

**UP Academy Charter School of Dorchester (District)**

**Tiered Focused Monitoring Report**

**Onsite Dates:** **May 22-26, 2023**

**Date of Final Report:** **07/21/2023**



Jeffrey C. Riley

Commissioner of Elementary and Secondary Education

During the 2022-2023 school year, UP Academy Charter School of Dorchester (District) participated in a Tiered Focused Monitoring Review conducted by the Department’s Office of Language Acquisition (OLA). The purpose of the Tiered Focused Monitoring Review is to monitor compliance with regulatory requirements focusing on English Learner Education.

District/charter schools are reviewed every six years through Tiered Focused Monitoring. There are 12 ELE criteria that target implementation of the requirements related to ELE programs under state and federal law and regulations:

ELE 1: Annual English Language Proficiency Assessment

ELE 2: State Accountability Assessment

ELE 3: Initial Identification of ELs and FELs

ELE 5: ELE Program and Services

ELE 6: Program Exit and Readiness

ELE 7: Parent Involvement

ELE 8: Declining Entry to a Program

ELE 10: Parental Notification

ELE 13: Fallow-up Support

ELE 14: Licensure Requirements

ELE 15: Professional Development Requirements

ELE 18: Records of ELs

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

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

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

Districts in Tiers 3 and 4 have demonstrated greater risk:

* Tier 3: Areas of concern include both compliance and student outcomes – moderate risk.
* Tier 4: Areas of concern have profound effect on student outcomes and ongoing compliance – high risk.

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

The review process includes the following:

1. Self-Assessment

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

1. Verification

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

**Report:**

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

# **DEFINITION OF COMPLIANCE RATINGS**

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

For more information on the Tiered Focused Monitoring approach, please visit the Department’s [website](https://www.doe.mass.edu/ele/cpr/default.html).

UP Academy Charter School of Dorchester (District)

**SUMMARY OF COMPLIANCE CRITERIA RATINGS**

|  |  |
| --- | --- |
|  | **English Learner Education Requirements** |
| **IMPLEMENTED** | ELE 1, ELE 2, ELE 6, ELE 13, ELE 18 |
| **PARTIALLY**  **IMPLEMENTED** | ELE 3, ELE 5, ELE 7, ELE 8, ELE 10, ELE 14, ELE 15 |

| **Improvement Area** **1** |
| --- |
| **Criterion:** ELE 3 - Initial Identification of ELs and FELs |
| **Rating:** Partially Implemented |
|  |
| **Description of Current Issue:** A review of documentation and interviews with staff revealed that the district does not have appropriate procedures and practices in place to identify English learners (ELs) in PreK. The district does not use the screening assessments identified by the Department for PreK students: PreLAS, PreLAS Observational Tool or Pre-IPT.  A review of documentation and interviews with staff revealed that the district screens the English proficiency of PreK students in February using WIDA Screener for Kindergarten, six months before they start Kindergarten, to determine their eligibility for English learner education (ELE) services for when they start Kindergarten. Children who are of preschool and kindergarten age are acquiring language so quickly that any test done more than 6 months before the start of kindergarten could be outdated by the time the child actually starts kindergarten, and such an approach would not be consistent with WIDA assessment guidance.  A review of documentation and interviews with staff indicated that the district screens all incoming kindergarten students, regardless of when they enroll, in all four language domains even though the Department?s Guidance on English Learner Education Services and Programming states that students who enroll during the first semester of kindergarten should take only the Speaking and Listening components of the screening test, since all four domains are not developmentally appropriate at that time.  Interviews with staff revealed that the district does not screen students who enroll in kindergarten as first-year students in the district at the start of the school year or later until February 1 to determine their English language proficiency and to provide ELE services if they are ELs. Thus, the district is out of compliance with the requirement for screening of students for EL status within 30 days of enrollment in a school and does not start providing ELE services to ELs who are eligible for such services in a timely manner.  Staff interviews and a review of documentation indicated that the district does not have a process for identifying Former English Learners (FELs) who come from other districts so that the district can continue monitoring them for a total of four years. |

| **Improvement Area 2** |
| --- |
| **Criterion:** ELE 5 - Program Placement and Structure |
| **Rating:** Partially Implemented |
|  |
| **Description of Current Issue:** The Department conducted a TFM review to evaluate the effectiveness of programs serving English learners as required by G.L. c. 71A, § 7A. A review of data as a part of the evaluation of the charter school's ELE program indicated that English learners do not demonstrate sufficient growth in English language acquisition and the ELE program needs improvement to promote and support the rapid acquisition of English language proficiency by ELs. On ACCESS 2022, 39% of ELs made progress.  Interviews with educators conducted during the review process revealed that educators often consider classes with English learners to be "general education classes" and do not plan them as SEI classes in which EL students must receive sheltered content instruction.  The charter school currently provides ESL in an "embedded ESL" model to ELs at English proficiency level 4 and to some students at proficiency level 3. Staff interviews indicated that instruction in "embedded ESL" classes primarily focuses on sheltering ELA/Humanities content and does not include systematic, explicit, and sustained ESL instruction.  Although the charter school is working on developing an ESL curriculum, a review of documentation, classroom observations and staff interviews indicated that currently the district does not have an ESL curriculum that is consistently used t to support ESL instruction.    The school started the implementation of benchmark requirements in the SY23 and is working to improve its systems across the school. |

| **Improvement Area 3** |
| --- |
| **Criterion:** ELE 7 - Parent Involvement |
| **Rating:** Partially Implemented |
|  |
| **Description of Current Issue:** Interviews and documentation indicated that the charter school does not have an English Learner Parent Advisory Council as required in M.G.L. c. 71A, § 6A. |

| **Improvement Area 4** |
| --- |
| **Criterion:** ELE 8 - Declining Entry to a Program |
| **Rating:** Partially Implemented |
|  |
| **Description of Current Issue:** Interviews and submitted documentation indicate that the district has the proper policies and procedures to request annual parental requests to opt-out students and provide English language acquisition without ESL services. However, interviews indicate that staff are not informed of students' opt-out status until the first round of monitoring in the fall.  The district has policies and procedures to monitor the progress of students whose parents opted them out of ELE services. However, staff interviews and a review of student records indicated that the district does not consistently implement these policies and procedures to monitor the English language proficiency and academic progress of students who opted out of ELE services. |

| **Improvement Area 5** |
| --- |
| **Criterion:** ELE 10 - Parental Notification |
| **Rating:** Partially Implemented |
|  |
| **Description of Current Issue:** Interviews with staff also revealed that the school does not screen students who enroll in kindergarten as first-year students in the district at the start of the school year or later until February 1 of the current school year to determine their English language proficiency and to provide ELs with ELE services. Thus, the school is out of compliance with the requirement for providing certain notifications to parents of ELs no later than 30 days after the beginning of the school year. |

| **Improvement Area 6** |
| --- |
| **Criterion:** ELE 14 - Licensure Requirements |
| **Rating:** Partially Implemented |
|  |
| **Description of Current Issue:** Staff interviews and the relevant SEI Endorsement data indicated that most core academic teachers assigned to provide sheltered English instruction to English learners hold the SEI Teacher Endorsement, but some do not. |

| **Improvement Area 7** |
| --- |
| **Criterion:** ELE 15 - Professional Development Requirements |
| **Rating:** Partially Implemented |
|  |
| **Description of Current Issue:** A review of documentation reveals that the school's professional development plans do not include profesional development opportunities for teachers to earn 15 PDPs related to SEI, or English as a Second Language. The Department concludes that this practice is not in compliance with 603 CMR 44.06(1) which requires districts and charter schools to develop a professional development plan and provide training for teachers in second language acquisition techniques for the re-certification of teachers and administrators. |