

Maquoketa Valley Community School District
K-12 Lau (ELL) Plan for Serving English Learners (ELs)
Spring 2014

Lau (ELL) leadership team members:

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Lau (ELL) Plan

The district plan designed to meet the instructional needs of ELs is referred to as the Lau (ELL) Plan (Lau v. Nichols, 1974). The Lau (ELL) plan must be collaboratively written by the K-12 team identified above. This detailed narrative must include the following required critical elements:

I. Language Instruction Educational Program (LIEP) goals

A. Linguistic Goals

1. Teaching English language comprehension through listening, speaking, reading and writing skills to attain English proficiency and academic competence
2. Communicating with parents in their first language when needed

B. Academic Goals

1. Educating ELs to meet the same challenging academic content and student academic achievement that all children are expected to meet
2. Fostering positive self-concepts and attitudes toward school, self, and community

II. Identification of ELs

A. Home Language Survey

All families are asked to complete a Home Language Survey (281—60.3(1)a) during registration as part of their registration materials. (See Appendix C for a sample – surveys in 22 other languages are available on the TransACT website [www.transact.com]) Our district is prepared to conduct oral or native language interviews in the student's home language with those adults who may not have sufficient English or literacy skills to complete a survey written in English (281—60.3(1)). The results of the Home Language Survey will be reviewed by the registration secretary. If any response on the Home Language Survey indicates a language other than English in the student's background, the registration secretary will notify the ELL coordinator by email and then the student is given a state-approved English Language assessment (TELPA) by the Media Specialist. The Home Language Survey is placed in each student's permanent file.

Families registering children will be assisted in completing documents and registration materials on-site as needed. If home language assistance is necessary in order to secure accurate data, every reasonable attempt will be made to provide this support.

Other data that may be used to initially identify a student as needing ELL services include: student records, teacher interview, parent information, teacher observation,

referral, student grades, or informal assessment.

Students are admitted regardless of immigrant status or English-speaking status. Students are not required to have a social security number.

B. Initial placement assessment – TELPA plus additional measures

Assessment of English Language Proficiency will take place within the first thirty days of the student’s arrival (NCLB, Sec. 3302[a]) or, if the child enters after the beginning of the school year, within two weeks (NCLB, Sec. 3302.[d]). The ELL Test Coordinator will administer the English language proficiency assessment. The Tennessee English Language Placement Assessment (TELPA – copyright 2009) will be attained from Iowa Testing Services.

C. Process to place student in appropriate LIEPs

Step #1: Assessment of English Language Proficiency within the first thirty days of the student’s arrival (NCLB, Sec. 3302[a]) or, if the child enters after the beginning of the school year, within two weeks (NCLB, Sec. 3302. [d]). The TELPA will be administered and scored by the Media Specialist. The ELL Coordinator will communicate with the Media Specialist to ensure the assessment is completed in the required time line. The completed assessments and results will be kept in the student’s cumulative file.

Step #2: Assessment of academic skills, in relation to the student’s grade or age level (281-60.3(1)b). Assessments of academic skills will be administered by the classroom teacher and/or building principal. The assessments will be in the students’ native language when possible. Possible academic assessments are included in the following chart:

Grade	Math Assessments	Literacy Assessments
K	beginning of year math assessment, Kathy Richardson’s Assessing Math Concepts, basic skills checklists, Snapshot assessment*	DIBELS, , basic skills checklists, Snapshot assessment*
1-6	prerequisite skill math assessment, Kathy Richardson’s Assessing Math Concepts, classroom assessments, Snapshot assessment*	FAST, DIBELS, Snapshot assessment*
7-8	prerequisite skill assessment, classroom assessments, MAP assessments, Iowa Assessments. Snapshot assessment*	Close activity, MAP assessments, Iowa Assessments, Snapshot assessment*
9-12	classroom assessments, MAP assessments, Iowa Assessments	classroom assessments, MAP assessments

*Snapshot assessment is available through the AEA media library

Step #3: Data will be collected and reviewed for new ELs, including the results from the English language proficiency assessment, assessment of academic skills and other pertinent data such as prior student records, teacher interview, parent information, teacher observation, referral, student grades, or informal assessments. The building principal will lead the review of this data with input from the Lau Leadership Team. If the student is non-English proficient or limited English proficient in any of the English language development subtests (speaking, listening, reading, and writing) or there is evidence that he/she will not be successful in the regular classroom because of language background, the student is identified for the LIEP.

Step #4: Preliminary LIEP Placement

Based on assessment results, the EL should be assigned to mainstream classrooms with students the same chronological age, with no more than two years differential (60.3(3)a). LIEP services begin upon identification.

Step #5: Parental Notification (NCLB, Sec. 3302) (see Appendix B)

When a student is identified for the LIEP:

- A. Parents must be notified every year
 1. Parents are notified no later than 30 calendar days after the beginning of the school year
 2. Within two weeks of a child being placed in a language instruction program (if a child enrolls after the beginning of the year)
 3. The ELL Coordinator will ensure the notification of parents occurs within the specified time limits using forms available at www.transact.com. (see Appendix C)
 4. Copies of this correspondence will be stored in the student's permanent file.
- B. Parental Notification must include:
 1. reasons for identification
 2. child's level of English language development
 3. method of instruction
 4. how the program will meet the educational strength and needs of the child
 5. how the program will help the child learn English
 6. the program's specific exit requirements
 7. how the program meets the objective of the IEP of a child with a disability
- C. Parental information must be provided in "an understandable and uniform format, to the extent practicable," in a language that the parents can understand.
 1. The ELL Coordinator will make every attempt possible to hold a meeting with the parents to discuss their child's eligibility including recommendations, concerns, and potential outcomes.
 2. Forms available at www.transact.com will be used to document the

parents' decision regarding placement. This form will include a parent signature. (see Appendix C)

3. If parents deny services, the district will continue to support the student through the RTI process including the use of Whatever I Need (WIN) Time. During this daily intervention time within the regular education classroom, ELs can receive additional assistance and support in a small group or one on one setting based on the needs of the student. Future decisions regarding the need of special education services will be based on a thorough review of data.

D. Process in place for identifying and serving gifted ELs

In order to identify and serve EL's in TAG, a similar process to an English speaking student would be followed. The results of a student's Iowa Assessment scores (grades 3-11) as well as their MAP scores (grades 6-10) will be reviewed. These standardized tests would be administered with reasonable accommodations if necessary. These accommodations may include: extended time, use of a translation dictionary, reading parts or all of the test (not the reading vocabulary or reading comprehension sections), providing word pronunciations or word meanings when such help does not interfere with the subject matter or skills being tested, or a combination of these accommodations. In addition, EL's will take the CogAT screener which will be administered by the TAG instructor. Teacher recommendation will also be considered when determining TAG eligibility. A review of these data pieces will be completed by the TAG instructor and building administrator to make the TAG eligibility determination.

E. Process in place for identifying and serving ELs in special education

In order to identify and serve EL's in special education, a similar process to an English speaking student would be followed. Teacher's would bring initial concerns of a student to the RTI team made up of the building principal, classroom teacher, and resource teacher. Other team members may include guidance counselor and AEA personnel. This team would discuss and design an intervention for the student. The intervention would be monitored on a weekly basis, and the team would reconvene after 4-6 weeks to determine next steps. The team would then determine next steps which could include continuing the intervention, increasing the intensity of the intervention, or determine that enough progress has been made and the intervention can cease. If the student continues to need interventions over a long period of time, or multiple interventions are needed, the RTI team may determine that the student may qualify for special education services. AEA personnel would be an essential part of the conversations at this time.

III. Language Instruction Educational Program (LIEP) program models implemented in the district

A. LIEP Services

The classroom teacher will work closely with the ELL instructor to modify necessary materials for the EL. These services are based on the English as a Second Language Sheltered Instruction program.

B. LIEP Services Available

Students eligible for LIEP services will receive support within the regular education classroom. The classroom teacher will work closely with the ELL instructor and AEA personnel on a consultation basis to plan and deliver appropriate push-in services. Regular collaboration time will be provided for classroom and ELL teachers through grade level PLC meetings. The frequency and intensity of the services will be determined on a case by case basis in order to provide equal access to the core instruction. Professional development (as described in section IV) will be provided for staff to assist them in making core instruction available to ELs.

C. Highly Qualified Staff

ELL staff will hold an ESL endorsement (281-60.3(2)) and content area certification if this person serves as the teacher of record. ELL staff will receive feedback on instruction through administrative walk throughs. Student progress will also be analyzed to determine effectiveness of instruction. All staff are evaluated once every three years to ensure adequate and appropriate language instruction and support.

D. Designated administrator oversight for LIEPs

The district curriculum director is designated as the person responsible for LIEP.

E. Access to Common Core and English Language Development (ELD) Standards

Standards

- Standard 1: English language learners communicate for social, intercultural, and instructional purposes within the school setting
- Standard 2: English language learners communicate information, ideas, and concepts necessary for academic success in the area of language arts
- Standard 3: English language learners communicate information, ideas, and concepts necessary for academic success in the area of mathematics
- Standard 4: English language learners communicate information, ideas, and concepts necessary for academic success in the area of science
- Standard 5: English language learners communicate information, ideas, and concepts necessary for academic success in the area of social studies

(TESOL's K-12 English Language Proficiency Standards, 2006)

*New ELP standards will become available during the 2014-2015 school year.

F. Curriculum & Supplemental Resources

Instructional Resources: The district will purchase and modify instructional materials that are appropriate to the needs of the learner and goals of instructional programs (280-180.4). State funding is provided for the “excess costs of instruction of ELL students.” (281-60.4 and 60.6 (280)). The district curriculum director will work closely with AEA personnel and use the district’s current textbook adoption procedures for reviewing, selecting, and purchasing necessary instructional and supplemental resources.

IV. Ongoing professional development for all staff targeting EL needs

A. In-service training is provided for all staff involved in the educational process of ELs (281-12.5(8), 12.8(1), and 60.3(3)b5). All educational and appropriate school personnel receive in-service training regarding instructional techniques and modifications for EL students, with continuing training provided according to district’s Comprehensive School Improvement Plan (281-12.7(256) and 281-60.3(3)b5). A record of professional development activities will be maintained.

B. The ELL Coordinator will work with the district curriculum director in planning appropriate professional development opportunities for staff members, including administrators. This could include but is not limited to learning directly related to ELs in the math classroom, ELs in the literacy classroom, information regarding the cultures of EL students, and strategies to use in modifying classroom activities to best meet the needs of EL students. We will use AEA personnel as needed to assist in the delivery of this professional development. Staff will be encouraged to attend workshops and conferences that will add to their knowledge in serving EL students.

C. The ELL Coordinator and district curriculum director are available to assist classroom teachers in designing, modifying, and adapting lessons, and providing accommodations in the general education classroom. AEA personnel will be an important resource for both administration and classroom teachers as we work to best meet the needs of ELLs.

D. Parental Participation (NCLB, Sec. 3302 [e] [1] [A and B])
Maquoketa Valley will implement an effective means of outreach to parents of ELs. Outreach to parents must include:

1. Information on how parents can become involved in the education of their children included in EL quarterly newsletters
2. Information about how parents can actively participate in helping their children learn English and achieve at high levels in the core academic subjects included in the quarterly newsletters
3. Regular meetings for parents and notices of such meetings so that parents have the opportunity to provide suggestions and recommendations regarding their child’s education.
4. Documentation of the above activities will be kept electronically by the ELL Coordinator.

V. English language development assessment and administration

A. English Language Proficiency (NCLB, Sec. 3113(b)(3)(D))

English Learners will be evaluated annually with a standardized English language development instrument recommended by the state of Iowa. (see Appendix G) This assessment will be administered to all ELs (including those students whose parents have waived/refused services) by the media specialist the first full week of April. The results will be analyzed by the ELL Coordinator and building administrator before being shared with appropriate teaching faculty. Based on the results of this assessment, additional collaboration time for classroom teachers and ELL instructor could be necessary or additional professional development opportunities may need to be developed.

B. Classroom Assessments (NCLB, Sec. 1111(b)(3)(c) (xi)I)

Classroom teachers will report the student's achievement and growth (60.3(1)b) through authentic assessments and content area tests (modified as necessary) in the regular classroom. Accommodations will be made to support students until the student is able to achieve academically in the classroom with age and grade level peers. Any necessary accommodations will be determined through agreement among the classroom teacher, ELL instructor, administration, and/or AEA consultant. Accommodations will be documented through the RTI process and kept in the student's permanent file. Regularly scheduled collaboration during PLC grade level meetings will provide the opportunity for the classroom teacher and ELL teacher to analyze data and determine next steps.

C. District-Wide Assessments (NCLB, Sec. 1111(b)(3)(c) (xi)I)

All ELs must be tested on district-wide assessments with or without accommodations for reading and math and science. The ELL Coordinator will communicate any necessary accommodations to the classroom teacher. The Iowa Assessments will be used for grades 3-11. MAP assessments will also be used in grade 6-10. Please refer to "Iowa Guidelines for K-12 English Language Learners Participation in District-wide Assessments" for further clarification, including allowable and appropriate accommodations. This document is available at:

http://educateiowa.gov/index.php?option=com_content&task=view&id=683&Itemid=1391

D. Parent Notification of Annual Measurable Achievement Objectives

If the school fails to make progress in meeting the state's annual measurable achievement objectives, then the school must separately inform parents of an EL about the school's failure within 30 days. (NCLB, Sec. 3302 [b]) Annual measure achievement objectives (AMAOs) are state-defined achievement targets that Iowa will use to evaluate the effectiveness of language instruction educational programs. These objectives are based on the English language proficiency standards and related to ELs' development and attainment of English language proficiency while meeting challenging state academic achievement standards. Annually, the ELL Coordinator will organize the necessary data from the I-ELDA and Iowa Assessments and review the AMAOs with district administration and staff at a district leadership meeting. This

information can then be shared with all staff members during a staff meeting. Parents will be notified of failure to meet AMAOs in writing. The results of AMAO data will be used by the ELL instructor, ELL Coordinator, and district curriculum director to review and make necessary improvements in programming and services for ELs.

VI. LIEP transition and exit criteria

ELs achieving proficiency in English speaking, listening, reading, and writing at a level commensurate with their grade and/or age peers will be transitioned into the mainstream classroom or exited from programs and services (60.3(3)b4).

A. Transition: A student can enter a transition period upon

1. achieving proficiency in English, while
2. receiving minimal LIEP support, and
3. sustaining academic progress for a period of up to 2 years.

Data from I-ELDA and Iowa Assessments, as well as classroom performance will be used to make this determination.

Transition is a trial period when an EL demonstrates sustained progress in the mainstream classroom setting, independently. After a successful transition period, the student is eligible for an exit from the LIEP.

Students in transition must take the I-ELDA. Note: Districts should exercise caution when exiting students who are at a key transition point related to the assessment's grade span, e.g., an EL who takes a grade K-2 assessment must be carefully considered before exiting from LIEP services just as he/she enters grade 3. Grades 3, 6, and 9 are due great consideration as exit points since ELs could be more likely to need language support at these points. Ensuring an adequate transition period will help to prevent a premature exit. The current assessment grade spans are K-2, 3-5, 6-8, and 9-12. District teams are advised to use their informed discretion when making such decisions.

Maquoketa Valley regularly and routinely monitors language proficiency, academic achievement and progress of transitional students through guided reading running records (K-6), classroom assessment, and district assessments. ELs in transition can also be monitored through monthly RTI meetings using district RTI forms. Any change in program status will be communicated to parents in a meeting with accompanying written notice.

B. Proficiency: A student will be considered proficient when he/she achieves a composite I-ELDA level of 5 or 6. Such a score signals that an EL could be ready to enter the transition period.

C. Exit: A student will be able to exit the LIEP by meeting the following criteria:

1. Scores level 6 on the I-ELDA (required)
2. In addition to scoring a composite 6 on the I-ELDA and positive recommendations for exit from teachers, parents, administration, and other staff, the exiting EL must meet 3 out of 4 of the additional criteria:

*experiences success in a regular classroom

*Does not require LIEP support

*Sustains success

*Scores proficient on district-wide assessments

3. The process and decision will be documented and kept in the student's permanent file.
4. Any change in program status will be communicated to parents in a meeting with accompanying written notice.

VIII. Monitoring procedures after students exit the program

Once students have formally exited the program, students will be monitored for two years, as required by NCLB. This will be done through annual district data reviews as well as monthly classroom data checks in PLC meetings. Student progress will be documented using the district grade level data base.

IX. LIEP evaluation

Maquoketa Valley will use the "District Self-Study Guide" pp. 72-79 of Educating Iowa's English Language Learners; A Handbook for Administrators and Teachers (http://educateiowa.gov/index.php?option=com_content&task=view&id=683&Itemid=1391) The program will be formally evaluated once every three years. The Lau Committee will complete the self-study guide individually and results will be compiled by the Lau Coordinator. Based on the data, improvements will be designed and implemented in response to district needs. This will be communicated to all stake holders through the district newsletter.

Appendix A

State of Iowa DEPARTMENT OF EDUCATION Bureau of instructional Services
Grimes State Office Building Des Moines Iowa 50319-0146

LIMITED ENGLISH PROFICIENCY LEGISLATION

Code of Iowa

CHAPTER 280, SECTION 280.4
As amended by House File 457
of the Seventy-Fifth General Assembly,
1993 Session

280.4 LIMITED ENGLISH PROFICIENCY--WEIGHTING.

The medium of instruction in all secular subjects taught in both public and nonpublic schools shall be the English language, except when the use of a foreign language is deemed appropriate in the teaching of any subject or when the student is limited English proficient. When the student is limited English proficient, both public and nonpublic schools shall provide special instruction, which shall include but need not be limited to either instruction in English as a second language or transitional bilingual instruction until the student is fully English proficient or demonstrates a functional ability to speak, read, write, and understand the English language.

As used in this section, the following definitions apply:

Limited English proficient: means a student's language background is in a language other than English, and the student's proficiency in English is such that the probability of the student's academic success in an English-only classroom is below that of an academically successful peer with an English language background.

Fully English proficient: means a student who is able to read, understand, write, and speak the English language and to use English to ask questions, to understand teachers and reading materials, to test ideas, and to challenge what is being asked in the classroom.

The Department of Education shall adopt rules relating to the identification of limited English proficient students who require special instruction under this section and to application procedures for funds available under this section.

In order to provide funds for the excess costs of instruction of limited English proficient students above the costs of instruction of pupils in a regular curriculum, students identified as limited English proficient shall be assigned an additional weighting of twenty-two hundredths, and that weighting shall be included in the weighted enrollment of the school district of residence for a period not exceeding four years. However, the school budget review committee may grant supplemental aid or modified allowable growth to a school district to continue funding a program for students after the expiration of the four-year period.

CHAPTER 60

PROGRAMS FOR STUDENTS OF LIMITED ENGLISH PROFICIENCY

281—60.1(280) Scope. These rules apply to the identification of students and provision of programs for limited English proficient students and to the application procedures for securing fiscal support.

281—60.2(280) Definitions. As used in these rules, the following definitions will apply:

“English as a second language” refers to a structured language acquisition program designed to teach English to students whose native language is other than English, until the student demonstrates a functional ability to speak, read, write, and listen to English language at the age- and grade-appropriate level.

“Fully English proficient” refers to a student who is able to use English to ask questions, to understand teachers and reading materials, to test ideas, and to challenge what is being asked in the classroom. The four language skills contributing to proficiency include reading, listening, writing, and speaking.

“Limited English proficient” refers to a student who has a language background other than English, and the proficiency in English is such that the probability of the student’s academic success in an English-only classroom is below that of an academically successful peer with an English language background.

“Transitional bilingual instruction” refers to a program of instruction in English and the native language of the student until the student demonstrates a functional ability to speak, read, write, and listen to the English language at the age- and grade-appropriate level.

281—60.3(280) School district responsibilities.

60.3(1) Student identification and assessment. A school district shall use the following criteria in determining a student’s eligibility:

a. In order to determine the necessity of conducting an English language assessment of any student, the district shall, at the time of registration, ascertain the place of birth of each student and whether there is a prominent use of any language(s) other than English in the home. In addition, for those students whose registration forms indicate the prominent use of another language in their lives, the district shall conduct a Home Language Survey on forms developed by the Department of Education to determine the first language acquired by the student, the languages spoken by the student and by others in the student’s home. School district personnel shall be prepared to conduct oral or native language interviews with those adults in the student’s home who may not have sufficient English or literacy skills to complete a survey written in English.

b. Students identified as prominently using a language other than English in the home shall be assessed by the district. The assessment shall include (1) an assessment of the student’s English proficiency in the areas of speaking, listening, reading, and writing; and (2) an assessment of the student’s academic skills in relation to their grade or age level. A consistent plan of evaluation, which includes ongoing evaluation of student progress, shall be developed and implemented by the district for the above areas for each student so identified.

60.3(2) Staffing. Teachers in an English as a Second Language (ESL) program must possess a valid

Iowa teaching license. All teachers licensed after October 1, 1988, shall have endorsement 104 (K-12 ESL) if they are teaching ESL.

All teachers licensed before October 1, 1988, have the authority to teach ESL at the level of their teaching endorsements.

Teachers in a transitional bilingual program shall possess a valid Iowa teaching license with endorsements for the area and level of their teaching assignments.

60.3(3) Limited English proficient student placement. Placement of students identified as limited English proficient shall be in accordance with the following:

a. Mainstream classes. Students will be placed in classes with chronological peers or, when absolutely necessary, within two years of the student's age.

b. Limited English proficient program placement.

(1) Students enrolled in a program for limited English proficient students shall receive language instruction with other limited English proficient students with similar language needs.

(2) When students of different age groups or educational levels are combined in the same class, the school shall ensure that the instruction given is appropriate to each student's level of educational attainment.

(3) A program of transitional bilingual instruction may include the participation of students whose native language is English.

(4) Exit from program. An individual student may exit from an ESL or Transitional Bilingual Education (TBE) program after an assessment has shown both that the student can function in English (in speaking, listening, reading, and writing) at a level commensurate with the student's grade or age peers and that the student can function academically at the same level as the English speaking grade level peers. These assessments shall be conducted by utilizing state, local, or nationally recognized tests as well as teacher observations and recommendations.

(5) Staff in-service. The district shall develop a program of in-service activities for all staff involved in the educational process of the limited English proficient student.

281—60.4(280) Department responsibility. The Department of Education shall provide technical assistance to school districts, including advising and assisting schools in planning, implementation, and evaluation of programs for limited English proficient students.

60.4(1) to 60.4(3) Rescinded IAB 2/2/94, effective 3/9/94.

281—60.5(280) Nonpublic school participation. English as a second language and transitional bilingual programs offered by a public school district shall be made available to nonpublic school students residing in the district.

281—60.6(280) Funding. Additional weighting for students in programs provided under this chapter is available in accordance with Iowa Code section 280.4.

These rules are intended to implement Iowa code section 280.4.

Appendix B

No Child Left Behind

Note that an official glossary of terms related to the education of ELL can be found at the following web site: <http://www.ncela.gwu.edu/expert/glossary.html>

SEC. 3302. PARENTAL NOTIFICATION.

- (a) IN GENERAL—Each eligible entity using funds provided under this title to provide a language instruction educational program shall, not later than 30 days after the beginning of the school year, inform a parent or the parents of a limited English proficient child identified for participation in, or participating in, such program of—
- the reasons for the identification of their child as limited English proficient and in need of placement in a language instruction educational program;
 - the child’s level of English proficiency, how such level was assessed, and the status of the child’s academic achievement;
 - the method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instruction goals, and use of English and a native language in instruction;
 - how the program in which their child is, or will be participating will meet the educational strengths and needs of the child;
 - how such program will specifically help their child learn English, and meet age appropriate academic achievement standards for grade promotion and graduation;
 - the specific exit requirements for such program, the expected rate of transition from such program into classrooms that are not tailored for limited English proficient children, and the expected rate of graduation from secondary school for such program if funds under this title are used for children in secondary schools;
 - in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child; and
 - information pertaining to parental rights that includes written guidance—
 - (A) detailing—
 - the right that parents have to have their child immediately removed from such program upon their request; and
 - the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and
 - (B) assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the eligible entity.
- (b) SEPARATE NOTIFICATION.—In addition to providing the information required to be provided under subsection (a), each eligible entity that is using funds provided under this title to provide a language instruction educational program, and that has failed to make progress on the annual measurable achievement objectives described in section 3122 for any fiscal year for which part A is in effect, shall separately inform a parent or

the parents of a child identified for participation in such program, or participating in such program, of such failure not later than 30 days after such failure occurs.

- (c) RECEIPT OF INFORMATION -- The information required to be provided under subsections (a) and (b) to a parent shall be provided in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.
- (d) SPECIAL RULE APPLICABLE DURING SCHOOL YEAR.—For a child who has not been identified for participation in a language instruction educational program prior to the beginning of the school year, the eligible entity shall carry out subsections (a) through (c) with respect to the parents of the child within 2 weeks of the child being placed in such a program.

LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM- an instruction course--

in which a limited English proficient child is placed for the purpose of developing and attaining English proficiency, while meeting challenging State academic content and student academic achievement standards, as required by section 1111(b)(1); and that may make instructional use of both English and a child's native language to enable the child to develop and attain English proficiency, and may include the participation of English proficient children if such course is designed to enable all participating children to become proficient in English and a second language.

NCLB PL 107-110 Sec. 3301(8)

TITLE IX – GENERAL PROVISIONS PART A – DEFINITIONS SEC. 9101.DEFINITIONS.

(25) LIMITED ENGLISH PROFICIENT- The term 'limited English proficient', when used with respect to an individual, means an individual—

- (A) who is aged 3 through 21;
- (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C)
 - (i) who was not born in the United States or whose native language is a language other than English;
 - (ii)
 - (I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
 - (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or
 - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual--
 - (i) the ability to meet the State's proficient level of achievement on State assessments described in section 1111(b)(3);
 - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society

(34) PROFESSIONAL DEVELOPMENT- The term `professional development'--

(A) includes activities that--

- (i) improve and increase teachers' knowledge of the academic subjects the teachers teach, and enable teachers to become highly qualified;
- (ii) are an integral part of broad schoolwide and districtwide educational improvement plans;
- (iii) give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State academic content standards and student academic achievement standards;
- (iv) improve classroom management skills;
- (v) (I) are high quality, sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher's performance in the classroom; and
(II) are not 1-day or short-term workshops or conferences;
- (vi) support the recruiting, hiring, and training of highly qualified teachers, including teachers who became highly qualified through State and local alternative routes to certification;
- (vii) advance teacher understanding of effective instructional strategies that are--
(I) based on scientifically based research (except that this subclause shall not apply to activities carried out under part D of title II); and
(II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers; and
- (viii) are aligned with and directly related to--
(I) district academic content standards, student academic achievement standards, and assessments; and
(II) the curricula and programs tied to the standards described in subclause (I) except that this subclause shall not apply to activities described in clauses (ii) and (iii) of section 2123(3)(B);
- (ix) are developed with extensive participation of teachers, principals, parents, and administrators of schools to be served under this Act;
- (x) are designed to give teachers of limited English proficient children, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;
- (xi) to the extent appropriate, provide training for teachers and principals in the use of technology so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and core academic subjects in which the teachers teach;
- (xii) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;
- (xiii) provide instruction in methods of teaching children with special needs;
- (xiv) include instruction in the use of data and assessments to inform and instruct classroom practice; and
- (xv) include instruction in ways that teachers, principals, pupil services personnel, and school administrators may work more effectively with parents; and

may include activities that—

- (i) involve the forming of partnerships with institutions of higher education to establish school-based teacher training programs that provide prospective teachers and beginning teachers with an opportunity to work under the guidance of experienced teachers and college faculty;
- (ii) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers; and
- (iii) provide follow-up training to teachers who have participated in activities described in subparagraph (A) or another clause of this subparagraph that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom.

(37) SCIENTIFICALLY BASED RESEARCH- The term ‘scientifically based research’—

means research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and

includes research that—

- (i) employs systematic, empirical methods that draw on observation or experiment;
- (ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;
- (iii) relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;
- (iv) is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;
- (v) ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings; and
- (vi) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

TITLE IX – GENERAL PROVISIONS PART A—DEFINITIONS SEC. 9101.DEFINITIONS.

PRIVATE SCHOOL PARTICIPATION IN TITLE III PROGRAMS

Authorities

No Child Left Behind Act of 2001, Title IX, Part E, Sections 9501-9506

Education Department General Administrative Regulations (EDGAR), Part 76, Sections 76.650-76.662

Statutory/Regulatory Requirements

After timely and meaningful consultation with appropriate private school officials, local educational agencies (LEAs) receiving Title III funds must provide educational services to limited English proficient (LEP) children and educational personnel in private schools that are located in the geographic area served by the LEA.

To ensure timely and meaningful consultation, the LEA must consult with appropriate private school officials during the design and development of the Title III program on issues such as:

- how the LEP children's needs will be identified;
- what services will be offered;
- how, where, and by whom the services will be provided;
- how the services will be assessed and how the results of the assessment will be used to improve those services;
- the size and scope of the services to be provided to the private school children and educational personnel;
- the amount of funds available for those services;
- how and when the LEA will make decisions about the delivery of services, including a thorough consideration of the views of the private school officials on the provision of contract services through potential third-party providers.

- Title III services provided to children and educational personnel in private schools must be equitable and timely and address their educational needs.
- Funds provided for educational services for private school children and educational personnel must be equal, taking into account the number and educational needs of those children, to the funds provided for participating public school children.
- Title III services provided to private school children and educational personnel must be secular, neutral, and non-ideological.
- LEAs may serve private school LEP children and educational personnel either directly or through contracts with public and private agencies, organizations, and institutions.
- The control of funds used to provide services and the title to materials and equipment purchased with those funds must be retained by the LEA.
- Services for private school children and educational personnel must be provided by employees of the LEA or through a contract made by the LEA with a third party.

- Providers of services to private school children and educational personnel must be independent of the private school and of any religious organization, and the providers' employment or contract must be under the control and supervision of the LEA.
- Funds used to provide services to private school children and educational personnel must not be commingled with non-Federal funds.

Frequently Asked Questions

What is meant by "equitable" participation by public and private school students and educational personnel in a Title III program?

Participation is considered to be equitable if the LEA (1) assesses, addresses, and evaluates the needs and progress of public and private school students and educational personnel in the same manner; (2) provides, in the aggregate, approximately the same amount of services to students and educational personnel with similar needs; (3) spends an equal amount of funds to serve similar public and private school students and educational personnel; and (4) provides both groups of students and educational personnel equal opportunities to participate in program activities.

Do State English language proficiency standards and annual measurable achievement objectives apply to participating private school students?

No. A State's English language proficiency standards and annual measurable achievement objectives do not apply to private schools or their students. However, they apply to all public schools and public school students served under Title III.

Must private schools report the results of English language proficiency assessments to the LEA?

Although federal interpretation indicates that private schools with children participating in programs funded under Title III are not required to report assessment results, officials from the LEA and the private school must reach an agreement about how the results of the assessments will be used to improve services to the participating private school students. Therefore, the results of the English language proficiency assessment need to be reported to the state.

Is a private school required to monitor and report on the academic progress of private school students for two years after the students are no longer receiving services under Title III?

No. Officials from a private school are not required to monitor or report on the academic progress of private school students who are no longer receiving services under Title III.

Does the Title III requirement on language qualifications for teachers providing Title III services to public school students apply to teachers providing these services to private school students?

Yes. Like teachers serving public school LEP students, teachers providing Title III services to private school students, whether LEA employees or third-party contract employees, are subject to the requirement that teachers in a Title III program must be fluent in English and any other language used for instruction.

Appendix C

For forms in English and in other languages, check the TransAct website:

www.transact.com

The following forms are included in this appendix:

1. Home language survey
2. Determination of Student Eligibility
3. Notification of ELL Program Placement
4. Request for ELL Program Withdrawal
5. Waiver/Refusal of ELL Program
6. Notice of Annual Assessment
7. Exit Letter

Appendix D

A copy of “Educating Iowa’s English Language Learners: A Handbook for Administrators and Teachers” distributed by the Iowa Department of Education is available at: http://educateiowa.gov/index.php?option=com_content&task=view&id=683&Itemid=1391

Please note: this document is currently being revised.

Appendix E

A copy of “Iowa Guidelines for K-12 ELL Participation in Districtwide Assessments” distributed by the Iowa Department of Education is available at: http://educateiowa.gov/index.php?option=com_content&task=view&id=683&Itemid=1391

Appendix F

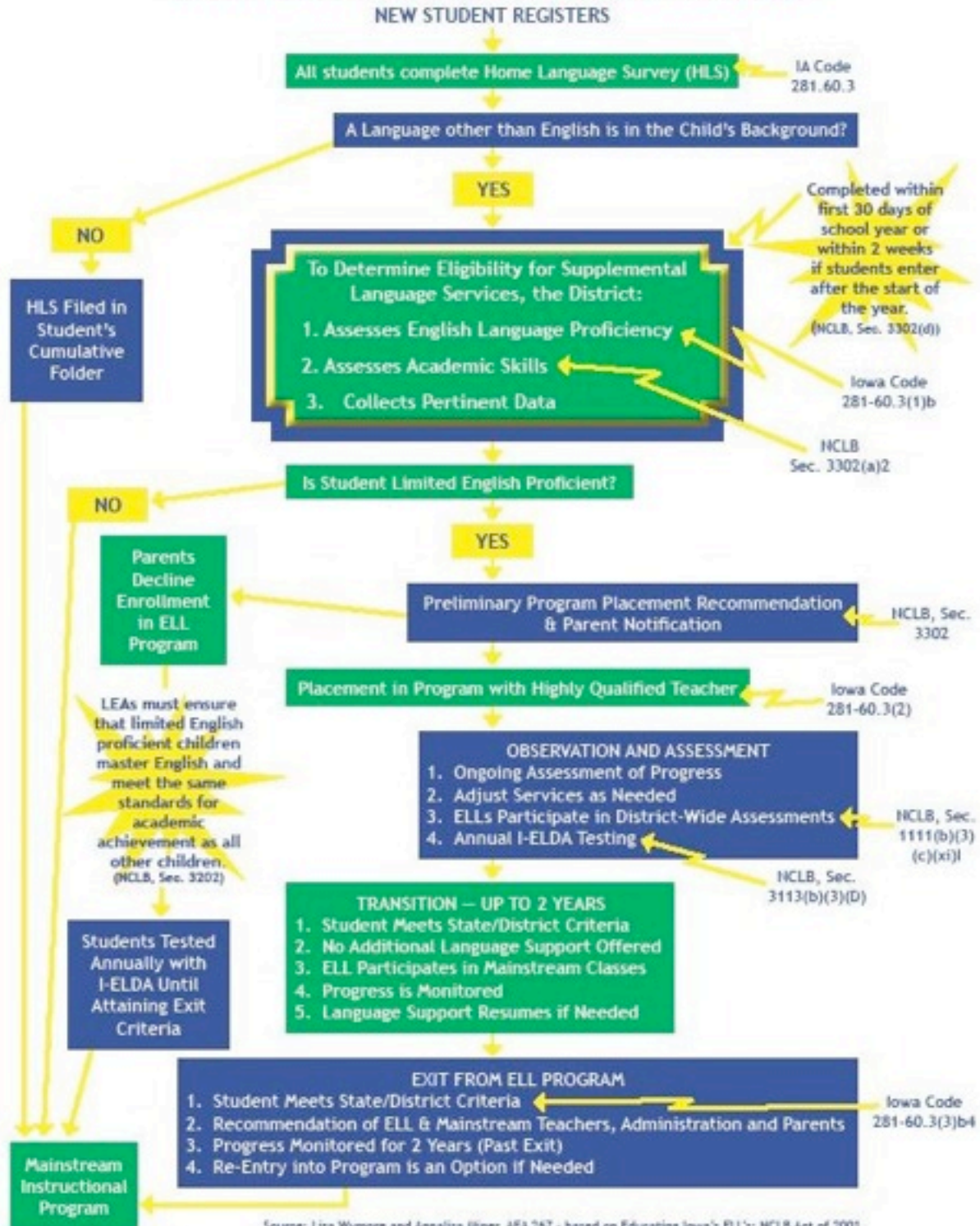
The following visuals can be used as reference documents for staff:

- ELL Process & Procedures Flowchart
- ELL Assessment Timeline

These are distributed by the AEA 267 ELL Consultants and are available for download in pdf format at:

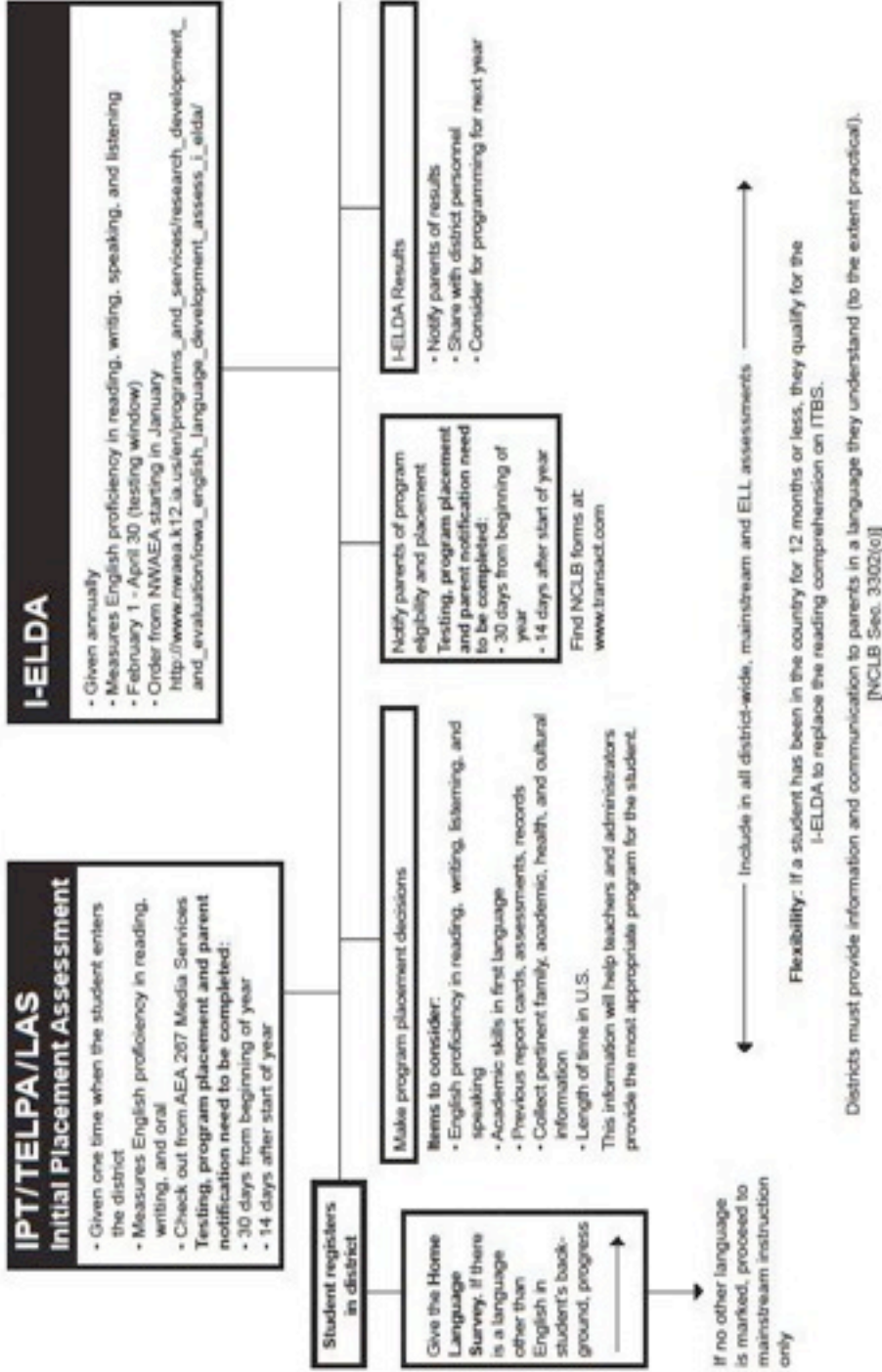
<http://www.aea267.k12.ia.us/ell/assessment-resources/initial-placement-assessments/>

Process and Procedures for Delivery of ELL Services



Source: Lisa Wymore and Annalisa Illner, AEA 267 - based on Educating Iowa's ELL's; NCLB Act of 2001.

ELL Assessment Timeline



Appendix G

Included below are information and tools on the Iowa-ELDA that can be used as reference for staff.

All documents are available on the Northwest AEA I-ELDA website: http://www.nwaea.k12.ia.us/en/programs_and_services/research_development_and_evaluation/iowa_english_language_development_assess_i_elda/

- Who Should be Assessed with the Iowa-ELDA
- Enrollment Descriptors: ELL Participation in District Wide Assessments
- Iowa-ELDA Standards Record Sheets for K & Grades 1-2
- Proficiency Level Descriptors (Listening, Speaking, Reading & Writing)
- Composite Proficiency Level Descriptors

Additional training modules and information are available at the AEA 267 ELL website: <http://www.aea267.k12.ia.us/ell/i-elda-information-and-training/>