

School Union 29  
Poland \* Minot \* Mechanic Falls  
Lau Plan (IHBEA-R)

**I. Legal Foundation**

School Union 29 is obligated to follow all federal and state guidelines in providing equal educational opportunities to all students. Therefore, it is necessary that the district take care in evaluating and meeting the needs of students with limited English proficiency (LEP). The force of legislation, judicial opinion, and administrative regulation protects the rights of this group of students to an equal education.

Through its English as a Second Language (E.S.L.) and Bilingual Education Office, The Maine Department of Education has issued the following guidelines for measuring school districts' compliance with federal and state law:

- A. School systems must identify all students whose primary language is other than English, who have or may have difficulty performing ordinary class work in English, and who cannot learn or achieve on parity with their English dominant peers. Such Limited English Proficient (LEP) students must be placed in a specifically designed language support program (Lau guidelines refer to the U.S. Supreme Court case Lau vs. Nichols).
- B. Any specially designed support or instructional program shall be consistent with all federal acts and mandates, related federal regulations and court cases as well as Maine State acts, mandates and policies, which relate to the education of limited English and National Origin minority students.
- C. This instructional program should be based on second language acquisition pedagogy and sound educational practices for meeting the individual needs of L.E.P. students. The burden of proof is upon the district that the instructional program is designed for a L.E.P. student has clearly developed English language skills of comprehension, speaking, reading, and writing necessary for learning and achieving in English-only instruction at a level substantially equivalent to pupils whose primary language is English. In addition, teachers in English as a Second Language or bilingual classes must be adequately trained in the appropriate field.
- D. School systems which provide English language development programs to Limited English Proficient (LEP) students should reclassify students from Limited English Proficient (LEP) to Fluent English Proficient (FEP) by specific-reclassification procedures resulting from state-approved assessments.
- E. Consistent with Maine statute and *No Child Left Behind Act*, LEP

students are held to the same accountability requirements for achievement of the Learning Results and of participating in state mandated assessments. Accommodations or alternate assessments may be required for some LEP students.

## II. Philosophical Foundation

Even if state (H.P. 1360-L.D. 1877/March, 1990) and federal legislation did not require special consideration of the needs of the Limited English Proficient (LEP) students, it is consistent with the goals of Union 29 to personalize each child's education so that educational efforts can be successful and responsive to the child's needs, abilities, and interests. This school Union has a history of evaluating needs and providing educational opportunities that will enable all students to become lifelong learners. This plan applies to regularly enrolled students in Union 29 Public Schools; it is not intended for all students who have come as guests to the district for a short-term social/cultural experience (e.g. exchange students) though this plan does not require exclusion of appropriate and reasonable assistance for those students.

## III. Terms

- A. **ESL** English as a Second Language: use of special curriculum and services to help students who come from a non-English language background learn English.
- B. **FEP** Fluent (Fully) English Proficient: students are capable of functioning in an English-only educational environment in the areas of comprehension, speaking, reading, and writing skills.
- C. **ELLP** English Language Learner Plan: a plan developed for an individual student defining the special language services needed to make a transition from Non-English Proficient (NEP) to Limited English Proficiency (LEP) status to Fluent English Proficiency (FEP) status.
- D. **LAC** Language Assessment Committee: committee with responsibilities that include identifying and generally meeting the needs of Non-English Proficient (NEP) and Limited English Proficiency (LEP) students.
- E. **Lau** Informal reference Civil Rights Act and required school districts to provide special assistance to English Language Learners who were unable to benefit from an education conducted primarily in English.
- F. **LEP** Limited English Proficiency: students have a primary language other than English and are unable to participate effectively in school when English is the language of instruction. (Also known as English Language Learners [ELL])
- G. **LPF** Language Progress Folder: a resource file for decision making using multi-criteria evaluation about (tier 1) placement and (tier 2) transition / reclassification of the ELL.
- H. **L1** Primary Language
- I. **L2** Second Language (often English)

#### **IV. Language Assessment Committee (LAC)**

The Building level Language Assessment Committee will coordinate and oversee the educational program of limited English proficient students. The LAC will be composed of the Building Administrator or designee, Classroom teacher/ Roundtable Advisor, Guidance Counselor, Parents/ Guardians when appropriate, ESL Teacher and other ESL consultants may be involved with the committee on an as needed basis. The LAC meetings will be scheduled and conducted by the ESL Teacher.

The LAC responsibilities will include the following:

1. Review the state home language surveys to identify potential Limited English Proficient (LEP) students who have not already been identified through mandatory special education screening, parent or teacher referral.
2. Administer multi-criteria evaluations to potential LEP students annually.
3. Make determinations from multi-criteria evaluations about the student's placement, programming, amount of services, time of delivery of services, and types of programs.
4. Meet at least annually to develop or revise ELLP.
5. Maintain updated LPF.
6. Provide progress reports to parents/guardians on same schedule as school report cards.
7. Make recommendations for transition and placement and program type for the next school year.
8. Recommend modification of ESL support services or reclassification of a student from limited English proficiency to full English proficiency.
9. Notify parent or guardian in writing or if necessary in person of all decisions (in a language they comprehend) and their right to appeal.
10. Carry out annual monitoring for three years after student's reclassification to full English proficiency.

#### **English as a Second Language Program**

1. Instruction will be provided during regular school hours. Additional time may be provided as appropriate with the parent's consent.
2. Student's grade placement will be age appropriate.
3. ESL staff, classroom teacher and school staff will coordinate efforts on behalf of the students. (with support from the LAC)
4. ESL staff will extend instruction into the classroom providing support to the ESL student and sharing the cultural diversity and new language with other students. Content teachers will support Limited English Proficient (LEP) students in their achievement of the Learning Results with the support of the ESL teacher through sheltered instruction. It is suggested that content area teachers use Contextual/ Academic Language Log to identify Academic language.
5. Instructional space for ESL will be provided that is comparable to that available for non-ESL students. This includes support for Roundtable requirements as appropriate.
6. Amount of time spent with the ESL staff will be determined by the LAC Committee based

- on age and need of student.
7. Home/school coordination will be conducted as part of an outreach effort to parents of ESL students. This includes student led conferences.
  8. Adaptive instruction materials will be provided as appropriate to ELL's.
  9. LEP students must participate in an annual WIDA administered secure test that will measure ELP in Math, Science, and English Language Arts.
  10. Comparable instruction materials will be provided.

### **ESL Staff Requirements and Responsibilities**

1. *ESL Teacher will hold State of Maine certification with ESL endorsement. ESL Tutor may provide instruction under the supervision of the ESL Teacher.*
2. Administer multi-criteria evaluations used to determine eligibility.
3. Communicate with parents regarding progress of students using available resources to access parents in their own language.
4. Recommend ongoing modifications of revisions to the Lau plan as needed for re-submission to the school committee.
5. Recommendation reclassification or exiting student based on the WIDA (2005) assessment and multi-criteria evaluations as needed. To include, but not exclusively, Contextual/Academic language log, writing samples, standardized tests (as appropriate), anecdotal student led conference notes.
6. Provide meaningful cultural and language information to students, teachers, and classmates.
7. Insure that high school students receive appropriate career and/or educational information and that all post graduate opportunities are available to them. (with LAC support)
8. Monitor currently enrolled students who have exited the ESL program for a period of three years; monitor students screened, but not considered eligible for ESL services.

### **Identification of English Language Learner Students**

The process for identifying ESL students should be completed within 15 days following the opening of school or registration of a new student. Input from sources listed below will be utilized.

1. Home Language Surveys (provided at the time of school registration) are administered to all students.
2. Informal observation/Interview (part of regular registration process)
3. ESL staff notified of possible new ELL students.
4. ESL Staff meets informally with parents.
5. Review previous school records (cumulative folder)
6. The WIDA language proficiency assessment measure of placement. (To be administered as close to day of student's arrival as is reasonable) must be conducted for all students whose home language survey indicates a language other than English.

## **Assessment of English Language Proficiency and Academic Skills**

LEP students will be assessed for level of English language proficiency [i.e. beginning, emerging, developing, expanding, or advancing]:

1. Consultation with classroom teacher(s) and parents.
2. Anecdotal information from student and family/guardian,
  1. Annually as stipulated in NCLB (No Child Left Behind) administer English language proficiency measures of WIDA –*ACCESS* (beginning in 2005)
  2. Testing in content areas when comprehensible.
  3. Oral and written assessment of English.
  4. Contextual/Academic Language Log to identify discrepancies between word meaning and academic language usage (including listening, speaking, reading and understanding)

## **Record-Keeping for Identified ESL Student**

Guidance counselors or their designee, who maintain records on all students, will maintain ESL student Language Progress folder (LPF) The responsibility for updating the files (student language assessment, ESL educational plans, reviews, and reclassification information) will be assigned to the LAC/ESL staff.

## **Reclassification, Transition, and Exit**

Exit and transitional decisions of students from the ESL program will be based on multi-criteria assessments that will review language skills in speaking, listening, reading and writing, as well as performance in all academic areas. The Language Progress folder (LPF) should be used to collect a variety of reliable information to make determinations for Transitioning and Exit from ESL programming –which will occur when the student is able to competently perform in a regular (mainstream) setting.

## **Parent Notification and Option to Withdraw Approval**

The Language Assessment Committee will meet with the parents or guardians to discuss any changes in exit or partial exit reclassification and of their right to challenge the reclassification. This information will be given in a language that the parents or guardians can understand.

Students, who have been identified beyond Level V of English language proficiency, will be monitored by the ESL teacher for a two- year period after reclassification to FEP. The ESL teacher will review progress of ESL student's grades once per semester for a period of three years.

*Revised and adapted from Falmouth School District by Sally Motycka, September 2006*

**SIGNATURE BLOCK:**

Poland Regional High School School Committee

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Laurie Levine, Chair DATE

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Norm Davis DATE

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Kim Moody DATE

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Scott Sawyer DATE

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Mary Ella Jones DATE

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Dave Griffiths DATE

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Karen M. Whalen DATE