

# ALSDE

## English Learner Guidebook



# ENGLISH LEARNERS (ELs) GUIDEBOOK

This document, *English Learners (ELs) Guidebook*, is an outgrowth of the Alabama State Department of Education's voluntary agreement with the U.S. Department of Education, Office for Civil Rights (Compliance Review #04-98-5023), for providing services to students who are English learners (ELs). It incorporates requirements and applicable references to Title III of the *Every Student Succeeds Act of 2016* (ESSA). This document is intended to provide basic requirements and guidance for policies, procedures, and practices for identifying, assessing, and serving ELs. Questions about responsibilities of local education agencies (LEAs) in providing English language services may be directed to:

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# PREFACE

## A. EQUAL EDUCATION OPPORTUNITY AND NON-DISCRIMINATION STATEMENT

It is the policy of the Alabama State Board of Education and the Alabama State Department of Education (SDE) that no student will be excluded from participation in, be denied the benefit of, or be subjected to discrimination in any program or activity on the basis of sex, race, color, creed, religion, belief, national origin, ethnic group, or disability.

## B. INTRODUCTION

The number of limited-English speaking families in Alabama has increased significantly in recent years. These families include U.S. born children whose first language is other than English, immigrants, migrants, and others with limited-English proficiency. These children are in Alabama schools acquiring academic English that facilitates mastery of the content standards. Their ability to learn this content may be hampered by the lack of appropriate instruction and accommodations in the classroom. The SDE recognizes that there are national origin minority school children in the state who require services in order to become proficient in the English language, and are classified as English learners. English learners are likely to experience difficulty with the dual weight of acquiring a language while learning academics taught in that language. These students are at a higher risk of dropping out of school and may consequently have reduced opportunities for employment.

The SDE is committed to providing all students equal opportunity to benefit from educational programs and services. Further, the SDE is committed to supporting scientifically research-based and appropriate effective programs, practices, training, and accountability so that all students can become proficient in English and achieve the state's academic content and standards. The SDE has the responsibility for implementing Title III Language Instruction for English Learners and Immigrant Students of the *Every Student Succeeds Act (ESSA)*.

The SDE is also responsible for enforcing Title VI of the *Civil Rights Act of 1964*, which prohibits discrimination in programs and activities that receive federal financial assistance. Local education agencies (LEAs) that receive federal financial assistance cannot discriminate, on the basis of race, color, or national origin. These Title VI regulatory requirements prohibit denial of equal access to education because of a student's limited proficiency in English, causing the possible inability to participate in or benefit from regular or special education instructional programs.

Consequently, LEAs may not:

- Provide services, financial aid, or other benefits **that are different** or in a different manner from what all students receive.
- **Restrict** an individual's enjoyment of an advantage or privilege enjoyed by others.
- **Deny an individual the right** to participate in federally assisted programs.
- **Hamper or substantially impede** the objectives of federally assisted programs.



## C. STATE DEFINITION OF IMMIGRANT, MIGRANT & ENGLISH LEARNERS

Under ESSA, an English Learner, means an individual —

- (A) who is aged 3 through 21;
- (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C) who was not born in the United States, or whose native language is a language other than English;
  - (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
    - (II) 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
  - (iii) 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; and
- (D) whose difficulties in 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 successfully achieve in classrooms where the language of instruction is English; or
  - (iii) the opportunity to participate fully in society.

Under ESSA, the term “**Immigrant children and youth**”, means individuals who— (A) are aged 3-21; (B) were not born in any state, including Puerto Rico and Washington D.C.; and (C) have not been attending one or more schools in any one or more States for more than 3 full academic years

The term “**Migrant**” when used with respect to an individual, means:

- (A) the child is younger than 22 and has not graduated from high school or does not hold a high school equivalency certificate (this means that the child is entitled to free public education or is of an age below compulsory school attendance).
- (B) the child is a migrant agricultural worker or a migrant fisher or has a parent, spouse, or guardian who is a migrant agricultural worker or migrant fisher.
- (C) the child has moved within the preceding 36 months in order to obtain (or seek) or to accompany (or join) a parent, spouse, or guardian to obtain (or seek), temporary or seasonal employment in qualifying agricultural or fishing work.
- (D) such employment is a principal means of livelihood.
- (E) has moved from one school district to another.
- (F) in a State that is comprised of a single school district, has moved from one administrative area to another within such district.
- (G) resides in a school district of more than 15,000 square miles and migrates a distance of 20 miles or more to a temporary residence to engage in a fishing activity. (This provision currently applies only to Alaska.)

## D. LEGAL CASES RELATING TO ENGLISH LEARNERS

### **1964 Civil Rights Act, Title VI**

*“No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” -42 U.S.C. § 2000d.*

### **Lau vs. Nichols (US Supreme Court Decision 1974)**

*“The failure of school system to provide English language instruction to approximately national origin students who do not speak English, or to provide them with other adequate instructional procedures, denies them a meaningful opportunity to participate in the public educational program, and thus violates § 601 of the Civil Rights Act of 1964, which bans discrimination based "on the ground of race, color, or national origin," in "any program or activity receiving Federal financial assistance," and the implementing regulations of the Department of Health, Education, and Welfare. Pp. 414 U. S. 565-569.”*

### **Plyler vs. Doe (U.S. Supreme Court Decision 1982)**

*“The illegal aliens who are plaintiffs in these cases challenging the statute may claim the benefit of the Equal Protection Clause, which provides that no State shall deny to any person within its jurisdiction the equal protection of the laws” . . . The undocumented status of these children does not establish a sufficient rational basis for denying them benefits that the State affords other residents . . . No national policy is perceived that might justify the State in denying these children an elementary education.” -457 U.S. 202*

### **Castañeda vs. Pickard, [5th Cir., 1981] 648 F.2d 989 (US COURT OF APPEALS)**

*“In 1981, in the most significant decision regarding the education of language-minority students since Lau v. Nichols, the 5th Circuit Court established a three-pronged test for evaluating programs serving English language learners. According to the Castañeda standard, schools must base their program on educational theory recognized as sound or considered to be a legitimate experimental strategy, – implement the program with resources and personnel necessary to put the theory into practice, and – evaluate programs and make adjustments where necessary to ensure that adequate progress is being made. [648 F. 2d 989 (5th Circuit, 1981)].”*

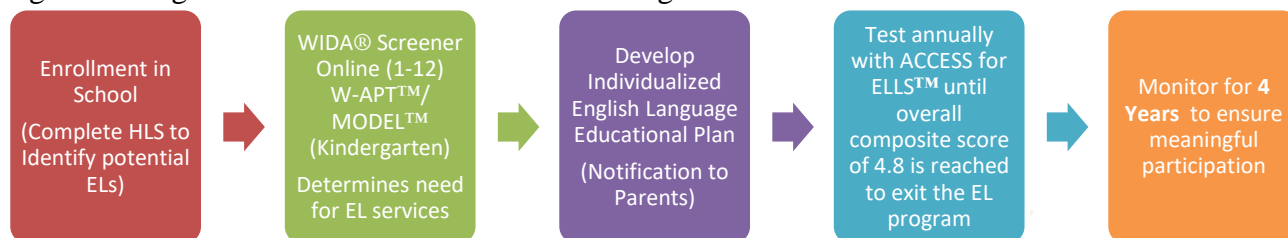
***Additional laws, court decisions, and memoranda related to EL can be located in the Appendices.***



# PART I

## POLICY AND PROCEDURES FOR LOCAL EDUCATION AGENCIES SERVING ENGLISH LEARNERS

Figure 1: Progression of EL Students in the EL Program



### A. INTAKE PROCEDURES

#### *Identification, Enrollment, and Placement of English Learners*

##### **Home Language Survey**

English Learners (ELs) must be identified at the point of enrollment. A consistent enrollment procedure for language-minority students, which includes the use of a Home Language Survey (HLS), facilitates their entry into the new school environment. A language-minority student is one whose home language is other than English. It is vital to have **trained school personnel** who are dedicated to meeting the needs of students from different cultures with different levels of English proficiency.

A Home Language Survey (HLS) must be completed for each student registering for enrollment in an Alabama public school. It is beneficial to conduct an interview with the student and/or parents during the enrollment process. Information such as limited or interrupted formal education, emotional trauma, cultural awareness, and other special circumstances will support the EL committee decisions when considering the individualized educational plan for the student. *The assistance of a translator may be required* to complete the interview and survey. The completed survey becomes part of the student's permanent record and should be available for future reference.

The Home Language Survey contains, at a minimum, a version of the following questions:

- Is a language other than English spoken at home?
- Is your child's first language a language other than English?
- What language did your child learn when her/she first began to talk?
- What language does your child most frequently speak at home?
- In what country was your child born?
- Has your child been in US schools for at least three years?

When all responses on the HLS indicate that **English is the only language used by the student and by individuals in the home**, the student is considered an English-only speaker. Procedures established by the school system for placement in the general student population should be followed. If any response on the HLS indicates the use of a language other than English by the student or an individual in the home, then further assessment must be conducted to determine the student's English-language proficiency level. However, the presence of a language other than English does not automatically signify that the student is not a competent and proficient speaker of English.

## **Enrollment Policy**

The LEA should work collaboratively with community and area agencies to **facilitate** the school enrollment process.

**All language-minority students must be allowed to attend school, regardless of their ability to produce a birth certificate, social security number, or immigration documentation.** Children may not be excluded from school because they do not have a social security number (*Plyler v. Doe*). Application forms to obtain social security numbers may be distributed, but the option of completing the forms must be left to the parents. The school should use procedures described in *Alabama Administrative Code* (AAC) to create a student number.

**If parents do not have student immunization records available, the dates of immunization may be obtained by calling the previous school that the child attended.** The LEA may need to contact the former school system. If necessary, students can begin the immunization series at the local public health department. *If appropriate immunization documentation cannot be obtained within a reasonable period of time, the student's case should be handled in accordance with approved state and local board of education procedures.*

## **Initial Language Proficiency Assessment and Program Placement**

Initial assessment of English language proficiency is conducted using *W-APT™*, *WIDA®/MODEL™*, and *WIDA® Screener Online* to determine the level of English proficiency and to facilitate appropriate instructional and program placement decisions. Language-minority students identified through the HLS during registration before the beginning of the school year must be assessed for English-language proficiency within thirty (30) days of enrollment (ESEA 3113(b)(2)). Language-minority students who register after the beginning of the school year must be assessed within ten (10) days of enrollment (ESEA 1112(3)(B)). **NOTE: The LEA should record the registration date as “original entry date” on Chalkable or if the child is newly arrived in the county, “date first enrolled in US school,” when completing the demographics page.**

Alabama is a member of the WIDA® consortium and has adopted the *WIDA® Screener Online* to determine eligibility for placement for students in **grades 1-12**, and the *WIDA®-ACCESS Placement Test (W-APT™)* or *WIDA®/MODEL™* for students in **kindergarten and first semester 1<sup>st</sup> graders**. The *WIDA® Screener Online* assesses English language proficiency in all four domains of language – listening, speaking, reading, and writing—as well as comprehension in all subject areas to ensure students' language needs are properly identified and addressed through the LEA's educational program.

The *WIDA® Screener Online* yields an overall composite score based on the language domains tested. The *WIDA® W-APT™ Kindergarten Screener* and the *WIDA® MODEL™* may be used until the kindergarten *WIDA® Screener Online* becomes available. The following guidelines determine eligibility for placement in the English language instruction educational program:

- Kindergarten students taking the *W-APT™*:
  - In the first semester of school have a composite score less than **25**.
  - In the second semester of school is: Listening & Speaking less than **28** and Reading less than **12** and Writing less than **14**.
- Kindergarten students taking the *WIDA® MODEL™* is less than **4.0**.
- First grade students taking the *W-APT™* in the first semester of school is: Listening & Speaking less than **29** and Reading less than **14** and Writing less than **17**.
- First grade students in the second semester of school and students in grades 2-12 taking the *WIDA Screener Online* is less than **5.0**.

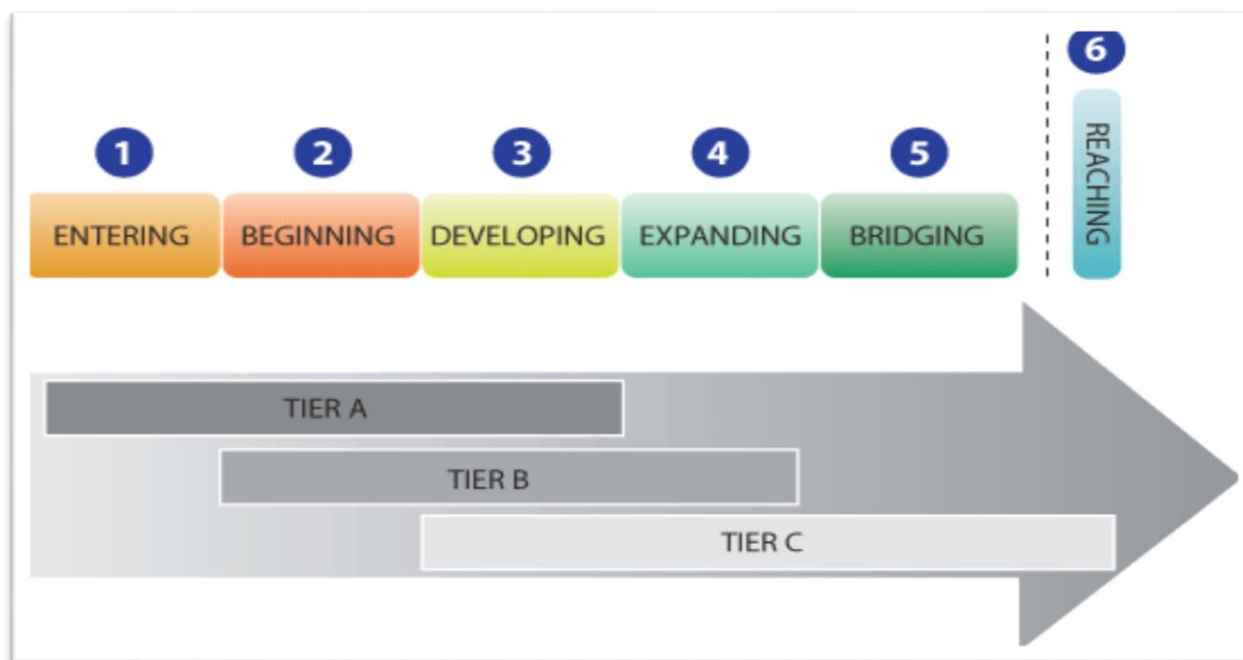
THE *WIDA® MODEL™* can be used as a benchmark assessment during the school year or as a summative evaluation for data purposes. The *WIDA® MODEL™* can be used in lieu of *W-APT™* in kindergarten at the district's expense.

### Screener Identification Criteria for Students whose Home Language is other than English

WAPT	Grade	Domains	W-APT™ Score Identifies Student as EL	W-APT™ Score Indicating student is <b>NOT</b> EL
	Kindergarten 1 <sup>st</sup> Semester	Speaking & Listening	Less than 25	25 or higher
	Kindergarten 2 <sup>nd</sup> Semester	All Four	Listening & Speaking Less than 28 and Reading Less than 12 and Writing Less than 14	Listening & Speaking 28 or Higher and Reading 12 or Higher and Writing 14 or Higher
	Grade 1 1 <sup>st</sup> Semester	All Four	Listening & Speaking Less than 29 and Reading Less than 14 and Writing Less than 17	Listening & Speaking 29 or Higher and Reading 14 or Higher and Writing 17 or Higher

MODEL™	Grade	Domains	WIDA® MODEL™ Score Identifies Student as EL	WIDA® MODEL™ Score Indicating student is <b>NOT</b> EL
	Kindergarten 1 <sup>st</sup> Semester	Speaking & Listening	Less than 4.0	4.0 or higher
	Kindergarten 2 <sup>nd</sup> Semester	All Four	Less than 4.0	4.0 or higher
	Grade 1 1 <sup>st</sup> Semester			

WIDA® SCREENER ONLINE	Grade	Domains	WIDA® Screener Online Score Identifies Student as EL	WIDA® Screener Online Score Indicating student is <b>NOT</b> EL
	Grade 1 2 <sup>nd</sup> Semester	All Four	Less than 5.0	5.0 or higher
	Grade 2 – Grade 12 1 <sup>st</sup> and 2 <sup>nd</sup> Semester	All Four	Less than 5.0	5.0 or higher



### ACCESS for ELLS™ Overview: Tiers

In order to present the test appropriately to each individual student, the test is presented in 3 **tiers** for each level: A, B, and C. The chart above shows how the different tiers map the English language proficiency levels. You can see from this test design the tiers overlap, a necessity for making sure each tier is measuring a common proficiency scale. Each tier is only able to discriminate performance on its portion of the proficiency scale, so to ensure the ACCESS for ELLS™ test works as intended, it is necessary to place each student into the tier that best matches his or her English language proficiency level.

The decision concerning where the student currently falls on the scale is best made by the student's teachers based on the information they have about the student's language proficiency including performance on other language tests. The Online Screener and MODEL™ screener test yields a composite score which indicates which tier a child should be placed in for the ACCESS for ELLS™ test, with the score derived by looking at additional supporting information using additional criteria for tier selection.

Each test form takes particular aim at a certain grade level cluster and range of proficiencies, and each also must align with all the other instruments in the battery. That is, they each evaluate a certain segment of a common academic English proficiency measurement scale. In this way, we are assured that as a child progresses through the grades and in English proficiency, we get an accurate picture of actual gains from year to year.

### Criteria For Tier Selection (when using paper assessments)

The next page lists the criteria for tier placement for the ACCESS for ELLS™ assessment. The Online Screener is intended to assist with tier placement, but the following chart gives additional criteria which can support its results or assist with tier placement in the event that the Online Screener is not available or practical for use with a particular child.

ACCESS for ELLS™ uses Tiers A, B, or C to maximize accuracy and validity of test results, allowing students to avoid responding to questions that are inappropriately difficult or easy. For placement into the appropriate Tier, English language learners must meet at least ONE of the criteria listed for the Tier.

*EL Guidebook*

*Office of Student Learning-- Federal Program Section*

Level 1 Entering	Level 2 Beginning	Level 3 Developing	Level 4 Expanding	Level 5 Bridging	Level 6 - Reaching
ACCESS for ELLs <sup>®</sup> : TIER A					
ACCESS for ELLs <sup>®</sup> : TIER B					
ACCESS for ELLs <sup>®</sup> : TIER C					
<p><b>TIER A</b> is most appropriate for English language learners who:</p> <ul style="list-style-type: none"> <li>• have arrived in the U.S. or entered school in the U.S. within this academic school year without previous instruction in English, OR</li> <li>• currently receive literacy instruction <b>ONLY</b> in their native language, OR</li> <li>• have recently tested at the lowest level of English language proficiency</li> </ul>					
<p><b>TIER B</b> is most appropriate for English language learners who:</p> <ul style="list-style-type: none"> <li>• have language proficiency and some, but not extensive, academic language proficiency in English, OR</li> <li>• have acquired some literacy in English, though have not yet reached grade level literacy</li> </ul>					
<p><b>TIER C</b> is most appropriate for English language learners who:</p> <ul style="list-style-type: none"> <li>• are approaching grade level in literacy and academic language proficiency in the core content areas, OR</li> <li>• will likely meet the state's exit criteria for support services by the end of the academic year</li> </ul>					

### Exit Criteria

Alabama uses a standardized single-criterion exit procedure for English Learners. All ELs in Grades K-12 participate in the annual ELP assessment (ACCESS for ELLS™). Students who reach an overall composite of 4.8 in the reading, writing, listening, and speaking domains on the WIDA® ACCESS for ELLS™ annual assessment are exited from services and are reclassified as former ELs.

### Transition from EL Program Services

EL students who make an overall proficiency level of **4.8** on ACCESS for ELLS™ will exit the EL program. If a student does not make an overall proficiency score of 4.8 they will continue receiving English language services.



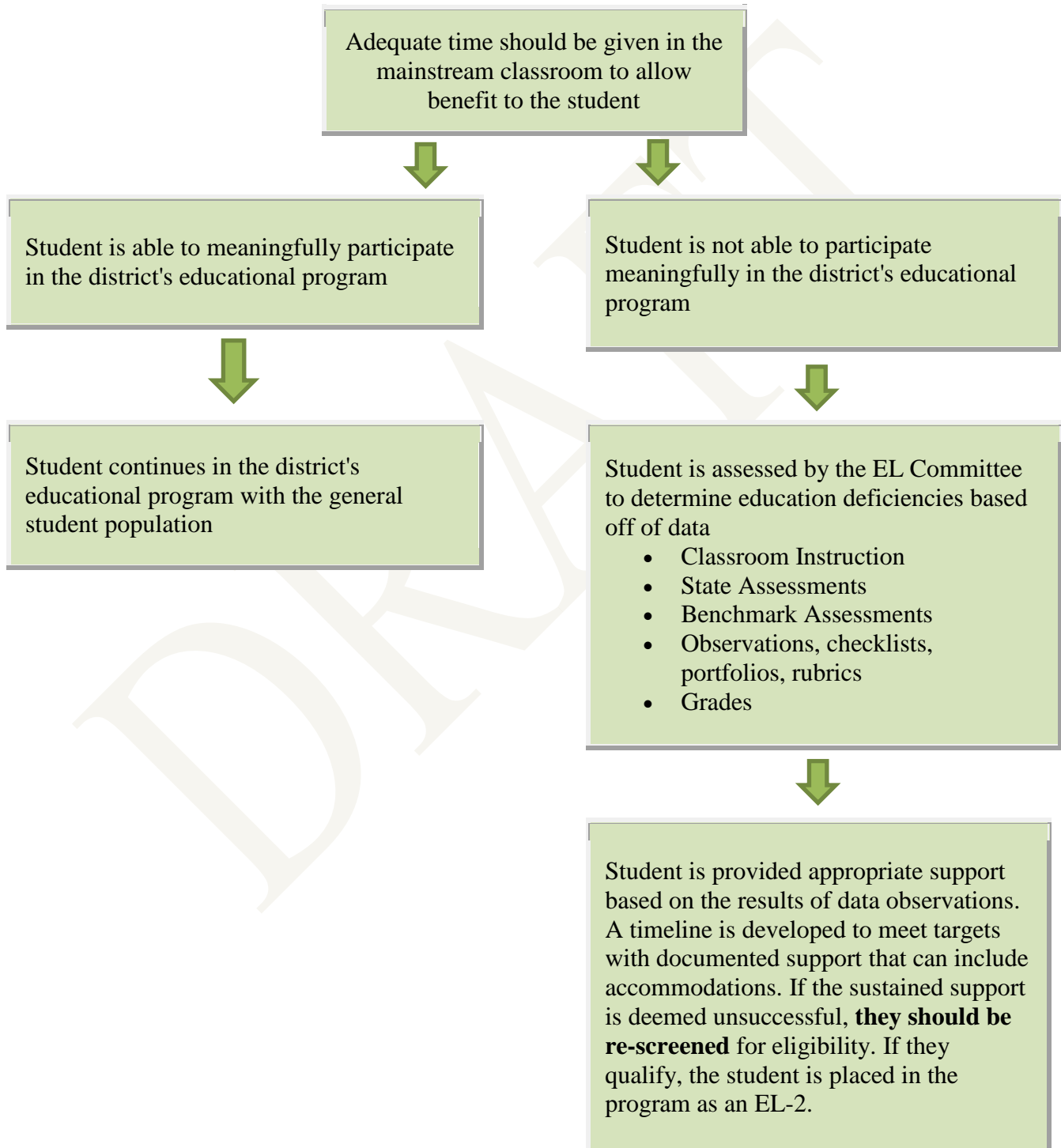
Students who make the required score to exit from ESL services are placed on monitoring status for **four** academic years. It is recommended that EL stakeholders and teachers communicate at least once each nine weeks during the first year and at least once each semester during consecutive years with documentation to ensure that the exited student is functioning successfully in the mainstream classroom. Students are classified as Former English Learners Monitoring Years 1-4 (**FEL-1-4**) during this monitoring period. Upon successful completion of four years of monitoring, ELs are classified Former English Learner (**FEL**) and are no longer included in the EL subgroup for accountability purposes.



### English Learner Committee

The English Learner (EL) Committee is a school team responsible for guiding and monitoring the placement, services, and assessment of students who are ELs. The EL Committee may be comprised of classroom teachers, counselors, instructional specialists, school administrators, ESL staff, and other members as appropriate (e.g., parents, central office administrators, support staff). Although there is nothing to prohibit members from the *Response to Instruction* (RtI) participating on EL Committees, **these committees serve very different purposes.**

#### Monitoring Students FEL 1-4



### Individual English Language Plan

It is highly recommended, due to *Castañeda vs. Pickard* and ESEA Section 3113(b)(2) of Title III of the *ESSA of 2016*, that each student designated as EL have an Individual English Language Plan (I-ELP) which should be updated annually until the student achieves Former EL (FEL) status.

The EL Committee should use the following guidelines in implementing the I-ELP:

1. Ensure full consideration of each student's language background before placement in an English language instruction educational program.
2. Ensure implementation of systematic procedures and safeguards related to appropriateness of identification, placement, assessment, instructional and support programs, and program exit.
3. Review student's progress in language acquisition and academic achievement annually.
4. Convene as needed to discuss changes or adjustments in the ELs instructional services.
5. Identify accommodations needed on state assessments. Additional classroom strategies and accommodations should be identified as appropriate.
6. Communicate in a timely manner the student's I-ELP with faculty and staff who interact with and provide instruction for the child.
7. Ensure the I-ELP **describes how the school will communicate** with the student's parents in a language the parent can understand.
8. Determine and record the date of placement into the ESL program on ACCESS for ELLS™ Demographics page so that "Length of time in EL Program" is established.
9. Please note that the distinction between "date first enrolled" (which is the date of registration) and "EL Entry Date" (which is the date student is first determined to be EL, from the screener) are two different dates.

### Roles of Problem Solving Team (PST) and EL Committees

1. The problem solving team process plays a central role in implementation of Response to Instruction (RtI). The purpose of RtI is to combine core instruction, assessment and interventions within a multi-tiered system in order to increase student achievement and to reduce behavior problems. The role of the PST is to help guide general education intervention services for all students who are at risk of failure academically or behaviorally. (At-Risk definition: core grades below C, scoring below "proficient" on standardized tests, chronic behavior referrals, etc.) Although it is a required step before special education testing, it is not used **only** for pre-special education testing purposes. **English Learners may be referred to the PST only after differentiated instructional strategies have been provided for them for a reasonable amount of time in Tier I and there is data showing that this instruction has been unsuccessful. ELs cannot be referred to the PST if language is the only barrier to achievement. PST committees may need to seek specialized training in order to write appropriate strategies or accommodations for students whose primary language is other than English.** (See Lau v Nichols)
2. **Once language has been eliminated as the barrier** to achievement, ELs students must be served in the same way as all other students. If an EL student is being discussed for possible special education issues and language is clearly not the issue, then PST is the appropriate vehicle, provided ELs staff member(s) are part of the team.
3. The EL and PST committees are separate entities but may include some of the same members. In smaller school districts, there are a limited number of personnel available for these important roles. The issue is not the duplication of personnel on the committees; it is the purpose of the committees. Appropriate personnel to serve on the EL Committee include content-area or general

classroom teachers of ELs, assessment specialists, school administrators, school counselors, and ESL staff.

### **Parent Notification**

According to ESEA sec. 1112(3)(A) Title III requirements, districts must, not later than 30 days after the beginning of the school year, provide notification to parent(s) of ELs identified for participation in an English language instruction educational program of:

1. The reasons for the identification.
2. The child's level of English proficiency.
  - a. How such level was assessed.
  - b. The status of the child's academic achievement.
3. The method of instruction used in the program.
4. How the program will meet the educational strengths and needs of the child.
5. How the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation.
6. The specific exit requirements for such program, expected rate of transition from such program into the regular education classroom, and the expected rate of graduation from secondary school.
7. In the case of a child with a disability, how the program meets the objectives of the individualized education program of the child.
8. Information pertaining to parental rights that includes written guidance detailing:
  - The right of the parents to have their child immediately removed from supplemental Title III programs upon request.
  - The options that parents have to decline to enroll their child in such supplemental Title III programs or to choose another program or method of instruction if available.
  - The various programs and methods of instruction if more than one program or method is offered by the eligible entity.

(Refer to TransAct for *Request for Change in Supplemental English Learner Program* waiver forms.)

### State Codes for English Learners and Data Collection

Upon identification and placement, students should be given a code in the Chalkable Program. The table below contains codes used by State Student Assessment and Chalkable along with a definition of codes. For state assessment and accountability purposes, the SDE uses one coding system for ELs. Similar codes are also used by the SDE for data collection from Chalkable. See Table 1 for a list of comparison of codes.

**Table 1-STUDENT CODING FOR ENGLISH LEARNERS**

Code	Description	Additional Information
0	Not English Learner (EL)	Students whose home language surveys do <i>not</i> indicate a language other than English spoken in the home. These are <i>not</i> students classified as NOMPLOTE.
1	EL-1 EL Year 1	English learner students who are in their first year in a U.S. school.
2	EL-2 EL Year 2 or more	English learner students who are in their second year or more in a U.S. school.
3	FEL-1 1 <sup>st</sup> Year Monitoring	Students who have exited the ESL program and are in their first year of systematic monitoring. These students no longer take ACCESS for ELLs™ English Language Proficiency test.
4	FEL-2 2 <sup>nd</sup> Year Monitoring	Students who have exited the ESL program and are in their second year of systematic monitoring. These students no longer take ACCESS for ELLs™.
5	No longer used	No longer used
6	Waived Title III Services	Students who are English learners yet parents have refused supplemental Title III services.
7	NOM PHLOTE	National Origin Minority Student Whose Primary Home Language is Other Than English.
8	FEL-3 3 <sup>rd</sup> Year Monitoring	Students who have exited the ESL program and are in their third year of systematic monitoring. These students no longer take ACCESS for ELLs™.
9	FEL-4 4 <sup>th</sup> Year Monitoring	Students who have exited the ESL program and are in their fourth year of systematic monitoring. These students no longer take ACCESS for ELLs™.
10	FEL	These students have a non-English language background but are fluent in English and do not require ESL services. Parents, however, may need information in their home language. Former English learner students who have successfully completed four years of monitoring and are no longer English learners.

**English Learners whose parents have waived supplemental Title III services** must be assessed on the ACCESS for ELLs™ English language proficiency test until they are proficient in English with a composite score of 4.8 or above. Students are coded on the ACCESS for ELLs™ test as having waived services.

### General Education Placement

**The goal for students who are ELs is that they attain fluency in English, master the state’s academic content standards as demonstrated by proficiency on the state’s required student assessments, and pass any other current state required tests.** Research related to student placement and retention shows that ELs should be placed age-appropriately in the mainstream classroom. This provides them with access to challenging, grade-level content instruction and the opportunity to interact with their English speaking peers and is considered generally to be the least restrictive educational environment.

At the high school level, credits should be awarded based on transcripts provided by the students/parents, even if the coursework was taken in another country. If transcripts are in a language other than English, translations should be sought so that credits can be awarded.

### **Advanced Placement (AP) Courses**

English Learners are eligible to participate in advanced placement courses; however, according to the College Board Advanced Placement Program, accommodations for ELs are not permitted on AP Exams. Please note that ELs enrolled in AP courses should receive classroom accommodations so that they have access to content. It is important that this information is shared with parents and students.

### **Foreign Exchange Students**

There are no special exceptions for Foreign Exchange, or F-1 Visa students, who are English Learners for the purposes of English Language Proficiency assessments as long as they attend a school in the United States. Foreign Exchange, or F-1 Visa students, who qualify as English Learners must receive ESL services, and, if applicable, Title III supplemental services.

Foreign Exchange students **are included in the State's immigrant count** for Title III funding purposes:

- If the Foreign Exchange student is also an English Learner, s/he would be included in an LEA's count of EL students for the Title III formula subgrant.
- If the Foreign Exchange student meets the definition of "immigrant" student under section 3201(5) of ESEA, s/he would also be included in an LEA's count of immigrant children and youth.
- If the Foreign Exchange student qualifies as an English Learner, they must participate in the Title I required assessments, including the ELP assessment WIDA® ACCESS for ELLS™.

## B. COMPREHENSIVE ENGLISH LEARNER PLAN

### Components of the Comprehensive English Learner Plan

All LEAs in Alabama must develop, implement, and frequently update a Comprehensive EL Plan, in accordance with Section 3116 of Title III of the *Every Student Succeeds Act*, for serving students who are English learners and immigrant students, regardless of whether any students are determined to need support.

The Comprehensive EL Plan should address each aspect of the LEA's program for all ELs, at all grade levels, and in all schools in the school system. The Comprehensive EL Plan should contain sufficient detail and specificity so that each staff person can understand how the plan is to be implemented and should contain the procedural guidance and forms used to carry out responsibilities under the plan. **The LEA is required to have a Comprehensive EL Plan whether or not the LEA currently has ELs enrolled and regardless of Title III eligibility** (*EL Plan Template can be found in the eGAP Document Library*). At a minimum, the local plan must include five (5) parts: Required Theory and Goals, Identification and Placement Procedures, Programs and Instruction, Assessment and Accountability, and Parent, Family, and Community Engagement.

#### A. Required Theory and Goals

1. Describe The LEA's educational **theory and goals** for its program of services – **to improve the education of English learners by assisting the children in learning English and meeting the challenging state academic standards. (Sec. 3102)**

#### B. Identification and Placement Procedures

1. Include the LEA's procedures for **identifying members for the EL Advisory Committee**
2. Include the LEA's **methods for identifying, placing, and assessing** the students to be included in the English language instruction educational program. The following components must be explained in the plan
  - Home Language Survey
  - WIDA® Online Screener
  - WIDA®-ACCESS Placement Test (W-APT™) for Kindergarten
  - WIDA® Measure of Developing English Language (MODEL™) for Kindergarten
  - ACCESS for ELLS™
3. Include the **method and procedures for exiting students from the English Language Instruction Educational program (LIEP) and for monitoring their progress** for a period of at least four years (*new in ESSA*), and at a minimum, follow SDE exiting requirements for ELs. All school personnel should be aware of the State established exit criteria of a composite score of 4.8 on the ACCESS for ELLS™ English language proficiency test.

#### C. Programs and Instruction

1. Describe the programs and activities that will be developed, implemented, and administered to ensure that ELs acquire academic language as part of the core LIEP.
  - Process the system uses to conduct a comprehensive needs assessment
  - Rationale for selecting the particular EL program/s and how they are evidence-based
2. Describe how language instruction educational programs will **ensure** that ELs develop English proficiency:
  - How data is used to improve the rate of language acquisition for ELs
  - How the LEA supports each school with respect to continuous improvement practices and specific professional development
  - How World-class Instructional Design and Assessment English language proficiency (WIDA® ELD) standards are integrated into the curriculum
3. Describe the **grading and retention** policy and procedures. NOTE: ELs cannot fail or be retained if language is the barrier



4. Include details on the specific staffing and other resources to be provided to English learners under the LIEP in the district. ESL staff should be qualified with academic preparation in English-as-a-second-language, e.g. as documented in the 1991 Office of Civil Rights (OCR) Memorandum.
    - Qualified personnel (state certification and/or ESL licensure)
    - ESL staff development
    - Content teacher and administrator staff development
  5. Describe how the LEA will collect and submit data in accordance with SDE requirements.
    - How schools are trained to use the state system/database to code ELs and enter reliable and accurate data
  6. Include the LEA's method for evaluating the effectiveness of its program for English learners
    - LEA engagement in the continuous improvement cycle
    - In relation to English proficiency and challenging state academic standards
  7. Include LEA's method of identification and referral of ELs for special services (including Gifted Ed) Note that the Individual English Language Plan must describe how the school will communicate with the child and parent in their native language.
- D. Assessment and Accountability
1. Describe how the LEA will encourage and hold schools accountable for **annually measuring the English proficiency** of ELs and for participating in the state-administered testing program.
    - Including coordination with the LEA Test Coordinator/Director
    - Including communication of assessment and accountability requirements to schools
  2. Describe how the LEA will **hold schools accountable** for meeting proficiency and long term goals
    - Monitoring and evaluating school engagement with continuous improvement plan
- E. Parent, Family, and Community Engagement
1. Describe how the LEA will inform EL parents using information and notification in the following format:  
*According to current federal requirements, LEAs must, not later than 30 days after the beginning of the school year, provide notification to parents related to...*
    1. The reasons for the identification.
    2. The child's level of English proficiency.
      - a. How such level was assessed.
      - b. The status of the child's academic achievement.
    3. The method of instruction used in the program.
    4. How the program will meet the educational strengths and needs of the child.
    5. How the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation.
    6. The specific exit requirements for such program, expected rate of transition from such program into the regular education classroom, and the expected rate of graduation from secondary school.
    7. In the case of a child with a disability, how the program meets the objectives of the individualized education program of the child.
    8. Information pertaining to parental rights that includes written guidance detailing:
      - a. The right of the parents to have their child immediately removed from supplemental Title III programs upon request. (IF APPLICABLE)

- b. The options that parents have to decline to enroll their child in such supplemental Title III programs or to choose another program or method of instruction if available. (IF APPLICABLE)
- c. The various programs and methods of instruction if more than one program or method is offered by the eligible entity

### **Local Education Agency English Learner Advisory Committee**

Each LEA shall establish an **EL Advisory Committee** for the purpose of program needs, assessment, evaluation, and for developing the Comprehensive EL Plan. This committee must include central office administrators, assessment specialists, school administrators, school counselors, and ESL staff. The committee should also include parents and community representatives who work with these students and their families in other settings. By working with a group that includes these stakeholders, the LEA can receive valuable input from those whose support and efforts may be important to the success of the English language instruction educational program.

The LEA EL Advisory Committee shall make recommendations to the LEA regarding its ESL program. Some examples of committee responsibilities would be to make recommendations regarding:

- Developing elements of the Language Instruction Educational Program.
- Providing high-quality professional development for staff.
- Facilitating successful parental involvement programs to further student success.
- Budgeting of state, local, and federal funds.
- Evaluating the effectiveness of the Language Instruction Educational Program.

### **C. TITLE III CONSORTIA**

In order to receive a Title III Grant as a single district, LEAs must have sufficient numbers of ELs to generate a minimum grant of \$10,000. If an LEA is ineligible to receive Title III funds, they may form a consortium with other LEAs. To be a member of a consortium, the LEA must have less than the number of ELs required generating the minimum allocation of \$10,000.

- Each consortium must select an LEA to be the lead or fiscal agent; this responsibility is often rotated among the members. The fiscal agent is responsible for initiating meetings among consortium members and applying for Title III funds through the SDE's Electronic Grant Application Process (e-GAP).

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## D. NON-PUBLIC SCHOOL PARTICIPATION AND TITLE III - LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

### *Every Student Succeeds Act of 2016*

**ESSA 8501(a) PRIVATE SCHOOL PARTICIPATION – (1) IN GENERAL-** Except as otherwise provided in this Act, to the extent consistent with the number of eligible children in areas served by a State educational agency, local educational agency, educational service agency, consortium of those agencies, or another entity receiving financial assistance under a program specified in subsection (b), who are enrolled in private elementary schools and secondary schools in areas served by such agency, consortium, or entity, the agency, consortium, or entity shall, after timely and meaningful consultation with appropriate private school officials provide to those children and their teachers or other educational personnel, on an equitable basis, special educational services or other benefits that address their needs under the program.

**ESSA 8501 APPLICABILITY-(1) IN GENERAL-** This section applies to programs under —

- (A) Title I-C;
- (B) Title II-A;
- (C) Title III-A;
- (D) Title IV-A;
- (E) Title IV-B;

**ESSA Section 1117(b)(1) CONSULTATION-(1) IN GENERAL-** To ensure timely and meaningful consultation, a State educational agency, local educational agency, educational service agency, consortium of those agencies, or entity shall consult with appropriate private school officials during the design and development of the programs under this Act, on issues such as —

- (A) how the children's needs will be identified;
- (B) what services will be offered;
- (C) how, where, and by whom the services will be provided;
- (D) how the services will be assessed and how the results of the assessment will be used to improve those services;
- (E) the size and scope of the equitable services to be provided to the eligible private school children, and the proportion of funds that is allocated for such services, and how the proportion of funds is determined.
- (F) how and when the agency, consortium, or entity will make decisions about the delivery of services, including a thorough consideration and analysis of the views of the private school officials on the provision of contract services through potential third-party providers.
- (G) how and when the agency will make decisions about the delivery of services to such children, including a thorough consideration and analysis of the views of the private school officials on the provision of services through a contract with potential third-party providers;
- (H) how, if the agency disagrees with the views of the private school officials on the provision of services through a contract, the local educational agency will provide in writing to such private school officials an analysis of the reasons why the local educational agency has chosen not to use a contractor;
- (I) whether the agency shall provide services directly or through a separate government agency, consortium, entity, or third-party contractor;
- (J) whether to provide equitable services to eligible private school children—
  - (i) by creating a pool or pools of funds with all of the funds allocated under subsection

- (a)(4)(A) based on all the children from low-income families in a participating school attendance area who attend private schools; or
- (ii) in the agency’s participating school attendance area who attend private schools with the proportion of funds allocated under subsection (a)(4)(A) based on the number of children from low-income families who attend private schools;
- (K) when, including the approximate time of day, services will be provided; and
- (L) whether to consolidate and use funds provided under subsection (a)(4) in coordination with eligible funds available for services to private school children under applicable programs, as defined in section 8501(b)(1) to provide services to eligible private school children participating in programs.

### What are the Requirements?

- LEAs and non-public schools must engage in **timely and meaningful** consultation regarding services available to ELs in non-public schools that are located within the geographic boundaries of the LEA.
- The responsibility for initiating contact with appropriate non-public school officials lies with the LEA.
- “Timely and meaningful consultation” must include, but is not limited to, issues such as:
  - How ELs will be identified.
  - How the needs of ELs will be identified.
  - How, when, where, and what services will be provided.
  - How the services will be assessed.
  - The amount of funds/services available.
- Title III services provided must be equitable and timely and address the educational needs of the identified students.
- Services provided to ELs and educational personnel in the non-public schools do not have to be the same as those services provided to public school students. The services must be equitable, comparable, and suitable to the needs of the identified students and teachers.
- Funds/services provided for private school children and educational personnel must be equal, taking into account the number and educational needs of those children, to the funds provided for participating public school children.
- The LEA is responsible for any administrative costs (including assessments) associated with the implementation of the services for Title III students in non-public school students.
- Non-public schools must have a means of determining and documenting that a language other than English is spoken at home (comparable to the public school Home Language Survey).
- Non-public schools must provide the LEA “notice” that the non-public school believes they have EL students that should be screened to determine need and eligibility for services.
- The LEA is responsible for screening students to determine “eligibility.” LEAs can use the W-APT™, or MODEL™. The final responsibility for determining whether a non-public school student is an EL and eligible for services under Title III lies with the LEA.
- The LEA and non-public school’s meaningful consultation must determine a recognized assessment that will be used to measure progress. This may be ACCESS for ELLS™ or an assessment comparable to ACCESS for ELLS™. **{NOTE: If ACCESS for ELLS™ is used for assessment, students must be coded separately to indicate non-public status.}**
- LEAs and non-public schools officials, through meaningful consultation, must determine what programs will be implemented to provide quality and effective instruction to the identified students. Programs must be designed to impact student progress and achievement.
- The LEA must annually evaluate the program effectiveness of the services provided to non-public schools.

### Reminders:

- Title III services provided must be secular, neutral, and non-ideological.
- Services provided must be supplemental in nature and cannot replace or supplant services that would, in the absence of Title III, be available to participating non-public school students.
- The control of funds used to provide services and the title to materials and equipment purchased with those funds must be retained by the LEA.
- Services for private school children and educational personnel must be provided by employees of the LEA or through a contract made by the LEA with a third party.
- During timely and meaningful consultation, LEAs must inform the non-public school officials of the complaint process.
  - If non-public school officials believe that timely and meaningful consultation has not occurred, they should first discuss the matter with the LEA. The LEA letter inviting the non-public school officials should contain contact information for filing a complaint. For example, giving the address for the ALSDE Ombudsman, P. O. Box 302101, Montgomery, AL, 36130; or 334-242-8199 to allow the entity to contact the SDE if they remain dissatisfied. See reference in *ESSA (Sec. 1117(b)(6)(A))*

**Additional resources regarding ESSA and non-public school participation with Title III:**

- Office of Non-Public Education (ONPE)–Private School Participation in Title III Programs [www.ed.gov/print/about/offices/list/oii/nonpublic/title3-factsheet.html](http://www.ed.gov/print/about/offices/list/oii/nonpublic/title3-factsheet.html)
- Non-Regulatory Guidance: Fiscal Changes and Equitable Services Requirements Under The Elementary and Secondary Education Act of 1965 (ESEA), As Amended by the Every Student Succeeds Act (ESSA) <https://www2.ed.gov/policy/elsec/leg/essa/essaguidance160477.pdf>



## **E. EQUAL ACCESS TO APPROPRIATE CATEGORICAL AND OTHER PROGRAMS**

### **Title I, Part A, Basic Programs**

School systems are required by federal law to provide appropriate language acquisition services for students who are limited-English proficient. The language acquisition services are considered an integral part of a free and appropriate public education for all students. Title I, Part A, funds are to be used to coordinate and **supplement** state and locally funded services, as well as provide other direct services to EL students who are failing or are at risk of failing to meet the state's academic standards. Title I, Part A, funds may be used to pay the salaries of instructional staff to work with students who are experiencing academic difficulties, including limited-English proficient students. Title I staff should coordinate services with ESL and regular classroom teachers to provide the most appropriate instructional approach.

English learners are eligible for programs and services provided by Title I, Part A, on the same basis that non-ELs are eligible. In schools operating Title I schoolwide programs, all children, including ELs, are intended to benefit from the program, and the needs of all students are to be taken into account in the program design. In Title I-Targeted Assistance programs, ELs are eligible and must be selected for services on the same basis as other children. The LEA is not required to demonstrate that the needs of ELs stem from educational deprivation or solely from their limited-English proficiency.

### **Title I, Part C, Migrant Education Program**

A student may be eligible for services under Title I, Part C, the Migrant Education Program (MEP), if he/she has traveled with a parent or guardian across school system boundaries to obtain temporary or seasonal work in agriculture, fishing, or chicken processing. Migrant funds may be used to support and supplement ESL services, as well as provide direct services to migrant students who are also ELs. Migrant education services do not replace the need or requirement for an English language instruction educational program, and Title I, Part C, may not be the only source of funds used to provide the English language instruction educational programs and/or services.

The MEP is supplemental to the basic, regular education program and addresses needs that may be attributed to the migratory status of the student's family. Remember, however, not all migrant students are language-minority, nor are all language-minority students migrant.

### **Education of Homeless Children and Youth**

Title VII–B of the *McKinney-Vento Homeless Act of 2001*, promotes access to public schools for homeless children and youth. Local education agencies must ensure that barriers to enrollment for homeless students are eliminated. Barriers may include requirements for residency, guardianship, school records, immunization records, and transportation, among others.

A student who is limited-English proficient and also meets the federal definition of “homeless” is eligible to receive services provided through the Title VII–B of the *McKinney Vento Homeless Education Act of 2001* as are other children who meet that definition.

### **Other Programs, Services, and Facilities**

Language-minority students must have access to instructional programs and related services for special populations in a school system. Such programs include, but are not limited to, pre-school programs, career/technical programs, special education programs, gifted and talented programs, and extracurricular activities. All student support programs and services and extracurricular activities must be available to language-minority students or ELs on the same basis that they are available to other students in a school or school system. Similarly, each LEA must ensure that ELs have access to comparable instructional materials, facilities, and other resources as other students.

Circumstances and situations regarding participation of ELs in programs and services, whether in school or in an extracurricular setting, that are not clearly addressed in this document may be referred to the applicable program office within the SDE.

### **English Learners with Disabilities and Special Education Services**

Local Education Agencies (LEAs) are required to follow procedures for the education of ELs with disabilities. Among the requirements are identification, evaluation, eligibility determination, and service provision for ELs suspected of having a disability. Special education programs and services must be provided in accordance with the *Individuals with Disabilities Education Act of 2004* (P.L. 108-446).

The Comprehensive EL Plan must describe how the LEA will secure the services of someone to administer assessments, tests, or other evaluations and how the person will communicate with the child/parent in the native language. The education of ELs with disabilities must be addressed in the LEA's Comprehensive EL Plan and in the Special Education LEA Plan.

Uncertainty often exists regarding the referral of ELs for Special Education Services (SES). ELs are eligible to receive Special Education Services on the same basis as all other students. Care should be used to ensure that limited-English proficiency is not the basis of a referral. Note that ELs with disabilities should be provided English language acquisition services as determined appropriate by the ESL specialist and the IEP Team and this information should be included as part of the Individualized Education Program (IEP) on the Profile Page. Eligible EL students may receive both special education and English language acquisition services concurrently.

All students with disabilities are guaranteed the right to:

- A Free, Appropriate Public Education (FAPE).
- An IEP outlining special education and related services (if needed) to provide access to the general curriculum and to meet their unique needs.
- Access to dispute resolution processes.
- An educational experience provided in the Least Restrictive Environment (LRE).
- Have tests administered in a way that is not culturally discriminatory.

The EL student who is determined eligible for special education services has a right to the same individualized special education services as other students with disabilities. Public Law 108-446 requires that state and local education agencies ensure that the students are assessed in all areas related to the suspected disability prior to determining eligibility. The materials and procedures used to assess a limited-English proficient student must be selected and administered to ensure that they measure the extent to which the student has a disability and needs special education, rather than measuring the student's English language skills. The *Alabama Administrative Code* (AAC) (290-8-9.04(1)(e)) states that in order for an EL student to be deemed eligible, the Eligibility Committee (or IEP Team) must determine that the communication disorder exists in the child's native language and is not the result of learning English as a second language. The English proficiency level of ELs should be considered by the IEP Team prior to assessment to determine eligibility for special education services, with the assistance of the ESL specialist. If the English proficiency level is determined to be comparable to peers, then assessments may be administered in English. If the proficiency level is not comparable to peers, then the assessments must be administered in the EL's native language. If the IEP Team determines that information from administration of the assessments in both languages is appropriate, then this procedure should be completed. Any nonstandard administration of assessments should be documented on the *Notice and Eligibility Decision Regarding Special Education Services* form.

A child may not be determined to be eligible for special education if **the** determinant factor is the child's lack of instruction in reading, math, or limited-English proficiency. The IEP for an EL with a disability must include all of the components listed in the *Alabama Administrative Code* (see Appendix A, Online Resources, Item 2). The IEP Team shall consider the language needs of the student as those needs relate to the student's IEP. Parent participation is a required part of the special education process and to ensure active participation, accommodations must be made at all meetings and in written communications for the non-English speaking parent. This may also be necessary for parents of students who are National Origin of Minority whose Primary Home Language is Other Than English (NOMPHLOTE). These accommodations must include an interpreter for oral communication, and written communication must be provided in the parent's native language.

You may find additional information on ELs and the special education process on the Alabama State Department of Education (ALSDE) SES web site at: <http://www.alsde.edu/sec/ses/Documents/ELs%20and%20SpEd%20Process.pdf> .

### **Gifted and Talented Education**

The Alabama SDE and the U. S. Department of Education, Office for Civil Rights (OCR) signed a Title VI Resolution Agreement focusing on underrepresented populations in gifted programs in Alabama. In the agreement, the SDE committed to a variety of actions related to screening/referral criteria and procedures, evaluation processes and eligibility criteria, program oversight, and technical assistance.

**F. TRANSACT® COMPLIANCE AND COMMUNICATION CENTER™**

The Alabama SDE sponsors statewide, unlimited district access to the TransACT Compliance & Communication Center. TransACT is available at: [www.transact.com](http://www.transact.com) is being provided by the state for LEAs at no cost to the LEA.

TransACT is an on-line service that enables educators to comply with the parental communication requirements mandated by the ESSA as well as federal and state requirements to effectively communicate legal and policy matters to parents in languages they can understand.

School systems and schools will have access to the following services from TransACT®:

- **ESEA (ESSA) Parent Notifications** – A collection of more than 44 documents fully supporting the parent communication mandates (Title I, III, IV, X and FERPA) of ESSA available in English, Spanish, Arabic, Hmong, Russian, and Vietnamese.
- **GenEd Translation e-Library** - A collection of 60-plus general education letters and forms covering Health and Medical, School Administration, National School Lunch Program, and Special Services. These resources are available in 20-plus priority languages and include all relevant Office for Civil Rights (OCR) guidance information.

## PART II

### LANGUAGE INSTRUCTION EDUCATIONAL PROGRAMS

#### A. LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM (LIEP) ADMINISTRATION

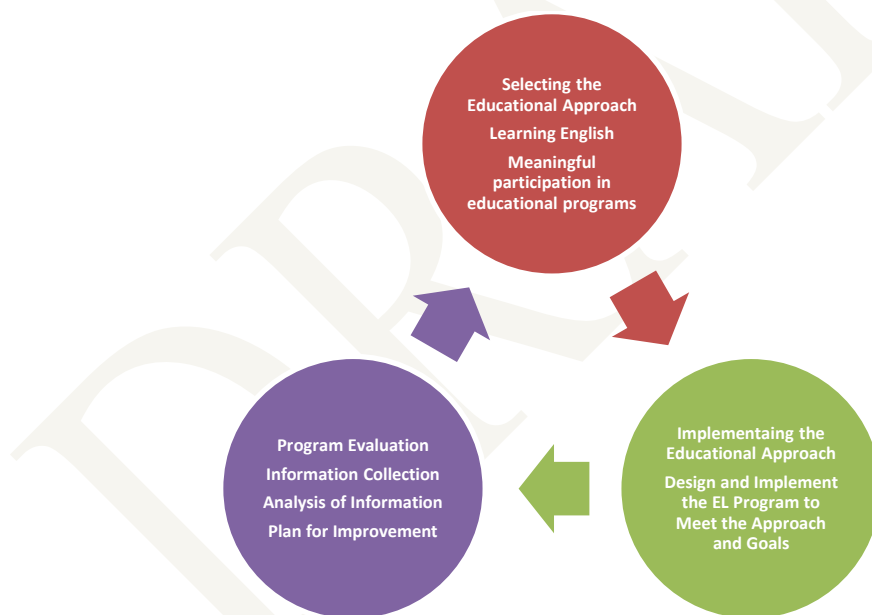
##### Comprehensive Needs Assessment

The SDE does not prescribe the type of LIEP model for LEAs to implement. Decisions concerning the instructional program model must be made by each LEA. Not all program models are suitable for an LEA's particular situation; therefore, the SDE encourages LEAs to select a program after conducting a comprehensive needs assessment. When conducting a needs assessment, LEAs should collect and analyze data from various sources that will help inform program selection. A comprehensive needs assessment allows LEAs to set data-driven goals and strategies for meeting those goals.

##### Castañeda v. Pickard

The court case *Castañeda vs. Pickard* established a three-pronged test for evaluating programs that serve ELs. The SDE has developed a model to provide LEAs with technical assistance to comply with this law (see Figure 1 below).

Three Principles for Serving EL Students based on Castaneda vs. Pickard



**This case established a three-part test to evaluate the adequacy of a district's program for the English language learner:**

- 1. Is the program based on an educational theory recognized as sound by some experts in the field or is it considered by experts as a legitimate experimental strategy?**
- 2. Are the programs and practices, including resources and personnel, reasonably calculated to implement this theory effectively?**
- 3. Does the school district evaluate its programs and make adjustments where needed to ensure that language barriers are actually being overcome?**

## Program Selection

Once a needs assessment has been conducted, LEAs are well-positioned to select an appropriate program model. The program that an LEA selects should be of sound educational theory recognized by experts in the field.

The LIEP must ensure that students gain the English language skills necessary to function successfully in an English-speaking academic setting. If academic deficiencies exist, the LEA must provide additional support as needed to ensure that ELs meet the same challenging state academic standards that all students are expected to meet.

Depending on the needs of ELs and current available resources, these programs may be implemented in various ways to best meet the needs of students and the LEA. **Whatever program model is selected, instruction in English language instructional programs must be provided by qualified and appropriately trained teachers.** Students must receive core ESL instruction from certified teachers versus paraprofessionals.

## Language Assistance Programs and Services

English as a Second Language programs (versus bilingual programs) are likely to be used in school systems where the EL population is diverse and represents many different languages or where teachers are not certified in bilingual education. ESL programs can accommodate students from different language backgrounds in the same class, and teachers do not need to be proficient in the home language(s) of their students.

## Examples of Language Assistance Programs considered educationally sound in theory according to the Office of Civil Rights (OCR) and Department of Justice (DOJ):

- A. **English as a Second Language (ESL):** Program of techniques, methodology, and special curriculum designed to teach ELs explicitly about the English language, including the academic vocabulary needed to access content instruction, and to develop their English language proficiency in all four language domains (i.e., speaking, listening, reading, and writing).
  - ESL programs teach the following: conversational English, grammar, reading, listening comprehension, writing and vocabulary.
- B. **English Language Development (ELD):** Program of techniques, methodology, and special curriculum designed to teach ELs explicitly about the English language, including the academic vocabulary needed to access content instruction, and to develop their English language proficiency in all four language domains (i.e., speaking, listening, reading, and writing).
  - Effective ELD programs include the following components:
    - Phonology: the sound system of English
    - Morphology: the forms and formation of words, including prefixes, affixes, suffixes, root words, inflections, etc.
    - Syntax: the structure of language, including the rules that govern phrases and sentences
    - Semantics: the meaning of language, including vocabulary and academic language
    - Pragmatics: situational appropriateness of language use
- C. **Structured English Immersion (SEI):** Program designed to impart English language skills so that the ELs can transition and succeed in an English-only mainstream classroom once proficient.
  - The goal of this program is acquisition of English language skills so that the EL student can succeed in an English-only mainstream classroom. All instruction in an immersion strategy program is in English. Teachers have specialized training in meeting the needs of EL students, possessing either a bilingual education or ESL teaching credential and/or training, and strong receptive skills in the students' primary language.

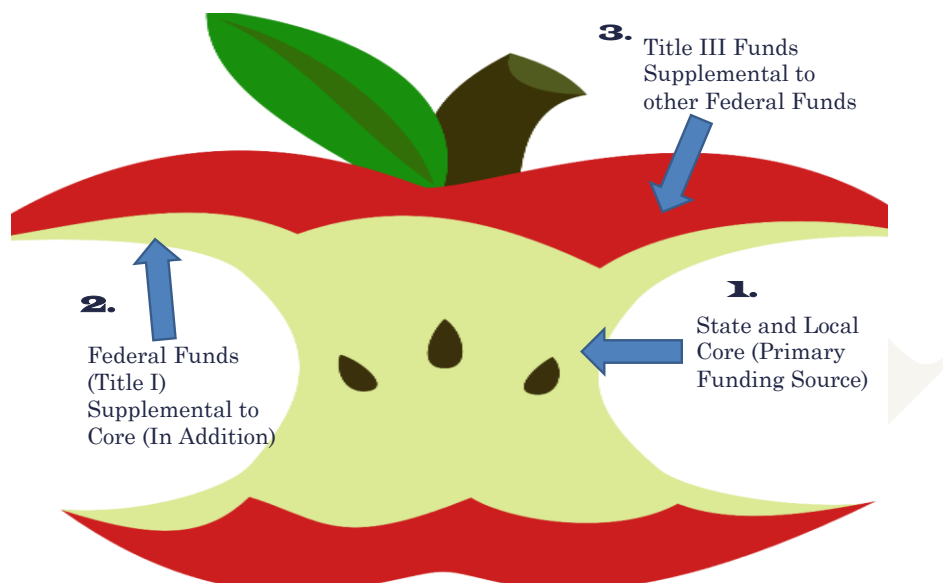


**Examples of techniques, methodology, and special curriculum:**

- A. **SDAIE:** An instructional approach that allows EL students full access to content in the classroom while supporting levels of English proficiency. ELs comprehend key concepts in content areas without needing full comprehension of the English language. This is achieved using highly effective teaching strategies using comprehensible input. This is especially supports intermediate levels proficiency within a positive affective environment.
- B. **Sheltered Instruction:** An instructional approach used to make academic instruction in English understandable to EL students. In the sheltered classroom, teachers use physical activities, visual aids, and the environment to teach vocabulary for concept development in mathematics, science, social studies, and other subjects.
- C. **Structured Immersion:** Use only English, but there is no explicit ESL instruction. As in sheltered English and content-based programs, English is taught through the content areas. Structured immersion teachers have strong receptive skills in their students' first language.
- D. **ESL push-in** is in contrast with ESL pull-out instruction. The ESL teacher goes into the regular classrooms to work with ELs. Communication and collaboration between ESL teachers and content-area teachers are essential for this model to be successful.
- E. **ESL pull-out** is generally used in elementary school settings. Students spend part of the school day in a mainstream classroom, but are pulled out for a portion of each day to receive instruction in English as a second language. Although schools with a large number of ESL students may have a full-time ESL teacher, some systems employ an ESL teacher who travels to several schools to work with small groups of students scattered throughout the district.
- F. **Newcomer Program** addresses the specific needs of recent immigrant students, most often at the middle and high school levels, especially those with limited or interrupted schooling in their home countries. Major goals of newcomer programs are to acquire beginning English language skills along with core academic skills and to acculturate the student to the school system of the United States. Some newcomer programs also include an orientation to the student's new community. English Learners in newcomer programs must be assessed regularly to monitor their language progress. Students typically remain in newcomer programs for less than one year.
- G. **ESL class period** is generally used in secondary school settings. Students receive ESL instruction during a regular class period and usually receive course credit. They may be grouped for instruction according to their level of English proficiency.
- H. **An ESL resource center** is a variation of the pull-out design, bringing students together from several classrooms or schools. The resource center concentrates ESL materials and staff in one location and is usually staffed by at least one full-time ESL teacher.
- I. **Sheltered English or content-based programs** group language minority students from different language backgrounds together in classes where teachers use English as the medium for providing content area instruction, adapting their language to the proficiency level of the students. They may also use gestures and visual aids to help students understand. Although the acquisition of English is one of the goals of sheltered English and content-based programs, instruction focuses on content rather than language.

**NOTE: Language Instruction Educational Program (LIEP)**

Districts must provide the Language Instruction Educational Program (LIEP) with state and/or local funds. The following illustration is used to illustrate the supplemental of federal funds. The LIEP (apple core) must be defined by each district. Other federal funds (flesh) will supplement the core LIEP and Title III funds (skin) will supplement after both have been implemented.

**Language Instruction Educational Program Implementation**

After the LEA conducts a needs assessment and selects an appropriate ESL program, the next step is **program implementation**. LEAs are encouraged to convene a committee to develop an action plan that will indicate how and when goals and strategies will be met, the personnel responsible for each action step, and the funding required to implement the program.

## B. LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM CURRICULUM AND INSTRUCTION

### WIDA® Consortium

WIDA® is a consortium of many states dedicated to the design and implementation of high standards and equitable educational opportunities for English language learners. The WIDA® Consortium developed English language proficiency standards and an English language proficiency test aligned with those standards (*ACCESS for ELLS™*). More information about the WIDA® Consortium may be found at [www.wida.us](http://www.wida.us).

By joining the WIDA® consortium, Alabama adopted the WIDA® English Language Proficiency (ELD) Standards that are designed to assess the progress of children in attaining English proficiency, including a child's level of comprehension in the four recognized domains of speaking, listening, reading, and writing. The WIDA® English Language Proficiency Standards are based on the academic language content of PreK-12 students.

### ACCESS for ELLS™

ACCESS for ELLS™ stands for Assessing Comprehension and Communication in English State-to-State for English Language Learners. This large-scale test addresses the academic English language development (ELD) standards at the core of the WIDA® Consortium's approach to instructing and evaluating the progress of English language learners.

ACCESS for ELLS™ is administered annually to all English language learners in Alabama. It is a standards-based, criterion referenced English language proficiency test designed to measure English language learners' social and academic proficiency and progress in English. It assesses social and instructional English as well as the language associated with language arts, mathematics, science, and social studies within the school context across the four language domains of speaking, listening, reading, and writing. *ACCESS for ELLS™* meets the Every Student Succeeds Act of 2016 mandate, requiring states to evaluate ELL students in grades K through 12 on their progress in learning English. All students identified as ELLs must take the *ACCESS for ELLS™*, **including students whose parents have waived supplemental Language Instruction Educational Program**; however, students who have formally exited language assistance services and are in monitored status are not administered the assessment.

### W-APT™ /MODEL™

WIDA®-ACCESS Placement Test (W-APT™) and Measure of Developing English Language (MODEL™) are assessment tools, known as "screeners", and are used by educators to measure the English language proficiency of students who have recently arrived in the U.S. or in a particular district. It can help to determine whether or not a child is in need of English language instructional services, and if so, at what level.

### College and Career Ready Standards (CCRS) and WIDA® English Language Proficiency (WIDA® ELD) Standards

ELs are a diverse group of students with personal, cultural, and educational backgrounds that often differ significantly, and thus require instruction that meets their particular needs. Like all students in Alabama, ELs must be provided with access to the Alabama CCRS and requires different instructional pathways to master those standards.

ELs require instruction that makes content comprehensible, accelerating acquisition of academic language proficiency and literacy. Appropriate instructional support increasing academic English and achievement may include an adequate amount of pre-activities and modeling, access to reading material

in their native language for classroom and homework assignments, availability of bilingual books (both fiction and non-fiction), meaningful hands-on activities that contextualize abstract concepts, and use of their native language in writing and speaking activities (even if the teacher does not know this language). “Any modification of instruction that depends on supports to bolster the students’ access to meaning” (Gottlieb, 2006) is considered a classroom accommodation. As the ELs attain fluency in English, fewer variations or accommodations in classroom activities will be necessary.

English Learners must simultaneously learn English and content. The WIDA® ELD Standards facilitate the design of language development objectives that support, guide, and develop content knowledge and skills at the appropriate level of English proficiency. Educators must go beyond teaching ELs survival English by developing their academic English within the context of all content areas.

Students who are acquiring a new language undergo six stages of language development: Entering, Emerging, Developing, Expanding, Bridging, and Reaching until they attain English proficiency. (See Table 2 for the WIDA® Consortium’s description of the Performance Definitions.)

By implementing the WIDA® ELD standards in the classroom, teachers are able to provide ELs with meaningful access to local curriculum as they progress through the stages of language acquisition.

**WIDA® CONSORTIUM PERFORMANCE DEFINITIONS****Table 2**

<b>6- Reaching</b>	<ul style="list-style-type: none"> <li>• specialized or technical language reflective of the content areas at grade level</li> <li>• a variety of sentence lengths of varying linguistic complexity in extended oral or written discourse as required by the specified grade level</li> <li>• oral or written communication in English comparable to English-proficient peers</li> </ul>
<b>5- Bridging</b>	<ul style="list-style-type: none"> <li>• specialized or technical language of the content areas</li> <li>• a variety of sentence lengths of varying linguistic complexity in extended oral or written discourse, including stories, essays or reports</li> <li>• oral or written language approaching comparability to that of English-proficient peers when presented with grade level material</li> </ul>
<b>4- Expanding</b>	<ul style="list-style-type: none"> <li>• specific and some technical language of the content areas</li> <li>• a variety of sentence lengths of varying linguistic complexity in oral discourse or multiple, related sentences or paragraphs</li> <li>• oral or written language with minimal phonological, syntactic or semantic errors that do not impede the overall meaning of the communication when presented with oral or written connected discourse with sensory, graphic or interactive support</li> </ul>
<b>3- Developing</b>	<ul style="list-style-type: none"> <li>• general and some specific language of the content areas</li> <li>• expanded sentences in oral interaction or written paragraphs</li> <li>• oral or written language with phonological, syntactic or semantic errors that may impede the communication, but retain much of its meaning, when presented with oral or written, narrative or expository descriptions with sensory, graphic or interactive support</li> </ul>
<b>2- Beginning</b>	<ul style="list-style-type: none"> <li>• general language related to the content areas</li> <li>• phrases or short sentences</li> <li>• oral or written language with phonological, syntactic, or semantic errors that often impede the meaning of the communication when presented with one- to multiple-step commands, directions, questions, or a series of statements with sensory, graphic or interactive support</li> </ul>
<b>1- Entering</b>	<ul style="list-style-type: none"> <li>• pictorial or graphic representation of the language of the content areas</li> <li>• words, phrases or chunks of language when presented with one-step commands, directions, WH-, choice or yes/no questions, or statements with sensory, graphic or interactive support</li> <li>• oral language with phonological, syntactic, or semantic errors that often impede meaning when presented with basic oral commands, direct questions, or simple statements with sensory, graphic or interactive support</li> </ul>

## C. GRADING AND RETENTION GUIDELINES FOR ENGLISH LEARNERS

### Grading

Grading of ELs should be based on students' level of English proficiency. The teacher ensures this through the continual use of accommodations and assessments according to the students' I-ELP. This complies with the federal law (*Every Student Succeeds Act of 2016* (ESSA)). Appropriate instruction and differentiation must be adjusted according to language proficiency level in order to appropriately accommodate the student. Documentation of these components (lesson plans, work samples, and ongoing assessments) should be maintained by the classroom teacher.

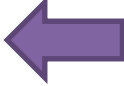







### Retention

Retention of ELs shall not be based solely upon level of English language proficiency (Section I, Part G, Guidelines to Satisfy Legal Requirements of *Lau v. Nichols*). Prior to considering retention of an EL, the following points should be addressed in consultation with the EL Committee.

- What is the student's level of English language proficiency?
- Has an Individual English Language Plan (I-ELP) been implemented to document classroom accommodations and student progress?
- To ensure meaningful participation, are classroom accommodations being made in the areas of:
  - Teacher lesson delivery at student's level of English proficiency?
  - Activities and assignments?
  - Homework?
  - Formal and informal assessments (e.g., quizzes and tests)?
- How much individual English language development instruction is the student receiving during the school day?
- Has an alternate grading strategy been implemented (e.g., a portfolio, checklist, teacher observation, or rubric assessment on content and language objectives)?
- Has the student's classroom teacher been adequately trained with EL instructional and assessment strategies specifically designed for students learning English?
- Do the report cards indicate that students were graded according to their I-ELPs?



# Retention Guidelines Chart for English Learners

<p><b>Consider Retention</b></p> <p>In consultation with ESL committee members, retention <b>can be</b> considered if <b>all</b> points have been addressed and the student still is not successful.</p>	<p>YES</p> 	<p>English Proficiency Level</p> <p>+</p>	<p>NO</p> 	<p><b>Do Not Retain</b></p> <p>Student should <b>not</b> be retained if <b>all</b> points have not been addressed.</p>
		<p>Full Implementation of I-ELP</p> <p>+</p>	<p>NO</p> 	
		<p>Full Implementation of Accommodations</p> <p>+</p>	<p>NO</p> 	
		<p>Amount of English Language Development Instruction</p> <p>+</p>	<p>NO</p> 	
		<p>Alternate Grading Strategy</p> <p>+</p>	<p>NO</p> 	
		<p>Classroom Teacher PD</p> <p>+</p>	<p>NO</p> 	
		<p>Graded according to I-ELPs</p>	<p>NO</p> 	

## D. LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM EVALUATION

### Program Evaluation

Source: [1991 OCR policy memorandum](#)

Federal law does not prescribe a particular program model or evaluation approach, the approach to, and design of, an effective EL program evaluation will vary from district to district. The evaluation components set forth are provided for districts to consider in developing their own approach.

### Language Instruction Educational Program Evaluation

Every year of program implementation, the LEA must **conduct a program evaluation** to determine the effectiveness of the program. Evaluating the EL program involves collection and analysis of data to determine whether or not the goals set forth during the comprehensive needs assessment (or previous program evaluation) was met. The data analysis should be summarized to illustrate the status of the EL program and should include the LEA's future goals and plans to improve the program the following school year.

According to Chapter 9 of the U. S. Department of Education English Learner Tool Kit for State and Local Education Agencies (SEAs and LEAs), updated November 2016, LEA's should consider the following when evaluating the effectiveness of the EL Program:

- Successful EL programs enable EL students to attain both English proficiency and parity of participation in the standard instructional program within a reasonable period of time.
- LEAs should collect longitudinal data to monitor and compare the performance of current ELs, former ELs, and never-ELs in the LEA's standard instructional program. Data should not be limited to ACCESS for ELLS™.
- When EL programs do not produce both English proficiency and parity of participation within a reasonable period of time, SEAs and LEAs must modify the EL program.

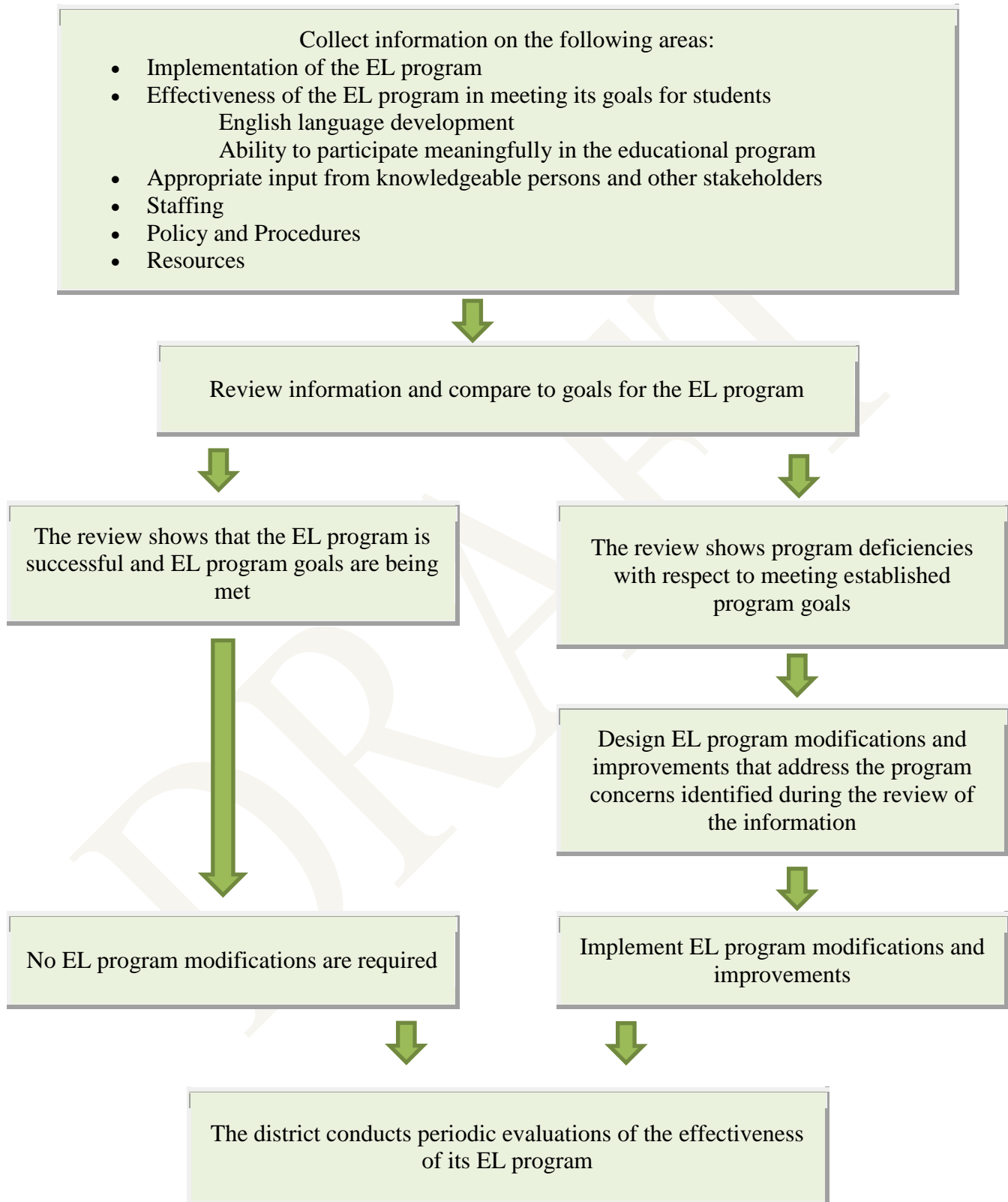
The EL Tool Kit, available at <http://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html>, has an excellent sample for evaluating programs and services for English learners.

### OCR Policy

Districts are required to modify their programs if they prove to be unsuccessful after a legitimate trial. As a practical matter, recipients cannot comply with this requirement without evaluating their programs every one to two years.

Generally, districts measure "success" in terms of whether the program is achieving the particular goals the district has established for the program and its students. If the district has established no particular goals, the program is successful if its participants are achieving proficiency in English and are able to participate meaningfully in classrooms without EL services.

**Program Evaluation Flowchart**



## E. ENGLISH AS A SECOND LANGUAGE TEACHER CERTIFICATION

### State Requirements for Teaching English as a Second Language

Teaching English to non-native speakers requires knowledge and skills that differ from teaching other subjects such as science and math. Although certain educational theories and instructional strategies are interdisciplinary, teacher preparation courses may be inadequate in providing methodology and theory that address English language development within core subject areas.

To keep pace with the growing EL population, more ESL certified teachers and content area teachers with ESL endorsements or dual certification are in demand throughout Alabama. The information provided below illustrates current state minimum requirements for teaching ESL; however, LEAs may apply more rigorous ESL teacher certification requirements as part of their school board policy.

- ESL Certification is awarded through programs at Alabama colleges or with reciprocal agreements with other states and as of June 1, 2007, with PRAXIS II.
- ESL P-6 Teachers can have:
  - a. ESL Certification
  - b. Foreign Language Certification
  - c. Regular Elementary Certification
- Secondary ESL Teachers can have:
  - a. ESL Certification
  - b. Foreign Language Certification
  - c. Regular Elementary Certification
  - d. English/Language Arts Certification

While some certified teachers without formal ESL certification are permitted to teach ESL as described above, LEAs must provide appropriate professional development for teachers who have not received formal ESL certification. (OCR Memorandum 1991, Staffing Requirements)

### Alabama Colleges and Universities That Offer English as a Second Language Degree and Certification Programs

THE UNIVERSITY OF ALABAMA

SLAT Program Contact:

Miguel Mantero, Ph.D

Educational Linguistics

College of Education

Box 870232

Tuscaloosa, Alabama 35478-0232

Telephone: (205) 348.1402

Fax: (205) 348-9863

E-mail: [mmantero@bamaed.ua.edu](mailto:mmantero@bamaed.ua.edu)

Web site: <http://education.ua.edu/secondary/esl/index.html>

UAB: UNIVERSITY OF ALABAMA AT BIRMINGHAM

UAB ESL Teacher Certification Program Contact:

Dr. Susan Spezzini

Associate Professor in EL Education

100 Education Building

Telephone: (205) 934-8357

Fax: (205) 934-4792

*EL Guidebook*

*Office of Student Learning-- Federal Program Section*

Email: [spezzini@uab.edu](mailto:spezzini@uab.edu)  
Web site: [www.uab.edu/esl](http://www.uab.edu/esl)

**AUBURN UNIVERSITY**

AU ESL Certification Program Contact:

Dr. Gwendolyn Williams, Assistant Professor  
2017-2018

EL Policy and Procedures Manual

Instructional Services Division-- Federal Program Section 33

Department of Curriculum and Teaching

Auburn University, AL 36849

Telephone: (334) 844-6775

Fax: (334) 844-6789

Email: [gmw0015@auburn.edu](mailto:gmw0015@auburn.edu)

Web site: <http://www.education.auburn.edu/programs/ces/traditional.html>

**UNIVERSITY OF SOUTH ALABAMA**

Class A Certification

ESL Certification Program Contact:

Dr. Susan Martin

College of Education

Mobile, AL 36688

Telephone: (251)380-2738

Email: [ferguson@southalabama.edu](mailto:ferguson@southalabama.edu)

Web site: <http://www.usouthal.edu/coe/>

**UNIVERSITY OF NORTH ALABAMA**

Class A and Alternative Class A Certifications

ESL Certification Program Contact:

Joy L.M. Brown, Ph.D.

Professor of Secondary Education

UNA Box 5129

Florence, AL 35632-0001

Telephone: (256) 765-4837

Fax: (256) 765-4159

[jmbrown@una.edu](mailto:jmbrown@una.edu)

Web site: <http://www.una.edu/education/graduate-programs/english-for-speakers-of-other-languages-esol.html>

**UNIVERSITY OF ALABAMA in HUNTSVILLE**

M.Ed.-Differentiated Instruction (ESOL)

ESL Certification Program Contact:

Dr. Andrea Word

Roberts Hall 318

Huntsville, AL 35899

Telephone: (256) 824-2329

Email: [andrea.word@uah.edu](mailto:andrea.word@uah.edu)

Website: [www.uah.edu/education](http://www.uah.edu/education)

## F. CLASS SIZE

Caseloads for itinerant teachers vary and must be based on student needs. For example, two schools may have the same number of ELs, but may require different level of language support. Points to consider in the placement and number of itinerant ESL teachers are:

- The number of schools that have ELs who require services.
- The number of ELs enrolled in each school/classroom.
- The students' English proficiency and literacy level (in native language L1 and second language L2).
- The amount of planning and collaboration time necessary for the ESL and classroom teachers.



## PART III

### STUDENT ASSESSMENT AND PROGRESS IN ACHIEVING ENGLISH LANGUAGE PROFICIENCY

#### A. PARTICIPATION IN STATEWIDE ASSESSMENT PROGRAM

All EL students must participate in the statewide Student Assessment Program for accountability purposes. EL students, during their first 12 months of enrollment in U.S. schools, **will not be required** to participate in the Reading/Language Arts test of *Scantron* or the Reading test of the *Alabama Alternate Assessment (AAA)*.

EL students in their first 12 months of enrollment in U.S. schools **must participate** in the Mathematics and Science tests of *Scantron* and the AAA. These students **must participate** in all parts of the *ACT with Writing* and the *ACT WorkKeys* assessments.

EL students, for which this is not their first 12 months of enrollment in U.S. schools, must participate in all subjects and all tests in the statewide Student Assessment Program. EL students in Grades K-12, regardless of the number of years of enrollment in U.S. schools must participate in *Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS for ELLS™)*, the state-administered English language proficiency test, **or** the *Alternate ACCESS for ELLs™*, the state-administered English language proficiency test for students in Grades 1-12 who have a significant cognitive disability. All ELs, whether they receive or waive supplemental Title III services, must be tested annually on *ACCESS for ELLS™* or *Alternate ACCESS for ELLs™*. Students in their first 12 months of enrollment in U.S. schools who take *ACCESS for ELLS™* or *Alternate ACCESS for ELLs™* will be counted as participants toward meeting the 95% participation requirement for Reading.

Participation of EL students in any of the assessments that allow flexibility during the first 12 months of enrollment in U.S. schools, will not result in their scores being used for accountability determination. However, these students will be counted as participants toward meeting the 95% participation requirement for accountability purposes.

#### **Accommodations for English Language Learners on the Statewide Student Assessment Program**

Decisions regarding appropriate accommodations for EL students must be made on an individual basis by the EL Committee. For approved accommodations, refer to the Accommodations Checklists located at: [www.alsde.edu](http://www.alsde.edu) under the Student Assessment tab. The EL Committee should consider the content and nature of each specific assessment and the level of the student's language proficiency when making decisions about appropriate accommodations for assessments and the students' instructional program.

## **B. Alabama’s ESSA Indicators: Interim Progress in Achieving English Language Proficiency (Title I, Section 1111(c)(4)(A)(ii))**

### **What does “interim progress” mean in terms of accountability regarding English Learners?**

- Making annual increases in the percent of children making progress in learning English

### **How is interim progress for ELs determined?**

- Proficiency level of the EL.
- Targets for annual increases in English proficiency and attainment of English using a baseline.
- Consistent methods and measurements to indicate progress in English proficiency (WIDA ACCESS for ELLS).

### **Progress in Achieving English Language Proficiency – Cumulative Growth**

Title I of ESSA requires long-term goals for English learners for increases in the percentage of such students making progress in achieving **English Language Proficiency (ELP)** as measured by the statewide English language proficiency assessment. Alabama will use ACCESS for ELLS to evaluate progress toward English language proficiency.

**Cumulative Growth** is used to calculate the expected progress ELs make toward English language proficiency. **Cumulative Growth** is when the previous year’s growth is compared to the current year’s growth target to determine the students expected level of proficiency. Student growth expectations will increase each year so student’s meet the proficiency cut score within seven years after their initial year. The proficiency cut score is a composite score of 4.8 on ACCESS for ELLS.

The number of years to achieve proficiency varies based on the student’s initial level of proficiency. Students at lower levels of English language proficiency will have more ambitious annual growth targets. Refer to Table 1:

Table 1

<b>Cumulative Growth</b>						
<b>Initial Year</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	<b>Year 6</b>	<b>Year 7</b>
1.0	1.6	2.3	2.9	3.5	4.2	4.8
1.1	1.7	2.3	3.0	3.6	4.2	4.8
1.2	1.8	2.4	3.0	3.6	4.2	4.8
1.3	1.9	2.5	3.1	3.6	4.2	4.8
1.4	2.0	2.5	3.1	3.7	4.2	4.8
1.5	2.1	2.6	3.2	3.7	4.3	4.8
1.6	2.1	2.7	3.2	3.7	4.3	4.8
1.7	2.2	2.7	3.3	3.8	4.3	4.8
1.8	2.3	2.8	3.3	3.8	4.3	4.8
1.9	2.4	2.9	3.6	3.8	4.3	4.8
2.0	2.6	3.1	3.7	4.2	4.8	
2.1	2.6	3.2	3.7	4.3	4.8	
2.2	2.7	3.2	3.8	4.3	4.8	
2.3	2.8	3.3	3.8	4.3	4.8	
2.4	2.9	3.4	3.8	4.3	4.8	
2.5	3.0	3.4	3.9	4.3	4.8	
2.6	3.0	3.5	3.9	4.4	4.8	
2.7	3.1	3.5	4.0	4.4	4.8	
2.8	3.2	3.6	4.0	4.4	4.8	
2.9	3.3	3.7	4.0	4.4	4.8	
3.0	3.5	3.9	4.4	4.8		
3.1	3.5	4.0	4.4	4.8		
3.2	3.6	4.0	4.4	4.8		
3.3	3.7	4.1	4.4	4.8		
3.4	3.8	4.1	4.5	4.8		
3.5	3.8	4.2	4.5	4.8		
3.6	3.9	4.2	4.5	4.8		
3.7	4.0	4.3	4.5	4.8		
3.8	4.1	4.3	4.6	4.8		
3.9	4.1	4.4	4.6	4.8		
4.0	4.3	4.5	4.8			
4.1	4.3	4.6	4.8			
4.2	4.4	4.6	4.8			
4.3	4.5	4.6	4.8			
4.4	4.5	4.7	4.8			
4.5	4.6	4.7	4.8			
4.6	4.7	4.7	4.8			
4.7	4.7	4.8	4.8			
4.8	4.8	4.8	4.8			

### C. Interim Progress

Targets were established based on two years of statewide district data. The table shows the percentage of ELs within a district and respective schools that must make the progress target in order to meet the ELP indicator. Each year, the proportion of students in a district expected to make progress in ELP increases.

Table 2 illustrates the target percentage for all LEAs. Each LEA will calculate numbers based on the 2016-2017 baseline data for the district. Interim Progress is reported as the percentage of students in a district who make progress in their overall score. The same percentages are used for each school in each district to calculate interim progress.

Table 2

<b>Progress Targets Based on Previous Year's Data</b>	
<b>Year</b>	<b>Targets</b>
2017	40%
2018	47.5%
2019	55%
2020	62.5%
2021	70%
2022	77.5%
2023	85%

**For example:** In the 2017-2018 school year, 47.5% of ELs in an LEA who took ACCESS for ELLS would have to make their cumulative growth target to meet the interim progress target.

### C. ENGLISH AS SECOND LANGUAGE PROGRAM EXIT REQUIREMENTS

ELs will be included in the EL subgroup for the purpose of accountability until they score 4.8 (Composite Score) on ACCESS for ELLS™ state English language proficiency test regardless of where they place on any tier.

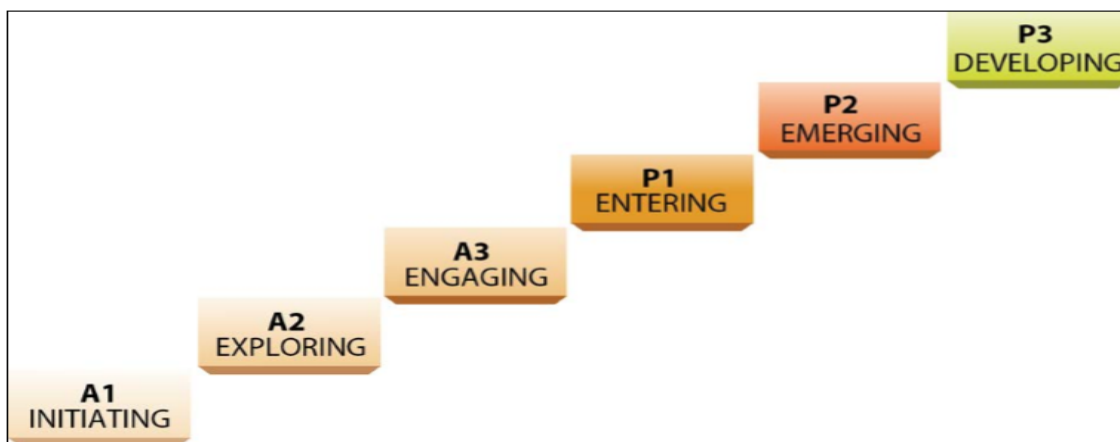
#### Exiting Students on WIDA® Alternate ACCESS for ELLs™

##### Proficiency Levels

The Alternate ELP levels for Alternate ACCESS for ELLs were developed to define proficiency levels that would be more sensitive to the English language proficiency of ELLs who have significant cognitive disabilities and thus would give those students a chance to demonstrate progress. The Alternate ELP levels defined for Alternate ACCESS for ELLs are:

- A1: Initiating
- A2: Exploring
- A3: Engaging
- P1: Entering
- P2: Emerging
- P3: Developing

These levels are illustrated in Figure 1 below.



<b>Alternate ACCESS for ELLs Exit Criteria for EL in Alabama</b>		<b>ALL Grades (K-12)</b>
All language domain taken? Y/N	Qualifies as English Proficient /Exit	
Yes	<ol style="list-style-type: none"> <li>1. If the EL student achieves an overall composite score of <b>P1 or P2</b> on <u>two consecutive administrations of the test</u> <b>OR</b> achieves the same proficiency level score of <b>A1, A2, or A3</b> for three consecutive administrations of the test, <b>AND</b></li> <li>2. The ESL committee and IEP committee both recommend that the EL student be reclassified and exited from ESL services.                             <ul style="list-style-type: none"> <li>• If the above criteria is met, the student is reclassified as former EL (FEL-1).</li> <li>• Student may continue to receive EL accommodations within the classroom during the four years of monitoring.</li> </ul> </li> </ol>	
No	<ol style="list-style-type: none"> <li>1. Proficiency level scores on all domains taken remain consistent for <u>three consecutive administrations</u> of the test, <b>AND</b></li> <li>2. The ESL committee and IEP committee both recommend that the EL student be reclassified and exited from ESL services.                             <ul style="list-style-type: none"> <li>• If the above criteria is met, the student is reclassified as former EL (FEL-1).</li> <li>• Student may continue to receive EL accommodations within the classroom during the four years of monitoring.</li> </ul> </li> </ol>	

#### **D. MONITORING ELs WHO HAVE EXITED THE ESL PROGRAM**

Students who are exited from Language Assistance Programs and Services are placed on monitoring status for four academic years. During the monitoring time, the EL teacher and the classroom teacher(s) communicate regularly, (it is recommended that they communicate no less than once each nine weeks during the first year and at least once each semester during the second year) to ensure that the exited students are functioning in the mainstream without EL support.

Students are classified as Former English Learner Monitoring Year 1 (FEL-1) during their first year of monitoring, Former English Learner Monitoring Year 2 (FEL-2) during their second year of monitoring, Former English Learner Monitoring Year 3 (FEL-3) during their third year of monitoring, and Former English Learner Monitoring Year 4 (FEL-4) during their fourth year of monitoring. Upon successful completion of four years of monitoring, ELs are classified Former English Learner (FEL) and are no longer included in the EL subgroup for accountability purposes.



## PART IV

### IMMIGRANT CHILDREN AND YOUTH

#### Reservation from Title III

- 6.5% reserved from the top of the Title III allocation for Immigrant Children and Youth.
- Take the 2 preceding years average and compare to the current year if the LEA has increased significantly than the LEA maybe eligible for the immigrant grant.

#### Use of Funds

- Funds under this grant shall be used to supplement, not supplant, the cost of educational activities and opportunities for the immigrant population. An entity receiving funds under section 3115(e)(2)(g) of Title III of the Every Student Succeeds Act shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth and parent, family, and community engagement.

#### Grant Purpose

The purpose of this program is to assist local educational agencies (LEAs) that experience significant increases in their student population due to immigration. The grant will allow LEAs to enhance educational opportunities for immigrant children and youth. The term immigrant children and youth refers to individuals who:

- (a) are aged 3 through 21.
- (b) were not born in any state.
- (c) have not been attending one or more schools in any one or more states for more than three full academic years.
- (d) may or may not be an EL student.

#### Definition of Significant Increase

A significant increase is a district that experiences growth in the number of immigrant students by 10% over the previous two years.

#### Allowable Use of Funds

*LEAs receiving funds under section 3114(d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include:*

- Family literacy, parent outreach, and training activities designed to assist parents to become active participants in the education of their children.
- Recruitment of and support for personnel including teachers and paraprofessionals specifically trained to provide services to immigrant children and youth.
- Provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth.
- Identification, development, and acquisition of curricular materials, educational software, and technologies to be used in the program.
- Basic instruction services that are directly attributable to the presence in the school system involved of immigrant children and youth, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instruction services.
- Other instruction services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education.

- Activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents of immigrant children and youth by offering comprehensive community services.

**Grant Period**

- The duration is one academic year: October 1<sup>st</sup> to September 30<sup>th</sup>

**Application Requirements**

- Keep track of students (cannot exceed 3 years in the school district).

**Future funding**

- Subject to congressional action. Continuation grants, if any, will be announced on a year-by-year basis, provided that funds are available from the U.S. Department of Education and the applicant's preceding year performance is satisfactory.

DRAFT

## PART V

### CHALKABLE, EL, AND IMMIGRANT CODING

Codes for State Assessments	Codes	Definitions of Codes
Non-ELs	0	Students whose home language surveys do <i>not</i> indicate a language other than English spoken in the home. These are <i>not</i> students classified as NOMPHLOTE.
EL-1 EL Year 1	1	English learner students who are in their first year in a U.S. school.
EL-2 EL Year 2 or more	2	English learner students who are in their second year or more in a U.S. school.
FEL-1 1 <sup>st</sup> Year Monitoring	3	Students who have exited the ESL program and are in their first year of systematic monitoring. These students no longer take ACCESS for ELLS™ English Language Proficiency test.
FEL-2 2 <sup>nd</sup> Year Monitoring	4	Students who have exited the ESL program and are in their second year of systematic monitoring. These students no longer take ACCESS for ELLS™.
FEL-3 3 <sup>rd</sup> Year Monitoring	8	Students who have exited the ESL program and are in their third year of systematic monitoring. These students no longer take ACCESS for ELLS™.
FEL-4 4 <sup>th</sup> Year Monitoring	9	Students who have exited the ESL program and are in their fourth year of systematic monitoring. These students no longer take ACCESS for ELLS™.
FEL	5	Former English learner students who have successfully completed four years of monitoring and are no longer English learners.
EL Waived Services	6	Students who are English learners yet parents have refused supplemental Title III services.
NOM PHLOTE	7	National Origin Minority Student whose Primary Home Language is Other Than English. These students have a non-English language background but are fluent in English and do not require ESL services. Parents, however, may need information in their home language.

**Language Codes: Refer to ISO 639-2****For codes formerly on ALSDE Language Codes Not Listed on ISO 639-2 refer to this table.**

Former Language	New Language	New Code
Laotian	Lao	lao
Cambodian	Austronesian languages	map
Achi (Mayan)	Central American Indian languages	cai
Afghan	Indo-European languages	ine
African	<b>must know the country in Africa</b>	
Akateko (Mayan)	Central American Indian languages	cai
Anyehth	<b>does not exist</b>	
Asian	<b>must know the country in Asia</b>	
Asian (Spanish)	<b>does not exist</b>	
Badaga (India)	Dravidian language	dra
Cantonese	Chinese T	zho
Chu	Chinese T	zho
Dari	Persian T	fas
Ebo	Igbo	ibo
Farsi	Persian	fas
Hokkien	Chinese T	zho
Ibo	Igbo	ibo
Ilocano	Austronesian languages	map
Indian	Hindi if from India or North American Indian Languages	hin or nai
Kalenjin	Nilo-Saharan Languages	ssa
Kanjobel	Central American Indian Languages	cai
Karachi	Urdu	urd
Khmer	Austronesian languages	map
Kikuya	Kikuyu; Gikuyu	kik
Kirundi	Niger-Kordofanian languages	nic
Kiswahili	Swahili	swa
Kuman	Albanian T	sqi
Kunama	Nilo-Saharan Languages	ssa
Liberian	Creoles and Pidgins, English based	cpe
Mam	Central American Indian Languages	cai
Mandarin Chinese	Chinese T	zho
Marshakse	<b>does not exist</b>	
Mestico	Central American Indian Languages	cai
Micronese	Austronesian languages	map
Mien	Hmong-mong	hmn
Mixtec	Central American Indian languages	cai
Pampango	Philippine languages	phi
Pohnpei	Austronesian languages	map
Punjabi	Indo-European languages	ine
Quiche	Central American Indian Languages	cai
Taiwanese	Chinese T	zho
Tarasco	Central American Indian languages	cai
Toga	Creoles and Pidgins, English based	cpe
Ukrainian	Ukrainian	ukr
Visayan	Philippine languages	phi
Yugoslavie	Slavic languages	sla

## APPENDIX

### ***Legal Cases Related to English Learners***

#### **1964 Civil Rights Act, Title VI**

*“No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” -42 U.S.C. § 2000d.*

- Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color or national origin in programs or activities that receive Federal financial assistance. Public institutions (like schools) must provide equal quality of educational services to everyone, including those who are Limited English Proficient (LEP). Title VI covers all educational programs and activities that receive Federal financial assistance from the United States Department of Education (ED).

#### **May 25, 1970. Memorandum**

*“The purpose of this memorandum is to clarify policy on issues concerning the responsibility of LEAs to provide equal educational opportunity to national origin minority group children deficient in English language skills.*

- Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the education program offered by a LEA, the LEA must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students. School districts have the responsibility to notify national origin- minority group parents of school activities, which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English.

#### **Lau v. Nichols (US Supreme Court Decision 1974)**

*“The failure of school system to provide English language instruction to approximately national origin students who do not speak English, or to provide them with other adequate instructional procedures, denies them a meaningful opportunity to participate in the public educational program, and thus violates § 601 of the Civil Rights Act of 1964, which bans discrimination based "on the ground of race, color, or national origin," in "any program or activity receiving Federal financial assistance," and the implementing regulations of the Department of Health, Education, and Welfare. Pp. 414 U. S. 565-569.”*

- The Supreme Court stated that these students should be treated with equality among the schools. Among other things, Lau reflects the now-widely accepted view that a person's language is so closely intertwined with their national origin (the country someone or their ancestors came from) that language-based discrimination is effectively a proxy for national origin discrimination.

#### **1974– Equal Education Opportunities Act**

*“The Equal Education Opportunities Act of 1974 states: “No state shall deny equal educational opportunity to an individual based on his or her race, color, sex, or national origin by the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs.”*

- The EEOA prohibits discriminatory conduct against, including segregating students on the basis of race, color or national origin, and discrimination against faculty and staff serving these groups of individuals, as it interferes with their equal educational opportunities. Furthermore, the EEOA requires LEAs to take action to overcome students' language barriers that impede equal participation in educational programs.

#### **Plyler v. Doe (U.S. Supreme Court Decision 1982)**

*“The illegal aliens who are plaintiffs in these cases challenging the statute may claim the benefit of the Equal Protection Clause, which provides that no State shall deny to any person within its jurisdiction the equal protection of the laws ”. . . The undocumented status of these children does not establish a sufficient rational basis for denying them benefits that the State affords other residents . . . No national policy is perceived that might justify the State in denying these children an elementary education.” -457 U.S. 202*

- The right to public education for immigrant students regardless of their legal status is guaranteed.

- Schools may not require proof of citizenship or legal residence to enroll or provide services to immigrant students.
- Schools may not ask about the student or a parent's immigration status.
- Parents are not required to give a Social Security number.
- Students are entitled to receive all school services, including the following: Free or reduced breakfast or lunch, – transportation, – educational services, and – NCLB, IDEA, etc.

**Presidential Executive Order 13166 (Clinton: 2000)**

*"Entities receiving assistance from the federal government must take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access to the programs, services, and information those entities provide."*

- Recipients of federal assistance are required to help students overcome language barriers by implementing consistent standardized language assistance programs for LEP. In addition, persons with limited English proficiency cannot be required to pay for services to ensure their meaningful and equitable access to programs, services, and benefits.
- See The United States Department of Justice: [www.justice.gov/crt/about/cor/Pubs/lepqapr.php](http://www.justice.gov/crt/about/cor/Pubs/lepqapr.php)

**2016 – Title III of the Every Student Succeeds Act**

*"Title III of the Every Student Succeeds Act requires that all English Learners (ELs) receive quality instruction for learning both English and grade-level academic content.*

*NCLB allows local flexibility for choosing programs of instruction, while demanding greater accountability for ELs' English language and academic progress."*

- Under Title III, states are required to develop standards for English Language Proficiency and to link those standards to the state's Academic Content Standards. Schools must make sure that ELLs are part of their state's accountability system and that ELs' academic progress is followed over time by
- establishing learning standards, that is, statements of what children in that state should know and be able to do in reading, math, and other subjects at various grade levels;
- creating annual assessments (standardized tests, in most states) to measure student progress in reading and math in grades 3-8 and once in high schools;
- setting a level (cut-off score) at which students are considered proficient in tested areas; and
- Reporting to the public on what percentages of students are proficient, with the information broken down by race, income, disability, language proficiency, and gender subgroups.

**Castañeda v. Pickard, [5th Cir., 1981] 648 F.2d 989 (US COURT OF APPEALS)**

*"In 1981, in the most significant decision regarding the education of language-minority students since Lau v. Nichols, the 5th Circuit Court established a three-pronged test for evaluating programs serving English language learners. According to the Castañeda standard, schools must base their program on educational theory recognized as sound or considered to be a legitimate experimental strategy, – implement the program with resources and personnel necessary to put the theory into practice, and – evaluate programs and make adjustments where necessary to ensure that adequate progress is being made. [648 F. 2d 989 (5th Circuit, 1981)]."*

This case established a three-part test to evaluate the adequacy of a district's program for the English language learner:

4. Is the program based on an educational theory recognized as sound by some experts in the field or is it considered by experts as a legitimate experimental strategy?
5. Are the programs and practices, including resources and personnel, reasonably calculated to implement this theory effectively?
6. Does the school district evaluate its programs and make adjustments where needed to ensure that language barriers are actually being overcome?



## Key Terms for English Learners from the U.S. Department of Education

<http://www2.ed.gov/about/offices/list/ocr/ell/glossary.html>

- ❖ **ACCESS for ELLS™**: Standards-based, criterion referenced English language proficiency test. It assesses social and instructional English as well as the language associated with language arts, mathematics, science, and social studies within the school context across the four language domains.
- ❖ **BICS**: Basic interpersonal communication skills. The language ability required for verbal face-to-face communication. Students are generally proficient in BICS in 1-2 years.
- ❖ **CALP**: Cognitive academic language proficiency. The language ability required for academic achievement. Students are generally proficient in CALP in 5-7 years.
- ❖ **EL: English learner**. National origin-minority student who is not yet proficient in English. This term is often preferred over limited-English-proficient (LEP) as it highlights accomplishments rather than deficits.
- ❖ **ELD: English Language Development**. Program of instruction for English learners
- ❖ **ESL: English as a Second Language**. Program of instruction for English learners
- ❖ **FEL**: Fluent (or fully) English proficient; to be monitored.
- ❖ **Informed Parental Consent**: The permission of a parent to enroll their child in an EL program, or the refusal to allow their child to enroll in such a program, after the parent is provided effective notice of the educational options and the district's educational recommendation.
- ❖ **Language Dominance**: The measurement of the degree of bilingualism, which implies a comparison of the proficiencies in two or more languages.
- ❖ **Language Proficiency**: The degree to which the student exhibits control over the use of language, including the measurement of expressive and receptive language skills in the areas of phonology, syntax, vocabulary, and semantics and including the areas of pragmatics or language use within various domains or social circumstances. Proficiency in a language is judged independently and does not imply a lack of proficiency in another language.
- ❖ **LEP**: Limited-English-proficient. No longer used. (See EL)
- ❖ **LIEP**: Language Assistance Educational Program
- ❖ **L1**: Student's native language.
- ❖ **L2**: Student's second language (possibly more than two languages).
- ❖ **NOMPHLOTE**: National Origin Minority whose Primary Home Language is Other Than English A student whose native language is other than English and who does NOT qualify for EL services.
- ❖ **SEI**: Structured English Immersion. Program of instruction for English learners.
- ❖ **WIDA® Standards**: Rigorous academic language standards provided by WIDA® for the purposes of guiding social and academic content instruction through the four domains of language: listening, speaking, reading, and writing, at the ELs' English language proficiency levels.
- ❖ **I-ELP**: An individualized EL language plan for the EL student.
- ❖ **W-APT™/MODEL™**: A screener test for EL place mentor benchmark assessments.
- ❖ **WIDA®**: Alabama is a part of the WIDA® consortium and adopted the WIDA® Consortium's ELD Standards for Pre-Kindergarten–Grade 12 encompass:
  - Social and Instructional language
  - Language of Language Arts
  - Language of Mathematics
  - Language of Science
  - Language of Social Studies



## Frequently Asked Questions

### **What happens to English learner (EL) students who are not offered services to help them overcome language barriers?**

ELs (English learners) may suffer repeated failure in the classroom, falling behind in grades, and dropping out of school if they are not provided services to overcome language barriers. Students who are not proficient in English are sometimes inappropriately placed in special education classes. Qualified EL students should have access to high track/AP courses or Gifted and Talented programs, regardless of their English proficiency level.

### **What is the federal authority requiring districts to address the needs of English language learners?**

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin. In *Lau v. Nichols*, the U.S. Supreme Court affirmed the Department of Education memorandum of May 25, 1970, which directed school districts to take steps to help limited-English proficient (EL) students overcome language barriers and to ensure that they can participate meaningfully in the district's educational programs

### **What does Title VI of the Civil Rights Act of 1964 require for English-language learner students?**

This federal law requires programs that educate children with limited English proficiency to be:

1. based on a sound educational theory.
2. adequately supported, with adequate and effective staff and resources, so that the program has a realistic chance of success.
3. periodically evaluated and, if necessary, revised.

### **Does OCR require districts to follow a particular educational approach, such as bilingual education?**

No. OCR does not require or advocate a particular educational approach to the instruction of EL students. Districts have substantial flexibility when developing programs to meet the needs of EL students.

### **What if parents do not want their child to have supplemental services to address their English needs?**

Parents can opt to not have their children enrolled in an supplemental EL program. When a parent declines participation, the district still retains the responsibility to ensure that the student has an equal opportunity to have his or her English language and academic needs met. Districts can meet this obligation in a variety of ways (e.g. adequate training to classroom teachers on second language acquisition and monitoring the educational progress of the student).

### **How long does a district have to provide support services to EL students?**

EL students must be provided with alternative services until they are proficient enough in English to participate meaningfully in the regular program. To determine whether a child is ready to exit, a district must consider such factors as the student's ability to keep up with non-EL peers in the regular education program and the ability to participate successfully without the use of adapted or simplified English materials. Exit criteria must include some objective measure of a student's ability to read, write, speak and comprehend English.

## Resources

Inclusion of a link is not an endorsement of the views expressed, the products or services offered, or of the organizations sponsoring the web sites. Retrieved June 27, 2011 from:

<http://www2.ed.gov/about/offices/list/ocr/ell/otherresources.html>.

### General Resources on the Web

**WIDA®.** This site supports academic language development and academic achievement for linguistically diverse students through high quality standards, research, and professional development for educators. [www.wida.us](http://www.wida.us)

**California Department of Education.** This site contains information on education issues, instructional resources, lesson plans, curriculum and designing a standards-based accountability system for evaluating programs for ELL students. <http://www.cde.ca.gov/sp/el/>

**Center for Applied Linguistics.** CAL is a private non-profit organization that aims to promote and improve the teaching and learning of languages. This is a resource for information on teaching and learning languages, and information about language and culture. The Center for Research on Education, Diversity and Excellence (CREDE), whose purpose is to identify and develop effective educational practices for linguistic and cultural minority students, is located in the CAL site. <http://www.cal.org>

**Center for Multilingual, Multicultural Research,** University of Southern California. This site provides a variety of resources and other web links to ESL/Bilingual Resources. <http://www-rcf.usc.edu/~cmmr/>

**ERIC Clearinghouse on Language and Linguistics.** This site contains a long list of articles relating to language learning, using resources from within language-minority communities, model programs, and integrating world language-learning with other subject matter classes. <http://www.cal.org/ericell/digest/>

**National Association for Bilingual Education.** NABE is a national membership organization dedicated to address the educational needs of language-minority students in the U.S. and to advance the language competencies and multicultural understanding of all Americans. <http://www.nabe.org/>

**National Clearinghouse for Bilingual Education.** The NCBE provides information on language education for minority students, bilingual education, and English-as-a-Second-Language (ESL). This site contains information on designing, implementing, and evaluating programs for ELL students. <http://www.ncela.gwu.edu/>

**Northwest Regional Educational Laboratory.** NWREL operates a technical assistance center serving the northwest states. The center provides information on educational programs and general school improvement to meet the needs of special populations of children and youth, including ELL students. <http://www.nwrel.org/> The Equity Center provides additional useful information. <http://www.nwrel.org/cnorse/index.html>

**Office of Superintendent of Public Instruction** (OSPI), Washington State. This site provides information on the programs operated by OSPI and a number of education links. This site contains information on culturally and linguistically diverse students and special education services. <http://www.k12.wa.us/>

**Teachers of English to Speakers of other Languages, Inc.** TESOL's mission is to develop the expertise of its members and others involved in teaching English to speakers of other languages to help them foster effective communication in diverse settings while respecting individuals' language rights. This international organization is one of the largest professional organizations for professionals in second language acquisition and contains a variety of information about the subject. <http://www.tesol.edu/index.html>

**University of Texas at Austin,** College of Education. This site provides links to bilingual education resources on the internet. <http://www.edb.utexas.edu/education/centers/obe/>

**The U.S. Department of Education.** This is the Department's home page and serves as a resource and a gateway to other useful web pages, <http://www.ed.gov/>, including the Office for Civil Rights (OCR), <http://www.ed.gov/offices/OCR/>

**The U.S. Department of Education, Office of Bilingual Education and Minority Languages Affairs (OBEMLA).** Established in 1974 by Congress, OBEMLA helps school districts meet their responsibility to provide equal educational opportunity to ELL children. <http://www.ed.gov/offices/OBEMLA/>

**The U.S. Department of Education, Office of Educational Research and Improvement (OERI).** Provides national leadership for educational research and statistics. This web site has links to education statistics, research, and technical assistance. <http://www.ed.gov/offices/OERI/>

## Resources for Developing EL Program

### Educational Theory

**"LEP Students and Title I: A Guide-book for Educators."** This guidebook provides analysis and guidance on providing services to ELL students through a Title I program. <http://www.ncela.gwu.edu/pubs/resource/lepguide>

**"The Newcomer Program: Helping Immigrant Students Succeed in U.S. Schools."** This article provides information on the design and implementation of newcomer programs in a district. <http://www.ncela.gwu.edu/pubs/pigs/pig8.htm>

### Program Goals

**"Creating Appropriate Goals and Objectives."** This handout provides information on developing goals for programs that serve ELL students in relationship to overall program design. <http://www.ncela.gwu.edu/pubs/eacwest/handouts/goal-obj/backgrnd.htm>

### Identification of Potential EL Students

**"Handbook of English language Proficiency Tests."** This guide provides an overview of assessing English language proficiency, details regarding five different tests, and a checklist for selecting an appropriate test for a district's needs. <http://www.ncela.gwu.edu/pubs/eacwest/elptests.htm>

**"Identifying Limited-English-Proficient Students."** This handout provides information on identifying ELL students and establishing transition and/or exit criteria. The handout also includes sample instruments for identifying ELL students. <http://www.ncela.gwu.edu/pubs/eacwest/handouts/id-lep/backgrnd.htm>

### Assessment of EL Status

**"Assessment in ESL & Bilingual Education - A Hot Topic Paper."** An overview of assessing language proficiency, review of assessment instruments, achievement testing, and special education assessments, by Gary Hargett, Ph.D. <http://www.nwrac.org/pub/hot/assessment.html>

### Program Design

**"The ESL Standards for Pre-K-12 Students."** These standards were developed by TESOL to complement the discipline-specific standards created by other professional groups. <http://www.tesol.edu/assoc/k12standards/index.html>

## *Special Programs*

**"Gifted and Talented Students: Definitions and Suggestions for Identification."** This handout provides information on how to identify students from diverse cultures for GATE programs, and includes sample instruments. <http://www.ncela.gwu.edu/pubs/eacwest/handouts/gifted/backgrnd.htm>

### **Resources for Evaluating EL Programs**

**"A Portfolio Assessment Model for ESL."** This guide provides detailed information on the design, implementation, and use of portfolios in assessment. <http://www.ncela.gwu.edu/pubs/jeilms/vol13/portfo13.htm>

**"Evaluation and Assessment for Title VII Projects."** This guide contains information on a variety of topics, including creating appropriate goals & objectives, identification of gifted and talented students, and evaluators. <http://www.ncela.gwu.edu/pubs/eacwest/handouts/>

**"Evaluation Handbook."** This handbook provides a detailed overview of the entire evaluation process under the following sections: overview, thinking about the evaluation, planning the evaluation, implementing the evaluation, and writing the evaluation. <http://www.ncela.gwu.edu/pubs/eacwest/evalhbk.htm>

**"Informal Assessment In Education Evaluation: Implications For Bilingual Education Programs."** This guide describes alternative assessment approaches and discusses how these approaches can supplement standardized tests. <http://www.ncela.gwu.edu/pubs/pigs/pig3.htm>

### **Other Resource Sites**

#### **Terminology**

What terminology is commonly used in bilingual and English-as-a-Second-Language (ESL) education?  
<http://www.ncela.gwu.edu/expert/glossary.html>

**Alabama Department of Education**  
**APPLICATION FOR STUDENT ENROLLMENT**

PLEASE PRINT

Must be completed by Parent/Legal Guardian

PLEASE PRINT

DATE: \_\_\_\_\_ SCHOOL: \_\_\_\_\_ GRADE: \_\_\_\_\_

LAST NAME: \_\_\_\_\_ FIRST NAME: \_\_\_\_\_ MIDDLE NAME: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ SEX - Circle One: MALE FEMALE HOME PHONE: \_\_\_\_\_

PHYSICAL ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

STUDENT LIVES WITH - Circle One: PARENTS MOTHER FATHER GUARDIAN: RELATION \_\_\_\_\_

\*SOCIAL SECURITY NUMBER (voluntary): \_\_\_\_\_

PARENT(S) / GUARDIAN: (verification shall be in accordance with local school board policy)

<b>MOTHER/GUARDIAN:</b> _____	Address: _____
Email Address: _____	Cell Phone: _____
EMPLOYER: _____	Work Phone: _____

<b>FATHER/GUARDIAN:</b> _____	Address: _____
Email Address: _____	Cell Phone: _____
EMPLOYER: _____	Work Phone: _____

SPECIAL INFORMATION ABOUT CUSTODY:

EMERGENCY CONTACTS: (PLEASE LIST NUMBERS OTHER THAN YOUR OWN)

EMERGENCY CONTACT #1 \_\_\_\_\_ EMERGENCY CONTACT #2 \_\_\_\_\_  
 Relation: \_\_\_\_\_ Phone: \_\_\_\_\_ Relation: \_\_\_\_\_ Phone: \_\_\_\_\_

THESE PEOPLE HAVE PERMISSION TO CHECK MY CHILD OUT OF SCHOOL (In accordance to school system check-out procedures)		
1. _____	Relation: _____	Phone: _____
2. _____	Relation: _____	Phone: _____
3. _____	Relation: _____	Phone: _____

NAME AND ADDRESS OF LAST SCHOOL ATTENDED: \_\_\_\_\_  
 \_\_\_\_\_

PARENT/GUARDIAN SIGNATURE: \_\_\_\_\_

\*Disclosure of your child's Social Security Number (SSN) is voluntary. If you elect not to provide a SSN, a temporary identification number will be generated and utilized instead. Your child's SSN is being requested for use in conjunction with enrollment in school as provided in Ala. Admin. Code §290-3-1.02(2)(b)(2). It will be used as a means of identification in the statewide student management system.

**Alabama Department of Education  
Ethnicity and Race**

Student's Name: \_\_\_\_\_ Grade: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please answer BOTH Question 1 AND Question 2

Question 1: Is this student Hispanic/Latino? CHOOSE ONLY ONE ETHNICITY:

- NO, not Hispanic/Latino
- YES, Hispanic/Latino (A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

*\*The above question is about ethnicity not race. No matter what you selected above, please continue to answer the following Question 2 by marking one or more boxes to indicate what you consider your student's race to be.*

Question 2: What is the students race? CHOOSE ONE OR MORE:

- AMERICAN INDIAN OR ALASKA NATIVE. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- ASIAN. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- BLACK OR AFRICAN AMERICAN. A person having origins in any of the black racial groups of Africa.
- NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- WHITE. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Office use only:

Ethnicity - Choose only one:

- \_\_\_\_ NOT Hispanic/Latino
- \_\_\_\_ Hispanic/Latino

Race - Choose one or more:

- \_\_\_\_ American Indian or Alaska Native
- \_\_\_\_ Asian
- \_\_\_\_ Black or African American
- \_\_\_\_ Native Hawaiian or Other Pacific Islander
- \_\_\_\_ White

Date:

Staff Signature:

**Alabama Department of Education  
Additional Requested Information**

**MILITARY**

• Student connected to an Active Duty Military Family	Circle One:	Yes	No
• Student connected to a Guard or Reserve Military Family	Circle One:	Yes	No

**PRESCHOOL**

• Head Start	Circle One:	Yes	No	• FirstClass Funded Preschool	Circle One:	Yes	No
• Center-Based Child Care	Circle One:	Yes	No	• Home-Based Child Care	Circle One:	Yes	No
• Home Visitation Program	Circle One:	Yes	No	• Other Preschool	Circle One:	Yes	No
• No Preschool - Check if no Preschool	<input type="checkbox"/>			• Special Education Funded	Circle One:	Yes	No