



Portland Public Schools



PORTLAND PUBLIC SCHOOLS
**MULTILINGUAL &
MULTICULTURAL CENTER**

District Lau Plan

Portland Public Schools
**Multilingual & Multicultural
Center**

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I. INTRODUCTION

English Language Learners (ELLs) are a richly heterogeneous group bringing a wide variety of life situations and a wide range of educational experiences. The paths they take to acquire a new language and to adjust to their new cultural environment are varied and in keeping with their unique needs and experiences. Within the safe and welcoming school environment, administrators and teachers are given rare opportunities to tap the rich resource of knowledge and perspectives that ELLs bring to school, and which, in turn, enrich the learning of all students in the classroom. The role of the school and teachers is critical in supporting students' identity development as learners, and in helping students shape a vision of the future in which they will take their place in a global economy. The Portland Public School system is committed to providing appropriate placement, along with curricular, instructional, and other related services to ensure that ELLs are able to participate effectively in the schools' educational programs.

To accomplish this, the Portland Public Schools' LAU Plan, details the procedural requirements and services provided to ELLs, including identification, assessment, placement, and exit from English Language Development (ELD) programming, and pre-referral procedures to ensure appropriate identification of ELLs requiring special education and gifted and talented services.

I.A Responsibility for Lau Plan Implementation

The Superintendent has designated the Director of Portland Public Schools' Multilingual and Multicultural Center as having overall responsibility for the district's compliance with federal and state laws, regulations and guidance regarding the education of ELLs by:

- Overseeing the implementation of the district's Lau Plan;
- Developing appropriate programming to assist ELLs in acquiring English language skills and achieving the Learning Results content standards;
- Overseeing initial school registration, health screening, language assessment, and placement for all students with limited English language proficiency;
- Offering training and support for teachers and other educational support personnel;
- Providing professional development programs focused on educating linguistically and culturally diverse students;
- Coordinating the delivery of federal and state assessments to determine ELLs' progress;
- Consulting with Multilingual Evaluation Team (MET) as needed;
- Monitoring program effectiveness with the Lau Advisory Committee;
- Overseeing compliance with recordkeeping requirements;
- Providing translation and interpretation services of school related activities; and
- Implementing parent outreach programs to involve multilingual parents in the district's education activities and programs.



II. IDENTIFICATION AND INITIAL PLACEMENT OF ELLS

II.A General Procedures for Registration and Screening

An English Language Learner (ELL) is a student whose primary or home language is other than English and who lacks the necessary academic English language skills to perform at grade level in one or more of the skill areas of listening, speaking, reading or writing. Schools are required to identify students who have limited English proficiency and develop appropriate programming for them.

1. The Multilingual Intake Center is a family-friendly center created to assist families with school registration, language assessment, and program eligibility for all ELLs. Parents registering their children at the Intake Center first complete a **Home Language Survey** (See Appendix A).
2. Parents registering their children at neighborhood schools are also asked to complete a Home Language Survey. This survey identifies students whose first language is not English. If the answer to any of the questions on the survey indicates a language other than English, the school contacts the Multilingual Intake Center to make an appointment for registration and language screening.
3. Multilingual Intake Center staff, with the assistance of an interpreter as needed or requested, complete the forms necessary for registration (See Appendix B).
4. Trained personnel use multi-criteria assessments to identify a student's eligibility for English Language Development (ELD) programming. Objective, standardized measures of English proficiency and achievement testing are used, as well as information from less formal assessments, as follows:
 - W-APT
 - Language Assessment Scales (LAS)
 - SRI Reading Assessment
 - Home Language Survey
 - Parent and/or student interviews
 - Review of academic performance, student works and education records
5. Following registration and assessment at the Multilingual Intake Center, parents are notified of ELD programming eligibility within 30 days as required by the No Child Left Behind Act using the **ELD Initial Program Eligibility** form (See Appendix C). Decisions regarding ELD programming implementation are made by the school.
6. Multilingual Intake Center staff contact the designated receiving school at the elementary, middle, or high school level. An appointment is made with the receiving school for entry.



- 7. A student, who is recommended for placement in elementary and middle school ELD programming, attends the appropriate neighborhood school. A high school student recommended for placement in ELD programming may choose which district high school to attend, but may also be assigned to the Intensive Literacy Academy for initial programming.
- 8. If at any point the parents decline program recommendations, the parent must sign a **Decline ELD Program** form (See Appendix D). Notifications are translated/interpreted into major languages.
- 9. A language minority student who has not been previously identified as eligible for ELD programming but who is experiencing difficulties in a classroom in any Portland School, may be tested at any time to determine eligibility. Requests may be made by parents or school staff.

II.B Grade Placement Guidelines

The student ages listed below guide placement of all students in the Portland Public Schools in conjunction with other relevant factors including English proficiency level and prior education.

Kindergarten	5 years old by October 15 of that year (This is the minimum age requirement established by Maine law.)
Grade I	6 or 7 years old (Developmental readiness and prior schooling experiences are considered in the placement decision.)
Middle School, Grade 6	11 or 12 years old
High School, Grade 9	14 or 15 years old A student who has reached the age of 20 before July 1 may not enroll in high school in accordance with Maine law. Any request for an exception to the age limit must be made by the Superintendent on a case-by-case basis to the Commissioner of Education.



III. Defining and Measuring English Language Proficiency

The English language proficiency and academic achievement of ELLs is monitored using multi-criteria assessments. One of these assessments is the ACCESS for ELLs®, an English language proficiency test administered annually in Maine to all ELLs from kindergarten through grade 12. ACCESS for ELLs® meets the federal requirements of assessing ELLs' proficiency levels and provides reliable, valid, and useful information on the proficiency levels and progress of ELLs in acquiring academic English. ACCESS for ELLs® English language proficiency standards are aligned with Maine's *Learning Results* academic content standards and are a requirement in Maine's Comprehensive Assessment System (MeCAS).

1. State law requires that the ACCESS for ELLs® only be administered by an individual trained in its administration.
2. This test was developed based on the English Language Proficiency Standards as developed by WIDA (World-Class Instructional Design and Assessment) within five grade clusters. These are:
 - Kindergarten
 - Grades 1-2
 - Grades 3-5
 - Grades 6-8
 - Grades 9-12
3. *ACCESS for ELLs®* assesses the domains of Speaking, Listening, Reading, Writing, and Comprehension skills of English language learners in Math, Language Arts, Social Studies, Science, and Social and Instructional language. It identifies five levels of English language proficiency (See Appendix E):
 - Level 1 - Entering
 - Level 2 - Beginning
 - Level 3 - Developing
 - Level 4 - Expanding
 - Level 5 - Bridging
 - Level 6 - Attained
4. In the State of Maine a student whose composite score [35% reading, 35% writing, 15% speaking, and 15% listening] is below Level 6.0, is classified as an English Language Learner (LEP is the federal term) and is eligible for ELD programming.
5. A student receiving a composite level of 6.0 on a Tier C test will be **exited** from ELD Programming, be classified as FLEP (Former Limited English Proficient), and will no longer take *ACCESS for ELLs®*. The Multilingual Evaluation Team will monitor a student's academic progress for two years to ensure that he/she is continuing to be successful without ELD programming.
6. Under Title III the district is responsible for meeting three **Annual Measurable Achievement Objectives** (AMAOs) based on a student's composite score [35% reading, 35% writing, 15% speaking, and 15% listening]. (See Appendix F)
 - AMAO I : Making progress in proficiency
 - AMAO II : Attaining proficiency
 - AMAO III : Adequate Yearly Progress (AYP) for ELLs



IV. English Language Development Programming K-12

IV.A Monitoring Student Progress and Responding to Student Needs

Learning a new language for school (academic language proficiency) involves taking many steps along the language acquisition continuum. The length of time to develop the level of proficiency in English that supports academic success will vary from student to student. Because the district is held accountable for how long a student requires ELD programming, all teachers share the responsibility for supporting the English language proficiency of ELLs and for communicating with parents about academic achievement. The overall focus of ELD programming is for ELLs to reach parity with native English-speaking peers. Because students spend a portion or all of their day in general education classrooms, ESOL teachers work together with general education teachers under the guidance of a Multilingual Evaluation Team (MET) to develop and implement Structured English Immersion (SEI) instructional strategies that facilitate the development of English language proficiency.

1. Each district school has a MET process. Membership on the team is fluid and its composition depends on the activities that must be accomplished by the team. The MET will include an ESL endorsed personnel and may include a representation of the following: classroom/content-area teacher, ESOL teacher, literacy specialist, parent, social worker, school counselor, and administrator or designee. A school-based student assistance team responsible for Response to Intervention (RtI) may share some of the responsibility of the MET as long as a **certified teacher/administrator/ specialist with ESL endorsement** is a member of that team. A specific person should have the overall responsibility for the MET. The MET responsibilities include:
 - a. making ELD programming decisions for newly registered ELL students
 - b. monitoring individual student academic language acquisition and academic achievement, and recommending interventions and ELD programming
 - c. discussing student achievement patterns and the overall effectiveness of ELD programming
 - d. tracking progress of students whose parents have declined ELD programming
 - e. discussing transition of students from grade 5 to grade 6 and grade 8 to grade 9, before class schedules are constructed
2. Once a student is identified as eligible for ELD programming, the MET makes ELD programming recommendations within 30 days in compliance with parent notification and involvement requirements using the **MET ELD Programming** form (See Appendix G).
3. For students currently enrolled in school, parents shall be notified of their child's ELD programming annually using the **MET ELD Programming** form (See Appendix G) and **Continued ELD Program Eligibility** form (See Appendix H)



as required by the No Child Left Behind Act. School MET teams are responsible for notifying parents of ELD programming and the Multilingual Center is responsible for notifying parents of continued ELD program eligibility.

4. Parents shall be invited to attend and participate in all MET meetings pertaining to their child. Parents have a right to decline any program changes. If a parent declines ELD programming, the school still must provide meaningful education (See Appendix I: Administrative Letters 18 & 19). Parent notices and information will be provided in the major languages. In addition, an interpreter will be provided to assist parents in communicating with school staff and at MET meetings to discuss the student's programming and progress in attaining English proficiency. Any staff member who works with an ELL, a parent, or the student, may request a MET meeting **at any time** to assess student progress by completing a **MET Referral Form** (See Appendix J).
5. Individual student instruction is modified or accommodated as necessary, and the supports to be provided change as language proficiency increases. The kinds of support required for one subject may be different from the kinds of support required for other subjects. Additionally, students may not require support in all subject areas at any given time. When making program decisions the MET uses current and historical qualitative and quantitative data including:
 - ACCESS for ELLs™
 - District-approved Curriculum-Based Measurements
 - Assessments of general and emotional readiness, as measured by daily classroom performance, attendance, behavior, and mastery of basic learning strategies
 - Standardized District Writing prompts
 - Common Performance Indicators (WIDA English Language Proficiency Standards)
 - Educational Background
 - Classroom grades and academic performance
 - Assessments in Maine's Comprehensive Assessment System (MeCAS)
6. All MET meetings about individual student programming **must** be documented using appropriate forms and documentation placed in the student's cumulative file.
7. A language minority student who is experiencing classroom difficulties may be tested for English language proficiency at any time during the school year. Test results will be reviewed by the MET and recommendations will be made.

IV.B English Language Development (ELD) Program

ELD programming provides ELLs with access to the general education curriculum through a continuum of instructional options. Information gathered from parents, academic records, and assessments informs programming placement in age-appropriate classrooms and determines the amount and type of language instruction



and/or programming. Program oversight is provided by a certified teacher with ESL endorsement as required by state and federal laws. Program oversight can be provided by a specialist or an administrator with teacher certification and ESL endorsement. Program delivery is provided by a team of educators which may include an ESOL teacher, a general education teacher, a native language facilitator/educational technician, or a volunteer, depending on individual student needs as determined by a Multilingual Evaluation Team (See Appendix K: ELD Program Definitions and Goals).

ACCESS for ELLs™ Proficiency Levels (Composite Score)	Recommended ELD Program Placement (K-12)	Recommended level of language support: <ul style="list-style-type: none"> ▪ Overseen by an ESL endorsed teacher, ESL endorsed specialist or ESL endorsed administrator; ▪ Provided by a team of educators, and; ▪ Determined and monitored by the Multilingual Evaluation Team (MET)
Level 1 – Entering	Intensive English Language Development (IELD) Intensive Literacy Academy (ILA) (Grades 9-12)	3-4 hours per day Language programming may include: <i>Elementary:</i> <ul style="list-style-type: none"> • IELD instruction • In class academic language support <i>Middle School:</i> <ul style="list-style-type: none"> • One or more IELD class periods • Sheltered English Content Instruction • In class academic language support <i>High School:</i> <ul style="list-style-type: none"> • Intensive Literacy Academy (ILA) • One or more IELD class periods • Sheltered English Content Instruction • In class academic language support
Level 2 – Beginning		
Level 3 – Developing	Cognitive Academic Language Support (CALs)	1-2 hours per day Language programming may be a combination of Level 2 – 4 services based on student need
Level 4 – Expanding	Cognitive Academic Language Support (CALs)	2 -3 hours per week Language programming may include: <ul style="list-style-type: none"> • Specialized CALs for areas of need (reading, writing, vocabulary development, etc.) • In class academic language support • Academic tutoring as needed
Level 5 – Bridging	Cognitive Academic Language Support (CALs)	
Level 6 – Attained No longer assessed on ACCESS for ELLs™.	Officially exited from LEP designation and coded FLEP	<ul style="list-style-type: none"> • Differentiated instruction as needed • Academic progress Monitored for two years by MET. Eligible for re-entry into ELD Programming



IV.C Accommodations for Assessment in MeCAS

The district adheres to the NCLB requirement that all students with limited English language proficiency participate in Maine’s Comprehensive Assessment System (MeCAS); however, test scores of ELLs who have lived in the United States for less than one year prior to taking these assessments are not counted for performance on Annual Yearly Progress (AYP). The district also observes the use of Maine Department of Education-approved accommodations for ELLs taking these state-wide mandated assessments and national assessments.

IV.D Record-Keeping and Parent Notification

1. The following documents will be placed in a student’s cumulative file:
 - a. Intake forms (See Appendix B)
 - b. Parental notification of **Initial ELD Program Eligibility** (See Appendix C) completed and sent to parents by the Multilingual Center
 - c. Annual ACCESS testing results
 - d. Annual letter of **Continued ELD Program Eligibility** (See Appendix H) and **MET ELD Programming Form** (See Appendix G)
 - e. **Decline ELD Program** form (See Appendix D)
2. In accordance with Federal guidelines, parents are notified of ACCESS test results and eligibility for ELD Programming on an annual basis. Notifications are translated into major languages and sent to parents. Parents also receive translated notification in major languages of educational programs and activities provided to other parents. The district, in agreement with the Office of Civil Rights, translates important documents such as report cards and student handbook, in a language other than English spoken by at least 50 students.

IV.E Periodic Program Evaluation

Using the English Language Learners (ELL) **District Self-Study Guide** (See Appendix L), a review of district ELD programming and services are completed every three years by the Multilingual Center in the context of current law (See Appendix M). Results are used to improve programming so that the needs of ELLs are met. The director of the Multilingual and Multicultural Center will oversee the district’s ELD Program Evaluation with input and guidance from the district’s Lau Advisory Committee. The Lau Advisory Committee includes at least one representative from each school in the district. Membership on the committee will represent parents and school staff in various roles such as ELL teachers, content-area teachers, general education teachers, special education teachers, and administrators. The Committee will meet at least two times a year. Reports on the program are made to the Superintendent and/or School Committee.



V. SPECIAL NEEDS PLACEMENT

ELLs may be intellectually gifted, have a learning disability or a behavioral disorder, or multiple exceptionalities like any other student. Determining special needs programming is a complex process. The screening and diagnosing of at-risk ELL students is part of the Portland Public Schools RtI Process. The ELD Program includes a number of pre-referral steps to determine whether there exist temporary learning and behavior characteristics shared by students with disabilities and ELL students, or whether referral to special education is warranted.

Limited English proficiency is not a disability and is not covered by IDEA or Maine special education regulations. ELLs should not be placed in any special education program unless exceptionality is well-documented (including assessment of a student's native language skills). To assist in determining the appropriateness of a referral to special education or gifted and talented programs, the district's established pre-referral process for interventions will be followed, independent of the ELL identification. The process documents approaches utilized to provide positive supports for a student's learning.



HOME LANGUAGE SURVEY

STUDENT'S NAME _____ SCHOOL _____

GRADE _____ TOWN _____ DATE _____

Directions:

- For Question 1, circle the name of the language.
- For Questions 2-5, write the name(s) of the language(s) that apply in the space provided.

Please do not leave any question unanswered.

1. What language do you **MOST OFTEN** use when speaking to your child?

- | | | |
|---------------|------------|---------------|
| English | Vietnamese | Spanish |
| French | Arabic | American Sign |
| Passamaquoddy | Khmer | Somali |

Other (specify) _____

2. What language did your child **FIRST** learn to speak? _____

3. What language does your child **MOST OFTEN** use when speaking to brothers, sisters, and other children at home? _____

4. What language does your child **MOST OFTEN** use when speaking to you and other adults in the home? (grandparents, aunts, uncles) _____

5. What language does your child **MOST OFTEN** use when speaking with friends or neighbors **OUTSIDE** the home? _____

TO THE TEACHER:

- (1) If you have observed this student use a language other than English, please indicate other language here: _____
- (2) Was the child's first language development interrupted at some point in time due to adoption, relocation of family or similar event that might suggest second language usage?
 ___ Yes ___ No



SCHOOL REGISTRATION FORMS COMPLETED **AT MULTILINGUAL INTAKE CENTER**

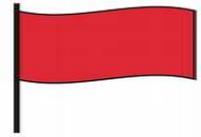
When registering a new student at the ML Intake Center, we complete the following forms with the help of an interpreter, if needed:

- 1) Portland School Department Application for Enrollment in Portland Schools-Transfer Student
- 2) Portland Public Schools Pupil Information and Emergency Form*
- 3) Home Language Survey
- 4) Portland Public Schools Student Web Publishing Permission
- 5) Portland Public Schools Media Opt Out Form (included only if refusing)
- 6) Student Record Card (PPS 125)
- 7) Free and Reduced Price School Meal Application (we send this form directly to Central Kitchen)
- 8) Maine Migrant Education Eligibility Survey (we send this form directly to Central Office)
- 9) Portland Public Schools Transfer of Pupil Records Form (we fax this form to prior schools)
- 10) English Language Fluency Assessment and Placement Form*
- 11) Initial Eligibility Determination-Parental Notification Form (NCLB requirement)
- 12) ML Intake Center-Family & Educational History Interview Form*
- 13) Proof of residency form (only when needed, if family is living with others)
- 14) Maine Department of Education Permanent Individual Student Health Record

All original documents are sent to schools (other than those sent directly to Central Kitchen or Central Office—noted above). Additionally, the intake center maintains records of all students registered.



STUDENT'S EDUCATIONAL HISTORY			
LANGUAGES	SPEAK/UNDERSTAND	READ	WRITE
Student's dominant language as reported by parent:		Quality of pronunciation & articulation in dominant language:	
What language is used most often at home with family?			
What language is used most often with friends?			
How old were you (student) when you first started to learn English?			
How much education have you (student) had in English? Please explain:			
How many students were in your class?			
How many years have you received English as a Second Language (ESL) services?			
What was the last grade you attended in school?			
Have there been any interruptions in student's education? Explain including date last attended school.			
Has student ever received Special Education Services?			
Has student ever been suspended or expelled?			
How many years of schooling have you had in total?			
Native Country: United States: Total:			
SCHOOL	LOCATION	DURATION	LANGUAGE OF INSTRUCTION
Did you attend:	Head Start:	Preschool:	None attended:
Do you have a computer at home? Email:		Do you have Internet Access?	
Student Strengths:		Special interests and abilities—music, art, sports, academics:	
Health Concerns/Chronic Illnesses:		Social/Behavioral Concerns (self-reported):	
		Home:	
		School:	
Has parent noticed any developmental delays regarding speech/language and/or motor functioning?			
Dietary Restrictions/Eating Habits:		Other Important Info:	
		Career Aspirations:	
INTERPRETATION NEEDED (PARENT CONFERENCES, PHONE CALLS)?		YES	NO
TRANSLATED DOCUMENTS NEEDED?		YES	NO
Mother's years of schooling:		Father's years of schooling:	



Date:	Staff Completing Pre-referral:		
Student's Name:		School:	
Date of Birth:	Grade:	Teacher(s):	
Date Entered US:		Length of Time in US:	
Age Upon Entry into US:		Current Curriculum Placement:	
Country of Birth:		Native Language:	
Primary Language Spoken in Home:			
Entry ESL Test Results:			
Interim ESL Test Results (ACCESS, other):			
Date and Results of Latest Vision Test:			Glasses:
Date and Results of Latest Hearing Test:			

Health	
Does the student have allergies, asthma, or other chronic health problems? If yes, please explain.	
Does the student have chronic pain anywhere in his/her body?	
Does the student experience frequent headaches?	
Has the student experienced a traumatic event (death of a family member, war, refugee resettlement, etc). If yes, please explain.	
Does the student have any dietary restrictions? If yes, please explain.	
Has student ever suffered a traumatic brain injury (i.e. fell down stairs, car accident, loss of consciousness, etc.)? If yes, please explain.	
Is the student currently taking any medications daily? If yes, what?	



Family History	
Are parents of child married, separated or divorced?	
Do both parents live in the home?	
If divorced, does child live with mother or father? Does child regularly see other parent?	
Does child live with a guardian? If so, who?	
How many siblings does the child have? Place of child in family?	
Has the child ever been separated from parents / family for an extended period of time? If yes, please explain.	
Has the child lived in a refugee camp? If so, for how long?	
Father's level of education:	
Mother's level of education:	
Father's occupation:	
Mother's occupation:	
Is there any family history of special education/learning difficulties?	
How would you describe your child's behavior at home? Does he/she follow directions well? Is he/she respectful of your parental authority?	
Do any other children in the family exhibit the same or similar behaviors / learning difficulties as the student in the report?	
Has the child's development been slower than other siblings?	



Educational History (Intake Form)	
Has the student attended school in another country? If yes, which country and for how long?	
What was the language of instruction?	
What was the average class size?	
Did the student study English in his/her native country? If so, provide details?	
Can the student read/write in his/her native language?	
Can the student read/write in his/her second language (other than English)?	
Can the student read/write in English? At what grade level?	

Developmental History/Issues		
At what age did your child learn to walk?		
Did/does your child have any difficulty walking?		
Did your son/daughter develop similarly to his/her siblings? Explain.		
	PARENT (Native Language)	TEACHER(S) (English)
At what age did child/student learn to speak?		
Did/does child/student have any difficulty speaking (pronunciation, articulation)?		
Is the student progressing in the language acquisition process at a similar pace / rate to his/her peers of similar linguistic / cultural background? If not, please explain and provide documentation.		
Are there marked deficits in vocabulary?		



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	PARENT (Native Language)	TEACHER(S) (English)
Communication difficulties at home/school?		
Communication difficulties at home/school when interacting with peers from a similar background?		
Did/does child/student have difficulty remembering new concepts? Poor comprehension?		
Does child/student have difficulty conveying thoughts/feelings?		
Organization, structure, and sequence in spoken and written language?		
Slow academic achievement despite adequate English language proficiency program. Explain.		
Does child/student rely heavily on gestures rather than speech?		
Does child/student show inordinate slowness in responding to questions?		
Does child/student seem confused often?		
Does child/student have difficulty paying attention?		
Does child/student need frequent repetition and/or prompts during instruction?		
Does child/student require a more structured program of instruction than peers?		
Does child/student have difficulty using appropriate grammar and sentence structure?		
Does child/student have difficulty using specific/precise vocabulary (uses <i>stuff, things, you know, like, etc?</i>)		
Does child student often interrupt, digress, go off topic during conversation and/or is unable to take turns when conversing)?		
Does child/student show overall communication skills that are substantially poorer than those of siblings/peers?		



**English Language Development Program for English Language Learners (ELLs)
Initial Eligibility Parental Notification**

To the Parents of: _____ Date: _____

School: _____ Grade: _____ Date of Birth: _____ Student ID#: _____

Portland Public Schools provides English Language Development (ELD) programming for English language learners to support their access to general education curriculum, which is designed to meet age-appropriate State and local academic standards for grade promotion and graduation.

Based on English language fluency test scores and review of school records, we have determined your child's eligibility. Further assessment and programming decisions will be completed at your child's school.

- ___ Eligible for participation in English Language Development (ELD) programming
- ___ English Language Development (ELD) programming is not recommended at this time.
- ___ Other _____

This recommendation is based on the following criteria as marked below:

- 1. ___ WIDA-ACCESS Placement Test (W-APT) Score: _____
- 2. ___ Prior education and social experience
- 3. ___ Other tests Test: _____ Score: _____

Test: _____ Score: _____

Test: _____ Score: _____

**If you have any questions, please call
The Multilingual Intake Center at 874-8135.**

Original: Student Cumulative Folder
Copy 1: Parent
Copy 2: Multilingual and Multicultural Center



DECLINE ENGLISH LANGUAGE DEVELOPMENT PROGRAM FORM

I, _____, decline English Language
PARENT/GUARDIAN
Development (ELD) programming for my son/daughter _____,
PRINT NAME

although I understand that his/her English language proficiency test scores indicate that he/she would benefit from this program. I also understand that I can at any time request a review of this decision.

SIGNATURE

DATE

Translation services were offered to me. Yes/No _____
INITIALS

I accepted translation services. Yes/No _____
INITIALS

School Personnel Present:

NAME	POSITION/SCHOOL

COMMENTS:

Original: Student Cumulative Folder
Copy 1: Parent
Copy 2: Multilingual and Multicultural Center



WIDA Performance Definitions

At the given level of English language proficiency, English language learners will process, understand, produce or use:

6- Reaching	<ul style="list-style-type: none"> • specialized or technical language reflective of the content areas at grade level • a variety of sentence lengths of varying linguistic complexity in extended oral or written discourse as required by the specified grade level • oral or written communication in English comparable to English-proficient peers
5- Bridging	<ul style="list-style-type: none"> • specialized or technical language of the content areas • a variety of sentence lengths of varying linguistic complexity in extended oral or written discourse, including stories, essays or reports • oral or written language approaching comparability to that of English-proficient peers when presented with grade level material
4- Expanding	<ul style="list-style-type: none"> • specific and some technical language of the content areas • a variety of sentence lengths of varying linguistic complexity in oral discourse or multiple, related sentences or paragraphs • 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
3- Developing	<ul style="list-style-type: none"> • general and some specific language of the content areas • expanded sentences in oral interaction or written paragraphs • 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
2- Beginning	<ul style="list-style-type: none"> • general language related to the content areas • phrases or short sentences • 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
1- Entering	<ul style="list-style-type: none"> • pictorial or graphic representation of the language of the content areas • 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 • 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



Annual Measurable Achievement Objectives (AMAOs) Summary

AMAO I : Making progress in proficiency *(AMAO that evaluates annual increase in the number of percentage of children making progress in learning English (P.L. 107-110, Title III, Part A, Subpart 2, §3122(a)(#)(A)(i)).*

- Are ELLs progressing toward proficiency?
- One out of three ELLs move 0.5 (scaled score)
- Weighted system that accounts for amount of progress an ELL student makes over time
- Missing or invalid data has negative impact

Code Used for AMAO I Calculation	Length of Time as ELL (years administered ACCESS)	Category
0	0-2 years	Short-term
1	3-4 years	Typical
2	5 or more years	Long-term
3	Data missing or invalid	Unknown

AMAO II : Attaining proficiency *(AMAO that evaluates annual increase in the number or percentage of children attaining English proficiency by the end of each school year, as determined by a valid and reliable assessment of English proficiency consistent with Section 1111(b)(7) of NCLB (P.L. 107-110, Title III, Part A, Subpart 2, §3122(a)(3)(A)(ii)).*

- Are ELLs attaining proficiency?
- Number of ELLs with composite score level (5-6)
- Threshold targets established for the baseline year (6.67%) and increased by 2.87% each subsequent year. [2008 (15.3%) 2009 (18.2%) 2010 (21.0%)]

AMAO III : Adequate Yearly Progress (AYP) for ELLs *(AMAO that measures adequate yearly progress for limited English proficient children (LEP/ELL) as described in the Section 1111 (b)(2)(B) of NCLB (P.L. 107-110, Title III, Part A, subpart 2, §3122(a)(3)(A)(iii)).*

- Are ELLs making AYP?
- AYP data for reading and mathematics used to determine if district made AYP in ELL subgroup (participation and proficiency)
- AMAO III is not met when the only sub-group that doesn't make AYP is ELL



Multilingual Evaluation Team (MET) ELD Programming Form

Student:		ID:
School:	Grade:	Date:
Team Members Present (type or write names): <input type="checkbox"/> Administrator: <input type="checkbox"/> Counselor/Social Worker: <input type="checkbox"/> General Ed. Teacher:		<input type="checkbox"/> ESOL Teacher: <input type="checkbox"/> Parent/Guardian: <input type="checkbox"/> Interpreter: <input type="checkbox"/> Other:

Recommended level of language support based on ELD program placement guidelines based on multiple measures (Check all programming options that apply)

Program Placement for school year 20__ to 20__ : <input type="checkbox"/> Intensive English Language Development (IELD) <input type="checkbox"/> Intensive Literacy Academy (ILA) (grade 9-12) <input type="checkbox"/> Cognitive Academic Language Support (CALs) <input type="checkbox"/> Monitor Year 1 <input type="checkbox"/> Monitor Year 2			<input type="checkbox"/> Structured English Immersion (SEI) provided by general education teachers <u>Lesson Preparation</u> <ul style="list-style-type: none"> Clearly defined content and language objectives for students Use of a variety of techniques to make content concepts clear Understand levels of language proficiency (Can Do Descriptors) <u>Build Background Knowledge</u> <ul style="list-style-type: none"> Make clear links between student's past learning and new concepts Emphasize academic vocabulary (e.g., word sorts) <u>Comprehensible Input</u> <ul style="list-style-type: none"> Use a variety of techniques to make content concepts clear to various language proficiency levels (e.g., visuals, demos, film clips, modeling) <u>Strategies</u> <ul style="list-style-type: none"> Provide multiple opportunities for students to practice and use strategies (e.g., reciprocal teaching, pre-during-post reading) Consistently use scaffolding techniques throughout a lesson (e.g., think-aloud, partnering) Employ a variety of question types (Bloom's taxonomy) <u>Interaction</u> <ul style="list-style-type: none"> Provide frequent opportunities for interaction and discussion for "oral rehearsal" Use various grouping structures Consistently afford sufficient wait time <u>Assessment</u> <ul style="list-style-type: none"> Comprehensive review of vocabulary and key concepts Regularly give descriptive feedback
Support	_ hours per _	Provided by:	
<input type="checkbox"/> Sheltered Language Instruction			
<input type="checkbox"/> Sheltered math			
<input type="checkbox"/> Sheltered science			
<input type="checkbox"/> Sheltered social studies			
<input type="checkbox"/> Sheltered language arts			
Reading <input type="checkbox"/> Read 180 <input type="checkbox"/> System 44 <input type="checkbox"/> Other:			
Writing <input type="checkbox"/> Other:			
<input type="checkbox"/> Academic Support Period			
<input type="checkbox"/> In class academic language support			
<input type="checkbox"/> Tutoring:			
<input type="checkbox"/> Other:			

Original: Student Cumulative Folder

Copy 1: Parent; Copy 2: Multilingual and Multicultural Center; Copy 3: ESOL and General Education teachers



Parental Notification

I understand that after using multiple criteria, it is recommended that my child participate in ELD programming. School personnel have discussed this recommendation with me and I understand the following:

- 1. My child will participate in the ELD programming, which helps him/her learn English and other academic skills by improving reading, writing, and oral language skills.*
- 2. Teacher(s) will discuss my child's progress with me throughout the school year.*
- 3. Any information about my child's progress will be made available to me upon request.*
- 4. I am free to visit my child's class by appointment.*
- 5. If, at any time, I have questions about ELD programming, I will be able to contact the principal at the school.*
- 6. I will be invited to participate in any meetings regarding changes to my child's ELD programming.*
- 7. My child will be given the ACCESS for ELLs ® annually to determine his/her progress in English acquisition. I will receive notification of test scores. Once my child is considered a fluent English speaker (ACCESS composite level 6), he/she will be exited from ELD programming. My child's progress will be monitored, and if he/she continues to need support, assistance will be provided.*
- 8. I have the right to refuse ELD programming at any time.*



English Language Development Program for English Language Learners (ELLs) Continued Eligibility Parental Notification

Portland Public Schools provides English Language Development (ELD) programming for English language learners to support their access to general education curriculum, which is designed to meet age-appropriate State and local academic standards for grade promotion and graduation.

Your child's English academic language proficiency is assessed annually on the ACCESS for ELLs® to determine his/her continued eligibility for Portland's ELD Programs. Parents have the right to decline ELD programming at any time during the school year. Parents/guardians must sign a "Decline ELD Program Form," available at the student's school.

The following decision was made based on your child's ACCESS for ELLs® score. Please refer to the attached parent report for test score details.

- _____ Continued participation in English Language Development (ELD) programming

- _____ Exit from English Language Development (ELD) programming.
(Attained level 6 on composite score)

If you have any questions, please contact your child's school.

Original: Student Cumulative Folder

Copy 1: Parent

Copy 2: Multilingual and Multicultural Center



Legal Requirements to Provide English as a Second Language (ESL) Services to English Language Learners

ADMINISTRATIVE LETTER: 19 POLICY CODE: IHBE

TO: Superintendents of Schools FROM: Susan A. Gendron,
Commissioner DATE: September 19, 2008 RE: Legal Requirements to
Provide English as a Second Language (ESL) Services to English Language
Learners

The purpose of this letter is to clarify the requirements by law of providing an English Language Learner with ESL services.

Identification of English Language Learners Each School Administrative Unit (SAU) must have, as part of its enrollment packet, a Home Language Survey to be given to all newly enrolled students to aid in the identification of possible English Language Learners.

Federal law requires an English Language Learner to receive ESL services. When a student has been identified as a possible English Language Learner, that student must be administered the W-APT™ (WIDA-ACCESS Placement Test™) or a similar assessment as outlined in the SAU's Lau Plan in order to place the student in appropriate ESL services. Maine requires the education program of an English Language Learner to be overseen by a Maine ESL endorsed teacher. Federal law further requires the education of all English Language Learners to be designed, overseen and implemented by an ESL endorsed teacher. Only an ESL endorsed teacher meets the legal requirement to provide ESL services to English language learners.

Exit Criteria from ESL Services Board adopted SAU Lau Plans, which have been a State requirement since 2003, must stipulate the exit criteria for its ESL program, which may have additional requirements, but at a minimum the criteria must include a Level 6 Composite Score on the ACCESS for ELLs®. Federal law requires that states define English language proficiency and that all English Language Learners who do not meet that definition be provided ESL services. Maine currently defines English language proficiency as attaining a Level 6 composite score on the State's English language proficient assessment ACCESS for ELLs®. Federal law further requires that any English Language Learner who has met proficiency must be monitored for 2 years in order to ensure the academic success of that student.

Annual Assessment of English Language Learners' English Language Proficiency The ACCESS for ELLs® is a federally and state-required annual assessment for all English Language Learners and participation is a component of *No Child Left Behind* (NCLB) accountability. Failure of all English Language Learners to participate in the annual administration of the



ACCESS for ELLs® may affect NCLB Title IA funding. If a student is identified as an English Language Learner, then that student must be administered the ACCESS for ELLs® annually until that student attains the State's definition of English language proficient, which is currently defined as a Level 6 Composite score on the ACCESS for ELLs®.

Administration of the ACCESS for ELLs® State law requires that the ACCESS for ELLs® only be administered by an individual trained in its administration. The current State policy is to allow educators other than ESL endorsed teachers to administer the ACCESS for ELLs®, so long as those educators are trained and certified to administer the ACCESS for ELLs®. However, the allowance of educators other than ESL endorsed teachers to administer the ACCESS for ELLs® must not be interpreted to mean that educators other than ESL endorsed teachers are also allowed to develop or be responsible for the development, oversight and administration of an ESL program for any English language learner. Rights of ELLs The Civil Rights Act of 1964 remains the foundation of the legal rights of an English Language Learners. "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)

This has been interpreted by courts as requiring a qualified ESL teacher to be provided to English Language Learners to ensure they are not excluded from participation in meaningful education.

In addition, an Office for Civil Rights Memorandum of 1991 requires a qualified ESL endorsed teacher for English Language Learners, in order that they are not relegated to second-class status by allowing a teacher without formal qualifications to teach them while requiring teachers of non- English Language Learners to meet formal qualifications (See 34 Code of Federal Regulations C.F.R. Section 100.3 (b)(ii)).

If you have any questions, would like further information or need technical assistance on crafting a Lau Plan, please contact Nancy Mullins, Director of ESL/Bilingual Programs, at 207-624-6788 or nancy.mullins@maine.gov .



Clarification: When Parents Decline English as a Second Language (ESL) Services for English Language Learners

ADMINISTRATIVE LETTER: 18 POLICY CODE: IHBE

TO: Superintendents of Schools FROM: Susan A. Gendron,
Commissioner DATE: September 19, 2008 RE: Clarification: When Parents
Decline English as a Second Language (ESL) Services for English Language
Learners

The purpose of this letter is to clarify the requirements for serving an English Language Learner, **even if** parents decline ESL services.

Federal law requires that an English Language Learner receives ESL services. Federal law requires that states define English language proficiency and provide ESL services to all who do not meet that definition. Maine currently defines English language proficiency as attaining a Level 6 composite score on the State's English language proficiency assessment ACCESS for ELLs®. If a parent refuses ESL services, meaningful education must still be provided. When a parent refuses ESL services, the parent's refusal of ESL services must be documented, but it does not release the school or School Administrative Unit (SAU) from its responsibility of providing meaningful education to the English Language Learner. If parental refusal of ESL services denies an English Language Learner access to a meaningful education, this violates the English Language Learner's rights. *A parent cannot refuse "education" and if an English Language Learner cannot access education without ESL services, then the school/SAU must support the academic learning of the English Language Learner. If an ESL program is necessary in order to ensure academic progress for the English Language Learner, then ESL services must be provided.*

Rights of ELLs The Civil Rights Act of 1964 remains the foundation of the legal rights of an English Language Learner. "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)

This has been interpreted by courts as requiring a qualified ESL teacher to be provided to English Language Learners to ensure that they are not excluded from participation in meaningful education.

In addition, an Office for Civil Rights Memorandum of 1991 requires a qualified ESL endorsed teacher for English Language Learners, in order that



they are not relegated to second-class status by allowing a teacher without formal qualifications to teach them while requiring teachers of non-English Language Learners to meet formal qualifications (See 34 Code of Federal Regulations C.F.R. Section 100.3 (b)(ii)).

Schools/SAUs do not need parental permission to test a student. If a parent refuses to allow a student to participate in a State assessment, refer to the superintendent's/SAU's/school's policy on procedures to follow when a parent refuses to allow a child to participate in a State assessment. The ACCESS for ELLs® is a federally and state-required annual assessment and participation is a component of *No Child Left Behind* (NCLB) accountability. Failure of English Language Learners to participate in the annual administration of the ACCESS for ELLs® may affect NCLB Title IA funding. Even if a parent has refused ESL services, if that student has been identified as an English Language Learner, then that student must be administered the ACCESS for ELLs® annually until that student attains the State's definition of English language proficient, which is currently defined as a Level 6 Composite score on the ACCESS for ELLs®.

If you have any questions or would like further information, please contact Nancy Mullins, Director of ESL/Bilingual Programs, at 207-624-6788 or nancy.mullins@maine.gov.



Multilingual Evaluation Team (MET) Referral Form

Student:		ID:
School:	Grade:	Date:
Team Members Present (type or write names): <input type="checkbox"/> Administrator: <input type="checkbox"/> Counselor/Social Worker: <input type="checkbox"/> General Ed. Teacher:		<input type="checkbox"/> ESOL Teacher: <input type="checkbox"/> Parent/Guardian: <input type="checkbox"/> Interpreter: <input type="checkbox"/> Other:
Reason for referral:		
Summary of discussion:		
Decision and follow-up:		
Parental participation and notification of referral: <input type="checkbox"/> In person <input type="checkbox"/> phone call <input type="checkbox"/> written summary		

Original: Student Cumulative Folder
 Copy 1: Parent
 Copy 2: Multilingual and Multicultural Center
 Copy 3: ESOL and General Education teachers



ELD Program Definitions and Goals

Intensive English Language Development (K-12 ACCESS levels 1-2):

Instruction that focuses on basic conversational fluency and literacy skills, including pronunciation, phonemic awareness, vocabulary and grammar, in all language domains (speaking, listening, reading and writing) associated with school and community life. The goals of the program are to accelerate the acquisition of English for students by focusing on foundational language proficiency skills in all language domains needed **to participate and make progress in** mainstream content classes, and to provide cross-cultural information and strategies for success in negotiating the American school system.

Intensive Literacy Academy (9-12 ACCESS levels 1-2): This program is for select high school students who have had limited opportunities to develop language and literacy skills because schooling in their countries of origin has been severely disrupted or unavailable. The goal of this specialized language program is to accelerate the acquisition of early literacy skills in English.

Cognitive Academic Language Support (K-12 ACCESS levels 3-5): Instruction that focuses on the language proficiency skills associated with academic content and abstract language abilities, such as analysis, synthesis and evaluation, in all language domains (speaking, listening, reading and writing) required for academic discourse. The goals of the program are to accelerate the acquisition of English and academic content for students in the areas of language arts, math, science and social studies in order **to meet** grade level expectations, and to provide cross-cultural information and strategies for success in negotiating the American school system.



ENGLISH LANGUAGE LEARNERS (ELL)

DISTRICT SELF-STUDY GUIDE

This Guide is designed to provide the district/building with a comprehensive overview of its practices and procedures. Please mark the answer by each statement that best describes your school district. In this district self-study guide, the term English Language Learners (ELLs) will be used instead of Limited English Proficiency (LEP). For definitions of terms please see attachments.

IDENTIFICATION

1. The district has a procedure to identify all students who have a primary or home language other than English. Please attach a copy of the procedures.	Yes	No
2. District staff is knowledgeable of the procedures for identifying students who have a primary language other than English.	Yes	No
3. School/district staff that works directly with parents and students in the identification of students, who have a primary of home language other than English, speak and understand the appropriate language(s).	Yes	No
4. Documentation regarding each student’s primary or home language is maintained in student’s file.	Yes	No

ASSESSMENT AND EVALUATION

5. The district assesses on a yearly basis the <u>English language proficiency</u> of all students identified as having a primary or home language other than English in the four language areas (oral/speaking, reading, writing, and listening).	Yes	No
6. The district conducts <u>language proficiency assessments</u> for students who have a primary or home language other than English, using: 6a. Formal assessments (e.g., tests). Name of test(s) used: _____ 6b. Informal assessments (e.g., teacher interviews, observations).	Yes	No
7. Students who have a primary or home language other than English are assessed for language proficiency in their primary or home language.	Yes	No
8. The district has developed procedures to determine the effectiveness of its informal assessment procedures. Please attach a copy of it.	Yes	No
9. The district has determined the level of English-language proficiency at which students are considered English proficient. Please attach copy of description.	Yes	No
10. The district assesses ELL <u>academic skills</u> in relation to their grade or age level. Name(s) of instrument(s) used to assess ELL academic skills: _____ _____	Yes	No
11. ELL who have been in the U.S. for 3 consecutive years are tested in English in reading/language arts.	Yes	No
12. The district assesses ELL in the language and form most likely to yield accurate and reliable results. Language(s) used: _____ _____	Yes	No
13. The district uses the “ <i>Guidelines for the Inclusion of English Language Learners in Your District-wide Assessment Program</i> ” or similar documents to guide decision-making.	Yes	No



13a. Total number of ELL included in your district wide assessment		
13b. Number of ELL included in the district wide assessment with		
	• NO accommodations	
	• With accommodations	
Please attach documentation on accommodations used.		
13c. Number of ELL NOT included in your district-wide assessment.		
14. The district has established qualifications for individuals who administer language or academic assessments to ELL.	Yes	No

PROGRAM (e.g., ESL, Bilingual, etc.)

15. Programs are available for ELL at each grade level.	Yes	No	
16. There are no substantial delays (e.g., more than 30 days) in placing ELL into an appropriate educational program.	Yes	No	
17. There is coordination of curriculum between teachers for ELL and teachers in the regular program.	Yes	No	
18. ELL in the high school program earn credits toward graduation.	Yes	No	
19. Instructional materials are adequate to meet the English language and academic needs of ELL.	Yes	No	
20. Parents are involved in the process of placing ELL in an appropriate educational program	Yes	No	
21. The district has a system to evaluate the success of their ELL program. Please attach a copy of the description of the evaluation plan.	Yes	No	
22. Label the program(s) at each level or attach a copy of description.			
Level	Program (See definitions)	Teachers with ESL endorsement	Paraprofessionals/aides
Elementary			
Middle school			
High school			

STAFF

23. The district has established qualifications for teachers who teach ELL.	Yes	No
24. The district has established qualifications that the teachers' aides and/or paraprofessionals must meet.	Yes	No
25. The district has teachers with ESL endorsement to teach ELL.	Yes	No
25a. Number of ELL		
25b. Number of teachers with ESL endorsement		
26. The district provides high-quality professional development to classroom teachers and other district personnel.	Yes	No
26a. Number of mainstream teachers that participated.		
26b. Number of ESL teachers that participated.		
26c. Number of paraprofessionals/teacher aides that participated		
27. The district provides training for interpreters and translators.	Yes	No
28. Professional development activities are designed to improve instruction and assessment of ELL; enhance teachers' ability to understand and use curricula, assessment measures, and instructional strategies for ELL; are based on scientifically based research; and are of sufficient intensity and duration to have a lasting impact on teachers' performance.	Yes	No
29. Teachers of ELL are fluent in English and, when appropriate, in any other language(s) used for instruction, including having written and oral communication skills.	Yes	No
30. The district has provided training to staff who administer, evaluate, and interpret the results of the assessment methods used.	Yes	No



EXIT CRITERIA

31. The district has established an exit criterion. Please attach a description of it.	Yes	No
How many ELL exit the program after:		
31a. less than 1 year		
31b. 1 to 3 years		
31c. 3 to 5 years		
31d. 5 years or more		
32. The exit criteria ensures that ELL can:		
32a. Speak English sufficiently well to participate in the district’s general educational program.	Yes	No
32b. Read English sufficiently well to participate in the district’s general educational program.	Yes	No
32c. Write English sufficiently well to participate in the district’s general educational program.	Yes	No
32d. Comprehend English sufficiently well to participate (meaningfully) in the district’s general educational program.	Yes	No
33. The district monitors the academic progress of ELL who have exited the program.	Yes	No
33a. Average years of monitoring		
34. The school district determines whether ELL are performing at a level comparable to their English-speaking peers? Please attach documentation (e.g., disaggregated results from ITP)	Yes	No
35. The district has established procedures for responding to deficient academic performance of ELL. Please attach a copy of procedures.	Yes	No
36. ELL re-enter the alternative language program if they experience academic difficulties in the regular program. Please describe under what conditions.	Yes	No
37. Achievements, honors, awards, or other special recognition rates of ELL are similar to those of their peers.	Yes	No
37a. Percent of English-monolingual students in Talented and Gifted programs		
37b. Percent of ELL in Talented and Gifted programs		
37c. Percent of ELL in district		

PROGRAM EVALUATION

38. The district conducts a formal evaluation of its program for ELL to determine its effectiveness. Please attach a copy of the report.	Yes	No
39. The district disaggregates data of ELL.	Yes	No
39a. grade retention	Yes	No
39b. graduation	Yes	No
39c. dropout rates	Yes	No
39d. gender	Yes	No
39e. English proficiency	Yes	No
39f. economically disadvantaged	Yes	No
39g. ITBS/ITED achievement levels	Yes	No
39h. multiple measures of academic achievement	Yes	No

Please attach copies of disaggregated data

EQUITABLE ACCESS

40. The quality of facilities and services available to ELL are comparable to those available to all other students.	Yes	No
41. The quality and quantity of instructional materials in the program are comparable to the instructional materials provided to all other students.	Yes	No



42. ELL participate in classes, activities, and assemblies with all the other students	Yes	No
43. ELL have access to the full school curriculum (both required and elective courses, including vocational education) while they are participating in the language program.	Yes	No
44. Counseling services provided to ELL are comparable to those available to all other students.	Yes	No
45. ELL have opportunities for full participation in special opportunity programs, (e.g., Gifted & Talented, Advanced Classes, Title I, Special Education programs, etc.)	Yes	No
46. ELL are not segregated while taking their classes	Yes	No
47. In general, ELL are integrated in classes such as P.E. music, arts, etc.	Yes	No

SPECIAL EDUCATION

48. The district utilizes procedures for identifying ELL who may be in need of special education services. Please attach copy.	Yes	No
49. The district’s procedures for identifying and assessing ELL for special education takes into account language and cultural differences. Please attach copy.	Yes	No
50. Testing instruments used to assess ELL for special education placement are valid and reliable for these specific students.	Yes	No
51. Persons who administer special education assessment tests to ELL are specially trained in administering the tests.	Yes	No
52. Staff who conducts special education assessments for ELL are fluent in the student’s primary language.	Yes	No
53. The instructional program for ELL in special education takes into account the student’s language needs.	Yes	No
54. The district ensures coordination between the regular and the special education programs in meeting the particular needs of ELL who are in special education.	Yes	No
55. The district identifies and places all ELL who need special education services in a timely manner.	Yes	No
56. The parents or guardians of special education ELL are notified of their rights and responsibilities in a language they can best understand.	Yes	No

NOTICES TO PARENTS

57. The district communicates with parents/guardians of students with a primary home language other than English, in a meaningful way (a form that parents can understand). For example, school forms are translated. Please attach copies of translated forms.	Yes	No
58. Parents of ELL are notified no later than 30 days after the beginning of the school year of their child identification, participation, and students and parental rights.	Yes	No
59. The district uses interpreters or translators to assist in communicating with parents/guardians who do not speak English.	Yes	No
60. Parents/guardians of ELL are well informed of the district’s special educational programs.	Yes	No

This self-study is based on data from _____ academic year.

District or Building: _____

Address: _____

Administrator: _____

Completed by: _____ **Date** _____

Title: _____

Phone #: _____

E-mail: _____

Please add comments as needed.



Legal References Related to the Education of ELLs

Federal Legislation

No Child Left Behind (NCLB) Act of 2001 provides for strong accountability for the education of all children and for certain provisions specific to limited English proficient students, especially under Titles I and III of the Act. NCLB also provides funds to states and local schools and universities to carry out the intent of the Act.

<http://www.ed.gov/policy/elsec/leg/esea02/index.html> (full text)

<http://www.ed.gov/nclb/> (U.S. Department of Education's official NCLB Web site)

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of national origin (and other civil rights).

<http://www.usdoj.gov/crt/cor/coord/titlevistat.htm> (full text)

Equal Education Opportunities Act of 1974 requires schools to "take appropriate steps" to ensure equal access as stipulated in the Lau opinion below.

<http://www.law.cornell.edu/topics/education.html> (full text)

Court Decisions

Lau vs. Nichols (1974) ruled that providing the same access to curriculum, instruction, and materials for students of limited English proficiency as is provided to English dominant students is not in effect equitable.

Plyler vs. Doe (1981) ruled that all students in public schools must be appropriately served, including any students who may not be documented as legal immigrants.

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

Office of Civil Rights Policy Update on Schools' Obligations Toward National Origin Minority Students With Limited English Proficiency (1991) adopted the three prongs of Castañeda above and required that all language minority students be assessed for fluency, that parents be provided school information in a language they understand, and that instruction to limited English proficient students be carried out by qualified staff.

Executive Order 13166: Improving Access to Services for Persons With Limited English Proficiency (2000)

<http://www.usdoj.gov/crt/cor/13166.htm> (full text)