

# APPENDIX V – 90

**EXECUTIVE SUMMARY**

<b>Issue:</b>	TUCSON UNIFIED SCHOOL DISTRICT NUMBER 1, REQUEST TO IMPLEMENT AN ALTERNATIVE MODEL FOR ENGLISH LANGUAGE LEARNERS ENROLLED IN TWO-WAY DUAL LANGUAGE PROGRAMS.
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 Action/Discussion Item Information Item**Background and Discussion**History

The Tucson Unified School District (TUSD) is currently operating under a federal desegregation Consent Decree (the Unitary Status Plan, or “USP”) in the U.S. District Court, Arizona District. USP implementation is monitored by the court-appointed Special Master, Dr. Willis Hawley.

The USP describes dual language programs as “positive and academically rigorous programs designed to contribute significantly to the academic achievement of all students who participate in them and which provide learning experiences comparable to the advanced learning experiences [ALEs]... .” and requires the District to “build and expand its Dual Language programs in order to provide more students throughout the District with opportunities to enroll... .” USP § V(C)(1), ECF Docket #1713 at 32-33.<sup>1</sup>

In 2014-15 school year, the District initiated its Two-Way Dual Language program with a short-term goal of “building” a stronger program (recruiting teachers, improving professional development, and enrolling more students to existing programs), and a long-term goal of “expanding” to other schools and adding more programs. The District communicated this approach to the Special Master, the Plaintiffs, and the Court.

However, in the spring of 2015 during the development of the 2015-16 USP Budget, the Mendoza Plaintiffs (representing the Mexican-American student class) objected to the District’s approach and asked the Special Master to recommend to the Court that the District invest more funding into “building and expanding” dual language so more students could enroll. In August of 2015, the Special Master recommended that the “Court should direct the District to develop plans for increasing student access to dual language programs and should implement such plans for the 2016-17 school year. In developing these plans, the District, as it has done in developing other plans, should engage one or more nationally recognized consultants to assist in the study.”

<sup>1</sup> The USP was filed in February 2013 [ECF Docket # 1450] but was revised to correct errors in 2014.

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In December of 2015, the Court directed the District to “engage one or more nationally recognized consultants” to study and “develop a plan for increasing student access to dual language programs...” Court Order of December 22, 2015, ECF Docket #1879 at 9.

By March 2016, the District contracted with a nationally recognized consultant, Ms. Rosa G. Molina, to assist it in developing a plan for increasing student access to dual language programs, as directed by the Court. In May 2016, Ms. Molina submitted recommendations to be used as the foundation for the Plan, including the following:

*“[c]reate an Alternative Program Waiver or attain a Federal Court Exemption that allows Spanish-speaking students full access to TWDL programs starting at their kindergarten level.”*

Over the summer of 2016, the District worked with Ms. Molina to develop the Plan and, pursuant to USP § I(D)(1), the District submitted the Plan to the Special Master and Plaintiffs for review and comment in August 2016. By September 2016, the District had received comments, revised the plan, and resubmitted it to the Special Master and Plaintiffs for final review. After revising the plan to address stated concerns, the District resubmitted the final plan in December 2016.

The only component of the plan that is not yet fully implemented is Ms. Molina’s recommendation to seek an alternative program waiver or federal court exemption. This request, and the attached alternative model, is the District’s attempt to obtain an “alternative program waiver” from the State Board for the limited purpose of permitting native Spanish-speaking students to participate in the District’s Two-Way Dual-Language program to fulfill the Court’s directive to increase access to dual language programs.

**Action Requested**

TUSD is requesting approval from the State Board of Education to allow English Language Learnings to participate in TUSD’s TWDL program in grades K-5.

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### State Law Impact

The impact of State Law on the implementation of the proposed alternative model is discussed below:

1. Children shall be placed in English language classrooms. (15-752)

The TWDL model places students in TWDL language classrooms that require students to develop their literacy and academic proficiency in English and a second language. English language instruction accounts for up to 50% of the instructional time depending on the grade level. Academic English language development (AELD) is taught kindergarten thru fifth grade with the amount of English gradually increasing every year.

2. All children taught in English using English materials. (15-751, 15-752)

In the TWDL model, all children are taught in English using English materials in varying proportions, depending on the relevant grade level.

3. ELL students shall be educated through Structured English Immersion (SEI). (15-752)

In the TWDL model, native Spanish-speaking students who are also ELL students are educated through dual-language instruction which includes English language instruction in varying proportions, depending on the relevant grade level.

4. The period of SEI instruction is temporary - not normally intended to exceed one year. (15-752)

Research has shown that in many cases the TWDL model is successful in teaching English to ELL students in a manner that results in said students becoming proficient in English in a short amount of time, thus ensuring that their status as ELL students is temporary.

5. Students with a similar degree of fluency shall be grouped together. (15-752)

In the TWDL model, students with a similar degree of fluency are grouped together.

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6. Once ELL students have achieved English language fluency they shall be transferred to an English language mainstream classroom. (15-752)

The TWDL model is designed for ELL students to reach English and Spanish language fluency (50/50 fluency) by the fifth grade. Students will enter middle school and continue to complete two-three courses in Spanish within the TWDL pathway in preparation for placement in honors and/or the highest levels of World Language coursework in their high school years. The academic day would continue in English for at least 50% of the day depending on their grade level.

7. Students in their first year classified as an ELL shall receive four hours of ELD daily. (15-756.01)

The purpose of this proposal is to seek an exemption from the four-hour ELD requirement for ELL students participating in the TWDL program

8. Entry and exit from the program is based on AZELLA score. (15-756)

The TWDL model is designed to be a full course of study, which results in achieving full proficiency in two languages, as demonstrated through the awarding of the Arizona State Seal of Biliteracy.

9. Models shall be research based. (15-756.01)

As described above, the TWDL model is research based.

10. Models shall be cost effective. (15-756.01)

The District is currently operating under a desegregation consent decree under which the development and expansion of the TWDL program is already underway and is fully funded through a mix of General M&O and 910(G) funding. The addition of ELLs participating in the TWDL program will not bring significant additional cost. In fact, approval of this application would likely facilitate the creation of full size classrooms in the existing dual-language programs, which will result in increased cost effectiveness.

**Recommendation to the Board**

“It is recommended that the Board approve TUSD’s proposed alternative model to allow English Language Learners to participate in TUSD’s TWDL program in grades K-5”