THE SCHOOL DISTRICT OF PHILADELPHIA

138 (NEW)   ENGLISH LANGUAGE DEVELOPMENT/BILINGUAL EDUCATION PROGRAM

Purpose

To provide a quality educational program for all students, the School District of Philadelphia shall provide a culturally and linguistically appropriate planned instructional program for English Learners (ELs), which builds on students' home language and culture. The goal of the program shall be to ensure ELs at all levels of language proficiency can access grade-level academic content standards while developing advanced levels of English with support for students' integration and participation in the community. Students who are ELs shall be identified, assessed and provided an equal opportunity to participate in instructional programs with equal access to educational programs and extracurricular activities, consistent with federal and state laws and regulations.[1][2]

Definition of Terms

Bilingual Education - Academic programs that are taught in two languages with the goal of all students becoming bilingual and biliterate.

CTE (Career and Technical Education) - Academic programs that specialize in the skilled trades, applied sciences, modern technologies, and career preparation.

EL(s) (English Learners) - Students who are learning English.

ELD (English Language Development) - Instruction specifically designed to develop English proficiency.

ESL (English as a Second Language) - Academic programs for students who are learning English.

FEL(s) (Former English Learners) - Students who have demonstrated proficiency in English and no longer qualify as an English Learner.

GIEP (Gifted Individualized Education Plan) - A written plan describing the education to be provided a gifted student.

HLS (Home Language Survey) - A survey completed for all students as part of the enrollment process. The survey indicates the language(s) used in the home.

IEP (Individualized Education Plan) - A written plan describing the education to be provided a student who has a disability under the law.

LIEP (Language Instruction Educational Program) - District plan and design of instruction for English Learners.

Newcomer - An English Learner who has been in the U.S. for less than one year.

PBIS (Positive Behavior Interventions and Supports) - A framework for adopting evidence-based behavior interventions.

SLIFE (Student with Limited or Interrupted Formal Education) - A diverse subset of English Learners who have limited backgrounds in reading and writing in their home language(s) and/or who are below grade level in most academic skills due to interruptions in their formal education.

Authority
The SRC authorizes the Superintendent or designee to approve a written Language Instruction Educational Program (LIEP) for students whose dominant language is not English and to maintain an office for multilingual curriculum and programs to develop and support a plan that shall include English Language Development (ELD) and bilingual instruction programs. The programs shall be evidence-based and implemented with sufficient resources and appropriately trained staff. Programs shall be evaluated regularly for effectiveness in developing students' language proficiency and access to grade-level content.[2][3][4][5]

The Superintendent or designee shall address ELsand programs in all District functions, partnerships, and planning processes, as necessary to provide effective ELD and Bilingual Education instruction programs in compliance with laws and regulations. The District's plan for ELs shall include: (1) appropriate preparation and professional development for all professional staff, including core content and grade teachers (2) sufficient resources to implement the language instruction program including appropriate textbooks / materials and supportive technology (3) effective curriculum and programming to meet the needs of ELs at varying levels of proficiency, including newcomers, students with interrupted or limited formal education (SLIFE) and older ELs (18-21); (4) effective and accessible data management systems with accurate and relevant EL data points; and (5) language access for families and community. [3] [6]

Delegation of Responsibility

The Superintendent or designee shall implement and supervise an ELD/Bilingual Education program that ensures appropriate instruction for ELs in all schools and complies with federal and state laws and regulations.

The Superintendent or designee, in conjunction with appropriate stakeholders, shall develop administrative procedures regarding the ELD/Bilingual Education program. Administrative procedures shall be updated and revised annually, and made public through the District's website and appropriate offices and distributed to District administrators, school-based administrators, teachers and staff, to ensure the implementation of Policy 138 is being transparently, consistently and equitably adhered to across the District.

Mandated Regulatory Procedures

Identification, Placement, and Notifications[1]

The district shall establish procedures for identifying and assessing the needs of students whose dominant language is not English. The Home Language Survey shall be completed for each student upon enrollment in the district. Students who require language screening for ELD services, based on the Home Language Survey, must be administered the Pennsylvania Department of Education's approved language screener. The Home Language Survey and language screener results must be maintained in the student's permanent record folder and recorded in the District's student information system through graduation. [4][7][8]

Families shall be notified, in the preferred home language, of student's entry into ELD services, right of refusal as defined by State law, and student's current language proficiency level as indicated by annual State ELD assessment. [3]

Students with a secondary school transcript will have their transcript evaluated in a timely manner to ensure proper placement in high school. Secondary EL students will be rostered in appropriate credit-bearing courses in accordance with the District's rostering guidelines for secondary students. Elementary and middle school students will be placed in an age appropriate grade based on District policy.

Promotion and retainment of ELs must follow District, State, and Federal regulations and procedures must align with District guidelines. An EL may not be retained in a grade based solely on his/her lack of English proficiency. [3]

Students shall be reclassified or exited from their EL status in accordance with District required criteria as specified in State law with notification made to families in their preferred language. [3] [10]

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[1] Administrative procedures are specified in "EL Identification and Program Enrollment" & "Reclassification Criteria and Monitoring Former ELs" sections of the *English Learners Program Handbook.*

Programming[2]

All students identified as English Learner (EL) students will be provided an asset-based Language Instruction Educational Program (LIEP), which values students' linguistic and cultural resources, is grounded in effective research-based theory, and allows students to draw from their entire linguistic repertoire, including languages other than English. Curriculum in language and grade/content areas shall be standards-based and modified as appropriate for ELs. In all language programs, students' home languages and cultures, as well as their educational experiences from the home country and family, shall be valued as a strong foundation for the acquisition of another language not limited to students participating in a designated Bilingual Education program. [3]

The LIEP must include either Bilingual or English as a Second Language program components. Both Bilingual Education and ESL programs shall be aligned to the core instructional program and utilize certified teaching personnel to ensure that ELs are afforded the full opportunity to master the essential knowledge and skills of the core curriculum. Staff will incorporate all appropriate modifications, interventions and accommodations into instruction and assessment to allow ELs meaningful access to the general curriculum and to promote language and grade-appropriate content learning. Programs shall draw from students' linguistic and cultural resources and shall be assessed based on progress towards proficiency and achievement in core subjects and skills including math, reading, science and social studies. [3]

Bilingual and ESL programs must meet or exceed minimum State requirements and include instructional strategies and/or curriculum which integrates language and content instruction that is culturally competent, scaffolded and aligned with state and national standards. Instruction must be "high challenge with high support"[3] to ensure access to the core curriculum. ESL and non-ESL teachers, including grade or content teachers, will be provided with opportunities to plan instruction collaboratively to ensure academic language development and access to grade-level content for all ELs including newcomer students. [3]

Bilingual Education programs will include language and literacy instruction in both English and students' additional language and shall promote bilingualism, biliteracy, and biculturalism for all students. Language and literacy proficiency, including reading proficiency, must be formally tracked and recorded for both English and the additional language in District-issued report cards for students in bilingual programs. Teachers and administrators shall be provided consistent and appropriate preparation and professional development opportunities in order to effectively implement and sustain Bilingual Educations programs and must be certified with appropriate content or grade

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[2] Administrative procedures are specified in the "Language Instruction Educational Program (LIEP) Implementation" section of the *English Learners Program Handbook.*

[3] This is a core principle of the Quality Teaching for English Learners (QTEL) Framework developed by Aida Walqui and Leo van Lier. The principle maintains that content/academic rigor is not simplified for English Learners. Instead, language activities and tasks are purposefully selected to make the content accessible and engaging to English Learners.

certification and able to provide instruction in the additional language as demonstrated by the District's screening process. [3]

ESL Education Programs must include English Language Development (ELD) instruction delivered by ESL certified teachers with appropriate content or grade certification in alignment with State requirements. ELD must be incorporated into all classes taught by ESL and non-ESL certified teachers, including grade and/or content teachers, in which ELs are enrolled. All teachers of ELs are responsible for deliberately planning for, and incorporating language instruction, as well as appropriate supports, modifications, interventions, and accommodations needed to allow ELs to fully access course standards and curriculum. ELD instruction by ESL and non-ESL teachers shall promote the use of students' home language skills and culture to support and enhance learning and development of core content, skills and knowledge. ELD instruction by ESL and non-ESL grade / content teachers and administrators will be supported through consistent and research-based supplemental education and professional development opportunities in order to effectively implement and sustain effective ESL programs. [3]

Equitable Access[4]

EL students, at all levels of language proficiency, shall be required, with accommodations, to participate in assessments, as appropriate, and meet established academic standards and graduation requirements. [9][10][11][14][15][16][17][18][19][20][21]

Pursuant to establishing a positive and safe school environment for all students, District policies apply to all students, regardless of immigration status, especially, but not limited to Bullying and Harassment Policies 248 and 249; Multiracial, Multicultural, Gender Education Policy 102; Nondiscrimination in Classroom Policy 103; Homeless Students Policy 251; Transgender and Gender Nonconforming Students Policy 252.

Students shall have equitable access to and be encouraged to participate in all academic programs, including Career and Technical Education and special admission / magnet schools and programs, and extracurricular activities and programs available to district students. **Students shall be assisted by persons knowledgeable about district schools and programs to consider a range of programs and to obtain the accommodations and supports needed for the student to be successful, including modifications. Families shall receive guidance in a language they understand. Students may not be excluded on the basis of admission criteria if they can participate successfully, given reasonable accommodations. [22][23][24][25]**

EL students in all settings, including alternative placements, newcomers programs, special admission / magnet, city-wide admission, Career and Technical Education (CTE), and students with an Individualized Education Plan (IEP), Gifted Individualized Education Plan (GIEP), 504 plan, or students in schools with low EL enrollment, are

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[4] Administrative procedures are specified in the "Guidelines for Annual Assessments and District-wide Assessments", "Testing Accommodation for ELs" & "Equal Access Opportunities" sections of the *English Learners Program Handbook.*

entitled to equitable access to language development instruction and resources. [3][22][23][24][25]

EL students are eligible for Individualized Education Programs (IEP), 504 Plans and/or Gifted Education Programs (GIEP), and shall be identified in accordance with law, regulations and SRC policy. The District shall ensure that assessment of a student for individualized and gifted education services includes screening for intervening factors, such as English proficiency, that may be interfering with school officials ability to identify various learning abilities.[13] [5][12]

Students' language proficiency or EL status cannot be grounds for denying or delaying evaluation to determine eligibility for special education services. ELs may be eligible for special education services when they have been identified as a student with a disability and it is determined that the disability is not solely due to lack of instruction or proficiency in the English language. An evaluation for an EL student must be conducted in a language the student understands to accurately assess eligibility with bilingual evaluations conducted when feasible in accordance with state and federal laws. Parents / guardians shall be consistently and equitably offered the District's interpretation and translation services to ensure meaningful participation in the special education process. [3][5][12]

EL students who are eligible for specialized education services shall continue receiving ESL / Bilingual Education instruction in accordance with their Individualized Education Program (IEP), Gifted Individualized Education Plan (GIEP), or 504 Plan at the appropriate language proficiency and developmental level, and with regular input and monitoring from an ESL specialist or trained designee.[5][12][13]

Students who are ELs may remain in high school through their 21st birthday regardless of credit attainment. Students who do not finish high school by the age of 21 are eligible for alternative education programs with ELD and content classes deemed appropriate and necessary to enable the student to obtain a high school diploma.

Evaluation & Accountability[5]

The District's plan for ELs, including ESL and /Bilingual Education programs, professional development offerings, and curriculum and instruction shall be regularly evaluated with asset-based approaches by District offices, superintendents and school based administrators with input from students, parents/families, and community stakeholders, at least once every three years, to ensure all components are aligned, implemented and working effectively to facilitate the acquisition of the English language and achievement of academic standards, and shall be revised when necessary to ensure greater student achievement. [9][10][11]

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[5] Administrative procedures are specified in the "Program Evaluation" section of the *English Learners Program Handbook.*

Students who are ELs must be assessed annually with Pennsylvania's state adopted English Language Development assessment. [3] Individual schools and the ESL Program shall collect and disaggregate data based on student progress as reported to inform district and school-based planning, including school improvement planning. [5][12]

Parent, Family, and Community Engagement[6]

In order to ensure meaningful participation, parents/guardians whose dominant language is not English shall be offered appropriate interpretation and translation services by the District. These services, including training for families in how to be involved in a student's education and removing barriers to family involvement, shall be provided by trained professionals. The District will ensure sufficient training of staff to ensure language access for all families. [1][3]

School administrators must maintain a record of the family's primary home language and ensure that meaningful opportunities for participation ~~communication~~ are provided in a ~~mode or~~ language that the parents/guardians understand. [1][3]

The District shall maintain clear, comprehensive, and reliable means of outreach, including web-based, that is not solely reliant upon parents / families coming to a school building, to ensure community stakeholder and parental / family involvement in the education of their children. The program(s) designed for outreach to parents will be carefully monitored and evaluated by the Superintendent or designee and school-based administration in accordance with the Pennsylvania Department of Education and United States federal standards, for effectiveness. [3][9][10]

Annual meetings will be convened by appropriate District administrators for community stakeholders, District offices and interested educators and families to monitor and review Policy 138.

Legal References:
1. 42 U.S.C. 2000d et seq
2. Pol. 103 - Nondiscrimination in School and Classroom Practices
3. 22 PA Code 4.26
4. 20 U.S.C. 6801 et seq
5. Pol. 103.1 - Nondiscrimination-Qualified Students With Disabilities/Protected Handicapped Students
6. Pol. 333 - Professional Development
7. 22 PA Code 11.11
8. Pol. 200 - Enrollment of Students
9. 20 U.S.C. 6812
10. 20 U.S.C. 6826
11. 20 U.S.C. 6841

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[6] Administrative procedures are specified in the "Parental and Community Outreach" section of the *English Learners Program Handbook.*

12. Pol. 113 - Special Education
13. Pol. 114 - Gifted Education
14. 20 U.S.C. 6842
15. 22 PA Code 4.51
16. 22 PA Code 4.51a
17. 22 PA Code 4.51b
18. 22 PA Code 4.51c
19. 22 PA Code 4.52
20. Pol. 127 - Assessments
21. Pol. 217 - Graduation
22. 20 U.S.C. 1703
23. Pol. 115 - Career and Technical Education
24. Pol. 122 - Extracurricular Activities
25. Pol. 123 - Interscholastic Athletics

Related Information:
34 CFR Part 200
LeGare 1994, Consent Decree
Pol. 304 - Employment of District Staff

ENGLISH LEARNERS PROGRAM HANDBOOK

School Year

2017-18

OFFICE OF MULTILINGUAL CURRICULUM AND PROGRAMS

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THE SCHOOL DISTRICT OF PHILADELPHIA

ENGLISH LEARNERS PROGRAMMING HANDBOOK
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I. INTRODUCTION

Approximately 13,800 students are English Learners (ELs) in The School District of Philadelphia (SDP). State and federal statutes, as well as SDP policies, provide the basis and structure for the EL instructional programs currently implemented within the SDP. Programs currently implemented include the English as a Second Language (ESL) Program, the Dual Language Program, and the Newcomer Learning Academy (NLA).

All instructional programs for ELs in the School District of Philadelphia share the following goals:
- Access to the PA Core. ELs across all levels of language proficiency are able to fully engage in rigorous grade-level content and meet grade-level standards.
- English Language Development. ELs will develop academic English through Focused Language Study (FLS) as well as Discipline-specific and Academic Language Expansion (DALE).

All programs share the following core value:

It is a shared responsibility of all educators in The School District of Philadelphia to foster and support ELs' academic learning and provide opportunities for English language development.

This handbook provides administrators, teachers, and central office staff a guide for effectively supporting the education of ELs.

The handbook has been developed to:

- Serve as a reference tool to clarify policies, administrative procedures, and program requirements
- Offer guidance in implementing instructional programs and strategies that best serve the needs of ELs
- Assist administrators and teachers in implementing effective EL instructional programs

A. Guiding Principles

Linguistic and cultural diversity are valuable assets to the School District of Philadelphia. The instructional programs and policies for ELs are driven by the following guiding principles[1]:

Guiding Principle	Based On
Students' languages and cultures are valuable resources to be tapped and incorporated into schooling.	Escamilla & Hopewell (2010); Goldenberg & Coleman (2010); Garcia (2005); Freeman, Freeman, & Mercuri (2002); González, Moll, & Amanti (2005); Scarcella (1990).
Students' home, school, and community experiences influence their language development.	Nieto (2008); Payne (2003); Collier (1995); California State Department of Education (1986).
Students draw on their metacognitive, metalinguistic, and metacultural awareness to develop proficiency in additional languages.	Cloud, Genesee, & Hamayan (2009); Bialystok (2007); Chamot & O'Malley (1994); Bialystok (1991); Cummins (1978).
Students' academic language development in their native language facilitates their academic language development in English. Conversely, students' academic language development in English informs their academic language development in their native language.	Escamilla & Hopewell (2010); Gottlieb, Katz, & Ernst-Slavit (2009); Tabors (2008); Espinosa (2009); August & Shanahan (2006); Genesee, Lindholm-Leary, Saunders, & Christian (2006); Snow (2005); Genesee, Paradis, & Crago (2004); August & Shanahan (2006); Riches & Genesee (2006); Gottlieb (2003); Schleppegrell & Colombi (2002); Lindholm & Molina (2000); Pardo & Tinajero (1993).
Students learn language and culture through meaningful use and interaction.	Brown (2007); Garcia & Hamayan, (2006); Garcia (2005); Kramsch (2003); Díaz-Rico & Weed (1995); Halliday & Hasan (1989); Damen (1987).
Students use language in functional and communicative ways that vary according to context.	Schleppegrell (2004); Halliday (1976); Finocchiaro & Brumfit (1983).
Students develop language proficiency in listening, speaking, reading, and writing interdependently, but at different rates and in different ways.	Gottlieb & Hamayan (2007); Spolsky (1989); Vygotsky (1962).
Students' development of academic language	Gibbons (2009); Collier & Thomas (2009);

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[1] *1-10 from: The Cornerstone of WIDA's Standards: Guiding Principles of Language Development © 2010 Board of Regents of the University of Wisconsin System, on behalf of WIDA, .wida.us*

Guiding Principle	Based On
and academic content knowledge are inter-related processes.	Gottlieb, Katz, & Ernst-Slavit (2009); Echevarria, Vogt, & Short (2008); Zwiers (2008); Gee (2007); Bailey (2007); Mohan (1986).
Students' development of social, instructional, and academic language, a complex and long-term process, is the foundation for their success in school.	Anstrom, et.al. (2010); Francis, Lesaux, Kieffer, & Rivera (2006); Bailey & Butler (2002); Cummins (1979).
Students' access to instructional tasks requiring complex thinking is enhanced when linguistic complexity and instructional support match their levels of language proficiency.	Gottlieb, Katz, & Ernst-Slavit (2009); Gibbons (2009, 2002); Vygotsky (1962)
Students' acquisition of language is framed in a social identity that is shaped by power and position. Psychological and physical safety critically influences language acquisition.	Ellis (2008); Watson-Gegeo & Nielsen (2003).

II. STATUTES, POLICIES, AND LEGAL REQUIREMENTS

A. Federal Laws, State Laws, and School District of Philadelphia Policies

The following provides a brief description of statutes and policies that constitute the basis and structure for The School District of Philadelphia's English Learner Education Program.

1. Federal Policies

a. Title VI of the Civil Rights Act of 1964

Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin by

recipients of federal financial assistance. The Title VI regulatory requirements have been interpreted to prohibit denial of equal access to education because of a student's limited proficiency in English.

[Further information about Title VI of the Civil Rights Act of 1964](#)

b. Lau v. Nichols (1974)

The U.S. Supreme Court affirmed the need for school districts to take steps to help limited-English proficient (LEP) students overcome language barriers and to ensure that they can participate meaningfully in the district's educational programs.

The Court ruled that school districts must provide special services to English Learners (ELs) so that they have equal educational opportunity. ELs need language programs that allow them to progress academically while they are acquiring English language skills. There are several different program models; however, all include both academic content and English language development.

[Further information about Lau v. Nichols](#)

c. Castañeda v. Pickard (1981)

Castañeda requires programs that educate children with limited English proficiency to be:

i. Based on a sound educational theory;
ii. Adequately supported, with adequate and effective staff and resources, so that the program has a realistic chance of success; and
iii. Periodically evaluated and, if necessary, revised

[Further information about Castañeda v. Pickard](#)

d. Plyler v. Doe (1982)

The U.S. Supreme Court ruled that the Equal Protection Clause of the Fourteenth Amendment prohibits states from denying a free public education to undocumented immigrant children. Public schools and school personnel are prohibited from adopting policies or taking actions that would deny students access to education based on their immigration status.

[Further information about Plyler v. Doe](#)

e. Every Student Succeeds Act (2017)

Acknowledges diversity within English Learner student population. Moves provisions related to ELs from Title III, Part A of the ESEA to Title I, Part A of the ESEA.
[Further information about ESSA](#)

2. State Policies

a. Title 22, Chapter 4, Section 4.26 of the Curriculum regulations

The development and implementation of an instructional program designed to promote language growth and proficiency as well as academic achievement for English learners is the responsibility of every local education agency in the Commonwealth.

Interpretations and guidelines are outlined in the Basic Education Circular (BEC).

[Further information about Title 22, Chapter 4, Section 4.26](#)

3. Local Policies

a. SRC Policy 102

It is the policy of The School District of Philadelphia to foster knowledge of, and to respect, those of all races, ethnic groups, social classes, genders, religions, disabilities, sexual orientations (perceived or known), and gender identities (perceived or known).

b. SRC Policy 138 – English Language Development/Bilingual Education Program

It is the policy of The School District of Philadelphia to provide a quality educational program for all students, which includes a culturally and linguistically appropriate planned instructional program for-English Learners (ELs), which builds on students' home language and culture.

B. EL Identification and Program Enrollment

1. Home Language Survey (HLS)

The Civil Rights Act of 1964, Title VI, Language Minority Compliance Procedures, requires school districts/charter schools to identify English Learners (ELs). The Pennsylvania Department of Education has selected the Home Language Survey (HLS) as the initial tool to identify students who require screening to determine language proficiency in English. The HLS must be given to all students enrolled in the school district. The HLS remains in the student's permanent record file through the student's graduation. To assist SDP schools in identifying non-English background students, the District has embedded the HLS in the Application for Admission of Child to School (EH-40) Form. The HLS asks the following questions:

1. What language does the family speak at home most of the time?

2. What language does the parent(s) speak to her/his child most of the time?

3. What language does the child speak to her/his parent(s) most of the time?

4. What language does the child speak to her/his brothers/sisters most of the time?

5. What language does the child speak to her/his friends most of the time?

6. What language does the child speak most frequently?

7. In what language would you like documents sent home?

2. EL Identification Procedure

1. Family completes the *Application for Admission of Child to School* (EH-40) in its entirety, which includes the *'Student Primary Language'* and the *'Home Language Survey'*.
2. Enrollment secretary reviews the EH-40 and enters the responses for all language fields in the Student Information System (SIS), Infinite Campus. *Note: 'Student Primary Language' must be entered under the 'Demographic' tab and the 'Home Language Survey' responses must be entered under the 'Enrollment' tab in Infinite Campus.*
3. If "other" is answered for question #3, #4, #5, **or** #6 in the HLS, the student **must** be administered the WIDA-ACCESS Placement Test (W-APT) or the WIDA Screener within 10 days of enrollment. *Note: The W-APT is given to Kindergarten students and the WIDA Screener is give to students in grades 1-12. Assessments must be administered by a WIDA certified teacher or counselor.* ***If there is no WIDA certified teacher/counselor at the school, please contact the Multilingual Assessment Center (MAC,) (215) 400-4240 (option 1), to schedule an appointment for the student to be tested.***
4. The results of the W-APT/WIDA Screener are recorded in Infinite Campus for all students who were administered the assessment.
5. Staff in the Multilingual Assessment Center review the assessment results and assign the student a status of *'EL'* or *'Not EL'* based on assessment results and record the appropriate status in Infinite Campus.

When registering new students, please be mindful of the following points:

- Students are expected to enroll in school and start classes before taking the W-APT/WIDA Screener. ***Enrollment in school is not to be postponed due to language screening requirements.***
- The School District is responsible for translating documents presented by families. Please contact the Office of Translation and Interpretation at 215-400-4180 (option 4) for information on how to submit documents for translation.
- Students' names should not be changed in any way. We must abide strictly by the official documentation (e.g. birth certificate or baptismal certificate) presented at the time of registration. The only exception is for students who originate from

countries where the surname is used first, who will be entered into the system according to local conventions.
- Subjecting students and family to scrutiny that is not part of the normal enrollment process is discriminatory and may place the School District at risk of legal action.
- It is unlawful to request Social Security cards, passports, or immigration documents.
- The Family Education Rights and Privacy Act (FERPA) prohibits schools from providing any outside agency, including the United States Citizenship and Immigration Services (USCIS) with any information from a student's school file that would expose the student's undocumented status without first getting permission from the student's parents or guardian; the only exception is if an agency obtains a court order/subpoena.
- All school personnel should be aware that they have no legal obligation to enforce U.S. immigration laws.

If there are any questions regarding these points, please contact the Office of General Counsel at 215-400-4120.

3. Primary Home Language Other Than English (PHLOTE) List

The State of Pennsylvania requires that schools keep a Primary Home Language Other Than English (PHLOTE) list in order to ensure that interpretation and translation services are provided appropriately to families. This PHLOTE list should be kept in an electronic file (e.g. Excel) that can be easily accessed and updated. The PHLOTE list should include:
- Student name
- Student ID number
- Country of origin
- Spoken language
- Document language
- EL status (yes, no, exited)

C. Multilingual Assessment Center (MAC)

The Multilingual Assessment Center (MAC) provides support during the student enrollment and assessment process and also functions to help orient multilingual families to The School District of Philadelphia. The goals of the MAC are to:

- Ease transition into schooling in Philadelphia
- Facilitate school/home communication
- Promote understanding of cultural diversity

Some of the services provided at The Multilingual Assessment Center include:

- Translation and interpretation services (in association with the School District's Translation and Interpretation Center as well as Pacific Interpreters)
- Orientation on school information for families
- Resources for immigrant and refugee parental involvement
- EL high school transcript analysis and credit awarding
- Social service support for immigrant families in collaboration with community partners

The staff assists students and their families in the following:

- Student enrollment
- Student assessment
    - WIDA Screener (grades 1 to 12), or KW-APT (kindergarten only)
- Student program placement (ESL, Dual Language, Newcomer Learning Academy)
- Student school placement
    - Assignment of student to a school site, as a result of the assessment, program options, and space availability

The Multilingual Assessment Center is located at:

> The School District of Philadelphia
> Education Center, 1st Floor - Suite 1058
> 440 North Broad Street
> Philadelphia, PA. 19130
> 215-400-4240 (option 1)

III. Proficiency Standards & Levels – World-Class Instructional Design and Assessment (WIDA) Consortium

The Pennsylvania Department of Education has joined the multi-state World-Class Instructional Design and Assessment (WIDA) Consortium. The WIDA consortium consists of states dedicated to the design and implementation of high standards and equitable educational opportunities for English Language Learners. To this end, the WIDA consortium has provided English Language Development (ELD) Standards.

A. The English Language Development (ELD) Standards

The WIDA Consortium's English Language Development Standards are designed as a curriculum planning and assessment preparation tool. They help educators determine students' English language proficiency levels and how to appropriately challenge them in reaching higher levels. The WIDA ELD Standards for ELs in Pre-Kindergarten through Grade 12 encompass:

1. English Language Development Standard 1:
English Language Learners communicate in English for SOCIAL AND INSTRUCTIONAL purposes within the school setting.

2. English Language Development Standard 2:
English Language Learners communicate information, ideas, and concepts necessary for academic success in the content area of LANGUAGE ARTS.

3. English Language Development Standard 3:
English Language Learners communicate information, ideas, and concepts necessary for academic success in the content area of MATHEMATICS.

4. English Language Development Standard 4:
English Language Learners communicate information, ideas, and concepts necessary for academic success in the content area of SCIENCE.

5. English Language Development Standard 5:
English Language Learners communicate information, ideas, and concepts necessary for academic success in the content area of SOCIAL STUDIES.

B. Four Language Domains

Each of the five English language development standards encompasses four language domains: listening, speaking, reading, and writing. The language domains reflect the modality of communication that is further delineated by the language proficiency levels and their model performance indicators.

The definitions of the language domains are as follows:

1. Listening – process, understand, interpret, and evaluate spoken language in a variety of situations

2. Speaking – engage in oral communication in a variety of situations for an array of purposes and audiences

3. Reading – process, interpret, and evaluate written language, symbols and text with understanding and fluency

4. Writing – engage in written communication in a variety of forms for an array of purposes and audiences

C. Proficiency Levels

The five language proficiency levels outline the typical progression of language development implied in the acquisition of English as an additional language from Entering (Level 1) to Bridging (Level 5).

The English Language Proficiency Levels are:

1 – Entering
2 – Emerging
3 – Developing
4 – Expanding
5 – Bridging

All students who participate in the District's ESL and Bilingual Programs have a level of English Language Proficiency (ELP) in listening, speaking, reading and writing. Each student's English proficiency level is determined by the W-APT/WIDA Screener (initial placement test for participation in an ESL/ Bilingual Program), or the yearly administration of the ACCESS for ELs assessment, which measures each student's English Language Development (ELD). Based on the student's performance on the language proficiency assessments, he/she will be assigned one of the following levels of English Proficiency:

Level 1 - Entering
Student does not understand enough oral and written language to perform in English.

Level 2 - Emerging
Student is able to produce isolated words and may be able to understand visual universal symbols and graphics associated with text in English during academic content instruction. Listening and speaking skills are limited in both social and academic language.

Level 3 - Developing
Student uses single words and/or simple phrases to communicate basic content area concepts in English; is able to read and write simple phrases. Oral skills are more developed than reading and writing skills in both social and academic language.

Level 4 - Expanding
Student is becoming comfortable with social language and with routine academic language functions; usually understands English texts in subject areas quite accurately when structures and topics are familiar; and is able to understand and respond to reading and express ideas in writing with some errors in writing conventions.

Level 5 - Bridging
Student is able to speak English with fluency and use some figurative language and idiomatic expressions; can read a variety of grade-appropriate English texts in subject

areas with considerable comprehension and speed; and shows an understanding of sentence structure and close to grade-appropriate composition skills.

D. Can Do Descriptors and Model Proficiency Indicators

1. Can Do Descriptors

Can Do Descriptors released by WIDA are examples of the expectations for ELs in each of the four language domains and five levels of English language proficiency.

For downloadable copies of the Can Do Descriptors visit: WIDA Can Do Descriptors

The descriptors can be used to plan lessons and assessments appropriate to student's language proficiency level, identify student needs, and monitor progress. Can Do Descriptors can also be distributed with ACCESS for ELs 2.0 score reports to help give teachers a basic overview of what the Listening, Speaking, Reading, and Writing proficiency level results indicate about their students' abilities.

2. Can Do Descriptors, Key Uses Edition

In February 2016, WIDA released *WIDA Can Do Descriptors, Key Uses Edition.* The framework supports the planning for the implementation of the WIDA Language Development Standards.

The *Key Uses Edition* includes examples of academic language for four communicative purposes or "key uses." The "key uses" are aligned with college and career readiness and include:

- Recount: To display knowledge or narrate experiences or events. Example tasks that include the Key Use of Recount include producing information reports, biographies, historical accounts, lab reports, research papers and personal narratives.

- Explain: To clarify the "why" or the "how" of ideas, actions, or phenomena. Example tasks that include the Key Use of Explain include presentations, classroom discussions and various projects and research papers examining and demonstrating understanding of relationships, causes and effects of events, components of systems, and natural or historic phenomena.

- Argue: To persuade by making claims supported by evidence. Example tasks that include the Key Use of Argue include debates, oral presentations defending

points of view, creating persuasive texts, editorials, critiques, opinion pieces and scientific argumentations.

- Discuss: To interact with others to build meaning and share knowledge. Example tasks that include the Key Use of Discuss include participating in academic conversations on various topics, small or large group activities and projects.

3. Model Performance Indicators

Model Performance Indicators (MPIs) assist teachers with the "what" and "how" of instruction. MPIs are examples versus rigid plans of instruction. They include:
> a. The language function, or how students will use language to demonstrate proficiency (e.g. Depth of Knowledge, Bloom's Taxonomy),
> b. The grade level content or standards that students will learn or meet, and
> c. The supports or instructional strategies / scaffold to assist students in accessing the content.

More information is available at: WIDA Model Performance Indicators (Right hand side of page - "Downloads and Products;" "2012 ELD Standards;" "WIDA 2012 Amplified ELD Standards;" begin on page 45).

IV. LANGUAGE INSTRUCTION EDUCATIONAL PROGRAMS (LIEP)

A. English as a Second Language (ESL)

ESL instruction is an academic discipline that is designed to teach English Learners (ELs) social and academic language skills, as well as the cultural aspects of the English language necessary to succeed in an academic environment. It involves teaching listening, speaking, reading, and writing at appropriate developmental and proficiency levels. SDP ESL programs provide a rigorous learning environment that is research-based and student-centered and that promotes the acquisition of academic language and literacy. The SDP's ESL curriculum is aligned to Pennsylvania's Department of Education's English Language Development (ELD) Standards and Pennsylvania's Core State Standards for English Language Arts (ELA).

B. Dual Language Program

The Dual Language Program that the SDP launched in the 2014-2015 school year is a Two-way Immersion Program which integrates English Learners and native English speakers for instruction in two languages: English and Spanish. Students from both

language backgrounds are welcome to enroll. Parental commitment to the program will be reviewed with the parents at the time of enrollment.

The goals of the Dual Language Program are to:

1. Foster biliteracy and bilingualism in English and Spanish
2. Provide a rigorous academic program
3. Promote an appreciation for multiculturalism

The following schools offer Dual Language Programs:

Cayuga School**
4344-4358 N. 5th Street
Philadelphia, PA 19140
Phone: 215-400-3850

Alexander McClure School
600 W. Hunting Park Avenue
Philadelphia, PA 19140
Phone: 215-400-3870

Southwark Elementary School*
1835 S. 9th Street
Philadelphia, PA 19148
Phone: 215-400-8280

Lewis Elkin School
3199 D Street
Philadelphia, PA 19134
Phone: 215-400-7140

Muñoz-Marin Elementary School
3rd & Ontario Streets
Philadelphia PA, 19140
Phone: 215-400-3920

Bayard Taylor School
3698 N. Randolph Street
Philadelphia, 19140
Phone: 215-400-3880

*Southwark offers the Dual Language Program with a 90% Spanish/10% English language allocation in kindergarten and first grade, 80/20 in second grade, 70/30 in third grade, and with plans to expand a grade per year.
**Cayuga offers only Dual Language kindergarten and first grade in 2017-2018.

Students who come from a Spanish-speaking or bilingual home will be assessed with the WIDA Screener or the KW-APT (for kindergarten only) to determine their language proficiency levels in the English language.

ELD Instruction within Dual Language Programs
In the Dual Language classrooms, ELD instruction occurs during designated English-language instructional time by the ESL and dual language classroom teacher.

C. Newcomer Learning Academy (NLA)

The NLA provides high school-aged ELs who have recently arrived in the U.S. a specialized course of study that builds academic and social English in a nurturing school environment. The NLA functions to:

- provide a safe and welcoming environment
- integrate students into the culture and life of the school
- recognize, value and build upon immigrant students' home cultures and linguistic backgrounds, as well as academic skills acquired in the home country as capital for learning
- meet students' academic and social needs
- enhance literacy, academic, social and communication skills
- provide instruction in a sheltered environment specifically designed for newcomers that integrates language, literacy, content, and analytical skills and practices
- ensure success by providing adequate support services including community partnerships (e.g. community based organizations, immigrant / refugee organizations, etc.), Bilingual Counseling Assistants (BCAs), and college and career guidance
- enable high school-aged ELs to meet grade promotion and graduation requirements and prepare and provide support for college and / or career exploration and application processes
- provide extra learning time through after-school and/or vacation institutes

The following location offers the NLA program:

> Franklin Learning Center
> 616 North 15th Street
> Philadelphia, PA 19130

Additional information is available in the Newcomer Learning Academy Handbook

D. Sheltered Instruction/EL Friendly Instruction

Sheltered Instruction classrooms are fully populated with identified English Learners. EL-friendly classrooms are comprised of English Learners and non-English Learners.

The goal of Sheltered Instruction (SI) and EL Friendly instruction is to teach content to ELs that is grade-level, rigorous yet comprehensible.

Sheltered instruction blends traditional instructional techniques with specially designed instructional and academic language strategies to meet the linguistic and educational needs of EL students. In the School District, the Office of Multilingual Curriculum and Programs endorses the use of the sheltered instruction practices and scaffolds that incorporate Discipline-specific and Academic Language Expansion in all ESL-friendly and sheltered classes.

Since the 2016-2017 academic year, OMCP has offered Quality Teaching for English Learners (QTEL), a research-based professional development devoted to improving the linguistic, conceptual and academic development of English Learners. QTEL principles are based on sociocultural theory with highly supported, carefully scaffolded tasks within a three moments unit plan (preparing the learner, interacting with texts / ideas / concepts, and extending understanding) to increase student learning. To support the simultaneously learning of language and content, learning is approached as a socially engaged process, versus an individual process, and language learning as non-linear, complex process focused on comprehension and communication (Walqui, 2010, 2012).

E. Supplemental Language Programs

The Office of Multilingual Curriculum and Programs hire tutors to provide supplemental language support. Tutors implement content and language instruction in collaboration with general education and ESL teachers. Tutors must work with students in the presence of a certified teacher.

The responsibilities of EL Tutors include, but are not limited to, the following:

1. Carry out duties assigned by the OMCP, general education teacher, and/or ESL teacher, as they pertain to ELs
2. Reinforce concepts and skills introduced by the teacher (NOT responsible for introducing new material or lessons)
3. Supervise and check on work with large group activities
4. Be punctual according to agreed-upon schedule
5. Notify principal and OMCP in advance of planned absence.

V. LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM (LIEP) IMPLEMENTATION

A. ESL: Grades K-8

The instruction of ELs is a shared responsibility between ESL teachers and grade/content area teachers. English Language Development (ELD) instruction is provided by both ESL and non-ESL teachers. ***ESL teachers must collaborate regularly with grade/content area teachers who work with ELs to plan and deliver instruction using appropriate academic language development strategies in both co-teaching/push-in and pull-out programs***.

1. Collaborative ELD Instruction: K-8

Entering, Beginning, and Developing (Levels 1-3) students receive ELD instruction through a combination of collaborative pull-out instruction and co-teaching/push-in. The goal is to help acclimate students to the social and academic surroundings and to facilitate the acquisition of Basic Interpersonal Communication Skills (BICS) and Cognitive Academic Language Proficiency (CALP).

Expanding and Bridging (Levels 4 & 5) students receive ELD instruction through co-teaching/push-in and communication between the ESL teacher or tutor in the content area/general education classroom. The goal is to individualize instruction to students' language learning needs, as indicated by their language test scores and academic performance and provide opportunities for academic language development.

2. ESL Scheduling and Instructional Materials: K-8

Scheduling and instructional materials must consider both grade-level of the students and the student's proficiency level. More intensive language instruction should be provided to students at lower proficiency levels. Furthermore, students at higher grade-levels should also receive more intensive language instruction.

Developing and implementing an ESL schedule, which considers EL students needs based on language proficiency and grade-level, is the foundation for an effective ESL program in K-8.

The following table outlines the framework for ELD instruction and scheduling.

ESL Program Implementation: K-8

GRADES	Non-Negotiables	Instructional Guidelines
K-2	**Model:** ESL Specialist provides regularly scheduled ELD instruction during the 120-minute literacy block for ELs at <u>*all*</u> proficiency levels through a co-teaching/push-in model. More intensive language support is provided for students at level 1 and 2. **Materials:** SDP ELA Core Curriculum materials: *Ready Gen/Wit & Wisdom* ELD Core Curriculum materials: Grades 1-2: *Reach B* Newcomers: *In the USA***	**Recommendations:** ESL Specialist collaborates with classroom teachers to embed ELD instruction in various components of the Balanced Literacy Framework. **Pull-out ELD instruction is <u>not</u> recommended for K-2 ELs at any proficiency level.** **Planning & scaffolding tools:** *Promising Practices for English Language Learners* PA ELD Standards PA Core Standards

3-5	**Model:** ESL Specialist provides regularly scheduled ELD instruction during the 120 minute literacy block for ELs at varying proficiency levels through a combination of collaborative pull-out and co-teaching/push-in. More intensive language support is provided to students at level 1 and 2. *Collaborative ELD pull-out instruction must take place during the literacy block.* **Materials:** SDP ELA Core Curriculum materials: *Ready Gen/Wit & Wisdom* ELD Core Curriculum materials: Grades 3-4: *Reach C* Grade 5: *Reach D* Newcomers: *In the USA***	**Recommendations:** ESL Specialist collaborates with classroom teachers to embed ELD instruction in various components of the Balanced Literacy Framework for ELs at level 2 and above. **Collaborative pull-out ELD instruction is recommended for level 1 ELs only.** **Collaborative pull-out instruction should be considered on a case-by-case basis for levels 2 and 3.** **Pull-out ELD instruction is not recommended for levels 4 and 5.** **Students can be at varying grade-levels (3-5) for pull-out instruction; however, instruction must be aligned to appropriate grade-level standards.* **Planning & scaffolding tools:** *Promising Practices for English Language Learners* PA ELD Standards PA Core Standards

| 6-8 | Model:
ESL Specialist provides regularly scheduled ELD instruction for ELs at varying proficiency levels through a combination of collaborative pull-out and co-teaching/push-in instruction. More intensive language support is provided to students at level 1 and 2

Collaborative ELD pull-out instruction must take place during literacy/language arts!

Materials:
SDP ELA Core Curriculum materials:
StudySync/Collections

ELD Core Curriculum materials:
Inside A/B & OMCP middle school content units

Newcomers: *Inside the USA* | Recommendations:
ESL Specialist collaborates with classroom teachers to embed ELD instruction in various components of the Balanced Literacy Framework or during other content-area instruction (science, social studies, and math) for ELs at level 3 and above.

Collaborative pull-out ELD instruction is recommended for level 1 and 2 ELs only.

Collaborative pull-out instruction should be considered on a case-by-case basis for level 3 students.

Pull-out ELD instruction is <u>not</u> recommended for levels 4 and 5.

Students can be at varying grade-levels (6-8) for pull-out instruction; however, instruction <u>must</u> be aligned to appropriate grade-level standards.

Planning & scaffolding tools:
Promising Practices for English Language Learners
PA ELD Standards
PA Core Standards |

3. Rostering Directive: K-8

ESL teachers' time is limited and in many schools they must provide ELD instruction for

students at various levels and grades. Therefore, rostering of ELs into appropriate classrooms should be a priority. Please follow the guidelines below when rostering EL students.

Rostering Guidelines

- ELs should be placed in as few classrooms as possible. Level 1 and 2 students should be placed in one classroom per grade, as long as the number of ELs does not exceed 15.
- To ensure appropriate collaboration, levels 3-5 should be placed together in as few classrooms as possible. Levels 1 & 2 ELs may be in the same room as levels 3-5, depending on the size of the EL population.
- It is recommended that pull-out ELD classes comprise of students from two grades (3rd & 4th, 5th & 6th, 7th & 8th)
- Pull-out instruction is **not** recommended for ELs in grade K-2

Options for Collaborative Instruction
- Schedule the literacy block at different start times during the day in order to facilitate collaborative instruction: co-teaching or pull-out.
- Set a common literacy block for lower grades and a different common literacy block for upper grades in order to facilitate collaborative pull-out ELD instruction.
- Stagger the start times of the literacy blocks within grades in order to facilitate co-teaching during guided reading.
- If literacy blocks are scheduled at the same start time, stagger the start times of the components of the literacy blocks.
- For schools with more than 75 ELs, an ESL coordinator is strongly recommended.

B. ESL Instruction: Grades 9-12

1. Instructional Models: 9-12

In all of the instructional models, teachers strive to create a learning environment in which students:

- Are active participants who have many opportunities daily to use English productively, in speaking and writing
- Interact frequently with classmates and with the teacher, so that they may rehearse, experiment, and receive feedback on their developing language
- Participate in learning tasks that build their listening, speaking, reading, and writing skills by immersing them in appropriate oral and written language models

- Are held to grade-level standards, and are supported through scaffolding that is appropriate for their language proficiency level
- Learn language and content simultaneously
- Are encouraged to continue to develop their academic language in level of sophistication and in increasingly more challenging contexts
- Continue to appreciate, use, and further develop their first language skills and knowledge acquired prior to entry into the U.S. high school.

Each of the models below requires:

- Careful rostering of ELD and content-area classes and grouping of students by grade and language proficiency level
- Professional development and coaching for ESL and content-area teachers, including the identification of potential EL-friendly teachers eager to work with English Learners and willing to make the necessary accommodations for them to succeed
- Support and time for collaboration between ESL and content-area teachers, such as Common Planning Time, so that each group may instruct the other on techniques and standards in their area of expertise, as well as plan accommodated instruction and assessment for language learners
- Sufficient numbers of ELs: In schools with small numbers of ELs, it is difficult to create a strong ESL and content-area program. Students with Level 1 or 2 skills should not be assigned to a high school with limited to no ESL support.

The ESL instructional models for high school ELs are summarized below.

a. English Language Development Credit-Bearing Classes

English Language Development (ELD) classes are credit bearing (e.g. ELD 1 = English 1, ELD 2 = English 2). The goal of increasing academic language proficiency is accomplished through focused language study, which according to the Council for Great City Schools, "calls for dedicated time for focused instruction in how English works, providing ELs with an understanding of the basic structures of language – in all four domains [listening, speaking, reading, and writing] – for a variety of registers, especially the academic register needed to engage in academic discourse across all content areas[2]."

ELD classes introduce both social and academic language. The ELD curriculum prepares students to understand and use the language of the content areas by introducing typical content-area tasks and texts.

ELD class is also a setting in which students may reflect on their developing identities as multilingual and multicultural individuals. In ELD classes with students from many

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[2] A Framework for Raising Expectations and Instructional Rigor for English Language Learners. (2014, August). In *Council of the Great City Schools*. Retrieved August 22, 2014, from http://www.cgcs.org/site/default.aspx?PageID=1

countries and linguistic backgrounds, students learn to appreciate their classmates' diverse backgrounds, as they acquire academic English proficiency.

b. English Language Development Electives

To support students' academic language development, students are required to take additional classes that receive elective credit. ELD 1/ Elective and Linguistic Development 1 are required for Level 1 (Entering). ELD 2 is required for Level 2 (Emerging) students. If sufficient staff, Cross Curricular Language Development should be offered for students enrolled in an ELS program for four or more years and whose ACCESS level is below 3.9.

Two additional electives are Language of Math and Senior Seminar / Capstone. Language of Math is taught by a mathematics teacher; students receive mathematics credit. The course prepares newcomer students with interrupted formal schooling for Algebra 1. Senior Seminar / Capstone is a course to prepare students for college / career and to complete a senior research paper / project.

c. Sheltered Content / Disciplinary Classes

Sheltered content classes are taught by content teachers (e.g. social studies, science, math) – not ESL teachers. Sheltered classes should be provided for Level 1 (Entering) and Level 2 (Emerging) students. If a school has sufficient staff and enrollment of ELs, Level 3 (Developing) content classes may also be sheltered. Level 4 (Expanding) and Level 5 (Bridging) ELs should be integrated with non-EL peers in content courses.

Sheltered content classes are designed to introduce and support students in mastering the grade-level curriculum of the designated content area, while also providing meaningful opportunities for students to increase their proficiency in using the language of that content area. A goal of sheltered instruction is to maintain the grade-level, academic rigor, while also providing appropriate levels of scaffolding for students to learn both academic and disciplinary language and content. Sheltered content classes must provide high support with high expectations.

Sheltered content classes require the teacher to design appropriate levels of support – scaffolds – to enable students to access both the disciplinary language and course content. Students are capable of concrete and abstract learning with appropriate scaffolds or supports. The teacher should not simplify the task(s) and concept(s) but, instead, provide graduated, scaffolded assistance that may include sensory, graphic, interactive and cognitive verbal / textual supports with students' interaction. The Office of Multilingual Curriculum and Programs (OMCP) provides professional development for content teachers of sheltered content courses for ELs.

2. ESL Curriculum: 9-12

As described in the section on program models, the ESL Program at the high school level provides support for students to develop academic language proficiency in all four language domains (reading, writing, listening, and speaking) in alignment with the Pennsylvania English Language Proficiency Standards (ELPS) and the Pennsylvania Core Standards. ESL lessons are integrated, in that the four language domains reinforce each other. Within an ELD 1 English / Elective class, for example, a writing assignment may have students discuss their ideas before drafting, listen to a video or a lecture about the topic for the writing assignment, or read multiple texts on that topic to enrich their background knowledge and specific language for the writing assignment. ESL classes also expose students to English grammar, pronunciation, phonemic awareness, vocabulary, and sociolinguistic rules for using English in academic and social settings through integrated language activities and explicit instruction. In addition, students practice using research-based language learning strategies, comprehension strategies, vocabulary-learning strategies, and writing strategies for more efficient learning. Fiction and non-fiction texts, specifically texts from the major content areas of science, mathematics, social studies and English language and literature, and authentic tasks used in those same content areas are central to ESL instruction at the high school level. In other words, materials and activities in the high school ESL classroom are content based, with the explicit purpose of immersing students in meaningful academic language and facilitating practice in that language.

In the English Language Development (ELD) courses (ELD Levels 1 and 2) students practice using English in all four domains, with special emphasis on reading, listening, speaking and vocabulary. ELD 1 and 2 English is an English credit bearing course. ELD 1 and 2 Elective is an elective bearing course. The same teacher should teach both courses. Students with ACCESS levels 3 - 4.5 should be rostered in a sheltered English 1, 2, 3 or 4 course depending on their year in high school.

3. English Language Development (ELD) Materials

Since the 2016-2017 academic year, English Language Development Levels 1 (Entering) and Level 2 (Emerging) core materials are Cengage / National Geographic Learning *Hampton – Brown Edge*: *Reading, Writing and Language.*

- ELD1 – Edge Fundamentals

- ELD 2 – Edge A

Edge: Reading, Writing and Language supports students learning in the four language domains, reading and writing strategies, vocabulary and grammar, and critical thinking. The curriculum includes informational text and multicultural and contemporary literature, poetry, poems and classical literature. Students encounter texts that are age appropriate with grade-level complexity. Units also include "close reading" excised to support students in deep reading of complex texts. Additionally, each unit has multiple short

writing opportunities and in-depth writing projects including argumentative, expository and narratives tasks.

- Sheltered English 1 – 9th grade McGraw Hill *Study Sync* or Houghton Mifflin Harcourt *Collections*
- *Sheltered English 2, 3 or 4* – 10th, 11th or 12th grade McGraw Hill *Study Sync* or Houghton Mifflin Harcourt *Collections*

Sheltered English courses (Levels 3 / Developing to 4.5 / Expanding) will use the English Language Arts (ELA) core materials purchased by the high school (McGraw Hill *Study Sync* or Houghton Mifflin Harcourt *Collections*). The School District of Philadelphia's Curriculum Engine includes suggestions for accommodations and supplemental materials for English Learners.

Teachers may draw from many sources to integrate more authentic reading into ELD classes. EDGE Fundamentals and EDGE A include leveled readers leveled readers for each unit. Teachers may also add excerpts from content-area texts, short news articles, poetry and song lyrics, as well as tables, graphs and maps.

Information on the high school ESL curriculum may be accessed from the website of the Office of Multilingual Curriculum and Programs:
[Information on high school ESL curriculum](#)

Curriculum Map for courses are available at the Office of Multilingual Curriculum and Program website:

https://www.philasd.org/multilingual/resources/educators/curriculum-instructional-resources/high-school-grades-9-12/

4. Schedule, Staffing, and Placement of ELs in Grades 9-12

Daily schedule of ELD and sheltered classes:

English Learners (ELs) are rostered by level into one or more ELD (English Language Development) classes per day. Scheduling of ELs depends on number of staff, ESL and content teachers, and number of ELs. **Schedules for ELs should be created first in the rostering process to ensure students are grouped by level and can receive appropriate mandated ELD instruction.**

a. English Language Development (ELD) courses

(1) Entering (Level 1): 3 courses
- English Language Development - ELD 1 (one English credit)
- ELD 1 Elective (one elective credit)
- Linguistic Development (one elective credit)

If possible, Level 1 students should be in sheltered as a group in content classes (math, science, social studies).

(2) Emerging (Level 2): 2 courses
- English Language Development, ELD 2 (one English credit)
- ELD 2 Elective (one elective credit)

If possible, Level 2 students should be sheltered with Level 2 and Level 3 students as a group in content classes (math, science, social studies).

(3) Developing (Level 3): 2 courses
- Sheltered English 1 or 2 (one English credit)
- Cross Curricular Language Development (elective)

If possible, Level 3 students should be sheltered with Level 2 or 3 students as a group in content classes (math, science, social studies).

(4) Expanding & Bridging (Level 4&5): 0-1 course

Either roster in grade level course with non-EL peers for English 1, 2, 3 or 4 based on previous courses (one English credit) or in a sheltered course for ELs. If staffing permits, students with level 4.0-4.5 should be in a Sheltered English class taught by an ESL teacher. **Students with level 4.6 and higher may be placed in a grade level English class with non-ELs. Level 4 & 5 students do NOT need sheltered content instruction for math, social studies, science or other electives.** Content teachers should provide appropriate accommodations.

5. Rostering Guidelines for ELs in Grades 9-12

a. General Rostering Guidelines:

- English Learners must be rostered **first** so that they may receive the full complement of ELD services to which they are legally entitled. Since Level 1 and 2 students are scheduled for ELD classes by level, and not by grade, it is a complex process to create the ELD class roster.

- The roster for a school with a sheltered content class program must be created every year. Sheltered rosters and schedules cannot be rolled over year to year. The number of ELs in a school and in each level of ELD within each grade changes annually. These factors necessitate creating a new roster for the entire school each year.

- Content-area sequences for Level 1, 2 and 3 students are propelled by ELD level and not grade or student age. Course sequences are not mandated by the School District of Philadelphia or the Pennsylvania Department of Education. ELs may take the courses in a sequence that best meets their linguistic needs. For example,

Geometry may be more language dependent than Algebra 2, so students at lower levels of English proficiency may take Algebra 2 before Geometry.

- Sheltered content course should only include ELs. The ideal sheltered program has Level 1 students rostered separately from Level 2 – 3 students. The beginner-level learners require more scaffolding and accommodations. Level 2 and 3 students may be rostered together in the same sheltered class. The teacher may need to differentiate instruction and assessment.

- For Levels 1, 2 and 3, individual ELs' background and learning characteristics, ACCESS for ELs 2.0 composite levels and domain specific levels (reading, writing, speaking, listening), and credit profile should drive student placement in sheltered content classes.

- An ESL-friendly content class includes ELs and non-ELs. ESL-friendly content courses can be formed in schools where sheltered classes are not feasible because of a limited number of ELs between levels 1 – 3.

(See *High School English Learner Course Sequence by ELP Level* on the following pages)

ESL Course Sequence

Students with ACCESS levels 3 – 4.5 are enrolled into Sheltered English courses. The level (English 9, 10 etc.) is based on their year in school. Sheltered content classes end at ACCESS level 3.9. Students may be assigned to Level 3 (Developing) sheltered content classes, such as mathematics, science and social studies, on an "as-needs" basis.

ACCESS Level	English Course(s)	Academic Core (Soc Stu, Math, Science)	Optional ESL Electives (get recommendations from ESL coordinator)
1.0 - 1.9 (Entering)	**ELD 1 (English)** AND **ELD 1 (Elective)**	Scheduled at grade level into **Sheltered** courses with level 1.0-1.9 ELs.	**ELD Senior Capstone** (recommended for 12th graders completing a senior project)
2.0 - 2.9	**ELD 2**	Scheduled at	**Language of**

ACCESS Level	English Course(s)	Academic Core (Soc Stu, Math, Science)	Optional ESL Electives (get recommendations from ESL coordinator)
(Emerging)	**(English) AND ELD 2 (Elective)**	grade level into **Sheltered** or **ESL Friendly** courses with level 2.0-3.9 ELs.	**Math** (recommended for SIFE)
3.0 - 3.9 (Developing)	Scheduled at grade level into **English 1-4 Sheltered** with level 3.0-4.5 ELs	Scheduled at grade level into **Sheltered** or **ESL Friendly** courses with level 2.0-3.9 ELs.	**Cross Curricular Language Development** (recommended for ELs with more than five years in an ESL program or ELs in need of additional support)
4.0 - 4.5 (Expanding)	Scheduled at grade level into **English 1-4 Sheltered** with level 3.0-4.5 ELs	Scheduled into **general education** courses.	**Cross Curricular Language Development** (recommended for ELs with more than five years in an ESL program or ELs in need of additional support)
4.6 + (Expanding to Reaching)	*Students at this level should be programmed into general education*	*Students at this level should be programmed into general education*	*Students at this level should be programmed into general education*

b. Block Rostering Guidelines

For schools with block rostering, students remain in the ELD English class for the school year and earn one English credit and one elective credit for the academic year. The accompanying ELD elective class is completed either in the first semester or second semester and students earn an additional elective credit. The following guidelines must be considered when rostering ELs:

- If a school has one block period, the block period should be used for ELD courses for ELs in Levels 1 and 2 from September through June. Level 1 and 2 students, in particular, need to attend ELD classes daily and all year long. In addition, Level 1 students with interrupted formal schooling should have a 3rd course, Linguistic Development. Therefore, Level 1 students may have 3 of their 8 "blocks" used for ELD and/or EL elective courses.
- Students in Sheltered English 3 and 4 with 4 or more years in an ESL program and ACCESS levels under 3.9 should be rostered in Cross Curricular Language Development, an elective credit.
- Students should be rostered with the same teacher for ELD 1 English or ELD 2 English in the fall semester and ELD 1 Elective or ELD 2 Elective in the spring semester.

Sample Block Roster Chart for ELD Classes

Level	Semester 1: ELD Class (English credit)	Semester 2: ESL Required Courses (elective credit)
1	ELD 1 English Optional - Linguistic Development	ELD 1 Elective (Linguistic Development may also be taken in the 2nd semester)
2	ELD 2 English	ELD 2 Elective
3 - 4.5	Sheltered English 1, 2, 3, or 4	Optional - Cross Curricular Language Development
4.6 +	English (based on grade level)	

c. ELD English Placement for High Schools

A student's most recent proficiency level and ESL teacher input determine placement for the student's ELD English class. For example, if a level 1 9th grade student scores 3.8 on the state-mandated ACCESS test, the recommended placement for 10th grade would be Sheltered English 2. If a level 1 9th grade student scores 2.5 on the state-mandated ACCESS test, the recommended placement for 10th grade would be ELD 2 English and ELD 2 Elective

VI. RECLASSIFICATION[3] CRITERIA AND MONITORING FORMER ELs

A. Reclassification Criteria

Under the Every Student Succeeds Act (ESSA), reclassification criteria changed starting 2016-2017 SY. No content based tests can be used to determine the continuation of a student's EL status. Therefore, the new proposed criteria are based on ACCESS test results along with teachers' recommendations and rubrics. As 2016-2017 was a transitional year, rubrics were not needed. Please refer to the tables below to compare exit criteria used prior, during, and after 2016-2017 SY.

Reclassification Criteria Prior to 2016-2017 SY

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[3] *Reclassification is also known as "exiting" from an ESL program*

Grade	ACCESS for ELs 2.0 Composite (overall) Score[4]	PSSA/Keystone/ District Standardized Assessment Performance	Report Card Grade
K	5.0 or higher	'D' or better on DRA for Reading and grade equivalent or better on GMADE for Math	'C' or better in Math, Science, and Social Studies and reading level "At Target"
1	4.6 or higher	'J' or better on DRA for Reading and grade equivalent or better on STAR for Math	'C' or better in 4 major subjects
2	4.6 or higher	'M' or better on DRA for Reading and grade equivalent or better on STAR for Math	'C' or better in 4 major subjects
3 – 5	4.6 – 4.9	'Proficient' or better on PSSA Reading and 'Basic' or better on PSSA Math	'C' or better in 4 major subjects
3 – 5	5.0 or higher	'Basic' or better on PSSA Reading and 'Basic' or better on PSSA Math	'C' or better in 4 major subjects
6 – 8	4.7 – 4.9	'Proficient' or better on PSSA Reading and 'Basic' or better on PSSA Math	'C' or better in 4 major subjects
6 – 8	5.0 or higher	'Basic' or better on PSSA Reading and 'Basic' or better on PSSA Math	'C' or better in 4 major subjects
9 – 12	4.8 – 4.9	'Proficient' or better on Keystone Literature or above-grade equivalent on STAR for Reading and 'Basic' or better on Keystone Algebra I or Benchmark threshold (TBA) for Math	'C' or better in 4 major subjects
9 – 12	5.0 or higher	'Basic' or better on Keystone Literature[6] or above-grade equivalent on STAR for Reading and 'Basic' or better on Keystone Algebra I[6] or Benchmark threshold (TBA) for Math	'C' or better in 4 major subjects

Reclassification Criteria for 2016-2017 SY Only

Grade	ACCESS for ELs Composite (overall) Score[5]	ESL Teacher Recommendation	Alternative Recommendation
K-12	5.0 or higher	At least one (1) ESL teacher recommendation for reclassification (exit).	In the absence of an ESL teacher recommendation for reclassification (exit), student must have at least two (2) recommendations for reclassification (exit) from two (2) different content teachers.

Reclassification Criteria for 2017-2018 SY and Beyond

[4] Must be on a Tier C test.

[5] *Taken in 2016-2017 school year*

Grade	ACCESS for ELs Composite (overall) Score[6]	ESL Teacher Language Use Inventories[7]
K-12	4.5 or higher	At least one (1) ESL teacher recommendation for reclassification (exit) and one (1) content teacher. In the absence of an ESL teacher, two (2) recommendations for reclassification (exit) from two (2) different content teachers will be accepted.

The Reclassification, Monitoring, and Redesignation of ELs policy for the 2017-2018 school year and beyond will be posted on October 1, 2017.
For more information, go to:
 http://www.education.pa.gov/Teachers%20-
%20Administrators/Curriculum/English%20As%20A%20Second%20Language/Pages/R
eclassification-and-Exit-Criteria.aspx#tab-1

B. Four-Year Monitoring Process

As per Title III mandate, all reclassified/exited students must be monitored for four (4) years. Monitoring the academic progress of ELs should be a collaborative effort of school staff including the classroom teacher, the ESL teacher, counselor, and principal. The classroom teacher and the ESL teacher should establish frequent and ongoing communication to ensure that the student receives appropriate support aligned with his/her instructional needs.

Post-Exit Monitoring forms must to be completed at least one time per year and a copy of the form should be included in the EL Data Folder/Envelope for each reclassified/exited student. A review of the following items can provide evidence of a student's academic progress:

- Report card grades
- Predictive test progress
- Standardized test scores
- Classroom work samples
- Writing samples

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[6] *Taken in 2017-2018 school year. Once ACCESS scores are released, the points are added to the points from the rubrics.*
[7] Must be completed prior to the release of ACCESS scores.

If during the four-year monitoring period evidence suggests that an exited student is still hindered by his/her English language proficiency, additional supports must be provided in order for the student to be successful in mainstream classrooms.

Post-Exit Monitoring forms will become available at
https://www.philasd.org/multilingual/resources/educators/forms/

VII. DISTRICT-WIDE POLICIES AND PROCEDURES FOR ELS

A. Program Duration and Student Support

The School District of Philadelphia requires that English Learners (ELs) be enrolled and participate in the EL Education Program until the student achieves a level of English language proficiency as defined by State-mandated exit criteria. Pennsylvania Department of Education require that schools are kept accountable for student outcomes and therefore should strive to exit their ELs within six (6) years. Students with a medium to high English proficiency should be exited in less than six (6) years, as it is assumed that they would need less time to achieve English proficiency. However, we understand students coming from different backgrounds may take longer.

B. Marking and Grading Guidelines for ELs

ALL teachers are required to differentiate instruction and assessment (including grades) to align with the WIDA Can Do Descriptors that coincide with the ELD level of their ESL students. Please see below for criteria that will help in grading ELs:

For all ELs (Levels 1 – 5):

- ELs must receive modified and adapted instruction and assessment based on the WIDA Can Do Descriptors aligned with student's grade level and proficiency level.

- ELs' grades may only be based on assessment measures that have been adapted to accommodate the language-specific needs of EL students and may not be based on assessment measures designed exclusively for use by native speakers of English unless those measures match the Can Do descriptors for students' levels.

ELs should not receive failing grades based only on their inability to speak English. No ESL student enrolled in any course can be issued a grade of a D or an F unless the teacher can provide documentation in the following areas:

- The teacher has modified instruction and assessment to be in alignment with the Can Do descriptors appropriate for the student's level
- The student has not made a reasonable effort despite appropriate EL Level accommodations
- On-going consultation has been made by the content teacher with the ESL teacher regarding the suitability of assessments and modified instruction strategies as they relate to students' levels of language development.
- The family has been contacted and notified of the student's academic performance in their preferred language and mode of communication.

ELs are not exempt from grades. All EL students, including "newcomers," should receive a grade based on the Can Do descriptors in all subjects for each grading period. EL student grades should be based on work that has been appropriately modified. The only exception is for students who have been enrolled for a period of less than 15 school days of a marking period, in which case, the student can receive a mark of NG ("No Grade").

If an EL teacher or content/grade teacher assigns a "D" or an "F" to an EL in any subject area, the teacher must submit documentation for the student to the principal, ESL coordinator and Multilingual Manager prior to giving the failing mark. Documentation should include supports provided to the student, including evidence of modified and differentiated instruction, modified and differentiated assessments, interventions, and RtII/MTSS. The documentation must prove that language was not the reason for the failing mark. If ELs are not meeting with success, it is critical that they be engaged in the RtII/MTSS process. An EL may fail once they have gone through the RtII/MTSS process, and their attendance has not improved.

Monitoring of EL grades is the responsibility of the ESL Teacher and/or ESL Coordinator or the ESL Point Person at schools without appointed ESL teachers.

For downloadable copies of the Can Do Descriptors visit: WIDA's Can Do Descriptors

C. Guidelines for Annual Assessments and District-Wide Assessments

1. Annual Assessments

The state-mandated annual assessments administered to ELs are the PSSA/Keystone and the ACCESS for ELs 2.0.

2. District-Wide Assessments: Benchmark Exams

- Level 1 and 2 ELs in grades 3 and higher are **NOT** recommended to take District-wide benchmark assessments in reading/writing or language arts.
- Level 3, 4, 5, and 6 ELs are required to participate in all District-wide assessments.
- All PSSA/Keystone accommodations for ELs are applicable to District-wide assessments.

3. State Standardized Assessments: PSSA and Keystone Exams

Participation in state standardized assessments is required for all ELs who have lived in the United States for more than one year. Pending approval, Pennsylvania's new policy for ELs participation in standardized testing is the following:
(a) Students enrolled in a United States school for less than a year will not take any PSSA or Keystone exams.
(b) Students in their second year will take all required PSSA and Keystone exams for participation purposes.
(c) Students in their third year will take all required PSSA and Keystone exams for growth.
(d) Students in their fourth year will take all required PSSA and Keystone exams for growth and proficiency.

4. Accommodations for District-Wide and State Assessments

Accommodations are provided to an EL to ensure that an assessment measures his/her knowledge and skills rather than his/her English proficiency. State-mandated accommodations for ELs may change from year to year. Please consult the most recent Pennsylvania Accommodations Guidelines, which can be found at: www.education.pa.gov.
New accommodations unfamiliar to students should not be introduced to students for the first time when they are taking the PSSA, Keystone or any other standardized test.

The academic performance, including proficiency in English, of each English Learner enrolled in the EL Education Program will be assessed using multiple assessments.

5. ACCESS for ELs 2.0

The Pennsylvania Department of Education uses ACCESS for ELs 2.0 as the statewide assessment instrument for the required annual assessment of English language proficiency. ACCESS for ELs 2.0 is a standards-based, criterion-referenced English language proficiency test designed to measure ELs' social and academic proficiency in English. It assesses social and academic English including the language associated with language arts, mathematics, science, and social studies within the school context across the four language domains of listening, speaking, reading, and writing.

In the 2015-2016 school year, the SDP began to roll out the online ACCESS for ELs 2.0 at 25 schools. Fifty schools will participate in the 2017-2018 academic year.

An explanation of ACCESS 2.0 is available at:
WIDA ACCESS 2.0

ACESSS for ELs 2.0 is a large-scale test that addresses the English language development standards that form the core of the WIDA Consortium's approach to instructing and testing English Language Learners. These standards incorporate a set of Model Performance Indicators (MPIs) that describe the expectations educators have of ELs at multiple grade level clusters and in five different content areas. The grade level clusters include 1, 2, 3, 4-5, 6-8, and 9-12 for the paper-based ACCESS for ELs 2.0, and 1, 2-3, 4-5, 6-8, and 9-12 for the online ACCESS for ELs 2.0. There are five content area standards. The first is social and instructional language (SI), which incorporates proficiencies needed to deal with the general language of the classroom and the school. The others are English language arts (LA), math (MA), science (SC), and social studies (SS). For each grade level, the standards specify one or more performance indicators for each content area within each of the four language domains: Listening, Speaking, Reading, and Writing.

Kindergarten students are assessed using the original ACCESS for ELs. Information about the ACCESS for ELs can be found at:
http://www.wida.us/assessment/access/index.aspx

For students who are ELs and also require special education services, the Alternate ACCESS for ELs may be the appropriate assessment. The Alternate ACCESS corresponds to Alternate Language Proficiency Levels and Alternate Model Performance Indicators. The student's IEP team must determine whether the Alternate ACCESS is appropriate based on his/her IEP. A more detailed explanation can be found at:
https://www.wida.us/assessment/alternateaccess.aspx

The EL's proficiency level is presented as a whole number followed by a decimal. The whole number reflects students' English language proficiency level (1-Entering, 2-Emerging, 3-Developing, 4-Expanding, 5-Bridging, 6-Reaching) in accordance with the WIDA English language proficiency standards. The decimal indicates where the student is positioned within a proficiency level and the student's position on the path to the next proficiency level. For example, an EL at language proficiency Level 3.5 has moved half the distance through Level 3-Developing.

D. Testing Accommodations for ELs

English Learners are entitled to testing accommodations to ensure that an assessment measures the student's knowledge and skills rather than his/her English proficiency.

Accommodations permitted are aligned to those permitted by the Pennsylvania Department of Education (PDE) and may vary slightly from year to year. For the most current accommodations, please check the PDE website at www.pde.state.pa.us.

- Extension of allotted time
- Use of frequent breaks
- Testing in separate rooms (small group settings)
- Bilingual dictionaries (for students in the country less than three years)
- Qualified bilingual interpreter (for students in the country less than three years)
- Reading of questions (not for reading test)
- Providing of visual clues (graphic organizers, timelines, graphs, pictures)
- Simplification of directions

E. Promotion and Retention Policy for ELs

Promotion and retention decisions for ELs are based on policies and procedures specified by The School District of Philadelphia. ELs may not be retained based solely upon their English Proficiency Level. Promotion criteria for Special Education ELs are aligned with the individual student's IEP. All decisions regarding promotion or retention of ELs must be made by instructional teams that include the ESL teacher, classroom teacher, Special Education teacher (if applicable), Multilingual Manager, and the Principal.
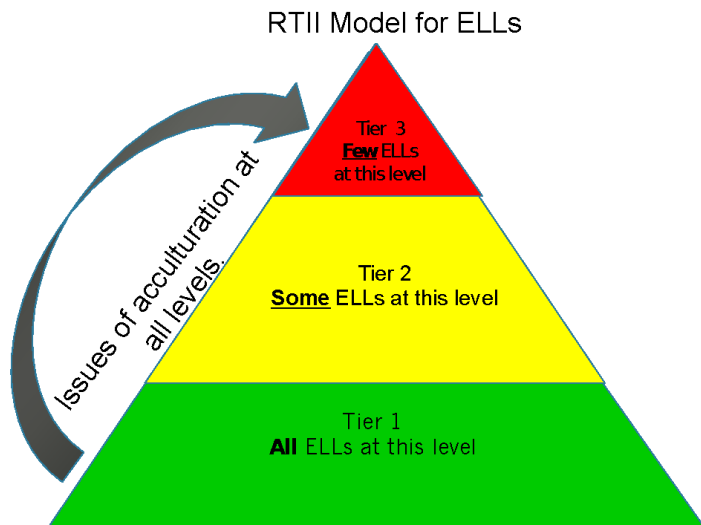
F. RtII/MTSS for English Learners (ELs)

In Pennsylvania, ESL/Bilingual Education instruction **is considered core instruction**, and not an intervention. This means that all ELs should be included in the RtII/MTSS framework as Tier I students, rather than being placed in Tier II interventions because of their lack of proficiency in English.

It is imperative that that an ESL teacher or coordinator be part of the school's RtII/MTSS team. The ESL professional in the building is an important resource for developing a comprehensive approach to making instructional decisions. These decisions should be based on both quantitative and qualitative data that reflect the student's progress in attaining proficiency in English and meeting rigorous content standards. WIDA has developed a tool, which can be used by educators to gather quantitative and qualitative data about ELs. The tool can be found at: WIDA RTI2 tool.

The RtII/MTSS pyramid for English Learners should look much like the model for all students, with the vast majority of students at Tier I, and a few students needing more intensive support at Tiers II and III.

RTII Model for ELLs

Tier 3
Few ELLs
at this level

Tier 2
Some ELLs at this level

Tier 1
All ELLs at this level

Issues of acculturation at all levels

Tier I
Core instruction in both content and ESL classes must be culturally and linguistically responsive. This means that all Tier I instruction and assessments and all interventions must consider and build upon a student's cultural background and experiences and is differentiated to support the simultaneous development of language proficiency and content knowledge.
Planning for scaffolding and support in instruction and assessment must be based on students' English proficiency level as evidenced by W-APT or ACCESS scores.
Professional development regarding effective instructional practices for English Learners across English proficiency levels (for all teachers who work with ELs) and thoughtful planning and collaboration between ESL and content teachers are important components of an effective instructional program for ELs.

Special Considerations for Reading Instruction

Literacy instruction must not be delayed until students' oral language has been developed, but rather supported while promoting English language development.
Teachers must remember that learning to read in a second language is not exactly the same as learning to read in the first language, and there are many factors that can affect a student's understanding of material. These factors include differences between English and many other languages across the components of reading (e.g. phonemic awareness, phonics, and vocabulary) in addition to formation of sentences and discourse styles.
Please refer to the ELs and the 5 Essential Components of Reading document for more information on considerations for reading instruction for ELs. The document can be found in the School District of Philadelphia Comprehensive Literacy Framework (p.22):
School District of Philadelphia Comprehensive Literacy Framework

When an EL seems to be lacking in grade-level target skills in one of the five Components of Reading, consider that the student's home language and how it may differ from English at the word level, in sentence structure, or in discourse style, and provide explicit instruction as needed.

Remember to compare results of like peers, rather than measuring ELs against native-English-speaking students. Ensure that language differences are not confused with language disorders and that patterns of performance related to the student's cultural/linguistic background or interrupted schooling are not mistaken for signs of a disability. Do not penalize students for dialect features, accents and pronunciations when scoring running records, DRA, etc., and provide modeled language when words are mispronounced. Code the error, but do not count it.

Tier II
When ELs fail to demonstrate a sufficient rate of academic progress compared to the majority of "like peers" (i.e., students with the same native language and culture and similar educational histories), it is recommended that a problem-solving process be initiated before automatically referring students to Tier II interventions. The purpose for this problem-solving approach is to rule out language-related reasons for a student's perceived lack of progress.
In cases where a student is in genuine need of interventions, continue to provide ESL instruction and/or native language instruction (in Bilingual/Dual Language programs) in addition to specific literacy interventions in Tier II. Make sure to use evidence-based practices/interventions shown to be effective and validated for ELs. You can simultaneously build language and literacy skills by adapting or enhancing interventions to consider the linguistic background and language proficiency of students. Remember to read the English Language Learners and the Five Essential Components of Literacy document from the district's Comprehensive Literacy Framework: School District of Philadelphia Comprehensive Literacy Framework

Tier III
If necessary conditions for Tier I and Tier II instruction have been provided and a student is not making steady progress or is falling behind when compared with like peers, a more intensive intervention may be warranted.

G. Support for Long-Term ELs

The SDP Language Policy has established a window of five years as the amount of time by which ELs should reach English language proficiency and be able to transition to the general education program. Please note that individual circumstances such as limited formal schooling in the home country or frequent moves during the first years in the U.S. might affect the length of time needed for some students to reach proficiency, however.

Provisions shall be made for students who are not progressing as determined by relevant data. A long-term EL is defined in SDP as:

- Demonstrating minimal (as measured by multiple assessments) language acquisition at the Entering and/or Beginning levels of proficiency within the first full academic year in the EL Education Program
- Stalling at the Developing or Expanding levels of proficiency (growth < 0.6 between the two composite scores) for more than two ACCESS for ELs-assessed years
- Continuing in the EL Education Program beyond five (5) years if exit criteria have not been met

In these instances, students will receive appropriate services that may include, but are not limited to:

- Differentiated/intensified instruction
- Intervention provided through RtII/MTSS
- Tutoring support
- Native language support in the content areas
- Computer programs that support language acquisition and academic literacy
- Enrollment in an after-school or Saturday program
- Enrollment in a summer program

Please note that there are many differences between ELs and struggling readers. Students may differ in their motivation, oral language proficiency, and background knowledge, and these differences may affect the route and rate of acquisition of literacy. If interventions are to be successful, they must be matched correctly to the area of need.

An EL who has stalled at the Entering and/or Beginning level of English language proficiency may in fact be a struggling reader in his/her native language. Thus, this student faces literacy as well as language challenges. An EL who has stalled at the Developing and/or Expanding level of English language proficiency may simply be a struggling reader. In this case, the academic challenges may not be language-related, but rather may be literacy-based. In both cases, appropriate interventions aligned to the targeted areas of need must be provided and monitored in order for the student to achieve success. Schools are required to provide support for ELs through tutoring as well as extended-day and summer programs.

VIII. DATA COLLECTION AND MANAGEMENT

A. EL Data Folders/Envelopes

As required by the Pennsylvania Department of Education ESL Monitoring System, ESL teachers/ESL point persons must maintain an EL Data Folder/Envelope for every student presently classified as an EL, enrolled in an EL Education Program (ESL), and those who have exited the program. If a school does not have a full-time ESL teacher, the itinerant ESL teacher or a designee assigned by the principal will be responsible for making sure the EL Data Folders/Envelopes are maintained with the appropriate documentation.

- The EL Data Folder/Envelope is part of the student's cumulative record and must always accompany the student's pupil pocket
- The teacher who provides ESL instruction is responsible for maintaining the updated folder/envelope
- Records, including the W-APT or WIDA Screener results, initial Parent Notification Letter, ACCESS for ELs results, a copy of Exit Notification to Parents, Recommendation letters for reclassification, and the Year 1 to 4Post-Exit Monitoring forms must be included in the folder/envelope
- If a student transfers to or from a school, EL Data Folders/Envelopes must accompany the student's pupil pocket
- When a student leaves the District, storage of the EL Data Folder/Envelope will follow the same procedure as storage for the student's pupil pocket.

The EL Entry Letter can be found at:
https://webapps1.philasd.org/tdm/search/any/xzwyEntry#results

B. Data Maintenance

To facilitate the EL data entry process, a screen has been created in Infinite Campus, the Student Information System (SIS). The English Learner (EL) screen of Infinite Campus can be accessed via the PhilaSD Portal. It is the responsibility of the school's designated EL Point Person to update and maintain the "LEP Initial Placement" tab monthly. Principals and Multilingual Managers will monitor the process as all allocations are based on the number of "EL/LEP" students.

The EL Point Person must enter the placement scores of students who were administered the WIDA Screener or K-WAPT. his/her ESL students upon enrollment. At enrollment, secretaries must indicate the student's home language in Infinite Campus. Otherwise, the "LEP Initial Placement" screen will not be available and it will not be possible to properly enter the EL placement data in Infinite Campus
Detailed instructions on how to enter the Initial Placement information into Infinite Campus can be found at this link: SIS Initial Stepper .

Please Note: Any student who takes the WIDA Screener or W-APT assessment must be entered onto the LEP Initial Placement tab in Infinite Campus, whether or not the child qualifies to receive services. If a student demonstrates proficiency in English by meeting the assessment's cut-off scores, a "Not LEP" should be indicated on the LEP Initial Placement tab under Placement Results and the Placement Level and Placement Date must be entered.

IX. ADDITIONAL PUPIL SERVICES

A. Counseling Services

ELs are required to have access to the same level of counseling services as their native-English-speaking peers. If language serves as a barrier to appropriate and/or needed services, the Bilingual Counseling Assistant (BCA) can provide interpretation and translation as well as serve as a cultural broker for the student, parent/caregiver and counselor.

In addition, counselors are expected to utilize Pacific Interpreters when necessary. **All schools and administrative offices of the School District of Philadelphia have access to telephonic interpretation service.** The service is provided through a contract with Pacific Interpreters and **IS FREE FOR OFFICES AND SCHOOLS.**

In the event that there is no trained bilingual staff to meet your interpretation needs, call Pacific Interpreters at 1-800-264-1545. You will be asked to provide your access code, language needed, your name, and your department/office or school name. To obtain your access code or for instructions on how to use this service please call 215-400-4180, option 4 or send an e-mail message to translation@philasd.org.

B. ELs with Special Needs

Students who are English Learners may be eligible for special education services once it has been determined that a disability exists and that lack of grade-level performance is not solely due to lack of instruction or lack of proficiency in the English language. All procedures for the screening, evaluation, and development of the IEP, and the provision of services and/or instruction must be in compliance with the Individuals with Disabilities Education Act (IDEA) and PA Chapter 14 Regulations. The IEP team must consider the need for ESL instruction as they address the students' needs related to the provision of Free Appropriate Public Education (FAPE). Unless criteria for exit from the ESL program have been met (as outlined above,) all English Language Learners eligible for special education services must continue receiving ESL instruction.

The ESL teacher must be part of the IEP team. Communication with the parents of English Learners being considered for special education placement must be clear and presented in a mode and language they understand. Support documents translated into

twelve major can be found at the following website
http://www.pattan.net/category/Legal/Forms.

In addition The School District's Office of Translation and Interpretation offers resources to schools and families. Visit the Office of Translation and Interpretation at https://www.philasd.org/face/multilingual/interpretation-services/ . For additional questions related to identification of English Learners with special needs, please see the FAQs in the appendix of this document.

C. Gifted ELs

Pennsylvania Code, Chapter 16, defines mentally gifted as "outstanding intellectual and creative ability the development of which requires specially designed programs or support services, or both, not ordinarily provided in the regular education program." This document recognizes that learning English as a second language can "mask" gifted abilities. Compared with their peers who speak English a first language, ELs are equally likely to be gifted, so educators must take care to note all factors that may indicate giftedness, such as academic creativity and an ability to learn rapidly.

X. EQUAL ACCESS OPPORTUNITIES

It is of utmost importance that ELs and their families are provided supports, which ensure their participation in all pupil services available to students in the general education program.

A. LeGare

The LeGare review process allows for English Learners to apply for Special Admission and City Wide High Schools.

What does LeGare mean for ELs?

All families should be assisted by persons knowledgeable about high schools and high school programs in considering a range of programs, in identifying the accommodations and supports needed for the student to be successful, and in recommending modifications. Families should receive guidance in a language that they understand. The counselor and the ESL teacher are responsible for counseling students on high school options and for supporting students' development of application materials.

Students may not be excluded on the basis of admission criteria if they can participate successfully, given reasonable accommodations.

The District has established a procedure for an impartial review of any individual decision not to admit a student with disabilities and/or English Learner status. Information regarding the impartial review and hearing procedures will be provided to parents when they are notified of the decision not to admit.

More information about the LeGare Process and the school's responsibility can be found on the Office of Multilingual Curriculum and Programs' website.

B. Alternative Education programs

An alternative education program must follow policies, procedures, and guidelines articulated in this publication.

C. Career and Technical Education (CTE)

The participation of English Language Learners in vocational-technical education classes and programs is not determined by their level of English language proficiency. English Language Learners should have access to any course of study available. It is the responsibility of the program to make the necessary accommodations and the responsibility of the principal to ensure that this happens. CTE students who are English Language Learners must be provided ESL instruction appropriate to their level of proficiency.

D. McKinney-Vento Homeless Education Assistance Act

According to the Basic Education Circular 42 U.S.C. §11431 on Education for Homeless Youth, students whose primary residence is not "fixed, regular, and adequate" qualify for special treatment when enrolling to school in order to receive proper educational support and services. Students living in an emergency shelter or transitional housing, unaccompanied youth, and refugee and migrant youth among others are entitled to immediate enrollment and free and reduced lunch. Schools must help homeless youth with any necessary enrollment documents, as well as setting up transportation services and getting the students basic uniform clothing and school supplies. For instance, if students experiencing homelessness live at least one mile (1.0) away from the school,

they are eligible to receive transportation assistance. More information is available at
https://www.philasd.org/homeless/about/about-mckinney-vento/

XI. PROGRAM EVALUATION

A. Adequate Measurable Objectives (AMO)

AMO (Adequate Measurable Objectives) is currently the Pennsylvania Department of
Education's (PDE) accountability system. It centers on four objectives:
- Test Participation Rate – to meet this goal, a school must achieve 95 percent
  participation rate on the PSSAs and Keystone Exams
- Graduation rate of 85 percent or, for schools for which this does not apply, 90
  percent attendance rate or improvement over the prior year
- Closing the Achievement Gap for All Students
- Closing the Achievement Gap of Historically Underperforming Students –
  This objective applies to a non-duplicated count of students with disabilities,
  economically disadvantaged students and English Learners enrolled for a full
  academic year taking the PSSA, Keystone Exams or PASA

XII. FAMILY AND COMMUNITY OUTREACH

A. Family Notification

Title 22, Chapter 4, Section 4.26 require that schools notify parents/caregivers of their
child's enrollment in an EL Education Program. This notice must take place no later than
30 days after the beginning of the school year or 14 days after the enrollment in the
middle of the school year. The notice must be in English and in the home language of the
student and convey, in simple and non-technical language, all of the information required
by state and federal statutes. The following is a list of the information that must be
included:

- Identification and assessment process
- Child's placement
- Child's current English proficiency and academic achievement level

- Program options and methods of instruction
- Information regarding any change in the child's EL education program status
- Parental rights and options

To assist schools in meeting these requirements, the Office of Multilingual Curriculum and Programs provides a Parent Notification Packet that includes the required notification letters and their translation in the eight major languages (Albanian, Arabic, Chinese, French, Khmer, Russian, Spanish, and Vietnamese). These translations can also be downloaded from the Office of Multilingual Curriculum and Program's website: https://webapps1.philasd.org/tdm/search/any/xzwyCover#results

B. Translation and Interpretation Services

Students in the School District of Philadelphia speak more than a hundred different languages, making it the most diverse urban school district in the Commonwealth of Pennsylvania. More than 12,000 of our students are English Language Learners who face the challenge of learning a new language and adapting to a new culture. To serve the needs of the students and families whose primary language is other than English, The School District of Philadelphia has developed a system of additional supports, which include:

- Office of Translation and Interpretation https://www.philasd.org/face/translations/
- English for Speakers of Other Languages and bilingual instruction
- Tutoring
- The services of bilingual counseling assistants
- Telephonic interpretation service, which is available to all schools and administrative offices (Pacific Interpreters: 1-800-264-1545; Contact the OMCP at OMCP@philasd.org for school specific access codes or contact the Multilingual Manager assigned to your Network)
- Translation of important parent communications https://webapps1.philasd.org/tdm/
- Access to information in languages other than English on the School District's website at https://www.philasd.org/face/multilingual/multilingual-language-pages/
- Language hotlines for parents https://www.philasd.org/multilingual/contact/language-accessibility/

In addition to these services, schools should also designate school-based positions as bilingual. Having staff that can speak directly with parents and students will enhance the experiences of all involved.

C. Bilingual Counseling Assistant

The Bilingual Counseling Assistant (BCA) works under the direction of the principal and under the supervision of the counselor and the ESL teacher(s). The BCA is a liaison and facilitator of communication between ELs, their parents, community organizations, and school personnel to meet the needs of ELs.

THE SCHOOL DISTRICT OF PHILADELPHIA

REPORTING OF STUDENT PROGRESS

Purpose

The **School Reform Commission** believes that cooperation **and communication between** school and home is a vital **component** in the growth and education of **each student. The SRC acknowledges the school's** responsibility to keep parents/guardians informed of student welfare and **academic** progress.[1]

Authority

The SRC directs that the District's instructional program shall include a system of measuring all students' academic progress.[2]

The **SRC** directs the establishment of a **system** of reporting student progress that includes **academic progress** reports, **grade reports,** and parent/**guardian** conferences with teachers.

In order to ensure meaningful participation, parents/guardians whose dominant language is not English shall be offered appropriate interpretation and translation services for grade reports and other appropriate notices related to the reporting of student progress. [3]

Delegation of Responsibility

The Superintendent **or designee** shall develop **administrative** procedures for reporting student progress to parents/guardians, **including annual publication of marking guidelines which outlines the grading guidelines for reporting student progress in grades K-12. The marking guidelines will be available to all parents/guardians on the District website.**

All appropriate staff members, as part of their **professional** responsibility, **shall** comply with **the systems established for measuring and reporting student progress.**

Mandatory Regulatory Guidelines

Various methods of reporting, appropriate to grade level and curriculum content, **shall be** utilized.

Both student and parent/**guardian shall** receive warning of a pending **grade** of failure, or **one** that would adversely affect the student's **academic** status.

Scheduling of parent-teacher conferences **shall occur** at times and places that ensure the greatest degree of participation by parents/guardians.

Grade reports **shall be** issued at intervals of not less than nine (9) weeks.

Review and evaluation of methods of reporting student progress to parents/guardians shall be conducted on a periodic basis.

<u>**Legal References:**</u>
1. Pol. 216 - Student Records
2. Pol. 127 - Assessment System
3. Pol. 138 - English as a Second Language/Bilingual Education Program

<u>**Related Information:**</u>
<u>24 P.S. 510</u>
<u>24 P.S. 696</u>
<u>24 P.S. 1531</u>
<u>22 PA Code 4.11</u>
<u>Philadelphia Home Rule Charter - 12-300</u>

No. 218.1

SECTION: 200 Pupils

TITLE: Weapons

ADOPTED: August 24,

2011

REVISED:

THE SCHOOL DISTRICT OF PHILADELPHIA

WEAPONS

Purpose

The School Reform Commission recognizes the importance of a safe school environment relative to the educational process. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law.

Definitions

Weapon - any object, device, or instrument that is designed as a weapon or that is capable of threatening or inflicting serious bodily harm or which may be used to inflict self-injury including, but not limited to: any firearm, shotgun, or rifle, whether loaded or unloaded; any knife, cutting instrument, or cutting tool; any nunchaku; any chemical agents such as pepper spray or mace; stun gun; incendiary device; and any other tool, instrument or object used or intended to be used to inflict serious bodily **injury** to another. The term shall also include any simulated, replica, toy, or look-alike weapon.[1][2][3]

Possession - a student is in possession of a weapon when the weapon is found on the person of the student; in the student's locker; or under the student's control while on school property, on property being used by the school, at any school function or activity, at any school event held away from the school, or while the student is coming to or from school.

Authority

The SRC prohibits students from possessing and bringing weapons and replicas of weapons into any school district buildings, onto school property, to any school-sponsored activity, and onto any public vehicle providing transportation to **or from any** school or a school-sponsored activity.[2]

The SRC shall expel for a period of not less than one (1) year any student who violates this weapons policy. Such expulsion shall be given in conformance with formal due process proceedings required by law and SRC policy. The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.[2][4]

In the case of a student with a disability, **including a student for whom an evaluation is pending,** the district shall take all steps required to comply with **state and federal laws and**

regulations, the procedures set forth in the memorandum of understanding with local law enforcement and SRC policies.[2][5][6][7][8][9][10][11]

The SRC authorizes the **administration to conduct** searches **of students or their belongings** to aid in the detection of weapons. **Searches shall be conducted in accordance with SRC policy.**[12]

Delegation of Responsibility

The **Superintendent, Office of School Safety,** or designee shall react promptly to information and knowledge concerning **possession of a** weapon on school property. Such action shall be in compliance with state law and regulations and with the procedures set forth in the memorandum of understanding with local law enforcement officials **and the District's emergency preparedness plan.**[10][13][14]

The Superintendent, Office of School Safety, or designee shall immediately report incidents involving weapons on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and SRC policies.[2][10][13][15][16][17]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving weapons as a victim or suspect immediately, as soon as possible. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document the attempts made to reach the parent/guardian.[10][16][17]

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents involving possession of a weapon to the Office **for** Safe Schools **using the required form.**[10][15]

Mandatory Regulatory Guidelines

The district shall annually inform staff, students and parents/guardians about the SRC policy prohibiting weapons and about their personal responsibility for the health, safety and welfare of the school community.

This policy shall not apply to a weapon, or item that otherwise would be considered a weapon, being used as part of a supervised school program approved by the district by an individual who is participating in the program.[2]

Additional exceptions to this policy may be made by the Superintendent, who shall prescribe special conditions or administrative procedures to be followed. In no case shall an exception to this policy violate local ordinances regarding possession of weapons.

<u>Transfer Students</u>

When the District receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the District may assign that student to an alternative assignment or may provide alternative education, provided that the assignment does not exceed the expulsion period.

<u>Legal References:</u>
1. <u>24 P.S. 1301-A</u>
2. <u>24 P.S. 1317.2</u>
3. <u>Philadelphia Code of Ordinances - Title 10, Section 10-833</u>
4. Pol. 233 - Suspension and Expulsion
5. <u>22 PA Code 10.23</u>
6. <u>20 U.S.C. 1400 et seq</u>
7. Pol. 103.1 - Nondiscrimination - Qualified Students With Disabilities/Protected Handicapped Students
8. Pol. 113.1 - Discipline of Students With Disabilities
9. Pol. 113.2 - Behavior Support
10. Pol. 805.1 - Relations With Law Enforcement Agencies
11. Memorandum of Understanding between the Philadelphia Police Department and the School District of Philadelphia, 2016
12. Pol. 226 - Searches
13. <u>24 P.S. 1302.1-A</u>
14. Pol. 805 - Emergency Preparedness
15. <u>24 P.S. 1303-A</u>
16. <u>22 PA Code 10.2</u>
17. <u>22 PA Code 10.21</u>
18. <u>22 PA Code 10.25</u>

<u>Related Information:</u>
<u>22 PA Code 403.1</u>
<u>18 Pa. C.S.A. 912</u>
<u>18 U.S.C. 921</u>
<u>18 U.S.C. 922</u>
<u>20 U.S.C. 7114</u>
<u>20 U.S.C. 7151</u>
<u>34 CFR Part 300</u>
Pol. 218 - Student Conduct and Discipline
<u>Philadelphia Code of Ordinances - Title 10, Sections 10-810, 10-816, 10-825, 10-826</u>

THE SCHOOL DISTRICT OF PHILADELPHIA

235.1   (NEW) STUDENT SURVEYS

Purpose

This policy sets forth guidelines regarding the conduct of surveys and collection and use of information for the District's educational objectives ~~marketing purposes~~, consistent with law and regulations.

Surveys conducted by outside agencies, organizations and individuals shall be approved by the SRC, based on the Superintendent or designee recommendation, prior to administration to students.

Definitions

Personal information - individually identifiable information, including a student's or parent's/guardian's first and last name; home or physical address, including street name and the name of the city or town; telephone number; student identification number; or Social Security Number.[1]

For purposes of this policy, protected information, as addressed by the Protection of Pupil Rights Amendment (PPRA), includes:[1]

1. **Political affiliations or beliefs of the student or student's parent/guardian.**

2. **Mental or psychological ~~problems~~ conditions of the student or student's family.**

3. **Sexual behavior or attitudes.**

4. **Illegal, anti-social, self-incriminating or demeaning behavior.**

5. **Critical appraisals of other individuals with whom respondents have close family relationships.**

6. **Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.**

7. **Religious practices, affiliations, or beliefs of the student or student's parent/guardian.**

8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

Authority

Surveys conducted by outside agencies, organizations and individuals shall be reviewed and approved or denied by the School District of Philadelphia's Office of Evaluation, Research and Accountability Research Review Committee. ~~approved by the School Reform Commission, based on the Superintendent's or designee's recommendation, prior to administration to students.~~

All surveys and instruments used to collect information from students shall relate to the District's educational objectives.[2]

U.S. Department of Education Funded Surveys

No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, to submit to a survey, analysis or evaluation that reveals protected information without written parental consent for students under eighteen (18) years of age or written consent of emancipated students or those over eighteen (18) years of age.[1]

All instructional materials, including teachers' manuals, films, tapes or other supplementary material, that will be used in connection with any survey, analysis or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be made available upon request for inspection by the parent(s)/guardian(s) of the student.[1][3]

Surveys Funded by Other Sources

Parents/Guardians shall be informed of the nature and scope of individual surveys and their relationship to the educational program of their child and the parent's/guardian's right to inspect, upon request, a survey created by a third party prior to administration or distribution to a student. Such requests shall be in writing and submitted to the Research Review Committee. ~~building principal.~~[2][1]

Parents/Guardians shall be informed of their right to have their child excluded from any ~~research studies or~~ surveys ~~conducted by a third party entities other than a school entity without prior written consent.~~[4][2][1]

Collection of Information for Marketing, Sales or Other Distribution Purposes

The district shall notify parents/guardians of any activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or selling, or otherwise providing the information to others for that purpose.[1]

The parent/guardian has the right to inspect the instrument used in collection of personal information for the purpose of marketing or selling that information and opt out of participating in any activity that results in the collection, disclosure or use of personal information for purposes of marketing or selling that information.[1]

This provision does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following: recruiters, book clubs, curriculum and instructional materials used by schools, sale by students of products or services to raise funds for school-related or education-related activities, or student recognition programs.[1]

Privacy

The District shall implement procedures to protect student identity and privacy when a survey containing one or more of the items listed under protected information is administered or distributed to a student and in the event of the collection, disclosure or use of personal information for marketing, sales or other distribution purposes.[1]

~~Guidelines~~

Student and Parent/Guardian Rights

Under federal law, the rights provided to parents/guardians under this policy transfer to the student when the student turns eighteen (18) years old or is an emancipated minor. These rights do not transfer under state law; therefore, parents/guardians retain their rights to receive notice and to inspect.[4][2][1]

Delegation of Responsibility

The Superintendent or designee shall notify parents/guardians and students of:[1]

1. This policy and its availability.

2. The specific or approximate dates during the school year when activities described above are scheduled, or expected to be scheduled.

3. How to opt ~~their child~~ out of participation in activities as provided in this policy.

4. How to request access to any survey or other material described in this policy.

This notification shall be given at least annually, at the beginning of each school year, and within a reasonable time after any substantive changes regarding the contents of this policy.

The Superintendent or designee shall establish administrative procedures for protecting student identity and privacy in the administration of protected information surveys and

the collection, disclosure or use of personal information for marketing, sales or other distribution purposes.

Legal References:
1. 20 U.S.C. 1232h
2. 22 PA Code 12.41
3. Pol. 105.1
4. 22 PA Code 4.4

THE SCHOOL DISTRICT OF PHILADELPHIA

335 (NEW) FAMILY AND MEDICAL LEAVES

Authority

The School Reform Commission shall provide eligible administrative, professional and support employees with unpaid leaves of absence in accordance with the Family And Medical Leave Act, hereinafter referred to as FMLA.[1][2]

Employee requests for FMLA leave shall be processed in accordance with law, SRC policy and administrative procedures.

Delegation of Responsibility

The Superintendent or designee shall administer procedures for implementing FMLA leave for eligible employees.

The District shall post, in conspicuous places customarily used for notices to employees and applicants, a notice regarding the provisions of the FMLA and the procedure for filing a complaint.[3]

Employee requests for leave, both FMLA and non-FMLA, shall be submitted in writing on a district form to the Director of Employee Health Services.

Mandated Regulatory Guidelines

Employee eligibility for and entitlement to FMLA leave shall be based on the criteria established by law.[4][5]

The District shall utilize a rolling twelve-month period measured backwards from the date leave is used to determine if an employee has exhausted his/her FMLA leave in any twelve-month period.[6]

When an employee requests a FMLA leave, and qualifies for and is entitled to any accrued paid sick, vacation, personal or family leave, the employee shall be required to utilize such paid leave during the FMLA leave.[5]

Legal References:

1. 29 U.S.C. 2601 et seq
2. 29 CFR Part 825
3. 29 U.S.C. 2619
4. 29 U.S.C. 2611
5. 29 U.S.C. 2612
6. 29 CFR 825.200

THE SCHOOL DISTRICT OF PHILADELPHIA

342 JURY DUTY

Authority

Regularly **employed administrative, professional and support** employees shall be protected against loss of pay **and/or employment for time served on** jury duty.[1]

Delegation of Responsibility

The Office of Talent shall be responsible for the implementation of this policy.

Mandated Regulatory Procedures

Employees called for jury duty shall be permitted to serve and will not be penalized in any way.

When an employee **is notified of** jury duty, s/he shall **inform** his/her **supervisor and provide a copy of the summons prior to the date of service. After an employee has served jury duty, employee must submit a "Request for Absence" form to the supervisor, indicating the number of days served, corresponding dates, proof of service, and the reason for absence (other-jury duty).**

If the jury is not in session for a day or more or the employee was not required to report to jury duty, the employee must report to his/her work location.

Legal References:
1. 42 Pa. C.S.A. 4563

THE SCHOOL DISTRICT OF PHILADELPHIA

624 (NEW) CAPITAL ASSET POLICY

Purpose

The Philadelphia School District Capital Asset Policy follows the principles set forth in the Manual of Accounting and Financial Reporting for Pennsylvania Public Schools and the Governmental Accounting Standards Board Statement No. 34 as it pertains to Capital Asset Reporting and Governmental Accounting Standards Board Statement No. 51 as it pertains to Reporting Intangible Assets.

The policy applies to Philadelphia School District's valuation and recording of capital assets. Capital assets include land, improvements to land, easements, buildings and building additions, building improvements, furniture, fixtures and equipment, vehicles, works of art and historical treasures, construction-in-progress, infrastructure, and intangible assets.

Authority

All financial and accounting reporting by the District to the Department of Education shall be in accordance with generally accepted accounting and reporting standards (PA School Code Article II, Section 218).

Definitions

Capital assets - tangible and certain intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period.

Infrastructure assets - capital assets that are normally stationary in nature and that can normally be preserved for a significantly greater number of years than most capital assets. Infrastructure assets include roads, electrical distribution systems, street lighting, water wells, etc.

Intangible assets - assets that possess all of the following characteristics: (1) lack of physical substance, (2) nonfinancial in nature, and (3) a useful life extending beyond a single reporting period. The provisions of this statement apply to all intangible assets except for the following: (1) assets acquired or created primarily for the purpose of directly obtaining income or profit, (2) assets resulting from capital lease transactions

THE SCHOOL DISTRICT OF PHILADELPHIA

No. 406

SECTION: 400 Charter Schools

TITLE: Charter **Amendments**

ADOPTED: April 24, 2014

REVISED:

406. CHARTER **AMENDMENTS**

Purpose

The Charter School Law ("CSL") does not contain provisions related to the amendment of or modification to charters for brick and mortar charter schools. In August 2017, the Pennsylvania Supreme Court, in overturning the Commonwealth Court, held that the CSL does not set forth a procedure for amending the material terms of a charter nor the standard for evaluating an amendment request. Further, the Supreme Court held that the CSL does not provide for jurisdiction in the State Charter School Appeal Board ("CAB") for appeals from a school district's action or inaction on requested amendment. The Supreme Court recognized, however, that a charter could be amended by written agreement of the school district and the charter school.

Consistent with the **School Reform Commission's ("SRC's")**[1] commitment to acting as a top-quality authorizer of high-performing charter schools, this policy **will** ensure that the charter school **amendment** process and decisions will be transparent, merit-based, comprehensive, and equitable.

Authority

The SRC recognizes that opportunities for charter schools to grow and improve may occur outside of the renewal process. As a result, **the SRC** may accept applications for material **amendments** of the charter agreement. **This policy as revised will apply to all charter amendment requests for implementation in the 2018-2019 school year and beyond.**

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[1] Any reference herein to School Reform Commission ("SRC") applies to any governing body or designated oversight entity for The School District of Philadelphia.

Charter Amendments Requiring SRC Approval

Material **charter amendments** are changes to the charter agreement that fundamentally affect a **charter** school's mission, governance, organizational structure, education program, or the **Charter School Office's ("CSO's")** ability to effectively monitor charter school operations and quality. For the purposes of this policy, material **charter amendments** include:

1. **Enrollment expansion;**
2. **Change to g**rade levels served;
3. **Significant change to mission, program or educational plan;**
4. Name **change**;
5. **Change in building location or addition of new facility;**
6. **Change in charter management organization (any Educational Management** Organization **("EMO")** or Charter Management Organization **("CMO")** providing or planning to provide substantially all of the school's educational services**)**

The charter may not be amended in any of the instances outlined above except as authorized by SRC resolution. Such authorized or approved amendments will not become effective until a written amendment to the charter has been duly executed by The School District of Philadelphia ("School District") and the charter school. The CSO may issue procedures describing the application requirements and evaluation process to be followed in reviewing each type of Material **Charter Amendment** Application **consistent with this policy.**

Timeframes and Eligibility for Submission of Charter Amendments

Generally, charter amendments not deemed material as set forth in this policy do not require a formal submission. Charter schools may submit any charter amendment request to the CSO for a classification determination as material or non-material however. Further, a charter school must submit any non-material charter amendments to the CSO based on submission requirements stated in the charter school's current charter (e.g. change in board roster, change in school leader, etc.). Charter amendments shall be submitted in accordance with the requirements as set forth in Table 1 below based on classification.

No material amendment may be submitted for immediate effectiveness or to be effective in the same school year as submission with the exception of a change in facility/location or change in charter management organization that is necessary for the continued, uninterrupted operation of the charter school due to circumstances beyond the charter school's control.

The acceptable frequency, timeframe and eligibility requirements for application submission of a material charter amendment are detailed in Table 1. A "Material Charter

Amendment" shall mean, collectively, a "material-selected charter amendment" and a "material charter amendment" as detailed in Table 1.

Table 1.

	Non-Material	Material – During Charter Term Selected	Material at Renewal
Frequency	No limit	One per type per charter term; exception for those amendment types below that are submitted due to business need, these may be submitted one per type per effective year	One per type per renewal
Timeframe	Rolling, per time frames established in the charter	Submission of request with identified documents by January 15 of the school year prior to effective date	Submission of request only with renewal application in the last year of the current charter term
Amendment Types	Any not specified in Policy 406 as "Material"	1. Change in building location or addition of a new facility 2. Name change 3. Significant change to mission, or fundamental change to program or educational plan 4. Enrollment expansion 5. Change in charter management organization	1. Change in building location or addition of a new facility 2. Change to grade levels served 3. Name change 4. Significant change to mission, or fundamental change to program or educational plan 5. Enrollment expansion 6. Change in charter management organization
Eligibility Requirements	n/a	1. Due to business need/unavailability of current facility/unforeseen emergency [2]/unavailability of current facility	1. For reasons beyond business need/unavailability of current facility 2. None 3. For reasons beyond business need or legal

[2] "Business need" is defined as necessary for the continued, uninterrupted and/or legally compliant operation of the charter school. "Emergency" is defined as circumstances under which part or all of the current charter school facility is not fit for use or occupation as a result of a natural disaster, such as a fire or flood. Material-Selected charter amendment requests related only to a change in building location or an addition of a new facility may be submitted more than once during a charter term if there is a demonstrated business need or unforeseen emergency. In the event of an unforeseen emergency requiring an immediate change in a charter school facility or location, the charter school shall submit a charter amendment request within a reasonable

		2. Due to business need or legal requirement 3. None 4. Up to 10% of current maximum authorized enrollment or 100 seats, whichever is less (qualified applicants only) 5. Due to business need	requirement (e.g. rebranding) 4. None 5. Greater than 10% of the current maximum authorized enrollment or 100 seats (qualified applicants only) 6. None

Charter School Eligibility Criteria for Enrollment Expansions

In addition to the frequency, timeline and eligibility requirements for Material – Selected charter amendments set forth in Table 1 above, charter schools seeking charter amendment requests for Enrollment Expansion must meet the additional following criteria to be eligible for submission:

1. **Academic proficiency at or above the School District average in English Language Arts ("ELA") and Literature in the most recent school year; and**
2. **Academic proficiency at or above the School District average in math and Algebra I in the most recent school year; and**
3. **Academic growth for the lowest performing group of students as measured by AGI (currently Lowest 20%) at the evidence of growth level of AGI >= 0 or above for the most recent school year in ELA and Literature; and**
4. **Academic growth for the lowest performing group of students as measured by AGI (currently Lowest 20%) at the evidence of growth level of AGI >= 0 or above for the most recent school year in math and Algebra I; and**
5. **Attendance rate of students attending 95% or more days of school in the top quartile (75th percentile or above) for similar school types.**

Evaluation Criteria for Charter Amendments

Non-material charter amendments do not require an evaluation by the CSO. However, submission of required information to the CSO in accordance with the requirements of the charter may also constitute a non-material charter amendment because the charter application is incorporated into the charter. As such, the criteria for evaluation of any non-material amendment that is also a required submission in accordance with the charter is (i)

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period of time, and such amendment request may be approved by the SRC as a ratification of the change in facility or location.

timeliness of submission in accordance with the timeframe specified in the charter; and (ii) completeness of the submission in accordance with the requirement specified in the charter.

For material charter amendments, the evaluation criteria for all amendment types broadly includes (i) the extent to which the initial request and subsequent materials respond to the information requested by the CSO; (ii) capabilities of the charter school to provide comprehensive learning experiences to all students; (iii) demonstrated, sustainable support for the charter school's plans by parents, community members, and students; (iv) evidence of the charter school's previous performance and demonstration of ability to sustain this performance to meet the standards of the charter school performance framework in the domains of academic success, organizational compliance and viability, and financial health and sustainability; and (v) demonstration of the charter school's compliance with its charter.

In addition, the CSO will review and evaluate the following for each type of material charter amendment:

Change in Building Location or Addition of a New Facility

All of the evaluation criteria identified as above for material charter amendments in addition to the following, but not limited to:

1. Evidence of the charter school's previous performance and demonstration of ability to sustain or improve performance consistent with the expectations of the charter school performance framework in all domains;
2. Clear and compelling rationale for change in facility or new facility;
3. Mitigation of expected impacts on students, families, and staff resulting from facility change (including any transportation and accessibility impacts);
4. Financial impact on the charter school, including evidence of appropriate and sufficient budgeted expenditures for year one, and comparison to expenditures for current facility;
5. Clear and complete information regarding any necessary zoning changes, permits or certifications for the proposed facility;
6. Estimated timeline for project completion and for move are consistent with academic calendar; evidence of a suitable alternative for construction or renovation delays; and
7. Strong evidence of community engagement regarding new facility, including any formal surveys or evaluations **and, for Renaissance Charter Schools, ~~or~~** recommendations from the school advisory council ("SAC").

Name Change

All of the evaluation criteria identified as above for material charter amendments in addition to the following, but not limited to:

1. **Clear and compelling rationale for name change;**
2. **Mitigation of expected impacts on students, families, and staff resulting from name change (including uniforms);**
3. **Clear and actionable plans to change, remove, or cover evidence of the current charter school name in or on the charter school building;**
4. **Financial impact on the charter school to effectuate the name change; and**
5. **Strong evidence of community engagement regarding new name, including any formal surveys.**

Significant Change to Mission, Program or Educational Plan

All of the evaluation criteria identified as above for material charter amendments in addition to the following, but not limited to:

1. **Evidence of the charter school's previous performance and demonstration of ability to sustain or improve performance consistent with the expectations of the charter school performance framework in all domains;**
2. **Clear and compelling rationale for change;**
3. **Mitigation of expected impacts on students, families, and staff resulting from change;**
4. **Financial impact on charter school as a result of the change;**
5. **Strong evidence of community engagement regarding change, including any formal surveys or evaluations <mark>and, for Renaissance Charter Schools, or</mark> recommendations from the SAC;**
6. **Compliance of the proposed change with all Applicable Laws; and**
7. **Evidence of research basis for the change.**

Change in Charter Management Organization

All of the evaluation criteria identified as above for material charter amendments in addition to the following, but not limited to:

1. **Evidence of the charter school's previous performance and demonstration of ability to sustain or improve performance consistent with the expectations of the charter school performance framework in all domains;**
2. **Clear and compelling rationale for change;**
3. **Mitigation of expected impacts on students, families, and staff resulting from change (including uniforms, code of conduct, employee benefits, etc.);**
4. **Financial impact on the charter school as a result of the change;**
5. **Review of proposed CMO contract;**
6. **Strong evidence of community engagement regarding new facility, if any, including any formal surveys or evaluations <mark>and, for Renaissance Charter Schools, or</mark> recommendations from the SAC; and**
7. **Clear and detailed explanation of how change will allow charter school to meet the**

terms of its charter and applicable laws while ensuring performance is consistent with the charter school's goals and expectations of the charter performance framework.

Enrollment Expansion or Change in Grade Levels Served

All of the evaluation criteria identified as above for material charter amendments in addition to the following, but not limited to:

1. Strong evidence of the charter school's previous performance and demonstration of ability to sustain this performance to meet the best practice and equity expectations of the charter school performance framework in all domains;
2. Clear and compelling research-based rationale for change to grade levels served;
3. Mitigation of expected impacts on students, families, and staff resulting from proposed change;
4. Financial impact on the charter school, including evidence of appropriate and sufficient budgeted expenditures for year one ==of the proposed amendment== through the year the charter school reaches full scale;
5. Demonstration of planned capacity increases at the charter school leadership or CMO level; evidence of responsive staffing plan;
6. Detailed description of proposed academic plan, including rationale for curriculum and plan for serving all learners, aligned with charter school's mission and Applicable Laws;
7. Compliant and sustainable plan for student recruitment including any proposed lottery preferences;
8. Evidence of an enrollment plan that is consistent and sustainable with any variations by grade level clearly explained;
9. Evidence of sufficient facility space to accommodate new grades or students;
10. Strong evidence of community engagement regarding new grade levels and any enrollment expansions, including any formal surveys or evaluations ==and, for Renaissance Charter Schools,== ~~or~~ recommendations from the SAC;
11. Fiscal impact on the School District as a result of the requested charter amendment request;
12. Enrollment impact on impacted public schools as a result of the requested charter amendment request; and
13. Consideration of applicable criteria as specified for new charter applications in the CSL.

Material Charter Amendment Application Process

The CSO may issue guidelines describing the application requirements and evaluation process to be followed in reviewing each type of Material Charter Amendment Application consistent with this policy. The CSO shall review Material Charter Amendment Applications and consider all necessary and appropriate factors relevant to the evaluation of the proposed change, including the impact of the request in the

Material Charter Amendment Application on the charter school's ability to operate in an educationally and legally sound manner.

There are four identified phases of activity related to a Material Charter Amendment Application.

Phase 1 – Request
The charter school develops its charter amendment application and presents the application along with the required documentation to the CSO for review. The timeline for submission is stated in Table 1 above.

Phase 2 – Submission
The CSO performs an initial review of the application to determine completeness and the CSO may request clarifications. If submitted in accordance with the timeline in Table 1, the CSO will conduct this initial review within 30 calendar days after receiving an application.

Phase 3 – Completion
The CSO identifies the submission of the application as complete and conducts an evaluation. The CSO notifies the SRC of the application at this stage. If application is submitted in accordance with the timeline in Table 1, the CSO will complete the full evaluation prior to the end of the school year in which the application was submitted.

Phase 4 – Acceptance
If the SRC intends to take action on a charter amendment application at a public meeting of the SRC, the CSO will notify the charter school, finalize the evaluation report and publicly post an evaluation report prior to the SRC action at a public meeting. Acceptance is at the discretion of the SRC.

Prior to **the SRC** acting on a Material **Charter Amendment** Application, the CSO, **shall** prepare a written **evaluation** report **summarizing the evaluation of the criteria for evaluation as specified in this policy by type of material charter amendment.** The **evaluation** report shall be **posted publicly** prior to SRC **consideration of** the Material **Charter Amendment** Application **at a public meeting**.

The CSO shall make a recommendation to the SRC on whether to grant or deny a Material **Charter Amendment** Application. The SRC may **consider** a Material **Charter Amendment** Application at a public meeting.

Legal References
24 P.S. §§ 17-1701-A et seq.

reported by lessees, (3) goodwill created through the combination of a government and another agency.

Delegation of Responsibility

The School Reform Commission delegates to the Superintendent or their designee the responsibility to coordinate the compilation and preparation of all information necessary to meet generally accepted governmental accounting and reporting standards for capital assets. To meet these standards, the Chief Financial Officer shall implement procedures to establish and maintain a capital asset inventory, including depreciation schedules as outlined by this policy.

Mandatory Regulatory Procedures

Capital Asset Addition Overview

GASB Statement No. 34

A. Purchased personal property capital assets (to include furniture, fixtures, equipment, vehicles, and works of art and historical treasures) equal to or greater than $500 should be recorded at original cost. Any purchase less than $500 that has use expectancies that extend beyond one year and need to be controlled for insurance purposes, shall be classified as non-capital equipment expenditures. Any purchases consumed within the fiscal year are treated as supplies. Purchased real property capital assets (to include land, improvements to land, easements, buildings and building additions and improvements) equal to or greater than $5,000 should be recorded at original cost. The cost of a capital asset should include capitalized interest and ancillary charges necessary to place the asset into its intended location and condition for use. Ancillary charges include costs that are directly attributable to asset acquisition – such as freight and transportation charges, site preparation costs, and professional fees.

B. Capital assets valued at less than the thresholds established herein do not require capitalization and depreciation and shall be inventoried by the department responsible for custody of the assets. The inventory records should include the critical information necessary to identify the item, location or staff member responsible for custody of the asset, date of acquisition, date of disposal and any other information pertinent to the asset.

C. Capital assets above the thresholds established herein shall be depreciated over their useful lives as determined for each asset class. Land and land improvements are considered inexhaustible and, therefore, are not subject to depreciation.

D. If determining original costs is not practical due to inadequate records, reporting should be based on estimates of original cost at the date of construction or purchase.

E. Depending upon the information available and the category of the asset, fixed asset records shall include all or part of the following:

Asset Tag Number	**Estimated Useful Life**
Description	**Depreciation Method**
Asset Class	**Salvage Value**
Serial Number	**Accumulated Depreciation**
Cost	**Depreciation Expense**
Location or Functional Area	**Replacement Cost**
Acquisition Date	

Donations

Donated capital assets above the thresholds established herein must be reported at fair market value plus ancillary charges, if any, at the time of donation. Donated assets are depreciated over their useful lives as determined for each asset class. If determining original costs is not practical due to inadequate records, reporting shall be based on estimates of fair market value at the date of donation.

A. Works of art, historical treasures and similar assets shall be capitalized at their fair value at date of donation (estimated if necessary) whether they are held as individual items or in a collection. Due to the lack of historical records to establish carrying values and immateriality of the estimated replacement value, artwork is inventoried but not reported in the financial statements.

B. Capitalized collections or individual items that are exhaustible shall be depreciated over their useful lives. Depreciation is not required for collections or individual items that are inexhaustible.

Infrastructure Assets

A. Infrastructure assets above the thresholds established herein shall be depreciated over the useful lives.

B. Routine repairs and maintenance costs to infrastructure assets are charged to operations as incurred. Expenditures that extend the useful life of the infrastructure assets are capitalized as part of the asset and depreciated over the newly established useful life.

Useful Lives

Useful lives of fixed assets relate to the life expectancy as used by the specific governmental unit. The District will estimate the useful life of a capital asset based on accepted valuation standards.

GASB Statement No. 34 and 51

Depreciation

   A. Depreciation is required for the District's capital assets above the thresholds established herein. Depreciation is allocated to expense in a systematic and rational manner. Depreciation is calculated using the Straight Line/Half Year method and reported by area of activity (function). The District calculates depreciation on all capital assets reported in the District financial statements other than land, permanent improvements to land, and construction in progress.

   B. Depreciation shall be calculated for a class of assets, a network of assets or individual assets.

Disposals

   A. Sale of fixed assets: When fixed assets despite value are sold, calculation of gain or loss on disposal is required. The calculation is based upon the amount of proceeds received less the net book value (cost less accumulated depreciation taken on the asset).

   B. Trade-ins: The value given for a trade is part of the cost of the newly acquired asset. The costs and accumulated depreciation of the traded-in asset must be removed from the books. Any gain or loss resulting from the disposition of the asset will be recognized as a gain or loss on disposal.

Assets Acquired By Capital Lease

   A. Assets acquired by capital lease above the thresholds established herein are recorded at the net present value of the future minimum lease payments. A corresponding liability is established at this time. Assets acquired under the terms of capital leases are depreciated over the useful lives designated for the asset class.

Legal References:
School Code – 24 P.S. Sec. 218
Governmental Accounting Standards Board Statement No. 34 and 51

Related Information:
School District of Philadelphia Capital Asset Procedures Manual

THE SCHOOL DISTRICT OF PHILADELPHIA

CHILD ABUSE

Authority

The School Reform Commission requires district employees, independent contractors and ~~volunteers~~ to comply with identification and reporting requirements for suspected child abuse, as well as the training requirement for recognition and reporting of child abuse in order to comply with the Child Protective Services Law and the School Code.[1][2][3][4]

Definitions

The following words and phrases, when used in this policy, shall have the meaning given to them in this section:

Adult - an individual eighteen (18) years of age or older.[5]

Bodily injury - impairment of physical condition or substantial pain.[5]

Certifications - refers to the child abuse history clearance statement and state and federal criminal history background checks required by the Child Protective Services Law and/or the School Code.[6][7]

Child - an individual under eighteen (18) years of age.[5]

Child abuse - intentionally, knowingly or recklessly doing any of the following:[5]

1. Causing bodily injury to a child through any recent act or failure to act.

2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.

3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.

4. Causing sexual abuse or exploitation of a child through any act or failure to act.

5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.

7. Causing serious physical neglect of a child.

8. Engaging in any of the following recent acts:

    a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.

    b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.

    c. Forcefully shaking a child under one (1) year of age.

    d. Forcefully slapping or otherwise striking a child under one (1) year of age.

    e. Interfering with the breathing of a child.

    f. Causing a child to be present during the operation of methamphetamine laboratory, provided that the violation is being investigated by law enforcement.[8]

    g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known was required to register as a Tier II or Tier III sexual offender or has been determined to be a sexually violent predator or sexually violent delinquent.[9][10]

9. Causing the death of the child through any **recent** act or failure to act [5].

The term **child abuse** does not include physical contact with a child that is involved in normal participation in physical education, athletic, extracurricular or recreational activities. Also excluded from the meaning of the term **child abuse** is the use of reasonable force by a person responsible for the welfare of a child for purposes of supervision, control or safety, provided that the use of force:

1. Constitutes incidental, minor or reasonable physical contact in order to maintain order and control;

2. Is necessary to quell a disturbance or remove a child from the scene of a disturbance that threatens property damage or injury to persons;

3. Is necessary for self-defense or defense of another;

4. Is necessary to prevent the child from self-inflicted physical harm; or

5. Is necessary to gain possession of weapons, controlled substances or other dangerous objects that are on the person of the child or in the child's control.

Direct contact with children - the possibility of care, supervision, guidance or control of children or routine interaction with children.[1]

Independent contractor - an individual other than a school employee who provides a program, activity or service who is otherwise responsible for the care, supervision, guidance or control of children pursuant to a contract. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.[5][11]

Perpetrator - a person who has committed child abuse and is a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an individual fourteen (14) years of age or older who is responsible for the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program activity or service; an individual fourteen (14) years of age or older who resides in the same home as the child; or an adult who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child. Only the following may be considered a perpetrator solely based upon a failure to act: a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an adult responsible for the child's welfare; or an adult who resides in the same home as the child.[5]

Person responsible for the child's welfare - a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control.[5]

Program, activity or service - any of the following in which children participate and which is sponsored by a school or a public or private organization:[5]

1. A youth camp or program.

2. A recreational camp or program.

3. A sports or athletic program.

4. A community or social outreach program.

5. An enrichment or educational program.

6. A troop, club or similar organization.

Recent act or failure to act - any act or failure to act committed within two (2) years of the date of the report to the Department of Human Services of the Commonwealth or county agency.[5]

Routine interaction - regular and repeated contact that is integral to a person's employment or volunteer responsibilities.[5]

School employee - an individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children.[5]

Serious mental injury - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:[5]

1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.

2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

Serious physical neglect - any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:[5]

1. A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.

2. The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation - any of the following:[5]

1. The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:

   a. Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.

   b. Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.

   c. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.

   d. Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

The conduct described above does not include consensual activities between a child who is fourteen (14) years of age or older and another person who is fourteen (14) years of age or older and whose age is within four (4) years of the child's age.

2. Any of the following offenses committed against a child: rape; statutory sexual assault; involuntary deviate sexual intercourse; sexual assault; institutional sexual assault; aggravated indecent assault; indecent assault; indecent exposure; incest; prostitution; sexual abuse; unlawful contact with a minor; or sexual exploitation.

Student - an individual enrolled in a district school under eighteen (18) years of age.[5]

~~**Volunteer** - an unpaid adult individual, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service is a person responsible for the child's welfare or has direct contact with children.[11]~~

Delegation of Responsibility

In accordance with SRC policy, the Superintendent or designee shall:

1. Require each candidate for employment to submit an official child abuse clearance statement and state and federal criminal history background checks (certifications) as required by law.[6][7][12][13][14][15]

2. Require each applicant for transfer or reassignment to submit the required certifications unless the applicant is applying for a transfer from one position as a district employee to another position as a district employee of this district and the applicant's certifications are current.[16][17][18]

School employees and independent contractors shall obtain and submit new certifications every sixty (60) months.[17]

Certification requirements for volunteers are addressed separately in SRC Policy 916.[19]

The Superintendent or designee shall annually inform all students regardless of age, parents/guardians, independent contractors, volunteers and staff regarding the contents of this SRC policy.

The Superintendent or designee shall annually notify district staff, independent contractors, ~~and volunteers~~ of their responsibility for reporting child abuse in accordance with SRC policy and administrative procedures.

The school district, and independent contractors of the school district, shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting in accordance with SRC policy, administrative procedures and federal, state and local law.

~~Regulatory Procedure~~

Training -

The school district, and independent contractors of the school district, shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting.The training shall include, but not be limited to, the following topics:[1][3][4][20]
1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.

2. Provisions of the Educator Discipline Act, including mandatory reporting requirements.[20][21]

3. District policy related to reporting of suspected abuse and sexual misconduct.

4. Maintenance of professional and appropriate relationships with students.[22]

Employees are required to complete a minimum of three (3) hours of training every five (5) years.[1]

Duty to Report -

School employees, independent contractors ~~and volunteers~~ shall make a report of suspected child abuse if they have reasonable cause to suspect that a child is the victim of child abuse under any of the following circumstances:[11]

1. The school employee, independent contractor or volunteer comes into contact with the child in the course of employment, occupation and the practice of a profession or through a regularly scheduled program, activity or service.

2. The school employee, independent contractor or volunteer is directly responsible for the care, supervision, guidance or training of the child.

3. A person makes a specific disclosure to a school employee, independent contractor or volunteer that an identifiable child is the victim of child abuse.

4. An individual fourteen (14) years of age or older makes a specific disclosure to a school employee, independent contractor or volunteer that s/he has committed child abuse.

A child is not required to come before the school employee, independent contractor or volunteer in order for that individual to make a report of suspected child abuse.[11]

A report of suspected child abuse does not require the identification of the person responsible for the child abuse.[11]

Any person who, in good faith, makes a report of suspected child abuse, regardless of whether the report is required, cooperates with an investigation, testifies in a proceeding, or engages in other action authorized by law shall have immunity from civil and criminal liability related to those actions.[23]

Any person required to report child abuse who willfully fails to do so may be subject to disciplinary action and criminal prosecution.[24]

Any person who intentionally or knowingly makes a false report of child abuse or intentionally or knowingly induces a child to make a false claim of child abuse may be subject to disciplinary action and criminal prosecution.[25]

Any person who engages in intimidation, retaliation, or obstruction in the making of a child abuse report or the conducting of an investigation into suspected child abuse may be subject to disciplinary action and criminal prosecution.[26]

The district shall not discriminate or retaliate against any person for making, in good faith, a report of suspected child abuse.[27]

Reporting Procedures -

School employees, independent contractors ~~or volunteers~~ who suspect child abuse shall immediately make a written report of suspected child abuse using electronic technologies (www.compass.state.pa.us/cwis) or an oral report via the statewide toll-free telephone number (1-800-932-0313). A person making an initial oral report of suspected child abuse must also submit a written electronic report within forty-eight (48) hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with a confirmation, providing the district with a written record of the report.[11][28][29]

A school employee, independent contractor ~~or volunteer~~ who makes a report of suspected child abuse shall immediately, after making the initial report, notify the school principal and if the initial report was made electronically, also provide the principal with a copy of the report confirmation. The school principal shall then immediately notify the Superintendent or designee that a child abuse report has been made and if the initial report was made electronically, also provide a copy of the report confirmation.[11][28][29]

When a report of suspected child abuse is made by a school employee, independent contractor ~~or volunteer~~ as required by law, the school district is not required to make more than one (1) report. An individual otherwise required to make a report who is aware that an initial report has already been made by a school employee, independent contractor or volunteer is not required to make an additional report. The person making an initial oral report is responsible for making the follow-up written electronic report within forty-eight (48) hours, and shall provide the school principal with a copy of the report confirmation promptly after the written electronic report has been filed. The principal shall in turn provide a copy of the report confirmation to the Superintendent or designee.[11][28][29] **If the principal is the alleged perpetrator, the employee, after making the mandatory report to the authorities, shall notify the Assistant Superintendent.**

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Safe Schools Act, the Superintendent or designee shall inform the Philadelphia Police Department, in accordance with applicable law, regulations and SRC policy.[30][31][32][33][34][35]

Investigation -

The school principal shall facilitate the cooperation with the State Department of Human Services or the local agency investigating a report of suspected child abuse, including permitting authorized personnel to interview the child while in attendance at school, access to records and providing any other necessary information.[11][36]

Upon notification that an investigation involves suspected child abuse by a school employee, the principal shall immediately implement a plan of supervision or alternative arrangement that has been approved by the Superintendent for the school employee under investigation. The plan of supervision or alternative arrangement shall be submitted to the **local agency** for approval.[37]

If the principal is the suspected perpetrator, the Assistant Superintendent shall immediately implement a plan of supervision or alternative arrangement. The plan of supervision or alternative arrangement must be approved by the Superintendent and shall be submitted to the **local agency** for approval.

Legal References:
1. 24 P.S. 1205.6
2. 23 Pa. C.S.A. 6301 et seq
3. Pol. 333 - Professional Development
4. Pol. 818 - Contracted Services
5. 23 Pa. C.S.A. 6303
6. 24 P.S. 111
7. 23 Pa. C.S.A. 6344
8. 18 Pa. C.S.A. 7508.2
9. 42 Pa. C.S.A. 9799.12
10. 42 Pa. C.S.A. 9799.24
11. 23 Pa. C.S.A. 6311
12. Pol. 302 - Employment of Superintendent
13. Pol. 304 - Employment of District Staff
14. Pol. 305 - Employment of Substitutes
15. Pol. 306 - Employment of Summer School Staff
16. 23 Pa. C.S.A. 6344.3
17. 23 Pa. C.S.A. 6344.4
18. Pol. 309 - Assignment and Transfer
19. Pol. 916 - Volunteers
20. Pol. 317.1 - Educator Misconduct
21. 24 P.S. 2070.1a
22. Pol. 824 - Maintaining Professional Adult/Student Boundaries
23. 23 Pa. C.S.A. 6318
24. 23 Pa. C.S.A. 6319
25. 18 Pa. C.S.A. 4906.1
26. 18 Pa. C.S.A. 4958
27. 23 Pa. C.S.A. 6320
28. 23 Pa. C.S.A. 6305

29. 23 Pa. C.S.A. 6313
30. 24 P.S. 1302.1-A
31. 24 P.S. 1303-A
32. 22 PA Code 10.2
33. 22 PA Code 10.21
34. 22 PA Code 10.22
35. Pol. 805.1 - Relations With Law Enforcement Agencies
36. 23 Pa. C.S.A. 6346
37. 23 Pa. C.S.A. 6368

Related Information:
24 P.S. 1301-A et seq
22 PA Code 10.1 et seq
24 P.S. 1527
24 P.S. 2070.1a et seq
18 Pa. C.S.A. 4304
Pol. 317 - Conduct/Disciplinary Procedures

THE SCHOOL DISTRICT OF PHILADELPHIA

811   BONDING

Purpose

Prudent trusteeship of district resources dictates that employees responsible for the safekeeping of district funds be bonded.

Authority

The **School Reform Commission directs that** the district be indemnified against loss of money by bonding each employee required to be bonded by policy or by **law**. The **SRC** shall bear the cost of bonds **for designated employees.**[1][2][3][4][5][6]

Enumeration and valuation of such bonds shall be determined annually.

The amount of each bond shall be commensurate with the financial responsibility of the position.

Legal References:
1. 24 P.S. 409
2. 24 P.S. 431
3. 24 P.S. 436
4. 24 P.S. 511
5. 24 P.S. 658
6. Philadelphia Home Rule Charter - 12-403

Related Information:
24 P.S. 2127
Philadelphia Home Rule Charter - 12-300