



LAU PLAN
FOR K-12 ENGLISH LANGUAGE LEARNERS

Introduction

The purpose of an EL/Title III program is to ensure children who are limited English proficient, including immigrant children and youth, attain English language proficiency, develop high levels of academic attainment in English, and meet the same challenging state academic content and student academic achievement standards as all children are expected to meet. All districts/schools have an obligation to provide appropriate services under Title VI of the Civil Rights Act of 1964 and the EEOA of 1974. Services provided to ELs using Title III funds must be supplemental.

All districts have an obligation under Title VI and the EEOA to:

- Identify and assess all potential EL students;
- Provide EL students with a language assistance program that is educationally sound and proven successful;
- Provide sufficiently well prepared and trained staff and support the language assistance programs for EL students;
- Ensure that EL students have equal opportunities to meaningfully participate in all curricular and extracurricular activities;
- Avoid unnecessary segregation of EL students;
- Ensure that EL students who have or are suspected of having a disability are identified, located, and evaluated in a timely manner and that the language needs of students who need special education and disability related services because of their disability are considered in evaluations and delivery of services;
- Meet the needs of EL students who opt out of language assistance programs;
- Monitor and evaluate EL students in language assistance programs to ensure their progress with respect to acquiring English proficiency and grade level content knowledge, exit EL students from language assistance programs when they are proficient in English, and monitor exited students to ensure they were not prematurely exited and that any academic deficits incurred in the language assistance program have been remedied;
- Evaluate the effectiveness of a school district's language assistance program(s); and
- Ensure meaningful communication with limited English proficient (LEP) parents.¹

To achieve this, all districts need to develop a local plan. The local plan is sometimes referred to as the Lau plan. Districts are not required under federal and state law to use a specific curriculum or educational approach to serving EL students. However, district must provide an effective Language Instruction Educational Program (LIEP) that meet the needs of ELs and demonstrate success in increasing English language proficiency and student academic achievement (ESEA Section 3115(c)(1)).

In developing an EL/Title III plan, the district should consult with all stakeholders. The Office for Civil Rights (OCR) provides an outline for [Developing Programs for English Language Learners](#). In the outline OCR identifies 8 key components that a district must address in creating a comprehensive EL plan: 1) Educational Approach, 2) Identification, 3) Assessment, 4) Services, 5) Staffing and Resources, 6) Transition from EL Services, 7) Monitoring, and 8) Program Evaluation.

The Office of English Language Acquisition (OELA) designed a [Tool Kit](#) based on the OCR and DOJ [January 7, 2015 Dear Colleague Letter](#) to assist districts in meeting their legal obligations to ELs. States and districts are legally obligated to provide services to support ELs in attaining English language proficiency while meeting college- and career-ready standards. ELs must have equal opportunities to participate in the district curricular, co-curricular, and extracurricular programs and activities as their non EL peers.

I. Identification and Initial Placement of ELs in a Language Instruction Educational Program (LIEP)

a. Home Language Survey (HLS)

- i. A Home Language Survey (HLS) is administered to all students enrolling in the district as a first screening process to identify potential English learner students. (See appendix)
- ii. To identify students with limited English proficiency, the parents/guardians are provided information clearly explaining the purpose of the HLS. The HLS shall be based at a minimum on four questions and if needed, translations or oral interpreters provided at no expense to the families.

- 1. What is the language most frequently spoken at home?*
- 2. Which language did your child learn when he/she first began to talk?*
- 3. What language does your child most frequently speak at home?*
- 4. What language do you most frequently speak to your child?*

- iii. Once the Home Language Survey is turned into the school's enrollment staff, if any of the answers to the four questions are "yes", a copy is given to the school's EL staff and the original is placed within the student's cumulative folder.

b. WIDA and W-APT screener

- i. A student that is identified as *potentially* EL based on the HLS should be administered the WIDA Screener Online for grades 1 – 12.
- ii. Kindergarten students will be administered the Kindergarten W-APT.
- iii. If the student in grades 1-12 scores a 4.5 overall composite, the student would be identified as Initially Fully English Proficient (IFEP) in Infinite Campus. Grades 1-12 students identified as IFEP will not take the ACCESS in January.
 - d. If the WIDA Screener Online indicates that the student is not English proficient, a Program Service Plan (PSP) should be developed for the student. (See appendix for PSP template)
- iv. The district is required to notify and provide the PSP to the parents within 30 calendar days if the student was enrolled at the beginning of the school year and within 2 weeks if the student enrolled after the start of the school year. This is required under the ESEA and [703 KAR 5:070](#).
- v. A Kindergarten student who has taken the W-APT test must be enrolled as an EL student and have a Program Service Plan (PSP) developed regardless of the score. The student will take the ACCESS in January. The student will not be able to exit the EL program until taking the ACCESS in the first grade and meeting

the exit criteria. If the student achieves an exit score, their exit date would be the first day of enrollment in the second grade.

- vi. Information on Kindergarten W-APT, WIDA Screener Online and ACCESS can be found on the [Office of Assessment and Accountability \(OAA\) ACCESS for ELLs](#) webpage. Training videos and PowerPoints can be accessed in the margin on the right side of the webpage. Questions concerning the W-APT and ACCESS should be directed to KDE's Office of Assessment and Accountability.

II. Program Services Plan (PSP) Development

- a. A school level committee will meet to complete the PSP for any students who qualify for EL services
- b. The members of the school level committee will include an EL staff member, counselor and/or administrator, a teacher, and if available a parent/guardian of the student
- c. The development of the PSP and the meeting will need to be completed in a timely manner in order to meet the parent/guardian notification timeline. (see below section on parental/guardian notification of placement)
- d. All forms and information distributed to parents/guardians must be distributed in a language and format most easily understood.

III. Parental/guardian notification of placement into a LIEP program

- a. The district is required to notify and provide the PSP to the parents within 30 calendar days if the student was enrolled at the beginning of the school year and within 2 weeks if the student enrolled after the start of the school year as required by ESEA and [703 KAR 5:070](#).
- b. "Notification of EL Program Placement" form signed and kept in student's cumulative file. (See appendix)
- c. Program Service Plans (PSP) document reviewed and signed by parent/guardian if not present during the initial PSP meeting.
- d. The PSP form must be completed initially and reviewed/updated annually.
- e. A school level committee will annual review the PSP within 30 calendar days of the beginning of school year.
- f. EL Staff in the school buildings are responsible for distributing, collecting, and filing forms in the student's cumulative file.
- g. Signed copies placed in students' cumulative files.
- h. Parent notification must include:
 - Reasons for identification
 - Child's level of English language proficiency
 - Method of instruction
 - How the program will meet the educational needs of the student.
 - How the program will help the student learn English
 - Program's exit requirements.

NOTE: All forms and information distributed to parents/guardians must be distributed in a language and format most easily understood.

IV. Process for waiving students from LIEP

- a. If parents choose to deny EL services, then a meeting is held with them to discuss recommendations, concerns, ACCESS assessment requirements and potential outcomes.
- b. The “English Language Program Parental Waiver Form” is signed to document the parent/guardian decision and kept in student’s cumulative folder. (See appendix)
- c. EL staff shares instructional supports and collaborates with staff of refusal students to ensure mastery of English and academic achievement, as required by law, without enrollment in the LIEP.
- d. The student will participate in ACCESS assessment even though not participating in the LEIP program.
- e. Mark Service Type as Sheltered English Instruction in IC and at least one Instructional Accommodation.

V. Process for annual communication with parents/guardians who have waived LIEP services

- a. Parents/guardians who have waived LIEP services, are notified yearly of their child’s English proficiency, academic status, and available supports. Parents will sign the waiver form annually to continue to waive EL services. Parents can choose to enroll eligible students into EL services at any time.

VI. Description of the Language Instruction Educational Program (LIEP)

Classroom Instructors will be the chief means of content area instruction and are required to accommodate the language needs of English Learners using the Program Services Plan (PSP) as set forth by the PSP Committee. Instructors along with EL tutors/teachers will modify lesson plans, classroom structure, and assignments in accordance with the PSP and individual student needs. Teachers will note lesson modifications in their teaching plans. English Learners materials will be made available for all teachers with EL students in accordance with classroom and individual needs.

Instructional materials, learning tasks, and classroom techniques from academic content areas are used as the vehicle for developing language, content, cognitive, and study skills. All instruction

is delivered in English.

Types of Servicing:

- **Pull-out EL/Resource** – Programs remove ELs from general education classes to preteach, teach or reteach English language skills and /or academic content covered by the general education classroom teacher.
- **Sheltered English Instruction or content-based programs (SEI)** – These group English Learners students from different language backgrounds together in classes where teachers use English as the medium for providing content area instruction, adapting their language to the proficiency level of the students.
- **Content Area Tutoring** - Programs that provide one-on-one or small group tutoring/assistance to ELs during school hours in the content areas, including English language arts, mathematics, science, and social studies. Tutoring is generally

provided by teachers other than bilingual or ESL teachers and may be provided by an aide under the direction of a teacher.

- **Content-based English as a Second Language** - This approach makes use of instructional materials, learning tasks, and classroom techniques from academic content areas as the vehicle for developing language, content, cognitive and study skills. English is used as the medium of instruction.
- **Dual Language Program** - Also known as **Two-way Immersion** or **Developmental Bilingual education**, the goal of these bilingual programs is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually comprised of half native English speakers and half native speakers of the other language.
- **English as a Second Language (ESL)** – ESL is an educational approach in which English language learners are instructed in the use of the English language. Their instruction is based on a special curriculum that typically involves little or no use of the native language, focuses on language (as opposed to content) and is usually taught during specific school periods. For the rest of the school day, students may be placed in mainstream classrooms, an immersion program, or a bilingual education program.
- **Structured English Immersion (push-in)** - The goal of this program is acquisition of English language skills so that the EL student can succeed in an English-only mainstream classroom. All instruction in an immersion strategy program is in English. Teachers have specialized training in meeting the needs of ELL students, possessing either a bilingual education or ESL teaching credential and/or training, and strong receptive skills in the students' primary language.
- **Transitional Bilingual Education Program** - This program, also known as **Early-exit Bilingual education**, utilizes a student's primary language in instruction. The program maintains and develops skills in the primary language and culture while introducing, maintaining, and developing skills in English. The primary purpose of a TBE program is to facilitate the EL student's transition to an all English instructional program while receiving academic subject instruction in the native language to the extent necessary.
- **Submersion Program** - A submersion program places EL students in a regular English only program with little or no support services on the theory that they will pick up English naturally.

VII. Ongoing, Embedded District Level EL Professional Development for Staff who Deliver Instruction or Support the LIEP for ELs

- a. In-service training is provided for all staff involved in the educational process of ELs. All educational and appropriate school personnel receive in-service training regarding instructional techniques and modifications for EL students, with continued training provided according to the district's/school's Comprehensive School Improvement plan. A record of professional development activities is maintained by the EL Facilitator, EL school level contact, and the school PD contact.
- b. Mainstream classroom teachers, administrators, and paraprofessional associates working with EL students receive yearly PD focused on EL issues, standards,

pedagogy, EL proficiency assessments, utilization of assessments to guide instruction and programming.

- c. Examples of district professional development opportunities for EL staff, administration, and staff (teachers/paraprofessionals) at EL buildings and at non-EL buildings include, but are not limited to:
 - In district professional learning offered by EL staff or EL facilitator for staff
 - Conferences, Online webinars, and/or workshops that focus on EL issues and pedagogy:
 - i. For example, WIDA workshops/online learning modules, annual KYTESOL conferences, KDE EL trainings.
 - EL trainings provided through the Kentucky Department Office of Teaching and Learning and/or WIDA.
 - KY Intro to ELD Standards Webinar

VIII. Annual English Language Proficiency Assessment and Administration (ACCESS)

- a. Annual training to appropriate staff with certificate on file with the EL Coordinator, Building Assessment Coordinator, and District Assessment Coordinator
- b. All EL staff will be required to pass with an 80% the ACCESS training along with the KDE Administration Code and Inclusion of Special Populations training each year. Completion certificates are maintained by EL staff, Building Assessment Coordinator, and District Assessment Coordinator. ACCESS Trainings are provided through WIDA PD Online modules.
- c. The Annual EL proficiency Assessment will be given to all students who qualify for EL services. This includes the students whose parents/guardians waived services.
- d. All assessment and administration guidelines will be followed by the district and school level staff members.

IX. LIEP Exit Criteria and Procedures

In order to exit from the EL program in the state of Kentucky, a student must achieve a score of 4.5 or higher Overall Composite Proficiency Level on a Tier B or a Tier C ACCESS for ELLS® 2.0 as a student in the first grade or above. Students cannot exit in Tier A. The **Program Exit Date** will be the student's first day of enrollment in the next school year.

- a. LIEP Exit Procedures
 - Parents are notified once all scores have been reported the district. Notifications go home at the end of the school year or beginning of the next year, dependent on when the district receives test scores.
 - Notify parents using "Exiting EL Program" form in language most understandable to parents/families. (See appendix)
 - Change student coding in KSIS to "exited" so the student does not continue to generate unwarranted funding. Students are recoded by the EL Facilitator or District Data Coordinator. District data personnel

responsible for entering data should refer to *EL Data Standards*.

- Begin required 4 year monitoring process.

X. Monitoring Procedures after Students Exit the LIEP Program including parent notification

Following are guidelines that a district may use to monitor the success of English learners (ELs) after they have exited the district's language instruction educational program (LIEP). Exited ELs are also referred to as re-designated fully English proficient (RFEP) students or reclassified ELs. These steps may be used as a checklist to monitor the academic performance of RFEP students:

- School level EL staff will be responsible for monitoring RFEP students.
- The school will monitor RFEP students at minimum quarterly for the length of monitoring (minimum of four-years per Title III of the ESEA as amended by ESSA (Sec. 3121(a)(5)) using the "KDE Monitoring English Language Learners" form. (See appendix)
- At minimum, grades, assessment data, and teacher observations will be reviewed to measure whether individual RFEP students are successful in the district's overall educational program.
- A school level advisory committee will meet at minimum annually to evaluate exited students' progress. This committee will include the counselor, administrator, EL staff member, and a teacher. The EL committee will review the data for each student within the school presented by the EL staff member.
- The committee will document the following:
 - The Criteria to determine EL sustained academic progress:
 - Elementary: Score within grade level parameters on district assessments in reading and math, passing grades, proficiency on state assessments in reading and math, teacher observations
 - Secondary: Passing grades, proficiency on content standards in reading and math, score within grade level parameters on district assessments in reading and math, teacher observations
 - If concerns, the committee will determine whether a lack of success is due to academic deficits incurred while the student was receiving language instruction services, the lack of English language proficiency, or other reasons.
 - The EL committee will decide the following:
 - Continue Monitoring:
 - Recommend continuing of monitoring for the following year
 - Complete monitoring form and review
 - Give Support:
 - Recommendations for follow-up support are shared with counselors and classroom teachers based on the reason for lack of success.

- Determine if returning to the LIEP program may be the follow-up support if the lack of success is determined to be the lack of English language proficiency or due to academic deficits incurred while receiving language instruction services
- Determine if an increase of the number of times to monitor the student progress.
- Re-entry to LIEP process
 - Re-assess the student with the English Language proficiency test, WIDA Model to determine if there persists to be an English proficiency issue.
 - If it is determined that the student has an English proficiency issue, return to EL form completed by the EL committee
 - “Return to English Language Learner Program” form completed and provided to parent. (See appendix)
 - Begin the development of the PSP and placement set forth in the above section II

XI. LIEP Evaluation

a. Team Based Process for how the LIEP is evaluated annually

- An EL Advisory Committee will meet at the end of the year to review the LIEP goals facilitated by a district administrator. The committee shall include EL staff member, district administrator, a parent, and a minimum one teacher
- The number of EL students tested in consecutive years in grades K-12 scoring proficient on the ACCESS will increase by 10%.
- The number of EL students will score in the proficiency range on the reading and Math portions of the KPREP, EOC, and/or other state assessments will increase each year.
- The number of EL students showing growth from the fall assessment to the spring assessment on district assessments will increase by 10%
- The EL Advisory Committee will collect data from state assessments, and district assessments to review.
- Data collected from program evaluation will impact future programming and services for ELs including but not limited to:
 - o Professional development needs
 - o Adjustment of the LIEP
 - o Teacher scheduling
 - o Curricular needs
- The EL Advisory Committee will assist with reviewing Title III Assurances

APPENDIX

The Department of Justice and Office of Civil Rights Joint Guidance document may be downloaded from: <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>

LEGAL BACKGROUND ON EL SERVICES

This information in this section is a brief summary and background to the legal requirements for servicing EL students. Each summary contains a link to websites that contain more detailed information on each Law or court ruling.

Title VI of the Civil Rights Act of 1964 – Title VI prohibited discrimination on the basis of race, color, or national origin in any federally assisted program. It has been interpreted to include the prohibiting of equal access to education because of a students limited English proficiency.

Bilingual Education Act of 1968 - The Act, also known as Title VII, provided supplemental funding for school districts interested in establishing programs to meet the "special educational needs" of large numbers of children of limited English speaking ability in the United States. It was reauthorized in 1994 as part of the Improving Schools Act. Under No Child Left Behind the Bilingual Education Act was renamed **the English Language Acquisition, Language Enhancement, and Academic Achievement Act (Title III)**

Equal Educational Opportunity Act (EEOA) of 1974 – The civil rights statute prohibited states from denying equal educational opportunity 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 program.

Lau v. Nichols (1974) – Supreme Court case in which the court ruled students cannot be denied access in and participation in an educational program due to inability to speak or understand English. The court ordered that districts must take affirmative steps to overcome educational barriers faced by non-English speaking students. *"There is no equality of treatment by providing students with the same facilities, textbooks, teachers and curriculum, for students who do not understand English are effectively foreclosed from any meaningful education."*

Castaneda v. Pickard (1981) – Circuit Court ruling set the criteria for examining EL programs. The court established a three-part test to evaluate the adequacy of a district's program for EL students:

- 1) Qualified teachers implementing sound theory (includes training of staff).
- 2) Soundness of Educational Approach (Effective teaching methods, including resources and personnel).
- 3) School districts must evaluate its programs and make adjustments where needed to ensure language barriers are actually being overcome.

Plyler v. Doe (1982) - U.S. Supreme Court ruled that public schools may not require social security numbers from all students as this may expose undocumented status. Students are also not required to show an original birth certificate for enrollment; "other reliable proof" such as a baptismal certificate, family bible with dutiful records, or an affidavit would suffice in place of the birth certificate.

January 7, 2015 Dear Colleague Letter – Joint guidance developed by the Department of Justice (DOJ) and Office of Civil Rights (OCR) that outlined state, district and school legal obligations to providing services to EL students and families.

Every Student Succeeds Act (ESSA) of 2015 - The law replaced the **No Child Left Behind Act (NCLB)**, and is a reauthorization of the 1965 Elementary and Secondary Education Act.

DEFINITIONS AND ACRONYMS

Common terminology and acronyms

ACCESS for ELLs 2.0 - secure large-scale English language proficiency assessment administered to Kindergarten through 12th grade students who have been identified as English language learners (ELLs) annually. The online assessment replaced the paper-based assessment, ACCESS for ELLs.

AMAO – Annual Measurable Achievement Objective; accountability mechanism for Title III specific to ELs in the No Child Left Behind (NCLB) Act; ESSA ended Title III AMAOs and shifts accountability for ELs from Title III to Title I

Content Area Tutoring - Programs that provide one-on-one or small group tutoring/assistance to ELLs during school hours in the content areas, including English language arts, mathematics, science, and social studies. Tutoring is generally provided by teachers other than bilingual or ESL teachers and may be provided by an aide under the direction of a teacher.

Content-based English as a Second Language - This approach makes use of instructional materials, learning tasks, and classroom techniques from academic content areas as the vehicle for developing language, content, cognitive and study skills. English is used as the medium of instruction.

DOJ – Department of Justice

Dual Language Program - Also known as **Two-way Immersion** or **Developmental Bilingual education**, the goal of these bilingual programs is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually comprised of half native English speakers and half native speakers of the other language.

EL – English Learner

English as a Second Language (ESL) – ESL is an educational approach in which English language learners are instructed in the use of the English language. Their instruction is based on a special curriculum that typically involves little or no use of the native language, focuses on language (as opposed to content) and is usually taught during specific school periods. For the rest of the school day, students may be placed in mainstream classrooms, an immersion program, or a bilingual education program.

English Language Development (ELD) - English language development (ELD) means instruction designed specifically for English language learners to develop their listening, speaking, reading, and writing skills in English. This type of instruction is also known as **English as a Second Language (ESL)**, **Teaching English to Speakers of Other Languages (TESOL)**, or **English for Speakers of Other Languages (ESOL)**.

ELL – English Language Learner

ELP - English Language Proficiency

ELSWD – English Learner Students with Disabilities

EPSB – Education Profession Standards Board

ESEA – Elementary and Secondary Education Act

ESSA – Every Student Succeeds Act

FERPA – Federal Educational Rights and Privacy Act

HLS – Home Language Survey

IFEP – Initially Fully English Proficient

KYTESOL – Kentucky Teachers of English to Speakers of Other Languages

Lau Plan – a name for the local English Language Learner Plan; name is derived from the Lau v. Nichols ruling that requires services be provided for ELL students to assist in overcoming educational barriers of limited English proficiency

LEA – Local Education Agency

LEP – Limited English Proficient; term used under NCLB; replaced with English Learner (EL) in ESSA; English Language Learners (ELL) is also acceptable replacement term for LEP

LIEP – Language Instruction Educational Program

Maintenance Bilingual Education (MBE) - MBE, also referred to as **Late-exit Bilingual education**, is a program that uses two languages, the student's primary language and English, as a means of instruction. The instruction builds upon the student's primary language skills and develops and expands the English language skills of each student to enable him or her to achieve proficiency in both languages, while providing access to the content areas.

NCELA - National Clearinghouse for English Language Acquisition

Newcomer Program - Newcomer programs are separate, relatively self-contained educational interventions designed to meet the academic and transitional needs of newly arrived immigrants. Typically, students attend these programs before they enter more traditional interventions (e.g., English language development programs or mainstream classrooms with supplemental ESL instruction).

OCR – Office for Civil Rights

OELA – Office of English Language Acquisition

PHLOTE – Primary Home Language Other Than English

PSP – Program Service Plan

Pull-out ESL/Resource - Programs remove ELLs from general education classes to pre-teach, teach or reteach English language skills and /or academic content covered by the general education classroom teacher.

RFEP –Re-designated Fully English Proficient

SEA – State Education Agency

Sheltered English Instruction - An instructional approach used to make academic instruction in English understandable to ELL students. In the sheltered classroom, teachers use physical activities, visual aids, and the environment to teach vocabulary for concept development in mathematics, science, social studies, and other subjects.

SIOP – Sheltered Instruction Observation Protocol

Structured English Immersion Program - The goal of this program is acquisition of English language skills so that the ELL student can succeed in an English-only mainstream classroom. All instruction in an immersion strategy program is in English. Teachers have specialized training in meeting the needs of ELL students, possessing either a bilingual education or ESL teaching credential and/or training, and strong receptive skills in the students' primary language.

Submersion Program - A submersion program places ELL students in a regular English-only program with little or no support services on the theory that they will pick up English naturally. This program should not be confused with a structured English immersion program.

TESOL - Teaching English to Speakers of Other Languages

Transitional Bilingual Education Program - This program, also known as **Early-exit Bilingual education**, utilizes a student's primary language in instruction. The program maintains and develops skills in the primary language and culture while introducing, maintaining, and developing skills in English. The primary purpose of a TBE program is to facilitate the ELL student's transition to an all English instructional program while receiving academic subject instruction in the native language to the extent necessary.

USDE – United States Department of Education

W-APT - WIDA-ACCESS Placement Test

WIDA – stopped using the acronym definition of World-Class Instructional Design and Assessment Consortium and is now just WIDA. It is a non-profit cooperative group whose mission is to advance academic language development and academic achievement for children and youth who are culturally and linguistically diverse through high quality standards, assessments, research, and professional learning for educators.

Additional EL terms and definitions can be found on the [Office for Civil Rights glossary webpage](#).

Ballard County Schools Home Language Survey

In order to provide equal educational opportunities for all students, Ballard County Schools needs the following information. An answer of "other," means that your child will be screened to determine his or her English language proficiency and educational needs.

Student's Name _____
(Last) (First) (Middle)

School _____

Homeroom Teacher _____

1. What is the language most frequently spoken at home?

_____ English
_____ Other (specify) _____

2. Which language did your child learn when he/she first began to talk?

_____ English
_____ Other (specify) _____

3. What language does your child most frequently speak at home?

_____ English
_____ Other (specify) _____

4. What language do you most frequently speak to your child?

_____ English
_____ Other (specify) _____

5. Where was your child born? _____

6. Where and how long has your child attended school in the U.S. prior to enrolling

In Ballard County? _____

Names of schools _____

7. Which would be the best method for our child's school to communicate with you?

_____ In English _____ In writing _____ orally
_____ In writing in my native language of _____
_____ Orally in my native language of _____

Note: This form must be completed by each student enrolled in Ballard County Schools. The original must be filed with a child's cumulative folder and a copy sent back to your school's EL Contact.

The Ballard County School System does not discriminate on the basis of race, color, national origin, sex, age or disability in employment or provisions of services.

BALLARD COUNTY SCHOOLS

STUDENT SERVICES DIVISION
ENGLISH LANGUAGE LEARNER DEPARTMENT
Language Service Plan for Students with Limited English Proficiency
 Required under Federal Law (Title III, Sec 3302, No Child Left Behind Act of 2001)

GENERAL DATA

Name	<i>Last</i>					<i>First</i>					<i>Middle</i>	
	<i>School</i>									<i>Grade</i>		
Gender		Home lang.	Hispanic		Date of Birth			Country of Birth				
Home/School communication to parent/guardian requested in:					English			Native Language		Oral		Written

ACADEMIC HISTORY

Retained in grades:		Date of First U.S. English School		Date of Enrollment in CRITTENDEN County Schools		Immigrant Status (less than three years)	
Comments:							
Last Grade Completed:		Interrupted Education		Limited Schooling		No formal Schooling	
Has the student been referred for Special Education? (yes or no?)				Does the child have an IEP? (yes or no?)			
Grades attended Schools in the U.S....	Preschool		Second		Fifth		Eleventh
	Kindergarten		Third		Sixth		Twelfth
	First		Fourth		Seventh		

Language Proficiency Test Information

W-APT for English Learners Placement (<http://www.wida.us/downloadLibrary.aspx>)
 Grade K – 1, 1st Semester

Listening & Speaking Score	Oral Proficiency Category	Reading Score	Diagnostic Skills Description	Writing Score	Diagnostic Skills Description
0-10	Limited English Proficient – Low	0-2	No demonstrable skills	0-3	No demonstrable skills
		3-5	Can match simple pictures	4-7	Can copy letters
		6-10	Can recognize letters	8-11	Can complete simple words w/ initial letter
11-18	Limited English Proficient – Mid	11-12	Can recognize words	12-14	Can write simple words
19-28	Limited English Proficient – High	13	Can read simple phrases	15-16	Can write simple phrases
20-30	Orally English Proficient	14-15	Can read simple sentences	17-18	Can write simple sentences
Student's Proficiency Level					
Speaking	Writing	Listening	Reading	Literacy Composite	Overall Composite

W-APT® Composite Proficiency Levels Grades 1, 2 nd Semester – Grade 12		Overall Score (Composite) Range
Level 1 Entering	Limited English Proficient	1.0-1.9
Level 2 Emerging	Limited English Proficient	2.0-2.9
Level 3 Developing	Limited English Proficient	3.0-3.9
Level 4 Expanding	Limited English Proficient	4.0-4.9
Level 5 Bridging	Fully English Proficient	5.0-5.9
Level 6 Reaching	Fully English Proficient	6

Student's Proficiency Level						
Speaking	Writing	Listening	Reading	Literacy Composite	Oral Composite	Overall Composite

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	Date: Score	Level	Date: Score	Level	Date: Score	Level	Date: Score	Level	Date: Score	Level	Date: Score	Level	Date: Score	Level
Listening														
Speaking														
Reading														
Writing														
Composite SCORE														

PARTICIPATION IN THE STATE-REQUIRED ASSESSMENT AND ACCOUNTABILITY SYSTEM

Date of entry to an English Speaking School											
Student will participate in:											
x	Annual English Language Proficiency Assessment (ACCESS)										
	State-Required Assessment and Accountability Program:				Participation only		KPREPaccountable		Portfolio		
Accommodations will be provided : (for grades 3-12)											
	Reader	Scribe	Paraphrase (simplified language)	Bilingual/English Dictionary	Extended Time	Manipulatives	Assistive Technology (eg. Calculator)				
Accommodations will not be provided											

ELL SERVICE/TYPE

Date LEP Identified		Date LEP Enrolled			*Monitoring FEP – FEP/RFEP status by:		EXIT CRITERIA: 5.0 Overall Composite and 4.0 Literacy Level	
	Parent waived services or withdrew student from services	Content Area Tutoring		Structured English immersion (push-in)			ACCESS	X
	Sheltered English Instruction	Pull-Out ESL/Resource		Student will receive special education			District Assessment	X
	DBE Developmental bilingual education	Content-based ESL					K-Prep Data	
Comments:								
ELL Goals:		*Develop Fluency in English *Demonstrate adequate yearly progress (AYP) in English language development and academic achievement						

INSTRUCTIONAL METHODS IN THE REGULAR CLASSROOM

	Read text to Student in English*		Reread/Restate directions for each subtask or as needed
	Simplified Language (paraphrase)*		Modify assessments and daily assignments
	Bilingual or English Dictionary (word to word)*		Model Language and Task Completion
	Small Group/ Single Test Form Admin. *		Use manipulatives/ hands on items
	Reader in Primary Language *		Model final product desired
	Oral Native Language Support *		Use Flashcards/picture dictionary/labeling
	Extended Time- Adapt pace of instruction*		Use books on tape/ record material for student listening
	Assistive Technology- RWG, Alphasmart, software*		Check comprehension frequently
	Scribe Responses (dictation)*		Use recognition activities (matching, multiple choice, etc.)
	Provide visual-graphic organizers, pictures, maps, graphs, gestures,...to aid in understanding		Allow recording of ideas as a prewriting strategy (self-scribe)

	Manipulatives, hands on items etc.		Use guided writing /dictation/modeling
	Build Background knowledge/link to prior learning		Introduce/clarify idiomatic terms
	Scaffold Responses		Frontload vocabulary/ build content vocabulary
	Use grammar/ spell check		Reduce and/or modify class and homework / assessments
	Provide Content / Language Objectives		Seat student in close to teacher, alongside Study Buddy
	Engage in Academic Conversations		Reinforce oral instructions with written, provide copies of transparencies/notes/lectures
	Provide Opportunities for Interaction/ Encourage spoken Language Practice		Expected Rate of Transition: With regular school attendance and parental support, it is anticipated that the student will transition to full participation in classrooms that are not tailored for students with limited English proficiency in 3 years.

Recent Scores:	Level 1 Entering	Level 2 Beginning	Level 3 Developing	Level 4 Expanding	Level 5 Bridging	6
Listening: <div></div>	Understands very little to small degree overall - Can point to stated pictures, words or phrases -Can follow one-step oral directions -Can match oral statements to objects, figures or illustrations	Has difficulty comprehending academic related discussions -Can sort pictures, objects according to oral instructions -Can follow two-step oral directions -Can match information from oral descriptions to objects, illustrations	-Can understand most questions and conversations on familiar topics spoken at normal speed -Can locate, select, order information from oral descriptions -Can follow multi-step oral directions -Can categorize or sequence oral information using pictures, objects	-Can compare and contrast functions, relationships from oral information -Can analyze and apply oral information -Can identify cause and effect from oral discourse -Can follow complex & multi-level directions	-Can draw conclusions from oral info. -Can construct models based on oral discourse -Can make connections from oral discourse -Can comprehend spoken language in various contexts without difficulty -Can identify and analyze audience, speaker, tone, purpose, style	Reaching
Speaking: <div></div>	Doesn't speak/speaks brokenly -Responds with gestures/limited speech -Can name objects, people, pictures -Can answer WH- questions	Responds with simple sentences or phrases -Can ask WH- questions -Can describe pictures, events, objects, people -Can restate facts	Responds appropriately to many questions in classroom settings, but might grope for needed vocabulary at times -Can formulate hypotheses -Can make predictions -Can retell stories or events	-Can participate in classroom discussions without difficulty -Can discuss stories, issues, concepts -Can offer creative solutions to issues -Can describe processes, procedures	-Can engage in debates -Can explain phenomena -Can give examples and justify responses -Can express and defend points of view Can give speeches, oral reports	
Reading: <div></div>	Relies heavily on pictures and context clues for understanding -Can match icons and symbols to words, phrases or environmental print -Can identify concepts about print and text features	Reads simple printed material w/familiar context -Can locate and classify information -Can identify facts and explicit messages -Can select language patterns associated with facts	-Can identify most specific facts within a text -Can sequence pictures, events, processes -Can identify main ideas -Can use context clues to determine meaning of words	-Can interpret information or data -Can find details that support main ideas -Can identify word families, figures of speech	-Can conduct research to glean information from multiple sources -Can apply reading to practical, real-life situations -Can draw conclusions from explicit and implicit texts	
Writing: <div></div>	Copies and begins to write ABCs/words/sentences -Can label objects, pictures, diagrams -Can draw in response to a prompt -Can produce icons, symbols, words, phrases to convey messages	Shows some knowledge of basic sentence construction with errors -Can make lists -Can produce drawings, phrases, short sentences, notes -Can give information requested from oral or written directions	Produces bare-bones expository or narrative texts -Can compare/contrast information -Can describe events, people, processes, procedures -Can write portfolio pieces at the novice or apprentice level	Errors don't impede overall meaning and may reflect L1 interference -Can summarize info. from graphics or notes -Can edit and revise writing -Can create original ideas or detailed responses	Writing has varied sentence length in paragraph or extended text - Can apply info. to new contexts -Can author/ react to multiple genres and discourses -Can produce writing that expresses complete thoughts in social and academic settings	
Cumulative Proficiency Level:	Level 1 Entering	Level 2 Beginning	Level 3 Developing	Level 4 Expanding	Level 5 Bridging	

(Adapted from WIDA's CAN DO List)

Signatures and dates of persons involved in the development of the Language Service Plan:

Principal		Date:
Counselor		Date:
ELL Staff		Date:
Teacher		Date:

Original PSP: ELL folder **Copies:** Cum folder; Parent; Teacher(s)

Essential Elements of a Program Services Plan (PSP) English Learner (EL) Students

Required under ESEA Section 1112(e)(3):

The parental notification must include:

- The reason for identification of the child as an EL;
- The child's level of English language proficiency, how the level was assessed, and the status of the child's academic achievement;
- Methods of instruction used in the program in which the child is, or will be, participating, and the methods of instruction used in other available programs, including how the programs differ;
- How the program will meet the educational strengths and needs of the child and help the child achieve English language proficiency, and meet academic standards;
- Exit requirements for the program, expected rate of transition to a classroom not tailored for EL students, and expected rate of high school graduation;
- In the case of a child with a disability, how the program meets the annual goals in the child's individualized education program (IEP); and
- Information regarding parents' right to withdraw the child from a program upon their request, and to decline enrollment or choose another program or method of instruction, if available.

The notification must be provided no later than 30 calendar days after the beginning of the school year or within the first two weeks of placement in an LIEP for students who enroll after the start of the school year. (ESEA Section 1112(e)(3)(A), 1112(e)(3)(B))

The notice and information provided must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand. (ESEA Section 1112(e)(4))

Required under state regulation (703 KAR 5:070, Sec. 2, Inclusion of Special Populations in the State-Required Assessment and Accountability Programs):

If accommodations are needed, documentation shall include:

- The name and date of the English language proficiency assessment administered to determine a student's EL status;
- A PSP that includes the specific accommodations to be implemented in instruction;
- A list of the names of the PSP committee members who reviewed the documentation and made the decisions. The list of staff shall be placed with the Title III records;
- The appropriate accommodations needed; and
- The signature of the principal of the appropriate school as an indication of approval for the described accommodations.

Notification of EL Program Placement Sample Letter

_____ **Initial Placement** _____ **Continuing Placement**

Student Name _____

School _____

Date _____

Grade _____

Dear Parent(s) or Guardian:

Based on your child's English proficiency test scores, level of academic achievement, and teacher recommendation, we are pleased to inform you that your child will receive instruction in our district's English Learner program. The goal of the district's English Language program is to help your child learn English and meet age-appropriate academic standards. Although you may request to have your child removed from the English Language program, students normally participate for a period of _____ years. Multiple criteria are used in making determinations regarding when a student no longer needs program services. These criteria include:

If your child has an Individualized Education Program (IEP), improvement in his/her ability to speak, read, and write in English will help meet the objectives of their IEP.

Your child's level of English was measured using the following test:

Level of English Proficiency: _____

Your child's level of academic achievement was measured using the following:

Level of academic achievement based on the above assessment:

The method of instruction used in your child's language assistance program is:

Program Description: _____

Other information: _____

Please contact _____ at (Phone number, email address) in order to request additional information regarding available services or decline program services.

Sincerely,

Kevin S. Estes
Chief Academic Officer – ELL Coordinator

ENGLISH LANGUAGE PROGRAM

Parental Waiver Form

Student Name _____ School _____

Opt-out Date _____ Grade _____

As required by federal law, your child has taken an English language proficiency test to determine if s/he qualifies for English Language (EL) instruction in order to comprehend daily lessons and participate socially in school. Your child has been tested in English reading, writing, speaking and listening. The test scores indicate that s/he is eligible to receive EL instruction in a program designed to help students acquire English language proficiency and access grade level content instruction.

Parental Right to Refuse EL Services: The school has described in detail the EL program they recommend for my child. I have considered the program(s) offered by the school and have chosen to decline separate, specialized EL instruction for my child. Specialized services or classes are those provided only for English Learners (ELs), for example EL pull-out classes, ESL tutoring, after-school English tutoring for ELs or content classes consisting of only ELs. This does not include a class composed of ELs and non-ELs in which EL is supported through content instruction. By checking (X) each item below, I acknowledge that I have read and understand each statement.

☐ I am aware of my child's English language assessment score and other information about my child's current academic progress, and understand why s/he was recommended for additional English language instruction.

☐ My decision to decline or opt-out of specialized EL instruction is voluntary.

☐ Federal law requires that my child will be tested annually with the WIDA ACCESS for ELs 2.0 until s/he attains English proficiency and is no longer considered EL status.

☐ The school district will monitor my child's academic progress without benefit of receiving specialized EL instruction until my child attains English proficiency, and four years after exit from EL status.

☐ The school district will continue to inform me of my child's progress in attaining English proficiency.

☐ I can change my preference at any time by notifying the school district in writing, and allow my child to enroll in the EL program(s) offered by the school.

I, _____ (parent/guardian name) with a full understanding of the above information, wish to

☐ Decline **all** of the specialized EL programs and services offered to my child.

☐ Decline **some** of the EL programs and/or particular EL services offered to my child.

Parent/Guardian Signature:

Dear Parent or Guardian,

This past year, all English Learners (EL) in Kindergarten through Grade 12 took ACCESS for ELLs 2.0. The purpose of the test is to find out how much English your child has learned. We will use this information to help your child improve in listening, speaking, reading, and writing English each year. We also use the assessment ACCESS for ELLs 2.0 to determine the language support services for each EL and when to exit ELs from services.

To meet the language demands of college and career readiness standards, World-Class Instructional Design and Assessment (WIDA) raised the English language proficiency expectations for ELs with its new ACCESS for ELLs 2.0 assessment. Because of these higher expectations, KDE hosted a standards setting process to review performance data and recommended a new exit criteria for ACCESS for ELLs 2.0. WIDA psychometric staff facilitated a standards setting committee of EL Coordinators, District Assessment Coordinators (DACs), administrators, and a Special Education Director on August 1 in Frankfort. Education Commissioner Stephen Pruitt approved the committee's recommendation. Kentucky's new exit criteria of 4.5 on a Tier B or C in grades 1-12 has been applied to the 2021-22 ACCESS scores. This score is retroactive to the 2020-21 school year.

By changing the exit criteria, your child no longer requires direct English language support services. Your child will continue to be monitored for academic success. The [Resources for Parents and Families](#) on the WIDA website provides resources for ACCESS for ELLs 2.0 assessments.

If you have questions, please contact your DAC or EL Coordinator in your district. We look forward to working with you to ensure that your child – and all Kentucky students – are well prepared for college, career, and life.

Sincerely,

Kevin S. Estes
ELL Coordinator

Kentucky Exit Procedures and Criteria

703 KAR 5:070 defines Exited English learners (EL) as a student who after having been designated EL based on the initial assessment of English language proficiency, subsequently scores Fully English Proficient (FEP) on the assessment of English language proficiency (ELP). The Kentucky ELP assessment is the ACCESS 2.0 that all ELs are required to take each year.

On August 1, 2017 the Kentucky Department of Education (KDE) held a statewide stakeholder meeting on standard setting facilitated by WIDA research scientist Gary Cook. Based on the standards setting report, Kentucky will implement a new exit criteria. ELs that have attained a score of 4.5 or higher Overall Composite Proficiency Level on ACCESS 2.0 in the 1st grade or above will be considered English language proficient (ELP) and exit from the EL program. Information on how to enter the student's new status in Infinite Campus can be found in the [EL Data Standards](#).

The students' program exit date will be the student's first day of enrollment in the next school year. The student then begins year one of monitoring status. The district should monitor the student for four years. Districts should refer to the [English Learners and Immigrant Resources](#) webpage for documents and guidance on monitoring exited students.

Kentucky Department of Education

Monitoring English Language Learners

Student Name _____ Grade _____
 School _____ School Year _____
 Exit Date for direct ESL Services _____ Number years in LEP program _____
 Monitoring Year: Year One _____ Year Two _____ Year Three _____ Year Four _____

ASSESSMENT DATA (Enter any assessments used and the corresponding data)					
KPREP		ACT		OTHER:	
KPREP-EOC		NAEP		OTHER:	
OTHER:		OTHER:		OTHER:	
ACCESS 2.0 DATA (enter the corresponding Proficiency Levels)					
Listening		Reading		Literacy	
Speaking		Writing		Overall	

First Quarter Grades		Second Quarter Grades	
<u>GRADES:</u> 	<u>ACTION TAKEN:</u> 	<u>GRADES:</u> 	<u>ACTION TAKEN:</u>
Third Quarter Grades		Fourth Quarter Grades	
<u>GRADES:</u> 	<u>ACTION TAKEN:</u> 	<u>GRADES:</u> 	<u>ACTION TAKEN:</u>

Observations		
<u>DATES:</u>	<u>BY</u> <u>WHOM:</u>	<u>OBSERVATION INFORMATION:</u>

Meetings/Conferences (Attach minutes)	
<u>DATES:</u>	<u>ATTENDEES:</u>

NOTES:

Please attach any additional documents or pertinent information.

Return to English Language Learner Program

Student Name _____ School _____

Date _____ Grade _____

Based on the following data we recommend that your student return to the EL program

Current academic performance and/or English language skills weaknesses –

Data to support return to EL program:

ACCESS Scores

Reading: _____ Speaking: _____ Writing: _____ Listening: _____ Composite: _____

State Assessment Scores

Test name: _____ Reading: _____ Math: _____

District Assessments

Test name: _____ Reading: _____ Math: _____

Grades

Reading: _____ Math: _____

English language proficiency scores

Reading: _____ Speaking: _____ Writing: _____ Listening: _____ Overall: _____

Parent observations and/or feedback –

Teacher observation –

Return to EL program effective on:

Parent/Guardian Signature: _____ Date: _____

El Coordinator Signature: _____ Date: _____

Teacher: _____ Date: _____

Counselor: _____ Date: _____

Other: _____ Date: _____

Ballard County Lau Plan Committee

Kevin S. Estes – Chief Academic Officer

Tim Adams – Ballard Memorial HS Principal

Kara Curran – Ballard Memorial HS Guidance Counselor

Amber Parker – Ballard County Middle School Principal

Ashley Bodell – Ballard County Middle School Guidance Counselor

Chris Sheffer – Ballard County Elementary School Principal

Ginger Higgins – Ballard County Elementary School Guidance Counselor

Terri Wehmeyer – Ballard County Schools Special Education Director and Preschool Coordinator