

# Ashe County Schools

## ESL Plan



*Challenging young minds to soar.*

*Approved by Ashe County Board of Education December 2010  
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## Introduction

The mission of the Ashe County School System is to ensure that all students are provided with the technology and resources needed to acquire skills, knowledge and competencies necessary for responsible citizenship and career and educational choices compatible with their individual needs, interests and capabilities.

According to a 2004 report from the US Department of Education, there are over 5.5 million students in the United States who are classified as Limited English Proficient. Within those numbers the state of North Carolina rises near the top with a large influx of students who possess a great diversity in languages and countries of national origin.

Ashe County Schools experiences fluctuations in the number of Limited English Proficient and migrant students from various language backgrounds. Some of these students are recent immigrants who do not speak or understand any English, have limited knowledge of English, or have been born in the United States of immigrant parents who speak their native language at home. Immigrant students are defined as students who are born outside the U.S., are between the ages of three and twenty-one years old, and have been enrolled in U.S. schools for three complete academic school years or less. In addition, some of the students entering the school system are illiterate in their first language or have had interrupted schooling for various reasons (Student with Interrupted Formal Education - SIFE). All of these factors increase the challenge of educating these students.

The Ashe County School System is committed to providing every student with a quality educational program. Appropriate services are provided for Limited English Proficient students, regardless of language and educational levels, to help them succeed both socially and academically. In addition, services are designed to meet 1.) Federal and state regulations, 2.) Federal and state language proficiency growth benchmarks, and 3.) Federal, state, and local academic proficiency standards. The Ashe County School System has developed this ESL Plan based on regulations set forth in Title VI of the Civil Rights Act of 1964 and Title III of the No Child Left Behind Act of 2001.

## Explanation of Equal Access

*To meet the Equal Access criteria, school systems must:*

*Provide fair programs, including:*

- appropriate instructional space
- placement in age-appropriate classrooms
- valuing of linguistic and cultural diversity
- appropriate diagnostic-based promotion/retention criteria
- no automatic placement in special education
- access to academic and advanced content classes

*Provide programs, including:*

- appropriate and qualified staff
- adequate instructional space
- current resources

*Assure access to services that are equal to those provided to native English-speaking students, including:*

- special education
- remedial services
- gifted and talented services
- career and technical education

*Ensure that LEP students are integrated into all school activities, including:*

- participation with peers in courses such as physical education, art, music, health, and computers
- integration into school-wide activities, including but not limited to celebrations, plays, field trips, and competitions

*Provide parents access to information in a language that the parent understands, where practicable, including:*

- system and school-wide information
- interpreters/translators

Ashe County Schools is committed to ensuring that all aspects of the educational system are accessible to its Limited English Proficient students.

# THE LAW AND EQUAL EDUCATIONAL ACCESS FOR NATIONAL ORIGIN MINORITY STUDENTS

## **1964 -Civil Rights Act: Title VI**

"No person in the United States shall, on the grounds 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."

## **1968 -The Bilingual Education Act: Title VII of the Elementary and Secondary Education Act of 1968**

- establishes federal policy for bilingual education for economically disadvantaged language-minority students
- provides funds for innovative programs
- recognizes the unique educational disadvantages faced by non-English speaking students

## **1970 -Office of Civil Rights: May 25, 1970 Memorandum**

"Where inability to speak and understand the English language excludes national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students."

## **1974 -Lau v. Nichols**

"...there is no equality of treatment merely 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."

-Suit brought by Chinese parents in San Francisco which led to a Supreme Court ruling that identical education does not constitute equal education under the Civil Rights Act.

## **1974 -Equal Educational Opportunities Act**

Congress passes this Act to extend the Lau decision to all schools. "No state shall deny equal educational opportunity to an individual on account of his or her race, color, sex, or national

origin, by...(f) the failure by an educational agency to overcome language barriers that impede equal participation by its students in its instructional programs. "

### **1981 -Castaneda v. Pickard**

In responding to the plaintiffs' claim that Raymondville, Texas Independent School District's language remediation programs violated the Equal Educational Opportunities Act (EEOA) of 1974, the Fifth Circuit Court of Appeals formulated a set of basic standards to determine school district compliance with EEOA. The "Castaneda test" includes the following criteria: 1.) *Theory*. The school must pursue a program based on an educational theory recognized as sound or, at least, as a legitimate experimental strategy; 2.) *Practice*: The school must actually implement the program with instructional practices, resources, and personnel necessary to transfer theory to reality; 3.) *Results*: The school must not persist in a program that fails to produce results.

### **1982 -Plyler v. Doe**

Under the Fourteenth Amendment of the U. S. Constitution, the state does not have the right to deny a free public education to undocumented immigrant children.

### **1987 -Gomez v. Illinois**

The Seventh Circuit Court of Appeals ruled that State Education Agencies are also required under EEOA to Ensure that language-minority students' educational needs are met.

### **1996 -North Carolina Regulations for Limited English Proficiency Programs**

Addresses the LEA's responsibility toward Limited English Proficient students

### **December 13, 2001 - Title III- Language Instruction for Limited English Proficient and Immigrant Students**

"...to help ensure that children who are Limited English Proficient, ...attain English 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..."

## Section I

### Selecting the Educational Approach

The purpose of Ashe County's English as a Second Language program (ESL) is to provide experiences that promote individual and social well-being and to provide equal educational access for students whose primary language is not English. This interdisciplinary program helps students acquire essential skills for learning a new language and adjusting to a new culture. Recognizing that each student is unique, the program aims to be responsive to the initial and changing needs of the student and to maintain flexibility within the program.

The ESL program emphasizes instruction in the four domain areas of language development: listening, speaking, reading, and writing. As such, the ESL program assists non- or limited-English speaking students in developing academic and social English language skills at a level which will enable them to perform in mainstream classes and school culture.

Ashe County School System implements the NC English Language Proficiency Standard Course of Study, which is World-Class Instructional Design and Assessment (WIDA) for Limited English Proficient (LEP) students. In content-based ESL instruction, teachers use themes and/or content topics, rather than grammar rules or vocabulary lists, as the means for instruction. Themes and/or content topics reflect North Carolina's mandated Standard Course of Study, the WIDA standards. Content-based instruction emphasizes oral and written comprehension and production. The goal is to develop students who can reach the same academic standards as all students. Scientifically based research on the integration of second language acquisition and content learning suggests that:

1. A second language is not acquired by direct instruction in the rules of the language, but by using language in meaningful contexts (Krashen 1982).
2. Students will acquire a second language only if they receive comprehensible input in it. Talk becomes comprehensible to students through context and reference to background knowledge (Krashen 1985) or context-embedded and cognitively demanding experiences (Cummins 1981, 1984).
3. Talk is not enough. To succeed in school, LEP students need more than conversational fluency; they need to develop the cognitive and academic skills required for learning academic subject matter (Cummins 1984).

This research supports the idea that instead of teaching language skills in isolation from subject matter, educators should:

1. Integrate language development with content learning.
2. Capitalize on students' background knowledge and experiences.
3. Convey meaning through the help of gestures, body language, visuals, demonstrations, modeling, and manipulatives.
4. Focus on the development of higher-level thinking and academic skills.

Based on this research, ESL teachers use a variety of strategies, techniques, and activities to develop English language skills and make the content comprehensible to LEP students.

The rationale for this choice of program is based on the following:

- Ashe County School's language-minority students are from diverse language backgrounds.
- Content-based ESL is more effective than ESL instruction focused solely on language acquisition (Bérubé 2000).
- This program is closely aligned with the academic objectives established in the NC SCOS for all students.

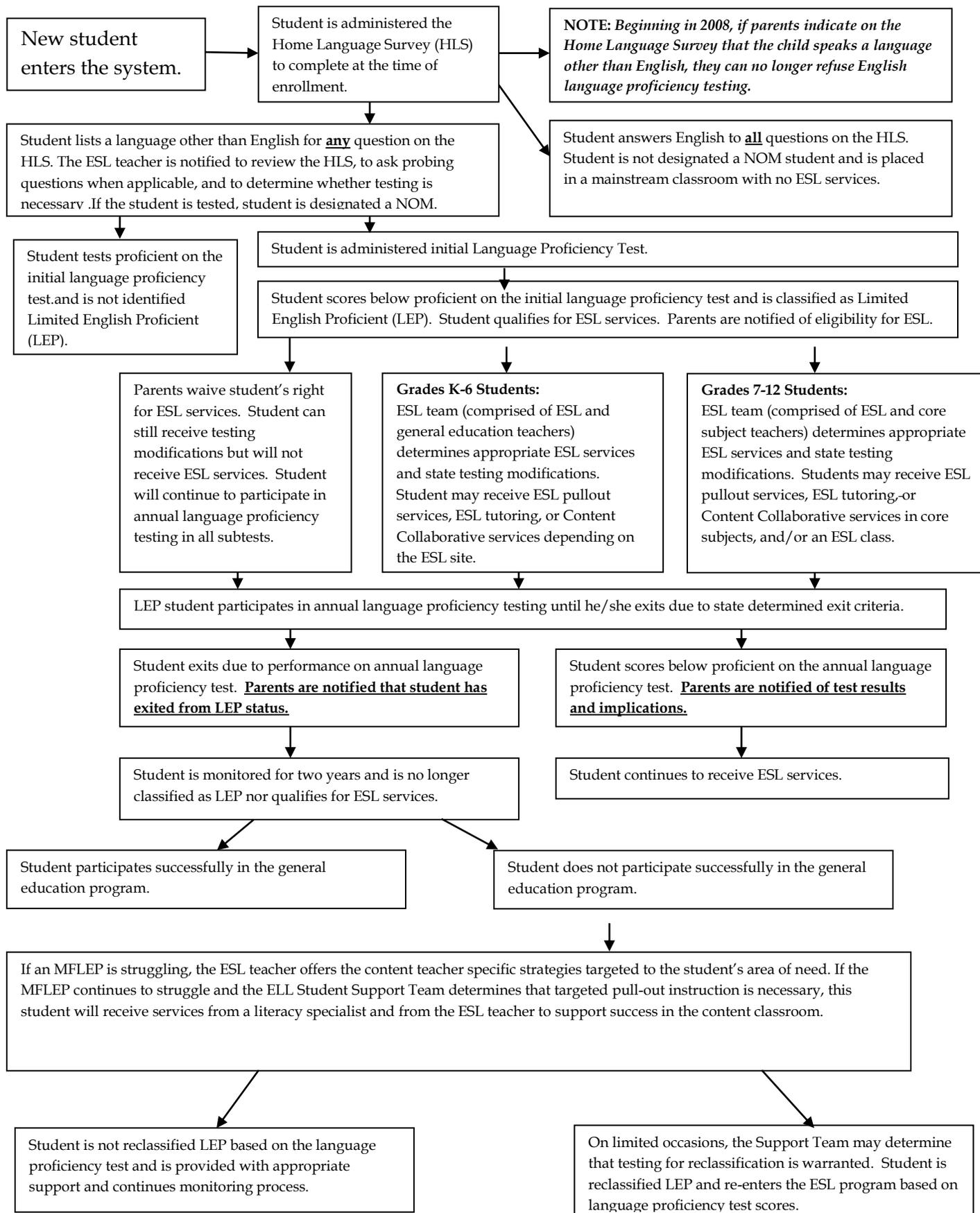
Ashe County School's mission for the English as a Second Language Program is to ensure that all speakers of other languages who score below proficient on the WIDA initial placement test (<http://www.wida.us/index.aspx>) attain high levels of proficiency in English and achieve high academic standards according to the North Carolina Standard Course of Study.

The English as a Second Language Program provides the following services:

- Identifies Limited English Proficient (LEP) students based on the WIDA initial placement test (W-APT) when they enter the school system.
- Provides direct instructional services depending on the proficiency level of LEP students: tutoring, pullout, or collaborative.
- Monitors academic achievement of essential knowledge and skills for LEP, MFLEP, SIFE, and LTEL students.
- Provides professional development for our ESL teachers, mainstream teachers, and paraprofessionals.
- Promotes parental involvement.

The English as a Second Language Program meets the requirements of Title III section 3102 known as the English Language Acquisition, Language Enhancement, and Academic Achievement Act. The North Carolina WIDA standards guide the planning and instruction for the ESL program. In order to meet academic achievement standards, ESL teachers integrate content from other subject areas. In addition, the ESL program provides Limited English Proficient students equal access to all system-wide services and the opportunity to participate meaningfully in the educational program.

# Identifying and Serving LEP Students



## Section II

### Identification of LEP Students

#### Home Language Survey

*(16 NCAC 6D.0106 (c), Office of Civil Rights 1970 Memo and Lau v. Nichols, 1974)*

**All students must have a Home Language Survey (HLS) in their cumulative file.**

A designated staff member at each school is responsible for initial registration. Every new student in Ashe County must be administered the Home Language Survey.

The parent completes the Home Language Survey upon initial registration into Ashe County Schools.

The Home Language Survey asks the following questions:

1. What is the first language the student learned to speak?
2. What language does the student speak most often?
3. What language is most often spoken in the home?
4. Besides languages studied in school, does the student fluently speak any language other than English?

**1. If a language other than English is indicated on the Home Language Survey:**

- The ESL teacher is notified to review the HLS, to ask probing questions when applicable, and to determine whether testing is necessary.
- The original HLS is placed in the student's cumulative folder.
- The student is identified as a National Origin Minority student (NOM) if initial English proficiency test is administered.

**2. If no language other than English is indicated on the Home Language Survey, then no further action is needed. *The HLS is filed in the student's cumulative folder.***

## **Registration Issues and Reminders When Enrolling an LEP Student**

The ESL teacher will recommend student placement in an age-appropriate classroom unless school records indicate an alternate grade-level placement. Principals are responsible for final grade placement decisions.

As a result of the Plyer v. Doe [457 U. S. 202 (1982)] ruling, schools may not:

- deny admission to a student during initial enrollment or at any other time on the basis of undocumented status.
- treat students differently to verify residency.
- engage in any practices that “chill” or hinder the right of access to school.
- make inquiries of students or parents that may expose their undocumented status.
- require social security numbers for admission to school, as this may expose undocumented status. A number generated by the school will be assigned.

In addition,

- The Family Educational Rights and Privacy Act (FERPA) prohibits schools from providing any outside agency, including the U.S. Immigration and Customs Enforcement, with any information from a child’s school file that would expose a student’s undocumented status without parental permission. School personnel, especially building principals and those involved with student registration, are under no obligation to enforce U.S. immigration laws.
- Schools may use alternate documentation in lieu of a birth certificate, i.e., baptismal certificate.
- Immunization records must meet North Carolina immunization requirements.
- Parents without social security numbers who are applying for a free lunch and/or breakfast program for a student will indicate that on the application.

Ashe County Schools will make a good-faith effort to provide the following information to parents in a language they understand when practicable:

- Start and ending times for school
- Meal prices and Free/Reduced Lunch information
- Transportation information including bus number, bus stop, pick up/drop off times, and early release procedures
- Attendance and discipline policy including procedures for absences and tardiness
- Immunization requirements
- In high school, required and elective subjects and NC graduation requirements

## Section III

### Placement into ESL Program

#### Designation of English Proficiency Status

Once a National Origin Minority (NOM) student has enrolled, the school's ESL teacher determines whether English Language Proficiency testing is necessary. Students are identified as Limited English Proficient through administration of the WIDA W-APT English language proficiency test and a score below proficiency levels determined by the State Board of Education (SBE). If a newly-enrolled student has a current W-APT or ACCESS for ELLs score and qualifies as Limited English Proficient, this student will not require initial placement testing and will receive ESL services. The W-APT must be administered to NOM students who do not have a current W-APT or ACCESS score within thirty days of enrollment at the beginning of a new school year or within 14 days of initial enrollment. After the initial testing is completed and a student has qualified for the ESL program, parents are notified by letter, and the ELP Notification and Parent Acceptance of Services Letter is completed and placed in the student's ESL folder. For any student given the initial placement test, a score report is placed in the student's cumulative folder. Students identified as Limited English Proficient are tested annually using the North Carolina ACCESS for ELLs English language proficiency test until they exit the program.

#### State Testing Accommodations for LEP Students

Once a student is identified as Limited English Proficient, school personnel must follow State Board of Education policy in determining eligibility for testing exemptions and accommodations. According to state policy, students identified as LEP who are in their first school year in U.S. schools are exempt from the administration of the NC READY End-of-Grade Language Arts/Reading Assessment at grades 3-8 and the NC READY End-of-Course English II Assessment or any associated alternate assessments that measure reading comprehension **IF** they have scored below Level 4.0 on the reading subtest of the W-APT or ACCESS for ELLs. All LEP students are required to take all other North Carolina EOG/EOC mandated assessments.

As mandated by state and local testing policies, Limited English Proficient students who score below a Level 5.0 on the reading test of the W-APT or ACCESS for ELLs are eligible for accommodations on state tests if those accommodations have been used throughout the school year. Documentation of these decisions is made on the student's LEP plan and signed by ESL team members comprised of the ESL and content teachers. Testing accommodations are entered into PowerSchool. The LEP plan is placed in the student's LEP folder and copies are given to the classroom teachers. The school testing coordinator is given documentation of state testing accommodations.

## **ESL Team**

Students identified as Limited English Proficient and Monitored Former Limited English Proficient are supported by an ESL team composed of the ESL and classroom/content area teachers. The team is responsible for establishing classroom modifications, testing accommodations, and scheduling ESL services based on student's proficiency levels and the LIEP continuum rubric of services.

## Section IV

### ESL Services

#### **ESL Service Determination**

Ashe County Schools uses a Language Instruction Educational Plan (LIEP) continuum rubric of services to determine the criteria for service delivery, the type of service, and the context in which services are provided. The rubric includes a list of services that correspond to each category of service. Based on criteria established by the ESL Department, LEP students receive direct ESL service in one of the three following categories: maximum, moderate or collaborative. Maximum and moderate services are delivered during the school day by ESL certified teachers in a pull-out setting. Collaborative services are delivered during the school day by content/classroom teachers in conjunction with ESL certified teachers OR by ESL staff (instructional tutor supervised by ESL certified teachers or content/classroom teachers).

#### **Pullout Instruction: Maximum, moderate, and collaborative services**

The criteria and type of data used to determine placement into each category of ESL service is defined in each year's approved Title III plan.

#### **Maximum and Moderate Services**

Students who are eligible for maximum and moderate ESL Services will receive scheduled "pullout" instruction by ESL certified teachers based on grade-level concepts. A student who is pulled out of the regular classroom to work individually or in small groups will be under the guidance of the ESL teacher or a supervised ESL instructional tutor for a specified amount of time each week. The use of controlled vocabulary selected from essential curriculum ensures that students learn as much grade level information as possible. Maximum and moderate ESL Services are differentiated based on the frequency, duration, and level of support derived from the students' language and academic needs.

The language of instruction is English in the pullout classroom. Instruction and assessment are based upon the goals and standards of the WIDA English Language Proficiency Standards for Pre K-12 students. Curriculum goals focus on building linguistic complexity, vocabulary usage, and language control across the four domains of listening, speaking, reading, and writing in each of the following five standards:

- Social and Instructional Language
- The Language of Language Arts
- The Language of Mathematics
- The Language of Science
- The Language of Social Studies

ESL teachers and instructional tutors do not necessarily speak the native language of the students although it is useful for communicating with parents and occasionally explaining content. Many of the ESL staff members have acquired proficiency in a second language, most in Spanish. ESL staff members may explain complex procedures or concepts to students in the student's native language, especially in ESL class. However, learning a second language requires that tasks be processed in English, the target language. Ashe County ESL teachers are highly qualified and trained in research-based techniques of teaching English as a Second Language.

Cooperative learning, peer tutoring, and other research-based social instructional methods that engage LEP students are employed. Whole language techniques increase comprehensible input for students. The use of visuals, gestures, drama, videos, cassettes, cds, dvds, interactive SMART Board lessons, web-based resources, manipulatives, graphic organizers, modeling, and demonstrations provide contextual clues for the ESL student. Teachers are encouraged to use various strategies that honor the languages and cultures represented in the classroom, such as allowing Hispanic students to share the Spanish translation of words and concepts. Of equal importance is linking academic objectives to students' prior knowledge.

### **Collaborative Services**

The limitations of ESL Pullout services are most apparent for more highly proficient LEP students since these students are able to participate fully in the mainstream classroom but have not yet attained the academic language proficiency of their native English-speaking peers. Standards are high, and much of the NC Standard Course of Study spirals and builds upon prior learning. To maximize exposure to content objectives, these LEP students need to remain in the mainstream classroom as much as possible and receive collaborative services.

Students receiving collaborative services remain in the regular classroom, and the ESL teacher collaborates and plans with the general education teacher for the student's academic progress. The ESL teacher provides strategies, lessons, and material support to classroom/content teacher in order to differentiate instruction for LEP students. Occasional ESL pullout sessions may be needed to work on specific language skills. Careful consideration should be made when grouping students who are LEP. Placing these students in classrooms with high-achieving role models and teachers who establish high expectations is critical to boost student growth. In addition, students with these levels of language proficiency may be candidates for other intervention services such as tutoring, literacy specialists, and afterschool remediation.

### **Middle and High School ESL Services**

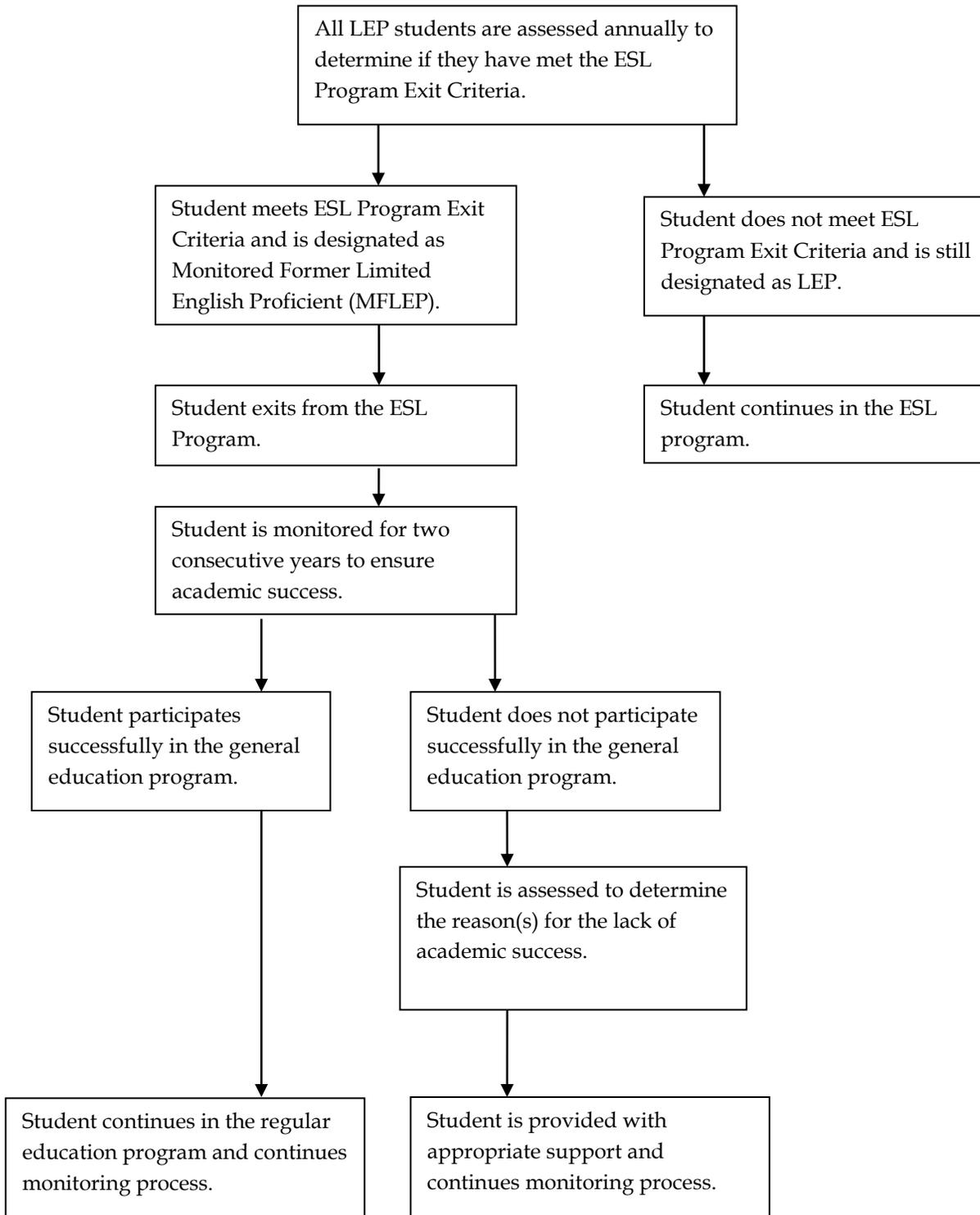
Middle and high school students who are LEP will receive ESL services based on North Carolina's language proficiency test scores, EOG/EOC scores and student portfolios. ESL services will incorporate the following educational practices: pullout instruction, co-teaching, periodic targeted intervention, and collaborative services based on the individual student's needs and data. Best practice recommends that a multi-level ESL elective course be offered at the middle and high school levels. High school students would receive an elective credit for this 90-minute class. First and

second-year former LEP students (those who have recently exited) will be considered eligible for placement in the multi-level ESL elective course in order to receive continued support as they transition to taking required courses for graduation. Middle school students would attend this class for 45 minutes daily in lieu of one encore course. The focus for all secondary ESL services is the improvement of English language proficiency through content-based instruction. **Middle and high school schedules should not interfere with students' access to ESL services.** The middle and high school ESL teachers will coordinate with scheduling personnel in the spring to ensure that LEP students' schedules accommodate ESL services.

### **ELL Program Considerations**

Based on the current percentage of LEP population, Ashe County Schools will implement WIDA's ELD standards in the ESL classroom and will provide professional development to general education teachers in order to integrate WIDA ELD standards in the content classroom. LEP population changes as well as AMAO performance indicators will be reviewed continually to evaluate the need for staff development or program changes.

## Exiting from ESL Services and Monitoring Former LEP Students



## Section V

### Exiting from ESL Services and Monitoring Former Students

#### **Exiting**

The NC State Board of Education (SBE) has determined that when a student scores at least Level 4.0 in reading, Level 4.0 in writing and a composite proficiency score of at least 4.8 on the state-mandated English language proficiency test, the student is no longer identified as LEP. When a student meets exit criteria, parents are notified by the ELP Notification and Parent Acceptance of Services Letter. The student is no longer eligible for state testing accommodations.

#### **Monitoring**

Ashe County Schools monitors students exiting from the ESL program for a minimum of two years to ensure that they are successful in the regular education program. The monitoring process includes collaborating with exited students' teachers and documenting the students' performance and classroom modifications on a monitoring report form. Additional interventions incorporate accessing services from all available school and community resources such as literacy specialists, tutoring, and school intervention teams. During this monitoring period, if a student is experiencing academic difficulties, the ESL team will determine whether the difficulties are related to language. The student will be considered for reclassification using the NC initial language proficiency assessment. If the student meets LEP placement criteria, as outlined by the NC SBE, parents will be notified and appropriate ESL services will be provided. Students not qualifying for reclassification will be candidates for other intervention services such as classroom differentiation strategies, tutoring, literacy specialists, and afterschool remediation. If at the end of the two-year monitoring period the student has been successful in the regular academic program, he/she will no longer be monitored by the ESL program.

## Section VI

### Staffing and Resources

In accordance with the requirements of North Carolina's Department of Public Instruction and the No Child Left Behind Act of 2001, ESL teachers must hold a valid teaching license in English as a Second Language (ESL) and be fluent in oral and written English communication skills. Ashe County Schools makes every effort to hire licensed ESL teachers. In the event that a licensed ESL teacher cannot be found, the teacher must agree to meet state and federal licensure requirements in ESL.

The ESL Program staff consists of the following positions:

- ESL Program Coordinator
- ESL Teachers
- ESL Data Manager
- ESL Parent Liaison/Migrant Education Coordinator
- ESL Instructional Tutor

#### **Responsibilities of ESL Teachers**

In addition to teaching the state-mandated ESL curriculum, ESL teachers will perform the following responsibilities:

#### **Beginning of School Year**

1. Compare list of NOM/LEP students with actual students enrolled and attending each school.
2. Contact homeroom teachers/enrollment designees to ascertain whether new National Origin Minority (NOM) students have enrolled (especially Kindergarteners).
3. Elementary ESL teachers assess Kindergarten students for English language proficiency, using the state-mandated initial placement instrument.
4. ESL teachers assess newly enrolled NOM students who have not been previously assessed using the initial English language proficiency instrument.
5. Send English proficiency test results to Data Manager.
6. Classroom Modifications Report and State Testing Accommodations Report are completed by content and ESL teachers. Copies are sent to the School Testing Coordinator and content teacher, and a copy is placed in the ESL folder.

#### **Annual Testing**

- Annual language proficiency testing will occur during the state-mandated testing window.
- All test administrators and test coordinators must receive annual training on procedures and administration.
- ESL teachers will work with the testing coordinator to determine the location, dates, and specific tests to be given.

## **Spring/Fall**

- Upon receiving annual English language proficiency test results, schools notify parents of their child's language proficiency test results within thirty days.
- The ESL teacher will send out exit letters to those students who meet exit criteria.
- Parent Notification Letters will be sent home to students/parents who do not meet exit criteria and who will be served in ESL the following school year.
- ESL teachers will meet with their feeder school(s) to exchange LEP folders, names of NOM/LEP students, and to share specific information about their students who need ESL services the coming school year.
- ESL teachers will call parents to verify refusal of services.
- The middle and high school ESL teachers will meet with scheduling personnel to discuss the placement of students into ESL classes for the following school year.
- ESL teachers will provide relevant language proficiency information for consideration of student promotion or retention.

## **Professional Development**

Ashe County Schools will provide ongoing professional development to improve educational services for LEP students. The ESL program offers professional development based on ESL program needs, percentage of LEP students, district (state and federal) initiatives, and School Improvement Plans. Workshops will provide ongoing training for ESL and classroom teachers, administrators and other staff members in serving LEP students and their families. Professional development will be offered for the following personnel:

- **Classroom Teachers** – strategies and modifications for working with LEP students, cultural information and implications for the classroom, legal and historical information regarding LEP students, strategies for communicating with parents, and second language acquisition information.
- **ESL Teachers** – strategies for helping classroom teachers of LEP students, effective ESL instructional delivery models, and changes in state /federal regulations and policies regarding LEP students.
- **Administrators** – legal and historical information regarding LEP students, changes in state/federal regulations and policies regarding LEP students, strategies for communicating with parents, and cultural information and implications for the school.
- **Other school staff** – strategies and modifications for working with LEP students, cultural information and implications, legal and historical information, and strategies for communicating with parents of LEP students.

## **Materials and Resources**

Ashe County Schools has purchased a variety of materials and resources specifically designed for LEP students to improve their English language proficiency. The ESL staff reviews materials on an annual basis and makes recommendations for resources to the ESL Program Coordinator. Program materials are purchased with federal, state, and local funds

## Section VII

### LEP Students and Other Programs

#### **Ashe County Board Policy 4001: Equal Educational Opportunities**

The Ashe County Board of Education affirms the principle that every student -- regardless of race, creed, color, national origin, sex, cultural or economic background, or disability -- should be given an equal opportunity for educational development. No student, on the basis of sex, marital status, pregnancy, or parenthood, will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the district. The school district will treat its students without discrimination in regard to course offerings, athletics, counseling, employment assistance, and extracurricular activities.

Any student, parent or guardian who feels that this policy has been misinterpreted, misapplied or violated may file a grievance in accordance with Board of Education policy 1740/4010, Student and Parent Grievance Procedure.

The superintendent will develop appropriate procedures to ensure that public education is provided to each qualified student with disabilities in accordance with 34 C.F.R. pt. 104, subpart D.

Legal References: The Rehabilitation Act of 1973, 29 U.S.C. 706(8), 794, 34 C.F.R. pt. 104; The Americans With Disabilities Act, 42 U.S.C. 12134, 28 C.F.R. pt. 35; G.S. 115C-1, -106(a), -111, -367

Cross References: Nondiscrimination on the Basis of Disabilities (policy 1730), Student and Parent Grievance Procedure (policy 1740/4010)

Adopted: June 27, 2002

#### **Exceptional Children's Program (EC)**

The complete Exceptional Children's Services Program Handbook is available from the office of the Director of Exceptional Children.

An LEP student may not be denied evaluation for exceptional children's services due to the lack of proficiency in English. In determining eligibility and planning special education services, the Ashe County School System follows the process established through North Carolina's Procedures Governing Programs and Services for Children with Disabilities. A good-faith effort is made to provide interpreters and translated documents/assessments during any or all of these procedures, both for the student and the family, so that parents understand the special education process. The EC and ESL Programs will work collaboratively to ensure that LEP students have equal access to EC and ESL services.

When an LEP student experiences academic difficulties, ESL and classroom/content teachers intervene and document strategies they use to improve performance. If the student's performance does not improve, the ESL team can refer the student to the school's student intervention team. The team listens to teachers' concerns, reviews the student's strengths/needs and relevant history, discusses the effectiveness of prior interventions, and offers new strategies to address the difficulties the student is experiencing. If interventions are not successful, the LEP student may be referred for EC evaluation. During the referral and evaluation process, special factors such as Limited English Proficiency are considered. Every effort is made to differentiate between a learning difference and a disability. The ESL teacher provides relevant language proficiency data to help the team determine the impact of language issues.

### **Academically Intellectually Gifted Program (AIG)**

Students who are Limited English Proficient are entitled to Academically Intellectually Gifted (AIG) services should they meet qualification criteria. The placement process includes all activities designed to review the general population of students to see which students may need further assessment and/or eventual placement in the differentiated services of gifted education. Attention is given to potentially gifted students from culturally and/or linguistically diverse populations during this process.

Students may be included for screening through several avenues:

- Nominations by students, peers, parents and community
- Teacher recommendation
- Approved test of intellectual aptitude
- EOG Scores
- Classroom performance/grades
- Gifted Behavior Scale

### **Title I**

In Title I schools, LEP students participate in all activities and services. The Title I program works collaboratively with the ESL program so that LEP students have access to appropriate services.

Title I schools use Title I funds in combination with existing funds to meet the needs of all their students. They do not create an official list of students to serve. The Title I No Child Left Behind law stipulates that Title I funds must be used to meet the needs of all students whether they are Limited English Proficient, Students with Disabilities, or from any minority group.

## **Section VIII**

### **Program Evaluation**

Ashe County Schools evaluates the ESL program on an annual basis. Data is reviewed by the ESL program staff and is the basis for program improvement and changes. Student information such as length of time in the ESL program, LEP status, first enrollment in U.S. schools, first enrollment in the school system, and dropouts are maintained using both a state and locally purchased database. In addition, the following data is collected and submitted to the North Carolina Department of Public Instruction. The data collected includes the number of:

- NOM, LEP, and immigrant students and their home languages
- students participating in/exiting from the ESL program
- LEP graduates, retentions, drop-outs
- LEP students participating in other programs, e.g. Title I, EC, AIG, CTE
- licensed ESL teachers
- teachers who have received training in LEP issues

#### **Program Assessment**

County-wide staff meetings are held with ESL teachers and the coordinator to communicate ESL program information such as identification, testing results, data review and needs assessment. These meetings ensure that Ashe County is compliant with Title III policy and procedure.

#### **Student Performance**

Yearly results of the state-mandated English Language Proficiency test are used to measure English language proficiency growth in the four areas of listening, speaking, reading, and writing. End of Grade and End of Course test results are used to measure annual academic proficiency to meet state and federal requirements.

## Appendix

## ESL Acronyms

**ACCESS for ELLs:** Assessing Comprehension and Communication in English State to State for English Language Learners; the annual English language proficiency test to determine continued eligibility for ESL services.

**AMAOs:** Annual Measurable Achievement Objectives; Title III's accountability measurements comprised of AMAO 1 – progress, AMAO 2 – proficiency, and AMAO 3 – performance (AMOs for the LEP subgroup)

**ELL:** English Language Learner; a name given to students acquiring English as a second language.

**ESL:** English as a Second Language; a method of instruction for students who are learning English as a new language

**HLS:** Home Language Survey a form that every student or parent of the student must complete at the time of initial enrollment based upon federal requirement.

**LEP:** Limited English Proficient; the identification given to students who score below proficiency levels on the state-mandated English language proficiency test.

**LIEP:** Language Instruction Educational Program; program of instruction designed to help LEP students achieve English language proficiency, attain state academic content and meet student academic achievement standards.

**LTEL:** Long-Term English Learners; LEP students who have been enrolled in US schools for more than six years, who have not met English proficiency exit criteria, and who are struggling academically.

**MFLEP:** Monitored Former Limited English Proficient; the identification given to students who exit the ESL program due to meeting state exit criteria. These students are monitored for two years.

**NCLB:** No Child Left Behind; Federal legislation passed in 2001; there are nine titles in No Child Left Behind – Title III specifically addresses language acquisition programs for Limited English Proficient (LEP) students.

**NOM:** National Origin Minority student (another term for a language minority student); a student who has listed a language other than English on the Home Language Survey (HLS) and has been administered an initial English language proficiency test.

**SIFE:** Student with Interrupted Formal Education

**W-APT:** WIDA – ACCESS Placement Test; the initial English language proficiency test to determine eligibility for ESL services.

**WIDA:** World-Class Instructional Design and Assessment; a consortium of states dedicated to the design and implementation of high standards and equitable educational opportunities for English Language Learners.

**WIDA ELD:** World-Class Instructional Design and Assessment English Language Development; academic standards for English Language Learners; developed by WIDA and adopted by NC SBE.