Language Instruction Educational Programs in MTSS Policy and Practices for Charter Schools

Part 1: ESSA Policies and Practices for Language Instruction Educational Programs

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Language Instruction Educational Programs in MTSS - Policy and Practices for Charter Schools

2-Part Webinar: 2:00 to 3:30

Webinar 1: *ESSA Policies and Practices for Language Instruction Educational Programs* 10/5/17

Webinar 2: *Best Practices for Instruction and Assessment for English Learners* 12/1/17

You must attend both webinars to be awarded ACT 48 credits. If you are participating as a group, please contact Sharon Faul sfaul@pattan.net You will be receiving the PPT as a handout at the end of the webinar.

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PaTTAN's Mission

The mission of the Pennsylvania Training and Technical Assistance Network (PaTTAN) is to support the efforts and initiatives of the Bureau of Special Education, and to build the capacity of local educational agencies to serve students who receive special education services.

## PDE's Commitment to Least Restrictive Environment (LRE)

Recognizing that the placement decision is an Individualized Education Program (IEP) team decision, our goal for each child is to ensure IEP teams begin with the general education setting with the use of supplementary aids and services before considering a more restrictive environment.

Outcomes

Participants will:

- Identify the ESSA legal requirements related to the education of English learners.
- Examine resources to support educators, students and families in multi-tiered systems of support.
- Identify the components of an ELD Handbook.

Culturally Responsive Educational Systems

www.nccrest.org
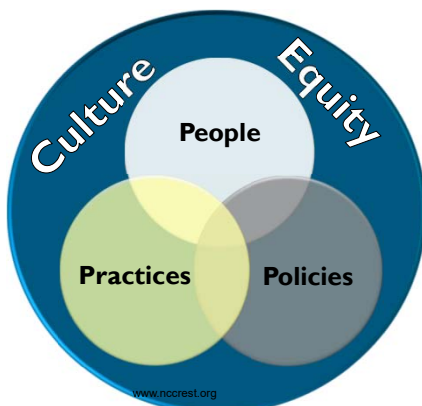
What are Culturally Responsive Educational Systems?

Culturally responsive educational systems are grounded in the belief that we need to build systems that are responsive to cultural difference and seek to include rather than exclude difference.

Students who come from culturally and linguistically diverse backgrounds can excel in academic endeavors if their culture, language, heritage, and experiences are valued and used to facilitate their learning and development.

Culturally Responsive Educational Systems

- Are concerned with instilling caring ethics in the professionals that serve diverse students
- Support the use of curricula with ethnic and cultural diversity content
- Encourage the use of communication strategies that build on students' cultures
- Create spaces for teacher reflection, inquiry, and mutual support around issues of cultural differences.

NCCREST, 2009

Equality vs. Equity

EQUALITY VERSUS EQUITY

In the first image, it is assumed that everyone will benefit from the same supports. They are being treated equally.

In the second image, individuals are given different supports to make it possible for them to have equal access to the game. They are being treated equitably.

In the third image, all three can see the game without any supports or accommodations because the cause of the inequity was addressed. The systemic barrier has been removed.

Every Student Succeeds Act (ESSA)

Pennsylvania Training and Technical Assistance Network

New ESSA Terms

- Language Instruction Educational Program (LIEP)
- English Language Development (ELD)
- Reclassification
- WIDA Screener
- English Learners (ELs)
- Dual Language Learners (DLLs)
- Parent Opt-out/Waiver
- *English Language Development Standards for English Learners (ELDS)*
- English Learner Reporting System (ELRS)
- Students with Limited or Interrupted Formal Education (SLIFE)
- Long-term English Learners (LTELs)
- Every Student Succeeds Act (ESSA)

EL Identification and Placement – Parent Notification

Title I	Title III
The requirement to notify parents when their student(s) have been identified as eligible for or placed in Title I or Title III EL programs is now part of Title I.	

English Learner Accountability

Title I Requirements	Title III Requirements
ALL EL accountability is moved to Title I. Accountability determinations for ELs, using the Title I indicator of progress toward English proficiency, will be made in the 'tested' grades only (grades 3-8 and once in high school).	Title III activities should be designed in such a way as to help ELs meet the long-term goals for ELs established under Title I.

English Language Proficiency Standards and Assessment

Title I Requirements	Title III Requirements
English Language Proficiency Standards and the annual English Language Proficiency assessment.	Districts must ensure that all ELs served by Title III participate in the English Language Proficiency assessment required under Title I.

Reporting of EL Data

Title I Requirements	Title III Requirements
	• The section in Title III (section 3121) that was titled "Evaluations" under NCLB is now titled "Reporting" under ESSA. • It includes changes to the data to be reported. • ESSA still requires reporting on measures of progress toward achieving ELP, **this data must also be disaggregated for ELs with disabilities.** • Measures of ELs' attainment of ELP must also be reported, but there is no requirement to disaggregate this by ELs with disabilities.

Reporting of EL Data

Title I Requirements	Title III Requirements
	• Measures of the academic achievement (meeting academic standards) of ELs that have exited EL status is required for four years, extending the NCLB requirement for two more years, and this data must be disaggregated by ELs with disabilities. • Finally, there is a new data-reporting requirement for ELs in ESSA. Long-term EL reporting is now required. Districts must report the number and percentage of ELs served by Title III that have not attained ELP within 5 years of initial classification as an EL.

Required Title III Activities

	Under ESSA there are now three required activities: • Professional development, • Direct services to students for the improvement of academic achievement and English language development, • **Provide and implement parent, family, and community engagement activities.**

Parent Right to Refuse Specialized Programming

Parents of ELs have the right to refuse certain separate, specialized programs and services that may be part of the LIEP for their children.

• A parent's decision to refuse programs or services must be informed and voluntary. The LEA may NOT influence the decision in any way and may not make any program or placement decisions contingent on this decision.

• Placement and programming decisions may not be made without notifying parents and allowing them to exercise their right to refuse part or all of the separate, specialized LIEP. http://www.education.pa.gov/Teachers%20-%20Administrators/Curriculum/English%20As%20A%20Second%20Language/Pages/Guidance-for-Parent-Right-to-Refuse-the-LIEP.aspx#tab-1

Parent Right to Refuse Specialized Programming

- LEAs should proceed with the recommended placement in the absence of a response from the parent after they have provided the parent with all of the information outlined above.
- A detailed description of the parent refusal policy, including all LEA obligations for students whose parents have refused services is contained in the *Parent Refusal of LIEP Programs and Services* guidance document.

http://www.education.pa.gov/Teachers%20-%20Administrators/Curriculum/English%20As%20A%20Second%20Language/Pages/Guidance-for-Parent-Right-to-Refuse-the-LIEP.aspx#tab-1

Entry and Exit Procedures

Title I Requirements	Title III Requirements
	• Under NCLB, there were no state level requirements to establish and implement standardized statewide entrance and exit procedures for EL programs.
	• This is now included in ESSA. In addition, under ESSA, this new requirement includes that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

Pennsylvania Department of Education Alignment to ESSA
Educating English Learners

http://www.education.pa.gov/EnglishLearners

ESL/ELD guidance documents and procedures:

- The definition of English language development
- The Basic Education Circular entitled *Educating English Learners*
- English learner identification procedures (Pre-K/K-12)
- The Home Language Survey
- Guidance for the evaluation of foreign transcripts
- Special Populations
  - Foreign Exchange Students
  - Guidelines for English Learners with IEPs
- Guidance for parents' right to refuse the LIEP and all associated documents and forms
- The Reclassification, Monitoring, and Redesignation of ELs document
- Title III
- Changes in PIMS reporting for ELs
  - Procedures for classifying language instruction educational programs

Basic Education Circular (BEC)
Educating English Learners

The newly revised (July 2017) BEC provides you with hyperlinks to the documents and information needed for your ELD (English Language Development) Program.

BEC Updates – Definition of English Language Development (ELD)

- The amount of time recommended to be spent in ELD instruction has been eliminated.
- The revised definition of ELD includes 2 components.
- The education of ELs is the responsibility of *ALL TEACHERS,* not just the ESL teacher.

BEC Updates

The BEC now lays out the guidance for replacing grade-level ELA instruction with separate ELD instruction.

ELD Replacement for English Language Arts

In general, ELD instruction taught by an ESL licensed teacher should not replace ELA instruction in a student's academic program. ELD has its own curriculum that, although may incorporate elements of ELA or other content areas, is unique and aligned to the PA ELDS. ELD may replace ELA only when the instruction is aligned to the same ELA standards as the ELA course or instructional period in which a student's non-EL peers are enrolled.

ELD may not replace any other core content in a student's academic program unless it is for a limited time not to exceed one school year and the LEA has a plan for immediately mitigating any academic gaps that result (e.g. in the case of a newcomer program).

BEC Updates

Grading of ELs

LEAs should have a section included in their local grading policy that specifically addresses grading procedures for ELs.

LEAs must utilize the same grading system for ELs in content courses as they do for all students (e.g. pass/fail is inappropriate for ELs if other students receive a letter grade).

For ELD courses or instructional periods taught by a licensed ESL teacher in an all-EL setting, any grading system that meaningfully conveys information about progress and/or achievement may be used.

In addition to the information that is provided to all students, LEAs must communicate information related to English language proficiency and/or progress to parents at least annually.

Report Cards/Progress Reports
LEAs may utilize the report card/progress report to communicate English language development information to parents of ELs or they may utilize a separate communication mechanism. If a LEA chooses to include English language development information on the report card, then it must ensure that the information provided is understandable and useful to engage parents in the education of their children.

High School Transcripts
The English learner designation and/or English language development information must not appear on an EL's high school transcript unless it is part of a course title or code.

- The BEC outlines **guidelines for grading ELs.** In general, ELs should be graded using the same system as other students.
- ELs may only be graded differently for EL-specific courses.
- EL information should not appear on a high school transcript unless it is part of a course title, but it may be contained on a report card or progress report.

U.S. Department of Justice Civil Rights Division
U.S. Department of Education Office for Civil Rights

Information for Limited English Proficient (LEP) Parents and Guardians and for Schools and School Districts that Communicate with Them

This fact sheet answers common questions about the rights of parents and guardians who do not speak, listen, read, or write English proficiently because it is not their primary language.

Must my child's school provide information to me in a language I can understand?
Yes. Schools must communicate information to limited English proficient parents in a language they can understand about any program, service, or activity that is called to the attention of parents who are proficient in English. This includes, but is not limited to, information related to:
- registration and enrollment in school and school programs
- language assistance programs
- report cards
- student discipline policies and procedures
- special education and related services, and meetings to discuss special education
- parent-teacher conferences
- grievance procedures and notices of nondiscrimination
- parent handbooks
- gifted and talented programs
- magnet and charter schools
- requests for parent permission for student participation in school activities

Must a school provide language assistance if I request it even if my child is proficient in English and I am somewhat proficient in English?
Yes. Schools must respond to a parent's request for language assistance and remember that parents can be limited English proficient even if their child is proficient in English.

May my child's school ask my child, other students, or untrained school staff to translate or interpret for me?
No. Schools must provide translation or interpretation from appropriate and competent individuals and may not rely on or ask students, siblings, friends, or untrained school staff to translate or interpret for parents.
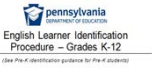
What information should I expect from the school if my child is an English learner?
When your child enrolls, you should receive a home language survey or similar form to fill out that helps the school identify potential English learners, who are eligible for language assistance services. If your child is identified as an English learner, the school must notify you in writing within 30 days of the school year starting with information about your child's English language proficiency level, programs and services available to meet your child's educational needs, and your right to opt your child out of a program or particular services for English learners. For more information about the rights of English learners, visit https://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-el-students-201501.pdf

The obligation for LEAs to communicate with EL families in their preferred mode of communication comes from the US Department of Justice and the Office for Civil Rights - https://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-lep-parents-201501.pdf

Identification Procedure

The K-12 procedure is formatted as a checklist and includes:
- Home Language Survey
- Family Interview
- Academic Records Review
- SLIFE Identification
- Parent Notification and Right to Refuse
- Procedure Flowchart

Note: There is a separate identification procedure for **pre-K** language learners.

Identification Procedure Family Interview

- The interview can be conducted by the registration staff or by the ESL teacher.
- The interviewer must be trained in working with LEA interpreter services.
- The ESL teacher must review the interview to determine further screening and placement.

Identification of ELs' Process
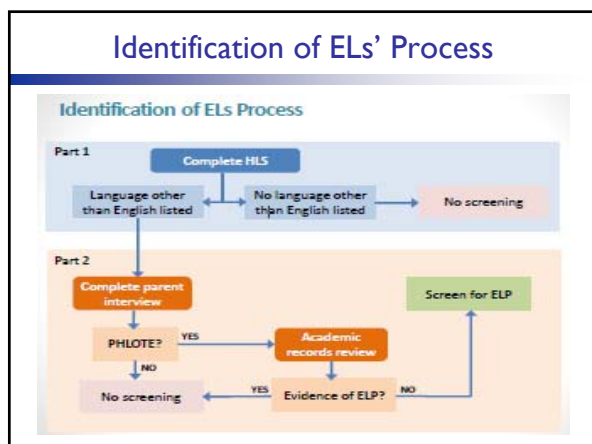
Kindergarten Identification Criteria
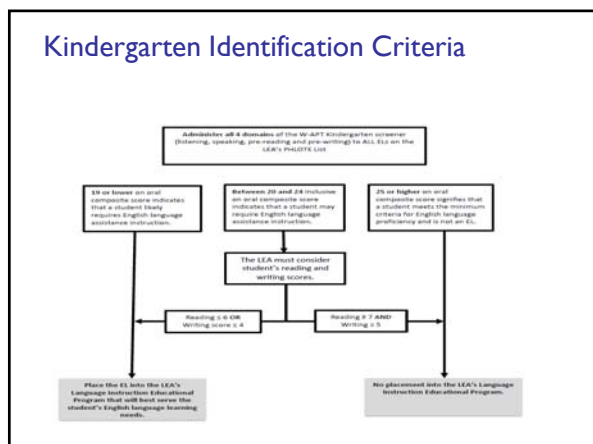
Kindergarten Identification Criteria

Grade Level	Screener	Criteria for identification as an EL
Kindergarten	KW-APT	Raw score for oral language of **19 or lower** OR **Between 20-24** inclusive AND reading ≤ 6 OR writing score ≤ 4 *See kindergarten identification and placement process flowchart in* Appendix B
Kindergarten	K MODEL	*1st semester K:* **Assess all 4 domains** Oral language composite below **5.0** *(Use literacy scores for instructional plans)* *2nd semester K:* **Assess all 4 domains** Overall composite proficiency level below **5.0** **AND** Literacy Composite below **4.2**
1-12	WIDA Screener	Overall composite proficiency level below **5.0**
1-12	MODEL Screener	Overall composite proficiency level below **5.0**

Identification Procedure

Note:

If a student is unable to complete the full Screener, because of disability or refusal, then the determination of EL status must be made based on the remaining available evidence gathered from the HLS, parent interview and academic records review.

If reasonable evidence of English proficiency cannot be established based on those sources along with the incomplete Screener results then the student should be identified as an EL.

New Identification Procedure

Appendix A

Student who have or are suspected of having a disability

If a student arrives with an IEP or is suspected of having a disability (i.e. a parent informs enrollment personnel that the student has a disability), then enrollment personnel must coordinate with Special Education staff to complete this procedure.

If the student arrives with an IEP:

Screening, if required, must be completed with appropriate accommodations and the test results must be interpreted in consultation with Special Education personnel.

If the student is suspected of having a disability but a determination cannot be made prior to completing this procedure:

Screening, if required, must be completed with any administrative considerations, universal tools, or accommodations that the ESL/SPED educators deem necessary. This procedure must be completed in accordance with the outlined guidelines and the student must be placed in the appropriate language instruction educational program (LIEP) based on the information available at the conclusion of the identification procedure.

If, after the student is placed in the LIEP, the student is determined to have a disability that may have affected the screening (e.g. requires a testing accommodation that was not offered), then the student must be re-screened using the appropriate accommodation. If the student does not meet the criteria for identification as an EL based on this subsequent testing, then the district must contact PDE to remove the EL identifier and the student should be removed from the LIEP.

The identification process now includes specific instruction for **how to identify students as ELs who have or are suspected of having a disability.**

Identification Procedure
SLIFE Students

STEP 3) Determine if the student has limited or interrupted formal education (SLIFE) using the criteria below:
- Is enrolling after grade two, AND
- Has a Literacy score of less than 3.5 on the W-APT, MODEL Screener, or WIDA Screener, AND
- Has at least two fewer years of age appropriate schooling than peers or has disenrolled from U.S. schools to enroll in schools in other countries (including Puerto Rico) more than two times in the past four years, AND
- Has limited encoding/decoding skills in native language (as indicated by family interview and/or native language measures and/or review of academic records and/or local measures)

Does this student have limited or interrupted formal education? ☐ YES ☐ NO

The identification process now **includes criteria for determining if a student has limited or interrupted formal education (SLIFE).**

This will become important as these students will now be identified and tracked on PIMS.

Identification Procedure –
Foreign Exchange Students

In the past, these students were not identified or counted as ELs. Now, **Foreign Exchange Students are required to:**
- **Be identified for English as a second language instruction based on Pennsylvania's home language survey**
- Be assessed for placement in English language instructional programs
- Be included in the PIMS or LEP SYSTEM data collection as ELs
- Participate in the annual state English language proficiency assessment
- Participate in the PSSA/Keystone Exams with the same allowances and accommodations as other ELs.

Foreign Exchange Students in Your School

All LEAs are **required to screen foreign exchange students using the state English learner (EL) identification procedure**.

If foreign exchange students are identified as ELs, then they must:

- Be placed in the LEA's English Language Development (ELD/ESL) Program as appropriate based on their English language proficiency,
- Be included in the PIMS or LEP SYSTEM data collection as ELs,
- Participate in the annual state English language proficiency assessment, and
- Participate in the PSSA/Keystone Exams. participating in the PSSA/Keystone Exams with the same allowances and accommodations as other English Learners

The foreign exchange students' assessment results are attributed to the host family's district of residence and to the state.

Parent's Right to Refuse ESL/ELD Services

- This is incorporated into the English Learner Identification Procedure document beginning on page 5.
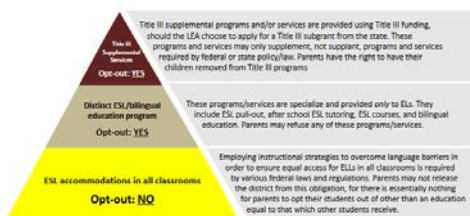- The guidance documents are available on the PDE site.

Provide Description of the ELD Program

It is important for you and for families to understand EXACTLY what services they are refusing when they "opt-out"

Federal rules governing district responsibilities for *opted-out* students

Title III Supplemental Services Opt-out: YES	Title III supplemental programs and/or services are provided using Title III funding, should the LEA choose to apply for a Title III subgrant from the state. These programs and services may only supplement, not supplant, programs and services required by federal or state policy/law. Parents have the right to have their children removed from Title III programs
District ESL/bilingual education program Opt-out: YES	These programs/services are specialize and provided only to ELs. They include ESL pull-out, after school ESL tutoring, ESL courses, and bilingual education. Parents may refuse any of these programs/services.
ESL accommodations in all classrooms Opt-out: NO	Employing instructional strategies to overcome language barriers in order to ensure equal access for ELLs in all classrooms is required by various federal laws and regulations. Parents may not release the district from this obligation, for there is essentially nothing for parents to opt their students out of other than an education equal to that which other students receive.

Need to document that your LEA has offered families the option to refuse ESL/ELD services

Anything can constitute documented evidence as long as it lists a date, exactly what information was shared and who is accountable for doing so.

Student s Name	What information was shared?	Who Provided the Information?	Date Provided
	ELD program was explained through an interpreter		

Reclassification (Exit)Procedures for Next Year
http://www.education.pa.gov/EnglishLearners

The following tables display the points possible from the ACCESS for ELLs® and the language use inventories:

ACCESS Proficiency Level Score	Points Assigned
4.5-4.7	3.6
4.8-5.0	4.5
5.1-5.3	5.8
>5.3	8.4

Language Use Inventories		ESL Teacher			Content Teacher		
		Low	Moderate	High	Low	Moderate	High
Rubric 1	Interaction	0	0.3	0.5	0	0.3	0.5
	Listening	0	0.3	0.5	0	0.3	0.5
	Speaking	0	0.3	0.5	0	0.3	0.5
	Reading	0	0.3	0.5	0	0.3	0.5
Rubric 2	Writing: Cohesion	0	0.2	0.3	0	0.2	0.3
	Writing: Word/Phrase	0	0.2	0.3	0	0.2	0.3
	Writing: Grammar/Sentences	0	0.2	0.3	0	0.2	0.3
	Writing: Genre - Narrative	0	0.2	0.3	0	0.2	0.3
	Writing: Genre - Report & Essays	0	0.2	0.3	0	0.2	0.3
	Writing: Genre - Arguments	0	0.2	0.3	0	0.2	0.3

Total possible points from both inventories 7.6
Total Possible Points from all components: 16

Threshold for reclassification: 10.5

When this reclassification score is equal to or greater than the cutoff, then a student should be reclassified. However, if there is compelling evidence to suggest that a student should remain identified as an EL when his/her score exceeds the cutoff, and this evidence is documented along with the ACCESS for ELLs® score report and language use inventory forms, then the EL status may be retained.

Reclassification Procedures

ELs with Disabilities (taking the ACCESS for ELLs®)
An EL with a disability may be considered for reclassification if:

1. The student has an IEP, **AND**
2. The student has been continuously enrolled in an ESL/bilingual education program for at least four years, **AND**
3. The student's overall composite proficiency level score on the ACCESS for ELLs® has not increased by more than 10% at any point or total over the three most recent testing cycles, **AND**
4. The IEP team, with input from an ESL/bilingual education professional, recommends reclassification.

ELs with Disabilities (taking the Alternate ACCESS for ELLs®)
ELs who are eligible for and take the Alternate ACCESS for ELLs® may be considered for reclassification when:

1. they achieve a score of at least P2 on two consecutive administrations of the test **OR** achieve the same score for three consecutive administrations of the test, **AND**
2. the IEP team, with input from an ESL/bilingual education professional, recommends reclassification.

A path to reclassification has been established for an EL with an IEP.

2017 ACCESS 2.0 Scores

- Scores across the nation dropped dramatically as a result of the standards setting at WIDA

- You can get full details on the WIDA site
  https://www.wida.us/assessment/ACCESS%202.0/proficiency.aspx

- The speaking scores dropped considerably more than the other domains

- You can use a score calculator to gauge the language proficiency growth between the 2016 scores and 2017 scores
  https://www.wida.us/ACCESSTraining/ScaleScoreCalculator.aspx

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Program Placement Assessments

KW-APT – no new trainings needed

Screener – All training materials quizzes are located on the WIDA site (NOT WIDA-AMS). PDE has said that any quizzes passed after July 1, 2017 can count for the 2017-18 SY. Make sure as the district administrator that you have provided your ESL teachers with the appropriate permission level to score the test.

MODEL – This assessment can be purchased from WIDA as an optional placement test.

WIDA Screener
The new program placement assessment

- For students in 1st-12th grades
- The online version is available free to LEAs.
- You may purchase a paper version of the test from WIDA.
- All of the following is very similar to what you have been doing for ACCESS 2.0 administration for the past 2 years.
  - Any district personnel may be trained to administer the assessment but only ESL teachers who have passed the scoring quizzes can grade the assessment.
  - The person designated as the district assessment administrator assigns "permissions" for ESL teachers to administer, score, and view the results of Screener.

Program Placement Assessments

WIDA Screener – Appropriate Grade-Level Cluster Test Form to Administer

Grade	1		2		3		4		5		6		7		8		9		10		11		12	
Semester	1	2	1	2	1	2	1	2	1	2	1	2	1	2	1	2	1	2	1	2	1	2	1	2
Grade-Level WIDA Screener Test Form	1* test	1 test only/ No KMODEL	2-3 test				2-3	4-5 test		4-5	6-8 test					6-8	9-12 test							

* WIDA Kindergarten MODEL may be administered in lieu of the WIDA Screener 1st Grade Test for 1st semester 1st grade. All 4 domains assessed with composite score of **below 5.0** AND Literacy Composite **below 4.2** is the criteria for identifying a student as an EL.

TransACT - Repository of Translated Forms and Documents

Any person with a PA LEA e-mail address can establish an account on TransACT.

To find the new ESSA compliant forms on TransACT, follow these clicks:

- Log in http://www.transact.com/
- Click Get Started (green box)
- Click ESEA (ESSA) Parent Notifications
- Click Parent Notifications TransACT Masters
- Folder 12 contains many of the start up notifications you will need

TransACT - Repository of Translated Forms and Documents

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- EL-01 - Determination of Student Eligibility for Program Placement (Optional)
- EL-02 - English Learner Program Placement (Required - Meets ESSA Requirements)
- EL-03 - Description of Programs
- EL-04 - Request for Change in English Learner Program
- EL-05 - Explanation of Consequences for Refusing English Learner Program
- EL-06 - Parent-Teacher Conference: English Learner Student
- EL-07 - Meeting for Parents of English Learners: Invitation to Participate
- EL-09 - Parent Meeting for English Learner - Student At-Risk
- EL-10 - English Learner Program Exit Letter
- EL-11 - Important Information
- EL-12 - Decision to Place a Child back into English Learner Programs or Services
- EL-13 - Accountability and Reporting for English Learners: Explanation for Parents

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ELD. . .Title III or Title I??

- The funding source for your supplemental programs and resources for English learners will continue to be a separate Title III funding stream.
- Family Engagement is now a required Title III activity.
- English learner accountability now falls under Title I.
- There are no more Annual Measureable Achievement Objectives (AMAOs) .
- During the 2017-2018, there will be an "accountability pause" and details will follow regarding how this will look once PDE's accountability plan has been USDE approved.
  – Pennsylvania has developed a new way of measuring ELs' growth and attainment of English language proficiency
  – Will be in effect for the 2018-19 school year

ELD Program Handbook

Pennsylvania Training and Technical Assistance Network

Educating Students With Limited English Proficiency (LEP) and English Language Learners

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.

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Core ELD Program Requirements Chart

REQUIREMENTS	LEGAL REFERENCE	PROGRAM
1. Identify	• OCR 1970 Memo • Lau v Nichols 1974 Supreme Court decision	• Home language survey • Train intake staff
2. Assess • Determine need for instruction • Place in appropriate program of instruction	• Office of Civil Rights 1970 Memo • Gomes v Illinois State • Board of Education 1987 • U.S. Court of Appeals, 7th Circuit	• Appropriate proficiency test (W-APT) • Multiple criteria for placement/exemption • Identify home language proficiency • Diagnose mathematics skills/literacy • Investigate prior schooling experience
3. Provide Instruction • Direct, appropriate, sufficient • Designed for students' needs • Based on current practices • Appropriate staffing • Appropriate materials	• Castaneda v Pickard 1981 • U.S. Court of Appeals, 5th Circuit • Equal Education Act 1974 • Titles VI & VII of Civil Rights Act 1964 • Rios v Read 1977 • Cintron v Brentwood 1977, 1978 • Gomez v Illinois State • Board of Education 1987 • U.S. Court of Appeals, 7th Circuit • The Provision of an Equal Education Opportunity to Limited English Proficient Students OCR, 1992	Develop Instructional Plan • Schedule daily instruction • Hire/Contract qualified teachers • Assessment plan • Research-based ESL best practices • Identify what is taught (curriculum) • Identify appropriate materials • Describe available opportunities (tutoring, afterschool, programs, etc.) • Train and support staff (Professional Development Plan)
4. Ensure integration • Instructional integration • Social integration	• Titles VI & VII of Civil Rights Act 1964 • Equal Education Act 1974 • Office of Civil Rights 1970 Memo • Lau v Nichols 1974 Supreme Court decision	• Describe access to programs and services (Gifted, Extra Curricular, Special Education, Vocational, etc.) • Ensure accommodations for language proficiency • Identify integration with same-age peers • Communicate levels and needs to relevant staff • Communicate with families in preferred mode of communication
5. Re-Assess • For progress • To exit a program • Monitor exited students	• OCR 1970 Memo • Rios v Read 1977 • Cintron v Brentwood 1977,1978	• Specific multi-criteria reclassification procedures • PA Exit Criteria • Monitoring plan/documentation
6. Document • Instruction • Student Achievement • Program Compliance • Program Effectiveness	• Castaneda v Pickard 1981 • U.S. Court of Appeals, 5th Circuit • The Provision of an Equal Education Opportunity to Limited English Proficient Students • OCR, 1992	• Develop Program Guide • Develop record keeping plan • Appoint team to implement program evaluation • Schedule program evaluation and periodic data review

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Identification Procedures

Describe the LEA Identification Procedures

- Home Language Survey
- Parent Interview
- Who will support parents to fill out the information?
- Training process for secretaries
- Describe the steps required from initial intake to the assessment process.
- Do you have the HLS in multiple languages?

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Assessment Procedures

Describe the process to implement the WIDA W-APT and the WIDA Screener
- Who will test students
- When and where testing will happen
- Time table to have student placed in ELD Program
- Process to review students' academic records and/or first language assessments to fine tune placement

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Assessment Procedures

- Multiple criteria for placement/exemption
- Investigate prior schooling experience
- Who will have access to this information
- Where will the records be kept

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English Language Development Program

Describe your Language Instruction Educational Program, include:
- Schedule of daily ELD instruction
- ESL Teachers' assignments
- Assessment plan
- Research-based ESL best practices
- Identify what is taught (curriculum)
- Identify appropriate materials
- Describe available opportunities (tutoring, afterschool, programs, etc.)
- Train and support staff (Professional Development Plan, including training for content teachers)

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Ensure Integration

- Describe access to programs and services (Gifted, Extra Curricular, Special Education, Vocational, etc.)
- Describe procedures for Els referrals to Special Education evaluation
- Ensure accommodations aligned to students' language proficiency
- Identify integration activities with same-age peers
- Communicate levels and needs to relevant staff
- Communicate with families in preferred mode of communication

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Re-Assessment Procedures

Re-assess for progress, to exit ELD program and monitor exited students.

- PA Reclassification Criteria
- Description of monitoring procedures for students who have exited the ELD Program, include forms and other documents

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Documentation

- Develop Program Handbook Guide
- Develop record keeping plan
- Appoint team to implement ELD program evaluation
- Schedule program evaluation and periodic data review
- Include in this section the Board-approved ELD Program description
- Grading Policy, including how would ELs grading will be implemented

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FAMILY ENGAGEMENT UNDER ESSA

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Annual Parental Notification Requirements

Parents of currently enrolled ELs must be provided with the following information within 30 days of the start of each school year:

- A notification of their child's continued participation in the LIEP
- A description of the LIEP including its intended benefits for their children and an explanation of its effectiveness
- A notification of their right to refuse services as outlined in this document
- A description of any Title III supplemental services being offered by the LEA (if applicable)
- A notification of their right to refuse Title III supplemental services (if applicable)

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Required Parent and Family Engagement Activities Can Be Selected from the Following:

- Supporting schools in training school staff regarding engagement strategies;
- Supporting programs that reach families at home, in the community and at school;
- Disseminating information on best practices focused on engagement, especially for increasing engagement of economically disadvantaged families;
- Subgranting to schools to collaborate with community-based organizations or businesses that have a track record of improving family engagement; or
- Engaging in any other activities that the LEA believes are appropriate in increasing engagement.

For Culturally and Linguistically Diverse Families

Consider the following:
- Communication in the preferred language and mode of communication of the family (e-mail, phone call, flyers, text…)
- Scaffolds to remove language and cultural barriers
- Transportation and child care needs
- Choose sites for meetings and times based on the family's needs and schedules
- Advertise events in local publications such as newspapers and radio stations in the first language of the families; visit community-based organizations and local churches
- Utilize dismissal time as an opportunity to share upcoming events and school news

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The successful implementation of the Every Student Succeeds Act (ESSA) and progress towards educational equity for all students depends on . . .

the meaningful inclusion of the **parents** and **communities** that represent students who are:

- low income
- of color
- English learners
- Native Americans
- immigrants, **OR**
- who have a disability

Technical Assistance

Provided by
- PDE ESL/Bilingual Education Program Advisors
- IU ESL Points of Contact
- PaTTAN

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Resources

- Office of English Language Acquisition. English Learner Toolkit
  http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html
- Office for Civil Rights. Programs for English Language Learners
  http://www2.ed.gov/about/offices/list/ocr/ell/index.html
- PaTTAN and English Language Learner Initiatives
  http://www.pattan.net/category/Educational%20Initiatives/English%20Language%20Learners%20(ELL)
- **PDE Basic Education Circular** *Educating English Learners* **reviewed July 1, 2017**
  http://www.education.pa.gov/Documents/Codes%20and%20Regulations/Basic%20Education%20Circulars/PA%20Code/Educating%20English%20Learners%20(EL).pdf

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Resources

- PDE *English Learner Identification Procedure – Grades K-12*
  PDE *Pre-K Identification Guidance for Pre-K Students*
  http://www.education.pa.gov/Teachers%20-%20Administrators/Curriculum/English%20As%20A%20Second%20Language/Pages/Identification-Placement-Exit.aspx#.Vbt7YmXD-Uk
- Pennsylvania English Language Proficiency Standards
  www.portal.state.pa.us/portal/server.pt?open=18&objID...2
- PDE Bureau of Special Education *Guidelines for English Learners with IEPs*
  http://www.education.pa.gov/Documents/K-12/Special%20Education/Guidelines%20for%20English%20Learners%20with%20IEPs.pdf

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Resources

- WIDA Resources
  - ACCESS for ELLs Released Items
    http://www.wida.us/assessment/ACCESS/ACCESS_Sample_Items.pdf
  - ACCESS for ELLs Interpretive Guide for Score Reports Spring 2015 www.wida.us
  - Can Do Descriptors www.wida.us
  - RtI²: Developing a Culturally and Linguistically Responsive Approach www.wida.us
  - W-APT Speaking and Writing rubrics http://www.wida.us/assessment/w-apt/
  - WIDA Performance Definitions Listening and Reading
    https://www.wida.us/get.aspx?id=542 ; Speaking and Writing
    https://www.wida.us/get.aspx?id=543

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