

# Lau Plan

## Regional School Unit #34

### Section I. Legal Foundation for Providing Effective Educational Services to English Learners

It is the policy of RSU #34 to provide effective language and content acquisition programming to students who are identified as English learners. According to the following federal legislation and Supreme Court decisions, we are aware that we must provide equitable access to education for all students, including students who are identified as English learners:

#### Federal Legislation

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

#### Supreme Court Decisions

- Lau vs. Nichols (1974) ruled that providing the same access to curriculum, instruction, and materials for students of limited English proficiency as is provided to English dominant students is not in effect equitable: [http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0414\\_0563\\_ZS.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0414_0563_ZS.html)
- Plyler vs. Doe (1981) ruled that all students in public schools must be appropriately served, including any students who may not be documented as legal immigrants: [http://www.law.cornell.edu/supct/html/historics/USSC\\_CR\\_0457\\_0202\\_ZO.html](http://www.law.cornell.edu/supct/html/historics/USSC_CR_0457_0202_ZO.html)
- Castañeda vs. Pickard (1981) case precedent requires schools to use a three-pronged approach to assure that they are following the spirit of the above decisions vis-à-vis: a practice grounded in sound educational theory; effective implementation of an appropriate program; assurance that the program is working through an evaluation and subsequent program modification to meet this requirement.

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

## Section II: English Learner Identification

Legal Basis: Section 3111, Elementary and Secondary Education Act of 1965

Action Required by Federal Law and/or State Policy	In specific detail, when and how is this action accomplished in the SAU? Include the job title of the person responsible for ensuring that each action is completed.
Administration of the Maine DOE <a href="#">Language Use Survey</a>	The Language Use Survey is included with every registration packet given to all parents/guardians when they register a child for school in RSU #34. The Central Office Enrollment Specialist is responsible for ensuring that registration packets include the most recent version of the Language Use Survey.
Translation/Interpretation Services Provided to Parents/Guardians	Translations of the Language Use Survey (provided by Maine DOE in 25 languages) are provided to parents/guardians as needed. Any parent/guardian that requires interpreting services is provided a qualified interpreter to complete registration materials, including the Language Use Survey. School staff will have access to a phone interpreting service when in-person interpreters are not readily available (207-423-9962). Front office staff are responsible for ensuring that parents/guardians are provided the necessary translation/interpretation.
Referral of all Potential English Learners for Screening	If a Language Use Survey indicates that the student has a primary/home language other than English, then the building administrator will immediately contact the ESOL teacher.
Administration of English Language Proficiency Screener	If the child enrolls prior to the start of the school year, the ESOL teacher will contact the parent/guardian to schedule the screening. If the child enrolls after the start of the school year, the ESOL teacher will contact the parent/guardian to notify him/her when the screening will occur. The screener will be administered by the ESOL teacher.
Language Acquisition Committee Meeting to Develop Program of Services for Identified English Learners*	The ESOL teacher will notify members of the Language Acquisition Committee and the parents/guardians of the meeting. The meeting will be facilitated by the ESOL teacher. All committee members will have the opportunity to provide input. Translation and interpretation services are provided as needed by qualified professionals or by someone chosen by and familiar to the parents/guardians (e.g., a family member or neighbor).

\* Students who are English learners must be identified, and parents/guardians notified, within 30 days of enrollment from the beginning of the school year. For students who enroll after the start of the school year, identification must occur within 30 days and parents/guardians must be notified within two weeks of identification.

English Language Proficiency Screening Assessment Requirements		
Grade	Screening Assessment	Minimum Score Required to be Non-EL
Pre-K	preLAS	77
1 <sup>st</sup> semester K	Kindergarten W-APT	Listening and Speaking 29
	WIDA Screener for Kindergarten	Oral Language Level 4.5
	Kindergarten MODEL	Oral Language Proficiency Level 6.0
2 <sup>nd</sup> semester K	Kindergarten W-APT	Listening and Speaking 29 Reading 14 / Writing 17
& 1 <sup>st</sup> semester 1 <sup>st</sup> grade	WIDA Screener for Kindergarten	Overall Composite Proficiency Level 4.5
	Kindergarten MODEL	Composite Proficiency Level 6.0
2 <sup>nd</sup> semester 1 <sup>st</sup> grade - 12 <sup>th</sup> grade	WIDA Screener Online	Overall Composite Proficiency Level 4.5

## Section III: Development of Individualized Language Acquisition Programs

Legal Basis: Title VI of the Civil Rights Act of 1964; Castañeda, 648 F.2d at 1009-10; Cf. 34 C.F.R. § 100.3(b)(1), (2); see also 20 U.S.C. §§ 6312(g)(1)(A)(viii) (Title I), 7012(a)(8) (Title III)

Appropriate placement and programming are determined by the Language Assessment Committee in the development of an Individualized Language Acquisition Plan (ILAP). Many factors are considered in designing a student's program of supports, including but not limited to:

- Proficiency level
- Age/grade
- Parent/guardian and student preferences
- Previous educational experience
- Academic strengths

Support Structures Available for Students who are English Learners
Regular classroom instruction with modifications and ESOL strategies incorporated
Collaborative co-planning between ESOL teacher and general education teacher
In-class and/or pull-out supports with the ESOL teacher
Supplemental in-class and/or pull-out supports through an Ed Tech

<b>ACCESS for ELLs Proficiency Level</b>	<b>Recommended English Language Development Services (ELD)</b>	<b>Typical Recommended Time for ELD Services (Provided by a certified ESOL teacher)</b>
Level 1 - Beginning Level 2 - Entering	Intensive ELD Support	Minimum of 2 class periods/day
Level 3 - Developing	Cognitive Academic Language Support	Minimum of 1 class period/day
Level 4-4.5 - Expanding	Cognitive Academic Language Support	Minimum of 1 class period/day

If a parent/guardian declines services for their EL student(s), academic and family support is still provided through consultation with classroom teachers, RtI, and interpreter/translation services as needed. Students whose parents/guardians have declined services will be required to take the annual assessment of English language proficiency, ACCESS for ELLs/Alternate ACCESS. ESOL teachers will maintain a file on each student with copies of all relevant documents (state and local assessment scores, Language Assessment Committee meeting minutes, ILAPs, progress reports) in their cumulative files.

## Section IV: Meaningful and Equitable Access to Academic and Extracurricular Programs

Legal Basis: 34 C.F.R. § 100.1-.2; 20 U.S.C. § 1703(f)

English learners are entitled to equitable access to all academic and extracurricular programs that their schools offer, such as college preparatory classes, Advanced Placement, dual enrollment, Gifted and Talented, Career and Technical Education, athletics, academic/career counseling, performing and visual arts, clubs, honor societies, and others.

Students have equal access to academic and extracurricular activities, including summer programming. Language proficiency levels will not determine a student's eligibility for such programming and activities. Information about these programs is provided through individual school communication from teachers, district leadership, and other staff and community members. All communications will be provided in a language that is understandable to each family, in written and/or oral formats.

## Section V: Equitable Personnel, Facilities, and Materials

Legal Basis: Title VI of the Civil Rights Act of 1964; 20 U.S.C. § 6826(c); Castañeda, 648 F.2d at 1013

English learners must be provided with sufficient, qualified teaching staff to meet their language learning and academic content acquisition needs, as well as facilities and materials of comparable quality to those of their peers.

ESOL services are provided through qualified ESOL teachers, who are certified through the State of Maine 660 ESOL endorsement. Staffing is adjusted according to need and number of students on teacher

caseloads. ESOL teachers are available to consult with mainstream teachers and may also provide professional development to staff when possible. ESOL teachers maintain a working space in each building where students who are ELs attend. An ESOL program budget line is used to provide ELs with equitable educational materials, comparable to those of their non-EL peers. Students who are ELs have full access to all educational opportunities and materials provided by RSU #34.

## Section VI: Annual English Language Proficiency Test Administration

Legal Basis: 20 U.S.C. §§ 6311(b)(7) (Title I), 6823(b)(3)(C), (D) (Title III)

All students who are ELs will be administered ACCESS for ELLs/Alternate ACCESS annually according to the federal and State of Maine Department of Education policy. Parents/guardians who wish to opt out of required testing have the option to do so and will be notified in a language that they can understand.

## Section VII: Exit and Monitoring

Legal Basis: 20 U.S.C. §§ 6311(b)(7) (Title I), 6823(b)(3)(C), (D) (Title III)

When an English learner meets Maine's definition of English language proficiency on ACCESS for ELLs/Alternate ACCESS (currently an overall composite proficiency level of 4.5 or level P2 on Alternate ACCESS), the student is exited from EL status. Note that no other criteria may substitute for a proficient score on ACCESS for ELLs/Alternate ACCESS.

RSU #34 monitors the academic performance of all former ELs for two years to ensure that English language support services are no longer needed. If a student's academic performance and progress is demonstrating that the student is no longer proficient in English, we will collect information from the student, parent, and staff to determine if there is another reason for a decline in performance (health, attendance, etc.) and make a plan of interventions before rescreening with the WIDA Screener Online. When rescreening is needed, a student who scores below an overall composite proficiency score of 4.5 must be reentered into EL status, provided English language acquisition support services, and administered ACCESS for ELLs/Alternate ACCESS annually until exiting again.

## Section VIII: Ongoing Program Evaluation

Legal Basis: Castañeda, 648 F.2d at 1014-15

RSU #34 strives to provide an equitable and high-quality educational program for all English learners. The effectiveness of ESOL teachers is assessed annually through the district-wide process of teacher evaluation. Longitudinal data collection and analysis methods are provided as needed via the Comprehensive Needs Assessment to ensure that long-term outcomes are comparable to those of students who were never English learners. The following EL data will be reviewed annually, and program modifications will be made as necessary:

- State and local academic assessment scores
- Graduation rate
- EL status exit rate
- Participation in advanced coursework (college prep, AP)

## Section IX: Meaningful Communication with Parents/Guardians

Legal Basis: Title VI of the Civil Rights Act of 1964; Titles I and III of the Elementary and Secondary Education Act of 1965

RSU #34 ensures meaningful communication with parents/guardians in a language they can understand. Parents/guardians of students who are ELs are notified about any program, service, or activity of the school district or individual schools. Per the [Dear Colleague Letter](#), under civil rights law schools must identify the interpretation/translation needs of all parents/guardians. RSU #34 does this through the intake process in the form of a question on registration paperwork.

The essential information provided to parents/guardians includes but is not limited to information regarding:

- language assistance programs
- special education and related services
- IEP meetings
- grievance procedures
- notices of nondiscrimination
- student discipline policies and procedures
- registration and enrollment
- report cards
- requests for parent/guardian permission for student participation in district or school activities
- parent/guardian-teacher conferences
- parent/guardian handbook
- gifted and talented programs
- magnet and charter schools
- health and wellness information provided by the district
- any other school and program choice options.

School building administrators provide annual training and support to office staff, teachers, school-based health care providers, and any other school-based staff on how to access interpreters and translation services for families.

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