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| DESE Star LogoStarLogo08_A |  | **Pioneer Valley Performing Arts Charter Public (District)**  **Tiered Focused Monitoring Report**  **Continuous Improvement and Monitoring Plan**  **Onsite Dates:** **December 17-17, 2018**  **Tier Level** **2**  **Date of Final Report:** **04/22/2019** |
|  |  | **Jeffrey C. Riley****Commissioner of Elementary and Secondary Education** |
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During the 2018-2019 school year, Pioneer Valley Performing Arts Charter Public (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/>

Pioneer Valley Performing Arts Charter Public (District)

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

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

| **CRITERION**  **NUMBER** | **ENGLISH LEARNER EDUCATION**  **II. STUDENT IDENTIFICATION AND PLACEMENT** | | |
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|  | **Legal Standard** | | |
| **ELE 3**    **Initial Identification of ELs and FELs** | 1. The district uses qualified staff, appropriate procedures, and state-required assessments to identify students who are ELs and to assess their level of English proficiency in reading, writing, speaking, and listening, as appropriate for their grade. 2. Each school district shall establish written procedures, in accordance with Department of Elementary and Secondary Education guidelines, to identify students who may be ELs and assess their level of English proficiency upon their enrollment in the school district. 3. Each school district shall establish written procedures, in accordance with Department of Elementary and Secondary Education guidelines, to identify students who are Former English Learners (FELs) to be able to design and implement a process for routinely monitoring these students’ academic progress for four years following their reclassification.   **Authority: ESEA; Title VI; EEOA; G.L. c. 71A, § 4; 603 CMR 14.02; G.L c. 76, § 5; 603 CMR 26.03.** | | |
|  | **Rating: Partially Implemented** | **District Response Required**: | **Yes** |

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

*The documentation submitted by the charter school did not include information regarding the procedures to screen students whose home language surveys indicate a language other than English or the testing data showing that the charter school screened any potential English learner in the SY 2017-18. Furthermore, according to staff interviews, the school does not screen students who come from a U.S. school even if their home language surveys have a language other than English as a response to one or more questions. The district's current initial identification practices are not consistent with 603 CMR 14.02(1) that requires districts to establish procedures in accordance with the Department guidelines.*

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| **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** |

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

*The documentation submitted by the charter school indicates that the charter school does not have an ELE program and is currently in process of developing its ELE Program.*

| **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: Not Implemented** | **District Response Required**: | **Yes** |

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

*The documentation submitted by the charter school indicates that the charter school does not have policies and procedures in place to reclassify English learners as Former English learners and exit them from the ELE program when they attain English proficiency.*

| **CRITERION**  **NUMBER** | **ENGLISH LEARNER EDUCATION**  **III. PARENTAL INVOLVEMENT** | | |
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|  | **Legal Standard** | | |
| **ELE 7**  **Parent Involvement** | 1. The district develops ways to include parents or guardians of ELs in matters pertaining to their children’s education and ELE programs. 2. A request by a student’s parent or guardian to enroll the student in or transfer the student into a specific English learner education program offered by the school district shall be reviewed by the superintendent or the superintendent’s designee. The school district shall respond to such requests in no more than 20 school days after receipt of the request. 3. If a school district receives requests from the parents or legal guardians of not less than 20 students to implement a specific program to provide language instruction in that school district, the school district shall, not later than 90 days after receiving the request, respond and provide: (i) a plan for implementation of the requested program; or (ii) a denial of the request, in writing, including an explanation of the denial. 4. Each school district serving 100 or more ELs or in which ELs comprise at least five percent of the student population, whichever is less, shall establish an English learner parent advisory council. 5. Each school designated as underperforming or chronically underperforming and operating a program for English learners shall establish an English learner parent advisory council. 6. A school district or school required to establish a parent advisory council shall annually notify parents and guardians of ELs of the opportunity to participate in the council and shall provide the notification in a language the parent or guardian can understand.   **Authority: Title VI; EEOA; ESEA; G.L. c. 69, § 1J(x); G.L. c. 71A, §§ 5, 6A, 12; 603 CMR 14.04 and 14.09.** | | |
|  | **Rating: Partially Implemented** | **District Response Required**: | **Yes** |

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

*The documentation submitted by the charter school does not include any evidence of language assistance provided to parents whose preferred language is not English. The Department concludes that the charter school does not always meet the obligation to communicate effectively with parents to include them in matters pertaining to their children's education.*

| **CRITERION**  **NUMBER** | **ENGLISH LEARNER EDUCATION**  **IV. CURRICULUM AND INSTRUCTION** | | |
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|  | **Legal Standard** | | |
| **ELE 8**  **Declining Entry to a Program** | 1. A parent or guardian of an English learner may withdraw the student from an English learner education program in accordance with state and federal law. 2. The district provides English language support to students whose parents have declined entry or withdrawn from a sheltered English immersion, dual language education or two-way immersion program, or other ELE program. 3. The written confirmation of the withdrawal shall be provided annually to the school by the parent or legal guardian and such confirmation shall be retained in the student’s cumulative folder; and provided further, that the student shall retain the right to enter an ELE program at any time.   **Authority: Title VI; EEOA; G.L. c. 71A §12; 603 CMR 14.04.** | | |
|  | **Rating: Not Implemented** | **District Response Required**: | **Yes** |

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

*The documentation submitted by the charter school indicates that the charter school does not have procedures in place to inform and assist parents who choose to opt out of ELE services or to monitor the progress of such students to ensure that they have meaningful access to the curricula taught in the charter school.*

| **CRITERION**  **NUMBER** |  | | |
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|  | **Legal Standard** | | |
| **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: Not Implemented** | **District Response Required:** | **Yes** |

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

*According to staff interviews, the charter school does not inform parents of the students' placement or continuation in the school's ELE program and other information as required by law.*

| **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: Not Implemented** | **District Response Required:** | **Yes** |

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

*The charter school does not have procedures in place to monitor the progress of students who are reclassified as former English learners.*

| **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:  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.)  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.   1. 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. 2. 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. 3. 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. 4. 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. 5. 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 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.  A core academic teacher responsible for the instructional component provided in English must hold the Bilingual Education Endorsement or the SEI Endorsement.   1. 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. 2. 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. 3. 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** |

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

*Charter school documentation and staff interviews indicated that the district does not have at least one teacher assigned to provide ESL instruction who has an English as a Second Language or Transitional Bilingual Education, or ELL license as required under G.L. c.71, § 38G and 603 CMR 7.04(3).*

*Furthermore, 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.*

| **CRITERION**  **NUMBER** |  | | |
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|  | **Legal Standard** | | |
| **ELE 15**  **Professional Development Requirements** | Districts with ELs must develop a professional development plan and provide training for teachers in second language acquisition techniques for the re-certification of teachers and administrators. In accordance with 603 CMR 44.06(1)(a), educators with professional licenses must earn at least 15 Professional Development Points related to SEI, English as a Second Language or Bilingual Education in order to be eligible to renew their licenses.  Districts awarded Title III funds must provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, administrators, and other school or community-based organizational personnel, that is —  (A) designed to improve the instruction and assessment of ELs;  (B) designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement curricula, assessment practices and measures, and instructional strategies for ELs;  (C) effective in increasing children's English proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and  (D) of sufficient intensity and duration (which shall not include activities such as one-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers' performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher's supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate.  **Authority: ESEA; EEOA; G.L. c. 71, §§ 38G and 38Q; 603 CMR 44.06(1)(a).** | | |
|  | **Rating: Not Implemented** | **District Response Required:** | **Yes** |

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

*A review of documentation and staff interviews indicated that the charter school has not developed a professional development plan to provide educators with training in second language acquisition techniques in accordance with 603 CMR 44.06(1)(a) that requires educators to earn 15 Professional Development Points (PDPs) related to SEI or ESL for re-certification.*

| **CRITERION**  **NUMBER** | **ENGLISH LEARNER EDUCATION**  **VIII. PROGRAM PLAN AND EVALUATION** | | |
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|  | **Legal Standard** | | |
| **ELE 17**  **Program Evaluation** | The district conducts periodic evaluations of the effectiveness of its ELE program in developing students’ English language skills and increasing their ability to participate meaningfully in the educational program. Where the district documents that the program is not effective, it takes steps to make appropriate program adjustments or changes that are responsive to the outcomes of the program evaluation.  **Authority: Title VI; EEOA; ESEA.** | | |
|  | **Rating: Not Implemented** | **District Response Required**: | **Yes** |

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| **Department of Elementary and Secondary Education Comments:**  *Staff interviews and documentation indicated that that the charter school does not have a comprehensive process to evaluate the effectiveness of its ELE programming in developing students' English language skills and increasing their ability to participate meaningfully in the district's educational program.* |

| **CRITERION**  **NUMBER** | **ENGLISH LEARNER EDUCATION**  **IX. RECORD KEEPING** | | |
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|  | **Legal Standard** | | |
| **ELE 18**  **Records of EL Students** | ELL student records include:   1. home language survey; 2. results of identification and proficiency tests and evaluations, including MEPA and MELA-O until SY 2011/2012; 3. ACCESS for ELLs test from SY 2012/2013; 4. MCAS, PARCC or other tests chosen by the Board of Education and the district; 5. information about students’ previous school experiences; 6. copies of parent notification letters; 7. progress reports, in the native language, if necessary; 8. report cards, in the native language, if necessary; 9. evidence of follow-up monitoring, if applicable; 10. documentation of a parent’s consent to “opt-out” of ELL education, if applicable; 11. waiver documentation, if applicable; 12. individualized learning plan (optional)   **Authority: Title VI; EEOA; G.L. c. 69, § 1I; c. 71A, §§ 5, 7; 603 CMR 14.02, 14.04** | | |
|  | **Rating: Partially Implemented** | **District Response Required**: | **Yes** |

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

*Since the charter school did not submit the requested documents from EL folders there is no evidence indicating that the district keeps all the required documents in students' EL records.*