

LAU PLAN

*(A plan to provide educational services to students with limited English proficiency)
("Lau" is an informal reference to a Supreme Court case supporting these services)*

It is the policy of MSAD 55 to provide equitable access for English Language Learners (ELL). According to the Equal Education Opportunities Act (1974), this district must make an effort to do whatever is educationally appropriate to address the English language and educational needs of the English Language Learner so that he/she can compete with his/her same age English background peers. Qualifying students will be identified and placed in programs and services in accordance with statutory guidelines. MSAD 55 will strive to provide a linguistically and culturally rich learning and teaching environment. It is the policy of MSAD 55 to comply with all federal and state laws prohibiting discrimination against students on the basis of all civil rights categories.

(A glossary of terms used in providing services to these youngsters is included with this plan.)

Establish a Language Assessment Committee

The Language Assessment Committee will consist of an administrator, classroom teacher, ESOL (English Speakers of Other Languages) teacher, and a parent or guardian if possible. Appropriate support staff, such as a guidance counselor, will be included when they are involved in the student's program.

The responsibilities of the Language Assessment Committee include:

- A. Identify English Language Learners (ELL) using the WIDA ACCESS assessment tool;
- B. Develop an appropriate and effective language support program that encourages the integration of the WIDA standards for English Language Proficiency with the Maine Learning Results to assure that ELL's work to meet Adequate Yearly Progress (AYP) and grade level expectations;
- C. Monitor the student's progress on an ongoing basis;
- D. Notify parent or guardian of all decisions (in a language they comprehend) and of their right to appeal their child's participation in the ESOL program;
- E. Determine when the English Language Learners (ELL) meet the exit or reclassification standards through WIDA ACCESS assessment;
- F. Monitor students for three years after exit from the ESOL program; and
- G. Make recommendations for programming for next school year.

Screening

All newly enrolled students (including transfers) will be initially screened for subsequent assessment through the Home Language Survey and WIDA screener during the enrollment process.

If a student has been previously identified as an English Language Learner, screening is not required, although the WIDA ACCESS is required annually in all communicative skill domains.

Assessment of English Language Proficiency and Academic Skills

Within ten school days of initial screening by the Home Language Survey, possible English Language Learners will be assessed for level of English Language Proficiency through the following:

1. Interview with ESOL Teacher;
2. Consultation with classroom teacher where appropriate;
3. Anecdotal information from student, family and/or sponsors;
4. WIDA – Alternative Placement Test (W-APT) and/or scores from previous year WIDA ACCESS for ELLs; and
5. Assessment of academic proficiency in first language (optional).
 - a. Interview;
 - b. Writing Sample;
 - c. Anecdotal Records; and
 - d. School Records

Grade Level Placement

Before making a permanent grade-level placement recommendation for an English Language Learner, the LAC will need to have pertinent background information about the child. That information would include at least the following:

- the child's age
- the child's educational background
- the child's English language proficiency level through WIDA assessments
- the child's academic performance

With this information, collected as expeditiously as possible, the LAC will make a recommendation to the building Principal as to the appropriate grade level to place the student. Under no circumstances will a student be placed in a grade level that is more than one year below his/her chronological age. Although it may seem logical to place a language minority child at a grade level that matches the level of English skills he/she needs to acquire, it would be a great disservice to the child both socially and cognitively to do so. The Board is obligated to provide a structured language support program that meets the ESOL as well as content area needs of the student consistent with state and federal statute and case law precedent.

Regarding the issue of grade-level retention, on the whole, retention is only advisable when a language minority student is lagging behind peers socially and emotionally (and even that may not be appropriate). It stands to reason that an English Language Learner will not be on grade level academically until he/she has had the

opportunity to acquire the English language proficiency in listening, speaking, reading, and writing that are necessary for academic success.

It is not appropriate to retain an ELL solely for the reason of limited English proficiency because the child has unique needs and must be given ample time from grade level to grade level to acquire English proficiency. The Board accepts the research findings that the acquisition of a second language for cognitive/academic proficiency can take from five to seven years under optimal circumstances of academic and ESOL program support.

The most advantageous way to avoid grade-level retention is to make accommodations for the ELL in the mainstream classroom and to maintain a close collaborative relationship between the mainstream and ESOL programs. If an ELL is referred for retention, the LAC should be included in that process to ensure that language proficiency is not the sole reason for the referral.

Programs

MSAD 55 provides an ESOL program that is consistent with the content-based language learner model. Each student will be enrolled in a mainstream program to the extent possible and integrated into regular activities. The regular classroom teacher will share the responsibility of programming with a qualified ESOL teacher and/or tutor. Modifications to the regular curriculum will be supported by appropriate instructional materials and curricula as well as by differentiated teaching strategies. An ESOL program will be provided at a specified school at each level in order to maximize language support services with content instruction to support access to the Learning Results.

The following guidelines will be followed for the development of a student's program:

1. Instruction will be provided during the regular school hours;
2. Student's grade placement will be age appropriate;
3. The ESOL teacher and classroom teacher will coordinate efforts to support the student's acquisition of English and the Learning Results;
4. The ESOL teacher will extend instruction into the classroom providing support to the ELL and will share the cultural diversity and the new language with other students when possible;
5. The WIDA ACCESS for ELLs will be conducted annually;
6. Appropriate instructional space will be provided to ELLs;
7. The Language Assessment Committee determines the amount of time that the ELL spends with the ESOL teacher based on the age and needs of the student; and
8. Home visits will be conducted as part of an outreach effort to support parents of ELLs

ESOL Teacher Requirements

1. Hold State of Maine Certification with ESOL/ESL endorsement;
2. Administer multi-criteria evaluations used to determine eligibility;

3. Communicate at least quarterly or each trimester with parents regarding progress of students in a language they understand;
4. Recommend modifications or revisions to the Lau Plan;
5. Recommend reclassification or exiting of a student based on WIDA assessments;
6. Provide meaningful cultural and language information to student, teachers and classmates;
7. Ensure that high school students receive appropriate career and educational information and that all postgraduate opportunities are made equally accessible to them;
8. Monitor students who have exited the ESOL program for a period of three years; and
9. Maintain a language development file on each student served by the ESOL program.

Reclassification or Exit Criteria

An ELL will be classified as a Fluent English Proficient (FEP) student when meeting Maine's definition proficiency, which is a composite score of Level 5 on the WIDA ACCESS for ELLs.

Program Evaluation

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 consistent with state and federal statute. An annual program evaluation will illustrate: attainment of program outcomes; English language and content acquisition; 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 ESOL collaboration; the effectiveness of school and program communication with parents; and, the implementation of the Lau Plan itself.

The program accountability and demonstration of outcomes will enhance the program's legitimacy in the school and will consummate the work and methods of the program toward the ultimate goal of continually improving instruction to meet ELL instructional needs.

A district-wide Language Assessment Committee will meet at least annually to conduct this program evaluation. The committee will make recommendations to the Superintendent for ESOL program improvement and for changes in the Lau Plan.

Eligibility for Services Issues

1. English Language Learners are eligible for Title One, Special Education services, etc, under the same criteria as other children. These services cannot supplant structured ESOL support services.
2. In the event that a parent/guardian refuses ESOL services for their child, a signed letter of refusal will be placed in the student's file. These ESOL services will be offered yearly and a letter of refusal must be signed annually. The parent may withdraw refusal of services at any time.

3. Limited English proficiency is not a disability as defined by the Americans with Disabilities Act of 1994 and state special education regulations. If a language minority child is referred for special education evaluation, a culturally and linguistically non-biased evaluation must comply with state and federal regulations. An assessment of the child's native language skills as soon after enrollment as possible is advisable so that any significant problems can be identified and noted for future references. The disability must be determined in the student's primary language.

Glossary

ESL: (English as a Second Language) An older term that has been replaced by ESOL (see below).

FEP: (Fluent English Proficiency) students are capable of functioning in an English-only educational environment in the areas of comprehension, speaking, reading, and writing skills.

FES: (Fluent English Speaker) students are capable of speaking English fluently but may not have all skills to function proficiently in the academic environment.

ELL: (English Language Learner) An individual student requiring special language services to move from Non-English Proficiency (NEP) to Limited English Proficiency (LEP) to Fluent English Proficiency (FEP) status.

ESOL: (English Speakers of Other Languages) synonym for English Language Learners (ELL's); also, a program descriptor for the use of special curriculum and services to help students who come from a non-English language background to learn English.

HLS: (Home Language Survey) a form completed by parents or guardians that identifies what languages were first learned by the child, which are spoken in the home, etc.; used as an initial screening device to identify possible English Language Learners.

LAC: (Language Assessment Committee) Committee with responsibilities to identify and meet the needs of the English Language Learner (ELL).

Lau Plan: (Informal reference to Civil Rights case) a plan that outlines how school districts will provide special assistance to English Language Learners who are unable to benefit from an education conducted primarily in English.

LEP: (Limited English Proficiency) an older term generally replaced by either English Language Learner (ELL) or English Speakers of Other Languages (ESOL).

WIDA: A consortium of states (originally Wisconsin, Illinois, Delaware, and Arkansas) the World-Class Instruction Design and Assessment (WIDA) Consortium is a non-profit cooperative of nineteen states working to develop English language standards and assessments. Maine is a member of the WIDA consortium.

WIDA ACCESS for ELLs: (WIDA Assessing Comprehension and Communication in English State-to-State for English Language Learners) Yearly assessment tool adopted by the WIDA consortium to measure current educational level of Limited English Proficiency students as well as their overall progress towards English fluency.

W-APT: (WIDA – Alternative Placement Test) A shorter version of the WIDA ACCESS tool, the W-APT is used to screen new students with Limited English Proficiency within the first two weeks of school.

Legal References: Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d
P.L. 107-110 (No Child Left Behind Act of 2001)
20-A M.R.S.A. § 15670(18)
Ch. 127 § 3.02 (Me. Dept. of Ed. Rule)
Commissioner’s Administrative Letter No. 24 (December 9, 2003)

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