

STEP 2 | Analyze Consistency and Benefit from the Language Instruction Educational Program

► PURPOSE

Every ML is entitled to a Language Instruction Educational Program (LIEP), structured, evidence-based services designed to develop English proficiency. Before drawing conclusions about academic performance, teams must examine whether the student has had meaningful access to quality language instruction and has been making expected progress. If the LIEP has not been consistently provided, academic struggles may reflect that gap, not disability.

Grounded in federal requirements under ESSA and Colorado law. C.R.S. 22-24-101 (ELPA); 20 U.S.C. §6301.

Key Discussion Topics and Questions

- Describe the district's LIEP model (e.g., ESL pull-out, bilingual, dual language, sheltered instruction).
- How does the student receive consistent access to targeted English language instruction, in addition to appropriate linguistic supports in content classes?
- Who provides language supports and instruction?
- How do curricular materials acknowledge and leverage the linguistic knowledge MLs bring to learning new language systems?
- What is the typical trajectory for ML redesignation in this district, and how many years do students typically remain in the LIEP before meeting exit criteria?
- What is the typical trajectory for reading growth among MLs in this district?

If the team cannot confidently answer these questions, consult the district's ML identification coordinator, ELD specialist, or CLD Education department before proceeding.

Sources of Information

District assessment data disaggregated by language proficiency level, the Culturally and Linguistically Diverse (CLD) Education department, school-level data systems, ELD teacher input, etc.

References

Abedi, J. (2006). Psychometric issues in the assessment of English language learners. *Teachers College Record*, 108(11), 2282–2303.

Colorado Department of Education. (n.d.). English Language Proficiency Act (ELPA). https://www.cde.state.co.us/cde_english/elpa

Kieffer, M. J. (2008). Catching up or falling behind? Initial English proficiency, concentrated poverty, and the reading growth of language minority learners in the United States. *Journal of Educational Psychology*, 100(4), 851–868.