

PROGRAM FOR LIMITED ENGLISH PROFICIENT STUDENTS

The School Committee recognizes that in order to assure equal educational opportunity for all Freeport Public School students, the school system needs to provide an appropriate instructional program for students who are limited in English proficiency.

To that end, the Superintendent/designee shall be responsible for developing and implementing a “Lau Plan¹” to meet the needs of such students, including procedures for identification, assessment, programming, monitoring of progress, exit/reclassification, and parent notification.

A Language Assessment Committee shall be appointed to assist in the coordination, oversight and periodic review of the program.

Any Lau Plan developed by the school unit shall be approved by the Committee before it is submitted to the Maine Department of Education.

At the beginning of each school year, the school unit shall notify parents of students identified for or participating in limited English proficiency programs about the instructional program and parent rights, as required by law. Parents will be regularly apprised of their child’s progress. Whenever possible, communications with parents will be in the language understood by the parents.

Legal Reference: 42 U.S.C. § 2000d (Title VI, Civil Rights Act of 1964)
20 U.S.C. §§ 6801 et seq.
Ch. 127.02 (Maine Dept. of Ed. Rule)

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¹ The term “Lau Plan” comes from the United States Supreme Court decision entitled *Lau v. Nichols*.

LAU PLAN

I. Legal Foundation

Freeport Public Schools 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. The rights of this group of students to an equal education are protected by the force of legislation, judicial opinion, and administrative regulation.

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 Freeport 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 district has a history of evaluating needs and providing educational opportunities which will enable all students to become lifelong learners. This plan applies to students regularly enrolled in Freeport 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 which include identifying and generally meeting the needs of Non-English Proficient (NEP) and Limited English Proficiency (LEP) students.
- E. **Lau** Informal reference to the Civil Rights Act requirement that school districts provide special assistance to English Language Learners 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])

*For clarity the term ESL has been replaced with LEP through the remainder of this document.

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 Director of Special Services, the Building Administrator, Classroom teacher(s), Guidance

Counselor, Parents/ Guardians when appropriate, LEP Teacher and other LEP consultants may be involved with the committee on an as needed basis. The LAC meetings will be scheduled and conducted by the LEP 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. Provide progress reports to parents/guardians on same schedule as school report cards.
6. Make recommendations for placement and program type for the next school year.
7. Recommend modification of LEP support services or reclassification of a student from limited English proficiency to full English proficiency.
8. Notify parent or guardian in writing or if necessary in person of all decisions (in a language they comprehend) and their right to appeal.
9. 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. LEP staff, classroom teacher and school staff will coordinate efforts on behalf of the students.
4. LEP staff will extend instruction into the classroom providing support to the LEP 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 LEP teacher through sheltered instruction.
5. Instructional space for LEP will be provided that is comparable to that available for non-LEP students.
6. Amount of time spent with the LEP 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 LEP students.

8. Adaptive instruction materials will be provided as appropriate to ELL's.
9. LEP students must participate in an annual ACCESS administered secure test that will measure ELP in Math, Science, and English Language Arts.
10. Comparable instruction materials will be provided.

LEP Staff Requirements and Responsibilities

An LEP Teacher will hold State of Maine certification with LEP endorsement. An LEP Tutor may provide instruction under the supervision of the LEP Teacher. These staff shall have the following responsibilities:

1. Administer multi-criteria evaluations used to determine eligibility.
2. Communicate with parents regarding progress of students using available resources to access parents in their own language.
3. Recommend ongoing modifications of revisions to the Lau plan as needed for re-submission to the school committee.
4. Recommendation reclassification or exiting student based on the ACCESS assessment and multi-criteria evaluations as needed.
5. Provide meaningful cultural and language information to students, teachers, and classmates.
6. Insure that high school students receive appropriate career and/or educational information and that all post graduate opportunities are available to them.
7. Monitor currently enrolled students who have exited the LEP program for a period of three years; monitor students screened, but not considered eligible for LEP services.

Identification of English Language Learner Students

The process for identifying LEP 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. LEP staff notified of possible new ELL students.
4. LEP Staff meets informally with parents.
5. Review previous school records (cumulative folder)
6. The LAS 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,
3. Annually as stipulated in NCLB (No Child Left Behind) administer English language proficiency measures of ACCESS
4. Testing in content areas when comprehensible.
5. Oral and written assessment of English.
6. One or more of the following tests:
 - a. Language Assessment Scales (LAS)
 - b. IDEA Proficiency Test (IPT)
 - c. Bilingual Verbal Ability Tests (BVAT)
 - d. ACCESS Assessment - A mandatory test for reading, writing, listening, and speaking.

Record-Keeping for Identified LEP Student

The LEP teacher and the Director of Special Services will maintain LEP student files. The responsibility for updating the files (student language assessment, LEP educational plans, reviews, and reclassification information) will be assigned to the LEP staff.

Reclassification, Transfer, and Exit

Exit and partial exit decisions of students from the LEP 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. Exit from LEP programming 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 LEP teacher for a two- year period after reclassification to FEP. The LEP teacher will review progress of LEP student's grades once per semester for a period of three years.

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