

M.S.A.D. #12/R.S.U. 82 COMPREHENSIVE  
EDUCATION PLAN

LAU/Equal Access for English Language Learners

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M.S.A.D. #12/R.S.U. #82 believes in providing quality educational opportunities to its English Language Learners (ELL's) by providing assistance so all can participate fully in their education experience.

A bilingual education program has been implemented in to meet the needs of English Language Learners.

The following procedure is used to determine the English language learner status of students in M.S.A.D. #12/R.S.U. #82.

Identification of EL Students

1. The results of LAU Home Language Surveys provided by the Maine Department of Education and given to all new students are reviewed.
2. Surveys whose answers include a language other than English are flagged.
3. The principal reviews flagged students. The principal's designee administers the W-APT or MODEL language

27 proficiency assessments to screen flagged students. A review  
28 of multiple sources will be made which will include writing  
29 samples, portfolios, oral interviews and other teacher  
30 assessments to determine EL status.

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32 **Annually, all ELL's will be administered the ACCESS for ELL's by**  
33 **qualified personnel as stipulated in the 1991 Office for Civil Rights**  
34 **Memorandum.**

35 Each year, the student's achievement file is examined by the  
36 Language Assessment Committee made up of at least the following:  
37 the principal, special education director, teacher and school  
38 counselor. This committee will determine the status of EL students  
39 by using the following plan.

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41 Criteria

42 If the ELL student possesses 4 of the 5 criteria below, **AND achieves**  
43 **a composite score of Level 6 on the ACCESS for ELLs**, he/she will  
44 no longer be considered EL:

45 Criterion I - The student's achievement on the annual school  
46 standardized test will be at least grade level in math and  
47 reading.

48 Criterion II - The student's achievement on the NECAP will be at or  
49 above the state average.

50 Criterion IV - Teachers' assessment of the student's reading ability  
51 will indicate satisfactory progress.

52 Criterion V - The teachers' assessment of the student's writing  
 53 proficiency will indicate satisfactory progress.

54 Criterion VI - The student's score on a test of self-esteem will be at or  
 55 above the score of the previous year.

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57 Following is a sample exit chart that will be maintained on each  
 58 student.

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60 LAU/ELL EXIT CHART

Name:				Grade:		
	A	B	C	D	E	
	Significant Gain		State Average or above	Acceptable level	Maintenance or gain	Exit Y/N Partial
	Fall/ Spring	Spring/ Spring				
Standardized Test-NWEA						
NECAP						
LAS						
Reading Folder						
Writing Folder						
Self Esteem Test						
<b>ACCESS for ELL's Must have</b>			<b>Required for Exit</b>			

composite score of Level 6			
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62 Each student, after reaching the non-EL status will continue to be  
63 monitored for one year.

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65 M.S.A.D. #12/R.S.U. encourages teaching faculty members to obtain  
66 an ESL and/or Bilingual Education endorsement.

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70 Legal Reference:

71 Federal Legislation

72 • *No Child Left Behind (NCLB) Act of 2001*

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

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

75 • *Title VI of the Civil Rights Act of 1964*

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

77 • *Equal Education Opportunities Act of 1974* requires schools to "take appropriate steps" to  
78 assure equal access as stipulated in the Lau opinion below.

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

80 • **Other Relevant Laws and Information Supporting ELL Students**

81 [http://www.hawaii.edu/cte/98\\_PDF/tools\\_for\\_teaming/releva10.pdf](http://www.hawaii.edu/cte/98_PDF/tools_for_teaming/releva10.pdf)

82 <http://www.idra.org/scce/OriginIssues.htm#Laws>

83 Court Decisions

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

87 [http://www2.law.cornell.edu/cgi-bin/foliocgi.exe/historic/query=](http://www2.law.cornell.edu/cgi-bin/foliocgi.exe/historic/query=[group+414+u!2Es!2E+563!3A]^ [group+citemenu!3A]^ [level+case+)

88 [\[group+414+u!2Es!2E+563!3A\]^ \[group+citemenu!3A\]^ \[level+case+](http://www2.law.cornell.edu/cgi-bin/foliocgi.exe/historic/query=[group+414+u!2Es!2E+563!3A]^ [group+citemenu!3A]^ [level+case+)

89 [citation!3A\]^ \[group+notes!3A\]/doc/{@1}/hit\\_headings/words=4/hits\\_only?](http://www2.law.cornell.edu/cgi-bin/foliocgi.exe/historic/query=[group+414+u!2Es!2E+563!3A]^ [group+citemenu!3A]^ [level+case+) (full opinion)

90 • *Plyler vs. Doe (1981)*

91 [http://www2.law.cornell.edu/cgi-bin/foliocgi.exe/historic/query=](http://www2.law.cornell.edu/cgi-bin/foliocgi.exe/historic/query=[group+457+u!2Es!2E+202!3A]^ [group+citemenu!3A]^ [level+case+)

92 [\[group+457+u!2Es!2E+202!3A\]^ \[group+citemenu!3A\]^ \[level+case+](http://www2.law.cornell.edu/cgi-bin/foliocgi.exe/historic/query=[group+457+u!2Es!2E+202!3A]^ [group+citemenu!3A]^ [level+case+)

93 [citation!3A\]^ \[group+notes!3A\]/doc/{@1}/hit\\_headings/words=4/hits\\_only?](http://www2.law.cornell.edu/cgi-bin/foliocgi.exe/historic/query=[group+457+u!2Es!2E+202!3A]^ [group+citemenu!3A]^ [level+case+) (full opinion)

94 • *Castañeda vs. Pickard (1981)*

95 [http://www.helpforschools.com/ELLKBase/legal/Court\\_Cases\\_Federal\\_Equa\\_Educ\\_Opp.sh](http://www.helpforschools.com/ELLKBase/legal/Court_Cases_Federal_Equa_Educ_Opp.shtml)

96 [tml](http://www.helpforschools.com/ELLKBase/legal/Court_Cases_Federal_Equa_Educ_Opp.shtml) (summary only)

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<http://www.santee.k12.ca.us/BP/Data/6000/BP6141-3.pdf> (Compliance Policy of Santee, CA, with *Castañeda*)

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- ***Office of Civil Rights Policy Update on Schools' Obligations Toward National Origin Minority Students With Limited English Proficiency (1991)***  
<http://www.ed.gov/about/offices/list/ocr/docs/lau1991.html>

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- ***Executive Order 13166: Improving Access to Services for Persons With Limited English Proficiency (2000)***  
<http://www.usdoj.gov/crt/cor/13166.htm> (full text)

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