

Michigan Department of Education Office of Civil Rights and Title I School and District Monitoring Indicators and Review Process for English Learners Aligned to the Every Student Succeeds Act (ESSA)

A Monitoring Indicators Checklist

Overview:

These guidelines have been developed to provide a set of monitoring indicators that constitute the Title I ESEA requirements and the Office of Civil Rights required activities for English Learners. Monitoring indicators are intended to support Local Education Agencies (LEA) to self-evaluate their compliance related to these requirements. The Monitoring Indicators Checklist for self-assessment can be [located here](#) (Google version). It is also posted on the MDE Title III webpage [linked here](#) and the MDE Title I webpage [linked here](#) (*coming soon*).

Process:

LEAs will utilize the Monitoring Indicators Checklist for self assessment (linked above) to obtain diverse perspectives from a team of interested parties. Each identified perspective will indicate the level of implementation for each indicator in the corresponding column on the spreadsheet. Once this information has been collected from all perspectives, LEA teams will review the information shared and identify reasons for any varying levels of implementation as well as any indicators that are not fully implemented. Next, the LEA will determine the steps necessary to bring the identified indicators into full compliance. The LEA will create a multi-year plan, as needed, to address the identified indicators and input the information into the Michigan's Integrated Continuous Improvement Process (MICIP) platform as a "Systems Goal".

STUDENT IDENTIFICATION, PLACEMENT, AND EXIT

Indicator (Minimum Compliance)	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard (Best Practice)
<p>1. The LEA follows the MDE common Entrance and Exit Protocol for initial identification and placement of eligible English Learners (ELs) ages 3 to 21 including the provision of federally required notifications to parents or guardians of students identified as ELs.</p> <p><i>Title VI of the Civil Rights Act of 1964 Guidelines and Equal Educational Opportunities Act (EEOA) ESEA Section 1112(e)(3); OCR EL Toolkit Chapter 1</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> procedures for administering the home language survey explicitly outlined, including a training schedule for staff on the identification process and on how to assist parents or guardians, who are completing the home language survey (HLS), to understand the purpose of the HLS <p>Evidence:</p> <ul style="list-style-type: none"> copy of home language surveys procedures for identification and placement of potentially eligible ELs uses a home language survey (HLS) with the two questions approved by MDE parental notifications required by ESEA Sec. 1112(e)(3) documentation demonstrating information gathered from the home language survey list of all K-12 students with primary home language and native language 	<ul style="list-style-type: none"> MDE's Entrance and Exit Protocol Office of Civil Rights (OCR) English Learner (EL) Toolkit Chapter 1 	<p>a. All staff related to the registration, screening, and placement of ELs are well versed in the LEA-wide identification and placement process.</p> <p>b. The process is written and easily located.</p> <p>c. There is a schedule for training all staff on the process that is iterative throughout the year.</p> <p>d. The process is communicated annually (and accounts for staff turnover, including those involved with registration).</p>
<p>2. The LEA has evidence that every K-12 student has completed a home language survey.</p> <p><i>Title VI of the Civil Rights Act of 1964; OCR Guidelines and EEOA obligations – OCR EL Toolkit Chapter 1; ESEA Section 1112(e)(3)</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> describes the LEA-specific process for screening all students enrolling with the Home Language Survey, including who is responsible and how the process works from providing the HLS to how students are identified <p>Evidence:</p> <ul style="list-style-type: none"> copies of home language surveys a list of eligible ELs 	<ul style="list-style-type: none"> Home Language Survey (English) Home Language Surveys (multiple languages) 	<p>a. There is a written process communicated annually. The process is followed by all responsible for enrollment that requires every new enrollee to complete the home language survey.</p> <p>b. The process ensures that the questions are answered (not blank) and accounts for any discrepancies / need for clarification.</p> <p>c. The written process includes the responsibilities of the different positions as well as a description of the entire process.</p> <p>d. The HLS document is housed in the individual student's CA-60, including when done with online registration.</p>

Indicator (Minimum Compliance)	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard (Best Practice)
<p>3. The LEA has documentation to support the identification and eligibility determination of immigrant students. <i>Title VI of the Civil Rights Act of 1964 - OCR Guidelines and EEOA obligations -OCR Toolkit Chapter 1</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> describes the LEA-specific process for identifying students who are eligible as immigrant <p>Evidence:</p> <ul style="list-style-type: none"> evidence that two questions are included in the LEAs' student enrollment form: <ul style="list-style-type: none"> Was the student born outside of the US or Puerto Rico? If yes, when did the student enter the US schools? a list of students who are eligible as immigrant 	<ul style="list-style-type: none"> Guidance for Immigrant Students 	<p>a. A written process is in place with planned training for all involved in the process on an annual basis (minimally), that supports an LEA to keep track of when immigrant eligible students entered US schools.</p> <p>Process - Upon enrollment, students will answer the following questions:</p> <ul style="list-style-type: none"> Was the child born outside the US or Puerto Rico? Yes/No If yes, when did the student first enter US schools? <p>Enrollment staff reviews all new enrollee paperwork. If the first question is marked YES, the second question is reviewed. If the child entered US schools within 30 cumulative academic months from the enrollment date, the student is identified as immigrant in the local Student Information System (SIS) and reported in Michigan Student Data System (MSDS) as code 9130 during the following count days.</p> <ul style="list-style-type: none"> In grades K-2 students can be automatically identified as they are in their first 3 years in US schools. Outside of K-2, there must be an interview process to determine where the students are in their 30 cumulative months. <p>The LEA must de-identify the student once the 30 academic months have passed in the SIS.</p> <p><u>Under no circumstances will the LEA request any information that asks about a students' immigration status or citizenship.</u></p>
<p>4. The LEA has evidence that all students with home or primary language other than English have been assessed for English proficiency, using the WIDA Screener within thirty days of the beginning of the school year or within ten days if a student enrolled during the school year. <i>ESEA Section 1111(b)(2)(G)</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> procedure for determining required services for ELs, including a tracking system to ensure that the required timeline requirements are met <p>Evidence:</p> <ul style="list-style-type: none"> documentation of data gathered from English proficiency test, including EL student enrollment date and identification as EL dates list of potentially eligible ELs with WIDA test results 	<ul style="list-style-type: none"> WIDA Screener & W-APT Policy Manual Assessment Coordinator Training Guide 	<p>a. There is a documentation system in place for all students that indicate a language other than English on the HLS.</p> <p>Note: <i>In some LEAs this is a spreadsheet with columns for the date of enrollment, screener date, screener score, date that services started, date that the Annual Notification Letter was sent. This could also include WIDA ACCESS scores year over year and date of EL Exit/monitoring. If the population is too large to use the spreadsheet, the LEA has reports that can be pulled from the local SIS to determine these elements and to monitor compliance to these timelines.</i></p>

Indicator (Minimum Compliance)	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard (Best Practice)
<p>5. The LEA ensures that all eligible ELs receive services upon identification, in a timely manner. <i>ESEA Section 3115(c); Title VI of the Civil Rights Act of 1964 - OCR Guidelines and EEOA obligations - OCR Toolkit Chapter 1</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> describe the procedure for placement and services by level of proficiency and academic proficiency describe the procedure for monitoring and ensuring all students are receiving services appropriate to their needs upon identification <p>Evidence:</p> <ul style="list-style-type: none"> documentation demonstrating that the processes are in place 		<p>a. There is a written document that describes how ELs are placed in English Language Development (ELD) and services to support meaningful access to all instruction after screening based on proficiency level.</p> <p>b. The handbook outlines services for ELs based on proficiency level.</p> <p>c. ELD specialist or identified EL trained staff instructs building staff on services for ELs in addition to best practice teaching strategies such as Sheltered Instruction Observation Protocol (SIOP).</p>
<p>6. The LEA has procedures for the determination of language proficiency by trained personnel. <i>Title VI of the Civil Rights Act of 1964 - OCR Guidelines and EEOA obligations -OCR Toolkit Chapter 1</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> describe the procedure for ensuring that the correct determinations are made regarding EL identification describe the process for ensuring that the appropriate personnel are trained appropriately <p>Evidence:</p> <ul style="list-style-type: none"> agendas of training workshops on WIDA test administration 		<p>a. All staff involved in the identification of ELs are trained to administer the WIDA Screener and/or spring WIDA ACCESS assessment, depending upon their assignment.</p> <p>b. There is a schedule in place that includes the WIDA Screener training that is offered prior to the beginning of the school year and the WIDA assessment training that is offered in January.</p> <p>c. Individual training sessions for administering the screener are also offered throughout the school year to every new EL staff by the LEA's EL Coordinator.</p> <p>d. All WIDA screener and WIDA assessment training resources (e.g., PowerPoints, handouts, etc.) are housed in accessible locations for all staff as a reference (e.g., Google drive folder).</p> <p>e. The LEA's EL coordinator keeps the updated WIDA test administration certificates on file (e.g., electronic or hard copies).</p>

FAMILY AND COMMUNITY ENGAGEMENT

Indicator	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard
<p>7. The LEA has an effective means of parent, guardian, and family engagement to parents of ELs (programs, activities, training, family literacy). The LEA has evidence that EL parents and families are engaged as invested parties. <i>ESEA Section 1112(e)(3)(C), 1116(f)</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> • include a detailed description of the intentional and pre-planned methods that are used to engage parents, guardians, and families of ELs. This description includes a parent, guardian, or family engagement plan, including the plan for evaluating the effectiveness of the parent, guardian, and family engagement <p>Evidence:</p> <ul style="list-style-type: none"> • calendar of events, with dates and topics • Parent, Guardian, and Family Engagement Plan • documents indicating that translations are funded by general funds • personal interviews of parents/guardians/parent groups • announcement and description of parent, guardian, and family activities, including attendance forms, agendas, meeting minutes, handouts, and surveys 	<ul style="list-style-type: none"> • OCR EL Toolkit Chapter 10 	<p>a. An annual, parent, guardian or family engagement written plan that includes dates, meeting topics, and locations is co-created with families.</p> <p>b. Meetings are scheduled and convened at a time and location that is convenient for parents or guardians, at least every other month.</p> <p>c. Information is communicated both electronically and in print in a language parents or guardians can understand.</p> <p>d. Translators and interpreters are available for stakeholders.</p>
<p>8. The LEA conducts regular meetings for parents, guardians and families of ELs. <i>ESEA Section 1112(e)(3)(C); 1116(f)</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> • see indicator #7 <p>Evidence:</p> <p>documentation (agendas and sign-in sheets) of collaboration and coordination between Title I and Title III school and LEA teams relevant to regular meetings for parents and guardians of ELs using Title I funds</p>	<ul style="list-style-type: none"> • OCR EL Toolkit Chapter 10 	<p>a. An annual, parent, guardian or family engagement written plan that includes dates, meeting topics, and locations is co-created with families.</p> <p>b. Meetings are scheduled and convened at a time and location that is convenient for parents or guardians, at least every other month.</p> <p>c. Information is communicated both electronically and in print in a language parents or guardians can understand.</p> <p>d. Translators and interpreters are available for stakeholders.</p>
<p>9. The LEA evaluates and determines the effectiveness of the parent, guardian, and family engagement . <i>Title VI of the Civil Rights Act of 1964 – OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 10</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> • see indicator #7 <p>Evidence:</p> <ul style="list-style-type: none"> • parent, guardian, and family surveys • evaluation of the effectiveness of the engagement with findings and implications 	<ul style="list-style-type: none"> • OCR EL Toolkit Chapter 10 	<p>a. There is a written plan for evaluating the effectiveness of the parent, guardian or family engagement.</p> <p>b. This plan includes the methods that are used to collect the data, the frequency by which the data will be collected, and the process that will be followed to determine the effectiveness of the offerings.</p> <p>c. This evaluation occurs after each individual session and summatively after the sessions for the year are complete.</p> <p>d. The findings from the evaluation drive changes in subsequent events.</p>

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<p>10. The LEA notifies parents or guardians promptly (within 30 days after the beginning of the school year or 10 days during the school year after their student enrolls) regarding participation in the EL/Title III program. <i>ESEA Section 1112 (e)(3)(A); Title VI of the Civil Rights Act of 1964 – OCR Guidelines and EEOA obligation – OCR Toolkit Chapter 1</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> include the Annual Notification Letter in the Appendix of the EL Handbook. describe the process used to update the Annual Notification Letter and ensure that the letter is mailed within the appropriate timeline. <p>Evidence:</p> <ul style="list-style-type: none"> Notification letter sent to parents or guardians includes: <ol style="list-style-type: none"> the reason for the identification and need for placement of the student as EL the student’s level of English language proficiency, how the student was assessed and the status of achievement method(s) of instruction that will be used to increase language proficiency and the methods of instruction used in other available programs, including how the programs differ how the EL program will meet the strengths and needs of the child and how the EL program will help their child learn English and meet state standards the exit requirements for the program and the expected rate of transition to a classroom not tailored for ELs, and expected rate of HS graduation how the program meets the needs of an EL with disabilities in an IEP the parent’s right to refuse service or choose another program that the EL must continue to participate in the ELP annual assessment if the parent refuses EL service(s) Translated notification letters 	<ul style="list-style-type: none"> Annual Notification Letter Essentials Annual Notification Letter Example OCR EL Toolkit Chapter 1 	<ol style="list-style-type: none"> The Annual Notification Letter includes the 8 mandated components and is sent annually within the first 30 school days or within 10 school days if enrolling after the beginning of the year. The date letters are sent is documented (spreadsheet or other tracking process). All ELs receive a letter every year (both returning and newly identified). <p>Note: <i>LEAs may have two letters, one designed for returning ELs and one for newly identified students or may combine the information into a single letter. Many schools also include the WIDA ACCESS scores reports from the prior year in the packet with the Annual Notification Letter.</i></p> <ol style="list-style-type: none"> Each letter is translated or interpreted into the parent or guardian’s preferred language before being sent home.

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<p>11. The LEA provides parental information in a comprehensible format and, to the extent possible, in a language that the parent or guardian can understand.</p> <p><i>Title VI of the Civil Rights Act of 1964 - OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 10; ESEA Section 1112(e)(4)</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> there are clear expectations outlined, including what needs to be translated for parents or guardians and the LEA specific process to have documents translated. <p>Evidence:</p> <ul style="list-style-type: none"> evidence of parental information in a language understandable to the parents or guardians, and in language other than English, including important LEA information such as: <ul style="list-style-type: none"> codes of conduct handbooks report cards complaint procedures special education or RtI notices heath notices other key information 	<ul style="list-style-type: none"> OCR EL Toolkit Chapter 10 Sample Language Access Plan NAETISL Code of Ethics and Standards of Practice for Educational Translators and interpreters of Spoken Languages PowerPoint – Best Practices in Language Access 	<p>a. Upon registration, the parent or guardian is asked to identify their preferred language for which they would like to receive communications (e.g., the language of communication question is included in the printed HLS or in an online registration).</p> <p>b. There is a tracking system in place to ensure that the preferred language of communication is accessible for all staff that may communicate with the parents or guardians.</p> <p>c. There are written procedures for requests to waive school communications in the parent orguardian’s native language if they wish to do so.</p> <p>d. There is a written communication guide with multilingual families that is shared and available to all staff in the LEA. This guide includes the summary of the civil rights obligations, recommended best practices, modes of language interpretations/ translations, and a list of available paid and free language service providers, as well as applications and tools.</p> <p>e. There are written protocols for requesting translations for different documents/forms and in-person interpretations that are shared with all staff to use.</p> <p>f. The staff is also provided with the written direction on how to utilize the instant telephonic interpretation services, or other on demand interpretation services.</p> <p>g. All existing and newly translated forms and documents that are commonly available, are managed by the EL Coordinator or identified staff, and housed in an accessible location for all staff.</p>
<p>12. The LEA has evidence that parents or guardians who did not wish language support signed an informed refusal of service.</p> <p><i>ESEA Section 1112(e)(3)(viii); Title VI of the Civil Rights Act of 1964- - OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 7</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> describes the LEA specific process for receipt and processing parent or guardian refusals of EL services (also referred to as “opt out”) <p>Evidence:</p> <ul style="list-style-type: none"> copies of signed letters of waivers, refusals, or opt-outs documentation of communications with parents or guardians evidencing that the parent or guardian decision was knowing and voluntary documentation that EL parents or guardians are informed of the WIDA testing requirements for all ELs 	<ul style="list-style-type: none"> OCR EL Toolkit Chapter 7 EL Annual Notification letter Essentials (Parent or guardian refusal or opt out, information at the bottom) 	<p>a. A written process is in place for obtaining a signed refusal of service from parents or guardians on an annual basis.</p> <p>b. This process includes a meeting with parents or guardians that express an interest to refuse services to ensure that there are no misunderstandings regarding service provision and to ensure that parents or guardians understand that their child must continue to take the WIDA ACCESS for ELLs on an annual basis.</p> <p>c. This form is not included with the Annual Notification Letter. The letter directs families to contact the appropriate person in the LEA to schedule a meeting.</p> <p>Note: <i>Refusal of service may be referred to as a waiver, parent or guardian refusal or opt out.</i></p>

INSTRUCTIONAL PROGRAMS AND ASSESSMENT

Indicator	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard
<p>13. The LEA has an EL Program of Service that provides coherent, sustained English language development based on research or accepted theories.</p> <p><i>Title VI of the Civil Rights Act of 1964- OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 2</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> • title and description of the chosen program type(s) • description of EL Language Assistance Program (LAP) from the general fund, including the number of minutes of service provided to students based on level of proficiency • description of EL Program of Services (EL Program) from all coordinated funding sources <p>Evidence:</p> <ul style="list-style-type: none"> • proof of appropriate staffing of the chosen program type 	<ul style="list-style-type: none"> • Typical EL Programs – Pros and Cons • LAP Documents • Clarification of the LAP • OCR EL Toolkit Chapter 2 	<p>a. There is a documented and commonly understood ELD model.</p> <p>b. All staff are able to articulate the name and services provided by the model.</p> <p>c. There are pre-planned services and quantities of service based on a student's English Language Proficiency (ELP) and prior schooling background.</p> <p>d. The services provided by the LAP are funded with general funds.</p>
<p>14. The LEA ensures that the language assistance program (LAP) and the supplemental language instruction educational program, or EL Program, focus on the development of English language proficiency and student academic attainment of the state content standards.</p> <p><i>Title VI of the Civil Rights Act of 1964- OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 2</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> • descriptions of the EL Program, including LAP, design include: <ul style="list-style-type: none"> ○ evidence and research-based instructional practices and strategies ○ inclusion of language and content objectives ○ use of balanced assessment (formative, interim and summative) ○ instructional modifications and accommodations <p>Evidence:</p> <ul style="list-style-type: none"> • local and state assessment data demonstrate ELs are developing English proficiency and are able to meet the state content standards 	<ul style="list-style-type: none"> • OCR EL Toolkit Chapter 2 	<p>a. All teachers have been introduced to and are familiar with the LEA's EL Program, including LAP.</p> <p>b. A research-based instructional model, e.g., the SIOP Model, is implemented throughout the LEA.</p> <p>c. There are instructional Tier I supports in place in the general education classroom as well as dedicated time for ELD with an ESL or Bilingual Education endorsed teacher.</p>
<p>15. The LEA has a program of services that provides meaningful access to all aspects of the instructional program including core content, elective classes and special programs such as programs for talented and gifted students.</p> <p><i>Title VI of the Civil Rights Act of 1964 - OCR Guidelines and OEAA obligation – OCR Toolkit Chapter 4</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> • describe the systematic supports that are in place for students in general education settings to gain access to the content presented. This may include specific training and skills that the teachers may have, school wide structures in place to support students, etc. <p>Evidence:</p> <ul style="list-style-type: none"> • copy of instructional plan • class rosters per program • rates of participation in dual enrollment, advanced placement, gifted/talented and extra-curricular coursework • documentation demonstrating that identified disparities have been investigated and evidence of the analysis of barriers that may impede participation as well as the actions taken in response to those results 		<p>a. There are intentional supports in place in the general education classroom that provide comprehensible input to all ELs to ensure that students have meaningful access to the core and elective curriculum. This includes teachers that are well trained to support ELs in their classrooms, paraprofessionals that push into content area classrooms, tutoring, etc.</p> <p>b. ELD and meaningful access are part of the overall design for the LEA's multitiered system of supports for all core content.</p> <p>Note: ELD is part of tier one instruction. Students may need additional time or instruction beyond ELD which is part of the LEA's MTSS.</p> <p>c. There is a systematic review of unintended obstacles or barriers that may be inhibiting ELs from participating in gifted and talented, Career and Technical Education (CTE), Advance Placement, school sports and extracurricular activities, as well as special education services. (e.g., ELD course being offered only one time</p>

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			<i>during the day so students can't also participate in CTE.)</i>
<p>16. The LEA has evidence that appropriate interventions are made when <u>exited</u> students are not succeeding, such as tutorials, intensified instruction, and/or extended day/year. In the event such interventions have proven inadequate, evidence that the LEA has considered whether a persistent language barrier may be the cause of academic difficulty, and if the LEA has so determined, evidence that additional language assistance services are offered. In no case is re-testing of an exited student's ELP prohibited.</p> <p><i>Title VI of the Civil Rights Act of 1964 – OCR Toolkit Chapter 8</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> describe the system for identifying EL or Former EL (FEL) students that are not succeeding and for providing appropriate supports section includes the position titles of the staff responsible for the monitoring system <p>Evidence:</p> <ul style="list-style-type: none"> FEL monitoring documents interventions used (this information may be collected at the school level during observations or when interviewing teachers) Where interventions have proven inadequate, evidence that the LEA has considered whether a persistent language barrier may be the cause of academic difficulty, and if the LEA has so determined, evidence that additional language assistance services are offered. In no case is re-testing of an exited student's ELP prohibited. 		<p>a. There is a documented process for monitoring the success of ELs after exiting EL services. Note: <i>Students must be monitored for 4 years following EL exit. The monitoring may be more frequent during the first year out of the EL Program and can progressively be reduced in frequency over the 4-year period.</i></p> <p>b. This monitoring happens on a spreadsheet or within a documented system.</p> <p>c. There is a process that is consistently followed when students demonstrate academic difficulties. The LEA first responds with the MTSS structures. The MTSS team only considers reentry into EL supports if the difficulty is directly related to English language proficiency.</p>
<p>17. The LEA has implemented a referral process for special education eligibility that attempts to rule out the possibility of ELs being identified for special education programs based on limited English proficiency, or lack of appropriate instruction.</p> <p><i>34 CFR § 300.306(b); Title VI and Civil Rights Act of 1964 - OCR Toolkit Chapter 6</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> describe the LEA specific timely referral process that is aligned to the identification information inclusion of Bilingual/ESL certified staff during the special education pre-referral, referral, and coordination of services (if qualified) <p>Evidence:</p> <ul style="list-style-type: none"> instruments used in IDEA identification process considered the language proficiency of the EL with disabilities in determining appropriate assessments IEP 	<ul style="list-style-type: none"> Oakland Schools Guidance for Separating Difference from Disability in English Learners 	<p>a. There is a clearly documented process that is followed when an EL has a suspected disability that includes the EL teacher or specialist in the LEA/county.</p> <p>b. Students are assessed in both English and their native language to determine if the difficulty persists across languages.</p> <p>c. IEP goals written include a focus on the unique needs of ELs developing language.</p> <p>d. A trained interpreter is provided for families and IEP documentation will be provided in the family's preferred language.</p>
<p>18. The LEA has a program of service for ELs that includes a comprehensive high school education leading to graduation with a high school diploma.</p> <p><i>Title VI of the Civil Rights Act of 1964 - OCR Guidelines and EEOA obligations - OCR toolkit Chapter 5</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> include policy or written procedures describing how the LEA ensures that ELs are accessing all extracurricular activities as well as advanced coursework and the process in place to ensure that they are experiencing success in those areas. <p>Evidence:</p> <ul style="list-style-type: none"> graduation requirements graduation rate of ELs versus non-ELs sample graduation plans for students including timelines for completion of required coursework offering of early college high school or dual or concurrent enrollment programs or courses designed to help English Learners achieve success in postsecondary education 		<p>a. There is a written process in place for determining if ELs are graduating at similar rates as their peers, that they are participating equitably in extracurricular activities and in advanced-level coursework.</p> <p>b. Where obstacles are noted, the school has a process in place to remedy those obstacles, expediently.</p>

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<p>19. The LEA annually assesses the English proficiency of all ELs in grades K-12 whether or not the LEA is funded by Title III. <i>ESEA Section 1111(b)(2)(G); Title VI of the Civil Rights Act of 1964 – OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 8</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> • see indicator #34 <p>Evidence:</p> <ul style="list-style-type: none"> • documentation of how many ELs were not assessed and the reason for not testing • evidence that ELs attending non-school based programs (Math and Science Centers, Early Middle College, etc.) are annually assessed on WIDA/Alternate • documentation that EL parents or guardians are informed of the WIDA testing requirements for all ELs 	<ul style="list-style-type: none"> • Michigan Guide to State Assessments • Assessment Coordinator Training Guide • Alternate ACCESS for ELLs Guidance • www.michigan.gov/wida 	<p>a. All K-12 ELs are assessed annually with the appropriate WIDA assessment/s.</p>
<p>20. The LEA ensures that ELs are included in all state content and English Language Proficiency (ELP) assessments. <i>ESEA Section 1111(b)(2)(I)(ii)</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> • see indicator #34 <p>Evidence:</p> <ul style="list-style-type: none"> • evidence of a process to ensure that ELs are fully participating in the State Content Assessments or WIDA/Alternate ACCESS unless EL assessment waivers have been granted by the MDE • copies of approved waivers and partial waivers from the Office of Educational Assessment and Accountability (OEAA) for qualifying EL 		<p>a. LEAs have developed a documented process to ensure that all ELs are included in all state content and English language proficiency assessments, unless otherwise exempted by MDE-OEAA.</p>

Indicator	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard
<p>21. The LEA implemented appropriate supports and accommodations for students with diverse learning needs (inclusive of ELs who may also be students with disabilities) necessary to measure the achievement of such students relative to state content standards.</p> <p><i>ESEA Section 1111(b)(2)(B)(v); Title VI of the Civil Rights Act of 1964 – OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 6</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> • see indicator #34 <p>Evidence:</p> <ul style="list-style-type: none"> • internal communication/ memoranda regarding the use of appropriate accommodations during administration of local and state assessments • samples of curriculum adaptations for newly arrived and ELs with disabilities • general education accommodations for ELs Checklist • copies of IEPs, when applicable 	<ul style="list-style-type: none"> • Michigan Supports & Accommodations Guidance Document • WIDA Accessibility & Accommodations Supplement • Supports and Accommodations for Students Who Are ELs (video) • Sample Instructional Supports list from Texas (Page 1) • Sample Instructional Supports 	<p>a. Clear and evidenced collaboration between EL and SPED departments to ensure that all ELs with disabilities are receiving appropriate instructional and assessment accommodations.</p> <p>b. LEAs have developed a documented process to ensure that all ELs receive the Universal Tools, Designated Supports, and Accommodations on state assessments for which they qualify.</p> <p>c. This process includes the collaboration between general education and EL trained/endorsed staff.</p> <p>d. The process includes a clear communication to share and implement the supports and accommodations with all staff that serve the student.</p>

TEACHER QUALIFICATIONS AND PROFESSIONAL LEARNING

Indicator	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard
<p>22. The LEA has evidence that effective supplemental professional learning is available to the instructional staff of ELs (including teachers in classroom settings that are not the setting of the LAP), administrators, parents or guardians, family and community that is:</p> <ul style="list-style-type: none"> ○ designed to improve instruction and assessment of ELs ○ designed to enhance the ability of teachers to understand curricula, assessment, and instructional practices to meet the needs of ELs ○ effective in increasing children’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and skills of such teachers and ○ of sufficient intensity and duration that it has a positive and lasting impact on the teacher’s performance <p><i>ESEA Section 8101(42)(B)(ix); Title VI of the Civil Rights Act of 1964– OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 3</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> ● include the process that is in place for identifying appropriate professional learning opportunities for both EL teachers as well as the general education teachers ● include the process for determining the effectiveness of that learning <p>Evidence:</p> <ul style="list-style-type: none"> ● needs assessment including analysis of student achievement data, teacher/parent or guardian survey, instructional dialogues, walkthrough data and observations ● staff development calendar including dates, topics, and presenters ● process of approving teacher-initiated professional development requests ● examples of action research activities 	<ul style="list-style-type: none"> ● Appropriate Staffing of EL Programs ● Sheltered Instruction Observation Protocol (SIOP) Trainer of Trainers ToT Registry ● OCR EL Toolkit Chapter 3 	<p>a. The LEA intentionally develops an annual professional learning plan that is based on an ongoing assessment of professional learning needs via staff interviews and surveys, student assessment data, staff requests, etc., and develops and implements professional learning options to meet those needs.</p> <p>b. There are offerings for general education staff and differentiated PL plans for ELD teachers.</p>
<p>23. The LEA has procedures to determine the effectiveness of professional learning activities provided to teachers of ELs.</p> <p><i>Title VI of the Civil Rights Act of 1964– OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 3</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> ● see indicator #22 <p>Evidence:</p> <ul style="list-style-type: none"> ● evaluation of the professional learning plan: <ul style="list-style-type: none"> ○ evaluations of effectiveness ○ PD evaluation forms ○ impact on student achievement ● action steps resulting from findings ● professional learning (PL) agendas ● documentation of staff attendance ● PL records, handouts, etc. ● evidence of follow-up: may include professional learning communities work, coaching, structured collaboration, walkthroughs, teacher evaluations 	<ul style="list-style-type: none"> ● Sheltered Instruction Observation Protocol (SIOP) Trainer of Trainers ToT Registry ● OCR EL Toolkit Chapter 3 	<p>a. Multiple points of data (including both qualitative and quantitative) directly related to professional learning are collected to determine the impact of the activities.</p> <p>b. The evidence is analyzed to support implementation (e.g., follow-up coaching, PLCs, structured collaboration, etc.).</p>

Indicator	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard
<p>24. The LEA has hired the staff necessary to implement their chosen program properly and has documentation of proper certification and endorsements for instructional staff of ELs in the LEA office. <i>MCL 380.1231; R390.1105; ESEA Section 3115(c); 3116(a); Title VI of the Civil Rights Act of 1964 – OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 3</i></p>	<ul style="list-style-type: none"> teacher(s) certifications and endorsements (including appropriate subject area endorsement) list of bilingual/ESL staff, certification, and funding source 	<ul style="list-style-type: none"> Appropriate Staffing of EL Programs OCR EL Toolkit Chapter 3 	<p>a. The LEA has sufficient staff with ESL and Bilingual Education endorsements to effectively meet the required levels of service outlined by the EL Program, including the LAP.</p> <p>Note: <i>The students’ need dictates the EL Program of Services, including the LAP, not the current level of staffing.</i></p>
<p>26. The LEA has procedures that provide for the supervision of qualified paraprofessionals which ensure that certified personnel are planning instructional programs. <i>Title VI of the Civil Rights Act of 1964 – OCR Guidelines and EEOA obligations – OCR Dear Colleague Letter January 7, 2015 pp16-17</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> describe the procedures that the LEA utilizes to provide teacher provided lesson plans for all non-certified personnel <p>Evidence:</p> <ul style="list-style-type: none"> schedules with listing of students being supported by paraprofessionals procedures for supervision documentation of communication and oversight 	<ul style="list-style-type: none"> Appropriate Staffing of EL Programs OCR EL Toolkit Chapter 3 	<p>a. When a LEA employs paraprofessionals to serve ELs along with the ELD teacher or general education teacher, the certified teacher must create all lesson plans and activities for that staff and must be in the same building (preferably within the same classroom) as the supervising teacher.</p>

PROGRAM EVALUATION AND CONTINUOUS IMPROVEMENT

Indicator	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard
<p>27. The LEA determines the effectiveness of programs and initiatives in assisting ELs toward achieving State content standards and attaining English language proficiency. <i>Title VI of the Civil Rights Act of 1964 – OCR Guidelines and EEOA obligations – OCR Toolkit Chapter 9</i></p>	<p>EL Handbook:</p> <ul style="list-style-type: none"> • Describe the process the LEA uses to evaluate the Comprehensive EL Program of Supports as part of an annual continuous improvement cycle. This includes the positions of the members of the team that complete the review as well as the steps, data, and process that takes place for the review. <p>Evidence:</p> <ul style="list-style-type: none"> • procedures for evaluating the EL program • program evaluation with data summaries and implications • State assessments including proficiency tests • State disaggregated data • submit an EL Program Evaluation to MDE every two years on odd years 	<ul style="list-style-type: none"> • OCR EL Toolkit Chapter 9 	<p>a. Integration with MiCIP - The LEA has a documented process for a team to evaluate the EL Program of services, parent, guardian or family engagement, professional learning offerings, as well as the level of implementation of the Monitoring Indicators for compliance. This includes collecting and analyzing qualitative and quantitative data for short-term, intermediate, and long-term goals, to determine next steps, and to report out to all invested parties as part of a continuous improvement cycle process.</p> <p>b. The LEA utilizes the MICIP platform for continuous improvement or submits the biennial report to MDE, including completion of the EL program evaluation with annual revisions of the goals and objectives.(product ie., report)</p>
<p>28. The LEA monitors the progress of ELs regarding:</p> <ul style="list-style-type: none"> • the number and percent of ELs making progress toward attaining English language proficiency (based on the WIDA) in the aggregate and disaggregated (e.g. by disability; by recently arrived) • the number and percent of ELs who have attained full English Language proficiency, and who are exited from the program by the of each school year the number and percentage of ELs meeting challenging State academic standards for each of the 4 years after such children are no longer receiving EL Program, including language assistance program (LAP), services in the aggregate and disaggregated, at a minimum, by ELs with a disability • the number of ELs who have not attained English 	<p>EL Handbook:</p> <ul style="list-style-type: none"> • see indicator #27 <p>Evidence:</p> <ul style="list-style-type: none"> • LEA’s written process for tracking and monitoring progress of ELs • list of ELs who have not attained proficiency in five years • MDE’s accountability results • list of ELs and a record of their annual progress toward attaining English language proficiency • list of ELs who have attained English language proficiency • list of ELs monitored for years 1-4, number who met state content standards, number reclassified as ELs, analyses and decision tree used for analyses and actions taken to support them • list of ELs and a record of their performance on all State assessments 	<ul style="list-style-type: none"> • OCR EL Toolkit Chapter 8 	<p>a. The LEA has a written process for monitoring the progress of ELs and FELs.</p> <p>b. The LEA has a multi-year database in which academic and linguistic data is annually collected, analyzed, and used to create an action plan to support ELs.</p>

Indicator	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard
<p>language proficiency within five years of initial classification as an EL and first enrollment in the LEA</p> <ul style="list-style-type: none"> the number and percent of students who have been reclassified as EL <p><i>Title VI of the Civil Rights Act of 1964 - OCR Guidelines and EEOA obligations - OCR Toolkit Chapter 8</i></p>			

ADMINISTRATIVE RESPONSIBILITIES

Indicator	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard
29. The LEA submits a Title III/EL plan with objectives, strategies and activities indicating how the Title III funds (in addition to other local, state and federal funds) will be used to support the implementation of the plan. The budget created to support this plan is on file in the LEAoffice. <i>ESEA Section 3115(g);3116(a-c)</i>	<p>EL Handbook:</p> <ul style="list-style-type: none"> addresses any other program components not included in the Title III Plan (LEA specific) including a copy of procedures for evaluating the program <p>Evidence:</p> <ul style="list-style-type: none"> Title III application including an updated Language Assistance Program (LAP) description Continuous Improvement Plans with EL subgroups, specific goals/objectives, strategies and activities/ Title III Plan, attached to MEGS Plus with Application submit an EL Program Evaluation to MDE every two years on odd years 		a. There is at least one system goal related to EL compliance (monitoring indicators) and integrated objectives, strategies, and activities embedded within the MICIP plan that are focused on the needs of English Learners.
31. The LEA has evidence of policies and provision of services on an equitable basis to EL children enrolled in participating private schools. <i>ESEA Section 8501</i>	<p>EL Handbook:</p> <ul style="list-style-type: none"> describe the LEA-specific procedures for the private school consultation process and the steps that will be followed if a LEA demonstrates interest in participating with Tile III <p>Evidence:</p> <ul style="list-style-type: none"> records of provided services LEA policies and procedures expenditures for EL services means of monitoring services and determining effectiveness 	<ul style="list-style-type: none"> Private School Consultation under Title III 	<p>a. There is a written process for consultation with private schools (all funding sources).</p> <p>b. Title III is included in that process and offered to all private schools in the LEA boundaries.</p>
32. The LEA facilitates meaningful and timely consultation with area private schools regarding the participation of ELs, their teachers, or other educational personnel in Title III programming. <i>ESEA Section 8501</i>	<p>EL Handbook:</p> <ul style="list-style-type: none"> describe the LEA specific procedures for the private school consultation process and the steps that will be followed if an LEA demonstrates interest in participating with Title III <p>Evidence:</p> <ul style="list-style-type: none"> timeline of LEA-initiated contact with private school officials documentation of identification, assessment and determination of student and, as applicable, teacher need invitations/letters, agendas, sign-ins, minutes from consultation certification/assurances of attendance in consultation documentation of all private schools noting their intent to participate or not to participate record of eligible ELs within each private school 	<ul style="list-style-type: none"> Private School Consultation under Title III 	<p>a. If a private school would like to share Title III funds (EL and/or Immigrant), the LEA works collaboratively with the school to identify the eligible students and to support the school to create a budget that meets the needs of their staff, students, and families.</p> <p>b. The LEA designated staff responsible for private school consultation collaborates with the EL Coordinator or LEA lead to coordinate and support the school.</p>
33. The LEA coordinates activities and shares relevant data with early childhood programs including Head Start, that help lead to improved alignment	<p>Evidence:</p> <ul style="list-style-type: none"> agendas and minutes from coordination meetings with early childhood programs transition plans for preschool ELs into elementary and secondary education 		a. When an LEA houses an early childhood program, there is a documented process to support the student's transition from the early childhood setting to kindergarten with a focus on

Indicator	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard
across the early educational years and improved outcomes for ELs.			the linguistic attributes of the student and their family.
34. The LEA has processes in place to annually measure the English proficiency of ELs. <i>ESEA Section 1111(b)(2)(G)</i>	<p>EL Handbook:</p> <ul style="list-style-type: none"> the process utilized to ensure that all test administrators are appropriately trained the process utilized to ensure that assessment materials are secured appropriately the position title of the person responsible for coordinating the assessment the handbook includes a clear timeline for assessment. <p>Evidence:</p> <ul style="list-style-type: none"> copy of processes followed in the annual testing period (state assessments and proficiency test) disaggregated state assessment data, including English proficiency test 	<ul style="list-style-type: none"> W-APT/WIDA Screener Policy Manual WIDA Online Checklist (Training requirements page 2) WIDA Paper Checklist (Training requirements page 2) 	<p>a. All staff involved in the assessment of ELs are trained to administer the spring WIDA ACCESS for ELLs assessment.</p> <p>b. There is a schedule in place that includes the WIDA Access for ELLs training that is offered in January.</p> <p>c. All WIDA ACCESS for ELLs assessment training resources (e.g., PowerPoints, handouts, etc.) are housed in accessible locations for all staff as a reference (e.g., Google drive folder).</p> <p>d. The LEA's EL coordinator keeps the updated WIDA test administration certificates on file (e.g., electronic or hard copies).</p>
35. If the LEA was determined eligible for a Title III allocation of less than \$10,000, the LEA ensures that it has entered into a consortium agreement (Memorandum of Understanding) with LEAs to be eligible to receive Title III, Part A funds and services. The Consortium Lead provides services or funds and services. The Consortium fiscal agent is legally responsible to MDE for the grant. <i>34 CFR Section 76.303</i>	<p>Evidence:</p> <ul style="list-style-type: none"> copy of Title III consortium application and plan copy of Memorandum of Understanding (MOU) between Consortium Lead and member <ul style="list-style-type: none"> description of services or funds and services coordinated by the Consortium Lead description of the coordination of consortia and each member's responsibilities 		<p>a. If the LEA is part of a Title III Consortium, the LEA has its current MOU describing funds, services, and responsibilities of members and the fiscal agent, as well as access to copies of the application and plan as needed. The document is signed by the fiscal agent representative and the LEA representative.</p>
37. The LEA uses only general funds to pay for the costs of administration, scoring and reporting of the English Language Proficiency Assessment (WIDA) and the WIDA screener. <i>ESEA Section 1111(b)(2)(G)</i>	<p>Evidence:</p> <ul style="list-style-type: none"> list of staff administering WIDA and their funding source Personal Activity Records (PARs) for split-funded staff 		<p>a. There is a roster of all staff administering the WIDA Screener and WIDA ACCESS tests that includes a column for their funding source.</p> <p>b. Any staff who are split funded must show a record of the funding source (general fund) used during testing.</p>
39. The LEA maintains separate fiscal records for Title III and has submitted all required reports to the MDE. <i>2 CFR 200.333</i>	<p>Evidence:</p> <ul style="list-style-type: none"> last fiscal audit, federal funds narrative (note any audit exceptions) approval for withholding indirect charges final, approved Title III budget last quarter receipts copy of consortium agreement if applicable required documents include: 		<p>a. There is an organized system in the LEA to house all records submitted to the MDE, including fiscal audits, approvals, EL program evaluations, FER, etc.</p>

Indicator	Evidence/Documentation (MDE examples of evidence- LEA may add additional examples)	Resources	Gold Standard
	<ul style="list-style-type: none"> ○ EL Program, including general funded LAP, Description ○ Title III Budget, Amendments, and Carryover ○ MDE reporting forms ○ reimbursement requests ○ Title III Program Evaluation submitted biennially (Due even fiscal years, i.e., 2020, 2022, etc.) ○ Title III Indicators Self-Assessment Checklist (upon request) 		

References:

- [Dear Colleague Letter, January 15, 2015 \(Office of Civil Rights\)](#)
- [Education and Title VI of the Civil Rights Act of 1964](#)
- [Elementary and Secondary Education Act of 1965](#)
- [Every Student Succeeds Act](#)
- [Guidelines and Equal Educational Opportunities Act of 1974](#)
- [Office of Civil Rights Toolkit](#)
- [Legislative Citations cited in the MDE Monitoring Indicators Self-Assessment Checklist \(Update link\)](#)