

Rivendell Interstate School District
Lau Multilingual English Learner Program Plan
Updated 1/23/2026

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Introduction & Legal Foundations

The U.S. Supreme Court's 1974 decision in *Lau v. Nichols* was made to ensure that all students have equal access to education and to state that identical education does not constitute equal education under the Civil Rights Act of 1964. The Rivendell Interstate School District maintains a current Lau plan and this plan describes what the school district will do to provide equitable access to education for English learners. The RISD Lau Plan will be posted on the website and updated periodically to ensure compliance with state and federal statutes and regulations. Lau plans are working documents that should be updated regularly. Our Lau plan also functions as our English learner program plan and handbook.

In response to a landmark decision in *Lau v. Nichols*, the U.S. Office of Civil Rights created the Lau Remedies. These remedies apply to all school districts and function as compliance standards. With the Lau Remedies, schools are required to provide emergent EL students English Language (EL) instruction. Lau was codified into federal law through the Equal Educational Opportunities Act of 1974 (EEOA).

Due to *Lau v. Nichols*, every district must have a Lau Plan. The Lau Remedies outline the approaches, methods, and procedures for identifying and evaluating students' skills in the English language, determining instructional plans, deciding when ELs are ready

for mainstream classes, and determining professional standards to be met by teachers of ELs.

After the Lau Remedies, the US Department of Justice communicated the following guidance:

- ELs must receive instruction in the school district's core curriculum.
- Meaningful access to the core curriculum is a key component in ensuring that ELs acquire the tools to succeed in general education classrooms within a reasonable length of time.
- Schools must provide full access to the grade-appropriate core curriculum from the start of the EL program while using appropriate language assistance strategies in the core instruction.
- School districts must ensure that their specialized instruction (e.g., bilingual or sheltered content classes) does not use a watered-down curriculum that could leave EL students with academic deficits when they transition from EL programs into general education classrooms. Such specialized instruction should be designed so that EL students can meet grade-level standards within a reasonable time.

* Language is deeply intertwined with culture. Losing one's proficiency in one's native language often means losing a part of one's culture and identity. Multilingualism prepares students to be global citizens. English learner programs can strive to provide resources in the native language of their students. In addition, researchers have found that strengthening the home language can make it easier for a student to learn English.

The phrase "Multilingual" indicates that the student's home language is a valued asset for students and that our goal is multilingualism. We often refer to our English learners as "multilingual students". We continue to use the term "English learner" in written procedures to describe students identified as English learners because the federal laws and funding that protect English learners still use the term. We continue to use the term "Multilingual Program" because it is inclusive of all of the purposes of the EL program including EL students and providing language access for multilingual families.

An English learner (EL) is a student who speaks a language other than English and is qualified to receive English learner services. The RISD hires a qualified teacher who holds the appropriate Vermont educators' license to determine which students receive EL (English Language) services based on results from the WIDA ACCESS English language proficiency screener. Specific definitions, as well as eligibility and exit requirements, are outlined further in this plan and adhere to Vermont state guidance for the provision of EL services as outlined by the Vermont Agency of Education.

Rivendell Interstate School District's Multilingual Program Mission: To ensure that all English learners (ELs) have access to a high-quality education that prepares them for college, career, and beyond. The mission of the Rivendell Interstate School District Multilingual Program is to provide high-quality public education for English learners by valuing and encouraging multilingualism, building community, and using best practices for English learners in the classroom.

1. Identification and Placement of Potential EL Students

a. General

- i. All ELs who may require services must be screened in a timely, valid, and reliable manner. Screening must occur within 30 days of the start of school if the student registers at the beginning of the school year and within 15 days if the student enters mid-year.
- ii. Students must be exited from the program when they are considered proficient in English according to the criteria set by the state of Vermont (an overall score of 5.0 on the WIDA ACCESS). Parents must be notified by RISD of this change in status through the "English Learner Program Exit Letter" on the [Parent Notices](#) website.
- iii. Exited students must be monitored for two years.

b. Screening and Identification Process

- i. The Director of Special Education oversees and coordinates the district's Multilingual Wida screening, WIDA assessments, and the provision of multilingual services, through consulting with a licensed multilingual teacher consultant.
- ii. RISD follows the [guidance provided by the Vermont Agency of Education](#) regarding the identification and placement of multilingual students learning English.

Step 1: Families Complete Home Language Survey

At the time of registration, parents/guardians of each new student will complete the [Vermont Home Language Survey](#) (HLS). The form is included as part of the registration packet. The form is also [available in other languages](#) and may be provided as needed. Interpretation support may also be necessary and provided at this point. The survey is completed by parents/guardians or school personnel when students first register for school in the supervisory union in any grade. If any other

language is indicated on the Survey, the Director of Special Education is notified and provided with a copy of the Home Language Survey.

School officials may request proof of residency in the supervisory union or district, but may not ask about a student or family's immigration status or request documentation related to immigration. School officials may accept any of the following documents as proof of a child's age: birth certificate, religious, hospital, or doctor certificate, entry in family's religious text, adoption record, parent affidavit, or previously verified school record.

Step 2: Potential English Language Learners Screened

The Director of Special Education contacts the EL consultant or teacher to review the survey, conduct any necessary interviews with parents and students, determine if testing is necessary and, if necessary, screen the student.

The EL consultant or teacher may inquire further of the family to determine the extent to which a language other than English is used in the home or if the student has already been screened or assessed in another district or state. If the EL teacher determines that the student is a potential EL student and does not already have an English language proficiency score from a WIDA assessment, the EL teacher screens the student with the appropriate assessment for the grade within 10 days of enrolling in school or from the first day of school if enrolled over the summer.

Grid of Screening Assessments

Grade	Screener
PreK - prior to final semester before Kindergarten	PRE-KINDERGARTEN SCREENING TOOL (PKST)
Last semester of PreK - first semester of Kindergarten	WIDA Kindergarten screener , listening & speaking sections only
Second semester Kindergarten -	Kindergarten screener , all sections (listening, speaking, reading & writing)

first semester of grade 1	
Second semester grade 1 - grade 12	Grade Level WIDA Screener online , all sections

Students who score less than 5.0 overall on the WIDA screener for their grade are eligible for English language services. A score report and WIDA screener report are generated by the EL teacher to show that the student was screened as a potential EL student and the reports are placed in the student's permanent file and shared with the family.

Step 3: *EL Status Documented and Submitted*

The EL consultant or teacher completes the Home Language Survey section on page 2 of the HLS to indicate whether the student is identified as an English learner and/or immigrant child or youth. A copy of the completed HLS is included in the student's permanent file. The EL teacher returns the completed HLS to the school's registrar or administrative assistant. The EL teacher then enters the data into the [VT AOE's Home Language Survey data collection site](#).

If it is determined that the student qualifies for EL services, the EL consultant or teacher will develop an [EL Service Plan](#) which outlines the nature and frequency of EL services provided to the student that year. The [EL Service Plan](#) will be revisited throughout the year and may be revised to meet the changing needs of the student.

The student's EL designation is recorded in the student data management system by the registrar/administrative assistant at the school the student attends. The following information is also included in the system: student's native language, if parents need interpretation/translation and any other relevant information. The Director of Special Education and will check the student data management system regularly to ensure all data is accurate.

Original copies of the [Vermont Home Language Survey](#) (HLS), WIDA screener report and [EL Service Plan](#) are generated by the EL teacher to show that the student was screened as a potential EL student and the reports are placed in the student's permanent file and shared with the family.

Step 4: Families Informed about EL Status

Parents/guardians are informed about the results of the screening and EL identification and placement decisions in a language they can understand within 30 days of enrollment or within 15 days of arriving in the district if the student's arrival occurs after the start of the year. "Determination of Student Eligibility for Program Placement" and "English Learner Program Placement" parent notification letters can be printed from the [Parent Notices](#) website.

Parents/guardians may refuse EL services, but they may not refuse the annual WIDA English language proficiency testing. If a parent/guardian wishes to refuse services, the EL teacher and Director of Special Education should meet with the parents to discuss their concerns and they should complete and sign the Explanation of Consequences for Refusing English Learner Program letter from the [Parent Notices](#) website. A copy of this signed form should be placed in the student's file. Even if parents refuse services, the EL teacher will continue to monitor the student as they move through the system and support the classroom teacher in ensuring that the student can access the curriculum, even without an EL service plan. Parents may request services at any time and need to sign a new copy of the Explanation of Consequences for Refusing English Learner Program letter every year.

Step 5: School Notification

The Director of Special Education or the EL teacher will notify the principal, classroom teacher, and other relevant personnel of the determination and the details of the EL Service Plan, including any indication of parent refusal for services.

Annual Notification of Eligibility and Service Plan

Parents/caregivers will be notified of eligibility for services at the beginning of every school year based on their student's previous year's WIDA scores. Eligibility letters from the Parent Notices website with the score reports from the previous year must be sent out within 30 days of the start of the school year.

- c. EL Service Categories
 - i. Based on the screening and identification process, students receiving EL services fall into one of three categories:

1. Student Receiving EL Services – A student who qualified and is receiving services.
2. Monitoring – A student who received EL services and has met exit criteria according to the WIDA ACCESS test score must be, per VT regulations, monitored by a qualified EL teacher for two years prior to fully exiting the program. Students are listed as Monitoring Year 1 (MY1) or Monitoring Year 2 (MY2). During this time, EL teachers will review student academic records and assessment results and consult with teachers to ensure that the student’s academic progress is not being hindered by language proficiency.
3. Exited – Following two years of monitoring students who received EL services will exit the EL program.

d. Service Plan Development

- i. Service plans must be made for current students within the first 30 days of the school year. Service plans for new ELs must be made 15 days from the start of the new school.
- ii. EL teachers use WIDA ACCESS scores to write the service plan. The plan is then shared with the educational team to gather additional input.
- iii. When the plan is finalized by the EL teacher, it is then sent home and signed by the family or amended based on the family’s input.

e. Student Placement

- i. EL teachers are active participants in the classroom placement process. Based on language levels and the amount of EL support needed, EL teachers recommend groupings to school placement teams. If more than one English learner is receiving EL services at a grade level, it is beneficial to cluster these students rather than placing them in classrooms across the grade level. Students should be placed by age, not English language proficiency, and should never be held back due to English language proficiency.
- ii. Placement teams should review the [VT AOE Guidance on Clustering EL Students](#) when considering placement of EL students.

2. Providing ELs with a Language Access Program

- a. Currently, the RISD has been unable to hire a licensed Multilingual English Learner teacher. As a result, the Director of Special Education oversees this process and hires a consultant to support screening and identification and recommendations for student support. The RISD is continually trying to hire an EL teacher and will do so as soon as an appropriate candidate is found.
- b. In RISD, once students are identified as EL, a plan is developed to give them access to a Language Assistance Program that meets their English language acquisition and academic content learning needs.
- c. To determine which EL program is best suited for a student identified as EL, the EL teacher shall consider the student's:
 - i. English proficiency level based on the WIDA Screener or previous WIDA ACCESS scores
 - ii. Grade level
 - iii. Educational background
 - iv. Native language background
 - v. Other assessment data
 - vi. Acculturation into U.S. society
 - vii. Length of time in U.S. schools
 - viii. Socioemotional needs
- d. RISD uses the WIDA English Language Development (ELD) Standards to define the social, instructional, and academic language that students need to engage with peers, educators, and the curriculum in schools. Evidence-based Language Assistance Programs that are used at RISD reflect the WIDA Standards.

The following chart provides a brief overview of evidence based EL programs offered in RISD. Each program requires a Multilingual Learner teacher with specialized training in meeting the needs of ELs who holds an endorsement in teaching Multilingual Learners in the state of Vermont. EL students may receive instruction through more than one program service model to best meet their individual needs.

Program Service Option	Characteristics and Description
Newcomer Support	<ul style="list-style-type: none"> ● This service is designed for students who are new to US schools and who score below a 2.0 on the WIDA Screener or WIDA ACCESS. These services develop basic oral language and literacy skills, sheltered content and support with adjusting to the culture of US schools.
Congruent/Parallel	<ul style="list-style-type: none"> ● In this model, EL teachers pull students out of mainstream classrooms to offer language support that

Teaching	parallels the content and skills being worked on in the mainstream class. The EL teacher emphasizes literacy and oral language development for academic purposes.
Push-in/pull-aside	<ul style="list-style-type: none"> In this model, EL teachers support EL students in mainstream classrooms during content classes, collaborating with other educators to address specific needs.
ELD: English Language Development	<ul style="list-style-type: none"> In this model, EL teachers provide “Designated ELD” classes with focused instruction on the WIDA ELD standards to assist Multilingual Learners in developing critical English language skills necessary for academic content learning in English. This model is designed to teach ELs explicitly about the English language, including academic vocabulary needed to access content instruction.
Title I Reading & Math Support	<ul style="list-style-type: none"> In addition to these evidence-based Language Assistance Programs, EL students are eligible to receive Title I Reading & Math support as needed.

e. State Assessments

i. WIDA ACCESS

- Vermont regulations require that students receiving EL services continue with EL programming until they pass the state ACCESS for ELLs assessment (at a level 5.0) or the state determines that the student is eligible to exit services based on other compelling local assessment data (see [Alternate Pathway to Exit Guidance](#)). Students receiving EL services are required to take all other state assessments unless they qualify for an exemption as outlined by state or federal regulations.
- The WIDA ACCESS and WIDA screener must be administered by a VT licensed EL teacher who has completed the WIDA Certification course for the appropriate assessment.

ii. VTCAP

1. The Rivendell Interstate School District follows VTCAP procedures for when and how to offer the VTCAP translated tests.
2. Newcomer students (those who have been in the U.S. for one year or less) are exempt from participation in the state assessment (VTCAP) for English Language Arts. These students are, however, required to take the state math and science assessment.

3. Staffing and Supporting an EL Program

- a. Currently, the RISD has been unable to hire a licensed Multilingual English Learner teacher. As a result, the Director of Special Education oversees this process and hires a consultant to support screening and identification and recommendations for student support. The RISD is continually trying to hire an EL teacher and will do so as soon as an appropriate candidate is found.
- b. English Learner and Multilingual Program Staff
 - i. Prepared and trained EL teachers and staff must be provided.
- c. Endorsements/Licensing
 - i. Students identified as eligible for EL Services, including students who have moved out of services and into Monitoring, shall have services/monitoring provided by an EL-Multilingual endorsed teacher. Additional tutoring may be provided if available but the tutoring must be overseen by a licensed EL teacher and shall not supplant required EL services.
- d. EL Teacher Responsibilities
 - i. The role and responsibility of all EL teachers is to follow best practices in working with ELs and to be in compliance with federal, state, and local laws, policies, and procedures.
 1. Provide Tier I supports- Ensure all students have access to the general education curriculum
 2. Provide Tier II supports- strategic interventions
 3. Provide Tier III supports- For newcomer students or those needing a targeted intervention
 4. Other Roles and Responsibilities
 - a. EL teachers participate in building professional learning community meetings
 - b. EL teachers attend district professional learning community meetings
 - c. Approach collaboration with content teachers in a way that helps them understand how an EL teacher can help them use best practices to support EL students.

- e. Additional Personnel
 - i. The Director of Special Education serves as the EL Program Coordinator for the school district.

4. Providing ELs Equal Access to Curricular and Extracurricular Programs

- a. According to Title VI, the EEOA (Equal Education Opportunities Act), and ESEA (Elementary and Secondary Education Act), English learners (ELs) must have equal access to curricular and extracurricular programs.
 - i. All students in RISD have equitable access to academic and extracurricular activities and programs. Students may participate in dual enrollment, career and technical education programs and sports, theater, or arts programming.
 - ii. ELs are enrolled in regular academic programs and receive support to access the curriculum and learn with their peers. Students participate in local and state assessments and access modifications and supports as allowed. Teachers may adapt local or course level assessments as needed to measure student learning in a meaningful way.
 - iii. All students participate in progress monitoring on a regular basis and student scores are reviewed and analyzed to determine how to improve student learning. Star assessments are used to measure student progress in reading and math. Scores for ELs are interpreted in light of their English language proficiency. Schools have systems to closely monitor students' performance and also have strong intervention and support systems to identify students needing extra academic support.

5. Creating an Inclusive Environment and Avoiding Unnecessary Segregation

- a. RISD prioritizes creating an inclusive environment for all students and staff through policies and practices.
- b. EL students at all proficiency levels attend classes together with their never EL peers. EL students are enrolled in the mainstream classroom. EL students receive pull out or push in EL instruction which is scheduled to interfere as little as possible with the mainstream or regular class schedule. Efforts are made to ensure multilingual students are in class during first instruction and are pulled out in the least intrusive manner.

6. Addressing EL students with Disabilities

- a. General

- i. RISD must ensure that students with EL services plans who have or are suspected of having a disability under IDEA or Section 504 are identified, located, and evaluated promptly and that their language needs are considered in evaluations and services.
- b. Distinguishing Language Difference from Disability
 - i. It can be challenging to distinguish language differences from disability at times. It is critical to not over-refer or under-refer ELs to special education. More information on the process of determining learning differences in multilingual students can be found in [Chapter 6 of the USDOE English Learner Toolkit](#).
 - ii. Parents/caregivers should be involved in any evaluation of a student and interpretation of all meetings and translation of all documents should occur at the preference of the parent/caregiver.
- c. English Language Proficiency Testing
 - i. The WIDA consortium offers an Alternate ACCESS test to assess the English language proficiency of the most limited students, however, most multilingual students who qualify for special education services will not qualify for the Alternate ACCESS. Instead, they may need accommodations on the regular ACCESS test. Accommodations are determined by the team and may be included in the student's IEP.

7. Serving EL Students Who Opt Out of EL Programs

- a. If the caregivers/guardians decide to decline EL services for their child, the student is still required to take the WIDA ACCESS assessment annually until they score at least a 5.0 overall. RISD is still responsible for helping students who have opted out of services access the mainstream curriculum. These students whose families decline services should be monitored by their classroom teachers. EL teachers should consult with the classroom teachers to support them in differentiating instruction to address these students' English language proficiency levels.
- b. If an EL teacher feels that the student was inappropriately classified as an EL, they should follow the Alternate Pathway to Exit Guidance.
- c. When opting out, parents/guardians need to be notified that if they opt their EL student out of EL services, they still have the right to opt them back into EL services.

8. Monitoring and Exiting ELs from EL Programs and Services

- a. Monitor Guidelines

- i. Students who reach a composite score of 5.0 on the WIDA ACCESS are monitored for 2 years. RISD follows the [VT AOE English Learner Exit Procedures](#). Parents must be notified by RISD of this change in status through the “English Learner Program Exit Letter” on the [Parent Notices](#) website.
- b. Monitor Procedure
 - i. Communicate the status change to the family and student at the start of the school year
 - ii. The EL teacher remains a member of the student’s team
 - iii. Meet with the student’s team throughout the year to check in on academic progress
 - iv. The EL teacher will send out the [“Monitoring Form for Exited EL Students”](#) to the student’s classroom teachers twice a year (January & June) to assess if the student needs additional support.
- c. Other supports as needed
 - i. The EL teacher may push into a content class if there are already other students receiving EL services that are being worked with that are currently on the caseload
 - ii. The EL teacher can continue to support the student/family with cultural and translation needs
 - iii. Monitor students can attend EL-focused study groups.
- d. Other Considerations
 - i. If the team feels that the student is still struggling academically, the EL teacher and team can use data to provide other interventions if the issue is not language-based.
 - ii. Monitored students would no longer receive one-on-one instruction from an EL teacher. That type of intervention is reserved as Tier 3 support for current students receiving EL services.
- e. Alternate Exit
 - i. RISD follows the [VT AOE English Learner Exit Procedures](#). Multilingual teachers must follow the alternate pathway to exit procedure if they believe a student should exit from EL services, but the student has not achieved a 5.0 on the WIDA ACCESS. Parents must be notified and involved in this process and notified if the exit request is accepted.

9. Evaluating the Effectiveness of a District’s EL Program

- a. Evaluating the EL Program
 - i. To ensure that the EL program is functioning as designed, the Director of Special Services meets with the EL teacher to review processes and outcomes of the program on a regular basis. The team assesses how well

processes and procedures are implemented and makes changes to these as needed. The team reviews identification of students, implementation of programming, and progress monitoring of multilingual students.

- ii. Progress monitoring of students includes progress made on the annual ACCESS for ELs assessment as well as district level benchmarks as measured by STAR testing. Progress toward the goal of reaching fluent English proficiency in a reasonable amount of time, which may differ for each student depending on their prior schooling and age, is evaluated and adjustments in support or instruction are made.
- iii. The expectation of the EL program is that the model of instruction results in students making sufficient progress toward fluent English proficiency. If students are not making sufficient progress, the program model must change. Determination of program success includes multiple measures, not only the scores from the ACCESS for ELs test, although this measure is important. Improving outcomes for multilingual students is not the sole responsibility of the EL program and any steps toward improving outcomes must include other aspects of the school community.

10. **Meaningful Communication with Parents/Caregivers**

- a. RISD school personnel must communicate with parents/caregivers in a language they can understand.
 - i. During registration the school must ask what language the parents/caregivers prefer to communicate in.
 - ii. Written Translation
 - 1. RISD uses translated documents from the [Transact Parent Notices](#) website to communicate with parents who need translation support. The service includes some standard documents related to Title I, II, III, and IV and Special Education.
 - iii. Oral interpretation
 - 1. RISD uses the “Ascentria Care Alliance Language Bank” for telephone and video interpretation services. Staff must contact the Director of Special Education to schedule an interpreted meeting.
 - iv. Important considerations
 - 1. Students are not permitted to provide translation/interpretation services for their families.

