



English As a Second Language

Manual of Procedures

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INTRODUCTION

AUBURN CITY SCHOOLS ESL PLAN SYNOPSIS

Policy: Auburn City Schools recognizes that within the district there are students who have a primary language other than English. The goal of the English as a Second Language (ESL) program is to have each student become proficient in the use of the English language, however, not to replace the student's primary language.

Purpose of Program: English as a Second Language (ESL) shall be taught to enable English language learners (ELL) to become competent in the listening, speaking, reading, and writing of the English language. The program shall emphasize mastery of English language skills and content area concepts and skills so students are able to participate effectively in the regular academic program and to reach their full potential.

Home Language Survey: The Home Language Survey is completed by all families new to Auburn City schools at the time of registration and placed in the student's permanent record file.

Potential English Language Learners (ELL): Home Language Surveys which include any language other than English must be referred to the school's ESL instructor within three school days. The ESL instructor will gather information on the student and administer the W-APT or WIDA Screener (WIDA ACCESS Placement Test) to determine the level of English language proficiency and convene an ELL Committee Meeting including the student's parents within ten (10) school days. Interpreters may be available upon request. The information will be provided to the ELL Committee for review and possible placement of the student in the English language instruction educational program. (The English language instruction educational program will be referred to as the ESL program hereafter in this document.)

Parental Notification: According to Title III, Part C, Section 3302(a), each Local Education Agency (LEA) shall, "not later than thirty (30) days after the beginning of the school year, inform a parent or the parents of a limited-English proficient child identified for participation in, or participating in" an ESL program, about the following:

- The reasons for the identification of the student as limited-English (LEP) proficient and in need of placement in an ESL program.
- The student's level of English proficiency, how such level was assessed, and the status of the student's academic achievement, to the extent known.
- The method of instruction to be used in the ESL program and how the program differs in content, instructional goals, and use of English from "regular" programs in the school.
- How the program will meet the educational strengths and needs of the student.
- How the program will specifically help the student learn English and meet age-appropriate academic achievement standards for grade promotion and graduation as well as specific exit requirements.
- If applicable, how the program meets objectives of the student's individualized education plan (IEP).

Specifically, the following information pertaining to parental rights must be provided in writing:

- If parents refuse services, a Denial to Participate Form should be signed by the parents and placed in the ESL student folder by the ESL instructor. The school district is still required to make accommodations in instruction and monitor the student's academic performance. Although the parent has denied ESL services for the student, the student must continue to participate in the annual English Language Proficiency testing (ACCESS/ACCESS 2.0 for ELLs) until attaining proficiency.
- Schools' Civil Rights Obligations to English Learner Students and Limited English Proficient Parents will be sent with parent conference invitation in Parents' primary language when possible (<https://www2.ed.gov/about/offices/list/ocr/ellresources.html>)

English Language Learner Committee: Each school shall form an ELL Committee consisting of a school administrator, a content area teacher, and an ESL instructor. The ELL's parent will be invited to participate in ELL Committee decisions. The Committee shall review all relevant information and determine appropriate placement and exit from the ESL program for all ELLs.

Program Exit: A student will be exited from the ESL program upon achieving a 4.8 or higher on the ACCESS or ACCESS 2.0 for ELLs.

Written notice shall be provided to the parents within five (5) school days informing them that their child will be exited from the ESL program. The notice shall be printed in English and the parents' primary language when possible.

Upon exiting the ESL program the student will no longer be classified as LEP. The ESL Committee shall monitor the progress of the student for four (4) years. During the first year the student will be monitored at the conclusion of each grading period and will be classified as Former LEP (Monitor Year 1). The student will be monitored at the conclusion of each semester during the second, third and fourth year and will be classified as Former LEP (Monitor Year 2, 3, 4). After successfully completing the four (4) years of monitoring, the student will be classified as FLEP Complete. If the student is not academically successful or does not pass coursework without accommodations while being monitored, the ELL/RTI committee will reconvene to determine whether the student should be reevaluated for ESL services using the W-APT/WIDA Screener. The student may then be reclassified as LEP and reenrolled in the ESL program or other appropriate academic intervention programs.

LEGAL GUIDANCE EFFECTING THE REGISTRATION AND INSTRUCTION OF ELLS

The following is a synthesis of major legislation, court rulings and administrative regulations addressing language minority students. There is a substantial body of federal law established to ensure the rights of national origin minority students.

Federal Laws

1868 Constitution of the United States Fourteenth Amendment

"No state shall ... deny to any person within its jurisdiction the equal protection of the laws."

1964 Civil Rights Act, Title VI

"No person in the United States shall, on the ground of race, color, or national origin ... be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

1974 Equal Educational Opportunities Act (EEOA)

"No state shall deny equal educational opportunity to an individual on account of his or her race, color, sex, or national origin, by ... the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs."

2001 No Child Left Behind Act

"... ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging state academic achievement standards and state academic assessments."

Supreme Court

1974 Lau V. Nichols

Equality of instruction denied to non-English speaking if special provisions are not made to aid them in learning English in schools.

1982 Plyler V. Doe

States prohibited from denying free public education to children of undocumented immigrants, regardless of legal status. Schools are not agents for enforcing immigration law.

Federal Courts

1974 Serna V. Portales

Court ordered schools to make a curriculum available to students who lack English skills.

1978 Cintron V. Brentwood

ESL students not be segregated completely from other students, but included in art, PE, and non-language based classes.

1981 Castañeda vs. Pickard

The 5th Circuit Court established a three-pronged test for evaluating programs serving English language learners. According to the Castañeda standard, schools must:

- Base their program on educational theory recognized as sound or considered to be a legitimate experimental strategy;
- Implement the program with resources and personnel necessary to put the theory into practice; and
- Evaluate programs and make adjustments where necessary to ensure that adequate progress is being made. [648 F. 2d 989 (5th Circuit, 1981)].

Memoranda

May 25, 1970 Memorandum (Department of Health, Education, and Welfare)

Where the inability to speak and understand the English language exclude 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. *Memoranda were also posted by the Office of Civil Rights (U.S. Department of Education) with policy and policy updates in 1985, 1990, and 1991.

EDUCATIONAL APPROACH AND PROGRAM

The instructional goals of the Auburn City Schools ESL Program are as follows:

- To increase the English language proficiency to the degree necessary to allow successful independent functioning in the regular school program.
- To provide the ELL the opportunity to reach his/her full potential.

According to Cummins' research (1979), it takes the average ELL from one to three years to acquire Basic Interpersonal Communication Skills(BICS) the social language which is needed to function on a daily basis; moreover, it takes approximately five to seven years to acquire CALP (Cognitive Academic Language Proficiency) the language skills necessary to function in an academic setting. Working with this premise in mind, the Auburn City School System has developed a plan to meet the needs of the ELLs.

According to the Auburn City Schools ESL program, teachers will use approaches based on scientifically based research that demonstrate effectiveness in increasing English proficiency and student academic achievement in core academic subjects. All teachers will include activities that focus on listening, speaking, reading, and writing to facilitate second language acquisition (Krashen 1982, Freeman and Freeman 1994, Freeman and Freeman, 2002). ESL and mainstream teachers will work together to provide the most appropriate instruction using *best practices* to meet the individual language and academic needs of students. The ESL curriculum is based on WIDA – English Language Development Standards for English Language Learners in Kindergarten through grade 12 in correlation with College and Career Readiness Standards.

In addition to assigning ELLs to a regular class in which the classroom teacher has received training in teaching ELLs, the ELLs receive ESL instruction based on the Individual English Language Plan (IELP). The district ESL staff is available to provide training in support of effective instruction of ELLs.

ESL instruction begins at the student's level of English proficiency which determines the time spent in the ESL class. ESL classes are multilevel to enhance the second-language learning process. A combination of strategies are used to teach language: whole language, phonics, oral language skills, cooperative learning, and integrated reading. Emphasis is placed upon the development of the four language domains: listening, speaking, reading, and writing. A variety of materials and equipment is used in instruction such as technology, language development activities, games, purchased programs and materials.

ESL instruction is a combination of pullout, sheltered instruction, content based ESL and inclusion. Students at the secondary level may receive elective credit for English Language Acquisition courses.

ESL instruction enhances the student's acquisition and mastery of English as rapidly as possible. The amount of time of service is dependent upon the individual needs of the student, i.e., language proficiency and academic success. As the student's English proficiency increases, ESL instruction decreases. The decision concerning appropriate time spent in the ESL class will be made by the ELL Committee.

All teachers providing instruction for ELLs should use a variety of approaches in organizing the

classroom, designing a curriculum, and presenting lessons. There are several basic elements underlying all good language instruction:

- Versatility and flexibility.
- Interactive lessons with hands-on activities and cooperative learning.
- Encouragement and support of the mainstream or regular curriculum.
- Opportunities for all students to feel successful by providing appropriate accommodations for the needs of students' different levels of ability.
- Integration of language skills, thinking skills, and content knowledge.

The following methodologies are promoted as good teaching strategies for ELLs as well as all students:

- Total Physical Response (TPR)
- Cooperative Learning
- Language Experience
- Dialogue Journals
- Learning Centers
- Sheltered Instruction
- Interactive Peer to Peer Oral Techniques (IPOTs)

ESL and regular classroom teachers should:

- Develop and maintain classroom routines
- Control rate of speech
- Build Background
- Pre-teach academic vocabulary
- Utilize frequent checks for comprehension
- Use visual reviews with lists, charts, and other graphic organizers
- Have students provide oral summaries
- Present information in multiple and varied ways
- List and review instructions step by step
- Present frequent summations of the main points of the lesson

Title III law requires effective instruction that: (1) leads to the timely acquisition of proficiency in English and (2) provides teaching and learning opportunities so that each student can become proficient in the state's academic content and student academic achievement standards within the specified time frame that is expected for all students. The ESL program for ELLs may emphasize English temporarily over content subjects. The special instruction in English language development may be discontinued when the student becomes proficient. The school, however, is obligated to provide any assistance needed to remedy academic deficits that may have occurred in other subjects while the student was focusing on learning English. If a student is identified as English-proficient on a reliable and valid language proficiency test and scores below grade level in core academic subjects, the school system must assist the student in eliminating the deficiencies. If the student exits the English language instruction educational program, efforts to eliminate the deficiencies may continue through the regular program and any supplemental programs and/or services that are available to other students who are eligible for such services.

REGISTRATION PROCEDURES

Conditions for Registration:

1. Proof of Age - a valid birth certificate, passport, or other official document listing date and place of birth

A Birth certificate is not required. A school system may request a birth certificate to verify that a student falls within the minimum and maximum age requirements. However, a school system may not bar a student from enrolling because that student has a foreign birth certificate or presents no birth certificate at all. School systems should have a flexible approach and allow for the presentation of alternative documentation to prove age. Examples include a religious, hospital, or physician certificate showing date of birth; baptismal certificate; an entry in a family bible; an adoption record; an affidavit from a parent; or previously verified school records. Refer to ALSDE August 17, 2012 Memorandum.

2. Proof of Immunization - The State of Alabama Certificate of Immunization available at the County Health Department or a physician's office.

If a student does not have an immunization form, a copy of their previous immunization record can be accepted (from another country or even from another school sending a copy). The school and/or ESL department then helps the family know where to go to receive an Alabama immunization record and time is allowed for the student to submit the immunization record. However, enrollment is not withheld due to not having an immunization form. These efforts should be documented for future reference as needed. If appropriate immunization documentation cannot be obtained within a reasonable period of time, the student case should be handled in accordance with approved state and local board of education procedures.

3. Registration - School registration is completed and housed online. Registration help is provided on an individual basis, as needed.

No questions regarding immigration status are asked of the parents or students during registration because schools are not agents of the immigration agency (*Plyler v. Doe*, 1982)

4. Home Language Survey - System wide form is completed during initial enrollment by the parents or guardians of students. This form will be filed in the permanent record of each child in the system. If the language listed is anything other than English, a copy of the Home Language Survey will be given to the ESL Teacher within three days of registration.

5. Proof of Residence – Two proofs of residence are required for enrollment. In the event that families cannot produce these, Policy 6.1.2(e) authorizes the Superintendent and his designee(s) to make appropriate exceptions. Affidavits can be completed regarding residency and determinations made about homeless status in accordance with information shared regarding residential status and living arrangements at the time of registration. Alternatively, a home visit can be performed in the event appropriate documentation of residency within the zone is not presented

6. Social Security Card - is NOT required for enrollment. If social security card is not presented at enrollment, Student Services will assign an identification number.

LEP Defined

The Alabama definition of limited English proficient (LEP)/English language learner (ELL) is taken from the Every Student Succeeds Act (ESSA). – The term ‘limited English proficient’, when used with respect to an individual, means an individual –

- A. Who is aged three through 21;
- B. Who is enrolled or preparing to enroll in an elementary school or secondary school;
- C. (i) who was not born in the United States or whose native language is a language other than English;
 - (ii) who is a Native American or Alaska Native, or a native resident of the outlying areas; and who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency;
 - (iii) or who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- D. Whose difficulty is speaking, reading, writing, or understanding the English language may be sufficient to deny the individual -
 - (i) the ability to meet the State’s proficient level of achievement on State assessments described in Section 1111(b)(3);
 - (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
 - (iii) the opportunity to participate fully in society.”

A student is considered Limited English Proficient until exited by the ELL committee. In order to Exit, a student must earn a 4.8 or higher composite score on the state English language proficiency test. For the first year after being exited, the student is classified as Former Limited English Proficient (Monitor Year 1). During the second, third and fourth year following exiting, the student is classified as Former Limited English Proficient (Monitor Year 2, 3 and 4). At the end of the four years of monitoring, the student is classified as FLEP Complete.

Students who re-enter the program based on poor academic performance during the monitoring period are required to receive ELL services. Any student who has reentered will not be classified as “Former LEP” until he/she has again scored proficient on the state English language proficiency test.

All LEP students participate in the Alabama State Testing Program with or without accommodations according to state and federal guidelines. Limited English Proficient and Former Limited English Proficient students within the first four years of monitoring will be included in the LEP subgroup for the purpose of accountability reporting.

LANGUAGE PROFICIENCY ASSESSMENT

The ESL staff members have completed the appropriate assessment training and certification to administer the W-APT/WIDA Screener (WIDA ACCESS Placement Test) to all potential ELLs and administer the ACCESS 2.0 to all LEP students each spring.

W-APT/WIDA Screener is the primary instrument utilized to determine the initial level of English language proficiency for program placement. The ACCESS 2.0 for ELLs is an annual assessment that indicates the progress students have made from year to year and annual proficiency level. Both the assessments measure speaking, listening, reading, and writing across the WIDA English Language Development Standards for English Language Learners in Kindergarten through Grade 12 (2012). The standards are:

1. English language learners communicate in English for SOCIAL AND INSTRUCTIONAL purposes within the school setting.
2. English language learners communicate information, ideas, and concepts necessary for academic success in the content area of LANGUAGE ARTS.
3. English language learners communicate information, ideas, and concepts necessary for academic success in the content area of MATHEMATICS.
4. English language learners communicate information, ideas, and concepts necessary for academic success in the content area of SCIENCE.
5. English language learners communicate information, ideas, and concepts necessary for academic success in the content area of SOCIAL STUDIES.

ACCESS/ACCESS 2.0 for ELLS will be administered in grade level clusters as follows:

- Kindergarten
- Grades 1
- Grades 2-3
- Grades 4-5
- Grades 6-8
- Grades 9-12

W-APT/WIDA Screener is administered on an individual basis after a student has been initially identified as a potential ELL upon enrollment. The score from the W-APT facilitates the ELL committee's discussion and decision of whether a student receives ESL services because it indicates the student's language level.

ACCESS 2.0/ACCESS for ELLs is administered each spring in accordance with the testing calendar set forth by the Alabama State Department of Education. All Kindergarten students are assessed individually. Students in grades 1-12 take all four domains (speaking, listening, reading, and writing) in small group with students of the same grade level cluster and tier.

Students scoring less than a 4.8 composite score will participate in the ESL program based on their level of proficiency and grade level in accordance with the decision of the ELL Committee.

W-APT and ACCESS 2.0 for ELLs will be noted on the ELL Student Referral and Placement Form by the ESL instructor. This form will be provided to the ELL Committee within ten (10) days of identification for a placement decision. The Committee will review all available

information to make a recommendation for the most appropriate placement decision. All assessments, recommendations, and placements should be completed immediately after identification.

All students (including all ELL students) will participate in all aspects of the State Assessment Program according to state and federal guidelines. LEP students in their first academic year of enrollment in U.S. schools receive special consideration regarding their participation in state assessments.

**Auburn City Schools
RECOMMENDATIONS FOR THE ELL COMMITTEE**

- The ELL Committee should gather as much information as possible about the ELL’s educational background.
- All members of the ELL Committee shall observe all rules and laws governing the confidentiality of information concerning individual students.
- Based on W-APT/ACCESS 2.0 for ELLs scores and school records, the student should be placed in appropriate classes.
- Classroom accommodations are determined by the ELL committee. As a student gains English proficiency, the accommodations will be changed to meet individual needs.
- The ELL Committee will consider and determine whether an alternate grading plan is appropriate for an ELL. This decision will be based upon a variety of criteria: the student’s English language proficiency level, teacher observation, and other academic data.
- “Graded according to LEP plan (ELL)” on the report card, as determined by the ELL Committee
- ESL teacher and RTI Committee will monitor ELL Progress each grading period to document/verify that the appropriate designated accommodations have been implemented.
- Written documentation justifying failing grades at each grading period, including student work samples, must be presented to the ELL teacher and RTI committee for review and maintained in the student’s ELL portfolio. Verbal discussion with parents in a conference or by phone and appropriate documentation must be on file.

ESL Documentation

The following documentation should be maintained in the individual ELL student profile/portfolio:

ESL Student FOLDER	CUMULATIVE FILE
Home Language Survey	Home Language Survey
W-APT/WIDA Screener Scores, ACCESS 2.0 scores	ACCESS 2.0 scores
Translation agreement (as needed)	ESL Program Status with screening info. attached (NOMPHLOTES)- when applicable.
Determination of Student Eligibility (Transact)	Title III form (Pink)
Parent- Teacher Conference Letter/ Request	
I-ELP	
Special Populations Form (testing accommodations)	
Exit Letter (when applicable)	
Monitoring Forms	

SPECIAL EDUCATION SERVICES

ELL students can be referred for and placed into Special Education and Gifted Education programs by following the same procedures used for all students (Section 3116; Section 3213(2)(2)(G)); OCR Memorandum, September 1991, Lau v. Nichols. [See Section 1 pages 4 & 5 of this Manual of Procedures].

Students who are experiencing academic and behavioral difficulties, not related to their LEP status, are initially referred to the RTI Team at their school. If the strategies and interventions set forth by RTI are not successful, the student may be referred for special education services.

As a general rule, ELLs who are following normal developmental patterns for learning a new language SHOULD NOT BE REFERRED. ELLs, because of their cultural and linguistic backgrounds, have special instructional needs. These needs should not be confused with disabilities nor should they serve as a basis for referral for a special education evaluation.

Prior to a referral to RTI or for a special education evaluation, efforts must be made to meet the student's needs within the context of the regular education program including English as a Second Language classes and documentation of assessments, accommodations, and interventions. Specific indicators, which validate the need for special education evaluation are:

- Poor communicative proficiency in the home as compared to siblings and peers in bilingual environments, especially when this deficiency is noted by parents.
- English language development that appears to be significantly different than that of peers who are also learning English as a Second Language.
- Noted developmental delays or other at-risk conditions.

Referral information may indicate that a structured developmental history is needed to assist in the evaluation of a student's problem. The information gained from this history would be helpful in determining that a student's eligibility for special education services was not determined by the student's limited English proficiency or a lack of instruction in reading and math. The information recorded should remove all doubt that socio-cultural factors are the primary contributors to the student's learning or behavior problems. Essential factors needed to make this determination may be beyond the referral information required for non-LEP students. (NOTE: Parents may need assistance in completing the developmental history ranging from translation to understanding the criteria being evaluated)

Procedures for a New Referral

1. Follow ESL procedures for identification.
2. Typically a student should have participated in an appropriate ESL program for a minimum of one year.
3. Documentation of assessments, accommodations, and interventions will be submitted to the RTI Team along with the Longitudinal Data Card.
4. The ESL Resource Teacher is available as needed to assist the RTI Team in reviewing and recommending additional support or intervention strategies and programs.

PARTICIPATION IN OTHER PROGRAMS

English Language Learners (ELLs) are entitled to the same facilities, programs and activities as all other students.

ELLs have equal access to the full range of district programs and services, including special education, gifted and talented programs, career-technical education, Title I, homeless, and non-academic and extracurricular activities. Every effort is made to notify students and parents of available programs and activities through newsletters, phone calls, and informational meetings for parents (with translations and interpreters available when possible). ESL and mainstream teachers encourage ELLs to participate in extracurricular and non-academic activities.