

*Oregon achieves . . . together!*

**Title III Monitoring Rubric**

**2023-24**

# **Purpose**

This document is a resource guide supporting the Oregon Department of Education’s (ODE’s) English Learner (EL) Program Review and Title III monitoring process. The Title III monitoring focuses on quality and compliance with state and federal requirements for programming for ELs, immigrants, and refugees. The ODE, together with the U.S. Department of Education and the Office for Civil Rights (OCR), is charged with the responsibility of enforcing Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin. Local Education Agencies (LEAs) are required to take steps to help ELs overcome language barriers, and to ensure that they can participate meaningfully in educational programs.[[1]](#footnote-1)

The [Every Student Succeeds Act](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) requires ODE to monitor the implementation of Title III program requirements and the expenditure of federal funds by all sub-grantees. ODE’s vision for monitoring is to help build school district and ESD awareness of the requirements associated with accepting federal funds, capacity to self-assess against the requirements of the grants, and understanding of how they can best utilize grant funding to improve services for students designated as ELs. Monitoring is an opportunity to identify technical assistance and support needs and leverage federal funds in support of better outcomes for all students. This rubric is intended to support ODE’s review of local policies and practices to support our students who are receiving Title III services.

This rubric is used to monitor:

* Districts with district level Title III sub-grants.
* Districts participating in a Title III consortium.
* Education Service Districts participating in Title III as a consortium lead.
* Charter schools are included in Title III monitoring either as:
  + Part of their sponsoring school district, or
  + As part of a consortium

# **Definitions:**

* **Compliant -** A section is compliant when evidence submitted is clear and aligned with the *Title III Monitoring Scoring Criteria Rubric.*
* **Non-Compliant –** A section is non-compliant when evidence submitted is missing and/or not clear and/or not aligned with the *Title III Monitoring Scoring Criteria Rubric.*

# **Abbreviations:**

* **DCL -** [Dear Colleague Letter 2015](https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf)
* **NRG** - Non-Regulatory Guidance: English Learners and Title III of ESEA, as amended by ESSA, [2016,](https://oese.ed.gov/files/2020/07/essatitleiiiguidenglishlearners92016.pdf) revised [2019[[2]](#footnote-2)](https://oese.ed.gov/files/2020/07/elandiitleiiiaddendum1219.pdf)
* **EL**: Students who are designated as English learners, also referred to as emergent bilingual and/or multilingual learners
* **ESSA**: [Every Student Succeeds Act](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)

# **Scoring**

When ODE reviews the materials submitted by the district/ESD, reviewers will score each section according to the following criteria:

* The evidence is **missing or not aligned** with the item(s) required in the Title III Monitoring Rubric. **Score this as a 1. This section is not compliant.**
* The evidence is **partially aligned** with the item(s) required in the Title III Monitoring Rubric. **Score this as a 2. This section is not compliant.**
* The evidence **is aligned and sufficient** with the item(s) required as per the *Title III Monitoring Scoring Criteria Rubric.* **Score this as a 3.****This section is compliant.**
* **N/A** this section is not applicable. Mark N/A in the “scoring” column.

# **Organization of the Rubric**

The 2023-24 Title III monitoring rubric is organized in 9 sections with a combined total of 28 items. Each item includes references to the applicable federal and state laws and regulations, as well as a description of the type and quantity of evidence required for monitoring. After reviewing the district’s submitted materials, ODE reviewers record notes, descriptions of evidence submitted, and any additional material required to demonstrate compliance. A chart of additional required evidence is provided to districts/consortia with the monitoring report.

| **Section** | **Focus** | **Items** |
| --- | --- | --- |
| 1 | English Learner Plan | 1 |
| 2 | Identification of English Learners | 7 |
| 3 | Parent, Family, and Community Engagement | 1 |
| 4 | Annual Assessments (ELPA, LA, Math, Science, Ore-Ext) | 7 |
| 5 | Exiting/Monitoring English Learners | 2 |
| 6 | Access to Instructional Program/Graduation | 4 |
| 7 | Staffing for English Learner Programs | 2 |
| 8 | English Learner Data | 3 |
| 9 | Fiscal Review | 1 |

**School District Name: ODE Reviewer: Date Reviewed:**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Section 1: English Learner Plan** | | | | |
| **Item** | **Guidance** | **Evidence** | **Score** | **Notes/Evidence/Citation** |
| 1. The district has an EL Plan addressing the requirements of [Sec 3116.](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | [Sec. 3116](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  Title VI– OCR Guidelines | The district submitted either:   1. A copy of the most recent EL plan, **OR** 2. A statement that the district has not made any changes to the most recently ODE approved EL plan.   ***District is rated compliant if district has either (1) submitted EL plan changes, or (2) asserted that there are no changes to the instructional program.*** |  | Notes:  Additional Material Needed to Request: |
| **Section 2. Identification of English Learners** | | | | |
| **Item** | **Guidance** | **Evidence** | **Score** | **Notes/Evidence/Citation** |
| 1. The district identified students for EL screening, administers screener, and notifies parent within the required timeline: 30 calendar days from the beginning of the school year, or 14 calendar days from student enrollment once the school year has started. | Sec. [3111(2)(A)](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  [3116](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  [Sec. 1112](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  Title VI– OCR Guidelines  OAR 581-023-0100 – (4)  DCL- A, p. 10, F, p. 24, J, p.37  NRG- A8, 1-4 | Submission requirements:   * + - 1. Sample of signed and dated Parent Notification Letters (PNL) in all languages provided to parents/guardians, that includes: * Forms for students identified as English learners (ELs) in the current school year (2023-24); * Forms for students who were identified as ELs in a prior school year (2022-23); * PNLs should include information as to students’ language progress in all four domains.   ***Parent Notification Letters submission numbers are based on number of enrolled ELs:***   * 10 or fewer students – all copies * 11-50 students – 10 copies * 51-100 students – 20 copies * Greater than 101 students – 25 copies   Note: Template forms in other languages show evidence of district capacity to provide communication in a language parents can understand. For this monitoring item, copies of the actual communication is necessary to demonstrate that the district has to meet the federal expectations. |  | Notes:  Additional Material Needed to Request: |
| 1. The district has evidence that all students are administered the Oregon Language Use Survey (LUS). | [Sec. 1112](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  Title VI– OCR Guidelines  OAR 581-023-0100 – (4)  DCL- A, p. 10, F, p. 24, J, p.37  NRG- A8, 1-4 | Submission requirements:   * + - 1. Sample of LUS forms from the most recent school available (ideally 2023-24) that includes: * Leading to ELPA screener administration; * Not leading to ELPA screener administration.   ***LUS submission numbers are based on number of enrolled ELs:***   * 10 or fewer students – all copies * 11-50 students – 10 copies * 51-100 students – 20 copies * Greater than 101 students – 25 copies   **Note:** Template forms in other languages show evidence of district capacity to provide communication in a language parents can understand. For this monitoring item, copies of the actual communication is necessary to demonstrate that the district has meet the federal expectations. |  | Notes:  Additional Material Needed to Request: |
| 1. The district has evidence that students are administered the ELPA screener and parents are notified of EL instructional program needs according to federal timelines. | [Sec. 1112](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  Title VI– OCR Guidelines  OAR 581-023-0100 – (4)  DCL- A, p. 10, F, p. 24, J, p.37  NRG- A8, 1-4 | Submission requirements:   * + - 1. Evidence for students enrolling in the current school year (2023-24) whose LUS lead to the administration of the ELPA screener. This evidence can be submitted on a chart, table, or other format as long as it includes: * Enrollment date * ELPA screener date * Parent Notification Letter date * Students may be identified by district ID number   ***LUS submission numbers are based on number of enrolled ELs:***  ***If the district does not have any student in this category in the current school year, please include evidence from the most recent school year and include a note with the evidence starting thus.*** |  | Notes:  Additional Material Needed to Request: |
| 1. District has a process/procedure to identify ELs for special education. ODE staff will review the submitted IEPs/504 plans for EL identificat6ion designation, EL staff participation, ELPA assessment information. | [Title VI – OCR Guidelines](https://www2.ed.gov/about/offices/list/ocr/ell/plandev.html)  DCL - F, p. 24  NRG - Sec. K | Submission requirements:   1. A description of the process or procedure to identify students for special education.    * Special education process or procedures should include pre-referral process that includes EL staff in IEP meetings. 2. Copies of IEP/504 plans for identified ELSWD students that include:    * A description of student strengths,    * Instructional goals for the student,    * Instructional and linguistic supports, and    * Assessment participation.   The number of IEPs/504s to include is based on the number of EL students enrolled in the district with an IEP or 504 plan.   * If the district has fewer than 5 students – copies of all IEP/504 plans. * If the district has greater than 5 students – at least 6 copies, but no more than 10 copies.   ***If the district does not have any students with an IEP/504 plan, please provide a statement to this fact.*** |  | Notes:  Additional Material Needed to Request: |
| 1. District has a process/procedure to identify ELs for gifted and talented (TAG). | [Title VI – OCR Guidelines](https://www2.ed.gov/about/offices/list/ocr/ell/plandev.html)  DCL - F, p. 24  NRG - Sec. K | Submission requirements:   1. Provide current TAG plan. 2. Provide data that includes the percentage of non-EL students identified for TAG and the percentage of EL students identified for TAG. |  | Notes:  Additional Material Needed to Request: |
| 1. District has a process/procedure to identify potential ELs (students enrolling with LUS who cannot access the ELPA screener with any accessibility supports due to know or suspected disability) – **code 2-J in the EL data collection**. | [Sec. 3111(2)(A)](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  [Sec. 3116](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  Title VI – OCR Guidelines | Submission requirements:   1. District includes the process or procedure for identifying students as a Potential EL (EL data code 2-J). 2. Copies of IEPs for enrolled Potential ELs in the district that include:    * A description of student strengths,    * Instructional goals,    * Instructional supports,    * Assessment participation,    * ***See below*** for specific IEP submission numbers, **OR** 3. ***A statement that the district does not have any currently identified Potential ELs (code 2-J) if appropriate*.**   ***IEPs submission requirements:***   * Wherever possible the IEPs submitted include various grade levels enrolled in the district. * 5 **Potential ELs (code 2-J)** enrolled in the district – copies of all IEPs. * 6 or more **Potential ELs (code 2-J)** enrolled in the district – at least 6, but no more than 10 copies of IEPs.   ***Code 2-J – Potential EL is:***  ***A student who enrolls in the district with a LUS leading to the administration of the ELPA screener. The student has, or is, suspected to have a disability. The accessibility supports available for the ELPA screener are not sufficient to make this assessment accessible for the student.*** |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a process/procedure for parents/ guardians who did not want their child to receive language services to sign an informed refusal of service (also known as a waiver form). | [Sec. 1112](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | Submission requirements:   1. A brief description (no more than 500 words) of the process or procedure the district uses to respond to parent/guardian requests to waive participation in the EL instructional program. 2. Copies of signed and dated parent right of refusal for services (waiver) forms that include copies in all languages available for parent/guardian, **OR** 3. **If the district does not have any students with a waiver for participation in the EL instructional program, provide a statement to this fact.**   ***Submit the following number of forms based on number of ELs with parent/guardian waivers for participation in EL instructional services:***   * 10 or fewer students – all copies * 11-50 students – 10 copies * 51-100 students –20 copies * Greater than 101 students – 25 copies |  | Notes:  Additional Material Needed to Request: |
| **Section 3. Parent, Family, & Community Engagement** | | | | |
| **Item** | **Guidance** | **Evidence** | **Score** | **Notes/Evidence/Citation** |
| 1. The district engages with parents and families of students who receive language services, as authentic partners in the decision making around programs, activities, and procedures. | [Title VI– OCR Guidelines](https://www2.ed.gov/about/offices/list/ocr/ell/plandev.html)  [Sec 3115](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  [Sec 3116](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  DCL- J, p.37  NRG- Sec. E | Submission requirements:   1. Evidence of parent/guardian/community engagement activities with parents/guardians of students who have EL status. This evidence should include:    1. parent meetings,    2. literacy nights,    3. back-to-school,    4. sign-in sheets, and    5. other activities demonstrating parent engagement and leadership opportunities. 2. Five activities is required for each district. 3. Include evidence in languages parents can understand as appropriate.   ***The district should consider the level of authentic engagement with parents/guardians/community members and ensure that the submission includes evidence that demonstrates:***   * ***Collaboration*** * ***Involve*** * ***Consult*** * ***Inform***   ***See page 10 of this*** [***document***](https://www.oregon.gov/ode/StudentSuccess/Documents/69236_ODE_CommunityEngagementToolkit_2021-web%5b1%5d.pdf) ***for more information.*** |  | Notes:  Additional Material Needed to Request: |
| **Section 4. Annual ELP Assessment** | | | | |
| **Item** | **Guidance** | **Evidence** | **Score** | **Notes/Evidence/Citation** |
| 1. The district has an annual process/ procedure to measure the English proficiency of all identified ELs using the State proficiency assessment. | [Sec. 1111](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | Submission requirements:   1. A brief written narrative description (no more than 500 words) of the district’s annual process or procedure to administer the Oregon’s English Language Proficiency Assessment (ELPA) that includes:    1. When the district will administer the ELPA summative;    2. How the district prioritizes the order of students to be assessed;       1. For example, grade level, proficiency level, etc.    3. How the district will verify all ELs have participated in the summative assessment. |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a process/procedure for training the test administrators on Oregon’s ELP assessment. | [Title VI– OCR Guidelines](https://www2.ed.gov/about/offices/list/ocr/ell/plandev.html)  [Test Administration](https://www.oregon.gov/ode/educator-resources/assessment/Pages/Assessment-Administration.aspx) | Submission requirements:   1. A brief written description (no more than 500 words) of the training process or procedure for test administrators. 2. Include copies of training materials:    1. This could be a page with links to the training materials, OR    2. Printed copies 3. Copies of signed test administrator assurance forms based on the number of test administrators.    1. 10 or fewer test administrators– all copies    2. 11 or more test administrators – 10 copies |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a process/procedure to monitor how ELs and ELSWD participate in the annual ELPA summative assessment with available accessibility support. ELPA Summative refers to all ELPA summative assessments (in-person, remote, and Alt ELPA). | [Sec 1111](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | Submission requirements:   1. A brief written description of the district’s process or procedures to:    1. Identify each ELs and ELSWD for --       1. ELPA summative (in person, remote, alt) accessibility supports    2. Enter those supports into the test system to ensure appropriate testing on state assessments   If the district has:   * Fewer than 10 enrolled ELs/ELSWD with accessibility supports – copies of all enrolled students that provides evidence of what accessibility supports were selected for the students * Greater than 11 enrolled ELs/ELSWD with accessibility support – at least 11 copies, but no more than 20   + Whenever possible, include evidence from all grade levels represented in the district   ***This information could be included in a chart that includes:***   * ***Student ID number*** * ***Accessibility code*** * ***Accessibility support description*** * ***ODE has provided an Accessibility Checklist to support districts linked*** [***here***](https://www.oregon.gov/ode/schools-and-districts/grants/ESEA/EL/Pages/Monitoring.aspx) * ***If the district does not have any enrolled ELs/ELSWDs students with accessibility supports, include a statement to that fact.***   The district should use the Oregon Accessibility Manual to determine supports<https://www.oregon.gov/ode/educator-resources/assessment/Documents/accessibility_manual.pdf> |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a process/procedure for determining how accessibility supports are selected the Oregon state assessments the student takes (Language Arts, Math, Science, and OR Extended).   ODE has provided an Accessibility Checklist to support districts linked [***here***](https://www.oregon.gov/ode/schools-and-districts/grants/ESEA/EL/Pages/Monitoring.aspx) | [Sec 1111](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  OAR 522-022-2100 | Submission requirements:   1. A brief written description of the district’s process or procedures to:    1. Identify each ELs and ELSWD for --       1. Language Arts accessibility supports       2. Math accessibility supports       3. Science accessibility supports       4. Oregon Extended Assessments    2. Enter those supports into the test system to ensure appropriate testing on state assessments 2. Submit evidence of the accessibility supports available to students according to the number of students below.   ***If the district has:***   * ***Fewer than 10 enrolled ELs/ELSWD with accessibility supports – copies of all enrolled students that provides evidence of what accessibility supports were selected for the students*** * ***Greater than 11 enrolled ELs/ELSWD with accessibility support – at least 11 copies, but no more than 20***   + Whenever possible, include evidence from all grade levels represented in the district.   + This evidence could be a spreadsheet with student ID number and accessibility type denoted. * ***This information could be included in a chart that includes:***   + ***Student ID number***   + ***Accessibility code***   + ***Accessibility support description***   **Documentation of accommodations is needed for Language Arts, Mathematics, Science, and OR Extended assessments (please record all designated supports and accommodations in the student’s file).** |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a process/procedure to monitor the ELPA domain exemptions for the ELPA summative assessment and appropriately codes them into the testing system. This includes all ELPA summative (in person, remote and Alt ELPA). | [Sec 1111](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | Submission requirements:   * A brief written description of no more than 500 words of the district’s process or procedure to:   + Determine domain exemptions on the ELPA summative assessment (in-person, remote, or alt ELPA)   + Enter the domain exemptions in the testing system to ensure appropriate test administration for ELs with IEPs or 504s * Submit copies of IEPs/504 Plans for students with ELPA domain exemptions (ELPA summative, remote, or Alt ELPA) per the number of students below.   ***If the district has:***   * Fewer than 6 enrolled students with an IEP/504 with a domain exemption – please submit copies of the IEP/504 that documents the domain exemption(s). * More than 6 enrolled students with an IEP/504 with a domain exemption – please submit at least 6 copies of the IEP/504, but no more than 10 copies of the IEP/504 that documents the exemption(s). * No students enrolled with a domain exemption; a statement asserting that fact   Note: These IEPs may be the same ones included in a prior question, there is no need to duplicate the submission as long as you have documented that reviewers need to refer to IEPs submitted in question number \_\_\_\_. |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a process/procedure to determine which students will participate in the Alt ELPA assessment. | [Sec 1111](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | Submission requirements:   1. A brief written description no more than 500 words that describing the district’s process or procedure that explains:  * How the district determined which students would be eligible for Alt ELPA  1. Copies of IEPs that document the participation in the Alt ELPA based on the numbers below. 2. Whenever possible, include all grade levels in the school district.    1. If the district has fewer than 5 students participating in Alt ELPA -- copies of all IEPs for these students.    2. If the district has greater than 6 students participating in Alt ELPA  -- copies of at least 6 IEPs, but no more than 10 copies   Note: These IEPs may be the same ones included in a prior question; there is no need to duplicate the submission as long as you have documented that reviewers need to refer to IEPS submitted in question number \_\_\_\_.  If the district does not have any enrolled ELSWD participating in the Alt ELPA, please provide a statement to that fact. |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a process/procedures for providing statewide assessment results to parents of English Learners in languages parents can understand. These assessments include:  * ELPA summative * Alt ELPA * Language Arts * Math * Science * Oregon Extended | [Sec 1111](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | Submission requirements:   1. A brief written description no more than 500 words that describing the district’s process or procedure that explains the district process for:    1. Determining which languages are needed for parent/guardian communication,    2. Process for preparing and sharing the information with parents. 2. Evidence of providing this communication to parents/guidance:    1. Examples of this evidence include:       1. Assessment score reports from 2022-23 in home languages       2. Where assessment score reports are not available in home language the follow is acceptable”          1. parent request for interpreter forms          2. interpreter contracts          3. interpreter participation at meetings   ***Submit examples of parent communication based on based on number of ELs with parent/guardian needing communication in languages other than English.***   * 10 or few students – all copies * 11-50 students – 10 copies * 51-100 students – copies * Greater than 101 students – 25 copies |  | Notes:  Additional Material Needed to Request: |
| **Section 5. Exiting/Monitoring English Learners** | | | | |
| **Item** | **Guidance** | **Evidence** | **Score** | **Notes/Evidence/Citation** |
| 1. The district monitors the progress of ELs in meeting challenging state academic standards each of the 4 years after they are no longer receiving services. | [Sec. 3121](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  [Title VI– OCR Guidelines](https://www2.ed.gov/about/offices/list/ocr/ell/plandev.html)  DCL -  H, p.32  I, p. 35  NRG - Addendum starting on p.44 | Submission requirements:   1. The district provided a description (no more than 500 words) of the district’s monitoring process for exited ELs for each of the 4 years after exiting as proficient. 2. Evidence that demonstrates how the district monitoring is monitoring each student this evidence could include:    1. monitoring surveys completed by educators    2. grade reports    3. progress monitoring reports 3. Evidence of how the district provided additional support or interventions for monitored ELs needing academic support, this could include:    1. MTSS/RTI program monitoring notes    2. Progress monitoring reports    3. Work samples    4. Formative assessments    5. Teacher surveys    6. Meeting notes    7. Parent meeting 4. Description of the district process or procedure to return a monitored EL into an EL program.    1. This process needs to include full parent/guardian consent   ***Submission expectation based on number of monitored ELs:***   * 10 or fewer students –all copies * 11-50 students– 10 copies * 51-100 students – 20 copies * Greater than 101 students – 25 copies |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a process/procedure that demonstrates ELs with waivers for service are regularly monitored. | [Title VI– OCR Guidelines](https://www2.ed.gov/about/offices/list/ocr/ell/plandev.html)  [Sec 3121](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | Submission requirements:   1. A brief written description no more than 500 words of the district’s process or procedure for monitoring ELs with waivers for participation in the EL instructional program on a regular and systematic basis. 2. Evidence that demonstrates how the district is monitoring ELs with waivers for participation in the EL instructional program. 3. This evidence could include:    1. Monitoring surveys completed by educators    2. Grade reports    3. Progress monitoring reports   ***Submission expectation based on number of students with waivers for EL service:***   * 10 or fewer students –all copies * 11-50 students– 10 copies * 51-100 students – 20 copies * Greater than 101 students – 25 copies |  | Notes:  Additional Material Needed to Request: |
| **Section 6. Access to Instructional Program/Graduation** | | | | |
| **Item** | **Guidance** | **Evidence** | **Score** | **Notes/Evidence/Citation** |
| 1. The district has a process/procedure for implementing and monitoring effective elementary, middle, and high school language instruction educational programs aligned with state English Proficiency Standards. |  | Submission requirements:   1. A brief written description of no more than 500 words of how the district is implementing, **and** monitoring effective elementary, middle, and high school language instruction educational programs that are coordinated and aligned with state English Language Proficiency (ELP) standards.   ***Districts may choose to also include:***   1. Lesson plans with Oregon ELP standards, from all grade bands with current ELs (elementary, middle, and high school) – sample size 5-10 lesson plans. 2. Formative assessments measuring the ELP standards. 3. Classroom observation protocols used for monitoring ELD programs. |  | Notes:  Additional Material Needed to Request: |
| 1. The district has adopted ELP Instructional materials. | OAR 581-023-0100-04  OAR 581-022-2355 | Submission requirements:   1. Evidence that the district has **either:**    1. Adopted ELP instructional materials since the ODE adoption in 2021-22 school. This evidence must include minutes from the district school board adopting the instructional materials.       1. Evidence may also include:          1. Presentation to district school board          2. Instructional materials district review process and documentation          3. Independent adoption review evidence, **OR**    2. Request to ODE to postpone ELP instructional materials adoption. |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a program of services that provides meaningful access to all classes (e.g., core, elective, special programs). | [Title VI– OCR Guidelines](https://www2.ed.gov/about/offices/list/ocr/ell/plandev.html)  DCL-  D, p. 17  E, p. 22  G, p. 29  H, p. 35  NRG- A 3, Sec. C, Sec. D, K1, K3 | Submission requirements:   1. A brief description of the instructional program that provides meaningful access to all classes. 2. Example master building schedules for schools in the district at elementary, middle, and high school levels, including any district charter schools.    1. Include at least 4 examples for each level unless district has fewer than 4 schools at any particular level    2. Ensure these examples include schools with enrolled ELs 3. ***Secondary student schedules based on number of enrolled secondary ELs.***    1. ***10 or fewer students – copies of all student schedules***    2. ***11-50 students – 10 copies***    3. ***Greater than 50 students – 20 copies***   ***The total sample size must contain schedules from more than one class.*** |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a program of service for ELs that includes a comprehensive high school education leading to completion with a regular high school diploma, a modified diploma, or a certificate. | [Title VI– OCR Guidelines](https://www2.ed.gov/about/offices/list/ocr/ell/plandev.html)  DCL-  D, p. 17  E, p. 22  G, p. 29  H, p. 35  NRG- A 3, Sec. C, Sec. D, Sec. K | Submission requirements:   1. The district provided a description of the program of services that include:    1. Education leading to a diploma       1. Regular       2. Modified       3. Extended certificate 2. A random sampling that documents the program of service.    1. Evidence includes student transcripts and    2. IEP documentation. 3. The transcripts submitted identify which diploma the student is working towards (regular, modified, extended certificate).   **Submission expectation based on the number of enrolled high school ELs:**   * 10 or fewer students – copies of all * 11-50 students – 10 copies * More than 50 students – 20 copies   ***If the district does not have any enrolled HS ELs, a statement attesting to this will suffice.*** |  | Notes:  Additional Material Needed to Request: |
| **Section 7. Staffing for English Learner Programs** | | | | |
| **Item** | **Item** | **Item** | **Item** | **Item** |
| 1. The district is in compliance with proper certification, license, or endorsements for instructional staff of ELs. | [Sec. 3116 (3)](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  OAR 584-036-0015  NRG- Sec. D | Submission requirements:   1. A list of all EL teaches that includes evidence of:    1. Teacher name    2. Teacher license(s)    3. Valid dates for the license    4. Endorsement Type    5. Valid dates for the endorsement   ***This list could be presented in a spreadsheet form, or any other format the district selects.*** |  | Notes:  Additional Material Needed to Request: |
| 1. The district provides comprehensive and effective professional development to classroom teachers, principals, and other school leaders that is designed to improve the instruction and assessment of ELs. | [Sec. 3115(3)(2)](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  DCL - C, p. 14  NRG - A3, Sec. C, Sec. D, Sec. K | Submission requirements:   1. The district provides a description of the professional development provided to district educators that relates to the improvement of instruction and assessment of ELs for the most recent school year; this could include 2022-23 and/or 2023-24. 2. Including:    1. List of trainings provided    2. Attendance records    3. Evidence of feedback from training participants **or**    4. Description of how the district would collect feedback in the future    5. Evidence of implementation of professional development **or**    6. Description of how the district will implement the collection of implementation evidence in the future.   ***Evidence includes:***   * ***Spreadsheets of attendance lists*** * ***Surveys from participants*** * ***Walk-through notes for implementation evidence*** |  | Notes:  Additional Material Needed to Request: |
| **Section 8. English Learner Data** | | | | |
| **Item** | **Guidance** | **Evidence** | **Score** | **Notes/Evidence/Citation** |
| 1. The district has a process/procedure to determine which ELs are identified for 5 or more years that includes ELSWD students. | [Sec 3121](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  [Sec 3122](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  [Sec 1111(c)(4)(A)(ii)](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | Submission requirements:   1. The district provided a description of no more than 500 words of the district’s process or procedure for determining which ELs and ELSWD have been identified for 5 or more years.   ***The district should consider how this data is stored in the student information system. For example, the student information system has the student’s EL start date and special education flag. District staff can use this data to determine student EL/ELSWD status.*** |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a process/procedure to determine the number and percentage of ELs making progress towards English Proficiency aggregated for all ELs and ELSWD. | [Sec 3121](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  [Sec 1111(c)(4)(A)(ii)](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | Submission requirements:   1. The district provided a description of the district process or procedure to determine the number of ELs who are making progress towards English proficiency. 2. This process or procedure must include both ELs and ELSWD.   ***The district should consider using the On-Track To English Language Proficiency measure that is located in the ODE District Secure Application – Achievement Data Insight. The On-Track to English Language Proficiency calculation provides data on each student’s progress in each of the language domains.*** |  | Notes:  Additional Material Needed to Request: |
| 1. The district has a process/procedure for sharing the EL Legislative Report with the school board and for posting the report to the district web page. | [ORS 327.016](https://www.oregon.gov/ode/reports-and-data/LegReports/Pages/default.aspx) | Submission requirements:   1. The districts provided a written description of the district’s process or procedure for annually:    1. Posting the EL Legislative Report to the district web page, **AND**    2. Sharing the EL Legislative Report with the district school board by September 1 2. The district has provided evidence of:    1. The web posting of the EL Legislative Report on the district web page    2. The district school board having been provided the EL Legislative Report       1. ***This evidence could include:*** 3. ***Board minutes*** 4. ***Board presentation*** 5. ***Board agenda*** |  | Notes:  Additional Material Needed to Request: |
| **Section 9. Fiscal Review – This section is completed by the Fiscal Agent for the Title III grant – Regular Year and Immigrant Grant recipients (Consortium Member Districts do not complete this section for Title III Regular Year)** | | | | |
| **Item** | **Guidance** | **Evidence** | **Score** | **Notes/Evidence/Citation** |
| 1. The district/ESD maintains clear and accurate fiscal records that indicate use/expenditure of Title III funds. | [Sec 1118](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf)  [Sec 3115](https://www.congress.gov/114/plaws/publ95/PLAW-114publ95.pdf) | **Required for all sub-grantees:**   1. CIP Budget narrative for previous school year (2022-23):    1. Regular school year    2. Carryover    3. Immigrant grant (if applicable) 2. Review of the sub-grantees spending trend over the past 3 years.    1. This includes years: 2020-21, 2021-22, 2022-23    2. Did the sub-grantee spend down each grant in a timely manner?    3. How much carryover funds did the sub-grantee have from one year to the next? 3. Explanation of how the district/consortia determines the effectiveness of any Title III purchase.    1. Professional development    2. Supplemental materials    3. Any other purchases 4. Description of sub-grantees inventory procedures for items purchased with Title III funds.   **Required submission if the 2022-23 Budget Narratives required above demonstrates that the sub-grantee used Title III funds for these activities.**   1. Copies of current position descriptions for staff funded by Title III. 2. Time and Effort Logs for staff funded by Title III and other funding. 3. Copies of contracts paid for by Title III funds, and required deliverables by contract. 4. Explanation how the sub-grantee determines the deliverables for each contract. 5. Purchase orders and payments for items funded by Title III funds. |  | Notes:  Additional Material Needed to Request: |

1. *Lau v. Nichols https://www2.ed.gov/about/offices/list/ocr/ell/lau.html* [↑](#footnote-ref-1)
2. *While key pages of ESEA/ESEA, DCL, and NRG are provided in the chart below, these pages are not all inclusive.*  [↑](#footnote-ref-2)