



To: Mr. Brian Foster, Superintendent & The Marion County School Board

From: Dr. Alicia Conerly, Director of Federal Programs

Date: June 17, 2026

Re: English Learners (EL), Immigrant Children and Youth Plan

Brian Foster

OK 7/2/26

Mr. Brian Foster and Marion County School Board Members,

I am requesting approval of the district's English Learners (EL), Immigrant Children and Youth Plan.

The English Learners (EL), Immigrant Children and Youth Plan is a requirement for all school districts in the state and must be board approved. It is used as a means to ensure that students are enrolled regardless of immigration status or English-speaking status.

The plan has been attached for your review and approval.

Attachments: MCSD English Learners (EL), Immigrant Children and Youth Plan for FY'27



ENGLISH LEARNERS AND IMMIGRANT CHILDREN AND YOUTH DISTRICT PLAN

Revised January 10, 2022

Reviewed July 1, 2022

Reviewed July 5, 2023

Reviewed January 29, 2024

Reviewed February 20, 2025

Revised May 19, 2025

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FORWARD

The purpose of this document is to provide support to Marion County School District in its effort to serve the needs of English Learners and Immigrant Children and Youth. The materials in this document are intended to provide educators with appropriate services and resources necessary for English Learners and Immigrant Children and Youth to attain English proficiency and reach high academic standards. This document is in accordance with federal and state requirements under Title III of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). To ensure consistency in understanding the purpose and to accomplish successful implementation, key sections of the MS EL Guidelines have been duplicated.

INTRODUCTION

The Marion County School District comprises six schools (Primary, Elementary, Middle and High School), consisting of 1,700 students with currently 14 students identified as English Learner Students.

It is the mission of Marion County School District to provide students with educational opportunities that will ensure success by creating a community of empowered, lifelong learners.

This plan provides the procedures and practices necessary for ensuring all English Learners and Immigrant Children and Youth enrolled in Marion County Schools receive a quality education. These guidelines will heighten awareness of the importance of these students making growth and meeting the requirements of the state.

RIGHTS OF ENGLISH LEARNERS AND IMMIGRANT CHILDREN AND YOUTH AND THEIR FAMILIES

The following federal laws clarify the obligation of every school not only to enroll students from diverse language backgrounds but also to provide the foundation for guidance in establishing an equitable, quality education for Mississippi students, including ELs, and Immigrant Children and Youth:

- Title VI of the Civil Rights Act of 1964
- May 25, 1970, Memorandum
- Lau vs. Nichols – 1974
- Equal Education Opportunities Act of 1974
- Plyler vs. Doe – 1982
- Presidential Executive Order 13166
- Title III of the No Child Left Behind Act of 2001

IDENTIFICATION AND PLACEMENT OF ENGLISH LEARNERS IMMIGRANT CHILDREN AND YOUTH

Definition:

According to ESSA, an English Learner (EL) may be defined as:

- A student who is aged 3 through 21.
- A student who was not born in the United States or whose native language is other than English and comes from an environment where a language other than English is dominant.
- A student who is a Native American of Alaska or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency.
- A student who is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant.

Definition:

An Immigrant Child or Youth is an individual who:

1. Is between the ages of 3 and 21;
2. Was not born in any state, Puerto Rico, or the District of Columbia; and
3. Has not attended one or more schools in one or more states for more than three full academic years.

Enrollment records and information collected during registration will be used to identify eligible immigrant students. Documentation will be maintained in accordance with federal and state requirements.

Guidelines for Registration:

1. Proof of Age- A valid birth certificate, a valid passport, or other official document listing date and place of birth. **Birth certificate is not required.** Other documentation of birth date must be accepted in the absence of a valid birth certificate.
2. Registration forms- School registration forms are to be completed and filed at the school.
3. Home Language Survey- District-wide form to be completed through the registration process by the parent/guardian of ALL NEW STUDENTS registering for grades K-12.

A social security card is NOT necessary for enrollment or school lunch forms. If the student does not have a social security card, the school should assign a number.

Grade level placement:

ELs, and Immigrant Children and Youth, should be placed at their age-appropriate grade level. Some situations allow for exceptions. If a student is less than seven years old and has not attended school before, it is often best to place the student in kindergarten. Grade level placement should be on a case-by-case basis, using information available such as previous school records (if available) and personal history.

Transferring Foreign Credits: The school guidance counselor should be trained in assessing non-U.S. school transcripts for appropriate awarding of credits. Students should not be required to repeat content classes they had in their native language just because of their lack of English skills. Every effort should be made to review previous school records and transcripts to evaluate and award transfer credits. Any transfer student from a school or program (correspondence, tutorial, or home study) not accredited regionally or by a state board of education [or its designee(s)] is given either a standardized achievement test(s) or teacher-made special subject test(s) to determine the appropriate classification of the student within thirty (30) days after filing for transfer. Notice of the administering of such test(s) shall be given to the applicant not less than five (5) days prior to the date of the administration of such test. {MS Code § 37-15-33} (7 Miss. Admin. Code Pt. 3, Ch. 36, R. 36.1, R. 36.2, R. 36.3, R. 36.4)

Procedures:

In order to effectively serve ELs, and Immigrant Children and Youth, students and make appropriate educational decisions, procedures are necessary for the identification, assessment, and placement of these students. The Marion County School District will follow the following process for identifying and placing a student in the EL program.

Step 1- Identification:

Parents/guardians are asked to complete the Home Language Survey (HLS) during the initial registration process. This HLS is kept in the student's cumulative record while the student is enrolled in the district. (See Appendix 1 for HLS)

The answers to the following questions will indicate if a student's proficiency in English should be evaluated.

The questions of the HLS are as follows:

1. What language (s) is (are) spoken in your home?
2. Which language did your child learn first?
3. Which language does your child use most frequently at home?
4. In which language do you most frequently speak to your child?
5. In what language would you prefer to get information from the school?

If any question indicates a language other than English is spoken in the home, school office personnel are responsible for notifying district personnel for further evaluation of identification and for the administration of the placement test. ***The HLS is not the sole identifier for placement in the EL program.***

Step 2- Initial Assessment:

A student whose HLS indicates the need for a placement test must be administered within thirty (30) days of enrollment at the beginning of the school year. Students who register after the beginning of the school year must be assessed within two (2) weeks of enrollment. The placement test assesses English proficiency in all four domains of language development - listening, speaking, reading, and writing - as well as comprehension, to ensure that a student's language needs are properly identified and addressed through the district's EL program. Students who were previously administered the LAS Links placement assessment or have taken the annual state-adopted ELPA21 assessment do not need to be rescreened. A trained test administrator is responsible for administering the placement assessment. The placement assessment information should be notated on the student's HLS and filed in the cumulative folder.

Step 3- Parental Notification:

Prior to the initial placement of a student in an EL program, the district must notify the student's parent(s) or guardian(s). Each Local Education Agency (LEA) or school serving ELs shall inform the parents that their child/children have been placed in an instructional program for ELs no later than 30 days after the beginning of the school year. If the student is identified after the beginning of the school year, the LEA/school shall notify parents within two weeks of the student's placement in a program for ELs. Once a student has been identified as eligible for language assistance, the parent must be notified in the parent's native language. Parents are not required to respond to the notification for the student to participate in the district's EL program; parents do have the right to waive EL services and decline any services provided. However, the student remains in the EL program. If a student has been identified as an EL and Immigrant Children and Youth, the student is still required by federal law to take the annual ELPA21 until the student meets state exit criteria, regardless of parental refusal of services.

Step 4- Student Assessment:

Marion County Schools will evaluate each ELs language attainment annually during the designated time frame as established by the MDE using the ELPA21. EL and Immigrant Children and Youth students are expected to meet the academic requirements set forth by the LEA/SEA for promotion/graduation. Assessment requirements for high school students are outlined in Mississippi School Board Policies 3801, 3802, 3803, and 3804. Third-grade students

will be required to meet expectations of MDE's Literacy-Based Promotion Act. Students who do not meet the requirements of the LBPA may qualify for a Good Cause Exemption.

Step 5- Exiting and Monitoring:

Exiting Students:

As of 2025, the Mississippi Board of Education revised the State Adopted Assessment score requirements for English learners (EL) to officially exit EL status. Under the new policy, the student is required to obtain the following proficiency levels on the ELPT:

ELPA21 Proficiency Levels:

- Students are now required to achieve level 4 or 5 in all four domains
- Plus 4 or 5 overall

Because ESSA requires all states to have uniform exit criteria, the Marion County School District does not add other criteria as exit requirements. An EL with a disability can be "exited" from EL status when he/she no longer meets the definition of an EL. This occurs when the student meets the State's definition of "proficient" in English.

Under Federal Law LEA and/or school personnel do not have the authority to remove a student's EL designation before the student has been deemed proficient in English solely because the student has an IEP.

When students reach proficiency and exit according to MDEs Title III EL exit criteria, (listed above), students:

- Are no longer classified as LEP
- Receive no accommodations, (unless they are in the SPED program & have an IEP)
- Do not take the annual State Adopted English Proficiency Test

Monitoring Students Who Have Exited the EL Program:

After students have exited EL status, their academic progress is monitored for 4 years.

Monitoring will be conducted and documented every 9 weeks, with a set team reviewing monitored student's grades, assessments, and other related data. If an exited EL is not progressing academically as expected and monitoring suggests a persistent language need, the student will be re-tested using the State Adopted Assessment Placement Test to see if the student needs additional language services. If the student re-enters the EL program based on the results of the placement test, the parent's consent to reentry will be requested.

Parent Communication and Outreach

Communication from both elementary and secondary schools is provided in the student's home language whenever possible to ensure that families have appropriate notice regarding school activities such as parent teacher conferences, extracurricular activities, and other special events. Additionally, progress reports, report cards, and other vital school information are communicated in the child's home language when available.

Parent outreach efforts include the utilization of technology to deliver timely, accessible information to parents in order to keep them informed and involved in the education of their child.

Staffing and Resources

Staffing Requirements:

Due to the low population of EL, and Immigrant Youth & Children students in our district (currently 12 EL students are enrolled), we do not receive the Title III grant. The district makes every effort to provide necessities and support for our EL students regardless of this fact. The Federal Programs Director serves as the District EL Coordinator. The EL Coordinator serves as a liaison for all persons involved with the EL program and is responsible for ensuring that the schools/district know and understand federal and state mandates, policies and procedures for EL students, and the importance of collecting and submitting data in accordance with the Every Student Succeeds Act (ESSA) and the Mississippi Department of Education. The Marion County School District has employed a teacher with an English endorsement and/or an endorsement of ESL and/or a master's degree in the teaching of languages to meet the needs of our EL students. Teachers and paraprofessionals instruct students individually and in small group settings. They will provide principles of English as a second language teaching and its application to help students in a sheltered environment in all the classes they attend. The Marion County School District will actively recruit teachers with an endorsement of ESL or a master's degree in the teaching of languages to meet the needs of our EL students.

Teachers, paraprofessionals, and other staff will attend professional development provided by MDE and any other available training/conference's that are feasible. The EL Coordinator will seek to provide any available PD opportunities that will assist teachers in understanding the nature and special needs of second language learners.

Resources for EL Students:

Students are provided with current curriculum resources, Bilingual dictionaries, Imagine Learning software/additional software programs, computer/various technology equipment that are utilized throughout the district.

Translators/Translations Used to Communicate With Parents of Limited-English Proficient Students:

Transact services, Google Translate, Other Translation Apps, and community resources are used to promote communication with parents of children who speak a different language. Personnel and community members who are fluent in other languages have been willing resources for translating for parents in our district. We will continue to keep the lines of communication open with them for their ongoing support.

EL, Immigrant Youth & Children Instruction:

The Marion County School District utilizes its District EL teacher, other teachers and paraprofessionals to provide instruction to students individually and in small group settings. Teachers provide daily standards-based language instruction as specified in the student's LSP. All teachers should hold ELs, Immigrant Children and Youth to the same high academic standards that are expected of all students; however, content teachers must understand that to do this, differentiated instruction, modifications, and accommodations must be provided to each EL, Immigrant Children and Youth for instruction and assessment to be meaningful and to meet individual needs as required by law. EL, Immigrant Children and Youth students are also served individually via pull-out sessions with the EL teacher at least twice per week. The EL teacher pushes into classrooms containing EL, Immigrant Children and Youth students at least once per week to accommodate effective learning and coordinate with classroom teachers to ensure best practices. The EL teacher will spend no less than two (2) hours per week with each active EL, Immigrant Children and Youth student.

Language Service Plan:

Each student designated as an English Learner must have a LSP, which should be updated annually until the student exits the program.

The following guidelines for implementing the LSP will be used:

1. School level teams will convene as needed to discuss changes or adjustments in the EL's instructional services.
2. Review student's progress in language acquisition and academic achievement annually.
3. Identify accommodations needed on state assessments. Any additional classroom strategies and/or accommodations should be identified as appropriate.
4. Communicate in a timely manner the student's LSP with faculty and staff who interact with and provide instruction for the student. An LSP meeting with the school team and parents must be held within 30 days of identification.

GRADING

Grading Guidelines for EL, Immigrant Children and Youth:

If an EL, Immigrant Children and Youth student is retained, the LEA must have documentation of all interventions, accommodations, and modifications attempted. The student should be referred to the Multi-Tiered System of Support (MTSS) when it becomes evident the student is struggling. Though the decision to promote or retain must be made on a case-by-case basis, any decision to retain an EL must be accompanied by documentation demonstrating that appropriate accommodations and modifications were employed throughout the year to assure compliance with Federal requirements (May 25, 1970 Memorandum).

EL, IMMIGRANT CHILDREN AND YOUTH PARTICIPATION IN OTHER PROGRAMS WITHIN THE DISTRICT

EL, Immigrant Children and Youth students in the Marion County School District are provided with equal opportunities to participate in all programs available in the district. Each EL, Immigrant Children and Youth student is made aware of the programs available to them which include the gifted program, athletics, and special education among other areas. Parents are made aware of the options available for their child through letters and the Marion County School District website. This material is translated for parents in an understandable language if needed.

Gifted Education Students:

In the identification of EL, Immigrant Children and Youth for gifted services or other specialized programs such as Advanced Placement(AP) students must meet the criteria determined by the state, LEA, or school. Gifted students who are also EL, Immigrant Children and Youth should receive programming services designed to develop their specific area(s) of strength or ability and should be conducted in the language that would give the student the greatest advantage for optimal learning and performance. This does not preclude continuing English language instruction and developing proficiency in English use; developing English proficiency should complement and supplement, not substitute for, the development of the student's significant strengths and abilities. The time spent in the development of English proficiency should not take precedence over appropriate instruction and learning in the student's areas of strength and talent.

Students with Disabilities:

The Marion County School District will ensure that all EL, Immigrant Children and Youth students who may have a disability, like all other students who may have a disability and need services under IDEA or Section 504, are located, identified, and evaluated for special education and disability-related services in a timely manner. When conducting such evaluations the district will consider the English language proficiency of EL, Immigrant Children and Youth students in

determining the appropriate assessments and other evaluation materials to be used, being certain not to identify or determine that EL, Immigrant Children and Youth students are students with disabilities because of their limited English language proficiency.

Guidelines for EL, Immigrant Children and Youth and Multi-Tiered Systems of Support (MTSS):

Response to Intervention (RTI) integrates assessment and intervention within a multi-level prevention system to maximize student achievement and to reduce discipline infractions. With RTI, schools identify students at risk for poor learning outcomes, monitor student progress, provide evidence-based interventions, and adjust the intensity and nature of those interventions depending on a student's responsiveness and identify students with learning disabilities or other disabilities (National Center on Response to Intervention). EL, Immigrant Children and Youth students are eligible for intervention services, and the appropriate staff will assist with the implementation and documentation process.

PROGRAM EVALUATION

The success of the EL program will be assessed using some of the following data points but not limited to the State Adopted English Assessment Proficiency Test, state and local assessments, computer program reports, parental/community survey results, regular class data, etc. The Marion County School District expects to meet the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA) Annual Measurable Achievement Objectives for EL, Immigrant Children and Youth by having at least 70% of all EL, Immigrant Children and Youth students demonstrate annual measurable achievement through their regular education classrooms. The use of materials that are a complement to the ones used in class, as well as the incorporation of technology, contribute to the improvement of our students' level of English proficiency, and their measurable achievement objectives. Every EL, Immigrant Children and Youth student is expected to master the state benchmarks that they will be tested on during the MAAP and other subject area state test.

Each school has a school wide planning committee which provides input, reviews, and receives updates on all programs at the school level. This committee is composed of parents, teachers, community members, and students. This committee also analyzes and evaluates the effectiveness of programs at the school level. Surveys are done annually to assess the effectiveness and/or needs of all students including but not limited to EL, Immigrant Children and Youth students.

EL, Immigrant Children and Youth students are expected to master subject matter and achievement at 70% or above. Students are evaluated and monitored throughout the school term via quarterly EL, Immigrant Children and Youth progress reports. Their success is another means of determining the effectiveness of our program.

APPENDICES

Home Language Survey

STUDENT INFORMATION

Student Name _____

Grade _____ First Middle Last

Date of Birth _____ Gender _____ School _____

1. What is the dominant language **most often** spoken by the student?

2. What is the language **routinely** spoken in the home, regardless of the language spoken by the student? _____

3. What language was **first** learned by the student?

4. Does the parent/guardian need **interpretation** services? ☐ Yes ☐ No
If so, what language? _____

5. Does the parent/guardian need **translated** materials? ☐ Yes ☐ No
If so, what language? _____

6. What was the date the student first enrolled in a school in the United States?

MM/YYYY

7. In what country was the student born?

Parent/ Guardian Signature _____

Date (MM/YYYY) _____

DISTRICT USE ONLY

☐ Designated English Learner on the LAS Links Screener

DOCUMENTATION OF LAS LINKS SCREENER FOR STUDENT

Date	Speaking Score	Listening Score	Reading Score	Writing Score	Composite Score

This form is to be placed in the student's cumulative record and available for future reference.

Encuesta del idioma del hogar

INFORMACIÓN DEL ESTUDIANTE

Nombre del estudiante: _____ Grado _____
Primera mitad Última

fecha de nacimiento _____ Género _____ Escuela _____

1. ¿Cuál es el idioma dominante que **más** habla el alumno?

2. ¿Cuál es el idioma que **habitualmente** habla en el hogar, independientemente del idioma que hable el alumno? _____

3. ¿Qué idioma **primero** aprendió el alumno?

4. ¿El padre / tutor necesita **interpretación de servicios** de? ☐ Sí ☐ No En caso afirmativo, ¿qué idioma? _____

5. ¿El padre / tutor necesita **traducidos** materiales? ☐ Sí ☐ No En caso afirmativo, ¿qué idioma? _____

6. ¿Cuál fue la fecha en que el estudiante se inscribió por primera vez en una escuela en los Estados Unidos? _____

7. ¿En qué país nació el alumno?

Firma del Padre / Tutor

Fecha (MM / YYYY)

SOLAMENTE PARA USO DEL DISTRITO

☐ Aprendiz del inglés designado en el examinador LAS Links

DOCUMENTACIÓN DEL EXAMINADOR DE LAS LINKS PARA EL ESTUDIANTE examen

<i>Fecha del</i>	<i>oral Puntuación</i>	<i>auditiva Calificación de</i>	<i>lectura Calificación escrita</i>	<i>Calificación</i>	<i>compuesta</i>

Este formulario se colocará en el programa acumulativo del alumno registro y disponible para referencia futura.



PARENTAL NOTIFICATION LETTER – English Learner Services

Dear Parent or Guardian,

Your response on the Marion County School District Home Language Survey indicated the presence of a language other than English in the home; therefore an assessment of your student's English language proficiency level was administered. The State adopted assessment administered evaluated grade-appropriate skills in understanding, speaking, reading, listening, and writing in English. Based on the results from the assessment, your child has been identified as an English Learner student (EL student); which means he/she is eligible for English Learner services.

Since English is the language of instruction, your child will be enrolled in the EL program in order to assist him/her in the improvement of their English skills to better perform at school and learn successfully, unless you decide otherwise.

The Marion County School District offers English Language Learner services through assistance from qualified staff including teachers, interventionists, paraprofessionals, etc. EL students will be in regular classes where accommodations will be provided according to their English Language Service Plan (LSP). Once the student has achieved a transitional level in ALL the skills tested, the results from the State tests (when administered) are satisfactory, and upon teacher recommendation, he/she will be monitored for two years as required by the state. The student will exit the program when he/she is ready to perform in regular classes without any accommodations.

The EL services/programs offered by the Marion County School District include but are not limited to the following: (1) English as a Second Language – Instruction is provided in English only and adapted to the student's English proficiency level. This instructional method is used to make academic instruction in English understandable to English learners. This will help them acquire proficiency in English while at the same time achieving in content areas; (2) Various Software programs; and/or (3) Services/programs suggested by the state department. You have the right to refuse these services for your child by notifying the school in writing. Please sign the attached form either accepting or refusing English Language Learner services for your child by checking the appropriate section. If you have any questions, contact the school office. Please return this form immediately to your student's teacher or counselor.

Sincerely,

Dr. Alicia Conerly
Federal Programs Director
Marion County School District
E-mail: aconerly@marionk12.org
Phone: (601) 736-0640



Marion County School District
Office of Federal Programs
1010 Hwy. 13 North
Columbia, MS 39429

Student's name: _____ Date _____ Grade _____

Check one: ☐ East Marion Elementary ☐ East Marion Middle ☐ East Marion High
☐ West Marion Primary ☐ West Marion Middle ☐ West Marion High

_____ Acceptance: I give my permission for the above-named student to receive EL services in the Marion County School District through the services described in the letter attached.

_____ Refusal: I wish to refuse EL services for the student named above. I understand that by refusing these services, my child will not have an ELLP designed for him/her with any accommodations.

I understand that I may ask for services to be changed, reinstated, and/or to be provided on an as-needed basis at a later time. However, such services will be provided depending upon established schedules at the time of the request.

Signature of Parent/Legal Guardian: _____ Date: _____



Carta de notificación a los padres - Servicios para estudiantes de inglés

Estimado padre o tutor,

Su respuesta Marion County distrito escolar Inicio lengua encuesta indicaron la presencia de un idioma distinto del inglés en el hogar; por lo tanto se administró una evaluación del nivel de aptitud de Inglés de su hijo. La evaluación por el estado administrada evaluó habilidades apropiado grado de comprensión, habla, lectura y escritura en inglés. Basado en los resultados de la evaluación, su hijo ha sido identificado como un estudiante aprendiz del inglés (EL estudiante); lo que significa que él o ella es elegible para servicios de aprendices del inglés.

Puesto que el inglés es el idioma de enseñanza, su hijo será inscrito en el programa EL fin asesorará en la mejora de sus habilidades en inglés para mejor realizar en la escuela y aprender con éxito, a menos que decida lo contrario.

El Marion County distrito escolar ofrece servicios de aprendices del idioma inglés a través de asistencia de personal cualificado incluyendo maestros, paraprofesionales, intervencionistas, etcetera. EL estudiantes estará en clases regulares donde se proporcionará alojamiento según su English Language Service Plan (LSP). Una vez que el estudiante ha alcanzado un nivel de transición en todas las habilidades, los resultados de las pruebas de estado (cuando se administran) son satisfactorios, y por recomendación del maestro, él o ella se monitorearán durante dos años como sea necesario por el estado. El estudiante que salga del programa cuando él o ella está listo para realizar en clases regulares sin ningún alojamiento.

El EL servicios y programas ofrecidos por el distrito escolar del Condado de Marion incluyen pero no están limitados a lo siguiente: (1) Inglés como segunda lengua – instrucción es proporcionado solamente en inglés y adaptado al nivel de dominio del inglés del estudiante. Este método de enseñanza se utiliza para hacer instrucción académica en inglés comprensible para los estudiantes de inglés. Esto les ayudará a adquirir competencia en inglés mientras que en el mismo tiempo logrando en las áreas de contenido; (2) varios programas de Software; o programas de servicios (3) varios programas de Software; o programas de servicios sugerido por el Departamento de estado. Usted tiene el derecho a rechazar estos servicios para su hijo notificando a la escuela por escrito. Por favor firme el formulario adjunto o bien aceptar o rechazar servicios de aprendices del idioma inglés para su hijo la sección apropiada. Si usted tiene alguna pregunta, póngase en contacto con la oficina de la escuela. Por favor devuelva este formulario inmediatamente al maestro o consejero de su estudiante.

Atentamente,

Dr. Alicia Conerly
Federal Programs Director
Marion County School District
E-mail: aconerly@marionk12.org
Phone: (601) 736-0640



**Distrito Escolar del Condado de Marion
Oficina de Programas Federales
1010 Hwy. 13 North
Columbia, MS 39429**

ACEPTACIÓN O RECHAZO DE EL SERVICIOS

Nombre del estudiante: _____ **Fecha** _____ **Grado** _____

Marque uno: ☐ East Marion Elementary ☐ East Marion Intermedia ☐ East Marion High
☐ West Marion primaria ☐ West Marion Intermedia ☐ West Marion
High

☐ **Aceptación:** Doy mi permiso para que el estudiante nombrado arriba recibir los servicios EL en el distrito escolar de Marion County, a través de los servicios descritos en la carta adjuntada.

☐ **Negativa:** Quiero rechazar EL servicios para el estudiante nombrado arriba. Tengo entendido que al negarse estos servicios, mi hijo no tendrá un ELLP diseñado para él con cualquier alojamiento.

Entiendo que puedo pedir servicios a ser cambiado, reintegrados o ser proporcionado como necesite en un momento posterior. Sin embargo, dichos servicios se proporcionará según horarios establecidos en el momento de la solicitud.

Firma del Padre/Tutor Legal: _____ **Fecha:** _____

Rights of English Learners

1964 - Civil Rights Act, Title VI

The law states: "No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." 42 U.S.C. § 2000d.

What this means: Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color or national origin in programs or activities that receive Federal financial assistance. Public institutions (like schools) must provide equal quality of educational services to everyone including those who are Limited English Proficient (LEP). Title VI covers all educational programs and activities that receive Federal financial assistance from the United States Department of Education.

1970 - May 25 Memorandum

The 1970 Department of HEW, May 25 Memorandum Federal Regulation 11595: "The purpose of this memorandum is to clarify policy on issues concerning the responsibility of LEAs to provide equal educational opportunity to national origin minority group children deficient in English language skills.

What this means: Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the education program offered by a LEA, the LEA must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students. School districts have the responsibility to notify national origin- minority group parents of school activities, which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English.

1974 - Lau v. Nichols (US Supreme Court Decision)

The law states: The failure of school system to provide English language instruction to national origin students who do not speak English, or to provide them with other adequate instructional procedures, denies them a meaningful opportunity to participate in the public educational program, and thus violates § 601 of the Civil Rights Act of 1964, which bans discrimination based "on the ground of race, color, or national origin," in "any program or activity receiving Federal financial assistance," and the implementing regulations of the Department of Health, Education, and Welfare. Pp. 414 U. S. 565-569.

What this means: The Supreme Court stated that these students should be treated with equality among the schools. Among other things, Lau reflects the widely-accepted view that a person's language is so closely intertwined with their national origin (the country someone or their ancestors came from) that language-based discrimination is effectively a proxy for national origin discrimination.

1974 – Equal Educational Opportunities Act

What the law states: The Equal Education Opportunities Act of 1974 states: “No state shall deny equal educational opportunity to an individual based on his or her race, color, sex, or national origin by the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs.”

What this means: The EEOA prohibits discriminatory conduct, including segregating students on the basis of race, color or national origin, and discrimination against faculty and staff serving these groups of individuals, as it interferes with their equal educational opportunities. Furthermore, the EEOA requires LEAs to take action to overcome students' language barriers that impede equal participation in educational programs.

1982 -Plyler v. Doe (U.S. Supreme Court Decision)

What the law states “The illegal aliens who are plaintiffs in these cases challenging the statute may claim the benefit of the Equal Protection Clause, which provides that no State shall „deny to any person within its jurisdiction the equal protection of the laws“ . . . The undocumented status of these children does not establish a sufficient rational basis for denying them benefits that the State affords other residents . . . No national policy is perceived that might justify the State in denying these children an elementary education.” -457 U.S. 202

What this means: The right to public education for immigrant students regardless of their legal status is guaranteed. Schools may not require proof of citizenship or legal residence to enroll or provide services to immigrant students.

- Schools may not ask about the student or a parent’s immigration status.
- Parents are not required to give a Social Security number.
- Students are entitled to receive all school services.

Presidential Executive Order 13166

What the law states: "Entities receiving assistance from the federal government must take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access to the programs, services, and information those entities provide."

What this means: Recipients of federal assistance are required to help students overcome language barriers by implementing consistent standardized language assistance programs for LEP. In addition, persons with limited English proficiency cannot be required to pay for services to ensure their meaningful and equitable access to programs, services, and benefits.

Section: I INSTRUCTIONAL PROGRAM

Policy Code: IK LIMITED ENGLISH PROFICIENCY INSTRUCTION

Policy:

LIMITED ENGLISH PROFICIENCY INSTRUCTION

The Marion County Board of Education will provide a program of language instruction to students who have limited English proficiency. Student participation in any language instruction program or instruction in English as a second language is voluntary and requires written parental permission.

IDENTIFICATION

Students who meet any one or more of the following criteria shall be identified as being limited in English proficiency. A student who:

1. Was not born in the United States or whose native language is a language other than English and comes from an environment where a language other than English is dominant; or
2. Is a Native American or Alaskan Native or who is a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency; or
3. Is migratory and whose native language is other than English and comes from an environment where a language other than English is dominant; and
4. Has sufficient difficulty speaking, reading, writing, or understanding the English language and whose difficulties may deny such individuals the opportunity to learn successfully in classrooms where the language of instruction is English or to participate fully in our society.

REQUIREMENTS

If this district receives federal funding for Limited English Proficient (LEP) Programs, the following will be provided:

1. Parents will be notified of their student's placement in a language program and their options associated with that placement. Notification will include the reasons for identifying the child as LEP and the reasons for placing the child in the specified program.
2. Students will participate in regular assessments in a manner that will yield an accurate assessment. Test waivers may be granted on a case-by-case basis for LEP students who demonstrate unusual and unique circumstances; however, students who have been educated in the United States for three years are required to participate in reading/language arts assessment in English.
3. Certification that teachers in the program are fluent in English as well as other languages used in instruction (if the district receives subgrants).
4. Evaluation of the program and the academic success and language achievement of the students in the program. Parents will be notified of:
 - a. Their child's level of English proficiency and how such a level was assessed.
 - b. The status of their child's academic achievement.
 - c. The method of instruction used in the program in which the child is placed, and the methods of instruction used in other available programs.
 - d. Information as to how the program will meet their child's educational strengths, assist him/her to learn English, and meet age-appropriate academic achievement standards.
 - e. Exit requirements for the program.
 - f. If the child has a disability, a statement as to how the LEP will meet the objectives of the child's IEP.Consequences of inadequate yearly progress include notification of parents, development of improvement plans, and restructuring of programs or the district will lose federal funds. For non-English speaking parents, the district will arrange to provide translations of this information in their native language.

LEGAL REF.:

CROSS REF.: Policies IDDF - Special Education Programs

II - Testing Programs

Exhibits:

Regulations:

References: Original Adopted Date: 6/11/2012

Status: Adopted

Approved/Revised Date: 1/8/2018

Record ID: 196775