

**Lower Merion School District**

**ADMINISTRATIVE REGULATIONS**

Policy No.: 138  
Section: PROGRAMS  
Title: ENGLISH LANGUAGE DEVELOPMENT  
Date Adopted: 6/8/18  
Date Last Revised:

**138 ENGLISH LANGUAGE DEVELOPMENT**

The goal of the Language Instruction Educational Program (LIEP) shall be to demonstrate success in increasing English language proficiency and student academic achievement so that English Learners (ELs) can attain the academic standards adopted by the Board and achieve academic success. ELs shall be identified, assessed and provided appropriate instruction in accordance with the LIEP, and shall be provided an equitable opportunity to achieve their maximum potential in educational programs and extracurricular activities, consistent with federal and state laws and regulations and program requirements for English Language Development (ELD) program funding.

The LIEP will be based on effective research-based theory, implemented with sufficient resources and appropriately trained staff, and shall meet the following requirements:

- Aligned to state academic content standards for the appropriate grade levels of ELs.
- Include ELD instruction delivered by properly certified English as a Second Language (ESL) teachers, and other certified content area teachers working in conjunction with ESL certified teachers.
- Incorporate the use of state assessments and ELD criteria.
- Provide equitable access to content for ELs at all proficiency levels.
- Provide equitable access to enrollment in courses or academic programs for which ELs are otherwise eligible.

The LIEP will be evaluated for effectiveness based on student outcomes at least annually, and the results documented in accordance with state and federal laws and regulations, and state guidelines. The District's LIEP and evaluation results will be made available to District staff working with ELs and parents/guardians of ELs.

**Requirements**

**Identification, Placement, and Grading of ELs**

In order to identify which students are potential ELs, the Home Language Survey shall be completed for each student upon enrollment in the District, and shall be maintained as part of the student's education records.

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ELs shall be appropriately placed in accordance with the LIEP within the first thirty (30) days of the school year, or within fourteen (14) days of enrollment.

ELs must be graded using the same grading system as all other students for core content areas.

A student's designation as an EL and any ELD instruction information will not be included on a student's high school transcript, unless the information is part of a course title or code.

Program Access

ELs shall have equitable access to and be encouraged to participate in all academic and extracurricular activities available to District students.

Assessment

The District shall annually administer required assessments to ELs to measure students' English Language proficiency and progress in reading, writing, speaking and listening/understanding. Assessment results shall be maintained in the student's education records. Parents/Guardians may not opt students out of English language proficiency assessments.

ELs shall participate in all annual state or locally required assessments, with accommodations where applicable, and meet established academic standards and graduation requirements, in accordance with law, regulations and Board Policy.

Retention of Students

ELs will not be retained in a grade based solely on their lack of English proficiency.

Prior to considering retention, the District will implement and document appropriate modifications and accommodations to instruction and assessment aligned to the student's English language proficiency over time, to ensure the EL is provided meaningful access to the general curriculum and academic standards, as well as attainment of English language proficiency.

Program Exit

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The District shall include uniform provisions in the LIEP, in accordance with state required criteria, for:

1. Reclassifying ELs as former ELs when they attain English language proficiency.
2. Actively monitoring and reporting the progress of former ELs for a period of two (2) years following reclassification and program exit, and reporting students to the state in a monitor status for an additional two (2) years, to ensure students are meeting academic standards.
3. Redesignating former ELs as active ELs if they struggle academically based on persistent language barriers.

Annually, all ELs participate in the WIDA ACCESS for ELs 2.0 assessment. This assessment identifies English proficiency in reading, writing, speaking, and listening.

If a student qualifies to exit the program based upon the ACCESS for ELs 2.0 assessment and teacher inventories, an exit form will be completed and signed by the ELD Coordinator. The ESL teacher will communicate the exiting decision to parents/guardians in writing.

Staff Qualifications and Professional Development

Certified employees and appropriate support staff, when necessary, shall provide the LIEP.

The District shall ensure that all teachers providing ELD instruction hold the appropriate certification and can demonstrate academic language proficiency in English.

Non-ESL staff shall incorporate ELD into all classes for ELs, as well as provide supports, modifications and accommodations for curricular content to enable ELs to achieve academic standards.

The District shall provide appropriate training in ELD for all professional staff as part of the Professional Development Plan.

Special Education and Gifted Education Services

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ELs may be eligible for special education services when they have been identified as a student with a disability and it is determined that the disability is not solely due to lack of instruction or proficiency in the English language.

ELs may be eligible for gifted education services, when identified in accordance with law, regulations and Board Policy. The District shall ensure that assessment of a student for gifted education services screens for intervening factors, such as English language proficiency, that may be masking gifted abilities.

Students participating in ELD instruction who are eligible for special education services shall continue receiving ELD instruction, in accordance with their Individualized Education Program (IEP) or Gifted Individualized Education Plan (GIEP), at the appropriate proficiency and developmental level.

Parent/Family Engagement and Communication

Communications with parents/guardians shall be in the mode and language of communication preferred by the parents/guardians.

If interpreters or translators are required, the District will ensure the translators are able to understand and express specialized terms or concepts used in the communication in both languages. The District will also ensure that interpreters have received training on the ethics of interpretation and confidentiality of student and family information, in accordance with applicable laws, regulation, and Board Policy.

Within thirty (30) days of the beginning of each school year, or within fourteen (14) days of enrollment during the school year, the District shall notify parents/guardians of students identified as ELs about the process for identifying their children as an EL, the results of that process, and the recommended program placement.

The District shall also provide parents/guardians with detailed information regarding the LIEP, the benefits of ELD instruction for their children, an explanation of the program's effectiveness, criteria for program exit or reclassification, and notification of the right to refuse services for their child, along with a copy of the parental waiver form.

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Parents/Guardians shall be regularly apprised of their child’s progress, including achievement of academic standards and assessment results.

The District shall notify parents/guardians of students in ELD programs within thirty (30) days, or within fourteen (14) days of enrollment, if the District fails to meet annual measurable performance objectives, as required by law.

The District shall maintain an effective means of outreach to encourage parental involvement in the education of their children.

Parental Right to Opt Out of ELD Programs and Services

Parents/Guardians of ELs have the right to refuse specialized programs and services that may be part of the LIEP for their child. When a parent/guardian declines such participation, the District will ensure that the student has an equal opportunity to have his or her English language and academic needs met in another way.

A parent's/guardian's decision to refuse programs or services must be informed and voluntary; the District shall not influence a parent's/guardian's decision in any way, or make any program or placement determinations without parental notification and an opportunity to opt the student out of programs and services.

The District shall make a parental waiver form available for parents/guardians to opt their EL out of ELD programs and services.

The District shall document all notifications made to parents/guardians regarding assessment and recommended placements and programs for ELs, and whether or not a parental waiver form is received. When a waiver form is not received from the parent/guardian, the District shall proceed with the recommended placement.

ELs who have a parental waiver for ELD programs and services shall be assessed on English language proficiency annually, and shall be provided with supports and accommodations to participate in general curricular and extracurricular programs, in order to meet academic standards and graduation requirements.

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Parents/Guardians of ELs who have been opted out of ELD programs and services shall be notified of their child's progress, including achievement of academic standards and assessment results, and shall be provided with opportunity and a form to opt their child back into ELD programs and services.