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EXPLANATION: PROGRAMS FOR ENGLISH LEARNERS

The English learner program coordinator noted on page 7 of this reference copy should be noted by the person's title rather than a name so that the policy will not need to be revised each time the coordinator is replaced.

The changes to this policy are based on changes to the Elementary and Secondary Education Act (ESEA), the revised Department of Elementary and Secondary Education (DESE) Federal Programs Administrative Manual (FPAM) and Missouri's Consolidated State Plan approved by the U.S. Department of Education.

English learner (EL) education is addressed in two places in the ESEA: Title IA and Title III. This means that the district's English language instruction is subject to the same requirements that apply to other Title I programs, and Title III requirements apply as well if the district receives a subgrant.

Notable changes to the policy include the following:

1. The definition of an English learner has been changed.
2. The legal definition of an English learner includes preschool-age children. Districts may use Title III money to provide language instruction to preschool students, but there is no requirement to do so. However, the district may have better results if funds are directed for providing English language instruction at the preschool level.
3. Districts are required to administer the Language Use Survey (LUS) to all students when they enroll. This survey replaces the Home Language Survey that was previously required. The LUS includes three key questions:
 - ▶ What was your child's first language?
 - ▶ Which language(s) does your child currently speak?
 - ▶ Which language(s) does your child hear and understand?

MSBA has incorporated these questions into a model enrollment form, JEC-AF1, that is included in this update.

4. Parental rights and notices have not changed much, but they were not previously included in this policy.

5. Students can be placed in programs and transitioned out of programs only in accordance with the standards developed by DESE. The actual standards and cut scores are included in the FPAM.
6. MSBA has added immigrant reporting as an EL coordinator duty. While this reporting duty is not new, it was not previously included in this policy.

NOTE: The district is required by federal law to notify parents/guardians of EL students of the rights included in this policy. To the extent practicable, the notice must be in a language understandable to the parents/guardians. One method for providing this notice is to provide parents/guardians with a copy of this policy.

Resources

The Migrant Education and English Language Learning (MELL) program is a network of resource people, including instructional specialists, available to assist districts in identifying migratory children and children of migratory parents/guardians and organizing and implementing programs for migratory students and English learners. MELL is a section of DESE located in the Office of Quality Schools, and instructional specialists are available through Regional Professional Development Centers.

The Federal Programs Administrative Manual is available on DESE's Financial and Administrative Services page at:

<https://dese.mo.gov/sites/default/files/qs-fc-admin-manual-ESSA-Aug-2017.pdf>

Model forms and other resources for English learner and migrant programs can be found at:

<https://dese.mo.gov/quality-schools/migrant-el-immigrant-refugee-education/english-language-learners>

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
	Health Services	X	Counselor		Special Education
	Transportation		Public Info/Communications		Technology

PROGRAMS FOR ENGLISH LANGUAGE LEARNERS

The Board of Education recognizes the need to provide equal educational opportunities for all students in the district. Therefore, if the inability to speak and understand the English language excludes a student from effective participation in the educational programs offered by the district, the district shall take appropriate action to rectify the English language deficiency in order to provide the student equal access to its programs. Identifying students who are English language learners (ELL) and ensuring them equal access to appropriate programs are the first steps to improving their academic achievement levels.

Definitions

Language Minority (LM)—Refers to a student whose linguistic background, such as country of birth or home environment, includes languages other than English. Language minority is based solely on the student's language background and not on proficiency.

Limited English Proficiency (LEP)—Proficiency in reading, writing, listening or speaking English that is below grade- and age-level peers. Limited English proficiency is based on the assessment of a student's English language proficiency.

English Language Learner (EL) – Refers to an LM student with limited English proficiency. Any student who:

1. Is age 3–21, and
2. Is enrolled or is preparing to enroll in the district, and
3. Has difficulties speaking, reading, writing or understanding English that may be sufficient to deny the individual the ability to attain proficiency on state assessments, the ability to be successful in a classroom where instruction is in English, or the opportunity to participate fully in society, and
4. Meets one of the following additional requirements:
 - ▶ Was not born in the United States or whose native language is a language other than English, or
 - ▶ Is Native American, an Alaska Native or a native resident of the outlying areas who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency, or

- ▶ Is a migratory individual whose native language is a language other than English and who comes from an environment where a language other than English is dominant.

Immigrant Student – A student between the ages of 3 and 21 who was not born in a state of the United States of America and who has not been attending schools in any one state for more than three full academic years.

English for Speakers of Other Languages (ESOL) – An instructional approach that can include structured ESOL immersion, content-based ESOL and pull-out ESOL instruction:

1. — Structured ESOL immersion involves a bilingual teacher and a self-contained classroom.
2. — Content-based ESOL allows the student to remain in the regular classroom and focuses on delivering content in an adapted English format.
3. — Pull-out ESOL periodically removes students from the regular classroom for instruction in English.

Bilingual Education – An instructional approach that explicitly includes the student’s native language in instruction. This approach requires an instructor fluent in the student’s native language and proficient in content areas and is often used where many ELL students share the same language and where qualified bilingual teachers are available.

Child – Any individual age 3-21.

Parent – Parent, legal guardian or person otherwise responsible for the child.

Language Instruction Education Program – An instructional course in which an ELL child is placed for the purpose of developing and attaining English proficiency while meeting challenging state academic achievement standards as required by law. The program may make instructional use of both English and a child's native language and may include the participation of English proficient children if such course is designed to enable all participating children to become proficient in English and a second language.

Identifying EL Students

The district will screen for EL students by administering the Language Use Survey (LUS) created by the Missouri Department of Elementary and Secondary Education (DESE) to all enrolling students. The LUS will be administered in a language the parent/guardian understands using translation or interpretation. This survey may be incorporated into district enrollment forms provided to all students.

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Students whose LUS indicates a language other than English and possible language barriers will be referred to the superintendent or designee for additional screening using the DESE-adopted screening tool for determining the level of English language proficiency. The screening results will be used to identify students eligible for EL services and assist in a program placement that meets the students' needs. The district will make every effort to complete the screening process within 30 days of the first day of school or, for students who enroll after the first day, within 30 days of the student's enrollment.

The completed LUS and all other screening results will be retained in the student's permanent record.

Placement of EL Students

Students will be placed in a language instruction educational program (LIEP) based on their current level of English proficiency and in accordance with the standards established by DESE. The district's program is designed to increase English proficiency and academic achievement. Students in these programs will be held to the same academic achievement standards established for all students. If the district offers more than one type of LIEP, students will be placed in an LIEP that is in their best educational interest.

Students will transition out of an LIEP only after meeting state-established exit standards.

Parental Information

The district will, through parental involvement and outreach activities, provide parents/guardians of English learners with information about how the parents/guardians can be active participants in helping their students learn English, achieve at high levels in core academic subjects and meet state-established learning standards.

The parents/guardians of each student identified as an EL student will be informed of:

1. The reasons for identifying their student as an English learner in need of placement in the district's LIEP.
2. The student's level of English proficiency in reading, writing, speaking and listening; how that level was assessed; and the status of the student's academic achievement.
3. The method of instruction that will be used in the program the student is or will be participating in and the methods of instruction used in available alternative programs, including how such programs differ in content, instructional goals and the use of English and a native language in instruction.

4. How the program will meet the educational strengths and needs of the student.
5. How the program will help the student learn English and meet age-appropriate academic achievement standards for grade promotion and graduation.
6. The specific exit requirements of the program, including expected rate of transition from such programs into classrooms that are not tailored for EL students.
7. The expected rate of graduation from high school, including four-year and extended-year adjusted cohort graduation rates for the program if Title III funding is used in high schools.
8. If the student has an individualized education program (IEP), how the LIEP will meet the student's IEP objectives.

Parental Rights

Parents/Guardians will be notified within 30 days after the opening of school enrollment if their student is identified for participation in or is participating in an LIEP. For those students who were not identified as EL prior to the beginning of the school year, but are identified during the school year, such notice shall be provided within two weeks of the student being placed in an LIEP.

Parents/Guardians of EL students have the right to decline the placement of their student in an LIEP, choose an LIEP other than the one recommended by the district (if other programs are offered by the district) or have their student immediately removed from an LIEP upon their request.

Parents/Guardians may opt their student out of the district's LIEP by contacting the EL coordinator and attending a meeting with the coordinator and one or more LIEP instructors to discuss the results of the student's screening assessment and information about the LIEP. Parents/Guardians who decline language instruction will be asked to sign a waiver exempting their student from instruction. Students removed from the district's LIEP will continue to receive language supports in the regular classroom, and the district will continue to monitor the student's progress toward English proficiency. Parents/Guardians may not refuse regular classroom supports and may not opt their students out of statewide assessments to determine English proficiency.

A written copy of these rights, which may be a copy of this policy, will be provided to parents/guardians of EL students and, to the extent practicable, will be provided in a language the parents/guardians understand.

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Parental Notification

Pursuant to federal law, if the district's English language program fails to make progress on annual measurable achievement objectives, the district will notify parents/guardians of students participating in the district's program. Such notice shall be provided within 30 days after the district learns of the failure.

EL Coordinator

The district's coordinator for EL programs **coordinator** is Lynn Tarvin **(title)**.

The Board directs the coordinator to develop and implement language instruction programs following the district's ELL (Lau Plan) manual that **EL coordinator shall have the following duties:**

1. Identify language minority students through the use of a Student Home Language survey (see IGBH-AF1). The building administrator will develop procedures to ensure that all new and currently enrolled students complete the Home Language survey. **Provide parents/guardians with notice of and information regarding the LIEP as required by law.**
2. Identify LM students who are also English language learners. **Ensure that a** Any student whose LUS indicates the use of a language other than English will be **further screened and assessed for English proficiency using the state-provided assessment instruments.**
3. Determine the appropriate instructional environment for EL students.
4. ~~Annually assess the English proficiency of ELL students and monitor the progress of students receiving ESOL or bilingual instruction in order to determine their readiness for the mainstream classroom environment.~~ **Maintain records relating to the LIEP and prepare reports for submission to DESE.**
5. ~~Provide parents with notice of and information regarding the instructional program as required by law. Parental involvement will be encouraged and parents will be regularly apprised of their child's progress.~~ **Reach out regularly to parents/guardians of EL students, assist them in becoming active participants in their students' learning, and provide information about the district's parent and family involvement and engagement activities.**
6. **Evaluate the effectiveness of the LIEP and make recommendations for revisions.**
7. **Prepare reports on immigrant students for submission as required by DESE.**

LIEP Staff

Teachers and paraprofessionals working in the district's LIEP will have all required state and federal certifications and other qualifications required by law. In addition, teachers and paraprofessionals providing services to English learners will be comparable in terms of education, experience and effectiveness to teachers and paraprofessionals who are providing services to students who are not English learners.

Assessment

In addition to other required assessments, the district will annually assess the English proficiency of EL students in accordance with state and federal law and the district's assessment policy.

Nonpublic Participation

The district will consult with representatives of nonpublic schools as required by federal law.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 02/12/2007, eff. 07/01/2007

Revised: 08/11/2008; 03/07/2011;

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
~~CGC, State and Federal Programs Administration~~
DJFA, Federal Programs and Projects

~~MSIP Refs: 8.3.1~~

Legal Refs: Equal Educational Opportunities Act, 20 U.S.C. § 1703(f)
English Language Acquisition, Language Enhancement, and Academic Achievement
Act, 20 U.S.C. §§ 6811 - 6871-7014
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d
34 C.F.R. Part 100
Plyler v. Doe, 457 U.S. 202 (1982)

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Lau v. Nichols, 414 U.S. 563 (1974)
Castaneda v. Pickard, 648 F.2d 989 (5th Cir.1981)

Raytown C-2 School District, Raytown, Missouri