

SERVICES FOR MULTILINGUAL LEARNER STUDENTS

This Circular will remain in effect unless rescinded or superseded by a subsequent version.

The Office of Multilingual and Multicultural Education has generated this circular to provide an overview of the operational and instructional expectations to effectively service the needs of Multilingual Learners (ML), Former English Learners (FEL), and other subgroups within this student population. All BPS staff are expected to be familiar with the information contained in this circular and to meaningfully incorporate it into their day-to-day work as part of the district's work to respect the rights of our students and families and comply with all related federal and state regulatory requirements.

The following actions are recommended for school leaders and their team to review in this circular:

1. Schedule a dialogue with members of your school's Instructional Leadership Team (ILT) and Language Assessment Team (LATF) around the items shared in this document to ensure all key stakeholders are aware of their responsibilities.
2. Using the LATF calendar, identify relevant information to be reviewed monthly by the school leader and other leaders in your school who can support this work.

3. Work with your LATF to audit your school's scheduling data in Aspen SIS to assure that every EL is appropriately scheduled for all English Learner Education (ELE) services and special education services for MLs with disabilities.

Please Note: We will use the term “Multilingual Learner” to describe our students who enter BPS with or who are in the process of learning one or more languages. However, we will continue to use the terms “English Learner” (EL) and “Former English Learner” when referring to state and federally defined legal rights/services.

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1. OVERVIEW OF POLICIES AND LEGAL RESPONSIBILITY

Under Massachusetts General Laws Chapter 71A, all Boston Public Schools with an English Learner student assigned and enrolled are obligated to offer an English Learner Education (ELE) program. Under Massachusetts Department of Elementary and Secondary Education guidance, an ELE program consists of both Sheltered English Immersion (SEI) core content and explicit ESL instruction appropriate for the student's English Language Development (ELD) level. Please note that under Section 6 of this Chapter, "any school district employee... may be held personally liable" for not providing students with access to EL programming.

The following are additional legal regulations and guidelines that pertain to Multilingual Learner Education offered in BPS and ELE service requirements for students attending BPS:

- ▶ Resource: The [DOJ Successor Settlement Agreement](#)
- ▶ Resource: The [META Consent Decree](#)
- ▶ Resource: The [LOOK Act](#)
- ▶ Resource: The [BPS Systemic Improvement Plan \(SIP\)](#)

2. ELE SERVICE COMPLIANCE REPORTING

The Office of Multilingual and Multicultural Education submits a series of reports each year on the compliance of Multilingual Learner Education offered in BPS and ELE service requirements for students attending BPS in accordance with the [DOJ Successor Settlement Agreement](#). Described below is the reporting cycle of Paragraph 54, one of the key reports that schools are accountable for throughout the school year.

For each cycle of this report (October, December, and March), BPS reviews the following quality indicators for ELE services in accordance with Paragraph 54 of The [Successor's Agreement](#):

1. **Teacher Qualifications:** Are teachers qualified to provide services to ML students in their ESL and SEI or bilingual core content classes?
2. **ESL Instruction Type:** Are ML students assigned to the right courses per their program code and receiving daily ESL services with the appropriate ESL instructional model/type (e.g., push in, pull out, or embedded ESL in grade-level English Language Arts (ELS), etc.)?
3. **ESL Minutes:** Are ML students receiving the right amount of ESL instructional time for their ELD level?
4. **ESL Grouping:** Are ML (ELD 1-5) students appropriately grouped for ESL?

To support the district's compliance with the above ELE service requirements and ensure the accuracy of the reporting data, schools are expected to review and update ELE service data in Aspen SIS at the beginning of each school year, and regularly thereafter in preparation for the reporting cycle deadlines (October, December, and March), as well as as needed upon changes in student enrollment or staffing changes.



- **Resource:** Consult The Aspen SIS Guide for Recording ESL Minutes, Instruction Type, and Teacher (Updated Nov 2023) for detailed directions on entering ELE compliance data in Aspen.

- ▶ Resource: Consult The DOJ Reporting Schedule with Description for a full list of required DOJ reports.
- ▶ Resource: Consult CAO-5 Cheat Sheet for a quick and simple outline of ESL compliance.
- ▶ Resource: Consult K-12 Sheltered English Immersion (SEI) Scheduling and Service Delivery for detailed ESL scheduling suggestions and guidance. COMING SOON
- ▶

3. ENGLISH LEARNER EDUCATION (ELE) PROGRAM MODELS

3A. District-Wide ELE Program Requirements

Regardless of an EL student being placed in a formally designated program for ELs, all BPS schools must comply with the following requirements for ELE service:

1. Castañeda's Three-Pronged Test for Educationally Sound ELE Programs
2. Providing an equitable curricular and educational experience for MLs
3. Access to a Sheltered English Immersion Program

Each of these three requirements are described in detail below:

Castañeda's Three-Pronged Test for Educationally Sound ELE Programs

All ELE program models implemented in BPS are required by DESE to meet "Castañeda's Three-Pronged Test," as defined by the following components:

1. The program is based on a sound educational theory or on research
2. The program is implemented with adequate and appropriate resources

3. The program has resulted in demonstrable academic outcomes for ELs.
 - ▶ Resource: DESE Guidance on [The Integration of Castañeda's Three-Pronged Test into ELE Program Development and Review Process](#)

Providing an Equitable Curricular and Educational Experience for MLs

All ELE programs implemented in BPS are required to provide MLs (SDD 1-4) comparable access to the standard curriculum within a reasonable period of time and to the range and level of extracurricular activities and additional services as non-ML students. Additionally, all ELE programs should provide opportunities for MLs (SDD 1-4) to take classes and participate in school activities with their English-proficient peers (non-MLs). Additionally, all BPS classrooms that serve MLs and non-MLs together and provide sheltered content instruction have historically been coded as “general education,” but will now be coded as State SEI classrooms to be in alignment with State regulations and the findings from the 2023 DESE Tiered Focus Monitoring report. And students, regardless of receiving foundational level scores¹ on the ACCESS or WIDA Screener assessments, have equal access to enroll in such classrooms where they will be exposed to English-proficient peers.

Access to a Sheltered English Immersion Program

DESE (2019) SEI guidance offers this helpful framework for the SEI ELE program model implemented in Massachusetts:

¹ Foundational level scores are scores of a 1-2.5 on the ACCESS test, or scores of a 1-2 on a WIDA Screener.

SHELTERED ENGLISH IMMERSION (SEI) PROGRAM ⁽²⁾

A two-component program model



Sheltered Content Instruction (SCI)	English as a Second Language (ESL)
<ul style="list-style-type: none">• Taught by content-area licensed and SEI-endorsed teacher (or BEE-endorsed in an official BPS Dual Language program).• Access to grade-level content & development of discipline-specific academic language.• Occurs throughout the day and is designed for optimum EL engagement in content.	<ul style="list-style-type: none">• Taught by ESL-licensed teacher.• Additional linguistic support ELs need to be delivered through systematic, explicit, sustained focus on language and literacy in the context of the Massachusetts Curriculum Frameworks.• Occurs for a specific amount of time each day [in accordance with DOJ requirements specified in this Circular].

²Massachusetts law (G.L. c. 71A, §) defines SEI as “an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language. Books and instruction materials are in English and all reading, writing, and subject matter are taught in English. Although teachers may use a minimal amount of the child's native language, when necessary, no subject matter shall be taught in any language other than English, and children in this program learn to read and write solely in English.”

This means that ML (ELD 1-5) students with “General Education,” vocational, Inclusion, Substantially Separate, AWC, IB, Montessori, and Alternative Education program seat assignments are considered to be served in an SEI ELE model — entitled to both sheltered core content instruction *and* ESL.²

3B. BPS Formally Designated Program for MLs Descriptions

As stated in section 3A, while schools are required to comply with offering all ML students the requirements for ELE programs regardless of student placement, BPS also offers ML students enrollment opportunities in one of BPS's formally designated programs for MLs. These program models are:

1. Sheltered English Immersion (SEI) Program
 - a. State SEI - Sheltered English Immersion (SEI) Program with Grade-Level English Proficient Peers
 - b. BPS SEI - Sheltered English Immersion (SEI) Program in Language Specific or Multilingual
 - c. Sheltered English Immersion (SEI) Program in Substantially Separate Setting
 - d. Sheltered English Immersion (SEI) Program in High Intensity Literacy Training (HILT) for SLIFE Multilingual
2. High Intensity Literacy Training (HILT) for SLIFE Language Specific
3. Dual Language Education (DLE) or Two-Way Immersion Program
4. Newcomer Program

Please Note: Schools are expected to implement the ELE program model designated for their school. Any deviation from the models outlined in this section must be approved by the Office of Multilingual and Multicultural Education (OMME) so as not to constitute a violation of the student/parent rights.

The specifics of each program model is described below:

Sheltered English Immersion (SEI) Program³

As described in section 3A, a Sheltered English Immersion Program is a two component program. First, it incorporates strategies to make content area instruction more understandable to MLs and to promote English language development in core-content classes throughout the day taught by SEI (or BEE as appropriate) endorsed teachers. Content area instruction integrates sheltering strategies to make content comprehensive and develop content area academic language in mathematics, English language arts (ELA), social studies, and/or science. As the second component to a Sheltered English Immersion program, English learner students also receive explicit English as a Second Language classes.

Boston Public Schools offers various ways for English learner students to access a Sheltered English Immersion program as outlined below:

State SEI - Sheltered English Immersion (SEI) Program with Grade-Level English Proficient Peers

SEI with grade-level English proficient peers offers MLs both Sheltered Content Instruction from SEI endorsed teachers as well as explicit English as a Second Language classes. MLs in this SEI program type are not grouped according to their EL status, their first language, or their level of English proficiency in any way during core-content classes. They

³ Massachusetts law (G.L. c. 71A, §2) defines SEI as “an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language. Books and instruction materials are in English and all reading, writing, and subject matter are taught in English. Although teachers may use a minimal amount of the child's native language when necessary, no subject matter shall be taught in any language other than English, and children in this program learn to read and write solely in English.”

receive core-content instruction with English proficient peers as well as other MLs. Only during English as a Second Language classes are MLs in this SEI program type separated from their grade-level English proficient peers and grouped according to their ESL Service Delivery Determination (SDD).

BPS SEI - Sheltered English Immersion (SEI) Program in Language Specific or Multilingual

This is a BPS ELE program that incorporates English language development throughout the day with strategies to make core academic content instruction more comprehensible to MLs who are ELD 1-2.5 (scored 1-2.5 on WIDA ACCESS Overall score). BPS SEI Language Specific programs serve students who all speak the same first language; in BPS SEI Multilingual programs, a variety of languages are spoken by the students. Instruction is conducted in English, with native language clarification for students where available. ML Students in an SEI Language Specific or SEI Multilingual Classroom in Grades K2-5/6 receive ESL instruction within their classroom; for sheltered content instruction they may be scheduled with English Proficient Peers for a portion of their day. Students in SEI Language Specific or Multilingual classrooms receive instruction in smaller class sizes in comparison to General Education classrooms. BPS SEI Language Specific or Multilingual programs in at the elementary level, English learner students may receive their English as a Second Language instruction embedded within the content instruction of the class if the homeroom teacher possesses their ESL license. For BPS SEI Language Specific or Multilingual programs at the secondary level, English learner students must receive their English as a Second Language instruction in a standalone setting from an appropriately licensed teacher.

Sheltered English Immersion (SEI) Program in Substantially Separate Setting

Per the Individualized Education Plan (IEP) and/or 504 plan, MLs in this SEI program type will receive core-content instruction and ESL services in a self-contained special education classroom with specialized instruction throughout their day within a small-group structured setting. Research-based practices, specific to disability, are utilized in the specialized classroom. MLs will continue to receive sheltered content instruction where SEI-endorsed, content-licensed educators shelter instruction so that they can meaningfully engage with grade-level content, and develop discipline-specific academic language. Depending on the nature of an MLs disability in this program, they may have modifications to their ESL services specified in their IEP and/or 504 plan.

Sheltered English Immersion (SEI) Program in High Intensity Literacy Training (HILT) for SLIFE Multilingual

In SLIFE multilingual classrooms, the language of instruction is English, and teachers provide native language support when feasible. All students in this classroom are EL students who enter BPS with Limited or Interrupted Formal Education (SLIFE); students in the classroom may speak different native languages. Students in SLIFE classrooms receive instruction from an ESL teacher as well as content and literacy from a teacher(s) who is qualified to provide sheltered content instruction. Please also see general HILT for SLIFE requirements here.

High Intensity Literacy Training (HILT) for SLIFE Language Specific

In language specific HILT for SLIFE programs, MLs receive High Intensity Literacy Training (HILT) in their native language. This program enrolls EL students who enter BPS with Limited or Interrupted Formal Education (SLIFE) who all speak the same language. Core academic content is taught in the native

language of the student, and is increasingly taught in English as the student develops English fluency. Students in SLIFE classrooms receive instruction from an ESL teacher as well as content and literacy from a Native Literacy/Content teacher(s) who is qualified to provide sheltered content instruction. SLIFE Native Literacy classrooms have smaller class sizes than State SEI, BPS SEI, and Dual Language programs.

General HILT for SLIFE Program Requirements

BPS recommends this program for MLs ages 8 or older who are newcomers to the United States, who have little to no literacy in their native language, or whose formal schooling was limited or interrupted in their native country. Students in HILT for SLIFE programs are grouped across a grade span (3-4, 3-5, 5-6, 6-8, 7-8, 9-12) and receive intensive academic English language and literacy development, native language instruction designed to help them learn reading, writing, math, science, and history/social studies, when available, and additional classes such as technology, arts, and physical education.

In accordance with the META Consent Decree, HILT for SLIFE programs must also comply with the following requirements:

- 1) Class size should not exceed 15 students;
- 2) During related arts / specials / electives courses, lunch, recess, and allotted intervention time, SLIFE students must be integrated with other ML students and with English-proficient students (Never ELs, Former ELs), who serve as peer language models.
- 3) "Daily Common Planning Time" must be allocated for ESL teachers and Native Language Teachers for age and grade-appropriate lesson design and materials development.
- 4) In language-specific programs such as Spanish, Haitian Creole, and Cabo Verdean Creole, students must

receive Native Language High-Intensity Literacy Training (HILT) as they develop literacy in their native language as well as English.

- 5) In SLIFE multilingual classrooms, teachers must provide native language supports when feasible.
- 6) All SLIFE students at the beginning of every year or upon assignment to the program must have a HILT for SLIFE Individual Learning Plan (ILP) generated that qualifies the individual learning targets for the academic year. This HILT for SLIFE ILP must be completed in full to document progress and determine a student's eligibility to exit the program.
- 7) No student can be recommended to exit the HILT for SLIFE program without meeting the exit criteria as per the META Consent Decree.

Dual Language: Two-Way Immersion Programs

In this program, the classroom is made up of both native language and English dominant students. All students learn to read, write, speak, and understand both languages either through core academic content instruction or explicit language instruction, taught by qualified teachers in the two languages. The goal of these programs is for students to become bilingual and biliterate. BPS seeks to increase more dual-language opportunities such as two-way immersion programs, heritage language programs, and ethnic studies courses in students' native language. Programs are currently offered in Spanish, Haitian Creole, ASL, Vietnamese, and Cape Verdean Creole.

Newcomer Program

This program is available for secondary MLs at the early stages of their English language development. Only MLs who are ELD 1-2.5 (scored 1-2.5 on WIDA ACCESS Overall score) are eligible for this program. Instruction is conducted in English, with native language clarification for students where available. English learner students in this program receive ESL instruction in a

standalone period and sheltered content instruction from core-content teachers.

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3C. Special Notices about ELE Programs in BPS

Multilingual Learners with Disabilities

Multilingual Learners with Disabilities (MLWD) are Multilingual Learners who receive disability-related, specialized instruction in an inclusion setting, resource room setting, or a substantially separate Special Education classroom. Regardless of placement, BPS is obligated to provide Multilingual Learners with Disabilities (MLWD) with equal access to the same opportunities as other students; education, specialized instruction and related services, appropriate and effective ESL and content instruction by accessing grade-level curriculum while providing accommodations, modifications, and goals within the Individual Education Plan (IEP). Schools are required to monitor students' progress to ensure appropriate progress toward meeting their English language proficiency benchmarks and IEP goals.

All MLWD (ELD1-5) are entitled to receive both Special Education (SPED) and ELE services in a manner appropriate to the student's individual needs by appropriately qualified staff; the District is required to provide these services. No ML shall be denied ELE services solely due to the nature or severity of the student's disability, and no ML shall be denied SPED services due to their ML status. This means, for example:

- No modifications to ESL service requirements may be implemented unless such modifications are determined necessary by the student's IEP or Section 504 team, through a documented team process, and in accordance with the

narrow exceptions contained in Paragraph 67 of the Successor Settlement Agreement.

- Any approved modification to ESL minutes, grouping, and/or instruction must be reflected on the EL Grid, an internal monitoring section in EdPlan, and will be reviewed by the BPS Office of Special Education/Office of Multilingual and Multicultural Education Supervisor(s) of Multilingual Learners with Disabilities.
- ESL may not take the place of a student's special education services. For instance, a student may not be taken out of speech therapy or counseling in order to get ESL.
- Core content instruction and ESL services must be provided with all accommodations as outlined in the student's 504 plan or IEP.

Parent Right to Opt Out of the ELE Program

Parents / guardians have the right to opt out their child from some or all components of the district's ELE program pursuant to Paragraphs 33 to 35 of the Successor Agreement. The district shall approve a parent's request to opt out of some or all ELE services, only by following the relevant safeguards that are set in place:

1. *The decision to opt out must be voluntary and informed, and not the product of district practices or influence, the result of inadequate or inaccurate information, or inadequate district resources.*
2. If any parent/guardian of an EL communicates a refusal to have their child enrolled in an EL program, and/or refuses all or only specific ELE services (e.g., EL-only SEI classes, language-specific SEI classes, or HILT classes) at a Welcome Center, NACC, or school, then a meeting will be

- convened with a representative from OMME, the school leader, a representative of the LAT (typically the LAT-F), and the parent(s)/guardian(s) to explain the benefits of services and address parent concerns AND encourage parents to allow their child to receive ELE services for at least 30 days before deciding to refuse such services.
3. If the parent continues to refuse ELE services after an explanation of the benefits of the services, the Opt-Out form (documenting 1. Evidence of parent meeting and 2. Parent request) must be submitted to OMME for review and approval and such documentation must subsequently be submitted by OMME to the DOJ/OCR.
 4. Students approved as "opt-outs" are still required to remain coded as an English Learner, required to participate in ACCESS, scheduled with an SEI-endorsed teacher(s) for core content, and have their English language development monitored by the school.
 5. Parents or legal guardians should revisit their decision to opt out every year and submit a new request for the current academic year and parents may request to restore ELE services at any point.

Former English Learners

Upon exit (reclassification to Former EL status), schools must regularly monitor students' academic progress for 4 school years upon their reclassification as is required by DESE and federal regulations. It is recommended that schools continue to schedule Former ELs with an SEI-endorsed content teacher(s) during their monitoring period. If during this monitoring period it is determined that the student's EL status be restored (with ELE services provided), the LATF must seek written permission from the student's parent/guardian.

Please see:

- Section 5 of this circular for additional information on the exit criteria for ELs

4. ESL SERVICES AND TEACHER QUALIFICATIONS COMPLIANCE INFORMATION

Under the terms of the Department of Justice [Successor Agreement](#) and the policies of the Department of Elementary and Secondary Education, all BPS Multilingual Learner Education Programs must comply with specific guidelines regarding ESL Instructional Minutes, Instructional Type, Instructional Grouping, and Educator Licensure and Endorsement. The following section outlines the specifics of each compliance measure as applicable for each Multilingual / English Learner Education Program described section 3.

Note: Schools are advised to create their schedule for ELE services *first* to ensure that the necessary qualified staff are scheduled to meet ML service needs.

All ML students, including Multilingual Learners with Disabilities (MLWD) and Students with Limited or Interrupted Formal Education (SLIFE), must be scheduled for the requisite amount of daily ESL instruction according to their SDD and must receive ESL by an ESL licensed teacher. MLWD with severe disabilities for whom compliant ESL instruction as described in the Successor's Agreement is not appropriate may have their services adjusted if reflected and recorded appropriately in the IEP through a team process.

4A. ESL Instructional Time: Elementary (K2 to 5/6) and Secondary Grades (6-12)

Elementary (K2 to 5/6)

Consistent with DESE's guidance, the table below provides the DOJ-approved ESL instructional time per ELD level that the district shall provide, to the extent practicable:

**TABLE 2: MINIMUM REQUISITE ESL INSTRUCTIONAL TIME
FOR MLS IN K2-5/6**

ELD Level	Daily ESL Instructional Time	Weekly ESL Instructional Time
ELD 1	135 minutes (2 hours, 15 minutes)	675 minutes (11 hours, 15 minutes)
ELD 2	90 minutes (1 hour, 30 minutes)	450 minutes (7 hours, 30 minutes)
ELD 3	60 minutes (1 hour)	300 minutes (5 hours)
ELD 4	45 minutes	225 minutes (3 hours, 45 minutes)
ELD 5	45 minutes	225 minutes (3 hours, 45 minutes)

Secondary Grades (6-12)

In order to address the variety of scheduling at our Secondary Schools as well as to ensure that students can equitably access ESL along with other MassCore / graduation requirements and specialty courses (e.g Advanced Placement courses, Dual Enrollment, Early College, and any vocational or technical

training / courses), OMME has shifted from a “minutes” framework at the Secondary level to a “blocks required” framework.

TABLE 3: SECONDARY SCHOOL ESL SCHEDULING*

School's Daily Course Block Length (Minutes)	# of Daily ESL Blocks Required:			
	ELD 1	ELD 2	ELD 3	ELD 4/5**
45-59 minutes	3	2	1	1
60-74 minutes	2	2	1	1
75+ minutes	2	1	1	1

*ESL for ELD 4-5 may be embedded into the ELA block by an ESL-licensed teacher. This is only allowable for ELD levels 4 and 5.

Please note:

- Schools may leverage this framework, but may still opt to schedule ESL instruction based on the daily minutes specified in Table 2.
- OMME recommends schools consider scheduling MLs for additional support from an ESL licensed teacher during Targeted Advisory / Intervention / WIN / SEL blocks (if available) based on the needs of their students and in the balance of other opportunities for students to access grade-level core content, advanced learning, and specials alongside their English-proficient peers. Refer to the resource below for sample recommended schedules.

- Part-time students (i.e., those attending for 1 or 2 remaining credit requirements) who have fulfilled MassCore ELA graduation requirements, and / or are only enrolled in BPS for credit recovery or only online education (i.e., never physically at a school building), will not be required to be scheduled for ESL. These students are typically over-age students who are balancing work and other adult responsibilities. OMME highly recommends that these students have a direct connection with the Re-Engagement Center and have a dedicated counselor that can assist them in creating an educational pathway that works best for their home, family, and work obligations. Note: Schools may schedule these students for ESL if it will best support the student in meeting graduation requirements and their individual needs. Regardless, schools should still be scheduling these students for core content classes with an appropriately endorsed (SEI and/or Bilingual Endorsement) or ESL certified teacher.

4B. ESL Instructional Types, Requirements, and Recommendations

All requisite ESL Instruction must occur during an ESL-Eligible course as designated by the BPS course catalog (e.g. reading, writing, ELA, literacy / humanities). This is to ensure that ELs still have equitable access to other grade-level core content and specialty courses.

Refer to the following tables for allowable types of ESL instructional models.

TABLE 4: ESL INSTRUCTIONAL MODELS FOR MLS IN K2-5/6

All instructional models require an ESL licensed teacher during the literacy/humanities block).

Standalone ESL — *For ELs in Gen Ed*

A standalone section is a scheduled class for ESL students with an ESL licensed teacher. The student is not pulled out of classrooms to attend this class, it is a part of their student schedule (e.g., with an “ESL” course title). An ESL licensed teacher must be the teacher of record of this classroom.

Standalone ESL is the recommended instructional model for ML students with an ELD of 1-3 in grades K2-5 who are *not* assigned to an SEI language-specific or SEI Multilingual program.

For ELD 4-5: Standalone is an allowable option; however, refer to the Embed ELA model as an alternative if the ELA/homeroom teacher is ESL licensed.

Push-In ESL

Push-In ESL may be provided to ML students in Elementary grades (K2 to 5) when the ESL teacher is coming into an ELA/Humanities course (or via a co-teacher in the classroom) to provide ESL services for a specific, small group of students within the same classroom while other students continue to receive content instruction. Schools must adhere to ESL grouping requirements when utilizing this instructional method.

At a minimum, weekly common planning time for the ESL and classroom teachers should be provided.

Pull-Out ESL

Pull-Out ESL may be provided to ML students in Elementary grades (K2 to 5) when a student is being taken out of an ELA / Humanities course to receive ESL instruction. Schools must adhere to ESL grouping requirements when utilizing this instructional method.

Embed Homeroom — *ESL in formal SEI programs*

This is an instructional type allowable ONLY for ML students (ELD 1-3) in SEI language-specific or SEI multilingual programs at the Elementary grade level (K2 to 5/6).

Please see section 5 of this circular for additional information on the criteria for a BPS SEI eligible ELD 3.

In this model, students receive ESL instruction embedded during their literacy time (course titles: Reading and Writing). Teachers providing this embedded ESL instruction must be ESL licensed and are required to complete OMME designated PD on differentiation and lesson planning.

Embed ELA — *ESL*

For ML students with ELD levels 4 and 5 only, the *recommended* instructional model for ESL is for ESL to be embedded in core ELA or literacy courses, only by an ESL licensed teacher. Students at these ELD levels may be grouped together.

Inclusion Teacher ESL Stipend per BTU CBA

For special education inclusion classrooms *only* that utilize a 1.0 teacher model, where the teacher is using 3 licenses (two of which are special education and ESL), this ESL-licensed teacher of record may agree to be stipended (45 minutes per day at the BTU contractual hourly rate) to provide ESL instruction for ELD 4-5 students that is embedded into the ELA or literacy block (ESL Embed ELA). Alternatively, if the teacher does not agree to the stipend, ESL instruction for ELD 4-5 students must be provided by a separate ESL licensed teacher. *All ML (ELD 1-5) students are entitled to receive ESL services regardless of the teacher/stipend model.*

TABLE 5: TYPES OF ESL INSTRUCTIONAL MODELS FOR MLS IN GRADES 6-12	
ESL Instruction Type	Description (all instructional models require an ESL licensed teacher)
Standalone ESL	<ul style="list-style-type: none"> For ELD levels 1 to 3, this is the only compliant instructional model for ESL service delivery for students. Standalone is an allowable option for which ELD 4-5 students may be grouped together; however, refer to the Embed ELA mode below as the recommended instructional type if the ELA teacher is ESL licensed.
Embed ELA ESL in English Language Arts	<ul style="list-style-type: none"> For ML students with ELD levels 4 and 5 only, the <i>recommended</i> instructional model for ESL is for ESL to be embedded in core ELA or literacy courses, only by an ESL licensed teacher. Students at these ELD levels may be grouped together.

4C. ESL Instructional Grouping Requirements

The following table represents allowable groupings of students for ESL instruction.

**TABLE 6: ELEMENTARY AND SECONDARY ESL GROUPING
ACROSS ELD AND GRADE LEVELS**

ELD Levels	Elementary Grades K2 to 5/6	Secondary Grades 6/7 to 12
ELD 1	<ul style="list-style-type: none"> • With fellow ELD 1 only across two consecutive grades; OR • With ELD 2 in one grade level 	<ul style="list-style-type: none"> • With fellow ELD 1 across multiple grades; OR • With ELD 2 only in one grade level
ELD 2	<ul style="list-style-type: none"> • With ELD 1 in one grade level; OR • With fellow ELD 2 only, in one grade level or across up to two consecutive grades; OR • With ELD 3 only in one grade level 	<ul style="list-style-type: none"> • With fellow ELD 2 only across multiple grades; OR • With ELD 1 only in one grade level; OR • With ELD 3 only in one grade level
ELD 3	<ul style="list-style-type: none"> • With ELD 2 in one grade level, preferably ELD 2.5-2.9; OR • With fellow ELD 3 only, in one grade level or across up to two consecutive grades; OR 	<ul style="list-style-type: none"> • With ELD 2 in one grade level, preferably ELD 2.5-2.9; OR • With fellow ELD 3 only across multiple grades, preferably two consecutive grade levels (e.g., in grades 9-10); OR

ELD Levels	Elementary Grades K2 to 5/6	Secondary Grades 6/7 to 12
	<ul style="list-style-type: none"> With ELD 4 in one grade level 	<ul style="list-style-type: none"> With ELD 4, in one grade level in a standalone setting
ELD 4	<ul style="list-style-type: none"> With ELD 3 in one grade level; OR With ELD 5 in one grade level; OR With fellow ELD 4 only across two consecutive grades 	<ul style="list-style-type: none"> With ELD 3 in one grade level in a standalone setting; OR With ELD 5 in one grade level; OR With fellow ELD 4 only across multiple grades
ELD 5	<ul style="list-style-type: none"> With ELD 4 in one grade level; OR With fellow ELD 5 only across two consecutive grades 	<ul style="list-style-type: none"> With ELD 4 in one grade level; OR With fellow ELD 5 only across multiple grades

Allowable Exceptions:

SEI Language Specific or Multilingual Program (ELD 1-3)	<ul style="list-style-type: none"> ELD 1-3 of the same SEI program homeroom may be grouped together for ESL instruction* 	<ul style="list-style-type: none"> This grouping is not allowable at the secondary level.
HILT for SLIFE	<ul style="list-style-type: none"> ELs, regardless of ELD level or grade level, in the same HILT for SLIFE 	<ul style="list-style-type: none"> ELs, regardless of ELD level or grade level, in the same HILT for SLIFE

ELD Levels	Elementary Grades K2 to 5/6	Secondary Grades 6/7 to 12
Programs ⁽⁴⁾	program homeroom may be grouped together for ESL instruction.	program homeroom may be grouped together for ESL instruction.
MLWD (with approved ESL modifications)	<ul style="list-style-type: none"> Refer to the ELSWD ESL Modifications section for guidance. 	<ul style="list-style-type: none"> Refer to the ELSWD ESL Modifications section for guidance.

*Subject to the terms of DOJ Paragraph 39e.

⁴() The META Consent Decree defines BPS HILT for SLIFE programs as “self-contained, ungraded, elementary format **classroom with** two teachers [Native Literacy Content teacher and ESL teacher] responsible for all instruction.” Students in the program are typically ELD 1 but may be at an ELD 2 level as they progress in their English language acquisition until meeting the exit criteria required by the consent decree. Therefore, students in this program model may receive ESL grouped in this manner.

4D. Educator Licensure and Endorsement Requirements

Please Note:

Per DESE (603 CMR 14.07 (3)), no EL student can be placed in classrooms where the teachers lack the SEI Endorsement for two or more consecutive years. ⁽⁵⁾

- School Leaders are to keep detailed electronic records of all teachers who are in the process of obtaining the SEI or Bilingual Education Endorsement and the pathway that they are pursuing to meet this obligation. All ML (ELD 1-5) must be assigned to core content (and vocational, if applicable) classrooms where the teachers are already endorsed or in a confirmed pathway.
- When creating schedules, schools must take into consideration teachers who are newly hired and who are returning but lack the SEI endorsement.
- It is recommended that students who have reclassified to Former English Learner status be scheduled with SEI-endorsed teachers for their core content courses, especially at the start of their 4-year monitoring period.
- For any SEI Language-Specific / Multilingual elementary teacher to provide embed HR ESL to students at ELD 1-3, they must have both an ESL license and have completed OMME-approved training on differentiation of ESL and lesson planning, as part of the qualifications for this program, to ensure that the unique needs of students at ELD levels 1-3 are met (DOJ Paragraph 39e). Please also reference the 2018-2021 BTU Collective Bargaining

⁵The teacher in this instance would also be required to get the SEI endorsement.

Agreement (p. 49 section 11) as it pertains to this requirement. Teachers are expected to complete this training by the end of the school year. If the teacher has not satisfied these requirements, the school must ensure an ESL licensed teacher is scheduled to deliver the appropriate English language development instruction to ML students for the literacy portion of the day.

The following table outlines DESE educator licensure and endorsement requirements in order to instruct ML (ELD 1-5) students by job type.

TABLE 7: TEACHER QUALIFICATION BY JOB TYPE

Job Type	Required Qualification	Additional Information
ESL Teacher	ESL License	Individuals who have completed and passed all requisite coursework / requirements and are only waiting for the state to administratively grant the ESL license may also be assigned to teach ESL.
Core Content or Vocational Teacher (English)	SEI Endorsement (Teacher)	<p>Core Content Teachers:</p> <ul style="list-style-type: none"> teachers of students with moderate or severe disabilities; subject-area teachers in English, reading or language arts; mathematics, science; civics and government, economics, history, and geography and early childhood and elementary teachers who teach such content. <p>Vocational (CVTE) Teachers:</p> <ul style="list-style-type: none"> For purposes of SEI, CVTE is defined as programs approved under M.G.L. c. 74; programs that meet the definition of career and technical education listed in the Carl D. Perkins Career and Technical Education Improvement Act of 2006, 20 U.S.C. § 2302(5); and any other programs that may be designated by the DESE Commissioner such as automotive technology, carpentry, culinary arts, engineering, exploratory, masonry, information technology, and any other subjects listed by DESE.

Core Content or Vocational Teacher (Native / Partner Language)	BEE Endorsement	Core Content and CVTE Teachers as defined above who: <ul style="list-style-type: none"> • Instruct in the partner language of a formal BPS dual language program • Instruct in the partner language of a formal language specific HILT for SLIFE program
Evaluator of ML Teacher (English)	SEI Endorsement (Administrator or Teacher)	A principal, assistant principal, supervisor, or director ("administrator") who supervises or evaluates one or more core academic teachers of ML (ELD 1-5) students
Evaluator of ML Teacher (Native / Partner Language)	BEE Endorsement OR SEI Endorsement (Administrator or Teacher)	Evaluators as defined above who supervise a core academic teacher assigned to provide instruction to an English Learner in a bilingual ELE program
Substitute Teachers	N/A	If for any ESL or core content class, no teacher is available who meets the qualifications to instruct ML (ELD 1-5) students, school leaders shall, to the extent practicable, assign substitute teachers who are ESL-licensed for ESL instruction or who are SEI or Bilingual Education-endorsed (for core content classes).

The following table outlines DESE educator licensure and endorsement requirements in order to instruct ML (ELD 1-5) students by BPS ELE program model.

TABLE 8: EXAMPLES OF LICENSURE REQUIREMENTS FOR POSITIONS SERVING EL STUDENTS*

Program	BPS Teacher Title	Position Description	Required Licensure	Preferred
BPS SEI	SEI Multi-lingual	General ed. position in a classroom that includes students with ELD levels 1-3 and varying native languages	Content area license & SEI endorsement	ESL License and SEI PD
	SEI + [Specific Language] <i>e.g. SEI Spanish</i>	General ed. position in a classroom that includes students with ELD levels 1-3 of the same native language	Content area license & SEI endorsement	ESL License, SEI PD, and Oral fluency in students' primary language
ESL	ESL Teacher (incl. SLIFE ESL)	Provides ESL instruction only (regardless of ELE program model)	ESL license	
	Bilingual Two-Way + [Specific Language] <i>e.g., Bilingual</i>	Serves multiple classrooms to provide periods of instruction in a language other than English	Content area license & Bilingual Education Endorsement (if teaching in native language)	

Dual Language/ Two-way	<i>Two-Way Spanish</i>	(complementary position below)	(Note: if the teacher is providing ESL, the teacher must have the ESL License)	
	Bilingual Two-Way English	Serves multiple classrooms to provide periods of English instruction to students (complementary position above)	Content area license & either SEI Endorsement or Bilingual Education Endorsement (Note: if the teacher is providing ESL, the teacher must have the ESL License)	
SLIFE	SLIFE Native Literacy (TBE) teacher	Provides core content instruction to SLIFE students in the student's native language (language other than English)	A Core Content area license & Bilingual Education Endorsement	

5. SY23-24 ELD AND ELP LEVELING GUIDANCE

For the 2023-2024 school year, the Office of Multilingual and Multicultural Education is continuing the transition of Multilingual Learner students' English Language Development Level (ELD Level) to Multilingual Learner students' English Language Proficiency Level (ELP Level). This shift aligns all

students' ELP levels with their WIDA ACCESS 2.0 scores and aligns our guidance and policies for Multilingual Learner students and Multilingual Learner Education with the guidance and policies of the Department of Elementary and Secondary Education. The following table shows the updated ACCESS and Alt ACCESS score to ELP level crosswalk.

TABLE 9: ACCESS SCORE CROSSWALK

2022 ACCESS and Alt ACCESS Score Range	SY 23-24 English Language Development (ELD) / English Language Proficiency (ELP) Levels
ACCESS: 1.0 - 1.9 / ACCESS Alt: A1-P1	Level 1 (Foundational)
ACCESS: 2.0-2.9 / ACCESS Alt: P2	Level 2 (Foundational)
ACCESS: 3.0-3.4 / ACCESS Alt: P3	Level 3 (Foundational)
ACCESS: 3.5-3.9 / ACCESS Alt: P3	Level 3 (Transitional)
ACCESS: 4.0 - 4.9	Level 4 (Transitional)
ACCESS: 5.0-5.9	Level 5 (Transitional)
ACCESS: 4.2 with 3.9 literacy (i.e., meets state exit criteria)	Former EL

Please note:

- Annual program placement recommendations are based on students' ELP level, and OMME will assume the responsibility of using the annual program notification form to notify parents of program placement.

- Consecutive year ELD 3 students will be automatically exited from BPS SEI Language Specific or Multilingual program placement if they currently occupy such a seat.
 - Per DOJ, *consecutive year ELD 3 students may not be grouped together with ELD 1-2 students for their ESL instruction.*
- Transitional ELD 3 students (students who received an ACCESS overall score of 3.5-3.9) will be automatically exited from BPS SEI Language Specific or Multilingual program placement if they currently occupy such a seat.
- Students who scored lower on their ACCESS test than their previous ELD level will be held harmless.
- Students who did not take the ACCESS or complete ACCESS due to absence or other circumstance will retain their previous ELD level.
- Students who did not take all domains of ACCESS due to an SPD code will receive their appropriate levels and program placements according to the policies listed above upon release of their ACCESS overall score by the state in early fall.
 - ▶ Resource: [End of Year Leveling Guidance 22-23](#)

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