

INDIANA DEPARTMENT OF EDUCATION

Office of English Learning & Migrant Education

English Learner Guidebook

Revised August 2022



**INDIANA
DEPARTMENT of
EDUCATION**

Table of Contents

Chapter 1: An Introduction to English Learners	4
An Introduction to English Learners in Indiana	4
Legal Background & Federal Requirements for English Learners	5
Equal Opportunity for English Learners	8
Chapter 2: Identifying English Learners	9
Home Language Survey	9
Language Reporting Requirements	11
Enrolling First-Time Indiana Students	13
Enrolling Returning Indiana Students	14
Chapter 3: Serving English Learners	15
Providing EL Services	15
EL Program Models	15
EL Program Staffing and the EL Teacher of Record	19
English Learner Plans	20
Maintaining Documentation of Services	21
Opting Out of EL Services	21
EL Access to Core Content Area Instruction	21
Indiana English Language Development Standards	21
Individual Learning Plans (ILPs)	22
Retention of English Learners	22
English Learner Populations	23
Chapter 4: Assessing English Learners	25
Assessing English Learners in the General Education Classroom	25
State Testing for English Learners	25
IREAD-3 for English Learners	26
Chapter 5: Supporting Former English Learners	29
Reclassifying and Exiting English Learner Status	29
Monitoring Former English Learners	30
Developing a Rigorous Monitoring System	30
Suggested Indicators for Monitoring Documentation	31
Reentering Students in the English Learner Program	31
Chapter 6: Engaging English Learner Families	33
Strengthening School and Family Partnerships	33
Parent Notification Requirements	33
Parent Right of Refusal	34
Chapter 7: Funding English Learner Programs	36

Hierarchy of Related Laws and Programs	36
State Funding for English Learner Programs	37
State Funding for Dual Language Programs	37
Title III: Federal Funding for English Learner Programs	38
Title III Significant Immigrant Influx Grants	38
English Learner Funding Counts	39
Chapter 8: Accountability for English Learner Programs	40
State Long-Term Goals	40
English Language Progress Indicator	40
English Learner Student Group	41
Former English Learners	41
Recently-Arrived English Learners	41
Appendix A: Additional Resources and Sample Forms	42
Home Language Survey	42
Home Language Survey Spanish Version	43
Home Language Survey Amendment Request Guidance	44
Home Language Survey (HLS) Amendment Request Form	45
Cumulative Folder Guidance Specific to English Learners	46
Retention Guidelines for English Learners	47
Formal Two Year Monitoring of Exited ELs – Year 1	48
Formal Two Year Monitoring of Exited ELs – Year 2	49
Annual Parent Notification Letter	50

Chapter 1: An Introduction to English Learners

An Introduction to English Learners in Indiana

Providing foundational academic support to our culturally and linguistically diverse students is a cornerstone of our state's educational goals. In efforts toward migrating to an increasingly asset-based approach for English learners (ELs) to mirror WIDA's English Language Development Standards Framework (2020), the Indiana Department of Education (IDOE) uses the term "multilingual learners" to encourage use of terminology that is more inclusive of Indiana's student population. Multilingual learner (ML) describes all students who come in contact with and/or interact with languages in addition to English on a regular basis, including current and former ELs. ML is a term used to encompass and honor the extensive linguistic repertoires of Indiana students. It is important to note that the Every Student Succeeds Act (ESSA) (2015) still uses the term English learner; therefore, it will appear in reference to statutory language throughout this guidance.

Over 129,000 Indiana students speak a language other than English at home, and there are over 295 different languages represented in Indiana schools. Of these, over 77,000 students have been formally identified as ELs due to limited proficiency in speaking, listening, reading, and writing academic English.

ELs comprise roughly 6% of Indiana's total student population, and they are enrolled in schools and districts in every corner of the state. Some EL students are immigrants and refugees, but the vast majority of Indiana's ELs were born in the United States. ELs have rich potential - culturally, linguistically, and academically. Indiana assessment data shows that students who achieve fluency in English often outperform native-speaking peers on statewide content assessments.

Whether a local educational agency (LEA) has one EL or thousands, they are obligated to meet certain federal requirements for their students.

This document is designed as a reference for district and school personnel working with ELs as they provide support and guidance throughout their educational journey. This guidance presents a compilation of information, examples, and resources directly for local use. IDOE will continuously update this document to provide further clarity and information to district and school personnel working with ELs as needed.

Please contact IDOE's [Office of English Learning and Migrant Education](#) with any questions or suggestions regarding this reference.

Legal Background & Federal Requirements for English Learners

Years of legislation and landmark court rulings have defined equal educational opportunity precedent and federal requirements for LEAs as they serve their EL students. These events and their implications for schools are detailed below.

Title VI of the Civil Rights Act of 1964: Its Regulations at 34 Code of Federal Relations (CFR) Part 100

"No person in the U.S. shall, on the ground of race, color, or national origin be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

May 25, 1970, Memorandum, U.S. Department of Health, Education, and Welfare (DHEW)

In 1970, the federal Office for Civil Rights (OCR) issued a memorandum which interpreted the Civil Rights Act of 1964. The memorandum delineates school districts' responsibilities under civil rights law to provide an equal educational opportunity to national origin minority group students whose English language proficiency is limited. The following quotes discuss some major areas of concern with respect to compliance with Title VI and have the force of law:

"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."

"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."

"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."

"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 preparation courses on a basis directly related to the failure of the school system to inculcate English language skills."

ELs are required to have equal access to the full range of district programs, including special education, Title I, gifted and talented programs, and nonacademic and extracurricular activities.

Although the memo requires school districts to take affirmative steps, it does not prescribe the content of these steps. It does, however, explain that federal law is violated if:

- Students are excluded from effective participation in school because of their inability to speak and understand the language of instruction;
- National origin minority students are inappropriately assigned to special education classes because of their lack of English proficiency;
- EL programs are not designed to teach them English as soon as possible, or if these programs operate as a dead end track; or
- Parents whose English proficiency is limited do not receive school notices or other information in a language they can understand.

Lau v. Nichols (1974)

Lau v. Nichols describes a case in which the U.S. Supreme Court ruled that, under the Civil Rights Act of 1964, a California school receiving state and federal funding must provide non-English speaking students English language instruction to receive an equal education. The basis for the case was the claim that the students in question could not understand the language in which they were being taught; therefore, they were not being provided with an equal education.

The U.S. Supreme Court's decision upheld the Office of Civil Rights 1970 memorandum addressing the provision of Title VI of the Civil Rights Act of 1964 regarding identifying discrimination and failure to provide services toward national origin minority students with limited-English proficiency. **If English is the mainstream language of instruction, then measures must be taken to ensure that instruction is adapted to address those children's linguistic characteristics** (Lau v. Nichols, 414 U.S. 563, 1974). The *Lau* ruling stated:

“There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.”

The case reaffirmed that all students in the United States, regardless of native language, have the right to receive a quality education. It also clarified that equality of opportunity does not necessarily mean the same education for every student, but rather the same opportunity to receive an education. An equal education is only possible if students can understand the language of instruction.

Equal Educational Opportunities Act (EEOA) of 1974

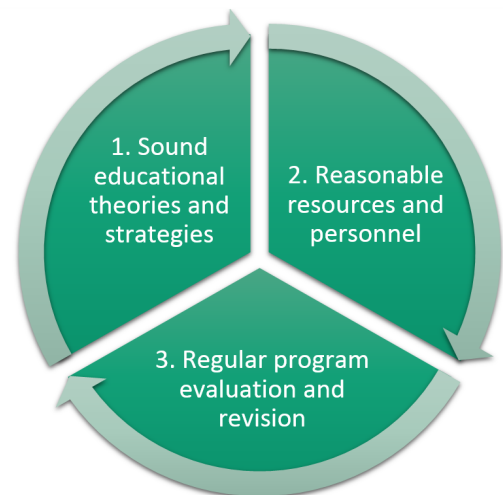
This legislation defined what constituted the denial of education opportunities and defined that all children enrolled in public schools are entitled to equal educational opportunity. The ruling states :

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

Castañeda v. Pickard (1981)

The United States Court of Appeals for the Fifth Circuit established a widely adopted three-part test to determine whether districts have taken “appropriate action” to remedy the language deficiencies of their ELs under EEOA:

1. Is the school “pursuing a program informed by an educational theory recognized as sound by some experts in the field, or at least, deemed a legitimate experimental strategy”;
2. Are the programs and practices actually used by the school “reasonably calculated to implement effectively the educational theory adopted by the school”; and
3. Does the program “produce results indicating that the language barriers confronting students are actually being overcome.” Congress intended that schools make a “genuine and good faith effort, consistent with local circumstances and resources, to remedy the language deficiencies of their students.”



Plyler v. Doe (1982)

The United States Supreme Court stated that school systems must enroll and educate children residing in their district even if their parents do not possess legal residency documents under the Equal Protection Clause of the Fourteenth Amendment.

Title II of the Americans with Disabilities Act (ADA) of 1990, 42 USC 12131-12161

Title II of the ADA prohibits discrimination against qualified individuals with disabilities on the basis of disability in all programs, activities, and services of public entities. Public

entities include state and local governments and their departments and agencies. Title II applies to all activities, services, and programs of a public entity.

Individuals with Disabilities Education Act (IDEA) of 2004

The purpose of IDEA 2004 is to ensure that all children with disabilities have access to a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living; to ensure that the rights of children with disabilities and their parents are protected; to assess and ensure the effectiveness of efforts to educate children with disabilities.

Equal Opportunity for English Learners

The U.S Department of Education's Office of Civil Rights oversees school districts' broad discretion concerning how to ensure equal educational opportunity for ELs. The Office for Civil Rights does not prescribe a specific intervention strategy or program model that a district must adopt to serve ELs, but provides guidelines to ensure that programs are serving ELs effectively. Local education agencies should:

- Identify students as potential ELs; Assess students' need for EL services;
- Develop a program which, in the view of experts in the field, has a reasonable chance for success;
- Ensure that necessary staff, curricular materials, and facilities are in place and used properly;
- Develop appropriate evaluation standards, including program exit criteria, for measuring the progress of students; and
- Assess the success of the program and modify it where needed.

The Office for Civil Rights provides fact sheets, guidance, and resources for education officials about their obligations to EL students and their families. For additional information regarding the provision of equal education opportunity to ELs, contact the [Office for Civil Rights](#) via phone at (800) 421-3481, [email](#), or their [website](#).

Additional federal guidance regarding the rights of ELs can be found on IDOE's [Office of English Learning and Migrant Education webpage](#). For additional information on civil rights requirements for ELs, please refer to the Office of Civil Rights and Department of Justice's [Dear Colleague Letter](#) from 2015.

Chapter 2: Identifying English Learners

The Elementary and Secondary Education Act, as amended by ESSA, requires state educational agencies (SEAs) to establish and implement standardized, statewide entrance and exit procedures for ELs (Section 3113). Indiana has established standardized statewide entrance procedures to identify and screen potential ELs based upon the accurate and timely administration of the Home Language Survey (HLS) and the English language proficiency placement exam (Kindergarten Screener and WIDA Screener for grades 1-12). The standardized entrance and exit procedures are used to determine whether a student is considered an EL and therefore entitled to an English language development program required by Title VI of the Civil Rights Act of 1964 and EEOA.

All students enrolling in an Indiana school for the first time, including foreign exchange and preschool students, must be administered the Home Language Survey. Any student enrolling in grades K-12 with a language other than English included on the HLS is screened for English proficiency with the Kindergarten Screener or WIDA Screener, unless transferring from another WIDA consortium state. Although the HLS is administered for preschool students, they are not given the Kindergarten Screener until they enroll in kindergarten. Students who score below a 5.0 overall composite score* on the Kindergarten Screener or WIDA Screener are formally identified as ELs.

**First semester kindergarten students are only administered the listening and speaking domains of the Kindergarten Screener. The composite score is replaced by the oral language score.*

Home Language Survey

The Home Language Survey is a legally-binding document that should only be completed once during a child's Indiana academic career upon their first enrollment in Indiana schools. To avoid duplicate administration, the HLS should not be included in the school enrollment packet, but only given to those students who have confirmed that they are enrolling in an Indiana school for the first time. The HLS must be kept in the student's cumulative folder as part of the permanent record and, in case of transfer, must follow the student to the receiving school.

The school administering the HLS must explain the purpose and questions in a language the parent or guardian understands. The Indiana HLS is provided in English and Spanish in Appendix A. Although use of this particular form is not mandated, the three included questions are required and are the only allowable questions to determine the student's language assignment and ensuing EL placement assessment.

- 1. What is the native language of the student?**
- 2. What language(s) is spoken most often by the student?**
- 3. What language(s) is spoken by the student in the home?**

If a language other than English is indicated for any of the three questions, that language must be assigned to the student in local and state databases, and the English language proficiency screener (Kindergarten Screener or WIDA Screener) must be administered to determine whether or not the student formally qualifies as an English learner. Only the Indiana HLS may be utilized in assigning student language and determining possible EL status, not those from other states.

As many school districts move to online registration and record keeping, the Home Language Survey may be administered online instead of using a paper format. The Indiana HLS may only be administered once in a student's academic career, and so should not be included in the general online registration packet. However, electronic registration may allow for the registrant to indicate that the student is enrolling for the first time in an Indiana school and trigger the HLS for completion. Even if administered online, the HLS must be signed by the parent or guardian (electronic signature is sufficient) with the completion date present and must be accessible in the event of IDOE onsite monitoring or student record transfer.

In the case of student transfer, the sending school should send the original Indiana HLS to the receiving school. If a receiving school does not have the original Indiana HLS for an incoming student, the receiving school must contact the previous school to request that it be transferred. The receiving school should make at least three documented attempts to obtain the original HLS from the previous school or schools. Only once an LEA has exhausted and documented all options in acquiring the original HLS (including reaching out to prior district or school EL staff) can a new HLS be administered.

Home Language Survey Amendment Request Process

IDOE has a formal Home Language Survey Amendment Request process to address students who were misidentified as speaking a language other than English. This process is designed to address true cases of data entry error where the student was mistakenly assigned a language other than those documented on the original Indiana Home Language Survey in the state student database (i.e. STN Application Center). School districts must submit an amendment request form with parent and administrator signatures, including cause of misidentification, student English language proficiency assessment data (if applicable), and the original HLS. IDOE's EL team reviews the Home Language Survey Amendment Request, determines whether the student's language was mis-assigned, and approves or denies the request. The Home Language Survey Amendment Request process and form are included in Appendix A.

Housing the Home Language Survey within IILP

Indiana ILP (IILP) is an online platform which houses the Individual Learning Plan and other EL-related documentation for active students in the state. IILP also includes the capability to house a student's original Home Language Survey. This will allow the original HLS to travel with a student digitally throughout their Indiana academic career. For an HLS stored within IILP to be recognized as in compliance with federal regulations, one of the following must be in place:

- An uploaded version of the original HLS; or
- The HLS questions answered exactly as they were on the version initially administered and signed by the parent, including the date of parent signature and the school corporation in which the original HLS was administered. The HLS is not completed by the parent within IILP itself.

If successfully in place, that version of the Home Language Survey can be presented as documentation for federal monitoring purposes. A physical survey copy is not necessary to be maintained for a student whose HLS is stored in IILP. It is also important to note the following:

- The student's language assigned on their state student profiles (i.e., STN Application Center) must be based off of the responses to the Home Language Survey. See the "Language Reporting Requirements" section below for more details.
- Utilizing the IILP system to maintain the survey is not required, even if using the system for other features.
- The HLS can be stored for all students, not just those with a non-English language.

Language Reporting Requirements

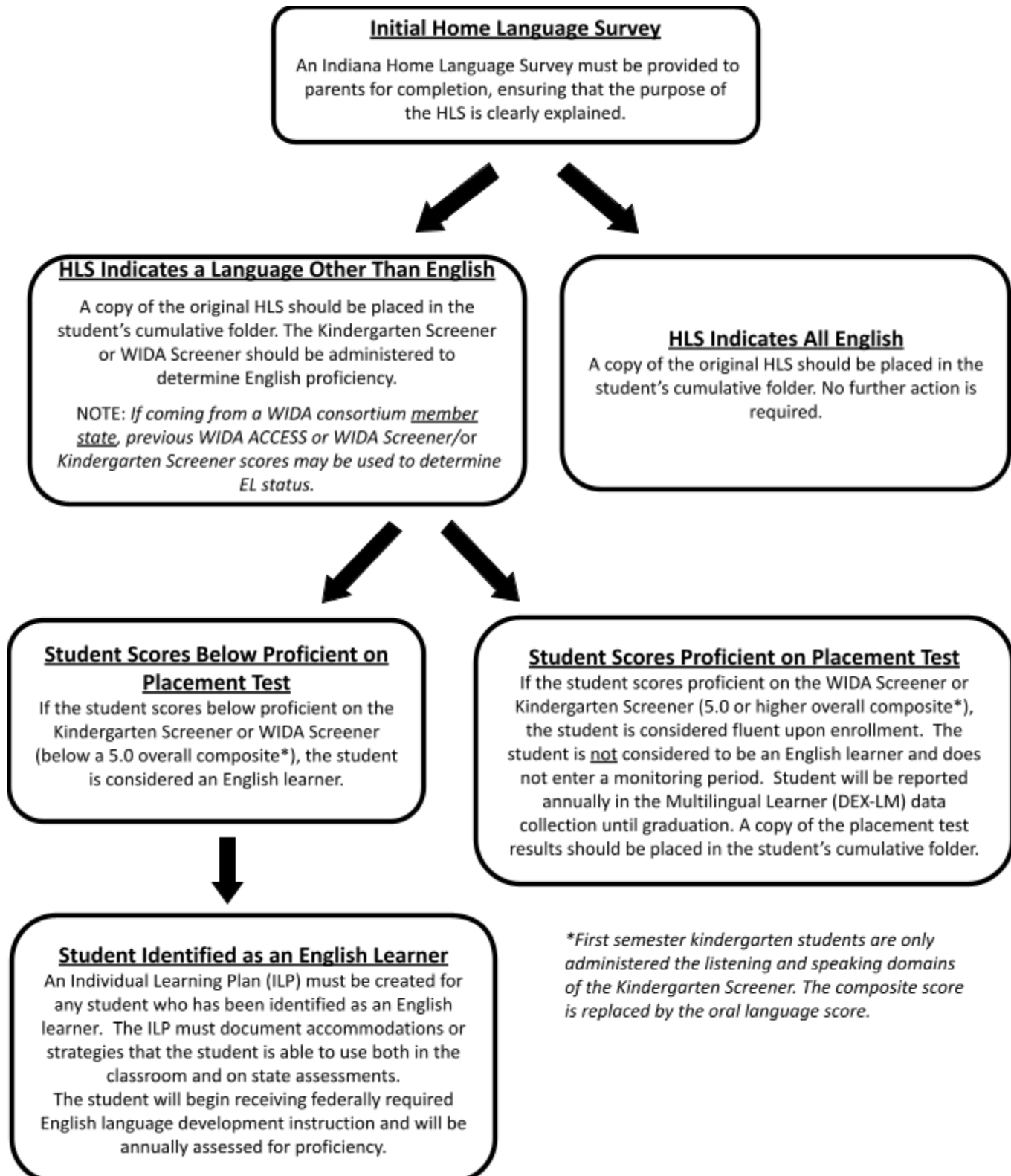
If a student's Home Language Survey includes a language other than English, that language should be assigned to the student in the local student information system (SIS) and reported to IDOE as their primary language in the STN App Center and via Data Exchange. If multiple other languages are included on the HLS, the first language listed should be coded as the primary language. Regardless of EL status, the student will be annually reported to IDOE through Data Exchange via the Multilingual Learner Report (DEX-LM) data collection each year until graduation.

All Indiana LEAs are required to submit their multilingual student information annually in the Multilingual Learner Report via Data Exchange. The purpose of this data collection

is to gather information on ELs and other multilingual students enrolled on October 1 of the collection year. The DEX-LM collection provides a count of ELs to generate per-pupil funding counts for Title III, the Non-English Speaking Program (NESP), and a count of immigrant students for the Title III Immigrant Influx grant. The DEX-LM collection also includes testing results from the English language proficiency placement and annual assessments for accountability purposes and for public schools to report their English language development program per *Lau v. Nichols (1974)*.

More information on the Multilingual Learner Report collection can be found on the [Data Exchange Knowledge Hub website](#).

Enrolling First-Time Indiana Students



Enrolling Returning Indiana Students

Check the student's cumulative folder for the original HLS
If the original HLS cannot be located, contact the student's previous school to obtain the original HLS.

NOTE: If the original HLS cannot be obtained from the student's previous school after three documented attempts, administer a new HLS to the student. Documentation of the attempts made to obtain the original Home Language Survey must be maintained locally.

Original HLS Indicates a Language Other Than English

The previous Indiana school was required to have already administered the English language proficiency placement assessment. Check the cumulative folder for the assessment results and contact the previous school to obtain the results if they have not been provided.

Original HLS Indicates All English

A copy of the original HLS should be placed in the student's cumulative folder. No further action is required.

Student Scored Below Proficient on Placement Test

If the student scored below proficient on the Kindergarten Screener or WIDA Screener (below a 5.0 overall composite*), and has not achieved a proficient score on the WIDA ACCESS assessment in years since, the student is considered an English learner.

Student Scored Proficient on Placement Test or Annual Assessment

If the student scored proficient on the Kindergarten Screener or WIDA Screener (5.0 or higher overall composite), the student is considered proficient upon enrollment. If the student scored below proficient on the placement test, but has since achieved a proficient score (5.0 or higher overall composite*) on the WIDA ACCESS annual assessment, the student is not considered to be an English learner. If the proficient score was achieved within the previous two years, the student should be placed in the district's formal monitoring system for former English learners. The student will be reported annually in the Multilingual Learner (DEX-LM) collection until graduation.

Student Identified as an English Learner

Parents must be notified of the student's placement in the EL program. An ILP must be created for any student who has been identified as an English learner. The ILP must document classroom and assessment accommodations or strategies provided for the student. The student will begin receiving federally required English language development instruction and will be annually assessed for proficiency.

**First semester kindergarten students are only administered the listening and speaking domains of the Kindergarten Screener. The composite score is replaced by the oral language score.*

Chapter 3: Serving English Learners

Providing EL Services

As required by *Lau v. Nichols*, and further defined by *Castaneda v. Pickard*, identified EL students at all grades and English proficiency levels must receive language assistance services. Services must be provided to all EL students until reaching proficiency, with students meaningfully and equally participating in educational programs without the need for language support.

These required EL services can be referred to as a language instruction education program (LIEP), English language development (ELD) services, or *Lau* services. A school's EL program can take a variety of forms, and schools have flexibility in choosing an ELD service delivery model. Program models should be chosen while appropriately considering a number of factors impacting student need, including, but not limited to, each EL student's English proficiency level, grade level, educational background, and their native language background for bilingual programs. Services must be targeted and appropriate to their EL proficiency levels. For instance, students at lower proficiency levels may need different types of services than students nearing proficiency.

Whichever approach, program model, and implementation method is chosen, the EL program must be evaluated to ensure it meets the three-pronged *Castañeda* standard:

1. Is the program based on a sound educational theory?
2. Are the programs and practices (including resources and personnel) reasonably calculated to implement this theory effectively?
3. Does the program succeed in producing results indicating that students' language barriers are being overcome within a reasonable period of time?

This section contains information on EL program models, teachers, and required documentation of core EL services. Additional information on providing ELs language services can be found in Chapter 2 of the [US Department of Education EL Toolkit](#) and the "Providing EL Students with a Language Assistance Program" section of the [Dear Colleague Letter](#).

EL Program Models

Program models to provide ELD services can be considered based on their purpose and goals, the language of instruction, and possible methods for implementation. The table below details recognized EL program models commonly utilized by schools. All program models below must be delivered by a qualified EL Teacher of Record or EL Teacher of Service (see the *EL Program Staffing and the EL Teacher of Record* section within this chapter for more details).

Program Model	Description and Details
English Second Language (ESL)	<p>Description: Program of techniques, methodology, and special curriculum designed to teach ELs explicitly about the English language, including the academic vocabulary needed to access content instruction, and to develop their English language proficiency in all four language domains (i.e., speaking, listening, reading, and writing). <i>(from USED OELA Toolkit)</i></p> <p>Language of Instruction: English (with some native language supports)</p> <p>Goal(s): Proficiency in English</p> <p>Possible Implementation Methods:</p> <ul style="list-style-type: none"> ● Co-teaching ● Push-in small group ● Pull-out small group ● Dedicated ESL class (common for secondary)
Content Based English Language Development (ELD)	<p>Description: This approach makes use of instructional materials, learning tasks, and classroom techniques from academic content areas as the vehicle for developing language, content, cognitive and study skills. English is used as the medium of instruction. <i>(from USED OELA webpage)</i></p> <p>Language of Instruction: English (with some native language supports)</p> <p>Goal(s): Content-area knowledge; Proficiency in English</p> <p>Possible Implementation Methods:</p> <ul style="list-style-type: none"> ● Dedicated class* (general education) ● Dedicated class* ● Co-teaching ● Push-in small group ● Pull-out small group <p><i>*Teachers must be both a qualified EL Teacher of Service (ToS) and licensed in that content area to deliver core grade-level instruction.</i></p>
Sheltered English Instruction	<p>Description: Sheltered English Instruction is an instructional approach used to make academic instruction in English understandable to EL students. Sheltered instructional approaches assist EL students in developing grade-level content area knowledge, academic skills, and increased English proficiency. In sheltered content classes, teachers use a wide range of instructional strategies to make the content (e.g., math, science, social studies) comprehensible to EL students while promoting</p>

	<p>their English language development (e.g., connecting new content to student’s prior knowledge, scaffolding, collaborative learning, and visual aids). <i>(from Dear Colleague Letter)</i></p> <p>Language of Instruction: English (with some native language supports)</p> <p>Goals: Content-area knowledge; Proficiency in English</p> <p>Possible Implementation Methods:</p> <ul style="list-style-type: none"> ● Dedicated class* (general education) ● Dedicated class* (ELs only) ● Co-teaching <p><i>*Teachers must be both a qualified EL Teacher of Service (ToS) and licensed in that content area to deliver core grade-level instruction.</i></p>
<p>Structured English Immersion</p>	<p>Description: Structured English Immersion is a program designed to impart English language skills so that EL students can transition and succeed in an English-only mainstream classroom once proficient. All instruction in an immersion strategy program is in English, however teachers should have strong receptive skills in a student’s native language. <i>(USED OELA Toolkit and USED OELA webpage)</i></p> <p>Language of Instruction: English (with little use of the native language)</p> <p>Goals: Proficiency in English; Preparation to participate in traditional EL programs and inclusive academic environments</p> <p>Implementation Methods:</p> <ul style="list-style-type: none"> ● Dedicated ESL class
<p>Newcomer Program</p>	<p>Description: Newcomer programs offer specialized services and classes designed to meet the academic and transitional needs of newly arrived immigrants, including acclimation to U.S. schools and the development of foundational skills in English. Newcomer programs are short-term, typically lasting no longer than one year, and prepare students to enter more traditional ELD programs and mainstream instruction. <i>(USED OELA webpage and USED OELA Toolkit)</i></p> <p>Language of Instruction: English (with native language supports) or Bilingual (English and native language)</p> <p>Goals: Build foundational skills in content areas (e.g., basic literacy, mathematics concepts, etc.); Preparation to participate in traditional EL programs and inclusive academic environments</p>

	<p>Possible Implementation Methods:</p> <ul style="list-style-type: none"> ● Co-teaching ● Dedicated classes* <p><i>*Teachers must be both a qualified EL Teacher of Service (ToS) and licensed in that content area to deliver core grade-level instruction.</i></p>
<p>Dual Language Immersion (DLI)</p>	<p>Description: Bilingual program beginning in Kindergarten or 1st grade, where the goal is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually composed of half primary-English speakers and half primary speakers of the other language. <i>(USED Toolkit)</i></p> <p>Language of Instruction: Bilingual (English and native language)</p> <p>Goals: Bilingualism and biliteracy; Content-area knowledge</p> <p>Possible Implementation Methods:</p> <ul style="list-style-type: none"> ● Two-way immersion <ul style="list-style-type: none"> ○ Half of students enrolled are ELs or heritage language speakers of the target language and the rest are primary-English speakers ● One-way immersion <ul style="list-style-type: none"> ○ Majority of the students are primary-English speakers, or ○ Majority of the students are ELs or heritage language speakers of the target language ● 50/50 model with two teachers <ul style="list-style-type: none"> ○ 50% of instructional time taught in target language and the other 50% is taught in English ● 90/10 model with one bilingual teacher <ul style="list-style-type: none"> ○ Programs begin with 90% of instructional time taught in the target language in Kindergarten, then increase instructional time in English each year as the program progresses, culminating in a 50/50 two-teacher model by ~4th grade
<p>Transitional Bilingual Education (TBE)</p>	<p>Description: Program that maintains and develops skills in the primary language while introducing, maintaining, and developing skills in English. The primary purpose of a TBE program is to facilitate the ELs' transition to an all-English instructional program, while the students receive academic subject instruction in the primary language to the extent necessary. <i>(USED Toolkit)</i></p> <p>Language of Instruction: Bilingual (English and native language)</p>

	<p>Goals: English proficiency; Preparation to participate in all English setting; Content-area knowledge</p> <p>Implementation Methods:</p> <ul style="list-style-type: none"> ● Bilingual teacher (required) ● Co-teaching ● Majority of instruction in native language in early grades
<p>Heritage Language</p>	<p>Description: Program that develops a student’s native language skills and literacy (i.e. Heritage Spanish for Spanish speakers; Heritage German for German speakers). Research has shown that the stronger a student’s native language literacy skills are, the stronger English literacy skills will become.</p> <p>NOTE: A Heritage Language program model must be implemented in conjunction with other program models that directly address English proficiency, and cannot be the sole ELD service model for a student.</p> <p>Language of Instruction: Native language</p> <p>Goals: Native language proficiency to support English proficiency</p> <p>Possible Implementation Methods:</p> <ul style="list-style-type: none"> ● Dedicated class* <p><i>*Teachers must be licensed in the content area being taught</i></p>

For additional information and examples of EL programming approaches in secondary schools, refer to IDOE’s [Secondary EL Toolkit](#).

EL Program Staffing and the EL Teacher of Record

The Office of Civil Rights and Department of Justice’s [Dear Colleague Letter](#) from 2015 cites the following regarding EL program staffing:

“School districts have an obligation to provide the personnel and resources necessary to effectively implement their chosen EL programs. This obligation includes having highly qualified teachers to provide language assistance services, trained administrators who can evaluate these teachers, and adequate and appropriate materials for the EL programs.”

“Where formal qualifications have been established, e.g., the SEA requires authorization or certification to teach in particular EL programs, or a school district generally requires its teachers in other subjects to meet formal requirements, a school district must either hire teachers who already have the necessary formal qualifications to teach EL students or require that teachers already on staff be trained or work towards attaining the necessary formal qualifications and obtain the formal qualifications within a reasonable period of time.”

In Indiana, formal ENL licensure is required for teachers acting in the role of an English Learner Teacher of Record (ToR). Schools must provide each EL student with a licensed EL ToR; it is recommended that an EL ToR’s caseload not exceed thirty students. IDOE has issued guidance regarding Indiana EL teacher licensure requirements, the role and responsibilities of the EL ToR, and specifics on qualifications for an EL Teacher of Service (ToS) overseen by an EL ToR. Please see the following documents can be found on [IDOE’s English Learning and Migrant Education webpage](#) for more information:

- Initial EL Teacher Licensure Memo (2019)
- EL Teacher of Record Responsibilities
- Meeting the EL Teacher of Record Requirements
- EL Teacher of Record Frequently Asked Questions (updated 2022)

English Learner Plans

Under ESEA (as amended by ESSA), Title VI of the Civil Rights Act of 1964, and EEOA, IDOE is legally responsible for ensuring that all Indiana LEAs meet federal requirements to properly identify, assess, and support ELs through an effective English language development program.

All LEAs are annually required to submit an EL Plan detailing their outline to meet the needs of ELs across all proficiency and grade levels. The EL Plan details the program models, EL teachers or record and service, curriculum used, and additional details regarding EL services in the LEA.

All public LEAs meet the EL Plan requirements through the annual Title Grants [Pre-Application](#) submission process. IDOE’s EL team reviews the proposed plans and EL-related narratives within the Pre-Application and provides technical assistance and support for districts as they ensure effective programming for their ELs.

Additional information on the EL Plan can be found on IDOE’s [Office of English Learning and Migrant Education webpage](#).

Maintaining Documentation of Services

To ensure that ELs are properly identified, assessed, and served in Indiana, schools are expected to maintain local documentation of EL programming. See Appendix A for a detailed list of required local documentation for ELs.

Opting Out of EL Services

Parents of ELs have the right to opt out of the formal EL program and refuse services. Further information on parent rights of refusal, the process for opting out, and required documentation for LEAs is provided in Chapter 6 of this resource.

EL Access to Core Content Area Instruction

Indiana English Language Development Standards

ESEA, as amended by ESSA, requires SEAs to adopt rigorous English language proficiency standards and assessments so that ELs may attain English proficiency, develop high levels of academic attainment in English, and meet the same rigorous Indiana academic content and achievement standards that all children are expected to meet [Sec. 1177, (b)(1)(F)]. ESSA requires each state to demonstrate English language proficiency standards derived from the four language domains: speaking, listening, reading, and writing.

Indiana adopted the WIDA English Language Development (ELD) standards as the state English language proficiency standards in 2013. WIDA ELD standards address the academic language ELs require to engage with peers, educators, and the core curriculum in all classrooms and content areas. There are five WIDA ELD standards, which are to be implemented by all educators with ELs in their classrooms:

1. Social and instructional language;
2. Language of language arts;
3. Language of mathematics;
4. Language of science; and
5. Language of social studies.

WIDA has recently released the [2020 Edition of the WIDA ELD Standards Framework](#). Within the revised framework, the five standard statements remain the same. More information regarding the 2020 Edition of the WIDA ELD Standards framework can be found on the [WIDA website](#).

Individual Learning Plans (ILPs)

As established in Chapter 1, all students identified as ELs are legally entitled to receive English language development instruction designed to promote their growth towards English proficiency, as well as equal access to core grade level curriculum. An Individual Learning Plan (ILP) must be created for each EL enrolled in a school or district and must be implemented with fidelity by all teachers and staff who work with the student. The ILP is a locally-created document which details strategies, instructional and assessment accommodations, modifications, goals for the student, the student's English language proficiency levels, state and local assessment data, and details on their EL services (i.e. program model, frequency). ILPs should be revised at least once annually to reflect students' language proficiency growth, but can be updated as needed in response to student needs.

ILPs are designed to outline a plan to ensure ELs have meaningful access to the same rigorous content and college-and-career ready standards as their native English-speaking peers. While grading and credit assignment are determined locally, IDOE has provided guidance on these topics specific to the unique needs of secondary ELs on IDOE's [English Learning and Migrant Education webpage](#).

An ILP is a legally binding document, and all staff who work with the student are responsible for its implementation. IDOE recommends that the ILP be created by EL staff in collaboration with content-area teachers to promote ongoing communication across programs to ensure that all responsible staff are aware of its implications.

Assessment accommodations should be documented in the ILP and implemented with fidelity on all local and state assessments. Allowable state testing accommodations for ELs are outlined by IDOE's [Accessibility and Accommodations Information for Statewide Assessments](#).

ILPs must be stored locally in the student's cumulative or EL folder and be sent with the student in the event of transfer to another school or district. ILPs should also be shared with the student's parent or guardian.

Retention of English Learners

Federal law states that the retention of ELs cannot be based solely upon the level of English language proficiency. Language acquisition is a long-term process and should be facilitated across all grade levels. The retention of ELs will not facilitate more rapid growth towards English proficiency. Retention policies, especially for ELs, should not be based on one specific piece of data alone or any sole criterion. Prior to considering retention of an EL, the following points should be addressed in consultation with staff and the parents:

- Has the student’s level of English language proficiency been assessed?
- Has the student been enrolled in the school district for more than one full academic year?
- Are classroom modifications being made in teacher lesson delivery, assignments and homework, and formal assessments?
- Has an ILP been implemented by all teachers with fidelity to document classroom modifications and student progress? How has this been documented?
- How much individual English language development instruction is the student receiving via their EL program model during the school day? Does the student have a qualified EL ToR and qualified Teacher of Service delivering services?
- Has an alternate grading strategy been implemented including a portfolio, contract, or rubric assessment?

Retention is not appropriate if all of the above have not been sufficiently addressed. Please see the retention flowchart in Appendix A for additional guidance.

English Learner Populations

Long-Term English Learners

While ESEA, as amended by ESSA, does not give a definition of a “long-term EL,” Section 3121(a)(6) mandates a report every two years of the number and percentage of “ELs who have not yet attained English language proficiency within five years.” SEAs and LEAs may consider these students as long-term ELs (LTELs) after this time.

District and school leadership should make every effort in monitoring and exiting their LTELs with exemplary programming and services. A checklist for addressing the needs of LTELs is available in Chapter 2 of the [U.S. Department of Education’s EL Toolkit](#).

English Learners and Evaluation for Special Education

If an EL has a suspected disability, referral and evaluation should happen in a timely manner, as required for any other student. Special education evaluation for an EL is only appropriate if consistent, objective monitoring conducted by EL and general education staff indicates that the student is significantly struggling academically and behaviorally, and that the student’s academic or behavioral struggles are not related to a lack of English proficiency. The following considerations must be addressed throughout the special education evaluation process:

- The EL ToR and the multidisciplinary team in each school/district should lead this process. Additional educators (e.g., classroom teachers) who are knowledgeable

about and familiar with the student's language acquisition must be involved at every step.

- All notices and consents are required to be provided in the parents' native language, unless the language does not have a written form. Qualified interpreters should provide all other information in a language the parents understand.
- Evaluations must be conducted by professionals who are able to select and administer evaluations so that results are not biased by the child's culture or language. Both [IDEA](#) and [Section 504](#) provide specific information and answer common questions in order to assist school and district personnel to best serve students with special academic needs. Additional guidance from IDOE regarding the language of evaluation can be found [here](#).
- IDEA requires that when an EL has a disability, planning for the child's language needs and the effect of language development on the overall educational program be a consideration of the IEP team, which must include someone who is knowledgeable about the child's second language acquisition.
- If a child's disability affects his or her functioning in any academic area, it is likely that it will also affect the student's growth toward English proficiency. As such, it is neither appropriate nor allowable to withdraw language instruction from a child based on limited performance consistent with their disability.

Chapter 6 of the [U.S. Department of Education's EL Toolkit](#) provides additional helpful resources pertaining to EL students with disabilities.

Gifted and Talented English Learners

Federal law asserts that all ELs have a right to an education that addresses their specific needs as they are learning a new language (Civil Rights Act of 1964, the EEOA of 1974, and Titles I and III of the ESEA of 1965, as amended by ESSA). This includes access to all curricular and extracurricular programming, including gifted and talented programs. ELs may not be denied access to gifted and talented programs because of their limited English proficiency. Schools and districts must ensure that their procedures for identifying gifted and talented students do not depend on English proficiency (explicitly or implicitly). In identifying gifted and talented students, procedures should compare ELs with other peers at similar English language proficiency levels, not only with native English speakers.

Additional resources regarding the identification of gifted and talented ELs can be found in Chapter 4 of the [U.S. Department of Education's EL Toolkit](#).

Chapter 4: Assessing English Learners

Assessing English Learners in the General Education Classroom

ELs are provided with access to the same core curriculum as their grade-level peers, and should also be held accountable to the same challenging academic standards. However, assessment for ELs must be differentiated to provide a variety of meaningful ways for students to demonstrate their understanding. Just as instruction should be personalized to meet their individual academic needs, assessments should be designed to consider English proficiency levels and build on students' strengths and abilities to provide opportunities for success and demonstration of mastery.

For example, an EL at a beginning level of English proficiency in writing may not be able to show their mastery of a social studies standard by writing an essay explaining the cause and effects of a certain event in history. However, they may be able to show mastery of the same rigorous academic standard by creating a visual representation of cause and effects using pictures and simple labels or through an oral interview with the teacher. In this way, the rigor of the standard is not compromised, but the means through which students demonstrate mastery are flexible and tailored to individual student needs. Grading processes for ELs are developed locally, but should be based on student mastery of academic standards, not on English language proficiency.

Appropriate classroom assessment accommodations for ELs should be documented in a student's ILP. See Chapter 3 of this resource for more details.

State Testing for English Learners

ELs are required to participate in all state assessments and may be provided with state testing accommodations as documented in their ILP. Testing accommodations are designed to provide all students with the opportunity to demonstrate their knowledge and ability. Specific details regarding state assessment considerations for ELs can be accessed via IDOE's [Accessibility and Accommodations Information for Statewide Assessments](#).

School staff responsible for creating the ILP should determine which accommodations are appropriate for each student and document these within the ILP. The following state testing accommodations are allowable for ELs:

- Student provided access to text-to-speech (cannot be used for reading comprehension portion of test);
- Test read aloud to the student by test administrator (except items testing reading comprehension, as indicated in read aloud script);
- Student tested individually or in a small group setting by a familiar teacher;

- Student allowed to use a bilingual word-to-word dictionary (must meet the bilingual dictionary requirements found in [IDOE's Accessibility and Accommodations Information for Statewide Assessments](#));
- Student provided extended testing time for test sessions; and
- Student provided additional breaks.

ELs with disabilities must be provided all documented IEP accommodations in addition to their documented ILP accommodations. For example, an EL with a disability may have access to a bilingual dictionary as an ILP accommodation and access to a calculator as an IEP accommodation; both the ILP and IEP accommodations should be provided.

Note: Because the WIDA ACCESS assessment is designed to measure English language proficiency, language-based accommodations in an ILP are not provided. Only ELs with disabilities may be provided with testing accommodations on the WIDA ACCESS assessment as documented in their IEP.

Designated features on state assessments differ from accommodations in that they are available to all students for whom the need has been indicated. These designated features may be appropriate and beneficial for all multilingual learners, including ELs, former ELs, and others (i.e., stacked Spanish assessments for biliterate students). Please see IDOE's [Accessibility and Accommodations Information for Statewide Assessments](#) for more details.

IREAD-3 for English Learners

Indiana law requires the evaluation of reading skills for students who are in third grade, including ELs. Students who do not pass must retest or be granted a Good Cause Exemption (GCE). GCEs serve to exempt eligible students from additional IREAD-3 testing requirements. GCEs may be given to students who do not pass IREAD-3 and meet one of the following criteria:

1. Students who have previously been retained twice prior to promotion to grade four (Students may only be retained a maximum of two times in kindergarten through grade three combined);
2. Students with disabilities whose Case Conference Committee has determined that a GCE is appropriate;
3. ELs whose ILP committee has determined that a GCE is appropriate.

Schools are required to provide targeted reading instruction to students who receive GCEs or do not pass IREAD-3. The summer retest administration serves to provide an

additional attempt for grades three and above to achieve a passing score. If an EL does not pass IREAD-3 in the spring or summer, the school must convene an ILP committee to determine if a GCE is appropriate for the student. Grade two students participating in the opt-in IREAD-3 administration are not eligible to receive a GCE during that year.

Retention of ELs may **not** be based upon level of English language proficiency. If the ILP committee determines that the lack of English proficiency is the determinant factor for the EL not passing IREAD-3, then the school district may not retain the student.

The ILP committee is a group of individuals responsible for determining whether an EL who did not pass IREAD-3 should have access to fourth grade reading and literacy instruction. 511 IAC 6.2-3.1-3 (6) (C) (i) indicates that the ILP Committee must consist of:

- The student's parent;
- A building level administrator, or designee;
- A classroom teacher of service;
- An EL teacher, if one exists; and
- An EL district administrator, if one exists.

According to a May 1970 memorandum from the U.S. Department of Education's Office of Civil Rights, "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." School districts should provide an interpreter for families who are not proficient in English so that they may meaningfully participate in the ILP committee. School districts should not use the English proficiency of the student to determine the English proficiency of the parents and whether an interpreter is needed, as the parents may be more/less proficient than their students.

Former ELs who have achieved English proficiency and exited EL status are not eligible for a GCE; however, WIDA ACCESS scores for the current school year are typically released in late spring after the initial IREAD-3 testing window has closed. A student who achieves English proficiency on the WIDA ACCESS assessment in the same school year as their IREAD-3 assessment should not be disqualified from eligibility for accommodations on state assessments nor from a GCE or waiver considerations in the current academic year or during the summer testing window. WIDA ACCESS scores are to be used for planning and programming purposes for the next school year.

IDOE issues the following guidance regarding retention of students who do not pass the IREAD-3 prior to the student's projected fourth grade year.

- If a student did not pass the IREAD-3 following the summer administration of his or her third grade year and is not eligible for a GCE, the school should assess the student's overall academic performance in all subject areas to determine whether retention in the third grade is necessary.
- If the school determines that retention is necessary based on the overall academic performance of the student in all subject areas, the student should be reported to the state in the subsequent year as a third grader, and the student should receive third grade instruction in all subject areas.
- If the school determines that retention is not necessary based on the overall academic performance of the student in all subject areas, the student should matriculate and be reported to the state in the subsequent year as a fourth grader and receive fourth grade instruction in all subject areas. The student must continue to receive third grade reading instruction during the subsequent school year, and must retake IREAD-3 until the student passes the assessment or qualifies for a GCE.
- The school's remediation plan and retention policy should be incorporated in its reading plan.

Please note that the retention guidance cited in Chapter 3 must be taken into consideration for any retention discussions pertaining to ELs. Please direct any questions regarding IREAD-3 and other state assessment requirements to IDOE's [Office of Student Assessment](#).

Chapter 5: Supporting Former English Learners

Reclassifying and Exiting English Learner Status

An EL is reclassified as fluent upon achieving English language proficiency as defined by the state English language proficiency assessment. In Indiana, English language proficiency is defined as a 5.0 overall composite score on the annual WIDA ACCESS assessment. After achieving a 5.0 on the WIDA ACCESS assessment, an EL is reclassified as proficient in English and enters a two-year formal academic monitoring period. Although ESSA allows states to extend this timeline, Indiana has chosen to maintain the two-year minimum requirement for rigorous, ongoing monitoring of these students.

Former ELs will still be included in the annual DEX-LM report, but will no longer generate state and federal EL funding. Students in their two-year academic monitoring period may still be provided access to all support services provided through the district's English language development program, if needed; however, they are not eligible for state testing accommodations and will not qualify for an ILP. Former ELs must have the same access to the academic support and interventions available to all students.

Under ESSA, states may choose to include the state content assessment results of former ELs in the EL subgroup for up to four years for accountability purposes. Indiana has chosen to include former ELs in the EL subgroup for the full four years allowable under ESSA.

Parents and families of students reclassified as fluent should be notified of the change in EL status and receive notification of their child's academic monitoring throughout the two-year period following the child's reclassification as fluent.

A student who demonstrates proficiency on the initial English proficiency screener (Kindergarten Screener or WIDA Screener) is considered proficient upon enrollment, and no formal monitoring period is required. However, if a student who is identified as proficient upon enrollment is later found to have language needs, [the process for program reentry](#) details how to reevaluate the student's English proficiency.

Students who transfer from another state or school and have met Indiana's criteria for English language proficiency by scoring a 5.0 on the WIDA ACCESS assessment will be considered proficient. If the student achieved proficiency on the WIDA ACCESS assessment within the previous two years, they should be provided with rigorous, ongoing monitoring in their receiving school until the two year period is complete.

Monitoring Former English Learners

School districts must monitor the academic progress of former ELs for at least two years to ensure they are meaningfully participating in the district's educational program in a manner that is comparable to their native English-speaking peers and comparable to other ELs who exited at the same time. Monitoring processes are defined locally, but LEAs must establish rigorous monitoring systems that include benchmarks for expected growth in acquiring academic content knowledge during the academic year and take appropriate steps to assist students who are not making adequate progress.

LEAs must implement a formal process and maintain robust documentation for their EL and content teachers to monitor former ELs. This documentation must include essential data such as the student's grades in each content area, scores on district and state assessments and standardized tests, and teacher observations of student strengths and weaknesses in each of the four language domains and each academic subject. Although academic monitoring processes applied to all students should include former and current ELs, the monitoring system for former ELs must be in addition to general academic monitoring provided to all students, and must be conducted in collaboration with EL and general education staff.

Upon completion of the two-year monitoring period, LEAs must ensure:

- Former ELs who have been reclassified as fluent have full access to mainstream curricula;
- Any academic deficits resulting from lack of English proficiency have been addressed and remedied;
- Any recurring language needs identified through the monitoring process have been addressed and remedied; and
- Former ELs are meaningfully participating in the standard instructional program in a manner comparable to their native English speaking peers.

IDOE has a responsibility to monitor LEAs to ensure that current and former ELs have meaningful access to grade-appropriate core content and language instruction. The U.S. Department of Education has provided additional guidance regarding monitoring and exiting ELs from programming and services in Chapter 8 of the [U.S. Department of Education's EL Toolkit](#).

Developing a Rigorous Monitoring System

When developing a formal, rigorous monitoring system for former ELs, consider the following points:

- What performance expectations and progress indicators do we have for former ELs in each academic subject?

- How carefully and how often do we monitor which former ELs are making adequate progress and which are not?
- Are measures used to monitor students' progress standards-based and do they maintain high expectations?
- How are former ELs meeting grade-level standards after reclassification?
- Are teachers who provide core instruction to former ELs adequately trained in language acquisition and are they aware that fluent students may still struggle with academic English?
- Is there ongoing evaluation of the core curriculum to ensure that former ELs are supported in the continuance of academic English acquisition?

Suggested Indicators for Monitoring Documentation

The following are recommended components for documentation of rigorous monitoring. This list is not exhaustive and should be adjusted to include the most useful and actionable data for the local context:

- Frequency of monitoring checks (e.g. biweekly, quarterly, once a semester);
- Student grades in all content areas;
- Summative and formative assessment data (including all state assessments);
- Content teacher observations;
- EL staff observations;
- Teacher observations of student progress in the four language domains of listening, speaking, reading, and writing; and
- Behavior and attendance data.

A sample monitoring form can be found in Appendix A. Documentation of the monitoring process should be maintained locally.

Reentering Students in the English Learner Program

When an academic or language need is identified during a former EL's two-year monitoring period, it is important to consider that all students, regardless of English proficiency or native language, can struggle with core content areas. In order to protect the civil rights of all students, SEAs and LEAs have an obligation to ensure that state exit criteria allow for appropriate exit from EL status for students who have achieved proficiency.

In some instances, students may meet the state criteria for reclassification as fluent without having truly attained English proficiency. In these cases, formal reentry into the program may be appropriate only if all of the following have been implemented:

- Implement a rigorous monitoring system for the student based on state and federal guidance to ensure students meet expected benchmarks and growth.

- Provide targeted interventions to address any academic deficits the student may have incurred as a result of prior limited English proficiency.
- Ensure the student is meaningfully participating in the standard instructional program in a manner comparable to native English-speaking peers and other former ELs.
- Re-administer the WIDA Screener to determine if the student meets the Indiana criteria for EL eligibility.
- Maintain local documentation of all supporting sources of data, evidence of interventions implemented, evidence of the student's eligibility for reentry after re-administration of the WIDA Screener, and secured parent/guardian consent.

This process may also be implemented to reevaluate the English proficiency of students who were identified as fluent upon enrollment through the Kindergarten Screener or WIDA Screener for grades one through 12.

A student who is formally reentered in the EL program should be provided with an ILP, appropriate instructional and assessment accommodations, and access to an effective English language development program. The student's updated language proficiency level, as identified by the re-administration of the WIDA Screener or Kindergarten Screener, will be reported via DEX-LM. The student will be assessed annually with the state English language proficiency assessment until again meeting the Indiana exit criteria. Upon achieving a score of proficient, the student will again be formally reclassified as fluent and will enter a two-year rigorous monitoring period.

Chapter 6: Engaging English Learner Families

Strengthening School and Family Partnerships

Family engagement is a key element of successful EL programming. Families who speak a language other than English may be reluctant to come to school events if they aren't sure an interpreter will be present. They may feel unable to help their child with homework in English or afraid that sharing their opinions in educational decisions will undermine the authority of the school. Families who aren't accustomed to Indiana or U.S. schooling norms may not instinctively be active member(s) of the school-parent community. Each family and each local context brings different assets and unique needs, which makes effective two-way communication in an appropriate language essential.

Federal law requires that schools and districts effectively communicate with all parents and guardians, regardless of the percentage of students that speak a language other than English (ESEA, Sec. 3122 (c)). Title I of ESEA, as amended by ESSA, now also requires LEAs to conduct effective outreach to parents of ELs, including regular parent meetings (Sec. 1112(e)(3)(c)).

Effective communication with national origin-minority parents is also a requirement of Title VI of the Civil Rights Act of 1964. According to the 1970 memorandum from the U.S. Department of Education's Office for Civil Rights, "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."

Schools must be aware that the English proficiency level of a student is not always indicative of a parent's language skills. For example, if a fluent English proficient student has parents with limited English proficiency, then the school must take steps to effectively communicate with the parents in accordance with state and federal law.

Note: Due to the supplement not supplant provision of Title III (ESEA, Sec. 3115(g)), translation and interpretation services must be paid from state and local funds (e.g. general funds, NESP).

Parent Notification Requirements

ESEA, as amended by ESSA, requires that parents of ELs be provided with official notification of their child's EL status each year [Sec.1112(e)(3)(A)]. Notification must be sent no later than 30 calendar days after the beginning of the school year for all ELs newly identified or previously identified through the LEA. For students enrolling after the beginning of the school year, LEAs must provide the parental notifications within two weeks of a child being placed in a program.

Note: All parents of ELs must be notified annually of the students' placement or continued participation in a language instruction program—not just newly enrolled students.

The following required components of the annual parent notification are outlined in ESEA, as amended by ESSA, [Sec. 1117, (3)]. IDOE's Parent Notification letter can be found in Appendix A. A locally-created form may be used, as long as all of the following required components are included:

1. Reasons for the identification of the child as an EL and need for placement or continued participation in a language instruction educational program;
2. The child's level of English proficiency, how the level was assessed, and the status of the child's academic achievement;
3. The methods of instruction used in the program in which their child is placed and the methods of instruction used in other available programs, including how other available programs differ in content, instructional goals, and the use of English and native language in instruction;
4. How the program will meet the educational strengths and needs of their child;
5. How the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
6. The specific exit requirements for the program and the expected rate of graduation from high school;
7. For ELs with disabilities, how the program placement and services coordinate with the IEP; and
8. Information regarding parent rights, explicitly including the following:
 - The parents' right to have their child immediately removed from the EL program upon their request;
 - The parents' right to decline to enroll their child in the EL program or to choose another program or method of instruction, if available; and
 - Assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the local education agency.

IDOE recommends that schools share ILPs, which detail the ELD services, with students and parents annually.

Parent Right of Refusal

Parents have the right to refuse English language development services for their child. Before making this substantially-impactful decision, parents should be informed of the benefits of EL services and of the potential difficulties that often accompany the lack of EL services. This information must be provided to the parent in a language they

understand using a review of the placement or annual English language proficiency assessment results, (translated or interpreted, as needed). If parents decide to waive EL services after reviewing information, the school corporation must keep written documentation of the decision with the parent's signature and date the decision was made. Parents have the right to opt back into EL services at any time and must still be notified annually of their student's English proficiency level according to the requirements above.

Schools districts with a low incidence of ELs may decide to only provide specified EL staff at certain buildings and may request that ELs attend those buildings to receive direct services. If a parent chooses not to participate in this model but wishes to receive services at the school in which the student would normally attend, the school district must develop an alternate plan to provide services for this student with designated EL staff. EL students have the right to receive services at the elementary or secondary school that they would normally attend.

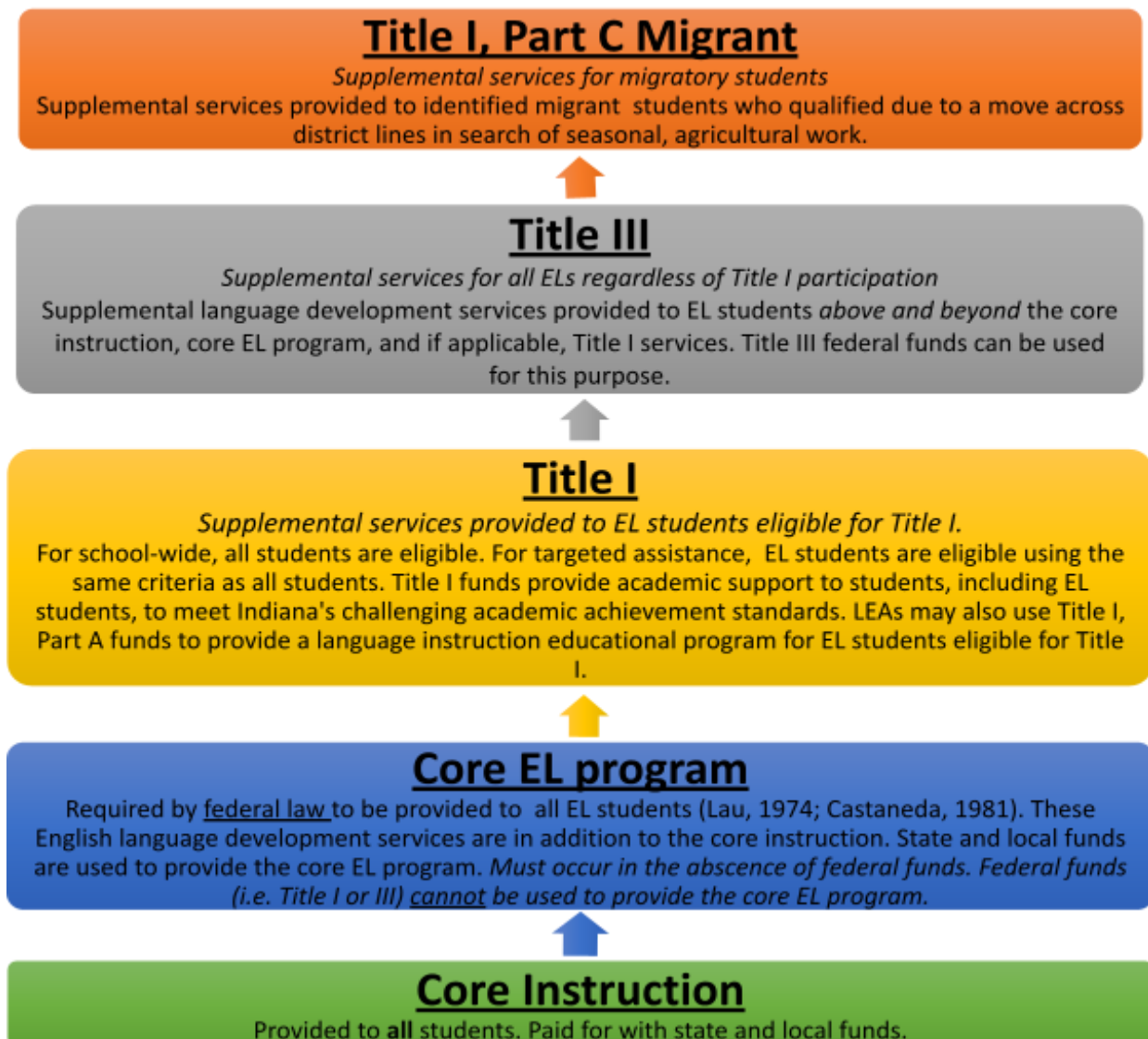
When a parent declines participation in EL programming, the district retains a responsibility to ensure that the student has an equal opportunity to have his or her English language and academic needs met. Districts can meet this obligation in various ways (e.g. adequate training to classroom teachers on second language acquisition; monitoring the educational progress of the student). Students not served by district EL programs are still required to complete state required assessments and are counted in the district's progress towards meeting academic and graduation outcomes. Federal regulations require the annual assessment of ELs until they demonstrate proficiency in English. Parents who refuse direct language development services for their child must be aware that:

- The student will still be tested annually with the state English language proficiency assessment (WIDA ACCESS) until reaching English proficiency.
- The student will have an ILP and will receive appropriate adaptations to classroom instruction and assessments based on the student's language level in order to ensure student's meaningful participation and learning in academic subject areas.
- The student will receive appropriate testing accommodations for ELs on all statewide assessments (e.g., IREAD-3, ILEARN, etc.).

Chapter 7: Funding English Learner Programs

Hierarchy of Related Laws and Programs

The U.S. Department of Education’s Office of Civil Rights requires all LEAs to identify students who need language assistance, develop a program that has a reasonable chance of success, support it with the appropriate number of staff and resources, and evaluate its success. A school district must provide a core EL program prior to utilizing Title I and Title III funds. The chart below shows the succession of programs if an EL was eligible for Title I, Title III, and migrant services. Title III funds must “supplement and not supplant” [3115(g)] state and locally funded Lau requirements. Supplement versus supplant requirements ensure that services provided with federal funds are **in addition to** and **do not replace (or supplant)** services that students would otherwise receive.



State Funding for English Learner Programs

The state-funded NESP was first approved by the Indiana General Assembly in 1999. This program provides supplemental funding to eligible school corporations who serve ELs. The purpose of NESP is to provide English language development instruction to kindergarten through grade 12 ELs to increase their proficiency and academic achievement.

All Indiana school corporations and charter schools who accurately report EL students on DEX-LM are eligible to apply for NESP funding. NESP sub-grantees must demonstrate clear EL program goals and usage of funding that directly supports them. NESP funds are to be used for direct instructional costs including personnel, English language development, instructional materials, English language proficiency assessments, program administration costs, instructional software, professional development activities, interpretation and translation, and parent involvement activities.

Additional information on NESP and instructions for applying can be found on IDOE's [NESP webpage](#).

State Funding for Dual Language Pilot Programs

Indiana Code 20-20-41 details an appropriation for IDOE to establish and maintain a Dual Language Pilot Program to provide grants to school corporations and charter schools that establish dual language programs in Chinese, Spanish, French, or any other language approved by IDOE. Eligible entities must have a dual language program that begins in either kindergarten or grade one and uses an instructional model that provides at least fifty percent (50%) of its instruction in a second language and the remaining percentage of instructional time in English.

In two-way programs, an additional focus is on English language development for ELs whose home language matches the target language of the program. These students master subject content from other disciplines, using the second language or both languages.

Research from Thomas and Collier shows that dual language programs are the most effective way to close the achievement gap between ELs and native English speaking students.

The Dual Language Pilot Program grant has expanded to provide tiered funding to LEAs and charter schools to support existing dual language programs.

Title III: Federal Funding for English Learner Programs

Title III of ESEA, as amended by ESSA seeks to ensure that children who are ELs, including immigrant children and youth, attain English proficiency, develop high levels of academic attainment in English, and meet the same challenging state academic content and student academic achievement standards that all children are expected to meet.

Title III sub-grantees are required to provide ELs with high-quality English language development instruction beyond the *Lau*-required English language development program. Title III also requires sub-grantees to provide high-quality professional development to classroom teachers, principals, and administrators and to promote engagement of EL families.

Additional information on Title III can be found on [IDOE's Title III webpage](#).

Title III Significant Immigrant Influx Grants

ESEA, as amended by ESSA, defines immigrant students as students between the ages of three and 21 who were not born in any U.S. state (or Puerto Rico) and have been enrolled in U.S. schools for less than three academic years [Title III, section 3301(6)].

In accordance with Title III, Sec. 3114(d)(2), IDOE provides a portion of the state Title III appropriation to support schools and districts who have experienced a significant influx of immigrant students. These schools are identified and notified annually of their eligibility for the Title III immigrant influx funding.

As outlined in Title III, Section 3115(e)(1), Title III immigrant influx funds are to be used for instructional activities, such as:

- Family literacy services, parent outreach, and training to support parents' active participation in their children's education;
- Support for personnel, including paraprofessionals, to provide services to immigrants;
- Provision of tutorials, mentoring, and academic or career counseling for immigrants;
- Acquisition of curricular materials, educational software, and technology used in the program carried out with funds;
- Basic instructional services directly attributable to the presence of immigrants (supplies, transportation, etc.);
- Other instructional services designed to support immigrant achievement (e.g., civics education, introduction to U.S. educational system); and
- Comprehensive community services in coordination with community-based organizations.

Additional information on the Title III immigrant influx program can be found on [IDOE's Title III webpage](#).

English Learner Funding Counts

The annual Multilingual Learner (DEX-LM) report provides a count of ELs to generate per-pupil funding counts for Title III, NESP, and a count of immigrant students for the Title III significant immigrant influx grant. The DEX-LM report collects testing results from the English language proficiency placement and annual assessments for accountability purposes and for public schools to report the *Lau*-required English language development program.

The DEX-LM report collection is discussed in greater detail in Chapter 2 of this guidance. More information on the DEX-LM report collection can be found on the [Data Exchange Knowledge Hub website](#)

Chapter 8: Accountability for English Learner Programs

The passage of ESSA in 2015 had significant impacts on federal accountability measures for ELs. For the first time, SEAs were required to include growth toward English language proficiency as a separate indicator in their federal accountability system. Additionally, states were required to set long-term goals for English language proficiency and define various means for uniformly including ELs in accountability systems. This chapter provides an overview of EL accountability in Indiana's federal accountability system.

State Long-Term Goals

Indiana's state long-term goal is for 67 percent of ELs to achieve their individual growth target each year, with a goal that all students attain proficiency within six years of their initial identification as an EL. The alignment of this goal with the English language proficiency domain of the accountability system promotes the attainment of this goal within the established timeline, and allows schools to monitor this student group annually within the six year timeline of the state long-term goal.

English Language Progress Indicator

ESSA requires an indicator that measures progress for ELs toward attaining English language proficiency on the state-adopted English language proficiency assessment, which in Indiana is WIDA ACCESS for ELs. The English language progress indicator measures whether an ELs is on track to attain English language proficiency within a period of time aligned to the state long-term goal for English language proficiency.

Each school receives a score for the English language proficiency indicator based on the total number of ELs that meet annual growth targets or demonstrate English language proficiency. The indicator is aligned to Indiana's state long-term goal that EL students attain English language proficiency within six years of initial identification as an EL.

The ELP indicator applies to all schools with any combination of grades one through 12. In order to be included in the calculation for the ELP indicator, a student must be identified as an EL, enrolled in any of grades one through 12; enrolled at the school for at least 162 days, or 90% of the school year, and have valid test results for both the prior and current school year on the WIDA ACCESS assessment. Schools will only receive a score for the ELP indicator if they have at least 20 ELs who meet the criteria to be included in the calculation. The school's overall English language proficiency score is compared to the long-term progress goal to determine the final score and rating on this indicator. Please note that this indicator is only included in Indiana's federal accountability determinations and is not included in the state accountability calculations.

English Learner Student Group

Performance data will be reported out for any student group with at least 20 students at the school, corporation, or state level. Schools with at least 20 ELs with reportable data in the academic achievement, academic progress, and graduation rate indicators (for high schools) will receive a federal grade for the EL student group.

Former English Learners

After ELs attain proficiency, they are no longer assessed with WIDA ACCESS, and so will no longer be represented in the school's English language proficiency indicator in subsequent years; however, in order to fully analyze the performance of this diverse student group and to recognize schools' work to support ELs as they attain proficiency, these students will continue to be included in the EL student group for all other federal indicators (e.g. academic achievement, graduation rate, etc.) for an additional four years after their re-designation as proficient.

Recently-Arrived English Learners

Indiana uniformly applies statewide flexibility for ELs who have recently arrived in the U.S. Indiana defines a "recently-arrived EL" as an EL born outside of the United States and enrolled in U.S. schools for fewer than twelve cumulative months during the school year. Indiana uniformly applies statewide flexibility for recently-arrived ELs to allow for three years before fully incorporating the achievement results of recently-arrived ELs in English/Language Arts accountability determinations.

- Year One: Recently-arrived ELs will participate in all parts of the statewide annual assessment, but their English/Language Arts results will be excluded from accountability calculations and determinations (although their participation will contribute towards the school participation rate).
- Year Two: Recently-arrived ELs will participate in all parts of the statewide annual assessment, and only their participation and growth scores will be included in accountability calculations and determinations for English Language Arts.
- Year Three and Beyond: Recently-arrived ELs will participate in the statewide annual assessment, and their participation, achievement, and growth scores will be fully included in accountability calculations and determinations

Note: For mathematics and other content areas other than English/Language Arts, recently-arrived ELs are included in all applicable accountability measures from year one onward.

Appendix A: Additional Resources and Sample Forms

Home Language Survey

The Civil Rights Act of 1964, Title VI, Language Minority Compliance Procedures, requires school districts and charter schools to determine the language(s) spoken in each student's home in order to identify their specific language needs. This information is essential in order for schools to provide meaningful instruction for all students as outlined in *Plyler v. Doe*, 457 U.S. 202 (1982). The purpose of this survey is to determine the primary or home language of the student. The Home Language Survey must be given to all students enrolled in the school district / charter school and is administered once upon initial enrollment and remains in the student's cumulative file.

Please note that the answers to the survey below are student-specific. If a language other than English is recorded for ANY of the survey questions below, the Kindergarten Screener or WIDA Screener for grades one through 12 will be administered to determine whether or not the student will qualify for additional English language development support.

Please answer the following questions regarding the language spoken by the student:

1. What is the native language of the **student**?

2. What language(s) is spoken most often by the **student**?

3. What language(s) is/are spoken by the **student** in the home?

Student Name: _____ **Grade:** _____

Parent/Guardian Name: _____

Parent/Guardian

Signature: _____ **Date:** _____

By signing here, you certify that responses to the three questions above are specific to your student. You understand that if a language other than English has been identified, your student will be tested to determine if they qualify for English language development services, to help them become fluent in English. If entered into the English language development program, your student will be entitled to services as an English learner and will be tested annually to determine their English language proficiency.

For School Use Only:

School personnel who administered and explained the Home Language Survey and the placement of a student into an English language development program if a language other than English was indicated:

Name: _____

Date: _____

Home Language Survey Spanish Version

Encuesta del Idioma en el Hogar

El Decreto de los Derechos Civiles de 1964, Título VI, Cumplimiento de Normas para Minorías en Lenguaje, requiere a los distritos escolares y escuelas semi-autónomas que determinen el idioma o idiomas que se hablan en el hogar de cada estudiante. Esta información es esencial para que las escuelas puedan ofrecer instrucción útil a todos los estudiantes de acuerdo con Plyler v. Doe, 457 U.S. 202 (1982). El propósito de esta encuesta es determinar el idioma principal de su hijo/a en el hogar. Esta encuesta (HLS) tiene que darse a todos los estudiantes en el distrito escolar / escuela semi-autónoma. Esta encuesta (HLS) es administrada una vez, durante la matrícula inicial en Indiana, y permanece en el archivo acumulativo del estudiante.

Por favor tenga en cuenta que las respuestas a la encuesta corresponden solamente a su hijo/a. Si en alguna de las tres preguntas escritas abajo, usted identifica un idioma diferente al inglés, la escuela administrará el examen Kindergarten Screener o WIDA Screener para determinar si su hijo/a calificará para el programa de desarrollo del idioma inglés.

Por favor responda las siguientes preguntas acerca del idioma(s) hablado por su estudiante:

1. ¿Cuál es el idioma(s) o el dialecto nativo de su **hijo/hija**?

2. ¿Cuál es el idioma(s) más hablado por su **hijo/hija**?

3. ¿Cuál idioma(s) habla su **hijo/hija** en casa?

Nombre del Estudiante: _____ **Grado:** _____

Nombre del Padre, Madre o Guardián: _____

Firma del Padre, Madre o Guardián: _____ **Fecha:** _____

Al firmar aquí, usted certifica que las respuestas a las tres preguntas mencionadas arriba corresponden a su hijo/a. Usted entiende que si se ha identificado un idioma diferente al inglés, su hijo/a tendrá un examen para determinar si él o ella califica para el programa de desarrollo del idioma inglés, para ayudarlo/a a que sea fluente en inglés. Si entra en el programa de desarrollo del idioma inglés, su hijo/a, tendrá derecho a servicios que lo ayudarán a aprender el idioma inglés y tendrá un examen cada año para determinar su nivel de inglés.

For School Use Only / Para Uso de la Escuela Únicamente:

School personnel who administered and explained the HLS and the placement of a student into an English language development program if a language other than English was indicated:

Name: _____

Date: _____

Home Language Survey Amendment Request Guidance

The Home Language Survey Amendment Request Form should only be used in very rare cases when a true coding mistake has been made in the STN App Center. The guidance below should be read carefully and all supporting documentation should be provided so that IDOE staff can make an appropriate decision regarding the correct language listed for a specific student.

- All language code assignments are dependent on the language(s) listed on the original Home Language Survey when the student first enrolled in an Indiana school. LEAs must reference the original HLS when making language code change requests. If a non-English language is listed for any of the three required HLS questions, then the non-English language is assigned to the student in the local SIS and in the STN App Center.
- The Home Language Survey Amendment Form is only used when a student's language code of a non-English language is **INCORRECTLY** listed in the STN App Center and needs to be changed to English (code 211). When submitting the request form, the following items must be included or the form will be denied:
 - Include the original HLS when the student first enrolled in Indiana schools
 - Provide all pertinent information requested that is available (i.e. testing data, other contextual factors, etc.)
 - Obtain the parent's signature
 - Have a district administrator sign the form. If the district does not have an EL coordinator, then another administrator responsible for this student can sign the form
- This form is NOT needed when:
 - A student's language is currently listed as English (code 211) but needs to be changed to non-English code. If the original survey lists a non-English language, then LEAs can make this change request in the STN App Center without providing the Home Language Survey Amendment Request Form. Go to the STN App Center > Lookup > STN Name Change Request. When making a language code change in this situation, please remember to:
 - Only submit the change request once; Repeated submissions for the same student will slow down the overall process.
 - Be sure to select a reason in the drop down box (i.e. reported in error to application center)

Home Language Survey (HLS) Amendment Request Form

*Fax to 317-232-0589; ATTN: Office of English Learning and Migrant Education
[Do **NOT** email this form or any of the supporting documentation, as it is in violation of FERPA]*

Student STN: _____ Date: _____
 School Corporation: _____ Corp #: _____ School #: _____
 Contact Person Email: _____
 Original Language(s) on HLS: _____
 Date of Original HLS: _____
 Current STN App Center Language Code: _____
 Previous School(s) Attended: _____

Please include a brief overview indicating the reason the HLS should be amended.

Spring WIDA ACCESS Scores: **OVERALL:** _____ Date: _____

Score Type	Score	Proficiency Level	Score Type	Score	Proficiency Level
Speaking			Writing		
Listening			Oral		
Reading			Comprehension		

Previous ACCESS Score: _____ Date: _____ Score: _____

Previous ACCESS Score: _____ Date: _____ Score: _____

Kindergarten/WIDA Screener Placement (if applicable): Date: _____ Score: _____

ILEARN Results (if applicable)

Date	Language Arts	Math

Additional Data/Assessments (i.e. IREAD-3; ECAs; SAT):

EL Coordinator (or district administrator) Signature

Parent Signature

*The EL Coordinator (or district administrator) and parent signatures ensure that the form, and the effects of a language code change, have been explained. The HLS Amendment Request Form **must** be accompanied by the original HLS and parent signature in order for an amendment to be considered. Submission of the HLS Amendment Request Form does not guarantee that a change will be approved; IDOE staff will review all submitted information and will contact the submitting school of the approval/denial via email.*

Las firmas del administrador y de los padres afirman que se les ha explicado a los padres el formulario y el efecto del cambio de idioma indicado para el estudiante. Enviar el formulario no garantiza que el cambio será aprobado.

Cumulative Folder Guidance Specific to English Learners

Cumulative folders are legal and confidential student education records. Cumulative folders and all information contained therein are only allowed by law to be viewed by school officials for whom the viewing of the record is required to fulfill his/her professional responsibility. Parents may request in writing to view their child's records and students over the age of 18 may request in writing to view their own records. (20 U.S.C. § 1232g (b); 34 CFR subpart D)

When working with cumulative folders, school staff must keep all information intact, confidential, and safe.

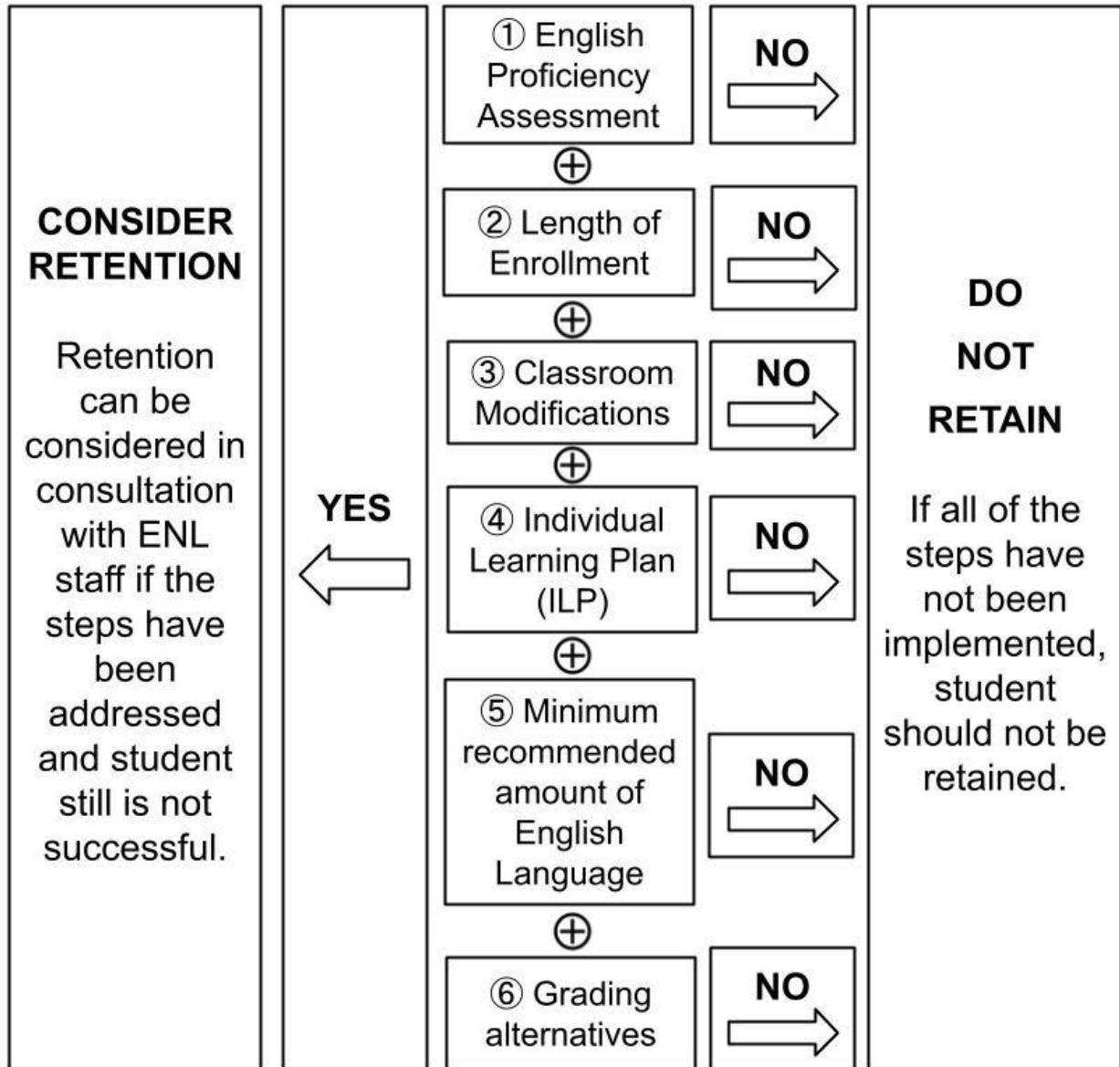
Please use the following checklist to ensure that information specific to identified English learner students is included in the cumulative folder. Update all information in cumulative folders at the end of each school year or when a student transfers to another school or school district.

- Original Home Language Survey from when the student first entered school in Indiana
- Current ILP, a document that includes at least:
 - The student's language level;
 - A list of the accommodations and modifications that must be made for the student in all of their classes and on standardized examinations; and
 - An overview of the federally required English language development services being provided to the student.
- Current copy of the Annual Parent Notification Letter that indicates the student's score on the English language proficiency assessment and their placement in a program aimed at helping EL students reach proficiency.
- A copy of the English language proficiency assessment results; student proficiency reports should remain in the cumulative folder for at least two years or be stored in an electronic format that is easily accessible and made available as needed.
- Standardized assessment results (i.e. IREAD-3; ILEARN),
- Exiting/Monitoring documents for students in the two-year monitoring period (for former ELs)
- If the parents refuse services, written documentation should be included in the cumulative folder,
- A log of updates, including the date and the name of the person who updated the folder,

For Migrant Students, also include:

- A record of GED coursework if applicable.
- A copy of the student's Certificate of Eligibility (COE).
- A copy of the family's most recent Work Survey
- Verification of enrollment in Migrant Education Program by [Migrant Regional Center staff](#)

Retention Guidelines for English Learners



Formal Two Year Monitoring for Exited ELs - Year 1

Student Name: _____ **STN#:** _____ **Date:** _____
School: _____ **Grade:** _____ **Birthdate:** _____
School Year: _____
Concerns after Semester #1: _____

Concerns after Semester #2: _____

Assessment	Reading	ELA	Mathematics	Other (Specify)	Date
ILEARN					
End-of-Course Assessments					
IREAD <i>(Grade three only)</i>					
Formative Assessments <i>(i.e. DIBELS, Acuity)</i>					
PSAT/SAT					

- After 1 year of monitoring, the student is performing successfully in the mainstream classroom(s).
- After 1 year of monitoring, the student is having difficulties in one or more mainstream classroom(s).

After 1 year of monitoring it is recommended that (check one):

- Continue monitoring without intervention
- Academic Intervention(s) (provide start date and description below):

Signature of primary teacher (elementary): _____ Date: _____

Signature of EL teacher: _____ Date: _____

Signature of counselor (secondary): _____ Date: _____

Signature of building principal: _____ Date: _____

Formal Two Year Monitoring of Exited ELs – Year 2

Student Name:

STN#:

Date:

School:

Grade:

Birthdate:

School Year:

Concerns after Semester #1:

Concerns after Semester #2:

Assessment	Reading	ELA	Mathematics	Other (Specify)	Date
ILEARN					
End-of-Course Assessments					
IREAD (Grade three only)					
Formative Assessments (i.e. DIBELS, Acuity)					
PSAT/SAT					

- After 2 years of monitoring, the student is performing successfully in the mainstream classroom(s).
- After 2 years of monitoring, the student is having difficulties in one or more mainstream classroom(s).

After 2 years of monitoring it is recommended that (check one):

- Continue monitoring without intervention
- Academic Intervention(s) (provide start date and description below):

Signature of primary teacher (elementary): _____

Date: _____

Signature of EL teacher: _____

Date: _____

Signature of counselor (secondary): _____

Date: _____

Signature of building principal: _____

Date: _____

Annual Parent Notification Letter

Last Name		First Name	
School		Grade	

[Insert Date]

Dear Parent/Legal Guardian:

This letter serves to inform you of your child’s identification as an English learner (EL) and of his/her placement into an English language development program for the **[insert year]** school year. Federal law requires that all school corporations:

1. Identify EL students;
2. Assess students’ progress via Indiana’s English language proficiency assessment; and
3. Provide EL students with services to support English proficiency and academic achievement.

To identify students as EL, Indiana schools use the Home Language Survey (HLS) and administer a placement assessment (Kindergarten Screener or WIDA Screener) if a non-English language is indicated. Identified EL students from placement results are assessed annually in Indiana using WIDA ACCESS assessments. Both the placement and WIDA ACCESS assessments measure students’ English abilities in listening, speaking, reading, and writing and provide an overall proficiency level between 1.0 – 6.0. These results help determine the educational services needed. Your child’s **overall** English language proficiency score on his/her most recent placement test or WIDA ACCESS was:

Level 1.0-1.9 Entering	Level 2.0-2.9 Emerging	Level 3.0-3.9 Developing	Level 4.0-4.9 Expanding

Your child will participate in a program to help him/her attain English proficiency in listening, speaking, reading and writing, succeed in academics, and meet graduation requirements.

As a parent, you have the right to:

1. Remove your child from the English language development program; and
2. Decline your child’s participation in the program indicated, or choose another offered program or method of instruction

In order to exit the English language development program, your child must obtain an overall composite score of 5.0 on the WIDA ACCESS assessment. After exiting from the program, your child’s academic progress will continue to be monitored for two years. While the rate of attaining English language proficiency varies greatly from student to student, research has shown that it typically takes three to seven years to attain English proficiency and exit from English language development services. The expected rate of graduation is: **[Insert local EL Graduation Rate]**

The following table identifies the method(s) of instruction that will be used with your child: **[Put “x” in placement for this child; Delete programs that you do not use/offer]**

Name	Description	Placement
English Second Language (ESL)	Program of techniques, methodology, and special curriculum designed to teach ELs explicitly about the English language, including the academic vocabulary needed to access content instruction, and to develop their English language proficiency in all four language domains (i.e., speaking, listening, reading, and writing). The goal is proficiency in English, and instruction is in English.	
Content Based English Language Development (ELD)	This approach makes use of instructional materials, learning tasks, and classroom techniques from academic content areas as the vehicle for developing language, content, cognitive and study skills. The goals are proficiency in English and content-area knowledge, and English is the language of instruction.	
Sheltered English	An instructional approach used to make academic instruction in English understandable to EL students. Sheltered instructional approaches assist EL students in developing grade-level content area knowledge, academic skills, and increased English proficiency. In sheltered content classes, teachers use a wide range of instructional strategies to make the content (e.g., math, science, social studies) comprehensible to EL students while promoting their English language development (e.g., connecting new content to student's prior knowledge, scaffolding, collaborative learning, and visual aids). English is the language of instruction.	
Structured Immersion	Structured Immersion is a program designed to impart English language skills so that EL students can transition and succeed in an English-only mainstream classroom once proficient. All instruction in an immersion strategy program is in English.	
Dual Language Immersion	Bilingual program where the goal is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that usually consists of half primary-English speakers and half primary speakers of the other language.	
Transitional Bilingual Education	Program that maintains and develops skills in the primary language while introducing, maintaining, and developing skills in English. The primary purpose of a TBE program is to facilitate the ELs' transition to an all-English instructional program, while the students receive academic subject instruction in the primary language to the extent necessary.	
Other	[Insert description, including content, instructional goals, and the use of English in instruction]	
Not Applicable	Written confirmation has been received from the parent indicating the parent wishes to deny English language development instruction for their child	

If your child has been identified with a disability in which they also require an Individual Education Plan (IEP), the English language development program will be used in coordination with your child's existing IEP.

If you decide to not have your child participate in the English language development program, he/she will still be required to complete the WIDA ACCESS assessment annually until exiting EL status under federal law. If you have any questions about the placement of your child for this school year, please contact **[Insert Name, Title]** at **[Insert Phone Number]**.

Sincerely,
[Insert Director's Name, Title]