



HERNANDO SCHOOL DISTRICT

Magen Schlechter, Director of Federal Programs

Hernando School District 2025-2028 ELL Plan

March 11, 2025

A SUMMARY OF THE FLORIDA CONSENT DECREE:

In August, 1990, a judge of the United States District Court, Southern District of Florida, signed a Consent Decree giving the court power to enforce an agreement between the Florida State Board of Education and a coalition of eight groups represented by Multicultural Education, Training, and Advocacy, Inc. (META) and Florida legal services attorneys regarding the identification and provision of services to students whose native language is other than English. The plaintiff organizations involved in the case represent a broad spectrum of the civil rights/educational community. They are:



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- **League of United Latin American Citizens (LULAC)**
- **ASPIRA of Florida**
- **The Farmworkers' Association of Central Florida**
- **Florida State Conference of NAACP Branches**
- **Haitian Refugee Center**
- **Spanish American League Against Discrimination (SALAD)**
- **American Hispanic Educators' Association of Dade (AHEAD)**
- **Haitian Educators' Association**



The Consent Decree settlement terms focus on the following six issues:

- I. Identification and Assessment
- II. **Equal Access to Appropriate Programming**
- III. Equal Access to Appropriate Categorical and Other Programming for English Limited Learner (ELL) students
- IV. Personnel
- V. Monitoring
- VI. Outcome Measures



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II. Equal Access to Appropriate Programming

1. **District ELL Plan**
2. Basic ESOL Instruction
3. ESOL Instruction, and home language instructional strategies in basic subject areas
4. Identification of interim staffing, and in-service measures
5. Parental Involvement



6A-6.0905 Requirements for the District English Language Learners Plan.

- (1) Each school district shall submit a school district English Language Learner (ELL) plan to the Department of Education describing the district's proposed procedures and methodologies for serving ELLs and must receive the Commissioner of Education's approval prior to program implementation.
- (2) Councils representing parents of ELLs shall be consulted prior to the submission of the school district ELL plans to the Department of Education. The Department of Education shall consider any councils' objections to any district ELL plan approval in its review.
- (3) The Department of Education shall review the school district ELL plan and approve, disapprove, or return for clarification or further elaboration within sixty (60) days of submission.
- (4) A school district ELL plan shall be updated and resubmitted every three (3) years. Interim changes in the plans shall be submitted as amendments to the Department of Education and must be approved by the Commissioner prior to implementation.



6A-6.0905 Requirements for the District English Language Learners Plan. (Continued)

- (5) School district ELL plan format.
- (a) A district's ELL plan shall include: standards for entry, exit and post-reclassification monitoring; a description of instructional, categorical and student services; provisions for and plans to employ qualified staff; and evidence of consultation with the district's Parent Leadership Council or other parent advisory body representative of parents of ELL students.
- (b) The school district ELL plan shall be submitted to the Department utilizing the Department's Form ESOL 100 entitled, "District English Language Learners (ELL) Plan (<https://flrules.org/Gateway/reference.asp?No=Ref-08181>)," (May 2017) which is hereby incorporated by reference to become a part of this rule. Copies of this form may be obtained from the Bureau of Student Achievement through Language Acquisition, K-12 Public Schools, Department of Education, 325 West Gaines Street, Room 501, Tallahassee, Florida 32399-0400.

Rulemaking Authority 1001.02, 1003.56 FS. Law Implemented 1003.56 FS. History—New 10-30-90, Amended 528-09, 8-23-12, 12-23-14, 6-23-16, 5-30-17.



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Section 1:	Identification	Local Education Agency (LEA) registration procedures to register English Language Learners (ELLs)
Section 2:	English Language Proficiency Assessment	Procedures to ensure that the appropriate placement assessment(s) are administered
Section 3:	Programmatic Assessment	Procedures in place to determine prior academic experience of ELLs and placement of ELLs with limited or no prior school experience(s)
Section 4:	Comprehensive Program Requirements and Student Instruction	Implementation instructional models and monitoring for fidelity



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Section 5:	Statewide Assessment	Process to ensure that all ELLs participate in Florida statewide assessment programs
Section 6:	English Language Proficiency Annual Assessment	Procedures to determine if ELLs are ready to exit the LEA's ESOL program, Exiting procedures for all language domains (listening, speaking, reading and writing), grad specific academic criteria and data reporting of status change
Section 7:	Monitoring Procedures	Monitoring procedure for required two-year monitoring period
Section 8:	Parent, Guardian, Student Notification and Rights	Procedures for providing notice to parents of an ELL identified for participation in a language instruction educational program



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Section 9:	The Parent Leadership Council	Type of Parent Leadership Council, functions, and composition
Section 10:	Personnel Training	Process and documentation for notifying Category I teachers responsible for the English Language Arts and intensive reading instruction of ELLs who are required to obtain the ESOL endorsement/certification of training requirements and opportunities.
Section 11:	Extension of Services	LEA procedures used to determine extension of services, including appropriate timeline based on DEUSS.







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