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**ESL Teacher Instructional Time Calculation**

State regulation, 22 Pa. Code § 4.26, declares:

*Every school district shall provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and the academic standards under § 4.12 (relating to academic standards). Programs under this section shall include appropriate bilingual-bicultural or English as a second language (ESL) instruction.*

The Basic Education Circular (BEC), Educating English Learners, further explains:

*ELD is a required component of all language instruction educational programs (LIEPs). ELD takes place daily throughout the day for ELs and is delivered by both ESL teachers and non-ESL teachers.*

*ELD instruction provides systematic, explicit, and sustained language instruction designed to prepare students for the general academic program by focusing, in meaningful and contextualized circumstances, on the academic language structures that underpin social and academic constructs. It can be taught as a stand-alone class or course but may also be embedded within other courses with the direct support of an ESL program specialist as appropriate based on the program design and needs of the students.*

In order to comply with federal and state rules for the design and implementation of a Language Instruction Educational Program (LIEP), which is the program of instruction for English learners, the district program must meet the three criteria of what is known as the Castaneda test, named after the Castaneda vs. Pickard case decided by the Fifth Circuit Court of Appeals in 1982. ([648 F.2d 989](https://openjurist.org/648/f2d/989)).

The program must:

1. Be based on a sound theory,
2. Be provided with appropriate resources, and
3. Be proven effective as evidenced by periodic evaluation.

In order to meet criterion 2 above, districts are required to provide adequate resources calculated to effectively implement the LIEP chosen. A district is not taking appropriate action to remedy language barriers in accordance with federal and state laws and regulations if, despite the adoption of a promising or recognized LIEP design, it fails to follow through with practices, resources, and personnel necessary to implement the program or transform the theory into reality.

One of the most important components of appropriate resourcing is employing an adequate number of properly licensed ESL teachers to ensure that English language development (ELD) instruction is delivered to ELs based on their needs.

This tool is meant to be completed by individual ESL teachers to determine if there is a discrepancy between instructional requirements based on the needs of their ELs and their ability to provide that instruction/support. This information can be used to highlight the need for program changes/enhancements or to consider ways to better allocate time.

If an administrator or coordinator is using this form to evaluate program resourcing, they must complete it for individual teachers and then aggregate the information from multiple forms (i.e. one form cannot be used for multiple teachers). They also **must** solicit input from the teachers to accurately capture the instructional/support needs of their ELs.

This form may not appropriately capture all possible situations, and it is meant only as a template. It may be necessary to modify some components to fit local circumstances.

When completing this form, teachers should consider what is *required* for their students based on an understanding of their individual needs rather than what is currently being provided. Teachers must be able to justify their conclusions regarding students’ needs with assessment data, observations, and other formative information available to them.

Teacher’s name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_

Begin by completing table 1 below. The information is not aggregated for the school or district. It represents only the students served by the teacher completing this form.

**Table1**

|  |  |
| --- | --- |
| Total number of ELs served |  |
| Proficiency level breakdown of ELs (number of ELs in each PL band) | 1.0-1.9: |  |
| 2.0-2.9: |  |
| 3.0-3.9: |  |
| 4.0-4.9: |  |
| >5.0: |  |
| Grades in which ELs are enrolled |  |
| Number of buildings in which ELs are enrolled |  |
| Number of SLIFE |  |
| Number of ELs with disabilities  |  |

|  |
| --- |
| Comments:  |

From the information collected above, assign the ELs to appropriate instructional grouping for ELD instruction/support in table 2 below. List the number of ELs, grade or grades represented, and PLs represented in each group.

Some students may not need to receive direct ELD instruction regularly, but require time for consultation or ad hoc support, which necessitates allocating time during the school day. List these students as a single group for each building in which they are located (e.g. five students in one building and three in another should be listed as two separate groups). This assumes that consult time can be made available to all ELs who require it in a building during a single time frame. If this is not the case, you can split the ELs who only require consultative/ad hoc support into more than one group per building.

When considering appropriate instructional grouping, reflect on the needs of SLIFE and ELs with disabilities (ELSWD). These students may have vastly different needs than their non-SLIFE/non-ELSWD counterparts and may require separate instructional time. If this is the case, then they should be listed as separate groups. You should add comments that explain your rationale for grouping students in the way that you have chosen.

*NOTE: ELs from different grades may be mixed, but it is not recommended to mix grades more than two years apart (e.g. students from grades 1 and 4 should not be mixed). The only exception to this is high school. Grades 9-12 can be mixed as long as ELD instruction attends to grade appropriate content to contextualize ELD instruction with a mixed-grade class.*

Record times less than one hour as a decimal (e.g. 50 minutes = .83 hours)

**Table 2**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Number of ELs | Grade(s) | Proficiency levels represented (OaCPL\*) | Instructional time required (total hours per week) |
| Group 1 |  |  |  |  |
| Group 2 |  |  |  |  |
| Group 3 |  |  |  |  |
| Group 4 |  |  |  |  |
| Group 5 |  |  |  |  |
| Group 6 |  |  |  |  |
| Group 7 |  |  |  |  |
| Group 8 |  |  |  |  |
| Group 9 |  |  |  |  |
|  |  |  | **Total**  |  |

*\*Overall composite proficiency level*

|  |
| --- |
| Comments:  |

Now, list groups by building (e.g. *Building 1: Groups 1, 2, 3, 5, 8*)

**Table 3**

|  |  |
| --- | --- |
|  | Groups |
| Building 1 |  |
| Building 2 |  |
| Building 3 |  |
| Building 4 |  |

|  |
| --- |
| Comments:  |

Now, consider the amount of time required each day for other activities (e.g. prep, lunch duty, traveling between buildings, co-planning if it is scheduled and structured, consultation with content/special education teachers for ELs who do not see an ESL teacher regularly, etc.). Only include activities that occur weekly. Do not include non-recurring activities or activities occurring irregularly during the school year (e.g. providing PD to staff on in-service days, parent-teacher conferences, administering state assessments, etc.).

Some activities may not occur daily. For example, you may only be required to consult with content teachers three days per week for one hour each of the three days. In this case, you may record the hours per day as N/A and only record the hours per week. This should be noted in the comments.

Record times less than one hour as a decimal (e.g. 15 minutes = .25 hours)

**Table 4**

|  |  |  |
| --- | --- | --- |
| Activity  | Hours per day | Hours per week |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  | **Total**  |  |

|  |
| --- |
| Comments:  |

The last step is to add the total number of hours from tables 2 and 4. This is your weekly time commitment. If it exceeds your contracted number of weekly hours, then changes should be made to bring your program design into compliance with resourcing requirements of the Castaneda test. For example, if you are required, based on appropriate grouping and instruction for your ELs, to commit 55 hours per week, but you are only contracted for 40, then the district should consider ways to mitigate the discrepancy (e.g. hire another ESL teacher or change its instructional program delivery design).

|  |  |
| --- | --- |
| **Total number of hours available by contract:** |  |
| **Total number of hours required weekly to meet instructional requirements:**  |  |
| **Discrepancy *(required hours subtracted from available hours)*:** |  |

Separate forms can be aggregated for multiple teachers as long as the number of available hours is multiplied by the number of teachers so that any discrepancy can be accurately calculated.