



English Learner 2022 23 Program Instrument

California Department of Education
May 2022

I. Involvement

EL 01: English Learner Advisory Committee (ELAC)

- 1.0 A school site with 21 or more English learners (ELs) must have a functioning ELAC that meets the following requirements:
 - (a) Parent members are elected by parents or guardians of ELs.
 - (b) Parents of ELs constitute at least the same percentage of the committee membership as their children represent of the student body.
 - (c) The ELAC shall be responsible for assisting in the development of the schoolwide needs assessment and ways to make parents aware of the importance of regular school attendance.
 - (d) The ELAC shall advise the principal and staff in the development of a site plan for ELs and submit the plan to the school site council for consideration for inclusion in the School Plan for Student Achievement (SPSA).
 - (e) The ELAC receives training materials and training, planned in full consultation with committee members, to assist members in carrying out their legal responsibilities.

(California *Education Code* [EC] sections 52176[b], 62002.5; Title 5, *California Code of Regulations* [5 CCR] Section 11308)

- 1.1 A school may designate an existing school-level advisory committee, or subcommittee of such advisory committee, to fulfill the legal responsibilities of ELAC, if the advisory body meets the criteria in paragraph “b”, above. (EC Section 52176[b]; 5 CCR Section 11308[d])
- 1.2 Each ELAC has the opportunity to elect at least one member to the District English Learner Advisory Committee (DELAC) or participants in a

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proportionate regional representation scheme when there are 31 or more ELACs in the local educational agency (LEA). (5 CCR Section 11308[b])

Evidence Requests

English Learner Advisory Committee

Abbreviation: ELACadvstry

Description: For each site under review, provide current and previous year member rosters with their child's English Language acquisition status, roles, meeting agendas, attendance records, minutes, including input for the SPSA, needs assessment, and training materials.

Item Instructions: EL 01: If the ELAC has opted to create bylaws (not required for ELAC), please provide them.

Related Items: EL 01

EL 02: District English Learner Advisory Committee (DELAC)

- 2.0 Each LEA with 51 or more ELs must form a DELAC unless the district designates for this purpose a subcommittee of an existing districtwide advisory committee. Parents or guardians, or both, of pupils of limited English proficiency who are not employed by the district shall constitute a majority of the DELAC. (*EC* sections 52176[a], 62002.5; 5 CCR Section 11308)
- 2.1 The DELAC shall advise the school district governing board on all of the following tasks:
 - (a) Development of an LEA master plan, including policies, per the State Board of Education (SBE) EL Roadmap Policy, guiding consistent implementation of EL educational programs and services that takes into consideration the SPSAs.
 - (b) Conducting of an LEA-wide needs assessment on a school-by-school basis.
 - (c) Establishment of LEA program, goals, and objectives for programs and services for ELs per the SBE-adopted EL Roadmap Policy.
 - (d) Development of a plan to ensure compliance with any applicable teacher and instructional aide requirements.
 - (e) Review and comment on the LEA's reclassification procedures.

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- (f) Review and comment on the written notifications required to be sent to parents and guardians. (5 CCR Section 11308)
 - (g) Under the local control funding formula, LEAs with at least 50 ELs and whose total enrollment includes at least 15 percent ELs must establish a DELAC, and that DELAC must carry out specific responsibilities related to the Local Control and Accountability Plan (LCAP), including providing input regarding the LEA's existing language acquisition programs and language programs, and, where possible, the establishment of other such programs. If the DELAC acts as the ELAC under EC sections 52063(b)(1) and 52062(a)(2), the DELAC shall also review and comment on the development or annual update of the LCAP. (5 CCR Section 11301)
- 2.2 Each LEA must provide appropriate training materials and training, planned in full consultation with committee members, to assist members in carrying out their legal advisory responsibilities. (5 CCR Section 11308[d])
- 2.3 The consolidated application must also include certifications by appropriate district advisory committees, including the DELAC, that the application was developed with review and advice of those committees. (EC Section 64000[c])

Evidence Requests

District English Learner Advisory Committee

- Abbreviation: DELACadvstry
- Description: Current and previous year member rosters, roles, meeting agendas, minutes, attendance records, needs assessment, training materials, and written input into the LCAP development.
- Item Instructions: EL 02: If the DELAC has opted to create bylaws (not required for DELAC), please provide them.
- Related Items: EL 02

II. Governance and Administration

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primary or native language of the student is a language other than English.
(20 U.S.C. 6823[b][2]; 5 CCR Section 11518.5[a])

- 3.2 If a parent or guardian HLS response indicates a primary or native language other than English, and the LEA determines the student is eligible for initial assessment, the LEA shall promptly notify the parent or guardian, in writing,

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Evidence Requests

Combined EL Assessment, Placement, and Enrollment Data

Abbreviation: CombAllIELdata

Description: Most recent ELP and academic assessment results and dates, and language acquisition program placement. Identify long term English learners (LTELs) or ELs at risk of becoming LTELs.

Item Instructions: EL 03: Include all currently enrolled ELs in the LEA. See sample spreadsheet for EL 03, 13, and 15 in Resource Box.

Related Items: EL 03, EL 13, EL 15

EL Identification

Abbreviation: ELId

Description: Home Language Surveys.

Item Instructions:

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- i. Shall include parent, family, and community engagement activities; and
 - ii. May include strategies that serve to coordinate and align related programs. (20 U.S.C. Section 6825[c][3][A–B])
- 4.2 Authorized subgrantee activities may use funds by undertaking one or more of the following activities:
- (a) Upgrading effective EL instructional strategies;
(20 U.S.C. Section 6825[d][1])
 - (b) Improving EL instructional programs through supplemental curricula, instructional materials, educational software, and assessment procedures; (20 U.S.C. Section 6825[d][2])
 - (c) Providing to ELs:
 - i. Tutorials and academic or career and technical education; and
 - ii. Intensified instruction, which may include materials in a language that the student can understand, interpreters, and translators.
(20 U.S.C. Section 6825[d][3])
 - (d) Developing and implementing effective preschool, elementary, or secondary school language instruction programs coordinated with other relevant programs and services; (20 U.S.C. Section 6825[d][4])
 - (e) Improving the ELP and academic achievement of ELs;
(20 U.S.C. Section 6825[d][5])
 - (f) Providing community participation programs, family literacy services, parent and family outreach, and training activities to ELs and their families to:
 - i. Improve the English language skills of ELs; and
 - ii. Assist parents and families in helping their children to improve their academic achievement and become active participants in the education of their children. (20 U.S.C. Section 6825[d][6][A–B])
 - (g) Improving the instruction of ELs, which may include ELs with a disability, by providing:
 - i. The acquisition or development of educational technology or instructional materials;
 - ii. Access to, and participation in, electronic networks for materials, training, and communication;

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working with immigrants, to offer comprehensive community services to parents and families of immigrant children.

(20 U.S.C. Section 6825[e][1][A–G])

Evidence Requests

Immigrant Services and Procedures

Abbreviation: ImgrntSrvcsPrcdrs

Description: LEA procedures to provide enhanced instructional opportunities to eligible immigrant children and youth.

Item Instructions: EL 04: Provide local procedure for making available any specialized immigrant student instructional opportunities or family outreach services funded by Title III Immigrant funds (resource 4201).

Related Items: EL 04

LEA Title III Plan

Abbreviation: TtIIIPln

Description: LEA Title III Plan for the current subgrant year, such as the LCAP Federal Addendum and current annual evaluation and revision of Title III spending plan, which meets the criteria of EL 04.

Item Instructions:

Related Items: EL 04

Title III Consortia Memorandum of Understanding

Abbreviation: Ttl3lcnstia

Description: Applies only to Title III consortium leads and members Memorandum of Understanding (MOU) between lead and member LEA(s).

Item Instructions: EL 04: Provide Title III consortium MOU with appropriate signatures. If not applicable, please state so in the California Department of Education Monitoring Tool (CMT) comment section.

Related Items: EL 04

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Title III Payroll Records

Abbreviation: PrIRcrds

Description: Record of salaries and benefits paid to employees that work at the LEA for the current and previous fiscal year under review, that identifies the employees' name, hours worked, gross pay, net pay, deductions, and payroll period.

Item Instructions: EL 07: Submit payroll records showing wages and benefits funded by Title III resources (4201 and 4203). Upon review, additional documents may be requested.

Related Items: EL 07

EL 08: Time and Effort Requirements (Title I and Title III)

8.0 The LEA must properly charge and document allowable salaries and wages that are reasonable and necessary in accordance with applicable Title III program requirements and federal accounting requirements. (2 CFR sections 200.302, 200.303, 200.430[a] and [i])

Evidence Requests

Time and Effort Policies and Procedures

Abbreviation: TmEffrtPlcyPrcdrs

Description: The LEA's established written policies and procedures for documenting time and effort of employees that work on federal programs. Current year.

Item Instructions: EL 08: Documentation should include the LEA's specific policies and procedures for documenting actual hours worked, including related internal controls, employee training, reconciliation processes, deadlines, and authority.

Related Items: AE 02, FM 01, CTE 02, EL 08, CE 13, NorD 06

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Time and Effort Records

Abbreviation: TmEfrtRcrds

Description: Documentation to support salaries and benefits charged to each program funding source under review in accordance with federal requirements. Records may include personnel activity reports, semiannual certifications, or other equivalent records. Budget estimates do not qualify as support.

Item Instructions:

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Evidence Requests

Reclassification Criteria

Abbreviation: ReclsCrtria

Description: Current approved LEA reclassification criteria for grades kindergarten through twelve (K–12) that includes the statewide criteria of overall performance level 4 on the ELPAC.

Item Instructions:

Related Items: EL 10

Reclassification Process

Abbreviation: ReclsPrcls

Description: Current approved local board policy or administrative regulations that describe the reclassification process.

Item Instructions:

Related Items: EL 10

Reclassification Records/Forms

Abbreviation: ReclsRcrdsFrms

Description: For each site under review, reviewer will request three completed reclassification records/forms with proof of parent/guardian consultation.

Item Instructions: EL 10: Reviewer will select from RFEP progress monitoring spreadsheet provided by the LEA.

Related Items: EL 10

Reclassified to Fluent English Proficient (RFEP) Progress Monitoring

Abbreviation: RFEPPrclsMntrng

Description: Submit a sortable spreadsheet of all students in the LEA reclassified beginning in 2018–19 through the current year.

Item Instructions: EL 10: Data should include: local student ID; school site; grade level; ELPAC test date; ELPAC summative score; RFEP date; current status showing courses failed or standard not met; interventions (if applicable). For RFEP through the IEP process, please notate in a separate column.

Related Items: EL 10

V. Staffing and Professional Development

EL 11: Teacher EL Authorization

11.0 Teachers assigned to provide ELD and instruction in subject matter courses in which ELs are enrolled must have the appropriate authorizations and be fluent in English.

(20 U.S.C. Section 6826 [c]; *EC* sections 44253.1, 44253.2, 44253.3, 44253.4, 44253.5, 44253.6, 44253.7, 44253.10; *Castañeda v. Pickard* [5th Cir. 1981] 648 F.2d 989, 1012–1013; 5 *CCR* Section 11309[c][2])

Evidence Requests

EL Teacher Authorization

Abbreviation: ELTchrAthrzttn

Description: Sortable spreadsheet with all currently employed teachers listed only once by name (first, middle, and last), site, and appropriate Commission on Teacher Credentialing EL authorization code (e.g., ELA1, S12, BLSP, etc.) or evidence of a temporary county certificate (TCC) with EL authorization.

Item Instructions: EL 11: Include only teachers of record. Do not include non-teaching certificated staff, such as administrators, speech pathologists, school psychologists, nor counselors.

Related Items: EL 11

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Parental Notice

Abbreviation: PrntlNtc

Description: The LEA's parental notice of rights and responsibilities required by EC 48980 and 48981 which includes the information in 13.2 above: language acquisition and language programs offered, including SEI, and the local procedure for determining placement which demonstrates parent choice.

Item Instructions: EL 13: The LEA's parent handbook or parent rights and responsibilities notice provided to all parents/guardians upon a child's enrollment. EL program placement must demonstrate parent's right to choose a program for their child.

Related Items: EL 13

Program Request Process

Abbreviation: PrgrmP

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Integrated ELD Program Description

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(20 U.S.C. sections 1703 [f], 6825 [c][1][B]; *EC* sections 305[a][2], 310; 33126, 60811.8; 5 *CCR* Section 11302[b]; *Castañeda v. Pickard* [5th Cir. 1981] 648 F.2d 989,)

Evidence Requests

Combined EL Assessment, Placement, and Enrollment Data

Abbreviation: CombAllELdata

Description:

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EL Student Progress Monitoring

Abbreviation: StdntPrgrsMntrng

Description: Description of progress monitoring and support services implemented for ELs in the standard instructional program.

Item Instructions: EL 15: Provide a description and three redacted samples from each site under review of individual EL student progress monitoring that includes interventions and objectives for exiting intervention programs.

Related Items: EL 15