



OT-CO-001-014

In the United States District Court

for the District of Colorado

Chief Judge Richard P. Matsch

Civil Action No. 95-M-2313

CONGRESS OF HISPANIC EDUCATORS

Plaintiff,

and

UNITED STATES OF AMERICA,

Plaintiff-Intervenor

v.

SCHOOL DISTRICT NO. 1, DENVER, COLORADO,

Defendant.

Monitor's Report on the Denver Public Schools'

English Language Acquisition Program (ELA): Report 2

Ernest R. House

Court Monitor

December 13, 1999

Report 2: An Interim Report

Three months into the implementation of the English Language Acquisition (ELA) program in the Denver Public Schools, there are two major concerns. One is whether the authority of the ELA staff is sufficient to implement the program in all schools. The other concern is whether extreme external pressures will deflect the school district from its goal of implementation.

I anticipate that some schools will not be in compliance with the court agreement after three years unless these schools change what they are doing. The ELA program staff is well informed about the court agreement and knows how to implement it. The issue is whether the ELA staff has sufficient authority to induce principals to change. DPS has been operating under a philosophy of site-based management in which principals decide the direction for their schools. For many schools, this arrangement works fine for the ELA program. However, for some schools it does not.

In October I suggested to the superintendent and assistant superintendents that some steps are needed to rectify this situation. They agreed to consider how they might effectively induce principals to implement the ELA program in accord with the court agreement. For their part principals have many items on their agendas, understandably, and it is not surprising that in some circumstances the ELA program is not the top priority. Also,

some principals are not well informed about the agreement, even when they think they are.

Since October DPS has taken four concrete steps. First, the district has mandated ELA training for all principals so there is some assurance that the principals are better informed. Second, the ELA Executive Director has been invited to attend staff meetings of the Assistant Superintendent for Elementary Schools, thus having the opportunity to provide detailed information about particular schools to the line administrators.

Third, as a result of this closer staff-line coordination, one principal has taken the advice of the ELA staff more seriously and is attempting to bring his school into accord with the agreement. The capacity of the district to find schools not in compliance and correct them is critical. Fourth, a section on administering the ELA program has been added to the performance assessment form for secondary school administrators. This means that administrator performance will be judged in part on whether they implement ELA program. These are all positive steps to enhance implementation of the program.

The second major concern is the extreme pressure put on the district by the state. The state has mandated that all school districts should increase their performance on the state tests by twenty-five percent over the next three years. Not surprisingly, increasing these test scores has become the overriding goal of the district. The superintendent has based his own performance assessment, as well as the performance pay of other administrators,

on test score improvements. Efforts are underway in the district to mobilize resources to make this happen.

It is possible that the implementation of the ELA program will be slowed by this activity. Resources otherwise directed to ELA might be diverted to improving test scores, more by accident than by design. While the two goals are not incompatible, neither are they the same. And the district's resources are scarce compared to what it must accomplish. The possibility of diversion of effort bears some watching.

In the fall, registration of students (critical to placing them in the proper language classes) encountered some problems, at least in the recording of student data. There were inconsistencies in the registration data for 5,000 students, about one-third of those in the ELA program. ELA staff went to the schools to straighten out the inconsistencies, which seem to have stemmed from a number of causes, including misunderstanding by those who must record this information. Whether these problems have been solved permanently is unclear.

Finally, there is the LAS test, which is central to placing and exiting students from the program. Test results can be highly erratic, especially for tests that rely on different individuals administering them and interpreting results. Without standard administration of the tests, it is possible that test scores for students in one school will be quite different from those in another, even when their actual performance levels are the same.

After discussions with the ELA staff, it seems one reasonable approach to maintaining the reliability of LAS scores is to review the audio tapes that are recorded when school personnel administer the tests to individual students. If the ELA office can check these tapes for accuracy, they can ensure that the LAS results are consistent across the schools in the district. Also, those administering the tests would know their efforts are under review by the ELA office. The ELA office has begun to inspect these tapes to see how significant the reliability problem is. At the moment it appears the schools are not consistently collecting and keeping such tapes.

As part of the monitoring, I have asked Mary Strandberg, a former principal in DPS, now retired, to help me make visits to individual schools. She understands the schools, the ELA classrooms, and the local communities. Both the plaintiffs and the district have agreed to her participation in the monitoring activity. She and I are currently working out procedures to ensure that we are examining the relevant features of the program as we visit individual schools.