



COBRA premium extension assistance

New legislation extends the COBRA Premium Assistance Program for involuntarily terminated employees and their families.

Avoiding Discrimination, Harassment and Retaliation Suits in connection with Employee Terminations

Use this checklist when adjusting staffing needs.

2009 FLSA Self Audit Checklist Update

This popular self-audit checklist has been updated with practical comments and is intended for use by school district employers who wish to examine their pay practices.

Disciplining Students with Disabilities: A Self-Audit Checklist

Use this checklist to analyze your school district's disciplinary procedures for students with special needs.



Are you ready for your ELL Program Investigation?

The federal government has launched numerous investigations into whether school districts are providing services to English Language Learner (ELL) students consistent with federal legal requirements. Education Week¹ reports that:

The Office for Civil Rights (OCR) is conducting compliance reviews of ELL programs in eight states which include California, Oregon, Washington, Oklahoma, Arkansas, Michigan, Pennsylvania, and Connecticut. Since President Obama took office in January 2009, the Department of Justice (DOJ) has investigated ELL programs in 15 school districts across the country, including districts in California, Colorado, and Massachusetts.

Russlynn Ali, Assistant Secretary of the OCR, commented that the "OCR and the DOJ will continue to work together to ensure that all ELL students across this country receive the educational services to which they are entitled under our laws."²

¹ http://blogs.edweek.org/edweek/learning-the-language/2010/10/ell_civil_rights_probes_span_c.html

² <http://www.justice.gov/opa/pr/2010/October/10-crt-1109.html>

ELL Policy Checklist (sample questions)

- Yes No Does the District have an ELL policy, approved by its Board?
- Yes No If so, has the policy been reviewed by legal counsel to ensure compliance with federal, state, and local regulations?
- Yes No Is the policy aligned with the district's general curriculum?
- Yes No Does the policy provide that ELL programs will be appropriately staffed and resourced?
- Yes No Does the policy provide that the design of ELL programs will be research-based?

- Yes No Does the policy provide for appropriate identification, assessment and placement of ELL students?
- Yes No Does the policy provide for annual monitoring and review of ELL programs?
- Yes No Does the policy provide for coordination between central administration staff and school-based personnel?
- Yes No Is the policy easily accessible by the general public?
- Yes No Is the policy translated in language other than English?
- Yes No Are the tests administered within 30 days of enrollment?

Do the tests assess all four modes of language?

- Yes No Speaking is assessed
- Yes No Reading is assessed
- Yes No Writing is assessed
- Yes No Listening comprehension is assessed

Does the state require that teachers who provide instruction to ELL students must have specific certification or endorsement?

- Yes No ESL certification/endorsement
- Yes No Bilingual Education certification/endorsement
- Yes No English for Speakers of Other Languages certification/endorsement
- Yes No Do you provide teachers with ESL Curriculum guides?

If so, please identify: _____

- Yes No Do you provide teachers with TBE Curriculum guides?

If so, please identify: _____

Content-specific highly qualified certification

- Yes No Is there a state-mandated student-teacher ratio in ESL or TBE classes?

If so, what is the ratio: _____

- Yes No Do you meet the ratio?

- Yes No What efforts does the district undertake to support current ELL teachers and assure the continuing supply of ELL teachers?
- Yes No Support for professional development
- Yes No In-house professional development
- Yes No Collaboration with local universities
- Yes No Collaboration with state department of education

Other (please specify): _____

What types of accommodations are provided for ELL students to complete the content area assessments?

- Yes No Translation of instructions
- Yes No Alternative test forms
- Yes No Additional time

Other (please specify): _____

What information is collected to make a reclassification decision?

- Yes No Language proficiency scores
- Yes No Content area assessments
- Yes No State required assessments
- Yes No Teacher assessments
- Yes No Parental requests
- Yes No Do you provide teachers with ESL Curriculum guides?

If so, please identify: _____

- Yes No Do you provide teachers with TBE Curriculum guides?

If so, please identify: _____

Are descriptions of ELL services made available to parents?

- Yes No Informational brochures are available
- Yes No Informational brochures are available in languages other than English.

Please specify languages: _____

**This is a small sample of the comprehensive self-audit.
Log in to SLRMA.org and download the checklist in its entirety to use at your school district.**

The self-audit form is intended for use by a school district to examine if the district has procedures in place to demonstrate compliance and accountability to federal and state regulations addressing the needs of ELLs.

The checklist is not intended to constitute legal advice. It may be useful for school district personnel to consult with an attorney who is experienced and knowledgeable about the requirements of the law so as to determine the school district's level of potential exposure.



Newsroom Updates



Minimize risks to your school district

Illinois Mandatory Moment of Silence Held to Be Constitutional

10/7/2010 - In October, the 7th Circuit Court of Appeals (Covering Illinois, Wisconsin and Indiana) held the Illinois mandatory moment of silence law to be Constitutional because it served a secular purpose and did not otherwise advocate or inhibit the exercise of religion. Illinois school teachers are now required to have a moment of silence during the day. To read more, visit the SLRMA Newsroom.



Ohio Teachers have No First Amendment Rights in Selecting Materials and Methods.

10/27/2010 - In an unanimous decision, the Sixth Circuit Federal Court of Appeals (Covering Ohio, Michigan, Kentucky and Tennessee) held a teacher has no First Amendment right to use *Heather Has Two Mommies* as part of her Curriculum. Visit the SLRMA Newsroom for more on this recent development.

Download the complete ELL Checklist and put it to use at your school district.

Notable Court Decisions:

School Districts' Compliance with Title IX Becomes the Subject of Greater Scrutiny

The National Women's Law Center has launched a national campaign against districts that have violated Title IX by filing complaints against 12 districts with the U.S. Department of Education's Office for Civil Rights ("OCR"). Visit the SLRMA Newsroom to learn the three different ways in which a school district can comply with Title IX and avoid becoming a target of the OCR.

Districts' Federal Funding at Risk If Bullying and Harassment Policy are Not in Place.

With increased awareness of school bullying and the high-profile incidents of bullying and harassment leading to student suicides, the U.S. Department of Education's Office for Civil Rights ("OCR") notified school districts that they are potentially at risk of losing federal funding and possible lawsuits if the school districts do not take steps with respect to such bullying. The SLRMA Newsroom provides an outline of steps that a school district can take in response to such bullying incidents and what acts the OCR expects school districts will take to prevent such incidents in the future.



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SLRMA UPDATE Q4 2010

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