

5/14/2020

### **ELE Criterion #3 – Initial Identification of ELLs**

Massachusetts State regulations have determined three primary components of the Rethinking Equity and Teaching for English Language Learners (RETELL) initiative ([www.doe.mass.edu/retell/](http://www.doe.mass.edu/retell/)) to strengthen teaching and learning for ELLs.

1. English language development standards (WIDA ELD standards)
2. Annual language proficiency assessment, to assess comprehension and communication in English (ACCESS for ELLS) Due to these laws and regulations, AMSA has implemented the following process and criteria to determine ELL needs:
  - A. Upon initial enrollment, a student’s ELL needs and subsequent need for placement, in regards to English language proficiency, will be determined
  - B. Notification will be provided to the parent/guardian with information about the student’s language status and initial program placement
  - C. Information will be provided regarding their rights to “opt out” or to waive state requirements for language programs
  - D. Annual assessment of ELLs will occur
  - E. Based upon a standard process and set criteria, ELL eligibility, to receive or to exit the program, will be determined, including the monitoring of FLEP (Former Limited English Proficient) students

The term “English learner” (EL) is defined in the Elementary and Secondary Education Act (ESEA), Section 8101(20), as amended by the Every Student Succeeds Act (ESSA) as follows:

The term "English learner," when used with respect to an individual, means an individual—

- (A) who is aged 3 through 21;
- (B) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C)
  - (i) who was not born in the United States or whose native language is a language other than English;
  - (ii)
    - (I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and
    - (II) who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or
  - (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
- (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual —
  - (i) the ability to meet the challenging state academic standards;

(ii) the ability to successfully achieve in classrooms where the language of instruction is English; or (iii) the opportunity to participate fully in society.

State law defines the term “English learner” as “a child who does not speak English or whose native language is not English, and who is not currently able to perform ordinary classroom work in English.”

Under federal and state law, AMSA must take appropriate steps to identify ELs so they can receive instruction that is designed to assist them in learning the English language and subject matter content, and their parents can participate in the decision-making process relative to the type of program the identified ELs will receive. When a new student enrolls at AMSA it is our obligation to determine whether the student is an EL by following appropriate procedures and to place the student in the appropriate instructional program to support content area and English language learning.

AMSA identifies Former English learners (FELs) upon the registration to the district and monitors them to ensure that they are meaningfully participating in the standard instructional program comparable to their never-EL peers and provide support as needed and when necessitated.

## **Initial Identification of ELLs – Procedures and Processes**

### [Step 1: Administer a Home Language Survey](#)

The primary purpose of a home language survey (HLS) is to find out whether a student has been exposed to a language other than English in the student’s home and should be assessed for English language proficiency. The HLS also presents an opportunity to collect other useful information about the student that will help district personnel understand the student’s personal and educational history in order to plan an appropriate educational program for the student.

The HLS is not intended to confirm citizenship status, or predetermine ELE services.

When administering the HLS, AMSA will:

- A. **Administer the HLS to ALL new students.** AMSA will administer the HLS provided by the Department of Elementary and Secondary Education (the Department) to the parents of all new students enrolling in 6th through 12th grade. HLS answers are screened by the current ELL director(program coordinator). Students entering AMSA after the initial intake, upon lottery selection, have their HLS screened by the registrar’s office, and information is then forwarded to the ELL director(program coordinator).
- B. **Record-keeping system.** HLSs provide useful information about ELs and are filed in students’ cumulative folders on Rediker, as a resource for educators.

### [Step 2: Screen for English Language Proficiency](#)

Every newly enrolled student whose HLS indicates that a language other than English is spoken at home must be screened for English language proficiency. In other words, students should be administered a language proficiency test when the answer to any question on the HLS is a language other than English with the following limited

exceptions:

- Students who have already been in an ELE program and reclassified in a different district do not need to be screened again for English language proficiency.
- Similarly, if a newly enrolled student transferred from another district within Massachusetts or from another WIDA state, it is possible that he or she participated in the annual language proficiency assessment (ACCESS for ELLs® 2.0). If so, and if the district is able to obtain ACCESS results of the test that was administered within the **last calendar year**, instead of retesting the student, district staff can use ACCESS for ELLs® 2.0 results in the student's records to determine his or her English language proficiency.

The English language proficiency screening shall take place and parents will be notified by AMSA's ELL Program Coordinator of the results, in their preferred language, no later than 30 days after the beginning of the school year and within two weeks if the student enrolls in the school district during the school year. AMSA keeps a record of the parents' preferred language for future communications.

AMSA uses WIDA screening assessments, namely **WIDA Screener** online for grade levels 6-12.

### [Step 3: Determine EL or Non-EL Status & Make Initial Placement Decisions](#)

AMSA is required to use the results of one of the **state required language screening assessments**, namely WIDA Screener, K W-APT, or MODEL, and the guidance to interpret the scores provided below in order to determine whether the student **is** or **is not** an EL. The WIDA Screener is to be administered by licensed teachers or school administrators who are experienced EL educators and have been well trained to collect student language data and to accurately interpret the results.

Interpretation of the screening assessment scores and subsequent decision about whether a student is an EL must be made by **a licensed ESL teacher or the district ELE administrator**.

1. Initial Identification of ELs in public school Pre-K programs NA/AMSA
2. Initial Identification of ELs in Kindergarten NA/AMSA
3. **Initial Identification of ELs in grades 1-12**

Any student who is administered the WIDA Screener and scores an overall composite proficiency level of 4.0 **and** a composite literacy level (reading/writing) proficiency level of 4.0 or below is considered to be an EL and is eligible for ELE services. Only students who achieve a 4.5 composite proficiency level **as well as** 4.5 composite literacy (reading/writing) proficiency level are considered English proficient.

### **Table 3: Initial Identification of ELs in grades 1-12**

<i>GRADE</i>	<i>DOMAINS ASSESSED</i>	<i>Not EL</i>
1-12	All four	overall composite proficiency level 4.5 or higher  and  composite literacy proficiency level 4.5 or higher

A student identified as an EL after a language screening assessment will be placed in an English Learner Education (ELE) program to address his or her limited English proficiency so that the student can be provided the opportunity to participate meaningfully and equally in the district’s educational program (603 CMR 14.04). However, the student’s parent or guardian may choose to “opt out” of direct language instruction or request a waiver. Information provided below.

**Students with Interrupted or Limited Formal Education (SLIFE)**

Some ELs may have experienced interrupted or have limited formal education prior to enrolling at AMSA. State law requires that all ELs receive instruction that is specifically designed to meet their academic and language development needs. When a new student enrolls at AMSA, it is our obligation to determine whether the student is an EL and to place that student in an appropriate instructional program. Similarly, districts should ensure that SLIFE are properly identified so that placement and other important academic decisions can be properly informed. For more information about procedures for identifying SLIFE and programming considerations, please see: *Massachusetts Students with Limited or Interrupted Formal Education (SLIFE) Definition and Guidance*.

**Step 4: Notify Parent(s)/Guardian(s)**

As noted earlier, ELL student’s parent/guardian must be notified about the screening test results and the placement decision **no later than 30 days** after the beginning of the school year or within **two weeks** if the student enrolls in the school district during the school year. Such notifications will be provided in English and in a language that the parent can understand, to the maximum extent practicable. Notices are sent by the ELL director(program coordinator).

Massachusetts law requires districts to inform parents of their rights: (1) to “opt out” of specialized language instruction; and (2) to request a waiver from the state-mandated sheltered English immersion (SEI) program model. G.L. c.71A, §5. “Opt Out” indicates an informed decision by the parent to not have the child placed in AMSA’s English language development program.

A “waiver” indicates a desire by the parent to waive the child from participation in the SEI program in favor of enrollment in another ELE program.

**“Opt out” Requests** - The parent/guardian of ELL students must be informed of the services the child

will receive if enrolled in the language program as well as the type of support that will be provided if the parent/guardian decides to “opt out”. If the decision is to “opt out”, documentation of such request will be placed in the student’s file and the student will be placed in a mainstreamed classroom.

Federal and state law requires that instructional support is to be provided to ensure all ELL students, including those whose parent/guardian have chosen to “opt out” of language programs, have access to the curriculum and meet the same academic standards as their native English speaking peers. (Title VI of the Civil Rights Act of 1964; Equal Educational Opportunities Act of 1974, 20 USC §1703(f); G.L. c. 71A § 7) Additionally, **AMSA is still required to assess the ELL student’s language proficiency, annually.** Therefore, when it has been determined that the student will “opt out”, meaning the child will not receive separate ELL instruction focused on language development however, AMSA must continue to meet the student’s English language and academic needs.

AMSA’s obligation to provide equitable access to the curriculum and English language development for the “opt out” ELL student can occur in a variety of ways.

- A. AMSA considers placing opt-out students in classrooms where they receive sheltered content area instruction with a teacher who is qualified to teach ELL students (having completed the RETELL SEI Endorsement), they may be provided additional literacy and language support, through reading specialists qualified to teach ELL students.
- B. AMSA may establish structured opportunities for the student’s content area teachers to plan content area instruction in collaboration with a licensed ELL teacher.

### **Classification and Assessment of Opt Outs**

ELL students whose parent/guardian has “opted out” of language programs must still be classified as “ELL” or “LEP” (Limited English Proficient) on district reports and participate in the state’s annual language proficiency assessment, ACCESS for ELLs. Parents must be notified of their child’s participation in such assessments, as well as assessment results.

Waiver Requests: Parent/guardian may request a program waiver to allow their child to attend a different state-mandated sheltered English immersion program model (G.L. c. 71A § 5). The waiver may be considered based upon the parent request, providing the parent visits the school annually and provides written informed consent. Parents must be informed of their right to apply for a waiver and provided with program descriptions in a language they understand.

### **Step 5 – Accurately code all ELL students in DESE’s SIMS Report**

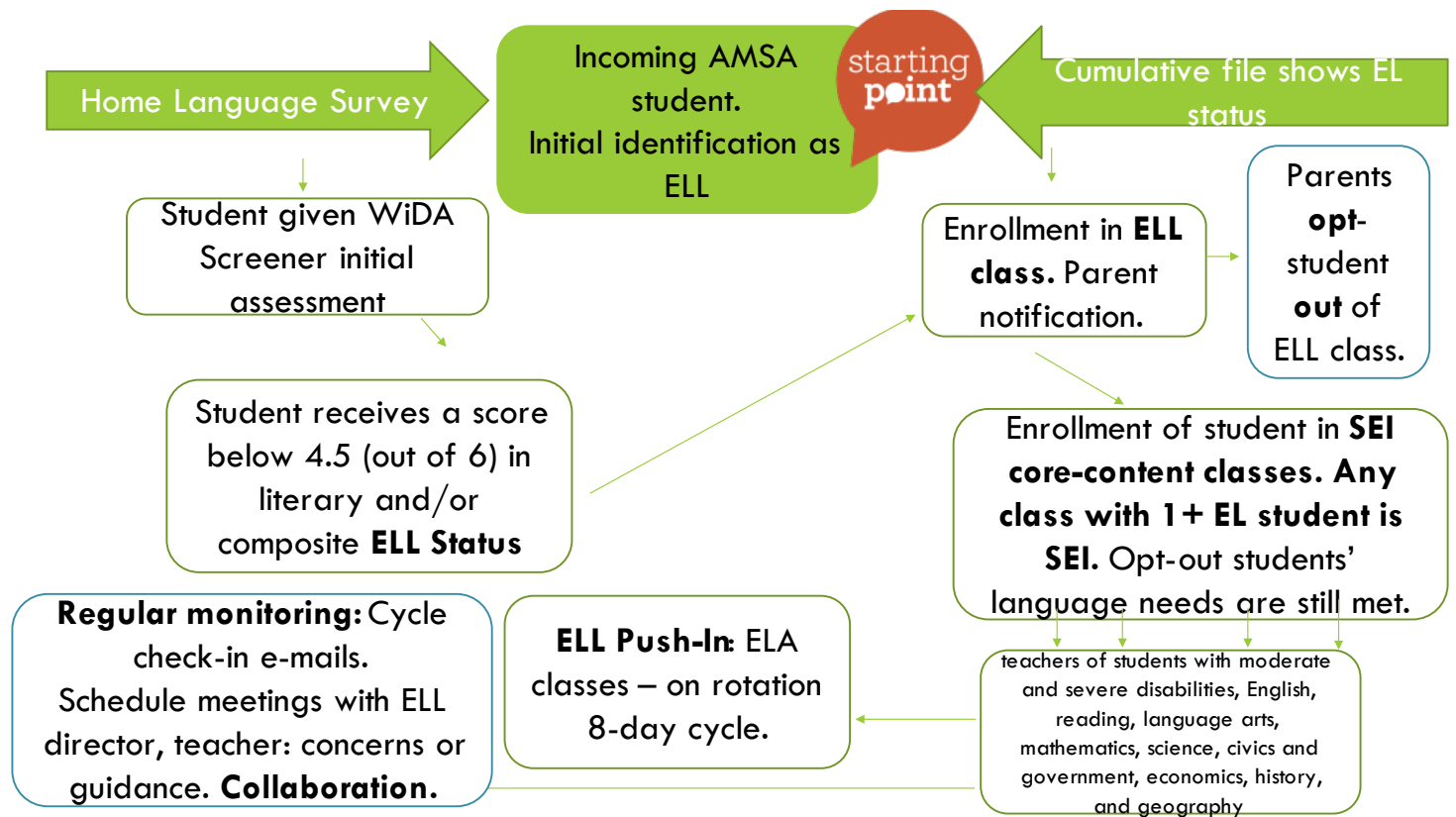
Accurate information will be submitted for the Department of Education’s Student Information Management System (SIMS) report. All students identified as English Language Learners will be coded as “Limited English Proficient (LEP)” (DOE025) by AMSA’s database manager.

Subsequent Data Elements\* are relevant to ELL identified students:

- \* DOE021: LEP students in the first year in U.S. schools
- \* DOE022: Immigration status
- \* DOE023: Country of Origin
- \* DOE024: First (Native) Language
- \* Additional ELL-related SIMS Data Elements can be found in the SIMS Data Handbook at: <http://www.doe.mass.edu/infoservices/data/sims/DataHandbook.pdf>.

### Step 6 – Include Information ELL Parent/Guardian Meeting

Alongside official identification Parents/Guardians a request to set up an in-person meeting to discuss student EL status, program placement and/or opt-out status is included. A phone or ZOOM meeting may be considered in an in-person meeting is not possible.



## **ELE Criterion – Identification of Dually Supported Students**

### **Initial Identification:**

Students who have been found to have a home or primary language other than English shall be assessed for LEP needs prior to referral or evaluation for special education services\*<sup>1</sup>. If the student is determined to be LEP, this information is shared with the Special Education Director\*<sup>2</sup>, who in conjunction with the ELL Coordinator, will determine whether the student should also be referred for evaluation under IDEA or Section 504.

The Special Education Personnel should determine in which language(s) the student should be evaluated for special education\*<sup>2</sup>. No student shall be assigned to a special education program on the basis of criteria that essentially measures and evaluates English language skills rather than disability-based needs.

### **Monitoring and Support of Dually Support Students:**

The ELL Coordinator or another person who is knowledgeable about assessing language acquisition skills and conducting effective special education evaluations for language minority students will participate in IEP or Section 504 meetings of LEP students.

If a student's IEP or Section 504 Team determines that the placement of an LEP student in a sheltered English immersion program is not appropriate for the student, it should make this determination in accordance with state and federal law.

\*All newly enrolling students follow initial identification processes based on their HLS. See Criterion #3 above.

\* ELL status and demographics located in ELLevation and Rediker.



Phone: 508 597 2400

Fax: 508 597 2499

Web: [www.amsacs.org](http://www.amsacs.org)

201 Forest Street, Marlborough, MA 01752