

RSU #16 (Mechanic Falls, Minot, Poland)^{(msm)✓}

Policy Code: IHBEAA

Adopted: March 2015

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LAU PLAN

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Mission Statement

It is the policy of RSU 16 to provide equitable access for English learners. According to the Equal Education Opportunities Act (1974), this district must make an effort to provide educationally appropriate programming to address the English and educational needs of every English learner so that the learner can compete with non-English-learner peers. Qualifying students will be identified and placed in programs and services in accordance with statutory guidelines. It is the policy of RSU 16 to comply with all federal and state laws prohibiting discrimination against students on the basis of all civil rights categories.

Section 1: Legal Foundation for Providing Effective Educational Services to English Learners

Federal Legislation

- *Every Student Succeeds Act (2015)* provides for strong accountability for the education of all children and for certain provisions specific to limited English proficient students, especially under Titles I and III of the Act. NCLB also provides funds to states and local schools and universities to carry out the intent of the Act.
<http://www.ed.gov/policy/elsec/leg/esea02/index.html> (full text)
<https://www2.ed.gov/policy/elsec/leg/essa/index.html> (U.S. Department of Education's official ESSA website)
- *Title VI of the Civil Rights Act of 1964* prohibits discrimination on the basis of national origin (and other civil rights).
<https://www.justice.gov/crt/title-vi-1964-civil-rights-act> (full text)
- *Equal Education Opportunities Act of 1974* requires schools to "take appropriate steps" to assure equal access as stipulated in the Lau opinion below.
<http://www.law.cornell.edu/topics/education.html>

Supreme Court Decisions

- *Lau vs. Nichols (1974)* ruled that providing the same access to curriculum, instruction, and materials for students of limited English proficiency as is provided to English dominant students is not in effect equitable:
http://www.law.cornell.edu/supct/html/historics/USSC_CR_0414_0563_ZS.html
- *Plyler vs. Doe (1981)* ruled that all students in public schools must be appropriately served, including any students who may not be documented as legal immigrants:

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http://www.law.cornell.edu/supct/html/historics/USSC_CR_0457_0202_ZO.html

- *Castañeda vs. Pickard (1981)* case precedent requires schools to use a three-pronged approach to assure that they are following the spirit of the above decisions vis-à-vis: a practice grounded in sound educational theory; effective implementation of an appropriate program; assurance that the program is working through an evaluation and subsequent program modification to meet this requirement.

<https://web.stanford.edu/~hakuta/www/LAU/IAPolicy/IA1bCastanedaFullText.htm>

Section 2: English Learner Identification

<i>Action Required by Federal Law and/or State Policy</i>	<i>Description</i>
Administration of the Maine DOE Language Use Survey	As a part of the registration packet using a translated version when appropriate. Registrar is responsible.
Translation/Interpretation Services Provided to Parents/Guardians	Using available translation and interpretation services. Administration and teachers will make every effort to ensure interpretation services are available at meetings when applicable.
Referral of all Potential English Learners for Screening	All newly enrolled students (including transfers) will be initially screened for subsequent assessment through the Language Use Survey during the enrollment process. The registrar is responsible for referring any surveys that indicate any language other than English to the ELL Coordinator.
Administration of English Language Proficiency Screener	ELL Coordinator (or other trained personnel) is responsible for screening using the WIDA Screener Online. The minimum score required to be non-EL is composite proficiency level 4.5

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Language Acquisition Committee (LAC) Meeting to Develop Program of Services for Identified English Learners	Identification of English learners will occur within 30 days of enrollment from the beginning of the school year or within two weeks of enrolling during the school year. RSU 16 will establish a Language Acquisition Committee (LAC) that will consist of an administrator, classroom teacher, and ELL teacher. An Individualized Language Acquisition Plan (ILAP) will be created by the LAC in collaboration with the student, parents/guardians, and appropriate support staff, such as a school counselor when they are involved in the student's education. Some members may be temporary, rotating or ongoing.
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Section 3: Development of Individualized Language Acquisition Programs All English learners must have an individualized educational program to meet their English language acquisition and academic content learning needs relative to each student's current level of English proficiency, first language proficiency, educational background, disability status, and other factors.

EL Placement:

Assessments for entry into a language support program should be based on several criteria including an assessment of the language skills of the ELL using the WIDA Online Screener, sources such as student writing samples, oral interviews, special education considerations, and other assessment data solicited from teachers and colleagues.

Before making a permanent grade-level placement decision for a language minority student, the LAC will need to have pertinent background information about the child. That information will include, as a minimum:

- the child's chronological age
- the child's educational background
- the child's English language proficiency level
- the child's academic performance (in both English and native language)

Under no circumstances will a student be placed in a grade level that is more than one year below the student's chronological age. Although it may seem logical to place an English learner at a grade level that matches the kind of English skills the learner needs to acquire, it would be a great disservice to the child both socially and cognitively to do so. The district is obligated to provide a language support program that meets the English language, as well as content area, needs of students consistent with state and federal statute and case law precedent. It is not appropriate to retain an ELL solely for the reason of limited English proficiency. It is understood by this district that an English learner will not be on grade level academically until the learner has had the opportunity to acquire the English skill and content necessary for success. RSU 16 accepts the research that the acquisition of English for cognitive/academic proficiency can take from five to seven years under optimal circumstances of academic and English Language Proficiency support.

Special Needs Placement:

Determining special needs placement for students who are receiving ELL services is a complex process. There may be a number of individual or combined factors determining why language and cultural minority students are achieving limited academic progress over time; the normal process of second language acquisition, the acculturation process, different learning

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styles, motivation to learn, or the student's lack of prior schooling are potential factors. Screening and diagnosing at-risk students receiving ELL services include a pre-referral discussion (including cultural and language factors) to determine whether temporary learning and behavior characteristics exist or whether referral to special education is warranted. The ELL specialist must be involved throughout the process.

Programs:

Each student will be enrolled in the mainstream program to the extent possible and integrated into regular activities. Students' teachers will share the responsibility of programming with a qualified ELL teacher. Modification to the regular curriculum will be supported by appropriate instructional materials. The ELL program will be supported by the budget for program needs and ancillary services (e.g. interpreter services, speech pathology, computer literacy, special needs, gifted/talented) as appropriate.

Some of the program options used at RSU 16 include:

Structured English Immersion: An approach that utilizes comprehensible English language to teach English language and subject area content simultaneously in the mainstream classroom. Although the actual content is the same as that taught to non-ELL students, differentiated scaffolding is in place to support the learning of key concepts and vocabulary at the student's English language proficiency level based on learning outcomes created from the WIDA Candos. Mainstream and ELL teachers collaborate closely.

Sheltered instruction: An instructional approach that engages ELLs through a variety of teaching strategies, designed for teachers of academic content, that lower the linguistic demand of the lesson without compromising the integrity or rigor of the subject matter. Teachers differentiate the language demands of the lesson in many ways, such as using clear simple language and modifying speech rate, using context clues, relating instruction to student experience, adapting the language of texts or tasks, and using demonstrations, visuals, graphic organizers, or cooperative work to make academic instruction more accessible to students at different English proficiency levels. Academic and parallel language goals are identified for each individual EL by the teacher.

Explicit individualized or small group instruction: Supplementary instruction to support learning in mainstream classes. Instruction will include vocabulary development, pre-teaching of content concepts, reteaching and practice of content area curriculum, scaffolding and leveling materials as appropriate to the needs of the student.

Amount and frequency of services:

The typical amount and frequency of services provided to English learners will differ according to need and will be assessed by proficiency level and grade. Students with proficiency levels 1 or 2 will receive services on a daily basis. Students with higher proficiency levels will receive services as appropriate to their needs in order to be able to access their education.

If a parent/guardian declines services:

If a parent declines EL services for their child, meaningful education must still be provided. A parent's refusal of EL services must be documented but it does not release RSU 16 from its responsibility for providing meaningful education to the English Learner.

ILAP Review:

English learners will participate in an annual Individualized Language Acquisition Plan (ILAP) meeting with parents,

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teachers, support staff, ELL coordinator, and an administrator to review programming based on WIDA ACCESS or screener results and school/class assessments. Interpretation services will be provided as necessary. Parents, students, or staff may call a meeting to review programming at any time during the school year. Meeting minutes that include programming details and language development goals will be documented and placed in students' school files and sent home for parents' personal files.

Section 4: Meaningful and Equitable Access to Academic and Extracurricular Programs All English learners are entitled to equitable access to all academic and extracurricular programs offered by RSU 16. RSU 16's EL programming that builds off content area curriculum through scaffolding and strategies appropriate for English learners ensures access to rigorous, grade-level-appropriate coursework.

Section 5: Equitable Personnel, Facilities, and Materials

RSU 16 is committed to providing qualified teaching staff to ensure English learners meet their language learning and academic content acquisition needs, as well as facilities and materials of comparable quality to those of their peers. Every effort will be made to provide EL trained teachers; paraprofessionals or tutors (overseen by an EL Coordinator) will only be used to provide short-term support to English learners in place of qualified teachers when absolutely necessary. Training is provided to mainstream/content area teachers on strategies for meeting the needs of English learners in the mainstream through the ELL Coordinator.

Section 6: Annual English Language Proficiency Test Administration All English learners will be administered the WIDA ACCESS for ELs annually during the state's testing window. If a parent has refused EL services, and that student has been identified as an English Learner, then that student will still be administered the ACCESS for ELLs annually until the student attains the State's definition of English language proficient, which is defined as a Level 4.5 composite score on the ACCESS for ELLs.

Section 7: Exit and Monitoring

When an English learner meets Maine's definition of English language proficiency on the WIDA ACCESS for ELLs, the student is exited from English learner status. Note that no other criteria may substitute for a score of proficient on ACCESS for ELLs. The academic performance of all former English learners will be monitored by the EL Coordinator in collaboration with classroom teachers for a minimum of 2 years to ensure that English language support services are no longer needed. If educators suspect that a student is no longer proficient in English, the WIDA Screener Online may be re-administered to determine English learner status. A student who scores below an overall composite score of 4.5 must be reentered into English learner status, provided English language acquisition support services, and administered ACCESS for ELLs annually until exiting again.

Post enrollment identification:

Post enrollment identification is possible when educators who feel that students who were screened for English learner status upon enrollment but did not qualify may in fact be ELs. Educators may complete the last section of the Language Use Survey and describe evidence that the student's English language development has been affected by a primary or home language other than English and bring it to the attention of the ELL Coordinator.

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Section 8: Ongoing Program Evaluation

In order to ensure the most effective and appropriate structured language support programming for English learners, programs will be evaluated annually and modifications made if desired outcomes are not being met. Due to the small number of English learners at RSU 16 each EL program is created through an ILAP meeting and is reviewed and adjusted as necessary each year. Individualized learning outcomes are created based on the WIDA Candos in conjunction with the learning standards. Teachers, administration, and the ELL Coordinator collaborate to ensure long term outcomes are comparable to those of students who were never English learners. Data is collected in the form of classroom assessments and standardized testing in which all students participate in addition to WIDA assessment scores.

Section 9: Meaningful Communication with Parents/Guardians

RSU 16 makes every effort to ensure meaningful and comprehensible communication with parents with a primary/home language other than English and to adequately notify parents of information about any program or service that is called to the attention of non-EL parents. When possible, interpretation services are offered when parents do not have the English

proficiency to comprehend the academic dialogue presented during meetings such as conferences and ILAP meetings.

Section 10. Appendix A: Terms

ACCESS for ELLs- Assessing Comprehension and Communication in English State to State for English Language Learners: used as an annual assessment for English learners.

CAN DOs- WIDA Can Do descriptors: used to describe what learners can do at benchmarks 1 to 12 in the academic English language skills of Listening, Speaking, Reading and Writing.

EL- English Learner

ELL- English Language Learner: used to describe a student at Level 4.5 or lower on the WIDA ACCESS for ELLs.

ESL- English as a Second Language: term traditionally used to describe students who come from a non-English language background to learn English in a school setting.

FEP- Fluent English Proficient: used to describe students who are capable of functioning in an English-only educational environment in the domains of reading, writing, listening, and speaking in social and academic language.

ILAP- Individualized Language Acquisition Plan

LAC- Language Acquisition Committee: committee with responsibilities that include identifying and ensuring that the educational needs of English learners are met.

Lau Plan- equal access plan developed to describe the appropriate educational practices for English learners as a result of the Supreme Court case of Lau v. Nichols (1974).

NEP- Non-English Proficient: used to describe a student who has not had exposure to English.

Wida Screener- WIDA Assessment and Placement Test: used to screen newly enrolled students, who have not taken the

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ACCESS for ELLs, to determine eligibility for ELL services.

WIDA- World-Class Instructional Design and Assessment: a federally funded assessment and member-state supported consortium including Maine, Vermont, and New Hampshire. This consortium has created English language proficiency standards aligned with the Common Core.

SIGNATURE BLOCK:

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