

RSU No. 5 School Department LAU PLAN

RSU No. 5 School District English Language Learners (ELL) Program

A Lau Plan, named after the landmark Lau vs. Nichols U.S. Supreme Court Decision of 1974, is an equal access plan that protects English Language Learners (ELLs).

The RSU No. 5 School Department does not discriminate against English Language Learners (ELL). In accordance with the Equal Education Opportunities Act (1974), the School Department makes an effort to do whatever is educationally appropriate to address the English and educational needs of the English Language Learners so that s/he can participate with her/his English background peers in the educational program of RSU No. 5 schools. Eligible students will be identified and placed in programs and services in accordance with statutory guidelines. The RSU No. 5 School Department strives to provide a linguistically and culturally rich teaching and learning environment. It is the policy of the RSU No. 5 School Department to comply with all Federal and State laws prohibiting discrimination against students on the basis of all civil rights categories. The district program for ELL will be overseen by the Director of Instructional Support.

Part I: STUDENT ASSESSMENT

A. Identification of English Language Learners

The Maine Department of Education conducts an annual home language survey to determine the number of language minority children who are enrolled in Maine schools. Schools collect the completed surveys from the parents/guardians of new kindergarten students and newly transferring students. In order to provide English as a Second Language (ESL) services in a timely manner, potential ELL students should be tested and placed within one month.

RSU No. 5 School Department will use the following instruments to identify English Language Learners (ELLs):

- Home Language Surveys
- Maine DOE approved WIDA Screener
- Review of all relevant educational documents and student records
- Teacher observations

B. Assessment for English Language Proficiency

Once a child has been identified as being from a non-English language background or having spent considerable amount of time in a non-English speaking country (and that stay has affected the child's ability to comprehend and express in English).

RSU No. 5 School Department will ensure that the following instrument is administered annually to determine the English language proficiency of ELLs:

- Annual administration of the ACCESS for ELLs English Language Proficiency Test
- Teacher observations and recommendations

C. District Language Assessment Committee (DLAC)

The District Language Assessment Committee (DLAC) is a group of district-wide school staff and parents of students that meets to discuss and develop an appropriate and effective structured ESL program for English Language Learners. The District Language Assessment Committee will:

- Oversee RSU5's ESL program and advise on identifying, serving, assessing, and exiting an English Language Learner from the program.
- Serve to notify parents about upcoming WIDA-ACCESS testing.
- Recommend revisions to the Lau Plan for action by the Superintendent and School Board.

The DLAC will meet twice per year in fall and spring, to review the ESL Program, the effectiveness of the program, and to re-direct certain instructional activities, if necessary. It is the responsibility of the ESL teacher to convene DLAC Committee and schedule meeting dates.

D. An RSU No. 5 Language Assessment Committee (LAC) is established at each school to coordinate and oversee the educational program of English Language Learners enrolled in the RSU No. 5 School Department. LAC members will include the Director of Instructional Support or Building Administrators, classroom teacher(s) and an ESL teacher.

The **LAC responsibilities** will include the following:

- To make determinations based on either the WIDA-ACCESS, or WIDA Screener about placement, programming services and delivery of services.
- To meet annually, or more frequently if needed, to monitor English Language Learner's language and academic progress.
- To meet with school staff to provide information about English Language Learners and the ESL Program.
- To recommend modification of ESL support services or reclassification of ~~a student~~ English Language Learners.
- To develop an Individual Language Acquisition Plan for each eligible English Language Learner.
- To continue annual monitoring for two years after English Language Learner's reclassification to full English proficiency.

PART II: STUDENT PLACEMENT (ENTRY AND EXIT)

A. Factors that Affect Program Design

There are many factors that must be considered when determining the most appropriate and effective structured language support program. Some of those factors are:

- Age of the child
- English language proficiency level
- Native language proficiency level
- Amount of interrupted schooling in the child's background
- The amount of native language literacy skills the child possesses
- Amount of trauma (if any) in the child's background, especially from refugees
- Amount of literacy readiness/exposure in child's background

B. Classification of Student's English Fluency Level

The English language proficiency level of language minority students can be translated to classification categories. These categories are:

- Level 1 – Entering
- Level 2 – Beginning
- Level 3 – Developing
- Level 4 – Expanding
- Level 5 – Bridging
- Level 6 - Reaching

C. Grade-level Placement

Based on the results of the LAC meeting, the building principal will place the English Language Learner in an appropriate grade. An English Language Learner will not be placed in a grade level that is more than one year below his/her chronological age.

D. Criteria for Reclassification, Transfer and Exit

If a structured language support program is effective and appropriate, the English Language Learner will eventually be: (a) reclassified at a higher level of proficiency, or (b) exited from the structured language support program entirely. Students will be exited based on achieving a WIDA ACCESS composite score of 4.5.

If and when the child is found to be eligible for reclassification or exit, the LAC will need to monitor the child's academic performance and psychosocial well being after the reclassification or exit is made. In the case of a student who is reclassified, the decreased ESL instructional time should be monitored in terms of: continued academic success; adjustment to a longer time period in the mainstream classroom; and, instructional needs being met in the structured language support program. In the case of exit from the program, the full mainstreaming should be monitored for academic success; adjustment to the full-time mainstream classroom; and, any emerging language skills needs that may surface once mainstreaming has occurred.

After a child has been exited from a structured language support program, that child's language performance and growth must be monitored for two years (if the child is still in school). During

those two years of monitoring, if the child experiences a pattern of difficulty with language or content skills, the LAC can re-enter the child into the structured language program.

In the event that a parent/guardian refuses ESL services for a student, a signed letter of refusal is to be placed in the student's file. These ESL services will be offered yearly, and a letter of refusal must be signed annually. The parent may withdraw refusal of services at any time.

PART III: PROGRAM INSTRUCTION

A. Teacher Skills and Credentials

Just as with any other teaching specialization, ESL teachers require special pedagogies to provide the best services for their students. The State Board of Education in 1988 adopted an ESL endorsement for teachers. ESL language support services may be provided in two personnel configurations:

1. An ESL-endorsed teacher provides direct ESL instruction
2. An educational technician supervised by an ESL-endorsed teacher

The presence of an ESL-endorsed professional is imperative for an effective and appropriate program to be implemented. The recommended configuration is the former; recommended by Office for Civil Rights and the Maine Department of Education.

B. Service Delivery Models

There are several types of structured language support programs the RSU No. 5 School Department believes can be beneficial to English Language Learners. This system's ability to provide some of these programs depends on both availability of native-language speaking personnel and availability of native language instructional materials for sheltered content. The keys to an effective and appropriate program choice will include careful consideration of the child's needs, full research into the resources available (personnel, materials), and full understanding of the possible program configurations.

Some of the likely structured language support programs to be used in RSU No. 5 schools will include:

English as a Second Language: A structured language learning program or curriculum designed to teach English to students whose native language is not English. Pullout and push-in services are provided based on individual student's need. Services are provided by or supervised by a State certified teacher endorsed in ESL.

Sheltered English: An approach that utilizes the simplification of the English language to teach ESL and subject area content simultaneously (sometimes called "content ESL"). Although the

actual content is the same as that taught to non-ELL students, key concepts and vocabulary are targeted to fit the ESL student's English language proficiency level.

A structured language support program encompassing the above models will be provided in a time allocation that will most benefit the ELL. The consideration of many factors must take place when a program is being developed. However, the ultimate goal is to provide effective and appropriate services to the student so that s/he may benefit fully from and succeed in an education conducted in English.

The determination of a time allotment for structured language support programs will be made by the Language Assessment Committee with assessment information available.

PART IV: PROGRAM EVALUATION AND RECORDKEEPING

In order to ensure the most effective and appropriate structured language support programming for English Language Learners, a model for overall program evaluation must be developed and utilized. An annual program evaluation will illustrate the following: attainment of program outcomes; attainment of learner outcomes; school climate and support for the program and children; the quality of instructional materials; the maintenance of information about students; the effectiveness of staff development activities; the amount and effectiveness of mainstream – ESL collaboration; the effectiveness of school and program communication with parents; and the implementation of the district's Lau Plan itself approved by its Board.

In all the procedures involving the identification, assessment, provision of services, and exit from services for English Language Learners, thorough record keeping must be implemented and maintained.

It is the responsibility of the ESL teacher to maintain accurate files for each English Language Learner. Items included in student files (but not limited to) would consist of:

- Copy of the Home Language Survey
- Copy of the WIDA-ACCESS/MODEL tests
- Test scores
- Copy of ILAP
- Any other pertinent information

Part V: STATUTE

Legal Obligation of Schools toward English Language Learners

1. Civil Rights Act of 1964

Title VI: "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."

2. **Office for Civil Rights Memorandum (1970):**

“(1) Where inability to speak and understand the English language excludes national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

(2) School districts must not assign national origin minority group students to classes for the mentally retarded on the basis of criteria which essentially measure or evaluate English language skills; nor may school districts deny national origin minority group children access to college preparatory courses on a basis directly related to the failure of the school system to inculcate English language skills.

(3) Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational dead end or permanent track.

(4) School districts have the responsibility to adequately notify national origin minority group parents of school activities, which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English.”

3. **Lau v. Nichols: U.S. Supreme Court decision of 1974**

“No state shall deny equal educational opportunity to an individual on account of his or her race, color, sex, or national origin, by –

- (f) the failure of an educational agency to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs.”

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