



**English Language Learners
English as Second Language
K-12 Resource Guide**

Washington County Public Schools 2016-2017



This manual contains information from various sources including Virginia Department of Education (VDOE), World-Class Instructional Design and Assessment (WIDA Consortium), Prince William County School District, Manassas City Public Schools ESOL Department, and other school divisions and state education departments, government documents, publishers' sources, and websites.

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GLOSSARY OF TERMS

ACCESS Test- [ACCESS for ELLs® English language proficiency test](#), based on the five WIDA ELP Standards and aligned to the academic standards of member states. ACCESS for ELLs® was developed by Dr. Margo Gottlieb of the Illinois Resource Center, and the Center for Applied Linguistics (CAL), and meets all requirements of NCLB for testing and reporting of English proficiency. This test is administered to all currently served ELL's in February of each year and is used to determine exit status/percentage. It also informs all teachers about directions for professional development and instructional strategies.

AMAOs – Annual Measurable Achievement Objectives – This is a mandate by No Child Left Behind Title III to demonstrate student progress in acquiring the English language. Student language progress is measured and reported to the federal government. Districts not making appropriate progress are subject to sanction.

BICS – Basic Interpersonal Communication Skills – These are the language skills needed for everyday personal and social communication. Second language learners must have BICS in order to interact. It usually takes 1-3 years to completely develop this social language. BICS are not necessarily related to academic success.

CALP – Cognitive Academic Language Proficiency – The language associated with native language literacy and cognitive development. These are the language skills needed to undertake academic tasks in the mainstream classroom. It includes content-specific vocabulary. It may take 5-7 years to develop CALP skills. CALP developed in the first language contribute to the development of CALP in the second language.

ELD Standards –The ELD standards were developed in 2004 by a consortium of states called [WIDA](#) (World-Class Instructional Design and Assessment). In September 2011, WIDA released **revised ELD standards for 2012 which include “cognitive function”** (Bloom’s revised taxonomy). The revised ELD standards outline the progression of English language development in the four domains of Listening, Speaking, Reading, and Writing through five levels from novice to proficient.

ELL – English Language Learners – The student who is learning English and receiving ESL services.

ELP Standards – [WIDA English Language Proficiency \(ELP\) Standards](#) were recently adopted by Teachers of English to Speakers of Other Languages (TESOL), the national ESL organization, to form the basis of the next national NCLB-compliant model standards for ELP proficiency. These standards are aligned to the academic standards of all WIDA member states.

ESL – English as a Second Language – ESL programs instruct students from different language backgrounds in English. They may be delivered through an ESL pull out program during the school day in conjunction with accommodations in the regular classroom. In high school, English as a second language instruction often occurs in a scheduled class period, also accompanied by accommodations in content area classes. Students in ESL programs may also receive native language support but the primary language of instruction is English.

ESL Portfolio – This is a collection of dated work samples, rubrics and alternative assessments for individual ESL students, placed in the purple folder. The ESL portfolio is maintained by the ESL teacher and is useful in evaluating ESL student progress as well as determining progress toward meeting promotion standards.

ESOL – English for Speakers of Other Languages – A program that serves the linguistic and academic needs of students who enter the school system with limited English proficiency.

Exit Status – A student may be exited from the ESL program when he/she has achieved a level 5 on the ACCESS test with a 4.8 in both Reading and Writing.

FEP – Fluent English Proficient – A student is determined to be FEP once they reach level 5 of the ACCESS test.

LEP – Limited English Proficient – A term most often used by the federal government to describe students who have been determined as having limited English language skills in listening, reading, writing or speaking the English language. The W-APT and/or ACCESS test is used to determine whether or not a student is LEP. Classification as an LEP student will allow the school system to provide services that will help the student in many ways. Teachers and schools must take steps to provide instructional modifications that address the needs of the LEP student in all classrooms. The LEP student has the right to access second language services in addition to all services provided to non-LEP students. The LEP student must be assessed annually using the ACCESS test and participate in SOL assessments when mandated. The LEP student may qualify for test accommodations.

NCLB – No Child Left Behind – This is federal legislation which makes states accountable for students' academic achievement.

NOM – National Origin Minority – A term most often used by the federal government to indicate a student who was born outside of the United States and/or who speaks another language besides English at home. Not all NOMs are limited in their English proficiency. However, all NOMs must be tested using the W-APT to determine whether or not they are in need of language services.

OCR – Office for Civil Rights – As only one of its many responsibilities, this division of the United States Office of Education oversees the English language programs in the United States. English language programs were mandated by the Civil Rights Act of 1964 and the Bilingual Education Act of 1968.

Personal Education Plan – A personal education plan for all students served in the ESL program to provide diagnostic/identification information, strategies for intervention, and monitoring strategies. It may also include specific language objectives. This plan also contains copies of the student's testing record.

Proficiency Level – English language proficiency in all four domains; listening, reading, writing and speaking, as determined by the results of the ACCESS test.

Purple Folder – Each ESL student must have an ESL Program Record. In Washington County Schools, this program record is known as the ESL Purple Folder. ESL teachers are responsible for maintaining this folder and its contents. All test results as well as other forms of documentation are kept in this folder. **(See “ESL purple folder checklist” in Appendix P)**

SDAIE – Specifically Designed Academic Instruction in English – An approach to delivering services to English language learners in which the content is taught by regular classroom teachers and adapted to the English language proficiency of the English language learner.

Sheltered Instruction – A method of delivering instruction to limited English proficient students in the regular classroom that focuses on language objectives as well as content objectives. Sheltered instruction training is required of all teachers of ELL’s in Washington County Schools.

W-APT – WIDA ACCESS Placement Test (W-APT)[™] – A “screener” test administered to all students new to a school, including kindergarten students, after the ESL teacher looks at the Home Language Survey to determine if the test is necessary. The results of this test will determine whether ESL services are needed and the type of services needed.

WIDA – World-Class Instructional Design and Assessment - The WIDA Consortium is a non-profit cooperative of states working together to meet the requirements of [No Child Left Behind \(NCLB\)](#) for English Language Learners (ELLs) with innovative standards and assessments. It is housed at the [Wisconsin Center for Education Research](#) in Madison, Wisconsin. WIDA was founded in 2002 when it received a federal enhanced assessment grant. Those funds, along with subsequent earnings and awards, have been used to develop ELP Standards.

INTRODUCTION

Limited English Proficient, or LEP students are protected by the Civil Rights Act of 1964 (and other subsequent legislation and court decisions discussed in Section 5 on this handbook) from being discriminated against in their education. LEP students are entitled to an equal education regardless of their national origin, English proficiency, or immigration status. This handbook has been created to provide a fundamental understanding of the LEP students enrolled in the Washington County Public School district (WCPS). The teachers and staff in this district are committed to increasing the effectiveness of the English as a Second Language (ESL) program. We believe that ongoing staff development and training in second language acquisition, cultural awareness and sheltered instruction for LEP students is essential for all staff members.

State and federal statutes require school districts to establish an alternative program for limited English proficient students that is non-discriminatory and that is based on sound educational theory and practice. It is the school district's responsibility to comply with all legal mandates related to limited English proficient students. All English Language Learners must have full access to the district's instructional programs, and at the same time, have the assistance needed to become proficient in academic English. The native language of the child is used only for identification and not for instruction.

The ESL program in Washington County is designed around our school system's philosophy that all children can learn. Washington County Schools are committed to the success of every student and it is our belief that the school system's ESL program:

- Is tailored to meet the special linguistic, academic, and cultural needs of the students;
- Will provide the ELLs the assistance and instruction necessary to allow them to progress through school at a rate similar to their native English speaking peers; and
- Will use the school district and community resources to provide assistance to the ESL student and their family as needed.

The staff of the WCPS is committed to providing educational experiences that meet the unique and diverse needs of ALL of our students. English Language Learners engage in differentiated learning opportunities that foster the development of the English language through instruction and support in an ESL program and in the general education setting. Through early assessment, placement, services, and progress monitoring, ELL students acquire the English language skills necessary to attain academic success and become lifelong learners.

DEFINITION OF LEP STUDENT

An LEP student in the Commonwealth of Virginia is classified according to the federal government definition as described in Public Law 107-110, the *No Child Left Behind Act of 2001*.

A LEP student:

- (A.) Is aged 3 through 21,
- (B.) Is enrolled or preparing to enroll in an elementary school or secondary school;
- (C.) Was not born in the United States or whose native language is a language other than English; and who comes from an environment where a language other than English is dominant; OR

- a) Is a Native American or Alaska Native, or a native resident of outlying areas; and
 - b) comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; OR
 - c) Is migratory, whose native language is a language other than English, and comes from an environment where a language other than English is dominant; AND
- (D.) Has difficulties speaking, reading, writing, or understanding the English language which may be sufficient to deny the individual –
- a) The ability to meet the state's proficient level of achievement on state assessments described in Section 1111(b)(3);
 - b) The ability to achieve successfully in classrooms where the language of instruction is English; or
 - c) The opportunity to participate fully in society.

DEFINITION OF IMMIGRANT

An immigrant and youth (IY) student in the Commonwealth of Virginia is classified according to the federal government definition as described in Public Law 107-110, the *No Child Left Behind Act of 2001*:

- Is aged three through 21;
- Was not born in any state; and
- Has not been attending one or more schools in any one or more states for more than three full academic years.

NOTE: LEAS MUST APPLY THE "THREE FULL ACADEMIC YEARS" REQUIREMENT ON A CUMULATIVE BASIS.

EXCHANGE STUDENTS

For students on J-1 (Exchange Visitor) visas and F-1 (Exchange High School Student) visas, the standard identification, screening, and placement process must be followed as required by Title VI, the Civil Rights Act of 1964, to determine if the student is LEP. If the school division has followed this process and determined that the student is not LEP, this determination should be documented in the student's scholastic record.

This means when Foreign Exchange students from non-English backgrounds enroll, they should complete the HLS, and then be screened for language proficiency and ESL services, if appropriate. While most exchange programs maintain their exchange students are fluent in English, WCPS will follow federal regulations of identification, screening, and placement. If the foreign exchange student refuses ESL services, the host parent may sign the refusal of services form. The signed form is required. Foreign Exchange students do not have to take the ACCESS assessment. Foreign Exchange students will be scheduled into mainstream classes that are age and grade level appropriate.

DISTRICT VISION and MISSION

The overall vision of the WCPS English as a Second Language Department is to positively affect student achievement through successful collaboration of classroom and resource teachers, school administrators, students and parents.

It is the desire of WCPS that all international parents be actively engaged in their child's education. The ESL department recognizes the need to create cohesiveness between home and school. Parents are a child's first

teachers and most influential role models throughout a child's life. It is the responsibility of the school to provide Second Language Families within the school community with as much support as possible to help students find academic success.

The mission of the school division's ESL program is to equip ESL students with the language skills they need to be socially and academically prepared to be successful students in school and beyond.

While recognizing the needs of the growing international community within each school, we are committed to the success of every student.

DISTRICT GOALS and OBJECTIVES

WCPS will provide students identified as English Language Learners (ELLs) with adequate, appropriate, and equitable educational opportunities, so they are able to attain high levels of English proficiency. WCPS will orient ELL students and parents to American culture, so they may participate in school and community life and ensure that students retain pride in their own culture,

WCPS provides highly qualified professionals to serve the ESL population as advocates, educators, and liaisons. Our school division is committed to supplying necessary ESL curriculum, resources, and technology for successful instruction of LEP students.

WCPS are dedicated to providing parents with useful information about how they can support their children at home and informing them of community services which might be beneficial to the families. The ESL department encourages LEP students to take active leadership roles within the school community through programs such as clubs, athletics, volunteer opportunities, and the Washington County Community Scholars program.

GOALS:

There are three established broad goals for ELL learners at all levels, goals that include personal, social, and academic uses of English. Each goal is associated with district standards. Learners will meet these standards as a result of the instruction they receive, thereby achieving the goals. Our schools need to ensure that all students achieve the English language competence needed to academic success and for life in a literate culture.

Goal 1: To use English to communicate in social settings

ELL students will have equal access to all extra-curricular activities, trips, and assemblies. Schedules will allow ELLs to participate with peers in age-appropriate mainstream elective classes such as art, technology, health, physical education, world languages, and vocational education in addition to core content classes.

Standards for Goal 1:

Students will:

1. Use English to participate in social interaction;
2. Interact with spoken and written English for personal expression and enjoyment;

3. Use learning strategies to extend their communication

Goal 2: To use English to achieve academically in all content areas

In school settings, English competence is critical for success and expectations for ELL learners are high. They are expected to learn academic content through the English language and to compete academically with native-English-speaking peers. This process requires that learners use spoken and written English in their schoolwork.

Standards for Goal 2

Students will:

1. Use English to interact in the classroom;
2. Use English to obtain, process, construct, and provide subject matter information in spoken and written form;
3. Use appropriate learning strategies to construct and apply academic knowledge.

Goal 3: To use English in culturally appropriate ways

ELL students come in contact with peers and adults linguistically and culturally. The diversity in U. S. schools mirrors the diversity in this country and around the world that young people will encounter as they move into the workforce. Students will need to be able to understand and appreciate people who are different and communicate effectively with them. Such communication includes the ability to interact in multiple social settings.

Standards for Goal 3

Students will:

1. Use the appropriate language variety, register, and genre according to audience, purpose, and setting;
2. Use nonverbal communication appropriate to audience, purpose, and setting;
3. Use appropriate learning strategies to extend their social-linguistic and socio-cultural competence.

OBJECTIVES

To meet the district goals, the following objectives will be met:

1. To ensure that appropriate ESL curriculum and materials are selected, developed, utilized, and evaluated;
2. To provide ESL training to administrators, instructional staff, and non-instructional personnel;
3. To identify students who are not proficient in English;
4. To provide a program for limited English proficient (LEP) students that develops their academic skill to a level where they can participate fully in the regular curriculum;
5. To promote family and community involvement in the development and implementation of the ESL Program; and
6. To evaluate the effectiveness of the ESL Program.

DISTRICT and SCHOOL RESPONSIBILITIES

This handbook has been developed to assist principals, school testing coordinators, counselors, teachers, and other staff in meeting the needs of ESL students by answering questions that teachers, office staff, administrators or anyone else may have concerning LEP students. The handbook will also provide information concerning:

- Meeting state requirements, including instruction and assessment;
- Meeting federal requirements under the *No Child Left Behind Act of 2001* (NCLB) and Every Student Succeeds Act (ESSA);
- Meeting requirements to identify, assess, and place LEP students in the appropriate grades, courses, and programs, and monitor their progress; and
- How to help ESL students develop English language proficiency skills and meet state academic achievement standards

The WCPS ESL program will be reviewed and evaluated yearly by a committee made up of the Assistant Superintendent, ESL Coordinator, ESL teacher, a building principal, and a guidance counselor, and a mainstream teacher. When the evaluation indicates that the ESL program is not achieving its goals, the district will modify its program accordingly. The school division remains open to exploring the most appropriate models to serve its ELLs. The formal evaluation will examine and make recommendations regarding the following:

- Curriculum goals and objectives, evaluated according to needs
- The rate of students' progress toward full proficiency in English
- Students' progress in curricular areas measured using tests, portfolios, standardized tests, and performance assessments
- Program effectiveness in regard to identification, assessment process, exiting, monitoring, staffing, parental notifications, and adequacy of facilities and instructional materials
- Whether ELLs are able to participate successfully in the full curriculum, as determined by graduation rates, scholastic achievement, awards, and honors in sports and other extracurricular activities
- Whether ELLs have access to all district programs, including vocational education and special education
- Whether ELLs are being retained in a grade or are dropping out at rates similar to their non - ELL peers

The ESL program is both District-led and school-based. The District ESL Coordinator is responsible for ensuring the school division is providing teachers, classes, and materials to LEP students in an equitable manner, in accordance with federal and state mandates. However, each school has the freedom to develop a program

which best meets the needs of its students, within the parameters indicated in this handbook and the WCPS policy: *IGBF Guidelines for Placement and Evaluation of Limited English Proficient (LEP) students*.

The District is responsible for:

- Registration forms and other important information is translated or interpreted when necessary
- Registration of all new students includes the WCPS Home Language Survey
- New students that indicate English is not their primary language are screened for English proficiency using the WAPT in grades 1-12 and the K Model for kindergarten
- Evaluating foreign transcripts
- Accessing mathematics skills of new ESL students
- Orienting new families to the WCPS educational system and community resources
- Responding to questions related to the ESL program posed by parents and the community
- Monitoring the K-12 ESL program services and providing support to schools
- Providing K-12 professional development
- Providing parents with opportunities to be educational partners in the ESL program
- Supervising the administration of the WIDA ACCESS for ELLs assessment
- Supervising the summer school program to ensure ESL services are provided
- Coordinating translation and interpretation services
- Utilizing state and federal funding sources to support teachers in their professional development
- Funding of participation in TESOL, WIDA, and other professional conferences
- Local workshops and conferences
- State workshops and conferences
- Professional materials
- Best practices in instructional strategies and district initiatives
- Peer observations

The Title III ESL Coordinator will ensure:

- Staff development is provided for Central Office administrators and School Principals with implications of the legal and historical information concerning English language programs
- Staff development for general education classroom teachers will be offered that will consist of effective strategies for ELLs in academic classes, cultural information, and language acquisition
- Ongoing staff development will be offered to ESL teachers. This staff development will include opportunities to attend regional and state workshops related to effective teaching, regular ESL staff meetings as well as special opportunities for staff development by experts in the field as funding permits.
- ESL staff development will be provided annually for all beginning teachers. This will consist of staff development focused on classroom strategies for ELLs as well as cultural information and implications for the classroom.
- Specialized training for general education classroom teachers known as the sheltered instructional model will provide all teachers with the eight components of the model with expectations for these to be implemented in their respective classrooms and in training other general education teachers.

The need for staff development is ongoing and essential to the professionalism of all ESL team members: administrators, teachers, counselors, specialists, aides, and support staff. Each school needs teamwork to meet the language needs of its students. Personnel turnover means that there will always be new staff members who will need training; and the rapid evolution in second language acquisition theory and practice

means that even the most seasoned ESL teacher or regular classroom teacher needs the opportunity for renewal and growth.

Staff development can take several forms, including workshops organized for the entire district, school-based training, small group training, and university courses. Because no two schools or teachers have exactly the same needs, it is essential that any professional development program be designed to meet the particular needs of the participants in mind. One of the professional development type of activities that mainstream teachers and ESL teachers will participate in will be the WIDA ELD Standards Instructional videos. These videos and training opportunities provide a comprehensive insight into not only the ELD Standards, but also how to prepare differentiated lesson plans that are designed to meet various levels of English acquisition in all subject areas. Within each school principals and staff are responsible for the legal requirements of the ESL program and providing appropriate services to identified ESL students. The Washington County district also encourages teachers and staff to attend region and state conferences as well as professional development in-services that are held each July that are specifically designed to meet content requirements, differentiation, and assessment for all levels and subjects. Specific responsibilities for principals and staff are listed below:

The Principal will ensure:

- All students have a Home Language Survey completed
- LEP students are screened and placed accordingly
- LEP students receive an equal education and families are treated fairly and respectfully
- Students receive appropriate ESL services and appropriate modifications in the regular classroom
- School staff and classroom teachers are informed of the legal and procedural guidelines for working with LEP students and their families. (This includes adequate professional development, finding appropriate translation for communication with parents and assuring that LEP students receive the accommodations their Personal Language Education Plan (PLEP) dictates.)
- School administrators' contact with parents and students over disciplinary issues and other important matters are made in a language families understand
- Oversee that the school ESL program is monitored and evaluated

The Guidance Department (specifically middle and high schools)

- Is responsible for ensuring all LEP students have schedules that allow them to receive ESL services and all educational decisions are appropriate to their level of English proficiency
- Communicates with parents in a language they can understand and documents this has been done.

The School Registration Secretary

- Is responsible for registering new students
- Is responsible for entering student data into PowerSchool and updating information as necessary
- Assists the ESL teacher in gaining access to student information that is relevant and necessary to perform necessary job functions

The School Testing Coordinator

- Ensures LEP students are included in standardized testing and that appropriate accommodations are available for those tests

The ESL Teacher

- All Washington County full-time ESL teachers that are fully certified degrees in ESL
- May teach only ESL or other subjects as well

- Is responsible for providing ESL instruction to LEP students, advocating for them, and an available resource for other school faculty members
- Is responsible for maintaining records of students' performance during their time in the ESL program
- Assists the School Testing Coordinator with the administration of standardized tests for LEP students.

The ESL Teaching Assistant

- Assists the ESL teacher with small group instruction, contacts parents, and works with content teachers, as well as, assists with some of the administrative duties of the ESL program
- Always works under the supervision of an ESL teacher

The Classroom Teacher with LEP students

- Is responsible for making their classroom instruction accessible, even for students at a beginning level of English proficiency
- Is responsible for assessing students in such a way that does not discriminate against them on the basis of their language proficiency.
- Incorporates both content and the WIDA ELD standards in each lesson. (The standards along with accommodations and modifications should be well documented.)

Washington County makes every effort to provide qualified staff to support the ESL program. Washington County provides the personnel necessary to effectively implement programs and services for ELLs. Necessary personnel includes teachers who are qualified to provide ELL services and core-content teachers who are highly qualified in their field and trained to support ELLs. ESL specialists provide opportunities for core content teachers to receive in-service training concerning the ELD standards and strategies to help incorporate the ELD standards into their instruction. ESL teachers and core content teachers are given opportunities to attend conferences and workshops to help them better serve the needs of the EL students.

The ESL Coordinator has supervision of the ESL Program. Washington County has two full-time teachers that are highly qualified and endorsed in English as Second Language. Washington County also employs a part-time ESL tutor/interpreter that has an international certification and speaks five languages. The two certified ESL teachers, tutors, and translators work under the direct supervision of the ESL Coordinator. Tutors and Interpreters are assigned to selected students for additional support.

Classroom teachers and Specialized Resource Teachers are provided with staff development in appropriate instructional strategies and an understanding of cultural diversity in order to meet the needs of ESL students. Administrators and ESL teachers consistently meet with content teachers who have EL students in their classroom to ensure agreed upon strategies, techniques, and materials are being utilized in the classroom to help support the EL students be successful. Reading coaches and ESL teachers provide modeling for content teachers to ensure those teachers understand and are equipped to provide engaging lessons and meet the cognitive demands of EL students at their level. Volunteer Assistants from the community and school with appropriate skills also provide tutoring and translating as needed.

Washington County also provides adequate training to administrators who evaluate teachers working with ELL so that the administrator can meaningfully evaluate whether these teachers are successfully meeting the

objectives of the programs and services for ELLs. ESL teachers are evaluated by ESL Coordinator and administrators using the ESL Teacher Task Timeline and Evaluation form to insure described responsibilities are followed. Washington County will continue to provide adequate professional development and follow-up training to prepare ELL program teachers and administrators to implement the ELL programs and services effectively.

Teachers have access to resources that assist them in differentiation and meeting individual student needs. Such resources include but are not limited to computers, Chrome Books, bilingual dictionaries, picture dictionaries, native language books, teaching aids, textbooks, workbooks, software, etc. are available to ESL and classroom teachers. Additional materials are purchased as funds become available, with an emphasis on materials which support ESL objectives and current research.

The following sections have information and answers to commonly asked questions concerning LEP students, immigrants, and foreign exchange students. Forms that address certain requirements outlined in the handbook can be found in the Appendices.

REGISTRATION -- NEW STUDENT PROCEDURES AND PLACEMENT

Identification of LEP students during the enrollment process

All new students, including those who come from other countries, whose parents wish to enroll them in one of the Washington County schools will follow the same registration procedures. As part of the enrollment process, all parents/guardians are required to fill out the Home Language Survey (HLS) for every child enrolling. It is both a state and federal requirement that all students complete a Home Language Survey. All schools will use the same **Registration Form** and **Home Language Survey Form** and other compliant forms as part of the registration packet for new students. Both of these forms have sections that alert the school registrar and guidance counselors that new students may need further English language proficiency screening and possible English for Speakers of Other Languages (ESOL) services. See **(Appendix A-WCPS Registration Form and Appendix B - Home Language Survey)**.

Parents who are registering their child will be assisted in completing the documents and registration materials on-site, as needed. If the child was born outside of the United States or the parents indicate a primary language other than English on the HLS, the enrolling school registrar will notify the ESL teacher. If there is no evidence that the student had been screened from the sending school, the ESL teacher will screen the student to determine English Language Proficiency.

If any answers indicate that the student's primary language is something other than English, the student must take an English proficiency assessment (W-APT). The ESL teacher will conduct a state-approved language proficiency test to determine the level of English proficiency. The ESL teacher has **10 days after registration** to conduct the test and send the results to the ESL Coordinator, the school registrar, and the parents of the LEP student. The results of the screening will be sent to the ESL Coordinator, so they can be entered into PowerSchool.

After evaluating the results of the W-APT, the ESL teacher and the school will communicate with the family whether or not the student is LEP and whether the student needs ESL services. The school registrar will maintain a list of the notifications given to the ESL teacher including the date given to the ESL teacher, as well as, the date the ESL teacher notified the registrar of the results of the screening. A copy of the acceptance or refusal of services will also be sent to the ESL Coordinator, so the decision of the parents may also be entered into PowerSchool.

SPECIFIC DETAILS for NEW STUDENT PROCEDURES

The first responsibility of each school is to identify the students who require ESL services and to assist in placing those students in appropriate curriculums. The identification procedure described below and in the Washington County manual will be followed systematically.

The school uses information from the **home language survey** and a **language placement test** to determine if students meet the definition for a Limited English Proficient (LEP) student and should participate in a Language Support Program. According to the federal government, an LEP student:

- Is age 3 – 21;
- Is enrolled in an elementary or secondary school;
- Is **not born in the United States** OR whose **native language is other than English**;
- Demonstrates **difficulty speaking, reading, writing, or understanding the English language**, which may deny the ability to meet proficient levels on state assessments, achieve successfully in classrooms where the language of instruction is English, and participate fully in society.

A uniform registration procedure is used with all students enrolling in the Washington County School District. The recommended procedure to identify LEP/ELL students for language instruction educational programs is based on the following steps:

Step 1. Identification of LEP Students: Home Language Survey

A Home Language Survey is a district-developed tool to be given to all entering students and used to identify students who may not be proficient in English.

The Home Language Survey is designed to identify, for possible further evaluation:

- Students who communicate in a language other than English; or
- Students whose families use a primary language other than English in the home; or
- Students who use a language other than English in daily non-school surroundings; or
- Students who were not born in the United States.

Note: Having another language spoken in the home or routinely used in other settings is not an automatic identification of a student as LEP/ELL. The preliminary evaluation conducted in the next step determines the students who should be referred for placement in a language instruction educational program.

Step 2. Evaluation of Prior Transcripts and Academic History

If the student has previously been enrolled in a Virginia public school, staff will contact the previous school for an ACCESS or W-APT score and ELD level for placement into the Washington County ESL Program. Students that transfer to Washington County from a WIDA state (found on the WIDA web site: www.wida.us) will use their ACCESS or W-APT score and WIDA level for placement in WCPS. The student’s academic history and transcripts will be screened thoroughly including:

- Academic records from within or outside the United States
- Course grades which, in relation to the student’s grade level, indicate that lack of progress is due to limited English language acquisition
- Information on everyday classroom performance

Consideration of prior academic success and scholastic records will also be used to evaluate the need of ESL services.

Step 3. Screener Evaluation for Instructional Placement

If the Home Language Survey confirms that the student’s home or primary language is other than English, the WIDA-ACCESS Placement Test, or W-APT will be used as the initial English language “screener.” The W-APT score will be used to determine the initial placement for English language assessment and assist in determining the student’s initial English language proficiency (ELP) level. The Kindergarten W-APT will be used for students enrolling in Kindergarten. This screening must take place within 10 (ten) school days of student enrollment. NOTE: Virginia Department of Education (VDOE) requires the W-APT to be administered only once per calendar year.

Washington County Schools uses the **W-APT (WIDA Access Placement Test)** to determine if students are eligible for services. Students must fall into levels 1 - 5 to be eligible for services. (See the chart below.)

WIDA Levels		Level 1	Level 2	Level 3	Level 4	Level 5	Level 6
		Entering	Emerging	Developing	Expanding	Bridging	Proficient
Kindergarten	W-APT Listening/ Speaking	0-6	7-12	13-18	19-26	27-30	27-30
	W-APT Reading	N/A	N/A	N/A	N/A	0-6	7-15
	W-APT Writing	N/A	N/A	N/A	N/A	0-6	7-18
Grades 1-12	W-APT	1.0-1.9	2.0-2.9	3.0-3.9	4.0-4.9	5.0 AND Literacy 4.0-4.9	5.0+ AND Literacy 5.0+

Step 4. Results of the Screener Evaluation: PowerSchool

One copy of the results of the W-APT and/or WIDA-ACCESS evaluations will be placed in the student's home school cumulative folder. Another copy of the results of the evaluations will be sent to the ESL Coordinator in the district office where the results will be added to the individual student's record in PowerSchool. Fields in PowerSchool will be used to indicate the Overall Composite and Overall Proficient levels. The parent's decision whether or not to accept ESL services will also be marked in PowerSchool.

Additional documents needed in order to register in WCPS include:

- Parent ID
- Legal custody document (if student does not live with parents)
- Proof of address to determine if the student lives within the WCPS district, (one of the following):
 - A utility bill with a Washington County address with the parent's name
 - A voter registration card with an address in Washington County
 - A driver's license with a Washington County address
 - Income tax forms listing a Washington County address
 - Checking and/or savings account statements listing a Washington County address
 - Charge account statement listing a Washington County address and the parent's name
 - Birth certificate
 - Immunization records

Other helpful information:

- Transcripts or report cards from prior schools
- IEP if the student has been identified as a child with disabilities.

Social Security Numbers are NOT REQUIRED in Virginia Public Schools.

The Code of Virginia states: It shall be unlawful for any agency to require an individual to disclose or furnish his social security account number not previously disclosed or furnished, for any purpose in connection with any activity, or to refuse any service, privilege or right to an individual wholly or partly because the individual does not disclose or furnish such number, unless the disclosure or furnishing of such number is specifically required by federal or state law. [COV, §2.2-3808. A.]

In accordance with federal law, Washington County Public school system **will not require** that a student provide any proof of legal status such as a social security card, green card, or other **proof of legal U.S. residency**. (Note: this is NOT the same as proof of residency within the "District.")

HOME LANGUAGE SURVEY PROCEDURES

The Home Language Survey elicits information regarding a student's native language, the language spoken most often by the student, and whether or not the student was born outside the United States. This information is used to initially identify students for the ELL program. A separate HLS must be filled out for each student. For example, a parent who has three children must fill out three separate HLS forms.

The ESL teacher works directly with the school's registration clerk when new students enroll and indicate that English is not their primary language. The ESL teacher checks the Home Language Survey and discusses the information that was listed on the Home Language Survey. The ESL teacher verifies that the student's parent or guardian understands the Home Language Survey and offers a translation of all of the registration forms if requested to do so. The ESL teacher will coordinate efforts with the school's registration clerk to assist parent or guardian with the completion of all of the appropriate forms.

If the answer to any of the questions on the HLS indicates that the student's primary language is other than English, or if there is a language other than English spoken at home, the student should be referred to the ESL teacher for initial language assessment using the W-APT to assess English language skills in all four domains: listening, speaking, reading and writing to determine if the student has limited English proficiency. (Note: Students in the first semester of Kindergarten are administered only the listening and speaking domains.)

The Home Language Survey should be kept in each student's permanent file regardless of whether or not the student is identified as ELL.

Administration of the Home Language Survey

1. When the parent or guardian begins the registration process for a new student, the registration clerk presents a registration packet, which includes a Home Language Survey in English. The clerk gives the parents the option to fill out the HLS in their native language.
2. If the parent can understand but not read English, the clerk must obtain the information orally and assist the parent in filling out the form.
3. If the parent or guardian is unable to speak English or read the translated HLS, the clerk shall inform the Principal or ESL Teacher that an interpreter is needed. If no suitable interpreter can be found, the Principal or ESL Teacher shall contact the ESL Coordinator.
4. The registration clerk shall ensure that the HLS contains the student's identification number.
5. If there is any reason to question the accuracy of the answers on the HLS, verification shall be made by the school clerk or the ESL Teacher.

Use of the Completed Home Language Survey

1. The school registration secretary must notify the ESL teacher and/or the ESL Coordinator if a new student has indicated that English is not the student's first language or the student was not born in the United States.
2. All students that indicated that English may not be their primary language will be evaluated for English proficiency to determine program placement.
3. All students that indicated that English may not be their primary language will be screened using the W-APT (ACCESS screener) assessment to determine language proficient levels.
4. All ESL student's test summary score sheets will be kept in the student's **purple folder** in the cumulative file.
5. All ESL students in the district program will be evaluated annually using the ACCESS for ELLs.

ENGLISH LANGUAGE PROFICIENCY SCREENING REPORT

The language proficiency assessment currently used in the Washington County Schools is the WIDA ACCESS Placement Test or W-APT. The W-APT is a placement test which is used to assess the listening, speaking, reading, and writing abilities of newly-enrolled students within the first 30 days at the beginning of the year or

within 10 days of enrollment. The W-APT is currently mandated statewide by the VA Department of Education.

- 1) The ESL teacher administers and scores the test as soon as possible and no later than the 30th day after enrollment. The ESL teacher will record the results in the student's personal language education plan and send a letter containing the results to the parents.
- 2) If the student's language proficiency is found to be limited in any one of the four domains as a result of W-APT testing, the student qualifies for services in the ESL program. School personnel enter information about new LEP students into PowerSchool, and the data is transferred to the LEP database in PowerSchool for easy access to LEP information.
- 3) Parents are given the option to accept or refuse services when students qualify for ESL services. If parents choose not to enroll their child in the ESL Program, the ESL teacher will ensure that parents who deny ESL services to their child fully understand the consequences of such a decision. An interpreter will be used if needed. **(Acceptance to Receive ESL Services or Acceptance to Receive Services – Appendix E)**
- 4) The ESL teacher is responsible for maintaining the student's official ESL program record in the ESL **purple** folder which is kept in a secure location. The following items will be placed in the ESL program record. The contents of the ESL folder should be monitored by principals or designee to ensure that required components have been placed in the folder. A checklist has been added to the forms section of this handbook to be used as a reference for principals as part of the ESL teacher evaluations. **(Purple Folder Checklist – Appendix P)**

- **“Purple Folder “Checklist (Appendix P)**
- **Registration Form-(Appendix A)**
- **Home Language Survey- (Appendix B)**
- **WAP-T English Language Proficiency Screening Report**
(Upon entry to WCPS if no ACCESS Score is indicated by previous school)
- **Checklist for Newly Enrolled ESL Student-(Appendix C)**
- **Copy of Notification of Placement-(Appendix D)**
- **Copy of Signature Page of Parental Acceptance or Refusal-(Appendix E)**
- **Student's Personal Language Education Plan (PLEP-Appendix F)**
- **SOL Accommodation Form signed by LEP Committee-(Appendix H)**
- **Copy of Parent Notification of SOL participation-(Appendix I)**
(With appropriate classroom accommodations & modifications)
- **WIDA ACCESS SCORE English Language Proficiency Test/ LEP LEVEL**
- **Language Proficiency Progress Tracker-(Appendix J)**
- **EXIT Letter-(Appendix K)**
- **Monitoring Document-(Appendix M)**
- **Other: Dually Identified-(Appendix G)**
- **Other: _____**

DETERMINING ESL ELIGIBILITY

The purpose of the ESL program is to help ELLs learn English as quickly as possible through specific ESL instruction and to help them be successful in their school programs and adjust culturally to life in America.

The Commonwealth of Virginia is part of the World-Class Instructional Design and Assessment (WIDA) Consortium, a non-profit cooperative of states working together to meet the federal requirements for ELLs with innovative standards and assessments.

Students who meet the federal definition of Limited English Proficient (LEP) are given the WIDA-ACCESS Placement Test (W-APT), a screening test to help identify students in need of ESL program support and placement. Students who qualify for services receive ESL instruction throughout the school year using the WIDA ELP (English Language Proficiency) standards as the model for instruction. At the end of the school year student progress is assessed by giving the ACCESS for ELLs (Assessing Comprehension and Communication in English State-to-State for English Language Learners), an English language proficiency test developed to meet requirements of No Child Left Behind and will continue to be used as mandated by the Every Student Succeeds Act for testing and reporting of English proficiency. Students who meet the benchmark testing criteria will be exited from the ESL program.

A student who meets the following criteria is identified as an ELL and is thereby entitled to ESL services:

- Comes from a home environment where a language other than English is spoken, and
- Scores at a non-proficient level on an English language proficiency assessment, (W-APT ACCESS for ELLs screener).

Results from the W-APT placement test determines whether a student is Fluent English Proficient (FEP) or Limited-English Proficient (LEP).

Oral language skills shall not be the sole criterion for determining language proficiency. Academic achievement and writing and reading abilities in English must also be considered.

PERFORMANCE DEFINITIONS and LANGUAGE LEVELS

English Language Proficiency Levels

Students take English language proficiency tests when they enroll and in the spring of each school year. This spring assessment is called the **WIDA ACCESS for ELLs**. This assessment measures students' **listening, speaking, reading, and writing skill levels**. ESL teachers use the test scores to determine a student's English proficiency level (levels 1 – 6).

WIDA has developed a system of 6 levels to describe the continuum of English language proficiency. Those levels and general criteria that indicate a student's proficiency level are outlined below:

Level 1-Entering – English language learners will process, understand, produce or use:

- pictorial or graphic representation of the language of the content areas
- words, phrases, or chunks of language when presented with one-step commands, directions, WH-, choice- or yes/no- questions, or statements **with** sensory, graphic or interactive support.

Level 2-Beginning –English language learners will process, understand, produce or use:

- general language related to the content areas
- phrases or short sentences
- oral or written language with phonological, syntactic, or semantic errors that often impede the meaning of the communication when presented with one to multiple-step commands, directions, questions, or a series of statements **with** sensory, graphic or interactive support

Level 3-Developing – English language learners will process, understand, produce or use:

- general and some specific language of the content areas
- expanded sentences in oral interaction or written paragraphs
- oral or written language with phonological, syntactic or semantic errors that may impede the communication, but retain much of its meaning, when presented with oral or written, narrative or expository descriptions **with** sensory, graphic or interactive support

Level 4-Expanding – English language learners will process, understand, produce or use:

- specific and some technical language of the content areas
- a variety of sentence lengths of varying linguistic complexity in oral discourse or multiple, related sentences or paragraphs
- oral or written language with minimal phonological, syntactic or semantic errors that do not impede the overall meaning of the communication when presented with oral or written connected discourse with sensory, graphic or interactive support

Level 5-Bridging – English language learners will process, understand, produce or use:

- specialized or technical language of the content areas
- a variety of sentence lengths of varying linguistic complexity in extended oral or written discourse, including stories, essays or reports
- oral or written language approaching comparability to that of English proficient peers when presented with grade level material

Level 6-Reaching – English language learners will process, understand, produce or use:

- specialized or technical language reflective of the content areas at grade level
- a variety of sentence lengths of varying linguistic complexity in extended oral or written discourse as required by the specified grade level
- oral or written communication in English comparable to English proficient peers

Newly enrolled students testing at Level 5 on the initial placement assessment do not enter the language instruction program and are not subject to exiting criteria.

PARENT/GUARDIAN NOTIFICATION of ELL ELIGIBILITY

Parents must sign the ESL Acceptance or Refusal of Services form upon initial enrollment. This gives them the option of choosing to receive or refuse ESL services. Students should not be placed in the ESL Program without prior notification and consent from a parent or legal guardian. If a parent cannot read English, the notice must either be translated into a language the parent can read or be interpreted orally. All school communication with parents, whether oral or written, must be in a language the parents understand. If the school cannot identify anyone to translate or interpret, the ESL Coordinator should be contacted. The School ESL Teacher shall place a copy of the signed acceptance or refusal of services form in the students' cumulative folder and send a copy to the ESL Coordinator. **(Appendix D – Notification of Placement – Appendix D)**

The student must participate in annual ACCESS testing until receiving ACCESS scores that demonstrate that this child is no longer LEP. The student may need LEP modifications in classroom instruction and LEP accommodations on state tests, according to testing guidelines for LEP students. These should be

documented on the Modifications/Accommodations form. (**Appendix H – SOL Assessment and Participation Plan**).

REFUSAL AND OPT-OUT PROCEDURES

Students whose parents have indicated on their child’s Home Language Survey that English is not their primary language will be given the W-APT if the student’s language acquisition levels have not been tested by a previous school. If the student’s records from a previous school indicates that the student qualifies for ESL services, Washington County will not retest the student using the W-APT assessment. If the student qualifies for ESL services, parents will be advised. Washington County will provide Limited English Proficient (LEP) students instruction through the use of sheltered English immersion, unless the parent refuses services. If services are refused the student may be placed in a general classroom.

Parents of ELL students are notified of that their child is eligible for ESL services. The parents are given an Acceptance or Refusal of Services form within 10 days of enrollment for new students or within 30 days of the beginning of each year for students who were eligible the previous year. Parents can refuse services at this time or opt-out their student at any time.

The ESL teacher will review the following information regarding the refusal of services with the parent before the form is signed:

- The student will still participate in the annual WIDA-ACCESS assessment until the child meets exit requirements;
- The student will continue to be classified as LEP/ESL in PowerSchool and in state reporting;
- The student will be placed on an ESL teacher roster and their academic progress will be monitored quarterly by that assigned ESL teacher;
- The student may be re-enrolled into the ESL program with parental permission;
- The student is allowed LEP exemptions and accommodations on state assessments and;
- The parent may opt out of ESL services at any time by requesting a meeting and signing the refusal form.

The original letter must be placed in the ESL student’s academic record file. The parent is provided a copy of the Refusal of Services Letter for their files.

See Appendix E, Refusal of Services Form

Parents who refuse or opt-out their child from the ESL program are asked to meet in person with the ESL teacher, who will explain the benefits of the student remaining in the ESL program. If the parent still wishes to refuse the services offered by the ESL program, the parent will be asked to meet with the principal/designee to ensure the parents understand their rights to re-enroll their child into the ESL program at a later time if they are still eligible for services.

Washington County encourages parents to allow their children to participate in the ESL program for a limited time before they make a final determination to refuse the program. If a parent refuses ESL services, the student may also be enrolled in a classroom with “Sheltered English teachers” who have been trained to work with ELL students. Teachers who teach “sheltered English classes” are content-certified teachers who

have received training on strategies to make subject-area content rigorous, culturally relevant, and comprehensible for ELL students.

The original accept-refusal form will be placed in the ESL student's academic record file in the purple folder. The parent is provided a copy of the Refusal of Services form for their files. Students whose parents have refused services will still be administered an annual WIDA-ACCESS assessment until the student has reached a language level that would exit him from the ESL program.

OPT-OUT OPTIONS

When parents/guardians refuse or opt-out their student from ESL program services, districts are still obligated to provide alternative assistance for these students such as reading specialists or content tutoring. Because of this, when a parent declines their child's participation in a formal language instruction program, the district will continue to monitor the progress of the student to ensure that the student has an equal opportunity to have his or her English language and academic needs met.

Federal law establishes a school division's obligation to provide LEP students with meaningful access to the education program. Students opted out of the ESL program will continue to be monitored by the ESL department and be tested annually using the WIDA ACCESS test to monitor language proficiency progress until the student has reached the level 6, which is monitor status. Once the opt-out student has reached level 6, monitoring will take place for 4 years. Parents have the right to re-enroll their student in ESL services at any time based upon eligibility.

Parents who decline to enroll their child in ESL services, either by refusal or opt-out, have the option to have their child access an alternate instructional program or method of instruction, if available. ESL instructors are available to assist parents in selecting among various programs and methods of instruction offered by Washington County.

Additional ESL methods of instruction to consider (an alternative to opt-out):

- Weekly consultation with an ESL instructor
- Inclusion/push-in services within the regular content classroom

Additional School system-wide programs

All students, regardless of English proficiency, may participate in the following programs if determined eligible:

- Gifted and Talented Program (GATE) (eligible students)
- Title I (eligible students) including -Kindergarten Intervention or Reading Recovery
- Reading Specialist services
- Content area tutoring / Project Graduation tutoring

ESL Program Benefits

The goal of the ESL Program is to help ESL students gain English language proficiency so they can meet state

and federal grade level academic standards for grade promotions, graduation, and English language proficiency requirements. ESL instruction develops listening, speaking, reading, and writing skills within a content-based framework. ESL instructors provide a variety of specialized services until the student demonstrates sufficient language proficiency to insure academic success in the regular classroom. Parents may re-enroll the student into direct ESL instruction at any time as long as the child is still eligible. Parents who would like an alternative format of instruction in lieu of pull-out ESL services may choose consultation or push-in instruction.

The school division will keep parents advised of their child's progress. If the parent objects to his/her child receiving services, the ESL teacher will meet with the parent and explain the program and its advantages to the student. If the parent still objects, the student will not be placed in the ESL Program. In such cases, the ESL teacher must have the parent sign the Refusal of ESL Services form (**Refusal of Services - Appendix E**). If a refusal of services form is signed, the ESL Teacher and regular classroom teacher will monitor student's progress each quarter (**Appendix M -- Monitor of Services**). If a parent refuses services or chooses to opt-out the student, this does not change the child's LEP status. Parents have the option to change their minds at any time and request that their child NOT receive services.

In an effort to increase parental involvement in the education of their children, Washington County will make every effort to increase parents' knowledge of the procedures, policies, and programs in place for English learners regardless of whether they have chosen to opt-out their child from the school's' ESL program. Individual schools will work to increase the attendance of the parents of ELL students at all parent meetings. Each school's ESL teacher will conduct a survey of the ELL parents to determine topics of interest and most convenient day and time to schedule parent meetings at the school site to help make ELL parents feel welcome and acknowledge them as part of the school setting. School sites will post parent meeting agendas and minutes in English and Spanish on the school website so that parents who were unable to attend the meetings can access the information discussed.

Refusal of Services form. The Refusal form will be filed in the student's cumulative folder and a copy sent to the ESL Division Coordinator. The status of the student services will be changed in Power School to a "2" which indicates the student has been identified as ELL, but the parent has refused EL services. The results of the refusal of services will be reported on the SRC data reports.

Students enrolled in elementary schools who struggle with English will receive assistance, if needed, from one or more specialty teachers. Reading coaches, Kindergarten Intervention teachers, Speech teachers, and Response to Intervention teachers are available in all elementary schools to assist students who need assistance. Middle school students will receive services during an assisted studies block of time or before and after school tutoring. High school students will receive tutoring and remediation from core content teachers and/or foreign language teachers.

The progress of ELL students that have exited the ESL program or whose parents have refused services will still be monitored by ESL teachers at least four times each year. All Level 6 students will be assigned an ESL

case manager who will monitor their academic progress for four years. Students whose parents have refused services will be monitored and retested until they have reached exited status. The progress of these students will be tracked using the **Appendix M--Progress Monitoring Form and Appendix J—Student Proficiency Progress Tracker**.

ESL and classroom teachers will review the following to determine progress:

- Grades
- SOL test scores
- Interactive Achievement data
- Unit assessments
- Projects
- Teacher observations
- Lexile levels
- Attendance
- Discipline/Behavior
- Effort; Completed or Missing Assignments

Very Important Note: It is important to understand that waiving ESL services only means that the student will not receive ESL services. This does not mean that the student is not LEP. LEP students will continue to take the ACCESS assessment yearly until they reach exiting status.

GRADE LEVEL PLACEMENT OF ENGLISH LANGUAGE LEARNERS

Washington County is aware that the *Code of Virginia* and, in some cases, federal law mandates enrollment requirements for students in Virginia public schools. Students identified as needing ESL services will be placed in a language instruction program based on English language proficiency level and grade. ESL students are placed at the grade level appropriate for their age. For students who enroll during the year, notification must take place within 10 school days of enrollment. Parent notification letters must be sent for all students identified as LEP on an annual basis within 30 days of the beginning of school if the student is eligible from the previous year. Score sheets from the previous Spring WIDA-ACCESS testing will be sent along with the parent notification letters.

In accordance with the Office of Civil Rights Guidelines, students will be placed in grades according to their chronological age in preschool through eighth grade. The student's grade-level placement is based on academic readiness and age. All students will be placed in the least restrictive environment for the student to be immersed and exposed to the English language. Students will be placed within the most age-appropriate grade level for student success and integration among his/her peers.

Regardless of prior schooling, the student **will not** be placed any lower than his/her age-appropriate placement. It is unlawful to place a student in a lower grade because of limited English proficiency, or the lack of, inadequacy of previous schooling. A review of previous educational records will be used to determine the grade level attained in previous schools. Placement below grade level should only be considered if the student has no prior school experience or if the student has been out of school for more than one academic year. If the ESL student is fluent, placement will be in the regular instructional program. If the student is limited

English proficient, placement will be made into an appropriate instructional program that provides English language development.

Grade Placement in Elementary and Middle Schools, Grades PK-8

Grade placement is made at the time of registration by the principal and school registrar. New students are assigned to classes by the guidance counselor and principal. Students will be assigned to age-appropriate classes, not on the basis of English proficiency. Students will take part in age-appropriate classes as much as possible, with the majority of their time being spent with age-appropriate peers. Students are scheduled in this manner in order to give students peer support and maximize ESL teacher/classroom teacher collaboration.

Teacher placement is made by the principal and consideration is given to ELP levels and specific domain scores derived from the results of the ACCESS or W-APT scores. Preschool and Kindergarten students may be screened during the late spring or summer before their year starts, or given during the preschool or kindergarten registration days are held at the schools in the spring or at any other time of registration.

ESL teachers are immediately notified by the registrar when a new or potential ESL student arrives.

If language proficiency levels are not available, potential EL students will be placed in the age-appropriate classes. The ESL teacher will screen the student within 10 school days of enrollment. After a proficiency level is determined from the screening, the student's schedule is reviewed and may be adjusted by the principal in collaboration with teachers and guidance counselors, if needed.

At the elementary and middle school levels, students can take part in other classes as needed, with the majority of their time being spent with age-appropriate peers. EL students will be assigned to classrooms that best meets their individual needs in order to give the EL students peer support and maximize ESL teacher and classroom teacher collaboration.

Students will participate in the mainstream classrooms with any accommodations or modifications necessary to insure success in the content area. Each ESL student will have an education plan that outlines his or her present language level and level of academic performance and indicate the most appropriate courses, accommodations, and modifications within the curriculum that should be made for the student during the academic year. It will be agreed upon by the LEP committee and parent, signed, and implemented by all faculty members working with the ESL student. Inclusion of WIDA Standards in classroom curriculum will be indicated in lesson plans of classroom teachers with ELL students. Teachers are provided with the WIDA standards and the CAN DO chart to utilize in planning and evaluating ESL students. Teachers will use differentiation to ensure that individual learning needs are addressed within the classroom. Remediation and or extension activities will be provided as needed in the content area.

SPECIFIC INSTRUCTIONAL METHODS USED IN WASHINGTON COUNTY

Washington County uses several methods of instruction depending on the needs of the students such as: sheltered English content based, Pull-out ELD, or Push-in ELD.

Sheltered English content based instruction is focused on learning content knowledge and skills in an all-English setting. Instruction is provided in English only and is adapted to a student's proficiency in English. Instruction is supported by visual aids and support in the student's native language, if possible.

Pull-out ELD instruction is focused on helping EL students attain English fluency by allowing students to leave the mainstream classroom part of the day to receive ELD instruction with an ESL teacher.

Push-in ELD instruction is focused on helping EL students attain English fluency by allowing the students to stay in mainstream classrooms with ESL teachers coming into that classroom to give assistance as needed.

All elementary students receive daily ELD instruction embedded and aligned to general education core content state standards from classroom teachers. ESL teachers will use pull-out and/or push-in instruction as needed.

All middle school students receive targeted ELD instruction during their Language Arts class. EL students may also receive pull-out instruction depending on their language level. Class schedules of middle school students who are in need of more intervention may be modified to allow for additional instruction during an assisted studies block of time.

ESL teachers will submit schedules of daily routines to the ESL Coordinator which outline their daily program and adherence to established recommendations for successfully implementing the ESL program.

At the high school level, guidance counselors and administrators evaluate all new student's transcripts and historical grades in order to best determine placement for students. The student's academic and ESL needs, formative and summative assessment results are reviewed to help make appropriate placements. Classroom teachers will be informed of all current and relevant data at the beginning of the school year and/or the semester. Teachers are provided with the WIDA standards and the CAN DO chart to utilize in planning and evaluating ESL students. Inclusion of WIDA Standards will be incorporated into the lesson plans of core content classroom teachers with ELL students. Teachers will use differentiation to ensure that individual learning needs are addressed within the classroom. Remediation and or extension activities will be provided as needed in the content area.

The guidance counselor will hand-schedule EL students in order to place students in appropriate classes as well as courses that support the student's language level. ESL teachers assist in this process. The traditional sequence of courses may need to be adjusted to reflect language and academic proficiency, prior experience, etc. All students will be placed in the least restrictive environment for the student to be immersed and exposed to the English language. With consideration of prior academic success and scholastic records, students will be placed within the most age-appropriate grade level for student success and integration among his/her peers. A graduation and career plan will be utilized in conjunction with guidance counselor input to create long-term goals in regards to curriculum course placement. Pre-requisites will be considered as placements are made in particular content subjects.

Students will participate in the mainstream classrooms with any accommodations or modifications necessary to ensure success in the content area. Each ESL student will have an education plan developed by the student's LEP committee and parent that outlines his or her present language level and level of academic performance and indicates the most appropriate courses, accommodations, and modifications within the curriculum that should be made for the student during the academic year. It will be fully implemented by all faculty members working with the ESL student.

Students with no academic records will be placed in the ninth grade. If the student brings documentation that shows he/she was in school until leaving his home country (or from another district), that grade assignment will be accepted and the student will be placed accordingly. When records are received at a later date, the transcript will be evaluated to determine academic course credit and the student will be reassigned to appropriate classes and grade levels.

SPECIFIC DETAILS for PLACING HIGH SCHOOL EL STUDENTS IN CLASSES

Washington County's general guidelines for LEP students at the high school level are as follows:

- 1) Course choices
 - All students will be given encouragement and equal opportunity to pursue a high school diploma. Counselors will recognize that a lack of English language proficiency does not have any bearing on cognitive skills.
 - The level of language proficiency will be considered in registering students for high school courses. More concrete courses with less language will be made available when feasible to students whose language level falls below the Bridging level.
- 2) Modification of Instruction and Assessment – All students will receive modifications from regular classroom teachers to make the curriculum accessible to them based on the LEP Plan.
- 3) Participation in Extracurricular Activities – All students will be encouraged to participate in extracurricular activities and every effort will be made to make students aware of activities and requirements.
- 4) ESL teachers, counselors, and School Assistance teams will devise specific strategies for students who demonstrate signs that they are at risk for dropping out of school.

High School age ESL students will be enrolled in high school as long as they are under 21 years of age and meet the Washington County enrollment guidelines. High school ESL students are encouraged to enroll in classes appropriate to their career and post-secondary education or work goals. Students who are on college track receive instruction in preparation for taking college entrance tests as part of the curriculum of their ESL class.

ESL students will be considered for career and technology education courses in the same manner and criteria as all other students who express an interest in these courses. These courses are offered at the Washington County Career and Technical Education Center as well as the four high schools. Enrollment is typically on a first come, first serve basis. The courses may be linked to having completed prior sequences, and may be limited by the number of sections allocated by the master schedules at each school.

LEP students will be informed that they must meet graduation requirements if they intend to receive a high school diploma. Parents will receive notification of student placement in both English and the native language (whenever possible), student performance on the proficiency assessment, and the recommended placement for students in the ELL program.

In cases where graduation will not be possible by age 21, the parents and students will be informed of other options such as (GED) classes or online possibilities, by the guidance counselor or ESL teacher. If parents proceed in enrolling the student in high school, the fact that the student will not be able to graduate due to lack of course credits will be fully explained. An interpreter will be provided for this purpose if needed and if possible. No student will be denied the opportunity to attend high school so long as they are under 21 years of age and meet the Washington County enrollment guidelines.

Siblings: If a student has a sibling in an ESL site, the sibling has the right to attend the same school regardless of whether or not the sibling is in the ESL program.

Please note the following WCPS board policy on LEP students: *IGBF Guidelines for Placement and Evaluation of Limited English Proficient (LEP) students*. This policy can be found in its entirety in this handbook and on the WCPS website under school board policies. **(Appendix Q – IGBF)**

ELL SERVICES PROVIDED

There is no specific legislation defining precisely what type of services must be provided to LEP students. However, Title III statues does direct school districts to provide high quality language instruction programs.

Title III Sec. 3115 (c) (1) legislation states: School districts will provide services designed to increase the English Language Proficiency of limited English Proficient children by providing high-quality language instruction educational programs that are based on scientifically based research demonstrating the effectiveness of the programs in increasing (A) English Proficiency and (B) student academic achievement in the core academic subjects.

PROGRAM OPTIONS FOR ENGLISH LANGUAGE LEARNERS

The U.S. Department of Education, Office for Civil Rights requires districts to identify all of its ELLs and provide them with equal and meaningful access to the educational programs offered by the district. Regarding segregation, it is mandated that ELLs be assigned to the least segregated environment. Limited separation is allowable only when it is educationally justifiable (the benefits of the program outweigh the detrimental effects of segregation).

The ESL program is designed to provide the assistance necessary for the students to succeed within the regular school curriculum. At both the middle and elementary school levels, ESL instructors serve as advocates, making sure that ELL's have the same educational opportunities as mainstream students. Instructors communicate daily with classroom teachers as they monitor student progress and support their language and academic learning. Our ESL teachers communicate regularly with parents and often go above and beyond their call of duty as they offer services outside of the school day to ESL families such as transportation to extra-curricular activities, health care appointments, summer school, and personal family outings.

Depending upon need, proficiency level, and content area of study, ESL teachers work with students in individual or small group settings as well working within the regular classroom in an inclusive setting. LEP students with very limited English proficiency will require much more English language instruction than students at higher proficiency levels. Providing as much language instruction as possible at the lower proficiency levels will speed up the language acquisition process and ensure students are provided a solid foundation. Listening, speaking, reading, and writing skills are emphasized within the ESL program. Great attention is given to academic vocabulary study within the content areas. General classroom teachers are given support and instructional strategies to assist ESL students within the regular classroom. Both ESL

instructors as well as content area teachers are given professional development opportunities throughout the school year.

All ESL students will have a Personal Language Education Plan (PLEP) that is developed by the ESL teacher and other members of the LEP committee based upon the proficiency levels and the unique learning needs of each individual student. A copy of the PLEP will be shared and discussed with all teachers responsible for the academic growth of the student. The student's PLEP will be revised annually to address the academic growth and development needs of each student. **A copy of the PLEP will be maintained in the student's permanent file. (Appendix – Personal Language Education Plan)**

EXTRA CURRICULAR AND SPECIALIZED PROGRAMS FOR ENGLISH LANGUAGE LEARNERS

LEP students will receive appropriate exposure to the regular classroom's culture regardless of how much intensive ESL services are provided. WCPS strives to place ELLs in the regular classroom as much as possible in order to help them develop listening skills, adjust to a normal school routine and develop social relationships with their English-speaking peers. All ELLs, including those with no English skills, should be fully integrated with other students from the onset as much as possible. While ELLs need some time when they do not have to compete with native speakers, they also need to mix with fluent English speakers for at least a portion of the day. ELL students will have equal access to all extra-curricular activities, trips, and assemblies. Schedules will allow ELLs to participate with peers in age-appropriate mainstream elective classes such as art, technology, health, physical education, world languages, and vocational education in addition to core content classes.

Students are encouraged to participate in sports, choir, and other extracurricular activities. Notices for all extra-curricular activities are sent home with ESL students just as with peers. ESL instructors are mindful to send translations of activity notices home with any student whose parents have requested translations. ESL teachers act as advocates for those students who desire more information or additional assistance with registrations. ESL instructors as well as other faculty and staff members are available to further discuss and answer questions that parents may have about after-school programs provided to students by the community such as scouts, boys and girls clubs, school clubs, parks and recreation sports, and 4-H programs.

The ESL teacher and/or the mainstream teacher may at times recommend LEP students be evaluated for the Gifted-Talented Program. If the LEP student qualifies for the Gifted Program, they will participate fully with the division's other gifted students. The Gifted Program Director will be responsible for making an annual report at the end of each year to the ESL Coordinator that identifies any and all LEP students who are served in the Gifted Education Program.

ELL INSTRUCTIONAL MODELS

An ESL students' possible range of language skills vary from a complete lack of English proficiency to nearly proficient, so it is extremely difficult to design a model of instruction that meets the needs of all ELL students.

Washington County teachers are trained to **Respect the Silent Period**: Most second language learners go through a silent phase. Forcing a student to speak may make them embarrassed and overly self-conscious. *Strategies for Teaching English Language Learners, McGraw-Hill, 2009*

Washington County's staff spends a great deal of time determining a program in which students can progress academically, learn English, and develop a sense of belonging and self-confidence.

- The ESL teacher consults with the classroom teacher(s) to establish reasonable classroom expectations, to suggest modifications in the curriculum, and to arrange ESL instructional time.
- The ESL Handbook is given to the teacher(s), counselor and administrator.
- All teachers are trained how to incorporate the English Language Development standards into their core curriculum standards.
- All teachers are given a packet of instructional materials when a student is enrolled in their classroom which includes the CAN DO descriptors along with strategies and resources to help them modify their methods of instruction
- The ESL teacher is available to meet with teachers or teams of teachers as needed.

The ESL program provides instruction so that students can become fully proficient in English and meet the challenging state standards as all other children are expected to meet. The amount of support provided depends upon strengths and needs of students.

Language Levels generally are classified as:

- Levels 1-2: Limited oral proficiency or significantly below grade level in reading and writing
- Levels 3-4: Increased oral proficiency or slightly below/on grade level in reading and writing
- Levels 5-6: Consistent oral proficiency or on/above grade level in reading and writing.

ESL instructional models offered in WCPS are explained below:

Sheltering Instruction: Strategies for Classroom Teacher

The ESL program model primarily used by Washington County Schools is content-based instruction. The curriculum for ESL instruction is based on ELD standards and appropriate grade level content standards. The regular classroom teacher will "shelter" the academic content for ESL students while they are learning English. **Sheltered instruction** is the approach to teaching English language learners which integrates language and content instruction.

Listed below are ways a classroom teacher can **shelter instruction** for ESL students in core content classes.

- **Visual Aids:** Visual aids give ESL students visual cues that may help clarify meaning and solidify learning.
- **Hands-On Activities:** Hands-on activities help ESL students connect with classroom content. Processes that can be experienced or observed make learning more concrete.
- **Sufficient Wait Time:** ESL students need additional time to formulate their answers in English. Some may still be translating their first language into English; others may need time to find the appropriate words. By pausing after a question is asked, everyone has time to think about the question before responding.
- **Model Spoken Language:** Refrain from correcting students' spoken language. Instead, model the proper usage in a restatement. For example, if a student says "No understand." You might reply, "You don't understand? Okay." Students may occasionally ask to be corrected; but as a rule, it is best to leave corrections to the written word. Be sure to balance positive feedback with corrections.

- **Lesson Outlines:** Teacher-prepared outlines or notes can help ESL students follow along in class. Alternately, you may ask another student to share his or her notes with the ESL student. You may also choose to give the student information regarding the lesson plan and objectives so that they may have an easier time following along.
- **Skim and Scan:** Directly teach ESL students reading strategies that will enhance their reading skills. Skimming, scanning and even outlining chapters in the textbook are excellent pre-reading strategies that can help students preview material prior to reading. They can also engage in other strategies such as predicting chapter content from headings, creating vocabulary lists, writing responses, and summarizing.
- Provide signals to call student's attention to different lessons. Use such techniques as the location of the lesson, teacher posture, voice cues, and predictable schedules to mark the lesson's boundaries.
- Build consistency in classroom routines, lesson formats, and the language used within lessons. Familiarity with procedures frees English learners to concentrate on content.
- Provide a balance between teacher-centered instruction, student group work, and independent work. Too much individual work will deprive students of necessary social interaction.
- Encourage students to stretch beyond their comfort level. Give them opportunities to hear and use slightly more complex language.
- Repeat, rephrase, paraphrase, and expand. Focus on communication.
- Use real objects and models. Display photographs, pictures, charts, and posters. Use DVDs, and Internet sources.
- Use authentic texts and language.
- Show examples of completed work, projects, research papers, etc.

K-8 Pull Out Program: For pullout instruction, the LEP student leaves the mainstream classroom and is ("pulled out") for ESL services, working in small groups of instruction planned by the ESL teacher. Pullout services may vary between schools due to schedule and space availability, causing the pullout to be inside the classroom, rather than in a separate ESL room, but ESL teachers are not to be used as an assistant or tutor.

In kindergarten through eighth grade, students are pulled from regular classes for ESL instruction. ELLs may be grouped into ESL classes by their English language proficiency level. When it is necessary to combine grade levels, students from lower grade levels are grouped together. Similarly, ELLs in higher grade levels are grouped together for ESL instruction. The length of time for ESL instruction is dependent on the English language proficiency level of the student. Students who are more proficient may need less time in ESL direct instruction.

Inclusion-Push-IN Program: For push-in instruction, the LEP student remains in the mainstream classroom, with the ESL teacher going in to work with the classroom teacher, providing appropriate instruction to the LEP student. To have a successful Co-teaching model, mainstream and ESL teachers must have time to plan cooperatively and must share the teaching responsibilities of that classroom. ESL teachers are not to be used as an assistant or tutor. Classroom time may be a mix of whole class, grouped lessons, or rotating stations with both teachers sharing the teaching role. Generally, in a Co-teaching model, ESL teachers should be able to work with one to two mainstream teachers successfully. ESL teachers may find working with three or more teachers in a co-teaching model very challenging since it can be difficult to find time to plan cooperatively.

In addition to frequent consultations with the classroom teacher, the ESL teacher documents each ELL's academic and linguistic progress on the student's Personal Language Education Plan which is the individual

program record for each ELL. The student's Education Plan will document each student's testing record to comply with Office for Civil Rights guidelines.

Secondary Level Program: High School age ESL students will be enrolled in high school as long as they are under 21 years of age and meet the Washington County enrollment guidelines. High school ESL students are encouraged to enroll in classes appropriate to their career and post-secondary education or work goals. Students who are on college track receive instruction in preparation for taking college entrance tests as part of the curriculum of their ESL class.

ESL students will be considered for career and technology education courses in the same manner and criteria as all other students who express an interest in these courses. These courses are offered at the Washington County Career and Technical Education center as well as the four high schools. Enrollment is typically on a first come, first serve basis. The courses may be linked to having completed prior sequences, and may be limited by the number of sections allocated by the master schedules at each school.

Transcript Evaluation:

- The guidance counselor or a person trained in transcript evaluation will interview the student to determine the length of time the student will spend in each class per week. Course credit will be awarded according to the amount of credit awarded for contact hours in a week long period. Every effort will be made to find equivalent courses in order to ensure that the student may receive maximum credit for the courses he or she has taken previously.
- The student will be awarded appropriate science credit for classes in another country where science classes were combined (i.e. chemistry, biology, and physics classes). If the student did not attend these classes for the amount of time each week to receive credit for all three science classes, they will be given credit for biology and not given credit for chemistry or physics.
- Students may be awarded appropriate credit for social studies classes that are not equivalent to the social studies classes offered in Washington County Schools.

Washington County's general guidelines for LEP students at the high school level are as follows:

5) Course choices

- All students will be given encouragement and equal opportunity to pursue a high school diploma. Counselors will recognize that a lack of English language proficiency does not have any bearing on cognitive skills.
- The level of language proficiency will be considered in registering students for high school courses. More concrete courses with less language will be made available when feasible to students whose language level falls below the Bridging level.

6) Modification of Instruction and Assessment – All students will receive modifications from regular classroom teachers to make the curriculum accessible to them based on the LEP Plan.

7) Participation in Extracurricular Activities – All students will be encouraged to participate in extracurricular activities and every effort will be made to make students aware of activities and requirements.

8) ESL teachers, counselors, and School Assistance teams will devise specific strategies for students who demonstrate signs that they are at risk for dropping out of school.

Implementing an effective ESL program requires a school-wide and district-wide commitment to academic excellence. Academic expectations should never be lowered for students who are ELLs. Teachers should take pride in their students by providing academic support while remaining consistently demanding. At the same time, content must be comprehensible to the ELL and, therefore, appropriate modifications must be made.

Effective teaching strategies reflect current research and practice in the field of second language acquisition theory. Of the four language skills, listening usually precedes speaking and reading usually precedes writing. Beginning ELLs may require an extensive listening period before they should be asked to produce any language. This will allow them time to gain confidence with the language before facing the inevitable risks of language production.

A relaxed and accepting learning environment is also important for acquiring a language. The language in the classroom must be real, meaningful, comprehensible, and contextual. Oral drills and workbook activities are of very limited value. Language acquisition is developmental and incremental, proceeding from the known to the unknown. Acquiring language **by using it naturally is more effective** than trying to learn it by studying rules and word lists. Lessons should be communication-based, appealing to a student's natural desire to understand and be understood. The information exchanged in the classroom, between teacher and students and among students themselves, should be functional and meaningful.

Beginning students should feel free to express themselves even if they make grammatical mistakes. There should be **minimal correction of errors that do not interfere with communications**; errors are often developmental and will disappear as the student attains greater proficiency. The atmosphere of the classroom should be supportive and non-threatening. Students should not be discouraged from speaking their own language; especially if that is the only way they can communicate. However, they should be reminded to use English as much as possible at school. The use of the native language at home in both oral and written forms should be encouraged. Research has shown that fluency in the native language results in quicker and easier acquisition of a second language.

Classrooms should contain a high, sometimes "noisy", level of communication, emphasizing student collaboration on small group projects organized around "learning centers". Individual work tasks, such as worksheet exercises, should be used sparingly. It is good to provide an informal, family-like social setting where teachers work with small groups of students (2-8) and travel about the room assisting students and making frequent checks for understanding. Large group instruction should be limited, usually confined to morning start-up activities.

The receptive skills of listening and reading normally precede the productive skills of speaking and writing. Once students have acquired the basic skill necessary for simple communication, the four skills should be integrated to the greatest degree possible and made a part of each lesson. As language proficiency develops, the content focus should shift to the regular curriculum, concentrating on the knowledge and thinking skills appropriate to the student's academic level.

SECOND LANGUAGE LEARNING CONSIDERATIONS

Limited English proficiency refers to a student whose native language is other than English and is limited in listening, speaking, reading and writing English. **Fluent English proficiency** refers to a student whose native language is other than English and listens, speaks, reads, and writes with near English fluency.

Basic Interpersonal Communications Skills (BICS) is the social dimension of language that demonstrates a student's ability to converse socially with teachers, peers, and others. It is a very concrete aspect of language and takes less than three years to demonstrate near-native-like proficiency with BICS.

Cognitive Academic Language Proficiency (CALP) is the more abstract dimension of language that includes being able to read, write, and perform within a content-area classroom at grade level. Often, it is assumed that proficiency in BICS is equated with performance in CALP. Oral production in English does not always equate with academic production in English.

Cultural Awareness

When communicating with LEP students, both in and out of class, it is important to be mindful of cultural considerations. Respect and sensitivity is the key.

- Many students from other cultures show respect by avoiding direct eye contact with an adult. To some, eye contact is considered an act of defiance.
- Many LEP students appreciate and value educational systems and greatly respect teachers.
- Some students may not like to be touched. Conversely, in some other cultures, students may accept demonstrations of affection as important signs of acceptance.
- Students want to know the rules and what is expected of them. In many of their home countries, LEP students experience large classes, strict teachers, and punishment (often corporal) when they break the rules.
- In many cultures, males are often the authority figure.
- For many LEP students, the family is the most valued institution.

Cultural Communication Tips for Teachers

When talking with an ESL student, keep in mind the following.

- Use short, direct statements and avoid embedded questions.
- Be careful with humor: often it is culturally bound.
- Be aware of slang, idioms, jargon, and acronyms and limit your use of them.
- Be aware that students often answer "yes" to any question asked by a person of authority, even if the truth is "no", out of respect for the authority figure.

Many LEP students will not tell you:

- If they don't have money to buy materials and supplies
- If they don't have access to a computer and the Internet at home
- If they don't have any adult help or support with homework
- If they have to work long hours
- If they are homesick

- If they don't have an appropriate space for studying at home
- If they are going to move
- If they don't understand

ENGLISH LANGUAGE PROFICIENCY (ELP) STANDARDS

The ELP Proficiency Standards reflect the abilities and skills that students are capable of demonstrating at each level of proficiency. The standards are intended to provide guidance and support to teachers through English/Language Arts instruction for LEP students. The ELP standards provide performance indicators to assist teachers in the design, development, and implementation of English Language Development (ELD) instruction for English Language Learners. Classroom materials used in ELD instruction reflect content from a variety of academic disciplines including math, social studies, and science.

Washington County school division takes responsibility for the education of the English Language Learner as well as all other students enrolled in the division. English language development takes place in the context of the regular class and in the ESL class. The ESL teacher has many roles and must be skilled in many areas; however, the primary role of the ESL teacher is to assist students in developing their proficiency in the English language. The ESL teacher can provide assistance to regular teachers in teaching aspects of the standard course of study through recommending classroom strategies.

The Virginia Board of Education has approved a standard course of study to be used in the instruction of limited English proficient students in Virginia known as the WIDA Standards. Once a student has been identified as ELL using guidelines established by WIDA, the ESL teacher and committee will meet to evaluate the initial WAPT scores and prior scholastic records to help ascertain a specific placement within the ESL program. Several factors are considered when determining appropriate placement for ESL students. Washington County uses the initial W-APT language screening results for newly enrolled students or the WIDA-ACCESS scores for current students to assign an English Language Proficiency Level. The student's English Language Proficiency level is one of the factors used to determine the amount of ESL service time. Other factors such as length of time in the United States, grades and academic records available are considered.

Additional Factors to Consider When Determining Placement of ESL Students

Indicator	Example
English Language Sub-skills	<p>If an older student has proficient listening and speaking skills, but lower levels of literacy skills such as reading and writing, the student may require more ESL services than a student who has competency in all language areas.</p> <p>If there is a major discrepancy between oral language scores and reading/writing scores, additional investigation is warranted to determine if a learning disability exists that prevents the student from reading and writing well in his native language as well as in English.</p>

Native language skills	A student’s proficiency in their native language should also be a consideration when determining the amount of ESL services needed. For example: One student could have advanced reading and writing skills in his/her native language, another student has minimal proficiency in his/her native language. The student who has higher native language ability may require less ESL services than the student who has minimal native language skills.
Academic performance	Students who are performing satisfactorily in content course work, but have been identified as having limited English proficiency are still entitled to receive ESL services. In some cases, a student’s progress might indicate they should receive <u>less</u> service than they actually qualify for. Using multiple measures, it is the LEP committee’s responsibility to determine the best amount of ESL services for each student.
Age/Grade Level	Older students may need more ESL services than younger students. Secondary students have less time to achieve English proficiency and their content classes are more complex and demanding. Conversely, initial screening results may show an artificially high level of proficiency for early grades (Kindergarten, 1 st grade) when in reality the student may be unable to comprehend some directions and have difficulty understanding assignments. However, the language –rich environment of these early grades will be highly beneficial to such students.
Amount of formal education	The amount of time a student has attended school (either in their home country or US schools) will affect his/her achievement level. If a student has never been enrolled in school or has limited formal schooling, the student may need time to adjust to the formal school setting. This student may require more ESL services than a student who has been continually enrolled in a formal school setting.
Individual factors such as an IEP or 504 plan	ESL teachers must work in conjunction with Special Education teachers. Pulling a student out of classes for special education services and ESL services will have a negative impact on students. If a student is receiving inclusion support in content classes per his/her IEP and is performing well, then additional “pull-out” for ESL services may have unintended negative consequences. The ESL teacher may need to monitor the ESL student and consult with the student’s classroom and/or special education teachers.

LEP students with negligible and very limited English proficiency will require much more English language instruction than students at higher proficiency levels. Washington County will provide as much language instruction as possible for students at the lower proficiency levels in order to provide students with a solid foundation. Students who enter with records of their previous schooling will be placed in the appropriate age/grade classes according to the transcripts presented at the time of enrollment. Students who enter with incomplete or no school records and with limited educational experiences may be placed no more than one year below their age appropriate level. Students WILL be placed with teachers that have had ESL training and are sensitive to their needs. Placement may include pull-out by the ESL teacher for support within the ESL

resource room, inclusion support within the mainstream classroom whereby the ESL teacher works alongside content teacher, special reading or content support classes, as well as monitoring and consultation with students on higher 5-6 levels.

The ELP Proficiency Standards reflect the abilities and skills that students are capable of demonstrating at each level of proficiency. The standards are intended to provide guidance and support to teachers through English/Language Arts instruction for LEP students. The ELP standards provide performance indicators to assist teachers in the design, development, and implementation of English Language Development (ELD) instruction for English Language Learners. Classroom materials used in ELD instruction reflect content from a variety of academic disciplines including math, social studies, and science.

Washington County school division takes responsibility for the education of the English Language Learner as well as all other students enrolled in the division. English language development takes place in the context of the regular class and in the ESL class. The ESL teacher has many roles and must be skilled in many areas; however, the primary role of the ESL teacher is to assist students in developing their proficiency in the English language. The ESL teacher can provide assistance to regular teachers in teaching aspects of the standard course of study through recommending classroom strategies.

ESL teachers are held accountable for teaching those standards in ESL classes. Regular classroom teachers using a sheltered English approach make use of the ELD Standards in teaching language objectives appropriate to their content. The ESL program provides instruction so that students can become fully proficient in English and meet the challenging state standards equivalent to their peers. The amount of support provided depends upon the strengths and needs of the individual students. ESL teachers communicate regularly with classroom content teachers as to specific needs, long and short-term goals of the ESL students. Sometimes a student will be assigned a Chrome Book to be used during the day for translation assistance as well as for specific individualized instruction assigned for the ESL student by the classroom teacher or ESL instructor such as Interactive Achievement, IXL, Moby Max, or Google Classroom tasks, etc.

The WIDA standards resource book was revised to include amplified standards in 2012. ESL teachers and sheltered instruction teachers have received training on these standards and all schools and ESL staff have a copy of the resource guide. More information on the WIDA ELD standards is provided at the following link: <http://www.wida.us/standards>.

WIDA ENGLISH LANGUAGE DEVELOPMENT (ELD) STANDARDS

The WIDA standards resource book was revised to include amplified standards in 2012. ESL teachers and sheltered instruction teachers have received training on these standards and all schools and ESL staff have a copy of the resource guide. More information on the WIDA ELD standards is provided at the following link: <http://www.wida.us/standards>.

The WIDA standards are listed below:

Standard 1	Social & Instructional Language <ul style="list-style-type: none">English Language Learners communicate for social & instructional purposes in the school setting.
Standard 2	Language of Language Arts <ul style="list-style-type: none">English Language Learners communicate information, ideas, & concepts in the content area of Language Arts.
Standard 3	Language of Mathematics <ul style="list-style-type: none">English Language Learners communicate information, ideas, & concepts in the content area of Language Arts.
Standard 4	Language of Science <ul style="list-style-type: none">English Language Learners communicate information, ideas, & concepts in the content area of Language Arts.
Standard 5	Language of Social Studies <ul style="list-style-type: none">English Language Learners communicate information, ideas, & concepts in the content area of Language Arts.

Professional Development: English Language Development (WIDA) Standards

Washington County provides high quality professional development to teachers and administrators to improve all facets of instructional literacy to improve the education of all students including English Learners. Professional development will be provided to ensure all teachers and administrators are well-versed in the ELD standards and strategies to incorporate those standards within the classroom to help EL students acquire appropriate English language skills. Professional development will be designed to help make certain that learning goals are attainable and every student can access the curriculum being taught in the classroom. ELL students will receive differentiated daily instruction aligned with Virginia's content standards as well as the ELD standards.

Training will focus on recognizing and promoting effective standards based instruction including but not limited to the following EL instructional strategies: scaffolding, use of assessments to inform practice, full implementation of ELD standards, intervention, differentiated instruction, language objectives, and monitoring for effective implementation.

Frequent classroom observations will be conducted by administrators to ensure that all teachers are developing expertise. Administrators will monitor the implementation of the aligned ESL program during weekly classroom visits, formal and informal observations. Administrators will provide timely feedback to teachers with commendations and/or recommendations for improvement of classroom instruction based on either formal or informal observations.

ESL teachers provide content teachers with support as needed in the form of demonstrations, lesson plans, observations, guidance, and planning. ESL and content teachers will share student results during unit planning and data analysis meetings on a weekly basis. Teachers will collaborate to develop lesson plans, refine strategies, and agree upon a course of action which will be utilized within the core content classroom. ESL teachers will monitor the implementation of the ELD aligned activities and strategies agreed upon during collaboration through classroom visits.

ESL teachers and administrators will conduct meetings at each school to provide parents with a comprehensive understanding of the needs of EL students. Workshops will include vocabulary development,

reclassification support strategies, requirements for movement from one language level to another and support needed to improve academic achievement of ELL students in all content areas.

All ELL students will receive daily instruction as appropriate to their English proficiency level using district adopted materials and curricula. It is the Washington County school district's expectation that teachers will incorporate the core content standards and ELD standards with rigor and fidelity. Administrators will monitor the implementation of the ELD standards during weekly classroom visits, formal, and informal observations. Student progress in listening, speaking, reading, and writing will be monitored. Administrators will provide timely feedback to teachers with commendations and/or recommendations for improvement of classroom instruction.

ESL teachers will utilize the ELD standards to plan instruction to support the mainstream classroom and content areas, integrating Social and Instructional Language, and the Language of Language Arts, Mathematics, Science, and Social Studies. ESL teachers will plan with classroom and content area teachers, when possible, and use the Pacing Guides to support instruction, ensuring the success of students. ESL teachers are not limited to the resources used in the general education classrooms. They may also use a combination of other resources: etc., to meet students' instructional needs.

ESL teachers should raise the awareness of other school staff members on the WIDA standards as resources and emphasize that the WIDA standards are the responsibility of the classroom teacher, as well. ESL teachers are responsible for maintaining records of LEP student performance in the general education classroom. ESL Teachers should actively participate in the decision making process (LEP committee, RTI committee, and retentions) to make appropriate decisions on students' services, modifications, and test accommodations. They assist classroom teachers in making appropriate classroom modifications and help to increase the staff's cultural understanding of LEP students.

ELL students will be assessed using WIDA ACCESS tests each year to determine language levels.

The "Can Do" descriptors represent the levels of language proficiency as demonstrated on the W-APT English language proficiency assessment. The "Can Do" descriptors show educators what an LEP student "Can Do" at a particular level in a specific language domain **with instructional support**. Specific Can Do descriptors by grade level are available on the WIDA website. www.wida.us

Variability of students' cognitive development due to age, grade level spans, their diversity of educational experiences and diagnosed learning disabilities (if applicable) are to be considered in using this information. Refer to FORMS section for CAN DO Descriptors by Grade Span. (SOURCE: WIDA English Language Proficiency Standards and Resource Guide, 2007)

The chart listed below describes the CAN DO for the given level of English language proficiency:

	Level 1 Entering	Level 2 Beginning	Level 3 Developing	Level 4 Expanding	Level 5 Bridging
LISTENING	<ul style="list-style-type: none"> Point to stated pictures, words, phrases Follow one-step oral directions Match oral statements to objects, figures, or illustrations 	<ul style="list-style-type: none"> Sort pictures, objects according to oral instructions Follow two-step oral directions Match information from oral descriptions to objects, illustrations 	<ul style="list-style-type: none"> Locate, select, order information from oral descriptions Follow multi-step oral directions Categorize or sequence oral information using pictures, objects 	<ul style="list-style-type: none"> Compare/contrast functions, relationships from oral information Analyze and apply oral information Identify cause and effect from oral discourse 	<ul style="list-style-type: none"> Draw conclusions from oral information Construct models based on oral discourse Make connections from oral discourse
SPEAKING	<ul style="list-style-type: none"> Name objects, people, pictures Answer WH- (who, what, when, where, which) questions 	<ul style="list-style-type: none"> Ask WH-questions Describe pictures, events, objects, people Restate facts 	<ul style="list-style-type: none"> Formulate hypotheses, make predictions Describe processes, procedures Retell stories or events 	<ul style="list-style-type: none"> Discuss stories, issues, concepts Give speeches, oral reports Offer creative solutions to issues, problems 	<ul style="list-style-type: none"> Engage in debates Explain phenomena, give examples and justify responses Express and defend points of view
READING	<ul style="list-style-type: none"> Match icons and symbols to words, phrases or environmental print Identify concepts about print and text features 	<ul style="list-style-type: none"> Locate and classify information Identify facts and explicit messages Select language patterns associated with facts 	<ul style="list-style-type: none"> Sequence pictures, events, processes Identify main ideas Use context clues to determine meaning of words 	<ul style="list-style-type: none"> Interpret information or data Find details that support main idea Identify word families, figures of speech 	<ul style="list-style-type: none"> Conduct research to glean information from multiple sources Draw conclusions from explicit and implicit text
WRITING	<ul style="list-style-type: none"> Label objects, pictures, diagrams Draw in response to a prompt Produce icons, symbols, words, phrases to convey messages 	<ul style="list-style-type: none"> Make lists Produce drawings, phrases, short sentences, notes Give information from oral or written directions 	<ul style="list-style-type: none"> Produce bare-bones expository or narrative texts Compare/contrast information Describe events, people, processes, procedures 	<ul style="list-style-type: none"> Summarize information from graphics or notes Edit and revise writing Create original ideas or detailed responses 	<ul style="list-style-type: none"> Apply information to new contexts React to multiple genres and discourses Author multiple forms/ genres

Level 6 - Reaching

GRADING LEP STUDENT'S PERFORMANCE

General Education teachers are required by law to make classroom modifications to ensure that their instruction and evaluation is comprehensible to ELLs. Every teacher must have knowledge of the language proficiency of the ELLs in his or her class in order to modify classroom instruction and evaluation appropriately. The ESL teacher is charged with assuring that all general education teachers know their students' English proficiency.

Each general education classroom teacher and the ESL teacher are required to document in the student's Personal Language Education Plan classroom and homework modifications and testing accommodations at the beginning of each school year. This plan shall be reviewed at appropriate times during the course of each school year.

ELLs require many more visuals as well as the opportunity to see information in writing as the teacher is presenting information orally. Teachers of ELLs must modify the instructional content, homework assignments, and grading in a manner that is appropriate to the language proficiency of the student. Homework assignments should be adapted and for students with limited English proficiency.

It may not always be appropriate to evaluate ELLs by the same methods as other students who are proficient in English. They should always be evaluated on their performance and progress. Portfolio assessment is one appropriate means of evaluation.

Grades for LEP students should be based on their exposure to curricula and methods, as well as on cooperation, effort, and participation in classroom assignments to the degree the student's English language proficiency allows. The best approach to grading LEP students is through improvement and/or progress. Therefore alternative forms of assessment and grading may be appropriate. Content area teachers should utilize assessments that allow students to demonstrate their knowledge of the content and not their level of English proficiency.

Alternatives for grading at the classroom level are as follows:

- Provide grades based on mastery/knowledge of concepts. Focus on essential skills and concepts from the content area; develop a contract with the student (e.g., "To get an A,B,C etc. you must...).
- Give grades based on what the student can demonstrate in the classroom according to the student's level of proficiency.
- Use portfolios of LEP student's work to measure progress. Design checklists that link student's portfolio work with criteria that you consider essential to the content you are teaching.
- Assign a grade and follow it with explanatory comments. Designate on the report card that the student is LEP followed by a description of the student's language proficiency.
- Assign a grade for a pair- or groups work completed through cooperative learning. (LEP students should be paired with native English-speaking peers.)
- Give an achievement grade in subjects where the student is able to perform the skills and an effort/meaningful participation grade in subjects where the student is not able to perform the skills due to low English proficiency.
- Use a narrative report in lieu of letter grades when appropriate.
- Use scoring rubrics/descriptors in evaluating student performance and achievement.

NOTE: ESL Teachers must be involved in determining an LEP student's classroom grades and if an LEP student should be retained.

ACCESS ASSESSMENTS

ACCESS ASSESSMENTS: All students identified as Limited English Proficient must be assessed using the state-identified English Language Proficiency Tests at initial enrollment and annually thereafter during the window specified by VDOE. A student who enrolls after January 1 does not have to be retested during the same school year. According to state mandates, students will be administered the ACCESS for ELLs test in all four domains during the annual testing window. The ESL teacher or another person trained to administer the ACCESS for ELLs test will administer this language proficiency test. The ESL Coordinator will be responsible for recording, printing, and entering the results of this testing into PowerSchool.

The school division will continue to administer ACCESS for ELLS assessments for students identified as LEP who score below Level 5. LEP students who have attended school in the United States for less than 12 months may receive a one-time exemption for the SOL Reading test in grades 3 through 8. There is not an exemption from Math and Science SOL assessments, so LEP students will take Math and Science assessments with accommodations when appropriate. LEP students in grades 3 through 8 may exercise a one-time exemption from the SOL Virginia Studies or Civics & Economics tests and on Grade 8 Writing. There are no exemptions on End of Course SOL tests.

Every potential LEP student is assessed using the W-APT upon entry to the school system. Thereafter each LEP student is tested in the spring using the ACCESS for ELLs English language proficiency test during the assessment window (February-April). The tests are designed to evaluate growth in five domains (listening, speaking, reading, writing, and comprehension) as determined by the W-APT. These scores help identify areas of need within the system's ESL program. Future staff development is then created to address the areas of greatest concern. The overall proficiency results will be used to monitor each student's progress and determine continuation in the ELL program.

Title III and Title I clearly state that LEP students must be assessed yearly with an English Language Assessment (ACCESS) assessment. *Title III Sec. 3116 (6)(d)(2), Title I (1111(b)(7))*

The school division's local plan shall also contain assurances that the English proficiency of all children with limited English proficiency participating in federally funded programs will be annually assessed.

WIDA ACCESS Performance Definitions

At the given level of English language proficiency, English language learners will process, understand, produce or use:

6 - Reaching	<ul style="list-style-type: none"> • Specialized or technical language reflective of the content areas at grade level • A variety of sentence lengths of varying linguistic complexity in extended oral or written discourse as required by the specified grade level
5 – Bridging	<ul style="list-style-type: none"> • Specialized or technical language of the content areas • A variety of sentence lengths of varying linguistic complexity in extended oral or written discourse, including stories, essays or reports • Oral or written language approaching comparability to that of English-proficient peers when presented with grade level materials
4 - Expanding	<ul style="list-style-type: none"> • Specific and some technical language of the content areas • A variety of sentence lengths of varying linguistic complexity in oral discourse or multiple, related sentences or paragraphs • Oral or written language with minimal phonological, syntactic or semantic errors that do not impede the overall meaning of the communication when presented with oral or written connected discourse with sensory, graphic or interactive support
3 - Developing	<ul style="list-style-type: none"> • General and some specific language of the content areas • Expanded sentences in oral interaction or written paragraphs • Oral or written language with phonological, syntactic or semantic errors that may impede the communication, but retain much of its meaning, when presented with oral or written, narrative or expository descriptions with sensory, graphic or interactive support
2 - Beginning	<ul style="list-style-type: none"> • General language related to the content areas • Phrases or short sentences • Oral or written with phonological, syntactic, or semantic errors that often impede the meaning of the communication when presented with one-to-multiple-step commands, directions, questions, or a series of statements with sensory, graphic or interactive support
1 - Entering	<ul style="list-style-type: none"> • Pictorial or graphical representation of the language of the content areas • Words, phrases or chunks of language when presented with one-step commands, directions, WH-, choice or yes/no questions, or statements with sensory, graphic or interactive support • Oral language with phonological, syntactic, or semantic errors that often impede meaning when presented with basic oral commands, direct questions, or simple statements with sensory, graphic or interactive support

SOL ASSESSMENT MANDATES for LEP STUDENTS: ALL students in grades 3-8 and EOC are required to participate in the SOL Assessments. Virginia Department of Education mandates students identified as Limited English Proficient and students with disabilities shall be included in the statewide testing program as follows: standard test administration, standard test administration with accommodations/modifications, or state-designated alternate assessments.

LEP students that are in their first year of enrollment in a U.S. school are required to participate in the Math and Science assessments. Testing accommodations are permitted for LEP students. Decisions about test accommodations are made on an individual basis and must be documented on each ESL student's individual Personal Language Education Plan (PLEP). Translation or interpretation of test directions or content into a language other than English **is not** permissible.

LEP students in grades 3-8 will take the *Standards of Learning* assessments for English/reading and mathematics, science at 5th grade and 8th grade, Virginia Studies at 4th grade. Students in grades 3-8 may receive a one-time exemption in other subject areas (Virginia Studies/Civics and Writing), if the ESL Committee feels it would be in the best interest of the individual student and in reading, if a student has been in the US for no more than one year. High school students will take appropriate End of Course Assessments. All LEP students are eligible for appropriate accommodations. In addition, students may use a plain English form of the mathematics assessment, if their ACCESS score is no more than 3.5 in grades 3-5 and 9-12 (Algebra I only) or no more than 3.3 in grades 6-8. This is available for all LEP students regardless of their proficiency levels during the first year of enrollment in a U.S. school. LEP students may take plain English mathematics tests during a window of no more than three consecutive years

Assumptions

The following assumptions provide a framework for all English Language Learners (ELLs) taking the SOL assessments:

- All ELLs identified through the Home Language Survey must be afforded the opportunity to participate in the district-wide assessment
- Information from the district-wide assessment should always be used in conjunction with information from other sources when making decisions regarding the student's educational programs.
- Decisions regarding participation, accommodations, and reporting may differ as a function of the purpose of the assessment.
- Assessment procedures should be responsive to the individual needs of all ELLs.
- Assessment accommodations should provide equity, not advantage.
- Assessment accommodations should be consistent with those provided in the student's instructional program.
- Reports of assessment results should include students in the ESL Program.
- District personnel involved in the district-wide assessment should be trained in the administration of the assessment to include the appropriate use of accommodations to the ELL population.

Decisions regarding the extent of participation in the district-wide assessment of students in the ESL Program should be made by a team of professionals who know the student best. In addition, the student's parents and/or guardians must be informed in writing, of the team's decision 1) for participate in the district-wide assessment with accommodations or, 2) exempt from participating in the district-wide assessment.

A team of educators familiar with the student's special needs (Child Study Team or LEP Committee) would be the appropriate decision-making group. The decision-making team should review accommodations before each assessment cycle to determine which accommodations are appropriate and necessary. The decision about when to use accommodations and which accommodations are appropriate for ELLs depends on The student's level of proficiency in English, the amount of schooling the student has received in the school where English is the language of instruction, and the accommodations that are currently being used in the classroom as part of instruction.

ACCOMMODATIONS

Accommodations are any variation in the assessment environment or process. Accommodations include variations in scheduling, setting, aids and assistance, and presentation format. These variations should not change the level content, or performance criteria and should not change the reliability and validity of the assessment. Accommodations are made in order to provide a student with the opportunity to demonstrate what the student knows on the assessment.

The decision-making team must consider the student's ability to participate in the assessment including why the assessment is not appropriate for the student. If the team determines that a student should be exempted from taking the assessment or that the student is able to take the test with accommodations, their decision should be documented to include:

- Consideration of the student's ability to participate, including why the assessment, even with accommodations is not appropriate for the student.
- Documentation of specific evidence supporting the decision to exclude the student.
- Documentation of paternal/guardian permission for exemption
- Signatures of all committee members.
- A provision for parents to challenge the team decision.

The document describing the exemption must be filled in the student's scholastic records. A sample of the form is available in this manual. **(Appendix H – SOL Assessment Participation Plan)**

It is understood that all students may not progress at the same pace. Even so, all students should be included in the assessment process to gather information about their academic progress. The intent of the district-wide assessment is to improve instruction for all students, not to penalize students who are not at the standard, nor to impede the progress of highly capable students. Appropriate analysis and reporting of assessment results should lead to:

- Improved curriculum and instructional practices
- Appropriate supplemental instruction
- Educational opportunities that challenge students, and
- Community decisions about how to provide the best education possible for all students

Information for students in the ESL Program should be reported in two ways. First, data should be aggregated with all other students. Second, data should be reported by special population. This information will be useful when considering educational programs, curricula and academic standards for students in special populations.

RETENTION

Retention of language minority students shall **not** be based solely upon English language proficiency. The following points should be addressed in considering retention:

- Has the student's level of English language proficiency been assessed?
- Has the student been enrolled in the school district for more than one full academic year?
- To ensure meaningful participation, are classroom modifications being made in the areas of teacher lesson delivery; assignments; homework; and formal assessments?
- Has an ILP been implemented to document classroom modifications and student progress?
- How much individual English language development instruction is the student receiving via pullout or an inclusion class during the school day?
- Has an alternative grading strategy been implemented?

Retention: The ESL program is federally mandated to prevent discrimination practices in the retention and grading of students with limited English proficiency. **NOTE: ESL teachers must be a part of discussions and decisions concerning the retention of any LEP.**

Retention of an ESL student in grades K-8, or denial of credits in grades 9-12, should only be considered if progress in ESL is very minimal or if academic difficulties **are not related to English language acquisition.**

The LEP committee and the ESL teacher **must** review all available student information when considering whether to retain an LEP student. ESL teachers **must** be a part of discussions and decisions concerning the retention of any LEP student. First, inquire as to what types of LEP classroom modifications and LEP testing accommodations are in place for this LEP student. Second, inquire as to whether these instructional modifications and testing accommodations have been used consistently with the LEP student. **If these LEP modifications and LEP accommodations have not been used consistently, the LEP committee should strongly consider whether retention is appropriate for an LEP student.**

Complete documentation must be maintained to show that prescriptive measures were implemented. Parents must be contacted in a language they can understand. These contacts could include phone calls, conferences, and home visits and should be part of the documentation. Copies of all documentation for retention should be placed in the student's cumulative folder.

Retention Considerations --For Limited English Proficient (LEP) Students

1. What is the child's English language proficiency level? **Consideration: the lower the child's English language proficiency, the more likely his English ability affected his progress in an English speaking classroom.**
2. How long has the student been enrolled in a US school? **Consideration: It takes a child 4-10 years to fully acquire a second language.**
3. Are LEP instructional modifications being used and documented in the mainstream classroom (PEP and LEP Plan)? **Consideration: If LEP instructional modifications are not used in the classroom consistently, the child may not have been able to demonstrate what he knows.**

4. Are LEP testing accommodations being used consistently and documented for EOQs and EOGs?
5. Is the child receiving the minimum amount of ESL services? **Consideration: Without appropriate ESL services, most LEP students will acquire English only through classroom immersion which is the least effective method of English acquisition.**
6. Are we considering how much progress the child has made in acquiring English and acquiring content knowledge? **AR 5122.3 Guidelines for Placement and Evaluation of Limited English Proficient (LEP) students. Cannot retain a child because of English language proficiency.**

SPECIAL EDUCATION

Washington County Public Schools offers a free and appropriate education to all children ages 2 through 21 residing in Washington County who are identified as a student with a disability and require special education services. Students referred for possible special education services are evaluated using the most current evaluation materials and procedures while remaining sensitive to any cultural or racial issues. All identified students have an individualized education program (IEP) based upon their unique needs. These services are provided in the least restrictive environment, where the dually identified student is challenged but comfortable. In accordance with the Individuals with Disabilities Education Act (IDEA), the least restrictive environment requires that wherever possible, students with disabilities be educated with students who do not have disabilities, unless education in such classes with the use of supplementary aids and services cannot be achieved. LEP students must receive ESL and special education services jointly.

P.L. 105-17 The Individuals with Disabilities Education Act, (1997) (IDEA) guarantees a free and appropriate education to all students with disabilities. There are sections of the law that pertain to language minority students that are listed below:

- Establishing nondiscriminatory evaluation procedures appropriate for use with culturally and linguistically diverse students.
- Testing in the native (dominant) language unless it is clearly not feasible to do so.
- Ensuring that the eligibility determination is not due to limited English proficiency.
- Developing an IEP for each culturally and linguistically diverse student that reflects his or her needs.
- Providing oral and written information to parents in their native language to facilitate informed parental involvement in the special education identification, assessment, eligibility and service delivery process (i.e. Parental rights, notice of eligibility meeting)

Students who have limited English Proficiency (LEP) may be eligible for special education services. In accordance with the 1997 IDEA and the *Regulations Governing Special Education Programs for Children with Disabilities in Virginia*, Washington County Schools assures that a free and appropriate public education is provided to all students eligible for special education and related services. If a child has limited English proficiency, procedures are in place to assure that the child is not identified with a disability if the limited English proficiency is the reason for making that identification. Students who qualify for special education programs will continue to be served by the ESL Program through services considered to be appropriate to the needs of the student.

Pre-referral Procedures

Referral of the student with the perceived problem by the classroom teacher or the parent is made to the Child Study Intervention Team made up of the classroom teacher, ESL teacher, guidance counselor, administrator, special education teacher, parent, School Psychologist and interpreter if needed. The Child Study Intervention Team examines the concerns and seeks to offer possible solutions for classroom interventions through a plan of action, which is implemented for a designated period of time as recommended by the team. The ESL teacher may be designated as the case manager for the plan and monitors the student progress made through the implementation. The Child Study Intervention Team reconvenes to examine the effectiveness of the interventions and, if deemed necessary, suggests subsequent actions including revisions, extension of the plan implementation time, or referral for special education evaluation.

Special Education Referral

The IEP Team convenes to examine the referral of the student from the Child Study Intervention Team. The IEP Team is composed of the classroom teacher, the ESL teacher, parent, School Psychologist, special education teacher, school nurse, administrator or designee and interpreter as needed. A determination of the assessments to be gathered or administered is made. *Parental Rights, Procedures and Safeguards* are provided in the native language to parents as needed.

Both formal and informal assessments are used. A multiple battery of assessments including cognitive, achievement, visual, motor, psychological, memory, and developmental are selected. The selection of the specific instruments is based on the age of the child and his/her strengths and weaknesses. To avoid racial or cultural bias, careful consideration is given in the selection of the assessment instruments. In so far as possible, a trained staff will administer the assessments in the child's native language within 65 days. Informal assessments may include teacher observations, parent questionnaire, informal assessments of speech and language by the speech therapist, etc.

Eligibility Determination

The Eligibility Team composed of the specialists, classroom teacher, administrator, ESL teacher, parent and interpreter, as needed, meets to examine the assessment data. Consideration is given to all the aspects of the student's achievement, ability, cultural influences, multiple setting comparisons, language proficiency, and other factors as deemed appropriate. The Eligibility Team may identify the student as eligible or ineligible for Special Education services as the assessment data indicates.

Development of an Individual Educational Plan

If the student is determined eligible for services, the IEP Committee will meet to develop an IEP for the student. The services will be monitored and reviewed annually to determine continued needs.

Title VI of the Civil Rights Act of 1964 and the Individuals with Disabilities Act (IDEA) provide protection against discrimination based upon race, color, or national origin. Decisions affecting students' educational opportunities must be made fairly and accurately. The referral, evaluation, and placement decisions must be made based upon information that accurately reflect what the student knows and/or is able to do. These laws also prohibit the discriminatory denial of educational opportunities based upon race, color, or national origin.

Thus a student may not be denied evaluation for special education services solely due to the lack of proficiency in English. Students who are properly identified may receive both ESL and special education services. The ESL teacher should be part of the IEP team and be in attendance at the IEP meeting regarding the child because the ESL teacher in most cases is knowledgeable about strategies that could be used to assist with the student's disability as well as the language deficiency.

When an LEP student is experiencing academic difficulties, there are a few important things to consider before assuming that the student might have a disability. As with all students experiencing learning problems, one must look at the environment and strategies in place in the general education classroom.

This is particularly important with LEP students due to the following reasons:

1. It takes approximately two years to learn common communication skills.
2. It takes at least three times that long to develop academic language (approximately 5-7 years).
3. If a student is not literate in the first language, it can take up to ten years for the student to acquire academic language in English.
4. Cultural differences impact the way education is viewed in the home and in the way the student behaves at school.
 - a. In some cultures, students may not speak out or ask questions; lack of assertive behavior may signify deference rather than disinterest.
 - b. In some cultures, such as Asian cultures, lack of eye contact is a sign of respect for elders or authority figures and not a sign of anxiety or interpersonal problems.
 - c. Parents may not speak, read, or write English, making it very difficult to assist with homework. No one may be available to check homework.

LEP Students with Significant Cognitive Disabilities

To meet the requirements of evaluating and reporting English language progress and proficiency for all LEP students in Kindergarten through grade 12 as required under the *No Child Left Behind Act of 2001*, the English language proficiency of LEP students with significant cognitive disabilities should be assessed.

Please note that Alternate ACCESS is not intended for ELLs who can be served with accommodations on the ACCESS for ELLs. Decisions regarding a student's participation should be made by IEP teams.

What criteria should be used to determine if the student should take the Alternative ACCESS?

1. The student has been classified as an ELL
2. The student has a significant cognitive disability and is eligible for Special Education services under IDEA
3. The student is in an alternate curriculum aligned with the state's academic standards and is or will be participating in the state-wide alternate accountability assessment (VAAP).

Students with significant cognitive disabilities in grade K should continue to use the *Virginia Checklist for LEP Students with Significant Cognitive Disabilities*, based on the WIDA English language proficiency standards. The individual checklist should be used only for those LEP students with significant cognitive disabilities for whom

the IEP team and/or school-based LEP committee determine that the English language proficiency test cannot be administered.

The decision of whether or not it is appropriate to refer a limited English proficient (LEP) student to the special education referral committee (a child study team in Washington County Schools) is a difficult decision in light of the student’s limited proficiency in English, amount of formal education, and cultural differences. Care must be taken to determine whether learning and behavior problems demonstrated by the student indicate a disability, or, instead, manifest cultural, experiential, and/or sociolinguistic differences. Before referring an LEP student for a special education evaluation, the following questions should be considered:

- Does objective data support the possibility of a disability?
- Can we rule out the influence of language, culture, economics, or environmental issues as the primary reason for a student's lack of or slow academic progress?
- Have systematic, appropriate, sustained, and targeted interventions, instructional strategies, and program options implemented proven unsuccessful?

The chart below provides a brief comparison of children with a disability and those who are ELLs.

Characteristics	English Language Learner	Student with a Disability
Communication Skills	<ul style="list-style-type: none"> • Use of English is reduced • May be home language impacts • May be variables in voice and/or articulation 	<ul style="list-style-type: none"> • Disorders in articulation, voice, fluency, or receptive and expressive language • May not communicate in first or second language
Language Skills	<ul style="list-style-type: none"> • Home language skills appropriate to age level prior to second language • Nonverbal communication (eye contact, turn taking, etc.) are culturally appropriate • May not know specific vocabulary, but is familiar with item or concept • Pass through predictable periods (silent period, speech emergence, etc.) 	<ul style="list-style-type: none"> • Needs in understanding and expression in either first and/or second language • Difficulties in home language cannot be attributed to first language loss due to short amount of time in English-speaking school • Difficulties in English do not correspond to those expected based on long amount of time in English-speaking school
Sensory Functioning	<ul style="list-style-type: none"> • Usually normal • Auditory/ visual can be compensated with aids 	<ul style="list-style-type: none"> • May have auditory, visual, or processing difficulties
Cognitive Abilities	<ul style="list-style-type: none"> • Related to issues such as cultural differences, lack of or limited educational experiences in the home country, and differences in prior knowledge 	<ul style="list-style-type: none"> • May result in significant educational impact which requires specialized instructional support; Interpret English-normed tests with caution
Academic Functioning	<ul style="list-style-type: none"> • Normal language learning potential • Apparent problems due to culturally determined learning style, different 	<ul style="list-style-type: none"> • Inability to make progress in language acquisition

	perceptual strategies, or lack of schooling in home country.	<ul style="list-style-type: none"> • Difficulty retaining academic information despite systematic, sustained, targeted interventions • History of difficulty in schools in home country
Progress	<ul style="list-style-type: none"> • Progress related to quality and quantity of English instruction • Should continue steadily, even if slowly • During language transition time, English performance may lag. 	<ul style="list-style-type: none"> • Possible giftedness: remarkable progress - may jump years in one year • Possible disability: less than expected progress in English acquisition; discrepancy between areas NOT attributed to lack of time or intervention
Productivity	<ul style="list-style-type: none"> • Verbal & written directions may not be understood due to insufficient English • May lead to not beginning or switching tasks 	<ul style="list-style-type: none"> • Verbal directions too complex or unable to read written directions • May be unable to switch from task to task
Social Abilities	<ul style="list-style-type: none"> • Lack of familiarity with American customs, language, expected behavior • Lack of English competency results in social isolation or "following" rather than "leading" 	<ul style="list-style-type: none"> • Social skills not attributable to adjustment and acculturation

Source and More Information available through *Handbook for Educators: For Students who are English Language Learners with Suspected Disabilities, VDOE 2009.*

Pre-referral Procedures

Referral of the student with the perceived problem by the classroom teacher or the parent is made to the Child Study Intervention Team made up of the classroom teacher, ESL teacher, guidance counselor, administrator, special education teacher, parent, School Psychologist and interpreter if needed. The Child Study Intervention Team examines the concerns and seeks to offer possible solutions for classroom interventions through a plan of action, which is implemented for a designated period of time as recommended by the team. The ESL teacher may be designated as the case manager for the plan and monitors the student progress made through the implementation. The Child Study Intervention Team reconvenes to examine the effectiveness of the interventions and, if deemed necessary, suggests subsequent actions including revisions, extension of the plan implementation time, or referral for special education evaluation.

Special Education Referral

The IEP Team convenes to examine the referral of the student from the Child Study Intervention Team. The IEP Team is composed of the classroom teacher, the ESL teacher, parent, School Psychologist, special education teacher, school nurse, administrator or designee and interpreter as needed. A determination of the assessments to be gathered or administered is made. *Parental Rights, Procedures and Safeguards* are provided in the native language to parents as needed.

Both formal and informal assessments are used. A multiple battery of assessments including cognitive, achievement, visual, motor, psychological, memory, and developmental are selected. The selection of the specific instruments is based on the age of the child and his/her strengths and weaknesses. To avoid racial or cultural bias, careful consideration is given in the selection of the assessment instruments. In so far as possible, a trained staff will administer the assessments in the child's native language within 65 days. Informal

assessments may include teacher observations, parent questionnaire, informal assessments of speech and language by the speech therapist, etc.

Eligibility Determination

The Eligibility Team composed of the specialists, classroom teacher, administrator, ESL teacher, parent and interpreter, as needed, meets to examine the assessment data. Consideration is given to all the aspects of the student's achievement, ability, cultural influences, multiple setting comparisons, language proficiency, and other factors as deemed appropriate. The Eligibility Team may identify the student as eligible or ineligible for Special Education services as the assessment data indicates.

Development of an Individual Educational Plan

If the student is determined eligible for services, the IEP Committee will meet to develop an IEP for the student. The services will be monitored and reviewed annually to determine continued needs.

Title VI of the Civil Rights Act of 1964 and the Individuals with Disabilities Act (IDEA) provide protection against discrimination based upon race, color, or national origin. Decisions affecting students' educational opportunities must be made fairly and accurately. The referral, evaluation, and placement decisions must be made based upon information that accurately reflect what the student knows and/or is able to do. These laws also prohibit the discriminatory denial of educational opportunities based upon race, color, or national origin. Thus a student may not be denied evaluation for special education services solely due to the lack of proficiency in English. Students who are properly identified may receive both ESL and special education services. The ESL teacher should be part of the IEP team and be in attendance at the IEP meeting regarding the child because the ESL teacher in most cases is knowledgeable about strategies that could be used to assist with the student's disability as well as the language deficiency.

When an LEP student is experiencing academic difficulties, there are a few important things to consider before assuming that the student might have a disability. As with all students experiencing learning problems, one must look at the environment and strategies in place in the general education classroom.

This is particularly important with LEP students due to the following reasons:

5. It takes approximately two years to learn common communication skills.
6. It takes at least three times that long to develop academic language (approximately 5-7 years).
7. If a student is not literate in the first language, it can take up to ten years for the student to acquire academic language in English.
8. Cultural differences impact the way education is viewed in the home and in the way the student behaves at school.
 - d. In some cultures, students may not speak out or ask questions; lack of assertive behavior may signify deference rather than disinterest.
 - e. In some cultures, such as Asian cultures, lack of eye contact is a sign of respect for elders or authority figures and not a sign of anxiety or interpersonal problems.
 - f. Parents may not speak, read, or write English, making it very difficult to assist with homework. No one may be available to check homework.

LEP Students with Significant Cognitive Disabilities

To meet the requirements of evaluating and reporting English language progress and proficiency for all LEP students in Kindergarten through grade 12 as required under the *No Child Left Behind Act of 2001*, the English language proficiency of LEP students with significant cognitive disabilities should be assessed.

For the 2011-2012 school year and beyond, dually identified students in grades 1-12 with cognitive disabilities will use the Alternate ACCESS for ELLs. The Alternate ACCESS is an individually administered paper and pencil test. It is intended **only for English language learners with significant cognitive disabilities severe enough to prevent meaningful participation in the ACCESS for ELLs assessment.**

Please note that Alternate ACCESS is not intended for ELLs who can be served with accommodations on the ACCESS for ELLs. Decisions regarding a student's participation should be made by IEP teams.

What criteria should be used to determine if the student should take the Alternative ACCESS?

1. The student has been classified as an ELL
2. The student has a significant cognitive disability and is eligible for Special Education services under IDEA
3. The student is in an alternate curriculum aligned with the state's academic standards and is or will be participating in the state-wide alternate accountability assessment (VAAP).

Students with significant cognitive disabilities in grade K should continue to use the *Virginia Checklist for LEP Students with Significant Cognitive Disabilities*, based on the WIDA English language proficiency standards. The individual checklist should be used only for those LEP students with significant cognitive disabilities for whom the IEP team and/or school-based LEP committee determine that the English language proficiency test cannot be administered.

To obtain a copy of The *Virginia Checklist for Limited English Proficient (LEP) Students with Significant Cognitive Disabilities*, contact the Division of Student Assessment and School Improvement at Student_Assessment@doe.virginia.gov or by phone at (804) 225-2102.

EXITING FROM THE ESL PROGRAM

ELLs exit the program once they have achieved mastery of the English language at a level that allows them to participate successfully in the school's regular curriculum. Students at the advanced proficient level have demonstrated English proficiency as determined by the state assessment instrument (*WIDA ACCESS*) as well as by other district-approved measures. Students are expected to be able to participate fully with their peers in grade level content area classes. The academic performance of these students is monitored for four years as required by federal law. **(Appendix K – Exiting)**

Proficiency in English for LEP students is based on attaining an overall score of Level 6 on the spring WIDA ACCESS Proficiency Assessment. An LEP student exits LEP status when he is classified as Level 6 and receives an ACCESS score that meets **all** of the following criteria: for students in grades 1-12 from either a Tier B or C, Composite Score of 5.0 or above on the ACCESS assessment test, and Literacy Score of 5.0 or above on the ACCESS assessment.

When a student exits LEP status, the Exit Documentation form must be shared with the student's parents (Exiting--Appendices). A copy of this exit documentation must remain in the student's LEP records in the cumulative folder. These students will not be served in the ESL classroom, **but will be monitored for (four) years after exiting.** Title III. Accountability and Administration Sec. 3121 (a) (4) *achievement standards for each of the (four) years after such children are no longer receiving services under this part."*

Exiting from English language development services must ensure that former LEP students who have been reclassified as fluent English proficient will have full access to mainstream curriculum. Decisions regarding exit from the program will be based upon the student's level of academic achievement and ability to handle

material in the content areas; the student's English language proficiency sufficient to function in an English only environment; student's English reading abilities are on grade-level; collectively determined by a committee consisting of the ESL teacher, regular classroom teacher and the principal.

MONITORING THE ACADEMIC SUCCESS OF FORMER LEP STUDENTS

A school's LEP committee must monitor former LEP students for four years after they exit LEP status. At any time, if the LEP committee believes that there is a second language acquisition problem, the student may re-enter the ESL program and remain until he is able to perform successfully in the mainstream classroom.

Monitoring of students' academic progress will occur for four years. During this four-year period, exited students are still entitled to access all services provided through the district's language development program.

The ESL teacher, in collaboration with the regular education teachers, must formally monitor the student's academic performance at the end of each semester using the Monitoring Forms. The monitoring forms must be maintained in the student's permanent record. Information collected will include:

- Records on length of time from transition to exit from program
- Performance on standardized achievement tests
- Grades in content area classes
- Teacher observations

If the student is falling behind in academic performance and/or English skills, arrangements should be made to provide appropriate assistance. For documentation purposes, the LEP committee needs to utilize the LEP Student Consultation - Monitor Report form located in the Appendices section of this document. Forms for each year should be filled out and placed in the LEP student's purple folder. (e. g. Year One Monitoring, Year Two Monitoring, Year Three Monitoring, and Year Four Monitoring). **(Monitoring – Appendix L)**

RECLASSIFICATION AS LEP

There may be unusual instances where the LEP committee believes that a former LEP student may need to be reassessed with the W-APT English proficiency test to see if the student needs to be reclassified as LEP. Please follow these steps to request that a child be re-assessed with the W-APT.

- Contact and obtain permission from parents to begin the W-APT reassessment process. You may obtain verbal or written permission. If parents give written permission, please retain this for documentation. If parents give verbal permission, document who you spoke with, when and the outcome of the conversation. Retain this documentation in the child's LEP folder.
- Once you obtain parental permission, please contact the ESL teacher or Title III Coordinator to request approval for the W-APT reassessment.
- Once approved, you may contact the ESL teacher to arrange an appointment for the W-APT reassessment.
- The ESL staff will determine if the student continues to be LEP based on the results from the W-APT assessment.

PREFERRED LANGUAGE COMMUNICATION

Communication between the school and the home regarding the language minority student progress or school activities will be conducted, to the extent possible, in the native/preferred language of the home. Every attempt will be made to provide translation services for all oral communications, to the extent possible.

PARENTAL INVOLVEMENT

Title I requires that a school division must implement programs, activities, and procedures for the involvement of parents including developing a written parent involvement policy, soliciting parental input, providing timely information to parents, and building capacity for parental involvement.

Title III requires that WCPS must inform parents of a child identified for participation in a language instruction educational program supported by Title III no later than 30 calendar days after the beginning of the school year. For students who enroll mid-year, notification must take place within two weeks of enrollment. The parent notification letters must be sent to all students identified as LEP on an annual basis. If a student who has been identified as an ELL transfers into WCPS from another Virginia school division, the parent or guardian must sign the acceptance of ESL services form. The letters are division and program specific, and contain detailed information on the ESL program, graduation requirements, and instructional practices in WCPS. Students who are identified as levels 1-5 are considered LEP and their parents or guardians must receive an orientation that explains the WCPS ESL program.

The involvement and engagement of the parents of ELLs is a high priority. Effective communication with parents is an essential element of parent engagement. The school system will support the following initiatives:

- The LEP Coordinator will ensure that there are annual ELL parent meetings to provide parents with information about school's policies and practice, grading policies, attendance regulations, health information, and ways they can assist their children in the learning process.
- Programs for parents will include parental rights and responsibilities.
- Schools will create a welcoming atmosphere that will encourage parent participation.
- Principals will encourage home visitation of and translated phone calls to ELL parents who are unable to attend school meetings and conferences.
- Principals and teachers will strive to provide information to parents regarding school events and issues related to their children in a language they can understand.
- Schools will provide parents of students with notification of testing exceptions to ensure that they understand state and local policies.
- Schools will provide information to parents on high school graduation requirements, career pathways, and other requirements for obtaining a high school diploma.
- Washington County Schools will strive to ensure that schools have access to interpreters and translators who can attend parent conferences and produce documents in students' home languages.

Parents are the most important teachers that children have. They instill values, model behaviors, and establish the desire and need for education. Parents are more familiar than anyone else with their children's everyday experiences. They know what motivates their children. Parents should be encouraged to provide a solid knowledge base from which the child can build. Parents can monitor their children's attendance and academic progress.

Schools need strong, positive and productive parental cooperation for a program to be successful. The school must advocate and initiate programs that will encourage parents to become actively involved in their children's education.

The following are suggested parent involvement activities:

- Parent Teacher Organizations
- Information exchange (newsletters, notices, telephone calls, home visits, family centers)
- Volunteer aides (special speakers, fieldtrips, after school tutoring)
- Group or individual meetings (Child Study Teams, IEP meeting)
- Parent workshops and conferences (Families and Schools Together, Parent-Teacher Conference)
- School events (i.e. cultural fairs, open houses, fundraisers)

The following are suggestions for building positive relationships with parents:

- Provide as much written translation of documents as possible, when appropriate
- Use an interpreter, when appropriate, for in-person meetings
- Use correct pronunciation of the parents' names
- Give parents an opportunity to talk about their goals for their child
- Ensure that the interpreter translates any conversation held among those present so parents feel involved
- Prioritize carefully what needs discussion
- Acknowledge parent concerns
- Listen attentively to parents
- Talk about student's academic, behavioral, and social strengths and positive traits
- Encourage parents to speak or read to their children in both languages, if they can
- Be patient and supportive

TRANSLATORS AND INTERPRETERS

Whenever practicable, written translations of printed information must be provided to parents with limited English proficiency in a language they understand. However, if written translations are not practicable, it is practicable to provide information to limited English proficient parents orally in a language that they understand. SEAs and LEAs have flexibility in determining what mix of oral and written translation services may be necessary and reasonable for communicating the required information to parents with limited English proficiency. *[Title I, Part A Final Regulations, 67 Fed. Reg. 71749 – 50, Comments and Discussion on Section 200.36; available at ED's website at <http://www.ed.gov/legislation/FedRegister/finrule/2002-4/120202a.html>.]*

This requirement is consistent with Title VI of the Civil Rights Act of 1964 (Title VI), as amended, and its implementing regulations. Under those regulations, recipients of Federal financial assistance have a responsibility to ensure meaningful access to their programs and activities by persons with limited English proficiency. It is also consistent with ED policy under Title VI and Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency).

The Department of Justice's Guidance on Title VI and E.O. 13166, which provides clarification on how to determine an appropriate mix of language services, may be found in the Federal Register, 67 Fed. Reg. 41455-41472 (June 18, 2002), or online at <http://www.lep.gov>.

Communication with parents will be in a language they can understand when resources are available to provide written translations. The LEP Coordinator will be responsible for coordinating these translations and for providing schools with commonly used forms that have been translated.

Google Docs offers a feature that allows documents to be translated (with the click of a button) to another language, which is helpful for languages that are difficult in acquiring translation or for a quick turn-around of translation. Please see an ESL teacher, preferably a minimum of two weeks in advance, of any meeting requiring an interpreter. If an interpreter is available, this will be arranged and funded through division funds.

The parents' level of English proficiency may impact the degree to which they participate, even with an interpreter. Some parents may not ask questions, but may wait to be told what is important. Be sure to check and make sure that information is clear or that they are in agreement.

The Washington County Schools will set as a goal the inclusion of information for parents and the community in Spanish on the web site. www.wcs.k12.va.us. This information may include the school calendar, a parent guide to the schools, information about the promotion standards, and commonly used links to state and educational websites with Spanish language translation.

*“Trust and respect are the cornerstones of any good relationship between parents and professionals.”
(Handbook for Educators of Students Who Are English Language Learners with Suspected Disabilities, p. 35)*

LEGISLATION – PROVISIONS – REQUIREMENTS

The following section contains information regarding the identification, assessment, and education of LEP students as outlined in both Supreme Court decisions and federal legislation.

1. Title VI of the Civil Rights Act of 1964 Requirements
2. Elementary and Secondary Education Act of 1965 (ESEA)
3. May 25th Memorandum (1970)
4. Lau v. Nichols (1974)
5. Equal Educational Opportunities Act of 1974
6. Castañeda v. Pickard (1981)
7. Plyler v. Doe (1982)
8. Office of Civil Rights Title VI Policy Update (1991)
9. No Child Left Behind Act of 2001 (NCLB)
10. Every Student Succeeds Act of 2015 (ESSA)
11. Title I—Improving the Academic Achievement of the Disadvantaged
12. Title III—Language Instructions for Limited English Proficient and Immigrant Students
13. Dear Colleague Letter

LEGISLATION BRIEFLY EXPLAINED

1. Title VI of the Civil Rights Act of 1964 Section 601

According to Title VI of the Civil Rights Act of 1964, “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Courts have traditionally viewed “national origin” to include an individual’s first language.

[*Pub. L. 88-352*, title VI, Sec. 601, July 2, 1964, 78 Stat. 25]

Title VI of the Civil Rights Act of 1964 “requires programs that educate children with limited English proficiency to be:”

- Based on a sound educational theory;
- Adequately supported, with adequate and effective staff and resources, so that the program has a realistic chance of success; and
- Periodically evaluated and, if necessary, revised.

Detailed information about Title VI of the Civil Rights Act of 1964 can be found here:

<http://www.ed.gov/about/offices/list/ocr/qa-ell.html>.

2. Elementary and Secondary Educational Act (ESEA) . Section 3113(b)(2)

ESEA requires states to establish standards and objectives for raising the level of English proficiency derived from the language domains of speaking, listening, reading, and writing that are aligned with the state academic content standards. The *Elementary and Secondary Education Act of 1965* was reauthorized by the *No Child Left Behind Act of 2001*.

Detailed information about NCLB can be found here:

<http://www.ed.gov/policy/elsec/leg/esea02/beginning.html>.

3. May 25th Memorandum (1970)

The purpose of this memorandum is to clarify Title VI of the Civil Rights Act of 1964 policy on issues concerning the responsibility of school districts to provide equal educational opportunity to national origin minority group children deficient in English language skills. If the inability to speak and understand the English language excludes national origin-minority group children from participation in the educational program offered by a school district, the district must take effective steps to rectify the language deficiency in order to open its instructional program to these students.

Detailed information about the [May 25th Memorandum \(1970\)](http://www2.ed.gov/about/offices/list/ocr/docs/lau1970.html) can be found here:
<http://www2.ed.gov/about/offices/list/ocr/docs/lau1970.html>

4. The *Lau v Nichols* Supreme Court Decision of 1974 requires that school divisions develop an effective language instruction program for English language learners (ELLs) to attain English proficiency and provide them the opportunity to fully and meaningfully participate in the same academic curriculum as all students.

Lau v. Nichols was a class action suit brought by parents of non-English-proficient Chinese students against the San Francisco Unified School District. In 1974, the Supreme Court ruled that identical education does not constitute equal education under the Civil Rights Act of 1964. The court ruled that the district must take affirmative steps to overcome educational barriers faced by the non-English speaking Chinese students in the district. [414 U.S. 563 (1974)]

Detailed information about the [Lau v Nichols](http://www2.ed.gov/about/offices/list/ocr/ell/lau.html) can be found here:
<http://www2.ed.gov/about/offices/list/ocr/ell/lau.html>

5. Equal Educational Opportunities Act of 1974 requires school districts to have procedures in place to identify potential EL students in an accurate and timely manner. School districts must then determine if potential EL students are in fact EL through a valid and reliable test that assesses English language proficiency in speaking, listening, reading and writing. EL students are entitled to appropriate language services to become proficient in English and to participate equally in the standard instructional program within a reasonable period of time, as well as extracurricular programs and activities. EL students are entitled to EL programs with sufficient resources and districts must have qualified EL teachers, staff, and administrators to effectively implement their EL program. Districts must also monitor the progress of EL students, evaluate the effectiveness of their EL programs, and modify their programs in a timely manner when needed.

Detailed information about the [Equal Educational Opportunities Act of 1974](http://www2.ed.gov/about/offices/list/ocr/ell/edlite-glossary.html#eeoa) can be found here:
<http://www2.ed.gov/about/offices/list/ocr/ell/edlite-glossary.html#eeoa>

6. *Castañeda v. Pickard* (1981) court case issued by the Fifth Circuit Court that established a three-part test to evaluate the adequacy of a district's program for LEP students: (1) is the program based on an educational theory recognized as sound by some experts in the field or is considered by experts as a legitimate experimental strategy; (2) are the programs and practices, including resources and personnel, reasonably calculated to implement this theory effectively; and (3) does the school district evaluate its programs and make adjustments where needed to ensure language barriers are actually being overcome? [648 F.2d 989 (5th Cir., 1981)]

Detailed information about the [Castañeda v. Pickard](http://www.ed.gov/about/offices/list/ocr/ell/edlite-glossary.html) can be found here:
<http://www.ed.gov/about/offices/list/ocr/ell/edlite-glossary.html>.

7. Plyler v. Doe (1982) court case held that a Texas statute which withholds from local school districts any state funds for the education of children who were not "legally admitted" into the United States, and which authorizes local school districts to deny enrollment to such children, violates the Equal Protection Clause of the Fourteenth Amendment.

Detailed information about Plyler v. Doe can be found here:

<http://supreme.justia.com/us/457/202/case.html>.

8. Office of Civil Rights Title VI Policy Update (1991)-- On September 27, 1991, the Office of Civil Rights issued a policy update to provide guidance regarding Lau compliance reviews to determine whether schools are complying with their obligation under the regulation implementing Title VI of the Civil Rights Act of 1964 to provide any alternative language programs necessary to ensure that national origin minority students with limited English proficiency (LEP students) have meaningful access to the schools' programs.

Detailed information about the OCR Title VI Policy Update (1991) can be found here:

<http://www.ed.gov/about/offices/list/ocr/docs/lau1991.html>.

9. No Child Left Behind Act of 2001 (NCLB)—required schools across the country to attempt to provide quality education to meet the needs of all students including ESL students. NCLB also required ESL students to show growth in language acquisition levels, but the test used to measure the growth was not the same for all states. The ACCESS test was used in Virginia, but not all states.

Detailed information about the No Child Left Behind Act can be found here:

<http://www2.ed.gov/policy/elsec/leg/esea02/index.html>

10. Every Student Succeeds Act 2015 (ESSA)—listed below are some of the mandates related to ELLs:

- Using multiple measures instead of only standardized tests to track improvement
- Increased state accountability for ELLs
- Continued commitment of federal funding for ELLs
- Required reporting not only for newer ELLs, but long-term ELLs as well
- Required reporting for ELLs with special needs
- Exclusion from testing for newcomers for a short time
- Inclusion in reporting for ELLs 4 years after they are exited from ESL services

Detailed information about the Every Student Succeeds Act can be found here:

<https://www.ed.gov/esea>

COMPLIANCE with FEDERAL and STATE LAWS and REGULATIONS

To meet the requirements of NCLB, the Virginia Department of Education monitors divisions for compliance for Title I, Part A; Title I, Part D; Title III, Part A; and Title X, Part C, on a five-year cycle.

The criteria used for the monitoring of Title I, Part A; Title I, Part D; Title III, Part A; and Title X, Part C address selected federal statutory requirements pursuant to the NCLB and Education Department General Administrative Regulations (EDGAR) 34 CFR 80.40 and 34 – Part 200, and Office of Management and Budget Circular/Cost Principles. Selected requirements from Title IX, Part E, Subpart 2 – Other Provisions, that impact Title I schools and all schools have been included in monitoring. In addition to federal requirements, the monitoring includes applicable policies established by the Virginia Board of Education relating to public school choice and supplemental educational services.

Detailed information about federal program monitoring can be found here:

<http://www.doe.virginia.gov/VDOE/Instruction/title1/FederalProgramMonitoring.pdf>

TITLE I – IMPROVING the ACADEMIC ACHIEVEMENT of the DISADVANTAGED

11. Title I — Improving the Academic Achievement of the Disadvantaged

The following section contains information on the Title I, Part A requirements as they relate to LEP students.

Sec. 1111. State Plans

States must submit state plans to (United States Department of Education) ED that outline how the following requirements for LEP students will be accomplished:

- All LEP students are held to the same challenging academic achievement standards as all students; [(2)(b)(I)(B)]
- All LEP students must meet or exceed the annual measurable objectives set by the state; [(2)(C)(v)(II)(dd)]
- All LEP students must take the same academic achievement assessments as all students; [(3)(C)(i)]
- All LEP students are provided reasonable accommodations on academic achievement assessments; [(3)(C)(ix)(III)]
- All LEP students' academic achievement scores are disaggregated as a subgroup; and [(3)(C)(xiii)]
- All LEP students must participate in annual assessment of English proficiency that assesses oral language, reading, and writing skills in English; [(7)]

Sec. 1118. Parental Involvement

This section includes the provision describing involvement of parents of LEP students in their children's education:

ACCESSIBILITY– In carrying out the parental involvement requirements of this part, local educational agencies and schools, to the extent practicable, shall provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under Section 1111 in a format and, to the extent practicable, in a language such parents understand. [(f)]

Sec. 1119. Qualifications for Teachers and Paraprofessionals

This section includes the following regarding highly qualified teachers:

In General- Beginning with the first day of the first school year after the date of enactment of the *No Child Left Behind Act of 2001*, each local educational agency receiving assistance under this part shall ensure that all teachers hired after such day and teaching in a program supported with funds under this part are highly qualified. [(a) (1)]

Detailed information about Title I can be found here: <http://www.ed.gov/policy/elsec/leg/esea02/pg2.html>.

TITLE III – LANGUAGE INSTRUCTION for LIMITED ENGLISH PROFICIENT and IMMIGRANT STUDENTS

12. Title III — Language Instruction for Limited English Proficient and Immigrant Students

The following section contains information on the Title III, Part A, requirements as they relate to LEP students. Districts receive additional, **supplemental** funding (in addition to local and state funding) specifically for LEP students from a Federal Title III grant for which school divisions must reapply each year. The school division is required to tell the state how the division plans to spend the Title III money (that is based on the number of LEP students in the system), and every year the division must complete a Title III Application for these funds. The application is reviewed, and continued funding is approved or changes are required.

Sec. 3102. Purposes:

- To ensure that limited English proficient (LEP) students, including immigrant children and youth attain English proficiency and meet the same academic content and achievement standards as all students;
- To develop, provide, and sustain high-quality language instructional programs;
- To promote parental and community participation;
- To hold states accountable for increases in English proficiency and core academic knowledge by LEP students; and
- To provide states with flexibility to implement language instructional programs.

Sec. 3113. English Language Development (ELD) Standards.

States must submit state plans that outline how the following requirements for ELP standards will be accomplished:

- Raise the level of English proficiency;
- Are derived from the four recognized domains of speaking, listening, reading, and writing; and
- Are aligned with achievement of the challenging state academic content and student academic achievement standards described in Section 1111(b)(1). [(b)(2)]

Sec. 3113. State and Specifically Qualified Agency Plans

States must submit state plans that outline how the following requirements for school divisions will be accomplished:

- Comply with the requirements in Section 1111(b)(7) to annually assess in English children who have been in the United States for 3 or more consecutive years; [(b)(3)(C)]
- Annually assess the English proficiency of all limited English proficient children participating in a program funded under this subpart, consistent with Section 1111(b)(7); [(b)(3)(D)]
- Meeting all annual measurable achievement objectives described in Section 3122; and [(b)(5)(A)]
- Making annual measureable objectives for limited English proficient children, as described in Section 1111(b)(2)(B). [(b)(5)(B)]

Sec. 3121. Evaluations

School divisions must ensure the following in their Title III applications:

- The number and percentage of children in the programs and activities attaining English proficiency by the end of each school year, as determined by a valid and reliable assessment of English proficiency; and [(a)(3)]
- Student attainment of challenging State student academic achievement standards on assessments described in Section 1111(b)(3). [(d)(2)]

Sec. 3122. Achievement Objectives and Accountability

States must submit state plans that outline how the following requirements for objectives and accountability will be accomplished:

- Annual increases in the number or percentage of children making progress in learning English; [(a)(3)(A)(i)]
- At a minimum, annual increases in the number or percentage of children attaining English proficiency by the end of each school year; and [(a)(3)(A)(ii)]
- Making adequate yearly progress for limited English proficient children. [(a)(3)(A)(iii)]

Professional Development

Sec. 3115. Subgrants to Eligible Entities

School divisions must ensure that professional development offered to classroom teachers, principals, administrators, and other school or community-based organization personnel is:

- Designed to improve the instruction and assessment of limited English proficient children; [(c)(2)(A)]
- Designed to enhance the ability of such teachers to understand and use curricula, assessment measures, and instruction strategies for limited English proficient children; [(c)(2)(B)]
- Based on scientifically based research; and [(c)(2)(C)]
- Of sufficient intensity and duration to have a positive and lasting impact on the teachers' performance in the classroom. [(c)(2)(D)]

Parental Involvement

Sec. 3302 Parental Notification

This section includes the provisions for:

- Providing a language instruction educational program; [(a)]
- Informing the parent(s) of a limited English proficient child identified for participation in, or participating in, such program; [(a)]
- Providing separate notification of failure to meet AMOs; [(b)]
- Providing information to parents in an understandable and uniform format, and, to the extent practicable, in a language that the parent can understand; [(c)]
- Identifying a child for participation in a language instructional program and informing the parents within two weeks after placement in the program; and [(d)]
- Implementing an effective means of outreach to parents of LEP children. [(e)]

Detailed information about [Title III](http://www.ed.gov/policy/elsec/leg/esea02/pg39.html) can be found here:
<http://www.ed.gov/policy/elsec/leg/esea02/pg39.html>

TITLE III – ANNUAL MEASUREABLE ACHIEVEMENT OBJECTIVES (AMOs)

The implementation of No Child Left Behind brought increased accountability for LEP students. One aspect unique to LEP students is Annual Measurable Achievement Objectives. NCLB Title III, Section 3122 requires States to develop annual measurable achievement objectives (AMAOs) for students identified as limited English proficient (LEP) with respect to making annual progress in English, attaining English proficiency on the state identified English language proficiency (ELP) assessment, and making adequate yearly progress (AYP) in attaining academic proficiency in reading and mathematics. Accountability for Title III is only at the local education agency (LEA) level, not at the school level. Title III subgrantees (i.e. LEAs, charter schools, or consortia of LEAs) that receive Title III subgrants are held accountable for meeting the following three AMAOs. The following AMAOs are based on the Notice of Final Interpretations for Title III of the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the NCLB dated October 17, 2008.

- AMAO 1. Students identified as limited English proficient shall demonstrate progress by achieving one or more of the following in terms of the overall composite proficiency score on the annual English language proficiency test: 1) increase to the next English language proficiency level; 2) increase the previous score
- AMAO 2. There must be an annual increase in the percentage of students identified as limited English proficient who attain English language proficiency on the required state identified English language proficiency test. Students must meet the Comprehensive Objective Composite (COC) as set by the state in the 2008-09 school year. The COC defines the attainment of English language proficiency by the student reaching an overall composite score of 4.8 or above, with at least a 4.0 on the reading subtest and at least a 4.0 on the writing subtest on the state's annual English language proficiency test for kindergarten and Tiers B and C in grades 1-12.
- AMAO 3. The LEP Subgroup must annually meet AMO in academic proficiency in reading and mathematics.

Such **annual measurable achievement objectives** (A) shall include (i) at a minimum, annual increases in the number or percentage of children making progress in learning English; (ii) at a minimum, annual increases in the number or percentage of children attaining English proficiency by the end of each school year, as determined by a valid and reliable assessment of English proficiency consistent with section Title III Sec. 3122

Code of Virginia

Local school boards shall also implement the following: identification of students with limited English proficiency and enrollment of such students in appropriate instructional programs. [COV § 22.1-253.13:1 D.11]

13. Dear Colleague Letter: The U.S. Department of Education (ED) and the Civil Rights Division at the U.S. Department of Justice (DOJ) share authority for enforcing Title VI in the education context. The Departments are issued the Dear Colleague Letter as guidance to assist SEAs, school districts, and all public schools in meeting their legal obligations to ensure that EL students can participate meaningfully and equally in educational programs and services. This guidance provides an outline of the legal obligations of SEAs and school districts to EL students under the civil rights laws.

Detailed information about the [Dear Colleague Letter](http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf) can be found here:
<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>

RESOURCES

Best Practices

- Center for Research on Education, Diversity & Excellence (CREDE), University of California, Berkeley <http://crede.berkeley.edu>
- Doing What Works for English Language Learners, U.S. Department of Education's What Works Clearinghouse http://dww.ed.gov/priority_area/priority_landing.cfm?PA_ID=6
- Electronic Toolkit for Educating ELLs, Illinois Resource Center and the Illinois State Board of Education <http://www.thecenterlibrary.org/cwis/index.php>
- In the Classroom: A Toolkit for Effective Instruction of English Learners, National Clearinghouse for English Language Acquisition (NCELA) <http://www.ncele.gwu.edu/practice/itc/index.htm>

Elementary ELLs

- Help! They Don't Speak English Starter Kit: Grades PreK-6 ESCORT <http://escort.org/?q=node/150>
- Teaching Literacy in English to K-5 English Learners in the Elementary Grades: A Practice Guide, National Center for Education Evaluation and Regional Assistance http://ies.ed.gov/ncee/wwc/publications/practiceguides#ell_pg

Secondary ELLs

- Immigrant Students and Secondary School Reform: Compendium of Best Practices, Council of Chief State School Officers 2004 <http://www.ccsso.org/content/pdfs/BestPractices.pdf>
- Research-based Recommendations for Serving Adolescent Newcomers, Texas Institute for Measurement, Evaluation, and Statistics at the University of Houston for the Center on Instruction 2006 <http://www.centeroninstruction.org/files/ELL2-Newcomers.pdf>

Students with Limited Formal Education

- Effective Programs for English Language Learners with Interrupted Formal Education, Indiana Department of Education http://www.doe.state.in.us/lmmp/pdf/effective_programs_ell.pdf

Newcomer Programs

- Developing a Newcomer Program, Indiana Department of Education <http://www.cal.org/resources/pubs/throughdoor.html>

Literacy Development

- Colorin Colorado, bilingual site for families and educators of English language learners designed to help children read and succeed <http://www.colorincolorado.org/>
- English Language Learners: Literacy and Language Development, Indiana Department of Education http://www.doe.state.in.us/lmmp/pdf/ELL_literacy_development.pdf
- Picture Based Activities for English Language Learners, California Department of Education <http://www.cde.state.co.us/cdeadult/download/pdf/PictureBasedELL.pdf>
- Teaching Literacy in English to K-5 English Learners in the Elementary Grades: A Practice Guide, National Center for Education Evaluation and Regional Assistance http://ies.ed.gov/ncee/wwc/publications/practiceguides/#ell_pg

Content Area Instruction

- Developing Reading and Writing in Second-Language Learners: Lessons from the Report of the National Literacy Panel on Language-Minority Children and Youth. The Center for Applied Linguistics, and the International Reading Association 2008 <http://www.cal.org/resources/pubs/developreadwrite.html>
- Let's Read It Again: Comprehension Strategies for English-Language Learners: K-2 Lesson, read-write-think. International Reading Association <http://www.readwritethink.org/index.asp>
- Nurture Reflections: Interactive Language Practice for English-Language Learners: 3-5 Lesson read-write-think. International Reading Association <http://www.readwritethink.org/index.asp>
- Reforming Mathematics Instruction for ESL Literacy Students. Fairfax County Public Schools 1997 <http://www.cal.org/resources/digest/buchan01.html>
- Science for ELLs: Rethinking Our Approach, The Science Teacher March 2007 <http://www.nsta.org/highschool>

Building Teacher Capacity

- Educating English Language Learners: Building Teacher Capacity, the National Clearinghouse on English Language Acquisition (NCELA) 2008 Roundtable Report http://www.ncela.gwu.edu/practice/mainstream_teachers.htm
- Indiana Teachers of English to Speakers of Other Languages (INTESOL) <http://www.intesol.org>
- ELL Outlook <http://www.courseafters.com/ELL-Outlook>

ELLs with Special Needs

- English Language Learners with Special Education Needs: Identification, Assessment, and Instruction. Center for Applied Linguistics and Delta Publishing Company 2002 <http://www.cal.org/resources/pubs/specialed.htm>

Parent Involvement

- Help Your Child Learn English, International Reading Association <http://www.reading.org>
- Lee y Serás multi-media toolkit, The National Council of La Raza and Scholastic <http://www.leeyseras.net/>
- More resources on Parent Involvement are posted online by the Virginia Department of Education, http://www.doe.virginia.gov/instruction/esl/standards_resources/index.shtml

LESSON PLANS

Lesson Planning

Follow these steps and enter the information in the WCPS lesson planning template:

- Gather all the information you can on the **language proficiency** of your students in Listening, Speaking, Reading, and Writing. Fill in this CAN-DO Descriptors class name chart created by WIDA so you can plan for individual and small group needs. Copy and paste the CAN-DO Descriptors for your grade level. Keep in mind that the students' latest test scores are designed to show what they know. As you map out your teaching, consider the skills necessary to advance to the next level.
- Select the **content objectives** for each subject area. Tulare, CA has shared ELA Bookmarks that include essential skills and concepts, academic vocabulary, and questions stems. Expeditionary Learning created Student Friendly Math "I Can" Statements.
- Determine which **vocabulary** needs to be taught and develop strategies for teaching academic vocabulary.
- Choose **language objectives** based on the ESL students' proficiency and that fit in with the content you are teaching.
- Collect resources on the content topic you are teaching so that you have books, magazines, and web links available at varying levels of complexity. Try looking at the Parent Resource Center, the school and public libraries at the beginning of each unit so there are a wide range of books for the students to explore.

