided to English learners; (iii) a review of the dropout, graduation, discipline and special education incidence rates of the English learner population in the district; (iv) using the best available data, a review of the dropout, graduation, discipline and special education rates of English learners who exited the English learner education program within the 3 school years preceding the on-site visit for that 3-year period; (v) a description of the processes by which school-based teams, consisting of educators, administrators and support staff, monitor the progress of English learners and former English learners; (vi) a review of the amount, frequency and effectiveness of English as a second language instruction; and (vii) a review of the administration and coordination of English learner education programs.   **Authority: Title VI; EEOA; G.L. c. 71A, §§ 4, 7A; 603 CMR 14.04.** | | |
|  | **Rating: Partially Implemented** | **District Response Required**: | **Yes** |
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**Department of Elementary and Secondary Education Comments:**

*The district submitted evidence of curricular materials available in the charter school, but interviews and documentation submitted with the self-assessment indicate that they are not used to deliver ESL instruction and the school uses reading intervention tools to deliver instruction at the time dedicated to English language development.*

| **CRITERION**  **NUMBER** |  | | |
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|  | **Legal Standard** | | |
| **ELE 6**  **Program Exit and Readiness** | 1. Each school district shall establish criteria, in accordance with Department of Elementary and Secondary Education guidelines, to identify students who may no longer be English learners. 2. The district does not reclassify an English Learner (EL) as Former English Learner (FEL) until he or she is deemed English proficient and can participate meaningfully in all aspects of the district’s general education program without the use of adapted or simplified English materials. 3. Districts do not limit or cap the amount of time in which an EL can remain in a language support program. An EL only exits from such a program after he or she is determined to be proficient in English.   **Authority: Title VI; ESEA; EEOA; G.L. c. 71A, § 4; 603 CMR 14.02.** | | |
|  | **Rating: Partially Implemented** | **District Response Required**: | **Yes** |

**Department of Elementary and Secondary Education Comments:**

*A review of documentation submitted and interviews conducted indicate that the district does not exit EL students from the district's language acquisition program after they have met exit criteria.*

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| **ELE 10**  **Parent Notification** | 1. State law parental notification requirement: School districts shall, at least annually, inform the parents or legal guardians of ELs of their rights to:    1. choose a language acquisition program among those offered by the school district;    2. request a new language acquisition program; or    3. withdraw a student from a language acquisition program.   Notice shall be sent by mail **no later than 10 days after the enrollment** of the student in the school district. The notice shall, to the extent possible:   * 1. be in a language that is understandable to the parents or legal guardians;   2. contain a simple, easy to understand description of the purpose, method and content of the available programs;   3. inform the parent or legal guardian of the right to visit an ELE program in the school district; and   4. inform the parent or legal guardian of available conferences or meetings to learn more about the English learner programs offered in the school district.  1. Federal law parental notification requirement: Each local educational agency will inform parents of an English learner identified for participation or participating in an ELE program, of: 2. the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program; 3. the child’s level of English proficiency, how such level was assessed, and the status of the child’s academic achievement; 4. the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction; 5. how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child; 6. how such a program will specifically help their child learn English and meet age appropriate academic achievement standards for grade promotion and graduation; 7. the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from high school (including four-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds are used for children in high schools; 8. in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and 9. information pertaining to parental rights that includes written guidance:    1. detailing the right that parents have to have their child immediately removed from such program upon their request;    2. detailing 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, and    3. assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered.   This notification must be provided **not later than 30 days after the beginning of the school year**.  For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the local educational agency shall provide this notification during the first 2 weeks of the child being placed in an ELE program.  This notification must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.   1. The district shall send report cards and progress reports including, but not limited to, progress in becoming proficient in using English language and other school communications to the parents or legal guardians of students in the English learners programs in the same manner and the frequency as report cards and progress reports to the other students enrolled in the district. The reports are, to the maximum extent practicable, written in a language understandable to the parent/guardian.  Authority: ESEA; G.L. c. 71A, §§ 7, 12; 603 CMR 14.02. | | |
|  | **Rating: Partially Implemented** | **District Response Required:** | **Yes** |

**Department of Elementary and Secondary Education Comments:**

*A review of documentation submitted indicate that initial parent notification letters and notices of reclassification are not provided to parents.*

| **CRITERION**  **NUMBER** |  | | |
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|  | **Legal Standard** | | |
| **ELE 13**  **Follow-up Support** | 1. The district actively monitors students who have exited an ELE education program for four years and provides language support to those students, if needed. 2. The district provides support, if needed, to remedy any academic deficits the student incurred as a result of participation in the ELE program.   **Authority: Title VI; EEOA; ESEA.** | | |
|  | **Rating: Partially Implemented** | **District Response Required:** | **Yes** |

**Department of Elementary and Secondary Education Comments:**

*Although interviews indicate that ELs are monitored frequently and consistently, interviews and a review of documentation indicate that the district does not reclassify ELs, and therefore does not have a process for monitoring FEL students.*

| **CRITERION**  **NUMBER** | **ENGLISH LEARNER EDUCATION**  **VI. FACULTY, STAFF AND ADMINISTRATION** | | |
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|  | **Legal Standard** | | |
| **ELE 14**  **Licensure Requirements** | Licensure requirements for districts where ELs are enrolled:  1. Every district, including every Commonwealth charter school, has at least one teacher who has an English as a Second Language or Transitional Bilingual Education, or ELL license under G.L. c.71, § 38G and 603 CMR 7.04(3). (This requirement does not apply separately to Horace Mann charter schools.)  2. Except at Commonwealth charter schools, every teacher or other educational staff member who teaches ELs holds an appropriate license or current waiver issued by the Massachusetts Department of Elementary and Secondary Education.  3. Core academic teachers who provide sheltered English instruction to English learners in school districts, including charter schools and education collaboratives, must earn an SEI Teacher Endorsement as set forth in 603 CMR 7.00 and 603 CMR 14.00. Principals, assistant principals, and supervisors/directors who supervise or evaluate such teachers, must earn an SEI Teacher Endorsement or SEI Administrator Endorsement as set forth in 603 CMR 7.00 and 603 CMR 14.00.  4. Any core academic teacher who is assigned to provide sheltered English instruction to an EL shall either hold an SEI Teacher Endorsement, or is required to earn such endorsement within one year from the date of the assignment. Any school district that assigns an EL to a core academic teacher who has a year to obtain an SEI endorsement, shall take all reasonable steps to ensure that such EL is assigned to core academic teachers with an SEI endorsement in subsequent school years.  5. No principal, assistant principal, or supervisor/director shall supervise or evaluate a core academic teacher who provides sheltered English instruction to an EL unless such principal, assistant principal, or supervisor/director holds an SEI Teacher Endorsement or SEI Administrator Endorsement, or will earn either endorsement within one year of the commencement of such supervision or evaluation.  6. Except at Commonwealth charter schools, any director of ELE program(s) who is employed in that role for one-half time or more has a Supervisor/Director license and an English as a Second Language (ESL), Transitional Bilingual Education (TBE) or an ELL license.  7. A core academic teacher assigned to provide instruction to an English learner in a bilingual education setting, such as dual language education or two-way immersion program, or transitional bilingual education program, must be properly qualified in the field and grade level of the assignment, and hold the appropriate endorsement, as follows:  a. A core academic teacher responsible for the instructional componentprovided in a language other than English must hold the Bilingual Education Endorsement or a valid waiver issued by the Commissioner.  b. A core academic teacher responsible for the instructional component provided in English must hold the Bilingual Education Endorsement or the SEI Endorsement.  8. A principal, assistant principal, or supervisor/director who supervises or evaluates a core academic teacher assigned to provide instruction to an English learner in a bilingual education setting, such as dual language education or two-way immersion program, or transitional bilingual education program, must hold the Bilingual Education Endorsement or the SEI Endorsement.  9. A valid Transitional Bilingual Education license or Transitional Bilingual Learning endorsement issued by the Department shall be deemed the equivalent of the Bilingual Education Endorsement.  10. Prior to the beginning of each school year, districts, including charter schools shall verify that each of the educators in an English learner program is properly endorsed for that program.  **Authority: Title VI; EEOA; G.L. c. 71, § 38G, §89(ii); G.L. c. 71A, § 10; St. 2002, c. 218, §§ 24, 25; 603 CMR 7.04(3), 7.09(3); 603 CMR 7.14(1)-(3); 603 CMR 7.15(9)(b)-(c); 603 CMR 7.15(13)(d); 603 CMR 14.07.** | | |
|  | **Rating: Partially Implemented** | **District Response Required:** | **Yes** |

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**Department of Elementary and Secondary Education Comments:**

*Staff interviews and the relevant SEI Endorsement data indicated that most core academic teachers assigned to provide sheltered English instruction to English learners hold the SEI Teacher Endorsement, but some do not. Similarly, the administrator assigned to supervise or evaluate core academic teachers who provide sheltered English instruction to English learners does not hold the SEI Teacher Endorsement or the SEI Administrator Endorsement.*