

# BERGMAN School District

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*E*nglish as a  
*S*econd  
*L*anguage

## ESOL Program Guide

Revised October 2023

This guide follows state and federal laws and mandates. All deadlines, prescribed assessments, and statewide standard forms are required.

# TABLE OF CONTENTS

Introduction	Page 2
<a href="#">Philosophy and Goals</a>	Page 2
<a href="#">ELL Low Incidence Guide</a>	Page 2
<a href="#">Arkansas' English Language Proficiency Standards</a>	Page 3
<a href="#">Acronyms</a>	Page 4
<a href="#">Language Instruction Educational Program (LIEP) Components</a>	Page 5
I. <a href="#">SCHOOL DISTRICT OBLIGATIONS TO EL STUDENTS AND LEP PARENTS</a>	Page 5
II. <a href="#">EDUCATIONAL APPROACH</a>	Page 8
III. <a href="#">IDENTIFYING AND ASSESSING ALL POTENTIAL EL STUDENTS</a>	Page 9
IV. <a href="#">PROVIDING EL STUDENTS WITH A LANGUAGE ASSISTANCE PROGRAM</a>	Page 13
V. <a href="#">STAFFING AND SUPPORTING ESOL PROGRAMS</a>	Page 15
VI. <a href="#">PROVIDING MEANINGFUL ACCESS TO ALL CURRICULAR AND EXTRACURRICULAR PROGRAMS</a>	Page 17
VII. <a href="#">AVOIDING UNNECESSARY SEGREGATION OF EL STUDENTS</a>	Page 17
VIII. <a href="#">EVALUATING EL STUDENTS FOR SPECIAL EDUCATION SERVICES AND PROVIDING SPECIAL EDUCATION AND ESOL SERVICES</a>	Page 17
IX. <a href="#">MEETING THE NEEDS OF EL STUDENTS WHO OPT OUT OF ESOL PROGRAMS OR PARTICULAR ESOL SERVICES</a>	Page 18
X. <a href="#">MONITORING AND EXITING EL STUDENTS FROM ESOL PROGRAMS AND SERVICES</a>	Page 18
XI. <a href="#">EVALUATING THE EFFECTIVENESS OF THE ESOL PROGRAM</a>	Page 20
XII. <a href="#">ENSURING MEANINGFUL COMMUNICATION WITH LIMITED ENGLISH PROFICIENT PARENTS</a>	Page 22
<a href="#">APPENDIX</a>	
Arkansas Home Language Usage Survey (HLUS)	Page 22
Arkansas HLUS Verification Form	Page 22
Language Instruction Education Program (LIEP) Codes	Page 22
Language Minority Student Exit/Monitoring Form	Page 22
Waiver of Services Form	Page 22
Placement Form	Page 22
Parent Interview Form	Page 22

Annual Review Form	Page 22
Accommodation Form	Page 22
Parent Notification Form	Page 22

## **INTRODUCTION**

The English for Speakers of Other Languages (ESOL) Handbook is a resource for district staff providing program knowledge for meeting the needs of English Learners (ELs). This handbook will serve as a tool to ensure student success and school improvement. It contains the policies and procedures of our program, as well as copies of forms used in identifying, assessing, placing, serving, and monitoring ELs in reaching proficiency.

The ESL staff is dedicated to providing every member of the Bergman District with sufficient information about the district's ESL program and making a difference in the lives of our ELs. All staff members will have access to this handbook through the district website. In addition, all staff members will receive staff development and training designed to help them understand the policies and procedures outlined in the handbook, as well as ESOL practices which will serve as tools to help our ELs reach college and career readiness.

### **PHILOSOPHY AND GOALS**

The primary philosophy of the Bergman School District's ESOL program is to take into consideration the individual differences of our families and to implement a program that will benefit and improve education for each child who enters school regardless of their English proficiency and/or cultural background and perspectives. All students will have equal opportunities to participate fully in the education system through appropriate communication with parents and/or guardians. Letters and other information sent home will be in a language or form the parents and/or guardians understand. Other issues related to the educational needs of an increasingly diverse student population will be addressed in a timely and proactive manner.

Furthermore, Bergman School District will provide a balanced ESOL program that will prepare English Learners (ELs) to function in both the academic and social arenas. Our goal is to have students succeed in the content areas while learning academic skills: listening, speaking, reading, and writing. Also, we want students to maintain their own culture while learning to live and participate in their new community (biculturalism). All teachers and staff of EL students will be provided with information and training to enhance the role of each in this process.

### **ARKANSAS ENGLISH LANGUAGE PROFICIENCY (ELP) STANDARDS**

**[ELP Standards Overview](#)**

**[ELP Standards At A Glance](#)**

**[ELL Low Incidence Guide](#)**

The 10 English Language Proficiency (ELP) Standards are organized according to a schema that represents each standard's importance to ELs' participation in the practices called for by college- and-career-ready ELA & Literacy, mathematics, and science standards. In the complete ELP Standards documents the ten standards are linked to K-12 Practices in math, science, and ELA, as well as to the CCSS ELA/Literacy Standards.

#### **Organization of the Standards**

For the purposes of clarity, the 10 ELP Standards are organized according to a schema that represents each standard's importance to ELLs' participation in the practices called for by college- and-career-ready ELA & Literacy, mathematics, and science standards.

**Table 1. Organization of the ELP Standards in Relation to Participation in Content-Area Practices**

<b>1</b>	construct meaning from oral presentations and literary and informational text through grade-appropriate listening, reading, and viewing	Standards 1 through 7 involve the language necessary for ELLs to engage in the central content-specific practices associated with ELA & Literacy, mathematics, and science. They begin with a focus on extraction of meaning and then progress to engagement in these practices.
<b>2</b>	participate in grade-appropriate oral and written exchanges of information, ideas, and analyses, responding to peer, audience, or reader comments and questions	
<b>3</b>	speak and write about grade-appropriate complex literary and informational texts and topics	
<b>4</b>	construct grade-appropriate oral and written claims and support them with reasoning and evidence	
<b>5</b>	conduct research and evaluate and communicate findings to answer questions or solve problems	
<b>6</b>	analyze and critique the arguments of others orally and in writing	
<b>7</b>	adapt language choices to purpose, task, and audience when speaking and writing	
<b>8</b>	determine the meaning of words and phrases in oral presentations and literary and informational text	Standards 8 through 10 home in on some of the more micro-level linguistic features that are undoubtedly important to focus on, but only in the service of the other seven standards.
<b>9</b>	create clear and coherent grade-appropriate speech and text	
<b>10</b>	make accurate use of standard English to communicate in grade-appropriate speech and writing	

The ELP Standards are interrelated and can be used separately or in combination. (In particular, as shown above, Standards 8–10 support the other seven standards.) The standards do not include curriculum statements, nor do they privilege a single approach to the teaching of social and expressive communication or the teaching of grammar; instead, the standards and descriptors for each proficiency level leave room for teachers, curriculum developers, and states to determine how each ELP Standard and descriptor should be reached and what additional topics should be addressed.

#### **ACRONYMS**

<b>ACRONYM</b>	<b>WHAT IT STANDS FOR</b>
ADE (DESE)	Arkansas Department of Education
ARF	Annual Review Form
CRT	Criterion-Referenced Test

EL	English Learner
ELD	English Language Development
ELL	English Language Learner
ELP	English Language Proficiency
ELPA	English Language Proficiency Assessment
ELPA21	English Language Proficiency Assessment for the 21st Century
ESL	English as a Second Language
ESOL	English for Speakers of Other Languages
HLUS	Home Language Usage Survey
IEP	Individualized Education Program
ILP	Initial Language Placement
LEP	Limited English Proficiency
LIEP	Language Instruction Education Program
LPAC	Language Proficiency Assessment Committee
NRT	Norm Referenced Test
OCR	Office for Civil Rights
PHLOTE	Primary Home Language Other Than English

# LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM (LIEP) COMPONENTS

## I. SCHOOL DISTRICT OBLIGATIONS TO EL STUDENTS AND LEP PARENTS

*The obligation not to discriminate based on race, color, or national origin requires public schools to take affirmative steps to ensure that limited English proficient (LEP) students, now more commonly known as English Learner (EL) students or English Language Learners (ELLs), can meaningfully participate in educational programs and services, and to communicate information to LEP parents in a language they can understand.*

*The following materials include information for students and parents, OCR guidance and resources for education officials about their obligations to EL students and LEP parents, and added resources with related information.*

The following summary provides the legal context for services provided to ELs and their families:

[Legal Context For EL Services](#)

[Legal Obligations for Serving English Learners](#)

CASE LAW	SUMMARY
Brown vs. Board of Education, 1954	On May 17, 1954, the US Supreme Court ruled that where a State has undertaken to provide an opportunity for an education in public schools, such an opportunity is a right which must be made available to all on equal terms. Segregation of children in public schools solely on the basis of race deprives children of the minority group of equal educational opportunities, even though the physical facilities and other tangible factors may be equal.
Civil Rights Act of 1964, Title VI	"No person in the United States shall, on the grounds of race, color, or national origin be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance." Title VI is the focal point and center to all interpretations regarding any legal challenges regarding the provision of equal opportunity to all groups that are found in a protected class. This has been interpreted to prohibit denial of equal access to education because of a language minority student's limited proficiency in English. This means that limited English proficiency students who are unable to participate in or benefit from regular or special education school instructional programs are protected by their Civil Rights. The triggering mechanism for Title VI is the receipt of financial assistance from the federal government. Consequently, public schools in the United States receive some form of financial assistance from the federal government. Therefore, the Act was the catalyst for the education of all children in a setting that was all-inclusive.
Office for Civil Rights' (OCR) May 25, 1970 Memorandum	"Where the inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students." A school district is required to take

	affirmative steps in remedying a student's limited English proficiency.
Diana vs. State Board of Education, CA 1970	Plaintiffs filed on behalf of Mexican-American children in Monterey County, California, alleged that the school system was inaccurately identifying Spanish speaking children as mentally retarded on the basis of IQ tests administered in English. The court ruled that non-English proficient children cannot be placed in Special Education on the basis of culturally biased tests or tests administered in English.
Lau v. Nichols, 1974 (U.S. Supreme Court)	"Equality of educational opportunity is not achieved by merely providing students with "the same facilities, textbooks, teachers and curriculum; because students who do not understand English are effectively foreclosed from any meaningful education." This case was initiated by parents on behalf of approximately 3,000 Chinese students who were unable to understand the language of instruction in the San Francisco Public Schools. These students had been required to attend classes taught exclusively in English and had received no assistance in learning English. The parents argued that the basic skills in English were the very foundation of what the public schools of San Francisco teach. The U.S. Supreme Court held that the San Francisco school system violated Title VI by denying the students a meaningful opportunity to participate in the educational program.
Equal Educational Opportunities Act (EEOA), 1974	"No state shall deny equal educational opportunity to an individual on account of his or her race, color, sex or national origin, by....failure of educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs." EEOA required schools to "rectify appropriately a limited English proficient student's English opportunities." The OCR stepped in to formulate the Lau remedies which would provide a standard of approaches for school districts to follow. These remedies set the approach for OCR to determine if a school district was in compliance. The Lau remedies are: 1. Identifying and evaluating the English language skills of language minority students 2. Determining appropriate instructional treatments 3. Deciding when LEP/ELL children are ready for mainstream classrooms 4. Determining the professional standards to be met by teachers of language minority children
Castañeda v. Pickard, 1981 (5th Circuit Court)	"The court's decision states that the burden of proof is upon the district that the instructional program designed for an ELL student has clearly developed English language skills of comprehension, speaking, reading, and writing necessary for learning and achieving in English-only instruction at a level substantially equivalent to pupils whose primary language is English." OCR determined that the standards reasoned by the Court was appropriate in determining whether programs for language minority students meet the requirements of Title VI. A three-part test was developed by the Court to evaluate the adequacy of a district's program. The test is as follows: 1. The Language Instruction Educational Program must be based on a sound educational theory. 2. The program must be effectively implemented and adequately supported so that the program has a realistic chance of success. 3. Assurance that the program is working through an evaluation and subsequent program modification to meet this requirement.
Plyler v. Doe, 1982	"States cannot deny a free public education to undocumented immigrant children regardless of their immigrant status." The Court ruled that schools are required to provide full access to its instructional programs, irrespective of the student's immigration status. Consequently, this case established that if undocumented students attend public schools they could not be excluded from provisions and the protections of Title VI of the Civil Rights Act. Thereby, not having schools enforce immigration laws within their district boundaries.
	This act requires that student evaluations must be conducted in the child's

Individuals with Disabilities Education Act, 1990	native language, and that parents must be informed of the evaluations and their rights in a language they can understand. IEP's must state the modifications of instruction, methods, and materials needed for both native language and English as a second language instruction.
OCR's September 27, 1991 Memorandum	The policy update is designed to determine whether schools are complying with their obligation under Title VI and to evaluate the adequacy of the program. This policy update provides for: staffing requirements, exit criteria, access to all programs, schools may not relegate LEP/ELL students to "second-class status" by not providing them with equitable facilities (putting them in classes in the hallway, closets, etc). This policy also placed the responsibility on school districts to train teachers in the language acquisition theory, methods and practices. Furthermore, the district also has to ensure that the Language Instruction Educational Program teachers are evaluated by someone familiar with language acquisition. The OCR adopted the three prongs of the Castañeda case and required that all language minority students be assessed for fluency, that parents be provided school information in a language they understand, and that schools ensure that instruction to limited English proficient students is carried out by qualified staff.
No Child Left Behind Act of 2001	The primary goal or purpose was the reenactment and reform of the Elementary and Secondary Education Act (ESEA). With the focus on ensuring that "all children have a fair, equal and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and state academic assessments."
The American Recovery and Reinvestment Act, 2009	An economic stimulus package that was signed into law on February 17, 2009. This act funds the Race to the Top grant. States are awarded points for satisfying certain educational policies, such as performance-based evaluations for teachers and principals based on multiple measures of educator effectiveness (and are tied to targeted professional development and feedback), adopting common standards (though adoption of the Common Core State Standards was not required), adoption of policies that do not prohibit (or effectively prohibit) the expansion of high-quality charter schools, turning around the lowest-performing schools, and building and using data systems.
Every Student Succeeds Act (ESSA)	<p>Equity: The Every Student Succeeds Act maintains Title III as a separate title with a separate funding stream dedicated to the education of English learners. Funding increase: In an era of fiscal constraint and funding reductions, ESSA recognizes the large increase in the number and percentage of English learners in this country, and increases the Title III authorization levels. Fair accountability: ESSA gave states two options for delaying English learners' inclusion in accountability systems while they are learning English. Arkansas chose for the first year of the student's enrollment in a U.S. school, report on but exclude from accountability system the results on these tests; for the second year of enrollment, include a measure of student growth on both tests; and for the third year of enrollment, include proficiency on both tests in the accountability system. Additionally, English learners who have successfully left the English learner subgroup by attaining English proficiency will be included in that subgroup for accountability purposes for four years. This is something that educators have long argued is an appropriate and fair way to consider the unique needs of such students. Greater integration into the law's core: For the first time, English language proficiency for English learners is integrated into the system by which all schools and districts are held accountable. Furthermore, the academic achievement of English learners is more fully integrated into that accountability system. Movement of these two items out of the separate Title III system (while maintaining Title III as a dedicated funding stream) ensures that English learners' academic and language needs can be fully considered by education systems. Supports for English learners: ESSA</p>



	<p>provides resources to states and school districts to establish, implement, and sustain high-quality language instruction educational programs designed to ensure that English learners, including immigrant children and youth, develop both English language proficiency and content proficiency in math and English, as measured against challenging academic standards. ESSA requires states to measure school districts' progress in these areas and to provide assistance and support to those school districts with ineffective language instruction educational programs. Statewide entrance and exit procedures for English learners: ESSA requires the establishment of statewide entrance and exit procedures for English learners to ensure that English learners get the resources they need while still learning English. This also benefits these students by providing them with the stability they need if they move between schools or districts. Reporting requirements: ESSA requires reporting on English learners with disabilities, as well as reporting on the percentage of students who are long-term English learners, as measured by students who have maintained the classification for five or more years.</p>
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## II. **EDUCATIONAL APPROACH**

The Arkansas Division of Elementary and Secondary Education and the Office for Civil Rights does not prescribe a specific program design/educational approach. Bergman School District uses the following programs:

- **English Language Development (ELD)**
  - Imbedded in the classroom. Els receive their ELD instruction during a mainstream content class by teachers embedding instruction in English language development.
  - Declined services and not participating in an ELD program Note: Only used for students whose parents have declined the ELD program services.
  
- **Access to core content programming for ELs (CCP)**
  - Content Classes with integrated EL support. This approach has content knowledge as the goal; teachers provide appropriate linguistic accommodations/supports so that English Learners may access the content.

### III. **IDENTIFYING AND ASSESSING ALL POTENTIAL EL STUDENTS**

Upon enrollment into Bergman School District, all students will complete the [Arkansas Home Language Usage Survey \(HLUS\)](#). The HLUS determines which students should be referred for English language proficiency (ELP) assessment to determine their classification as EL students entitled to language assistance services. Students initially indicated by the HLUS or other means for English proficiency testing are often referred to as those with a Primary or Home Language Other than English (PHLOTE).

#### Home Language Usage Survey

- The HLUS form is a required component of ALL registration packets.
- Completion of the HLUS is ensured by the school administrative assistants.
- If the HLUS indicates a language other than English is spoken at home, a **copy** of the form will be sent by the office to the **ESOL Building Designee** immediately. All students must have a completed HLUS in their permanent/cumulative folder.
- The ESOL Building Designee will then begin the screening process.
  - Before administering the screener, ensure no prior ELPA21 screener/summative assessment data is available for the student. If existing ELPA21 data is less than a year old, use that data.
  - Screen students with no/outdated ELPA21 data with the ELPA21 screener.
- A copy of the HLUS will be kept in the student's permanent folder **AND** his/her EL folder.

#### Parent/Student Interview

- ESOL Building Designee may conduct a parent-student interview should further information about students' language, educational background, and family background be needed. This information may assist in providing appropriate support and services to the student.
- [SAMPLE Parent/Student Interview](#)
- [SAMPLE Parent/Student Interview 2](#)

#### Teacher Referral/Recommendation

- A teacher may notice a student's social behavior or academic achievement indicates a potential language barrier issue even though the HLUS indicates English only. In this case, the teacher must contact the **ESOL Building Designee** and provide documentation for concern.
- The **ESOL Building Designee** will then determine if usage of a language other than English was present from birth to an extent that potentially impacted the students' English language development by using the [Arkansas Home Language Verification Form](#).
- If there is evidence that another language is impacting the student's language development, the **ESOL Building Designee** will begin the screening process.

- If it is determined that the student is in need of ESOL services, a notation should be made on the HLU and all documentation kept in the student's permanent folder as well as the ESOL file.

#### Transfer Students

- If a student transfers into the district from another Arkansas district, the **Counselor/Secretary** should check TRIAND for student data, in order to determine if the student has already been identified as an EL.
- If a student transfers into the district from a state, territory, or country **other than Arkansas or a state not using ELPA21, the student must be screened using the ELPA21 screener**. The district must screen, determine placement, and notify the parent of services.
  - The district has 30 calendar days if a student enrolls on the first day of school for screening, placement, and parent notification of services.
  - The district has 15 calendar days if the student enrolls after the first 30 days of school for screening, placement, and parent notification of services.

#### Re-enrolling Students

- If a student has previously been enrolled in the district, transferred, and returns, procedures for all transfer students apply.
- If the student has a prior exit, attempt to retroactively monitor the student with other data to see if he can continue in the monitoring status as per the Professional Judgment Rubric data.
- If the student has NEVER exited, **and** the available ELPA21 data is more than a year old **and** the district can not locate ELPA21 data in Triand or in the ELPA21 data system, then re-screen and proceed with appropriate placement.

#### Foreign Exchange Students

- Based on the language of Title VI and the Lau decision, a foreign exchange student who is enrolled in a public school in the United States is a 'person in the United States,' and the Lau provisions would therefore apply.
- Foreign exchange students **must** be given the same identification, assessment, and placement procedures as other students. This includes using the Home Language Verification Form **IF** the HLU reflects the language of the host family and not the student's first language (the language spoken in the home of the student's birth). The **ESOL Designee** will follow district procedures and administer the ELPA 21 screener to determine the proficiency level of the foreign exchange student.
- If the results of the assessment indicate the student is LEP, the student must be placed into the ESOL program. Foreign exchange students who qualify for services must also be administered the annual ELPA21 summative assessment. All students in the program, including those who have waived services and foreign exchange students, must participate in all state assessments.

### Assessment Procedures

- Based on the results of the HLUS, students are given the ELPA21 screener. The ELPA21 assesses the student's academic English in all four language domains (Reading, Writing, Speaking, and Listening) and must be administered by a trained testing administrator. (Training guidelines are outlined in the District Test Coordinators' (DTC) Memos in the [livebinder](#) on the Arkansas Department of Education website.)

### Initial Placement

- Initial placement of a student is determined by a committee of educators responsible for the appropriate education of the EL student. This committee is called a Language Proficiency and Assessment Committee (LPAC) and consists of at least three people from the following list:
  - **Building Administrator (required)**
  - **ESOL Designee - must be a certified teacher who is ESOL trained (required)**
  - **Classroom Teacher (required)**
  - Other members as deemed necessary, for example:
    - Special Education teacher
    - GT teacher
    - Counselor
    - Coach
    - Therapist
    - Parent (*but not required*)
- Students demonstrating proficiency (a score of 4 or 5) in each of the four domains of the ELPA21 screener must also meet criteria on the "Professional Judgment Rubric" to verify whether or not they qualify for services for English Language Development. Screeners indicating limited English proficiency qualify a student for placement in the ESOL Program.

### Parental Notification

- The district has 30 (calendar) days if a student enrolls on the first day of school for screening, placement, and parent notification of services.
- The district has 15 (calendar) days if the student enrolls after the first 30 days of school for screening, placement, and parent notification of services.
- Parents/guardians must be notified in a language or manner they understand regarding the information and decision of the LPAC. It is optional to invite the parent to the actual LPAC meeting, but if invited, invitations to attend the LPAC meeting must be in a language and/or manner that the parent understands. If a parent does not understand English and requests a school-provided interpreter, the school must provide an interpreter to the extent practicable. Notification letters must be dated and signed by district or school personnel.

It is the responsibility of the **ESOL District Coordinator** to ensure the accuracy of all EL Data in eSchool for the BergmanSchool District.

### **E-School Data Sheet**

Students who are initially assessed for English proficiency should have the following information entered into eSchool:

- **STUDENT SUMMARY PAGE**
  - **Home Language** on Student Summary Page under “Registration” reflecting language other than English
  - **ESL box checked** on Student Summary Page on the Personal screen under “Educational Factors”
- **ELL PROGRAM SCREEN**
  - **ELL Entry/Exit Start Date**--in the “ELL Program” screen *The date the student entered a **U.S. school** for the first time in grades K-12, regardless if the entry was in Arkansas or another state.* MM/DD/YYYY

**If a student does NOT meet exit criteria** upon initial assessment and is an English Learner:

- **Check the “Value” box** to the left of the ELL Entry/Exit Start Date on the ELL screen
- Choose the **Language Instruction Education Program (LIEP)-ELD Program Type code** on the ELL Screen (codes explained below)
- Choose the **Language Instruction Education Program (LIEP)-Core Content Access code** on the ELL Screen (codes explained below)

**If student meets exit criteria upon initial assessment**

- Enter the date determined on the “ADE Language Minority Student Exit-Monitoring Form” as the **ELL Entry/Exit End Date** in the “ELL Program” screen -*The date the student met criteria for Fluent English Proficient status and was exited from the English Learner program; no longer receives services.* . MM/DD/YYYY
- Uncheck the box to the left of the ELL Entry/Exit Start Date
- **ESL/ELL Monitored** appropriate year of monitoring entered on “ELL Fields” screen (M1, M2, M3, M4, or MC-Monitoring Complete)

- **Language of Correspondence** on “Guardian Contact” screen(s)

### **Additional eSchool data that may need to be entered**

#### **Cognos Reports Sheet**

- **English Learner Waived Services date** on “ELL” screen – The date an English Learner’s parent/guardian signed the form waiving English Learner services for the student (if applicable)
  - Student with waived services must still be coded as an EL student (entry date entered and value boxed checked)
  - District will choose “Declined Services” on both ELD Program Type and Core Content Access.
- **Immigrant** box checked on “Educational Factors” screen if student:
  - Is between the ages of 3 and 21
  - Was not born in any US state
  - Has not attended one or more schools in any one or more states for more than 3 full academic years (K-12).
  - **Please note:** not all Immigrant students have a language other than English, so additional staff may be entering this data for non LMS students.
- **Title III box** checked on “SIS/Misc Items Fields” screen for all LMS students in a Title III district only.

## **IV. PROVIDING EL STUDENTS WITH A LANGUAGE ASSISTANCE PROGRAM**

**Language Instruction Education Program (LIEP) Codes:** Required for all students identified as EL Status - even those whose parents have waived services.. These must be recorded correctly in eSchool for all EL students. Each student must have an English Language Development (ELD) Program Code and an Access to Core Content (CC) Code. See Appendix Page \_\_ for an in depth description of each code.

### **ELD PROGRAM CODE VALID VALUES:**

- **ELD Push-in (ELD-PI):** EL teachers or EL Instructional Assistants assisting the classroom teacher in providing English language development to English learners in the classroom helping ELs with comprehension, participation, and completion of classroom assignments. Instructional Assistants need to be under the direct supervision of a certified teacher.
- **ELD Pull-out (ELD-PO):** ELs spend part of the day in a mainstream classroom,

and are “pulled out” for a portion of the day to receive ELD instruction. Instruction is provided by EL teachers or EL Instructional Assistants working under the direct supervision of a certified teacher. The program targets specific English skills that are preventing students from fully participating in the mainstream classroom. EL students of similar proficiency and/or similar grade level are grouped for instruction. This approach is more common in elementary school settings.

- **ELD Embedded (ELD-EM):** ELs receive their ELD instruction during a mainstream content class by teachers embedding instruction in English language development.
- **ELD Class Period (ELD-CP):** ELs receive their ELD instruction during a regular class period and also receive *course credit* for the class. This approach is more common in middle schools and high schools.
- **ELD Newcomer Program (ELD-NP):** Separate, relatively self-contained educational interventions designed to meet the academic and transitional needs of newly-arrived immigrants. Typically, students attend these programs on a short-term basis (usually no more than two years) before they enter more traditional programs (e.g., English language development and/or Sheltered Instruction courses or programs). ELs receive their ELD in this program.
- **ELD Declined Services (ELD-DS):** Declined services and not participating in an ELD Program Declined Services and not participating in an ELD program NOTE: Used only for students whose parents have declined the ELD program services.

#### ACCESS TO CORE CONTENT PROGRAM MODELS:

- **CCP Sheltered Instruction (CCP-SI):** Teacher provides instruction that simultaneously introduces both language and content, using specialized techniques to accommodate ELs’ linguistic needs. Instruction focuses on the teaching of academic content rather than the English language itself, even though the acquisition of English may be one of the instructional goals. Some examples of sheltered instruction models may include SIOP, GLAD, SDAIE, and CM. Classes using a Sheltered Instruction approach can be designed exclusively for ELs or for a mixture of ELs and non-ELs.
- **CCP Content Classes with Integrated Support (CCP:CC):** This approach has content knowledge as the goal; teachers provide appropriate linguistic accommodations/supports so that English Learners may access the content.
- **CCP Newcomer Program (CCP-NP):** Separate, relatively self-contained instructional program designed to meet the academic and transitional needs of newly arrived immigrants. Typically, students attend these programs on a short-term basis (usually no more than two years) before they enter more traditional programs (e.g., English language development and/or Sheltered Instruction courses or programs). ELs receive their core content instruction in this program. These programs enroll ELs exclusively.
- **CCP Declined Services (CCP-DS):** Declined services and not participating in an access to core content program Declined services and not participating in an

access to core content program. NOTE: Used only for students whose parents/guardians have declined the access to core content program services.

## **V. STAFFING AND SUPPORTING ESOL PROGRAM**

All teachers will be certified in the grade levels/content areas they teach. When possible, ELs will be placed in an ESL certified/endorsed teacher's classroom. All certified and classified staff should receive annual ESOL training. Trainings may include, but are not limited to:

- English Language Proficiency Standards
- Policies and Procedures
- Integrating language acquisition and content instruction which includes sheltering English through teacher scaffolding
- Authentic assessment for EL students
- Classroom coaching and support of teachers of ELs
- Cultural Sensitivity training
- Specific training for paraprofessionals who provide instruction

Scheduling of this training is a joint effort between the **District ESOL Coordinator** and the district personnel responsible for staff development.+

## **VI. MEANINGFUL ACCESS TO ALL DISTRICT PROGRAMS**

### **CORE CURRICULUM**

All students are entitled to instruction in the district's core curriculum (Arkansas Academic Standards) while receiving appropriate language assistance support. This includes equal access to the school's facilities, such as computer and science, and other labs or facilities, to ensure that EL students are able to participate meaningfully in the educational programs. Meaningful access to the core curriculum is a key component in ensuring that EL students acquire the tools to succeed in general education classrooms within a reasonable length of time. This is documented, per student, as the Language Instruction Educational Program Access to Core Content code described earlier.

### **G/T and AP**

All students will have equal access to "Gifted and Talented" and "Advanced Placement" programs.

- Instruments used to identify students for gifted and talented programs will not prohibit EL students from being identified due to language.
- Teachers of AP classes will use sheltered English strategies that will allow EL students to participate when language is the only barrier.

**SPECIAL EDUCATION:** All students will have equal access to "Special Education" services and programs. Proper documentation must be made to prove that the student is



being placed in the special education program based on a learning disability and not because of language proficiency level. ELs are eligible for dual services.

- [English Learners with Disabilities Manual](#)

#### **EXTRACURRICULAR PROGRAMS:**

All students will have equal opportunity to participate in extracurricular and nonacademic activities.

- Language issues will not prohibit EL students from participating in athletics and other non academic activities.
- Effort will be made to make these activities as accessible as possible to all students regardless of their language, ethnicity, or financial capabilities.

**CLASSROOM ACCOMMODATIONS:** The mainstream **classroom teacher** has the primary responsibility for instruction of the EL. All teachers and **instructional assistants** must be trained in ESL strategies. Individual student accommodations will be determined by the Language Proficiency Assessment Committee (LPAC). Classroom teachers will receive an Accommodations Form for each EL. The form will list specific accommodations to use appropriate for the student's proficiency level. Classroom instruction should be delivered using comprehensible input, or instruction meaningful to the learner. Classroom teachers will be provided professional development training providing strategies and methods for instructional delivery and assessment. Teachers are strongly encouraged to continue their education and research concerning our growing population of English Learners. Professional development is provided through the OUR Cooperative Education Service Cooperative, Arkansas Division of Elementary and Secondary Education (DESE), ARKTESOL, and the district.

**GUIDELINES FOR GRADING:** Assigning failing grades to students who are not proficient at expressing their ideas and thoughts in English is not acceptable. Likewise, it is not appropriate to assign a grade that indicates satisfactory work if grade level standards incorporated with ELP Standards are not being met by the student. Every effort should be made to teach the EL at grade level using appropriate accommodations to scaffold the learning and methods of lesson delivery.

- Teachers should expect to explain how they are meeting the needs of their ELs. Specifically how they are providing scaffolds for EL engagement, participation and grade level learning.
- All classroom and testing accommodations are to be documented in the LPAC form.

**STUDENTS ENTERING 9<sup>th</sup> GRADE as BEGINNING ELs:** If an EL student enters ninth grade with beginning-level proficiency, Bergman School District will provide a program of instruction to help the student earn a regular high school diploma with her/his grade-level peers. Specific attention will be paid to classroom accommodations; mapping of courses for the four years will be a team effort with the counselor and the ESOL

teacher, and enrollment in ESOL English when it is an option will be scheduled for language development. In addition, EL students will be offered academic programming, like their never-EL peers, as well as the chance and support for participation in courses with college prerequisites.

Students entering school beyond 9th grade age will begin working towards 9th grade credits unless/until transcripts from other school districts prove that the student has already earned those credits.

**RETENTION:** According to the law, a student may not be retained solely on the basis of low English language proficiency. When making decisions the LPAC will consider the following:

- Cognitive ability is NOT related to English language proficiency
- Timeline to proficiency could take 5 to 7 years (see [ESSA Timeline to Proficiency](#)) [Tracker](#)
- Research shows retention to be a factor leading to dropout rates
- Separating a child from his peers can cause self-esteem issues, and EL students already experience the need to fit in with peers
- Retention may only be considered if students have received appropriate accommodations in mainstream classes but have NOT shown progress in their language AND content skills. ***Documentation of appropriate accommodations must be provided. In addition, documentation that the Language Instruction Educational Program has otherwise proven to be effective.***

**TESTING ACCOMMODATIONS:** Accommodations are available on state mandated tests. The LPAC decides which students receive which state allowable accommodations. The **classroom teacher** must regularly use the accommodation throughout the school year in order for the accommodation to be valid on spring state assessments. If the student has not been receiving the accommodation throughout the year, he will not be allowed to use it on state tests in the spring. ***There are no exemptions to state assessments for ELs.***

## **VII. AVOIDING UNNECESSARY SEGREGATION OF EL STUDENTS**

The Bergman School District does not segregate students on the basis of national origin or EL status. While the EL program may require that students receive separate instruction for a limited period of time, the district will make every effort to ensure that this is done in the least segregated manner possible.

## **VIII. EVALUATING EL STUDENTS FOR SPECIAL EDUCATION SERVICES AND PROVIDING SPECIAL EDUCATION AND ESOL SERVICES**

All EL students who qualify for special education services and ESOL services may receive both according to the Individualized Education Program (IEP) and LPAC decisions.

- All assessments administered to EL students will be in a form or language that will yield the most valid results.
- Parents will be informed how the language instruction education program meets the objectives of their child's IEP.
- Students qualifying for both programs of service will receive both services, with neither outweighing the importance of the other.

#### **IX. MEETING THE NEEDS OF EL STUDENTS WHO OPT OUT OF ESOL PROGRAMS**

Parents have a right to decline or opt their children out of the ESOL program or out of particular ESOL services within an ESOL program. Services only, not identification, may be declined.

**If a parent/guardian declines ESOL program services, the student must be marked in eSchool (value box checked on the "ELL Programs" page) as an English Learner with a parent ESL Waived Services Date recorded until the student meets exit criteria or the parent/guardian requests that the student be placed back into ESOL services. *Do not enter an exit date.***

- To ensure the needs of opt-out EL students are being met, the district will yearly monitor the progress of students who have opted out.
- If an EL student who opted out of the programs or services does not demonstrate appropriate growth in English proficiency, or struggles in one or more subjects due to language barriers, the district will take affirmative steps including informing the EL student's parents of his or her lack of progress and offering the parents further opportunities to enroll the student in the ESOL program or at least certain ESOL services at any time.
- Opt-out EL students must have their English language proficiency assessed annually to gauge their progress in attaining English proficiency and to determine if they are still in need of and legally entitled to ESOL services. There is no assessment exemption for students who do not receive ESOL services. **This means all EL students in Arkansas must participate in the Arkansas' annual summative English proficiency test, currently ELPA21.** Once opt-out EL students meet valid and reliable criteria for exiting from EL status, the School District Bergman will monitor their progress for four years, as it does with other exited EL students.

#### **X. MONITORING AND EXITING EL STUDENTS FROM ESOL PROGRAMS AND SERVICES**

Bergman School District will monitor the progress of all EL students in achieving English language proficiency and acquiring content knowledge as mandated by the state of

Arkansas. This applies to all students, even if they are opted out of the ESOL program. We will take appropriate steps to assist students who are not adequately progressing.

Annual (yearly) reviews of English learners will be conducted by the school's/district's Language Placement and Assessment Committee (LPAC). Each annual review will yield one of three decisions:

1. Student has not met required exit criteria, so he/she remains in the program.
2. Student has met required exit criteria, so he/she exits the program and begins the monitoring process.
3. Student is in the monitoring process, classified as a Former English Learner, and is monitored for four years, according to federal guidelines as outlined in the [Arkansas ESSA Plan](#).

To assess EL students' acquisition of English proficiency, all school districts in Arkansas will use the ELPA21. ELPA21 (English Language Proficiency Assessment) is a standardized test aligned with English Language Proficiency Standards. It assesses language acquisition in the four domains of Reading, Listening, Speaking, and Writing

To exit an EL student from the ESOL program, he/she must meet the following criteria:

- Demonstrate proficiency on ELPA21
  - Separate proficient scores in each domain or a composite score of "proficient" derived from scores in all four language domains
- Demonstrate proficiency on the Arkansas Professional Judgment Rubric by having at least two pieces of required evidence. (See Summer 2018 [PDF Exit Criteria](#) for clarification on required evidence.)
- This must be documented on the [Language Minority Student Exit/Monitoring](#) form mentioned above.

Information on the exiting process can be found in the [Arkansas Professional Judgment Rubric Exit Criteria Guidance](#).

The decision to exit or reclassify the EL student from the ESOL program must be made on an annual basis by the Language Proficiency Assessment Committee (LPAC) following guidelines outlined in the Arkansas Professional Judgment Rubric. All Annual Review results must be recorded in eSchool no later than September 30 following spring ELPA21 Summative Testing.

Bergman School District will monitor and provide assistance to all exited students for four years after exiting the ESOL program, as mandated by the state (ADE) to ensure that:

- The student has not been prematurely exited
- Any academic deficits they incurred as a result of participation in the EL program have been remedied

- The student is meaningfully participating in the standard instruction program comparable to the never-EL peers

If the student is re-entered into EL services, Bergman School District will document the basis for the re-entry and will attempt to acquire parent consent to do so.

### **eSchool Coding:**

- All monitored students must have an entry date and an exit date.
- “Value” box must NOT be checked.
- “ESL/ELL Monitored” drop-down must be marked
  - M1--Monitored Year 1
  - M2--Monitored Year 2
  - M3--Monitored Year 3
  - M4--Monitored Year 4
  - MC--Monitoring Complete

***If, during monitoring, a student returns to EL status, delete the “Exit Date” and check the “Value” box again. Choose MC for Monitoring***

## **XI. EVALUATING THE EFFECTIVENESS OF THE ESOL PROGRAM**

Bergman School District’s ESOL program will be evaluated yearly by District Administrators and Building ESOL Facilitators to determine if it is producing results which indicate that students are overcoming language barriers. The following areas will be considered:

- EL students are able to attain English proficiency within a reasonable period of time (according to the [ESSA Timeline to Proficiency](#))
- EL students are able to meaningfully participate in the standard educational program comparable to their never-EL peers
- EL students are progressing from grade to grade without content-area deficits that require remediation due to inclusion in the ESOL program
- EL students are on track to graduate and have comparable opportunities to their never-EL peers to become college and career ready
- The achievement gap between EL students and never-EL students is declining over time
- The degree to which current and former EL students are represented in advanced classes, special education services, gifted and talented programs, and extracurricular activities relative to their never-EL peers

In evaluating the program, the committee will review each of the following parts of the program:

1. Identification Process
  - a. Are schools using the HLUS?
  - b. Are buildings notifying ESOL designees of new enrollees?
  - c. Are students being identified when they enroll?
2. Assessment of Students
  - a. Are students assessed using the ELPA 21 screener?
  - b. Are assessors trained?
  - c. Are schools using the assessment data?
  - d. Are students assessed annually with the ELPA 21 formative assessment?
  - e. Are students being assessed properly with state standardized tests?
3. Placement of students
  - a. Are LPACs functioning according to guidelines?
  - b. Is flexibility available for a student's schedule to work out appropriately?
  - c. Is placement happening in a timely manner?
    - i. 30 days for new enrollees at beginning of school year
    - ii. 15 days for enrollees any time after that
    - iii. Records from other in-state districts received and reviewed
4. Curriculum and Instruction
  - a. Are teachers informed of ELP standards and received appropriate professional development for implementation?
  - b. Are teachers being provided with relevant student information and suggested accommodations?
  - c. Are students able to attain English proficiency within a reasonable period of time?
  - d. Are students making growth in acquiring the English language and academic achievement?
  - e. Are students progressing from grade to grade without content-area deficits that require remediation due to inclusion in the ESOL program?
  - f. Are students on track to graduate college- and career-ready alongside their never-EL peers?
  - g. Are teachers assigning grades appropriately?
5. Staffing and Staff Development
  - a. How many teachers are ESL endorsed?
  - b. Are teachers pursuing endorsement or training?
  - c. Are buildings utilizing the knowledge teachers who have their ESL endorsements?
  - d. Is the ESOL designee supported by staff and administration?
  - e. Is the ESOL designee given time and opportunities to train the staff?

## **XII. ENSURING MEANINGFUL COMMUNICATION WITH LIMITED ENGLISH PROFICIENT PARENTS**

Bergman School District will ensure meaningful communication with LEP parents in a language they can understand. This includes all school-home communication, report cards, parent-teacher conferences, parent handbooks, etc.

To help with Parent and Family Engagement requirements under the Every Student Succeeds Act (ESSA) and to meet the Civil Rights obligations of schools in working with Limited English Proficient (LEP) families and English Learner (EL) students across the state of Arkansas, leaders in the Arkansas Department of Education's Division of Elementary and Secondary Education are partnering with TransACT® Parent Notices. The partnership will provide all local education agencies representing hundreds of schools and teachers with unlimited access to expertly written parent notifications that meet legal requirements, guidance on required audiences, and recommended timelines.

All Parent Notices are available to Arkansas educators in Arabic, Chinese, Spanish, and Vietnamese. Marshallese will be available soon as well.

All educators in Arkansas will have access to TransACT's General Education Parent Notices and ESEA (ESSA) Parent Notices. All Arkansas educators can now create accounts to access parent notices. To register for access go to [www.transact.com](http://www.transact.com) or/and Click here for the Quick Start Guide<[Parent Notices](#)>.

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## **Appendix and links:**

Statewide forms for HLUS, HLUS Verification, and Exit/Monitoring forms are available on the DESE webpage.

- [HLUS](#)
- Parent Interview Form
- [HLUS Verification Form](#)
- Parent Notification Form
- Placement Form
- Waiver of Services Form
- Annual Review Form
- [Exit-Monitoring Form](#)
- [ESSA Timeline to Proficiency](#)
- [Timeline to Proficiency Tracker](#)
- [LIEP Codes](#)
- Monitoring Continued Form
- Parent Notification of Return to English Learner Status
- LMS Transfer Data/Records Request Form

