

# SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

## INSTRUCTION

### EDUCATIONAL PROGRAMS

### SPECIAL AND ALTERNATIVE EDUCATION PROGRAMS

### SERVICES /PROGRAMS FOR ENGLISH LANGUAGE LEARNERS

342.7

The School Board recognizes that within the District there are students whose primary language is not English. The Board shall provide appropriate educational and support services for these students to help them acquire English language skills that will enable them to function successfully in an all English classroom and help them meet established academic standards.

The District shall assess the English proficiency and academic progress of English language learners (ELL) in accordance with legal requirements and established District procedures. The degree of curricular and instructional modification, type of support services and their duration shall be determined individually based on student need.

Decisions regarding the administration of state-required academic assessment test to ELL students shall be made on a case-by-case basis. Any ELL student exempted from taking a state-required academic assessment test shall be administered an alternative assessment approved by the Department of Public Instruction.

The results of both state-required tests academic assessments and any alternative academic assessments taken in place of such assessments shall be used in a manner that is consistent with District policies in making instructional, promotion and graduation decisions. Test results may not be used as the sole criterion in re-classifying an ELL student from a bilingual-bicultural education program or in determining grade promotion, eligibility for courses or programs, eligibility for graduation or eligibility for participation in postsecondary education opportunities. Exemption of an ELL student from taking a state-required test may also not be used as the sole criterion for making such determinations.

Parents and guardians of ELL students shall be notified of student testing arrangements and of educational programs and services available to help their children improve their English language skills and academic achievement. These notifications shall be made consistent with legal requirements and in such manner as to ensure that the student's parent or guardian understands them.

Students shall be exited from ELL programs or services when they have met the District guidelines and state criteria for English proficiency. Once students have been exited, they shall no longer be tested on their English proficiency or receive state testing accommodations for ELL students. Former ELL students shall be monitored for two years after exiting the program. If during that time, it is determined that the student was exited from the ELL program prematurely, he/she shall be placed back in the program. State reporting of the academic progress of former EL students shall be done in accordance with legal requirements and as required by the DPI.

### Legal References:

#### Wisconsin Statutes

<u>Section 115.96</u>	[determining count of limited-English proficient students; establishing bilingual-bicultural programs]
<u>Section 115.97</u>	[bilingual-bicultural programs required]
<u>Section 118.13</u>	[student nondiscrimination]
<u>Section 118.30(2)(b)2</u>	[state assessments; accommodations for limited-English proficient students]
<u>Section 121.02(1)(r)</u>	[school district standard; standardized 3 <sup>rd</sup> grade reading test]

Section 121.02(1)(s) [school district standard; state assessments]

**Wisconsin Administrative Code**

PI 8.01(2)(r) [standardized 3<sup>rd</sup> grade reading test; procedures required for testing LEP students]

PI 13 [school board requirements related to limited-English proficient students, including policy requirements]

**Federal Laws**

Elementary and Secondary Education Act [Part A - Subpart 1] [academic standards, assessments and accountability for student achievement, including limited-English proficient students]

Title III of the Elementary and Secondary Education Act [language instruction for limited English proficient and immigrant students]

**Federal Regulations**

34 C.F.R. §200.6(b) [federal regulations regarding mandated testing and assessment of English learners]

**Cross References:**

342.7 Rule Procedures for Testing and Assisting English Language Learners

~~342.7 Exhibit Home Language Survey~~

~~First Reading: April 11, 2016~~

~~Second Reading/Approval: May 9, 2016~~

First Reading of Updates: March 9, 2020

Second Reading/Approval of Updates: April 15, 2020

# SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

## INSTRUCTION

### EDUCATIONAL PROGRAMS SPECIAL AND ALTERNATIVE EDUCATION PROGRAMS

### ~~SERVICES / PROGRAMS FOR ENGLISH LANGUAGE LEARNERS~~ PROCEDURES FOR TESTING AND ASSISTING ENGLISH LEARNERS

342.7- RULE

#### A. Identification of English Language Learners

1. All new students enrolling in the District will be asked to complete a home language survey. The survey will be used to identify the following students for further evaluation and possible eligibility for the District's services or programs for English language learners (ELLs):
  - a. Students who communicate in a language other than English; or
  - b. Students whose families use a primary language other than English in the home; or
  - c. Students who use a language other than English in daily non-school surroundings.
2. After any initial identification as provided above, or after some other initial referral indicating that language may be a barrier to the student's learning, the District will review the student's available academic history, consider any input provided by the parent or guardian, and any input based on the student's performance in school.
3. Students will receive a formal screening for potential placement via testing if: (a) the review of the student's academic history indicates a possible language barrier, (b) a lack of sufficient information on which to judge academic performance and/or the extent to which limited English proficiency may be a barrier to learning, or (c) the student is newly arrived in the United States.
4. Parents and guardians will be notified of identification, assessed proficiency, placement and other information as required by law. Parents and guardians may also withdraw their child from offered supports and services at any time.

#### B. Assessing English Academic Proficiency

1. On or before March 1 each year, District staff shall conduct a count of all English language learners (ELL) enrolled in District schools, assess the language proficiency of such students and classify such students by language group, grade level, age and English language proficiency.
2. ELL students shall be assessed to determine their English language proficiency using the Department of Public Instruction (DPI)-approved English proficiency assessment instrument – ACCESS for ELLs®. The assessment shall be administered by an English-as-a-second-language teacher or another licensed staff member designated by the building principal who the principal determines has sufficient training and knowledge to assist with the process. The District may also use information such as the following when assessing a student's English proficiency: prior academic records from within or outside the United States, information on everyday classroom performance, and course grades which, in relation to the student's grade level, indicate that lack of progress is due to limited English language skills.

3. ELL students assessed shall be classified and reclassified as appropriate, according to their English proficiency level as outlined in state rules (Level 1 – Beginning Preproduction through Level 6 – Formerly Limited-English Proficient Now Fully-English Proficient).
4. Student English proficiency assessment records shall be maintained by the District in accordance with state and federal laws and District student records policies and procedures. Reports regarding ELL students shall be made to the DPI as legally required.

### C. Assessing Academic Performance

Decisions regarding academic performance and assessment shall be made on an individual basis for each ELL student, and information on both academic and English proficiency data shall be documented and considered. Decisions regarding the appropriate approach to assessment, including the planned approach for the student's state-mandated academic assessments, shall normally be made by the classroom teacher and building principal, English as a second language teacher and communicated to the student's parent(s) or guardian.

### D. ELL Students and State Academic Assessments

1. The result of both state-required academic assessments and any alternative assessments taken in place of such assessments shall be used in a manner that is consistent with District policies in making instructional, promotion, and graduation decisions. In addition, the results of state-required academic assessments and alternative assessments shall be used in a manner that is consistent with District policies in making instructional, promotion and graduation decisions. Test results may not be used as the sole criterion in re-classifying an ELL student from a bilingual-bicultural education program or in determining grade promotion, eligibility for courses or programs, eligibility for graduation or eligibility for participation in post-secondary education opportunities. Similarly, exemption of an ELL student from taking a state-required academic assessment test may also not be used as the sole criterion for making such determinations.
2. The District shall administer a state-required academic assessment test to an ELL student unless a determination has been made that the results of the assessment test, with allowable accommodations made for the student as needed, will not be a valid and reliable indicator of the student's academic knowledge and skills. Such determinations are to be made on an individualized, case-by-case basis. If an ELL student is exempted from taking a state-required academic assessment test, he/she shall be administered a DPI-approved alternative assessment.
  - a. Before making decisions regarding state-required academic assessments for any ELL student, the District will first determine if the student has recently arrived in the United States. "Recently arrived" refers to a student that has attended a U.S. school for less than 12 months.
    - (1) A recently arrived ELL student may be exempted from one required administration of the state's reading assessment.
    - (2) Recently arrived students must participate in all other content areas (with or without accommodations).
    - (3) If the District does not assess a recently arrived ELL student on the state's reading/language arts assessment, the District must count the year in which the assessment would have been administered as the first of the three years in which the student may take the state's reading/language arts assessment in an alternative format (see paragraph b in this section, immediately below).
  - b. Except as specified below in b(1) and b(2), students at English proficiency Level 1 or Level 2 as defined by the state English proficiency level standards shall participate in an alternative assessment even if they participate in a state-required academic assessment test.

- (1) Students at English proficiency levels 1 or 2 who have attended school in the first grade or any higher grade in the United States, not including Puerto Rico, for three or more full consecutive school years shall participate in academic assessment of reading or English language arts using **academic assessment test** written in English.
  - (2) The District may continue, for no more than two additional consecutive school years, to assess a student described in (1), immediately above, with an alternate assessment, rather than the state-required **academic assessment test**, if the District determines that the student has not reached a level of English language proficiency sufficient for the **academic assessment test** written in English to yield valid and reliable information about what the student knows and can do. This determination shall be made on a case-by-case basis.
- c. Students at English proficiency levels 3 through 5 as defined by the state English proficiency level standards shall participate in a state-required **academic assessment test** but may also participate in an alternative assessment, based upon the District's assessment of the student's overall academic performance and its determination as to whether the alternative assessment and the results obtained from the assessment are likely to be beneficial to the student.
- d. If an ELL student participates in a state-required test, the District shall provide testing accommodations for the student if they are needed. Any accommodations made shall maintain the validity of the **academic assessment test**. Testing accommodations may include, but are not limited to, one or more of the following:
- (1) providing the assistance of a qualified translator to translate instructions or read items from **assessment test** that do not assess English language competency;
  - (2) providing small group or individual testing opportunities;
  - (3) providing more practice tests or examples before the actual **assessment test** is administered;
  - (4) allowing ELL students to use dictionaries or other educational aids while taking the **assessment test** unless this use would invalidate the **assessment test**;
  - (5) allowing ELL students as much time as necessary to complete the **assessment test**; and
  - (6) any other accommodation approved by the DPI.
3. School personnel shall make reasonable efforts to consult with a student's parent or guardian regarding the planned approach to the student's state-required academic assessments.
4. Student **assessment test** /**alternative** assessment results shall be communicated to the student's parent or guardian and to the DPI as required by law.

**E. Educational Program Assistance**

1. An ELL student will be provided educational program assistance and/or services as appropriate and necessary to help the student improve his/her English language skills and academic performance. The degree of curricular and instructional modification, type of support or other program services and their duration shall be determined individually, based on student need.

**F. Students Exiting the ELL Program Based on Proficiency**

1. Whenever an EL student is considered or evaluated for exiting the EL program (i.e., possible reclassification as a former EL student), the relevant data and other information used in the process, along with resulting determination, shall be maintained as part of the student's academic record.
2. An EL student must be exited from the EL program or services when the student achieves an overall composite score of 5.0 or greater on the ACCESS for ELLs®.

3. An EL student may also be eligible for exiting from the EL program or services if all of the following conditions are met:
  - a. The student has attained an overall composite score of 4.5 or above on the ACCESS for ELLs®.
  - b. Additional pieces of evidence, as gathered using a Multiple Indicator Protocol (MIP), demonstrate that the student has become fully English language proficient. Evidence should include demonstrations of the student's reading, writing, speaking and listening skills in English through observation of student language use in classroom activities or through a portfolio of student work (examples of language use over time – e.g., writing assignments, book reports, audio or video projects, etc.).

The District shall notify the student's parent(s) or guardian(s) of the MIP process used to make discretionary decisions regarding exiting the program and of the resulting determination.

4. Once a decision is made to exit an EL student from the EL program based on current-year ACCESS test results and any current-year MIP results:
  - a. The District will notify the student's parent or guardian of the reclassification decision and communicate information about any changes in programming or supports.
  - b. The student will maintain EL status through the remainder of the current school year and begin the next school year as a former EL student.
5. Once students have been exited from the EL program:
  - a. They shall no longer be tested on their English proficiency or receive accommodations for EL students when taking state-required academic assessments.
  - b. The District will continue to monitor the exiting student for two additional years through teacher observation and by documenting adequate progress/classroom performance. If it is determined that the student was exited from the EL program prematurely, he/she will be placed back in the EL program and provided appropriate services.
  - c. The District will continue to report the academic progress of students that have exited EL status to the DPI for four years after the reclassification occurs, as required by the DPI.

- ~~1. Except in unusual circumstances where the District determines that observations and academic performance demonstrate that a student should maintain his/her Limited English Proficient status, an ELL student will be exited from the ELL program or services when the student either:
  - ~~a. In grades K-12, achieves a 6.0 composite score on the ACCESS for ELLs®;~~
  - ~~b. In grades 4-12 only, achieves a composite (overall) score of 5.0 or above plus a minimum literacy sub-score of 5.0 or above on the ACCESS for ELLs®; or~~
  - ~~c. Achieves some other testing/achievement benchmark that meets an established state standard for automatically reclassifying and exiting the student.~~~~
- ~~2. An ELL student may also be eligible for exiting from the ELL program or services if all of the following conditions are met:
  - ~~a. The student has completed fourth grade.~~
  - ~~b. The student has attained an English level proficiency of level 5, including a composite (overall) score of 5.0 on the ACCESS for ELLs®.~~
  - ~~c. Two or more additional pieces of evidence demonstrate that the student has become fully English language~~~~

~~proficient. Evidence should include demonstrations of grade-level proficiency, without the use of adapted or modified English materials or English learner accommodations on standardized measures such as: state academic content assessments; District-level standardized assessments (e.g., Measures of Academic Progress – MAP), classroom-grade-level curriculum derived assessments, and writing samples and assessments such as final or unit exams.~~

~~d. The student's parent(s) or guardian and teachers agree that language is no longer a barrier to the students' ability to access academic content.~~

~~3. Once students have been exited from the ELL program, they shall no longer be tested on their English proficiency or receive state testing accommodations for ELL students. However, the District will continue to monitor the exiting student for two additional years through teacher observation and by documenting adequate progress/classroom performance. If it is determined that the student was exited from the ELL program prematurely, he/she will be placed back in the ELL program and provided appropriate services.~~

#### **G. Notices and Other Communications with Parents and Guardians**

District personnel are expected to make reasonable efforts to present formal notices and other information to parents and guardians in an understandable format and in a language parents and guardians can understand. Notices and communications may be provided in the parent's or guardian's primary language (preferred when practical, and required by law in some instances), in English with additional explanation, or via other means that sufficiently convey the required information (e.g., using direct translation assistance if available and if necessary).

*First Reading:* ~~April 11, 2016~~

*Second Reading/Approval:* ~~May 9, 2016~~

*First Reading of Updates:* **March 9, 2020**

*Second Reading/Approval of Updates:* **April 15, 2020**

**SCHOOL DISTRICT OF PITTSVILLE  
BOARD POLICY**

**INSTRUCTION**

**EDUCATIONAL PROGRAMS**

**SPECIAL AND ALTERNATIVE EDUCATION PROGRAMS**

**HOME LANGUAGE SURVEY**

**342.7 - Exhibit**

**Home Language Survey (exhibit):** This sample exhibit was deleted from the PRG since the Department of Public Instruction (DPI) has created a standardized home language survey that is to be used by all Wisconsin school districts in order to ensure that all enrolling students are asked the same questions. This standardized home language survey can be found in Chapter 1 of DPI's *English Learner Policy Handbook* found on DPI's website. According to the DPI, districts wishing to alter the home language survey may do so only with the approval of the DPI.

**[TO BE COMPLETED BY STUDENT'S PARENT OR GUARDIAN]**

To make sure that all students receive the educational services that they need, the law requires school districts to ask questions about students' language backgrounds. The answers to these questions will (1) assist the School District in determining whether a student's proficiency in English may need to be evaluated, and (2) assist the School District in communicating with the home. Thank you for your assistance. Your answers to this survey are used for school purposes only.

**DIRECTIONS:** (1) Please fill out a separate Home Language Survey for each child; (2) respond to each question; (3) sign the form; and (4) return the completed form to the school office.

Student's Name: \_\_\_\_\_ Parent/Guardian Name(s): Please Print \_\_\_\_\_

Student's Date of Birth: \_\_\_\_\_

1. What is the primary language spoken in the student's home, regardless of the language(s) spoken by the student?  
 English       Other Language (Please specify) \_\_\_\_\_
2. What language did your child first learn?  
 English       Other Language (Please specify) \_\_\_\_\_
3. What is the primary language that you use when speaking to your child?  
 English       Other Language (Please specify) \_\_\_\_\_
4. What is the language most often spoken by your child when not at school?  
 English       Other Language (Please specify) \_\_\_\_\_
5. Is there an adult in your home who can read and understand English?  Yes  No  
If not, what language(s) can be read and understood? \_\_\_\_\_
6. When different options are available, in what language would you prefer to receive information from your child's school?  
 English       Other Language (Please specify) \_\_\_\_\_

Parent or Guardian Signature \_\_\_\_\_

Date \_\_\_\_\_

*If you have questions about this survey, please contact \_\_\_\_\_.*

*First Reading: April 11, 2016*

*Second Reading/Approval: May 9, 2016*