

Rule 6A-6.0906 is amended to read:

6A-6.0906 Monitoring of Programs for English Language Learners ~~Limited English Proficient Students~~. The Florida Department of Education shall monitor districts to ensure compliance with Rules 6A-6.0900 through 6A-6.0909~~1~~, and 6A-1.09432, F.A.C., and all applicable federal and state laws and regulations including Sections 1000.05, 1001.03, 1002.20, 1003.56 and 1010.305, F.S. Monitoring shall include periodic reviews of the following areas:

(1) Program compliance.

(a) Monitoring shall be in conjunction with and reports shall be consistent with the comprehensive monitoring system of the Division of Public Schools in accordance with Rule 6A-1.0453, F.A.C.

(b) Compliance shall be determined and documented in the following areas:

1. Identification, assessment and programmatic assessment of English Language Learners ~~limited English proficient students~~ as defined in Rule 6A-6.0902, F.A.C.;

2. Provision for and implementation of basic ESOL instruction, ESOL instruction in basic subject areas, or home language instruction in basic subject areas as defined in Rule 6A-6.0904, F.A.C.;

3. Employment of qualified personnel as defined or addressed in Rules 6A-1.0503, 6A-4.0244, 6A-4.0245, 6A-6.0907, and 6A-1.09441, F.A.C.; and

4. Parental involvement as defined in Rule 6A-6.0904, F.A.C.

(c) When applicable, compliance with the following categorical program and supportive service area requirements as provided in law and rule:

1. Compensatory or remedial education;

2. Exceptional student education;

- 3. Dropout prevention;
- 4. Pre-kindergarten;
- ~~5. Chapter 2;~~
- ~~5.6.~~ Pre-first grade classes;
- ~~6.7.~~ Career and Technical Education ~~Vocational~~;
- ~~7.8.~~ Adult;
- ~~8.9.~~ Student services; and
- ~~9.10.~~ Extended day.

(d) Periodic reviews of local district compliance with the Florida Educational Equity Act shall include a review of requirements in Chapter 6A-19, F.A.C., with regard to equal access to categorical programming for eligible national minority students. Reviews will be conducted in accordance with Rules 6A-19.010 and 6A-1.0453, F.A.C.

(e) Data shall be collected annually for all students by the school district and the Department of Education in the following areas:

- 1. Student's home language,
- 2. Student's national origin, and
- 3. Student classified as English Language Learner ~~limited-English-proficient~~.

(f) Data shall be collected annually for English Language Learners ~~limited-English-proficient~~ ~~students~~ by the school district and the Department of Education in the following areas:

- 1. Student classified as English proficient,
- 2. Student reclassified as English Language Learner ~~limited-English-proficient~~,
- 3. Student reclassified as English Language Learner ~~limited-English-proficient~~ but not receiving programming as required in Rule 6A-6.0904, F.A.C.,

4. Student in Title I Chapter I Programs or other federal programs,

5. Student passing the statewide assessment competency test,

6. Student not passing the statewide assessment competency test,

7. Student in compensatory or remedial education programs,

8. Student in exceptional student education program,

9. Student in dropout prevention program, and

10. Student in prekindergarten program, ~~and~~

~~11. Student in Chapter II Program.~~

(2) Program effectiveness evaluation.

(a) The Department of Education shall design and implement an evaluation system containing output measures ~~by October 1, 1991. The state data system shall be amended to include needed data items between October 1, 1991, and June 30, 1992. The evaluation shall be implemented in the 1992-93 school year.~~

(b) The goals of program effectiveness evaluations are to more effectively measure outcomes and to substitute, where appropriate, outcome measures for measures contained elsewhere in rules.

(c) The Department of Education shall conduct an equal access data review of all school districts within a three year period in order to ascertain any major deviance from expected data patterns. Where deviations are noted, the school district shall be informed and shall be required to address the issue and report action taken. The district profiles shall include a comparison of (1) national origin minority students, (2) students who are not national origin minorities, and (3) English Language Learners ~~limited English proficient students~~ on the following indicators such as participation in categorical programs, participation in special programs in the Florida

Education Finance Program, and participation in targeted academic courses.

(d) Data shall be analyzed to determine program effectiveness in such areas as, but not limited to:

1. Acquisition of English language skills by English Language Learners ~~limited English proficient students~~ sufficient for parity of participation with ~~non-limited~~ English proficient students within a reasonable period of time;

2. Progression toward completion of requirements specified in each district's student progression plan ~~pupil progression plan~~ as evidenced by a comparison of English Language Learner ~~limited English~~ and ~~non-limited~~ English proficient speaking students;

3. Comparison of English Language Learner ~~limited English~~ and ~~non-limited~~ English proficient speaking students by race/ethnic, national origin and district by the data identified in this subsection; and

4. Comparison of student identification and student exit data from ESOL programs of English Language Learners ~~limited English proficient students~~ and by home language by district and state.

(e) Data shall be collected annually for all students by school district and the Department of Education in the following areas:

1. Retention rates,

2. Graduation rates,

3. Dropout rates,

4. Grade point average,

5. State assessment test scores, and

6. Students classified as English Language Learners ~~LEP~~-exiting the ESOL program by home

language by year.

(3) Monitoring procedures.

(a) The Department of Education shall develop annually a summary report of the results of the monitoring review or the program evaluation.

(b) Each district shall retain documentation to verify compliance with the requirements of law and rules applicable to programs for English Language Learners ~~limited English proficient students~~.

(c) The Department of Education shall prepare and distribute to the school district a report of findings and recommendations or corrective actions on monitoring compliance or effectiveness evaluation. Copies of all reports shall be retained in the individual districts as well as by the Department.

(d) The Department of Education monitoring activities shall be planned and undertaken with appropriate consultation and participation of councils representing parents of English Language Learners ~~limited English proficient students~~. Each district shall be responsible for making a copy of any monitoring report available to councils representing parents of English Language Learners ~~limited English proficient students~~.

(e) The Department of Education shall designate employees to provide technical assistance to those school districts which data suggest that inadequate or inappropriate services are being provided to English Language Learners ~~limited English proficient students~~. Such technical assistance shall include:

1. Joint determination of practices to be investigated by the local school district,
2. Involvement of the parents of English Language Learners ~~limited English proficient parent group~~ and school district personnel in determining actions to improve the situation, and

3. A summary report to the Division of Public Schools. The data for school districts receiving technical assistance as described above shall be reviewed the following year to identify the impact of any changes made.

(f) Any documented major deviation from expected data patterns or compliance criteria shall require that the district submit to the Department of Education a written explanation of the situation and any action taken.

(g) Technical assistance shall be made available to any district with data which indicates that inadequate or inappropriate services are being provided to English Language Learners ~~limited English proficient students~~.

(h) Districts shall be subject to the procedures and sanctions as set forth in Section 1001.03, F.S.

Specific Authority 1001.02 FS. Law Implemented 1000.05, 1003.56 FS., ~~as amended by Chapter 2002-387, Laws of Florida. History--New 10-30-90, Amended~~