

Helping Idaho students continually progress in their mastery of the English language is an integral part of the education process. All students, including English learner (EL) students, represent a broad range of abilities and interests. For this reason student progress alone cannot serve as the only criterion for the placement and retention of students in special programs for EL students; neither can it be the only criterion used to judge the success of a school program.

The schools in this district are required to make a reasonable effort to address the special language deficiencies of ELL students. The programs and practices used in this district will be reasonably calculated to effectively implement the educational theory adopted by each school. However, there is no guarantee for the success of every individual student in meeting pre-specified criteria of English language proficiency.

DEFINITIONS

An ELL student is defined as one:

1. Who is aged 3 through 21;
2. Who is enrolled or preparing to enroll in an elementary school or secondary school;
3. (i) Was not born in the United States or whose native language other than English; or
(ii) Who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; or
(iii) who is a Native American or Alaska Native, or a native resident of outlying areas and comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency; and
4. Whose difficulties speaking, reading, writing, or understanding the English language may be sufficient to deny the individual:
 - (i) the ability to meet the challenging state academic standards;
 - (ii) the ability to achieve successfully in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in our society.:

“Immigrant” refers to an individual who is (i) aged 3 through 21; (ii) was not born in any state; and has (iii) has not been attending one or more schools in any one or more state for more than three full academic years.

“IRI” means the Idaho Reading Indicator”

“ISAT” means the Idaho Standards Achievement Test.

“L1 EL Student” means a student who qualifies as EL and who is new to a U.S. school within the last twelve (12) months.

“LEIP” means language instruction education program(s) adopted by the district that may include one or more methods of instruction that are effective in teaching Els.

PROCEDURES FOR IDENTIFYING, SCREENING AND EXITING ELL STUDENTS

The following procedure will be used for the identification of ELL students:

1. Within thirty (30) days following commencement of the school year, or when a student first enrolls in this district, students should be identified as potential EL through appropriate screening and teacher observation in accordance with this policy and the Idaho State Department of Education “EL Identification and Screening Mini-Manual.
2. The district will administer the statewide home language survey (HLS) (available in English and Spanish) to all newly enrolling students to determine whether a language other than English is spoken in the home. The district will endeavor to communicate clearly with parents to assure that answers given on the HLS are accurate and reflect possible influence of other language(s) on the child. If the data seems incorrect or is unclear, the district may contact the parent/guardian for clarification on the information provided in the HLS and make appropriate changes with a note (initialed and dated) of the personal conversation.
3. Prior to administering an English language proficiency screener assessment, district personnel will check the English Learner Management System (ELMS) to make immediate programmatic decisions for incoming students who may already be Els, exited Els, or potential Els who need to be screened for English language proficiency;
4. If a student is identified as a potential EL, the district will use additional resources and data to determine whether administration of an EL screener is appropriate. No EL screener is necessary where (i) the student already has an EL proficiency score in ELMS; (ii) the student’s cumulative file contains WIDA assessments from another state, if the student has screener scores that meet Idaho’s screen out criteria, or if the student has ACCESS scores that meet Idaho’s exit criteria; or (iii) if the student has an EL Exit Form from another state regardless of the language proficiency test used to determine exit criteria. The district will administer a screener (i) if a student’s EL history in ELMS states

“no EL history;” or if the student has current non-WIDA language proficiency assessment reports that qualify him/her as an EL in their cumulative file.

5. If the student is identified as a potential EL student, the district will proceed with administration of an appropriate language proficiency screener, either Kindergarten W-APT or WIDA Screener, depending on the student’s grade level and time of year of enrollment, to determine district LIEP eligibility. The district will use statewide EL entrance criteria to determine whether a student qualifies for EL or whether they screen out of EL eligibility.
6. Screener assessment and program placement will occur within thirty (30) days of the student’s enrollment in the district.
7. If the student’s assessment score qualifies him/her for participation in the district’s language instructional education program, the district will notify the parents/guardians by letter in a language understandable to the parents (to the extent practicable) indicating that their child was identified as needing specific English language development services. Parents/guardians will be given an opportunity each year their child is enrolled to waive any English language development services, but not annual assessment.
8. EL students will be placed in the grade level that is age appropriate; students will not be placed in lower grades due to newcomer status or low language proficiency.
9. All procedures for ELs apply if a Native American student’s HLS indicates that a language other than English is spoken in the home. Native American students can be considered for English language services, but will not be identified solely based upon being Native American.

IDENTIFICATION OF IMMIGRANT STUDENTS

The district recognizes that an individual’s immigrant status is not related to an individual’s legal status in the United States. The district also recognizes that not all immigrant students are English learners and not all English learners are immigrant students, nor is immigrant status an immediate qualifier for EL status. The district will seek to determine eligibility for its EL program of immigrant students by establishing “look-fors” in enrollment paperwork (e.g., a birth certificate from another country) that may indicate the student could be immigrant. The district will then, through conversation with the parents/guardians, or through an interpreter, the district will verbally follow up to determine whether the student meets the criteria for an immigrant student. The district will endeavor to communicate clearly with parents/guardians to assure that all information provided is entirely confidential that nothing will be documented in the student’s cumulative file, and that it has nothing to do with the family’s or student’s immigration status.

EL PROGRAMS

The programs and practices used with EL students will be reasonably calculated to effectively implement the educational theory adopted by this district and will:

- a. Be recognized as sound by some experts in the field or, at least, deemed a legitimate experimental strategy;
- b. Be reasonably calculated to implement effectively the educational theory adopted by the district; and
- c. Be proven successful, after a legitimate trial period in producing results indicating that the language barriers confronting students are actually being overcome.

EL students are entitled to LIEPs that lead to proficiency in English. Once students have been placed in a LIEP, they will be provided with services until they are proficient enough in English to participate meaningfully in the regular educational program. The district's EL program will be designed to provide instruction which meets each student's individual needs based on the assessment of English proficiency in listening, speaking, reading and writing. Depending on the district's EL population and the EL staff employed, the district may implement more than one program type.

ENDLISH LEARNER PLANS (ELPs)

An individualized ELP will be written for any student who requires any accommodations or designated supports on a statewide or district-wide assessment based upon language proficiency. Assessment accommodations and supports will also be used during regular classroom instruction and testing. The district may create an ELP for an EL even if they do not require accommodations/supports in the classroom or annual assessment. Copies of ELPs will be placed in the student's cumulative file.

STATEWIDE ASSESSMENTS FOR EL STUDENTS

EL students in this district will take the ISAT, ACCESS 2.0 and IRI tests, except as otherwise provided herein.

ISAT: L1 EL students are exempt from the English Language Arts ISAT. L1 students must still take the Math ISAT and the Science ISAT if enrolled on or before the first Friday of May.

IRI: All EL students in this district, including L1 EL students, are required to take the IRI.

ANNUAL ENGLISH LANGUAGE PROFICIENCY ASSESSMENT

All qualified ELs are required to participate annually in the summative English Language Proficiency Assessment, ACCESS 2.0 or Alternate ACCESS. The annual ACCESS 2.0 determines the students' level of English language proficiency and allows the district to

accurately and comprehensively track Els' linguistic growth, to ensure all Els are making progress and mastering the English language. ACCESS 2.0 also highlights the language development needs of students individually in each of the four language domains of listening, speaking, reading and writing. The Alternate ACCESS is available for students with the most significant cognitive disabilities. Eligibility for the Alternate Access will follow State Department of Education criteria. Although parents can waive services of a LIEP, the annual English language proficiency assessment may not be waived.

EXITING PROCEDURES FOR EL STUDENTS

The criteria for exiting students from an LIEP will be based on this policy and the standards set forth in the Idaho State Department of Education "EL Exiting and Monitoring Mini Manual." The established exit criteria is the level of language proficiency needed for the student to independently be able to access content delivered in English and therefore have the language ability to also be proficient on statewide and districtwide assessments.

Students who meet Idaho's exit criteria are exited and transition into a two-year monitoring period. Exited students no longer receive services through and LIEP and no longer take the ACCESS assessment. The district may make special provisions (e.g., RTI, special education, Title I, etc.) or provide other interventions to further support the specific areas where a student may continue to struggle. The district will document those students who have exited from the district's EL program by placing a state-approved EL exit form in students' cumulative files, in addition to documentation on ELMS. The form will be shared and explained to parents/guardians in a language they can understand to inform them of their child's program exit and into a monitoring status for two (2) years.

The district may use various assessment tools to monitor exited Els during the two-year monitoring period. These tools include, but are not limited to:

- Classroom grades;
- Statewide academic achievement tests (ISAT and IRI);
- AimsWeb;
- NWEA MAP Testing;
- STAR;
- One-on-one student meetings;
- Locally created observation tools.

REPORTING

This district will report annually to the Idaho State Department of Education on an appropriate form the following:

- a. Total number of children participating in the EL program
- b. Progress made by students enrolled in the program.

- c. Number of students exited from the program and the criteria upon which this decision was made;
- d. Proposed changes, if any, for the subsequent year.

If this district does not have EL students enrolled, it will certify that fact to the Idaho State Department of Education under the signature of the superintendent of schools or the chairman of the board of trustees.

PARENTAL NOTICE AND WAIVER OF EL SERVICES

Within thirty (30) days of the beginning of each school year, or within the first two (2) weeks of placement in a LIEP for students who enroll after the start of the school year, the district will notify parents of student qualifying for a LIEP about the instructional program and parental options, as required by law. Such notice will include, at a minimum:

- The reason for EL identification;
- The child's current level of English language proficiency, how it was assessed, and the status of the child's academic achievement;
- Type of LIEP the child is being placed into and other available district LEIP options;
- Exit requirements, expected graduation rate, and expected rate of transition to a classroom not tailored for EL students;
- In the case of a child with a disability, how the LIEP meets the goals in the child's Individual Education Plan (IEP); and
- Information for parents on how to withdraw their child from the district LEIP services or to choose another program or method of instruction.

Whenever possible, communications with parents or guardians shall be in the language understood by the parents.

Parents will be notified annually of their right to waive the services of the LIEP for their child. EL students who are not participating in the LIEP services due to parental waiver will still have access to all of the district's educational programs and curriculum. Parental waiver of EL services does not exempt the student from annual English proficiency assessments (ACCESS 2.0 or Alternate Access) and does not remove any EL designation.

EL/TITLE III ADMINISTRATOR/COORDINATOR

The district's EL/Title III Administrator/Coordinator is:

Dr. Becca Wills (rwills@wendellschools.org)

**LEGAL REFERENCE:**

Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§2000d *et seq.*)

Equal Educational Opportunities Act of 1974 (EEOA)

Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act of 2015 (20 U.S.C. §§6811 *et seq.*)

Idaho Code §33-1617

Idaho State Department of Education Guidance:

“EL Identification and Screening Mini-Manual” (updated September 6, 2019)

“EL Programs, Standards, and Staffing Mini-Manual” (updated September 6, 2019)

“English Learners in Statewide Assessments Mini-Manual (updated September 6, 2019)

“State EL & Title III Mini-Manual” (updated September 6, 2019)

“EL Exiting and Monitoring Mini-Manual” (updated September 6, 2019)

ADOPTED: December 9, 1998

AMENDED: December 19, 2017, October 20, 2019, September 15, 2020