

LAU PLAN – PROGRAM FOR LIMITED ENGLISH PROFICIENT STUDENTS

Before the Equal Education Opportunities Act of 1974, the Biddeford School Department provided and is providing equal educational opportunities for all its students including the limited English proficient. In addition, it is the policy of the Biddeford School Department to comply with all federal and state laws that are concerned with the discrimination of students. The guidelines that can be used to measure Biddeford's Compliance with these laws that follow:

I. Legal Requirements

- A. School systems must identify all students whose primary language is other than English, who have or may have difficulty performing ordinary class work in English, and who cannot learn or achieve on parity with their English dominant peers. Such Limited English Proficient (LEP) students must be placed in a specifically designed language support program (LAU guidelines refer to U. S. Supreme Court Case LAU vs. Nichols-1974).
- B. Any specially designed support or instructional program shall be consistent with all federal acts and mandates, related federal regulations and court cases as well as Maine State acts, mandates and policies, which relate to the education of limited English and National Origin Minority students.
- C. This instructional program should be based on second language acquisition pedagogy and sound educational practices for meeting the individual needs of LEP students. The burden of proof is upon the district that the instructional program designed for a LEP student has clearly developed English language skills of comprehension, speaking, reading and writing necessary for learning and achieving in English-only instruction at a level substantially equivalent to pupils whose primary language is English (Castaneda V. Pickard, 648 F2d 989-5th Circuit-1981)
- D. School systems which provide English language development programs to LEP students should reclassify students from limited English proficient (LEP) to fluent English proficient (FEP) by specific multi-criteria reclassification procedures - (Rios v. Read, 73 F.R.D., 595 (E.D. N.Y.- 1977) Cintron v. Brentwood, E.D.N.Y. #77-C-1370.
- E. Consistent with Maine Statute and No Child Left Behind Act, LEP students who are held to the same accountability requirements for achievement of the Learning Results and of participating in state mandated assessments. Accommodations or alternate assessments may be required for some LEP students.

II. Language Assessment Committee (LAC)

- A. Membership
 - 1. Curriculum Director/Assistant Superintendent

1. Plan, organize, and conduct meetings
2. Select a secretary to take minutes of meetings
3. Distribute minutes of meetings
- b. Permanent member of committee
2. Other members
 - a. ESL teacher (state certified)
 - b. Building principal
 - c. Classroom teacher(s) working with the ESL student
 - d. Parent(s)/Guardian(s) (if needed)
 - e. Interpreter (if needed)

B. Duties and responsibilities

1. Attend meetings
2. Present information on the student and have documentation
3. Be familiar with the LAU Plan in regards to the student being discussed
4. Hear all appeal cases
5. Make recommendations regarding promotion, retention, and reclassification of student(s)
6. Evaluate the program and develop program improvement plans

III. Identification of Students

A. Instruments (use as appropriate)

1. State of Maine Home Language Survey (translations available)
2. Information gathered from parent(s)/legal guardian(s) in their primary language to determine the child's grade level, academic experience and primary language proficiency
3. Classroom teacher observation and/or ESL Referral Form
4. Previous school records (if available)
5. Assessment of student's English language proficiency (ACCESS for ELL'S)
6. Language Assessment Committee Survey

B. Time Limitations

1. Newly Registered LEP Students (first month of arrival in Biddeford schools)
 - a. State of Maine Home Language Survey (translations available)
 - b. Information from student(s) and parent(s)/legal guardians
 - c. Classroom teacher observation and/or ESL Referral Form
 - d. Previous school records (if available)
 - e. ACCESS screening for English Language Proficiency Placement
 - f. Assessment of student's English language proficiency
 - g. Language Assessment Committee Survey
2. Currently Enrolled Students (first semester)
 - a. Classroom teacher observation and/or ESL Referral Form
 - b. Assessment of student's English language proficiency
 - c. Language Assessment Committee Survey
 - d. ACCESS screening for English Language Proficiency Placement

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C. Screening

1. All newly enrolled students including transfers will be initially screened through the Home Language Survey during the enrollment process.
2. If a student has been previously identified as Limited English Proficient (LEP), screening is not required, although English proficiency assessment is required annually in the areas of listening, speaking, reading, and writing.

D. Placement of Students

1. A Limited English Proficient (LEP) student will be placed in an age or grade level appropriate classroom.
 - a. Consideration will be given to physical size and maturity.
 - b. Students will benefit from interaction with peers.
 - c. The grade level curriculum may need to be modified.
2. A Limited English Proficient student will be placed in an English as a Second Language program.
3. Parent(s)/guardian(s) will be notified in their primary language that their child will be receiving ESL.

IV. Record-Keeping System

- A. ESL teacher will maintain files containing the following:
1. An I.E.P. written at the beginning of each school year
 2. Assessment results
 3. Quarterly progress reports
 4. An annual evaluation report with suggested recommendations

V. Components of Multiple-Criteria Evaluation

A. Native Language

1. State of Maine Home Language Survey
2. Information from student(s) and/or parent(s)/legal guardian(s)
3. Previous school records (if available)
4. LAC Survey

B. Target Language (English)

1. Assessment of student's English language proficiency (BICS; CALP)
 - a. Students will be assessed for English Language Proficiency Placement with the ACCESS Screening Test.
 - b. Student's listening and speaking competency and English language readiness skills
 - c. Student's listening, speaking skills and reading and writing abilities in an academic setting
2. Assessment Tools
 - a. Previous school records (if available)
 - b. Classroom teacher and/or ESL teacher observation

- c. Information from student(s) and/or parent(s)/legal guardians(s)
- d. Screening instruments
- e. Standardized Achievement Tests
- f. Portfolio of work

C. Resources

- 1. Resource People and Programs
 - a. Local
 - 1. Certified Teachers
 - 2. Translators
 - 3. Local support staff
 - b. State
 - 1. ESL Consultants
 - 2. Workshops and Conferences
- 2. Assessment Materials
 - a. ACCESS for ELL'S
 - b. Sheltered English
 - c. Learning Results
 - d. Other:
 - 1. Pre-Las
 - 2. LAS
 - 3. Snapshot Assessment
 - 4. IPT
 - 5. BINAL
 - 6. Standardized Achievement Tests
 - 7. MEA, NCLB Annual Assessments
 - 8. Local Assessment

D. Instructional Services

- 1. The ESL teacher utilizes a Sheltered English Program. The time and frequency of classes depends on the needs of the students and/or schedule.
- 2. The ESL teacher provides English instruction in listening, speaking, reading, and writing.
- 3. K - 5 LEP students are mainstreamed to regular classrooms for academics and specialists. Middle and high school students receive content sheltered English instruction from the ESL teacher.
- 4. Meetings of ESL teacher and regular classroom teacher(s) to discuss progress of LEP student(s) are held when needed.

E. Retention

- 1. Extreme care should be exercised in making decisions regarding grade-level retention of LEP students. Referrals should be made to the LAC.
- 2. Decisions should be made on a case-by-case basis by the end of the third quarter.

VI. Reclassification, Transfer and Exit Criteria:

A. Multiple-Criteria Evaluation:

1. ESL and classroom teacher evaluations
2. Assessment of oral language proficiency (use as appropriate)
 - a. ACCESS for ELL'S
 - b. Pre-LAS
 - c. LAS
 - d. IPT
 - e. BINAL
3. Assessment of English language skill -- listening, speaking, reading and writing (use as appropriate)
 - a. ACCESS for ELL'S
 - b. Sheltered English
 - c. Learning Results
 - d. Other:
 1. Pre-Las
 2. LAS
 3. Snapshot Assessment
 4. IPT
 5. BINAL
 6. Standardized Achievement Tests
 7. MEA, NCLB Annual Assessments
 8. Local Assessment

B. Students demonstrate that their achievement is equal to their English peers at the same age and grade level. (CALP)

C. Monitoring After Reclassification

1. Language Assessment Committee will determine instructional and grade level placement after evaluation.
2. ESL teacher will monitor the student's progress quarterly for a period of two (2) years (Levels VI and VII).
3. LAC will monitor the student's progress periodically for two (2) years after student is reclassified to Fully English Proficient (FEP) (Levels VI and VII).

D. Parent Notification

1. Parent(s)/guardian(s) will be notified in their primary language of their child's ESL reclassification.
2. Parents will receive a copy of the appeal process in their primary language.

VII. Appeal Process

- A. Parent(s)/guardian(s) may appeal grade placement and/or English Language Assistance for their child to the Language Assessment Committee.
- B. Parent(s)/guardian(s) who do not agree with the LAC decision may appeal to the superintendent and then to the Biddeford School Committee.

Legal Reference: Title VI of the 1964 Civil Rights Act
CH. 127.03 (Maine Department of Ed. Rule)

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