

To add under **E. Specific Recommendations for school assignment modifications to increase equitable access to a quality education**

English Language Learners at ELD Levels 4 and 5.

In SY2013, there are 16,474 English Language Learners (ELLs) enrolled in Boston Public Schools coming from homes where more than 30 languages are spoken and with a broad diversity in terms of race, nationality, income and previous schooling experience. For the purposes of school assignment, ELLs are divided into two groups: those at English Language Development (ELD) Levels 1, 2 and 3 enrolled in programs for English Language Learners and accounting for 54.7% of all ELLs (see recommendations for this group in a subsequent section) and those at ELD levels 4 and 5 accounting for 45.3% of all ELLs and enrolled in General Education. The EAC recommends that the assignment of the latter group consider the following:

- ELLs in ELD 4-5 are guaranteed a general education seat in the same school when they move from ELD level 3 (Paragraph 32(A)).
- The Department of Elementary and Secondary Education requires that the progress of ELLs in General Education be monitored yearly. As a result ELLs may be moved from a General Education seat to an ELL program seat if the student is not making academic progress because of English language proficiency.

The following language should be placed in section titled:

Overlay Map for Students Requiring English Language Learner (ELL) Services:

The Boston Public Schools has proposed that assignment for ELLs at Levels 1, 2 and 3 be organized in 6 clusters which overlay any assignment design for students in general education. BPS' ELL Task Force supports this proposal and the EAC's recommendation is that this overlay be created with the following characteristics:

- That all clusters provide seats in language specific as well as multilingual programs in each cluster. Students from high incidence language groups will have access to both language-specific and multilingual seats while those from low incidence language groups will have first priority in multilingual program seats. Students will not be assigned to a language-specific seat of language other than their own without the specific approval of the Office of English Language Learners (Successor Settlement Agreement, 2012; paragraph 45(b)).
- In all clusters, ELL program classes should maintain a ratio of 20:1 at all grade levels (K-12) in each school (Successor Settlement Agreement, 2012; paragraph 45(a)).
- The Successor Settlement Agreement between United States of America and the Boston Public Schools (2012) requires that OELL, Enrollment Services and Capital & Strategic Planning departments produce a Strategic Plan that will ensure that based on district ELL demographics (1) there is a sufficient capacity of available ELL program seats to serve all ELLs; (2) that there is an equitable distribution of ELL-only and mixed ELL/non-ELL SEI classes throughout the District, including in schools frequently chosen by parents where seats are in high demand; (3) that the location of the ELL seats accurately reflect ELL demographic, settlement patterns and school

preferences (paragraph 32c).

About 300 ELLs are students with interrupted formal education (SIFE) who receive High Intensity Literacy Training (HILT) prior to entering regular programs for ELLs. Both the META Consent Decree (Latino Parents and Master PAC et al. v. BPS, 1994) and Successor Settlement Agreement between United States of America and the Boston Public Schools (2012) require the following to be considered in the assignment of these students:

- All clusters must provide sufficient seats for SIFE students in appropriate HILT programs including those students who enroll during the school year (Successor Agreement, paragraph 32(c)). HILT seats must be equitably distributed across all clusters, reflect the demographic needs of each cluster and include the highly desirable schools (Successor Agreement, paragraph 32(c)).
- If SIFE students are denied enrollment into a school, the reason for the denial is to be reported to the Department of Justice. (Successor Agreement, paragraph 32(b)).
- HILT programs will not exceed the class size of 15 students. (META Consent Decree, Attachment C)

Citations

Successor Settlement Agreement between United States of America and the Boston Public Schools, April 19, 2012

Multicultural Educational Training and Advocacy (META) Consent Decree of 1992, and the Amended Order of 1994.