

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD

Charter Actions Requiring a Vote

- Approve a Charter Application
- Approve a Charter Renewal (15 yrs.)
- Approve Charter Continuance (5 or 10 yrs.)
- Approve a Charter Amendment Request
- Approve a Charter Agreement
- Give a Charter Notice of Concern
- Lift the Charter Notice of Concern
- Commence Charter Revocation Proceedings
- Revoke a Charter
- Board Action, Other _____

Non-Voting Board Items

- Public Hearing Item
- Discussion Item
- Read into Record

Policies

- Open a New Policy or Changes to a Policy for Public Comment
- Approve a New Policy
- Approve Revisions to an Existing Policy

PREPARED BY: Tricia Francisco, Specialist, School Performance Department

SUBJECT: Revisions to the English Learner Monitoring Policy

DATE: July 17, 2023

The DC Public Charter School Board (DC PCSB) is creating the policies and conditions to support a network of public charter schools in Washington, DC, offering families quality, equity, and diverse educational choices. This request aligns with DC PCSB's Strategic Roadmap¹ Priority of Excellent Schools.

Proposal

DC PCSB staff recommends that its Board open revisions to the English Learner (EL) Monitoring Policy (Attachment A) for public comment. DC PCSB is scheduled to hold a public hearing on this matter on August 21, 2023. DC PCSB will close the public comment period after the public hearing. The Board will vote on the proposed revisions to the policy on November 20, 2023.

Written comments may be submitted by mail or email until 5:30 p.m. on August 21, 2023 to:

DC Public Charter School Board
3333 14th Street NW, Suite 210
Washington, DC 20010

¹ See the Strategic Roadmap here: <https://bit.ly/3EVeKYg>.

Written comments may also be submitted online at <https://dcpcsb.org/public-comment>.

Stakeholder Engagement

DC PCSB staff participated in various EL webinars from the Office of the State Superintendent of Education and assessed past EL audit data to gather insight on best practices related to EL monitoring and programming. These best practices informed the revisions to the EL Monitoring Policy. DC PCSB shared the revised policy with EL coordinators and leaders at DC PCSB’s Emerging Multilingual Learner Professional Learning Community (EML PLC) on June 6, 2023. EL leaders and coordinators provided feedback on the revised policy during the EML PLC. DC PCSB staff reviewed the feedback and adjusted the policy accordingly.

Summary of Revisions

DC PCSB staff proposes changes to the English Learner Monitoring Policy, including 1) updating the policy’s name, 2) updating criteria and procedures to identify and address schools that may not be equitably serving emerging multilingual learners, and 3) articulating DC PCSB’s audit procedures and post-audit intervention methods. The revised policy continues to align with the response procedures and consequences listed in other DC PCSB policies, including the [Data and Document Submission Policy](#),² the [Mandatory School Notification Policy](#),³ the [Special Education Audit Policy](#),⁴ and the [Data Audit Policy](#).⁵ Key changes are listed in red in the table below.

Policy Element	Proposed Revision	Rationale for Change
Title	Emerging Multilingual Learner Audit and Monitoring Policy	Updated title clarifies DC PCSB’s oversight functions. The updated title also replaces the term English Learner to Emerging Multilingual Learner to highlight the students’ language skills in addition to English. ⁶

² See the Data and Document Submission Policy here: <https://bit.ly/3WXTQT9>.

³ See the Mandatory School Notification Policy here: <https://bit.ly/3NekEvi>.

⁴ See the Special Education Audit Policy here: <https://bit.ly/45XiTtG>.

⁵ See the Data Audit Policy here: <https://bit.ly/42ox343>.

⁶ The term emerging multilingual learner is not defined by federal law. Therefore, the term English learner shall be used when referencing federal laws and regulations. However, DC PCSB shall use the term emerging multilingual learner to describe English learners when discussing DC PCSB policies. The purpose of using the term, emerging multilingual learner, is to highlight the students’ existing language skills and to embrace the language assets of students who are learning English as a second language.

Policy Element	Proposed Revision	Rationale for Change
Criteria	Disproportionate number of students are dual identified as Special Education students and EML students without evidence of proper evaluation and student support and intervention practices.	Updates consider and align with required annual compliance documentation showing evidence of school practice. Documents are submitted into Epicenter, the Hub, or other DC PCSB established database(s).
Criteria	New information collected in the EML assurance documents exhibit a lack of programmatic support.	Addition allows for DC PCSB staff to conduct an emerging multilingual learner audit based on evidence submitted through the required annual compliance documents. Documents are submitted into Epicenter, the Hub, or other DC PCSB established database(s).
Criteria	A school fails the Mystery Caller Initiative and there is a lack of evidence of programmatic support (e.g., EML assurance letter illustrates lack of support or discriminatory recruitment practices toward EML students).	Addition allows for DC PCSB staff to ensure a school does not limit enrollment and recruitment practices based on a student's race, national origin, or language spoken.
Criteria	Data indicating non-compliance with the law and the charter regarding the provision of services to emerging multilingual learners.	Addition allows for DC PCSB staff to conduct an emerging multilingual audit procedure at any time, if deemed necessary, to ensure a school's compliance with serving emerging multilingual learner students.
Procedures	Audit and Monitoring Procedures: <ul style="list-style-type: none"> • DC PCSB Audit Procedures: Added language to describe the procedures of an audit (Pre-Audit Warning, Desk Audits, On-site Audits) if a potential indicator is met. • DC PCSB Intervention Activities: Added language about DC 	Additions expand and clarify the menu of DC PCSB responses.

Policy Element	Proposed Revision	Rationale for Change
	PCSB recommended actions in response to an emerging multilingual learner audit.	

Background

The School Reform Act (SRA), D.C. Code §§ 38-1802 *et seq.*, requires public charter schools to comply with all applicable laws and tasks DC PCSB with ensuring this compliance.⁷ The SRA explicitly states that public charter schools must comply with Title VI of the Civil Rights Act of 1964 (Title VI).⁸ In addition, DC PCSB has determined that other laws related to the education of students who are Limited English Proficient, Non-English Proficient, or English learner students as defined in federal law⁹ or the laws of the District of Columbia,¹⁰ are applicable law, including but not limited to the Equal Educational Opportunities Act of 1974. As such, DC public charter schools must comply with these laws and their interpretations as provided by relevant agencies, including guidance or regulations issued by the US Department of Education, the Department’s Office for Civil Rights, and the District of Columbia Office of the State Superintendent of Education.¹¹

Attachment to this Proposal

Attachment A: Revised English Learner Monitoring Policy (Redlined)

<p>Date: _____</p> <p>DC PCSB Action: _____Approved _____Approved with Changes _____Rejected</p> <p>Changes to the Original Proposal:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Signature: _____</p>
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⁷ See D.C. Code §§ 38-1802.12(c)(1), 38-1802.13(a)(1), 38-1802.11(a)(1)(B).

⁸ D.C. Code § 38-1802.04(c)(5).

⁹ See 20 U.S.C. § 7801(25).

¹⁰ See D.C. Code § 38-2901(7).

¹¹ Certain laws and regulations may be applicable only to schools that receive particular grants or federal funding.