

# Houston CAN! Academy DISTRICT POLICY

## Special Programs: ENGLISH AS A SECOND LANGUAGE (ESL)

Houston CAN! Academy's district policy and procedures concerning the English as a second language (ESL) program reflects state policy. For reference, please see the following: 19 TAC 89.1201, 89.1205, 89.1215, 89.1220, 89.1225, 89.1235, and 89.1240; and TEC 29.051, 29.053, 29.054, 29.055, 29.056, 29.057, and 29.063.

### **ENGLISH LANGUAGE LEARNER SERVICE MISSION:**

To provide English Language Learners with educational opportunities embracing culture, heritage, and academics that will lead to high expectations and a successful independent life. Through quality education, cooperation, coordination, and communication between homes and communities, we build partnerships that will benefit the growth of our students.

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### **PURPOSE AND GOAL:**

The goal of English as a second language programs shall be to enable limited English proficient (LEP) students to become competent in the comprehension of, listening, speaking, reading, and composition of the English language through the integrated use of second language learner methods. The English as a second language program shall emphasize the mastery of English language skills, as well as mathematics, science and social studies, as integral parts of the academic goals for all students to enable limited English proficient students to participate equitably in school. English as a second language programs shall be integral parts of the total school program. Such programs shall use instructional approaches designed to meet the special needs of limited English proficient students. The basic curriculum content of the programs shall be based on the essential skills and knowledge required by the state.

### **REQUIRED ENGLISH AS A SECOND LANGUAGE PROGRAM:**

All limited English proficient students shall be provided an English as a second language program as described in subsection (e) of 19 TAC 89.1205, regardless of the students grade levels and home language, and regardless of the number of such students. A district shall provide an English as a second language program by offering: 1) an English as a second language program as described in §89.1210 of this title (relating to Program Content and Design); or 2) an approved English as a second language program which addresses the affective, linguistic, and cognitive needs of the limited English proficient students and meets the requirements of §89.1255 of this title (relating to Local Plan).

1. Identify LEP students based on criteria established by the State;
2. Provide ESL programs, as integral parts of the regular program;
3. Seek certified and trained teaching personnel to ensure that LEP students are afforded full opportunity to master the essential knowledge and skills; and
4. Assess achievement for essential knowledge and skills in accordance with Education Code chapter 39 to ensure accountability for LEP students and the schools that serve them.

**EXCEPTIONS:**

Districts which, because of an insufficient number of certified teachers, are unable to provide an ESL program as required by subsection 9(d) of 19 TAC 89.1205 shall request from the commissioner of education a waiver of the certification requirements for the teachers who will provide the instruction in English as a second language for the limited English proficient students. Approval of waivers of certification requirements shall be negotiated on an individual basis and shall be valid for only the school year for which the waivers were negotiated. The district will seek certified teaching personnel to ensure that limited English proficient students are afforded full opportunity to master the essential skills and knowledge required by the state. This request will be submitted by a date determined by the commissioner of education and shall include:

- 1) A statement of the reasons the district is unable to provide a sufficient number of certified teachers to offer the English as a second language program;
- 2) A description of the manner in which the teachers in the English as a second language program will meet the affective, linguistic, and cognitive needs of the limited English proficient student, including the manner by which the students will be given opportunity to master the essential knowledge and skills required by Chapter 74 of this title (relating to Curriculum Requirements);
- 3) An assurance that certified personnel available in the district will be assigned to grade levels on the basis of need, to ensure that the linguistic and academic needs of the limited English proficient students with the lower levels of English proficiency are served on a priority basis;
- 4) The names of the teachers not on permit who are assigned to implement the English as a second language program and estimated date for the completion of the English as a second language endorsement for each teacher under a waiver;
- 5) A description of the training program which the district will provide to improve the skills of the staff which is assigned to implement the proposed English as a second language program, and an assurance that at least 10% of the bilingual education allotment shall be used to carry out this training; and
- 6) A description of the actions the district will take to ensure that the program required under subsection (d) of 19 TAC 89.1205 will be provided the subsequent year, including it's' plans for recruiting and training an adequate number of teachers to eliminate the need for subsequent waivers.

**LANGUAGE PROFICIENCY ASSESSMENT COMMITTEES:**

If the district is required to offer ESL, it shall form one or more language proficiency assessment committees (LPACs) accordingly to local and state establish procedures for the selection, appointment, and training of members. The District shall have on file policy and procedures for the selection, appointment, and training of members of the LPAC. At Houston CAN! Academy, the LPAC shall include at least:

1. A professional ESL educator.
2. A parent of a limited English proficient student who is not an employee of the District.
3. A campus administrator.
4. An ARD committee member if applicable

The District may add other members to the committee in any of the required categories. If the District does not have an individual in one or more of the job classifications required, it shall designate another professional staff member to serve on the LPAC. Additional staff members having interaction with the student/s are encouraged to attend. All members of the LPAC, including parents, shall be acting for the school district and shall observe all laws and rules governing confidentiality of information concerning individual students. Our district shall be responsible for confirming or implementing orientation and training of all members, including the parents, of the LPAC. No parent serving on the LPAC shall be an employee of the District. The LPAC has the ability, pending parent approval, to place the student in the recommended program, but may count only limited English proficient students with parental approval for the bilingual education allotment.

**LPAC DUTIES:**

The LPAC shall have the duties set forth at Education Code 29.063(c) and 19 TAC 89.1220(g)-(j), (l).

The LPAC shall perform the following duties:

- 1) Utilize the designated LPAC Initial and Review form containing pertinent information on the recommended program placement of each LEP student as defined by TEA and NCLB Title III.
- 2) Review all pertinent information on all LEP students. Review continuation of services for students who were in ESL at previous district. LPAC meets regarding continuation of services and sends a letter home to notify parent.
- 3) Designate the language proficiency level of each LEP student.
- 4) Make recommendations concerning the most appropriate placement for the educational advancement of the LEP student, subject to parent approval.
- 5) Annually review each LEP student's progress toward the end of the school year in order to determine future appropriate placement.
- 6) Collaborate with the Annual Review and Diagnostic committee related to dual service students when each LEP student is discussed.
- 7) Facilitate the participation of LEP students in other special programs for which they are eligible provided by the district with either state or federal funds
- 8) Determine the appropriateness of a program that extends beyond the regular school year based on the needs of each limited English proficiency student.
- 9) Make the determinations required regarding placement in and exit from ESL programs

**LPAC DUTIES CONT.**

- 10) Monitor the progress of students formerly classified as LEP who have transferred out of the ESL/special language program and, based on the information, designate the most appropriate placement for such students and continue with monitoring needs;.
- 11) Review only LEP students with parent approval for program placement to determine meeting the state assessment requirements
- 12) LPAC members will provide attendance personnel with names and coding information of students who are eligible, whose documentation is in order, and who are being served.
- 13) LPAC members are responsible for ensuring that attendance personnel are aware of changes in student's services and effective dates of such changes. At the end of each nine-week reporting period, an LPAC member should verify the Student Detail Report for any coding errors in coordination with the LPAC tracker form.
- 14) Perform additional duties described in 19 TAC 89.1220 as well as those prescribed by the Texas Education Agency.

LPAC forms will include but not be limited to:

- LPAC Parent Membership Request Letters
- LPAC Member Roster
- LPAC Confidentiality Statement
- LPAC Minutes Form
- LPAC training certificates

**HOME LANGUAGE SURVEY:**

Districts shall conduct only one home language survey of each student. The home language survey shall be administered to each student new to the district, and to students previously enrolled who were not surveyed in the past. Home language surveys will be distributed during the interview process on the day of enrollment. Districts shall require that the survey be signed by the student in Grades 9-12. The original copy of the survey shall be kept in the student's permanent record the second copy will be distributed to the lead ESL teacher on campus. If the home language survey indicates a language other than English is used, the student shall be tested in accordance with 19 TAC 89.1225 (see Identification and Assessment below). If a student transfers from another district, records may be requested from the previous district. These records may include a copy of the Home Language Survey, a copy of the LPAC forms, and a copy of the parent approval letter.

**IDENTIFICATION/PROGRAM ENTRY/TESTING:**

Within four weeks of their initial enrollment in the District, students shall be identified, assessed, and classified for the ESL program by the LPAC according to the criteria and procedures established in rules adopted by the commissioner.

- 1) All students with a home language survey with anything other than English will be assessed using the Woodcock Munoz Revised, an appropriate Oral Language Proficiency Test.
- 2) Students scoring a 4 or higher will all be administered the Stanford 10 standardized achievement test.
- 3) If the student scores below the 40<sup>th</sup> percentile on either the reading or language arts section of the test, the student is considered LEP.
- 4) Student scoring below a 4 on the Woodcock Munoz Revised will also be considered LEP
- 5) If the student is considered LEP, continue to the next enrollment step. If the student is not considered LELP, the student does not qualify for ESL programs.
- 6) The LPAC will then convene and decide on the appropriate placement for each student.

- 7) If ESL programs are suggested then a parent letter must be sent home in English and the native language along with all other required forms.
- 8) If an ESL student transfers between school districts, the school should immediately enroll the student in the ESL program, pending receipt of documentation (LPAC records and assessment information) from the sending district. If this documentation is not received within four weeks of transfer, the school must go through the standard identification and assessment procedures in order for the student to be LEP and enrolled in ESL programs.

**PARENTAL NOTIFICATION AND APPROVAL:**

Within ten days after classification, the LPAC shall give written notice to parents advising that a student has been classified as limited English proficient and requesting approval to place the student in the required ESL program. The notice shall be in English and the primary language and shall include information about the benefits of the program and that it is an integral part of the school program. The designated parent approval letter will contain all available vital placement data and be presented in English and native language. The program brochures in English and native language will be included in the parent information packet. Pending parent approval, the District shall place the student in the recommended program, but may receive its bilingual allotment only for those students in the bilingual program with parent approval. The entry or placement of a student in the ESL program must be approved in writing by the student's parent. Approval shall be considered valid for the student's continued participation in the program until the student meets the established exit criteria, graduates from high school, or the parent requests a change in program placement. A parent may deny the ESL program for their student in writing and the LPAC will notify PEIMS of a Parent Denial. The student will be monitored and reviewed for academic progress. If adequate progress is not reached the parent will be offered the instructional program once again.

When a student has met criteria for program exit and the LPAC committee recommends that the student be removed from the ESL program, a parent letter should be drafted and sent to the parent notifying them of the decision. A copy of the notification letter should be placed in the student's permanent folder.

**ASSESSMENT:**

The LPAC will review students with placement approval for determination meeting the state assessment requirements (i.e. TAKS, LAT, and TELPAS). All decisions will be guided by the TEA manual, LPAC Decision-Making Process for the Texas Assessment Program (Grades 3-12): Procedural Manual, for the current year.

Some immigrant students may be granted LEP exemptions if the LPAC follows the procedures outlined and explained in the LPAC Decision-Making Process for the Texas Assessment Program

The Reading Proficiency Test in English (RPTE) and TOP is administered to all LEP student enrolled.

LEP students shall participate in the assessment of academic skills in accordance with Commissioner's rules at 19 TAC Chapter 101, subchapter AA. 19 TAC 101.5(d)

**ANNUAL REVIEW:**

The LPAC shall meet annually to determine if a LEP student should be classified as English proficient and/or the student has made adequate progress based on federal regulations.

At the end of each year, the LPAC will meet to review student progress and determine whether the student will continue in the program or qualifies for exiting the program. Students must meet established exit criteria and show mastery in listening, speaking, reading, writing, and comprehension in English to successfully exit the ESL programs.

Annual LPAC considerations:

- 1) The amount of time the student has been enrolled in ESL programs
- 2) The student's grades for each grading period throughout all subjects
- 3) Student performance on state assessment instruments
- 4) The number of credits earned toward graduation
- 5) Any disciplinary actions taken against the student under Education Code Chapter 37, Subchapter A.

For determining whether a student should be exited from English as a second language program is academically successful, the following criteria shall be used at the end of the school year.

- 1) The student meets state performance standards in English of the criterion-referenced assessment instrument for English Language Arts required in the Texas Education Code, §39.023, for the grade level as applicable.
- 2) The student has passing grades in all subjects and courses taken.

**PROGRAM EXIT:**

For exit from the ESL program, a student:

- 1) May be classified as English proficient at the end of the school year in which a student would be able to participate equally in a regular, all-English, instructional program as determined by:
  - a. Meeting state performance standards for the English language criterion-referenced assessment instrument for reading and writing (when available) required in the Texas Education Code, §39.023, at grade level; and
  - b. Tests administered at the end of each school year to determine the extent to which the student has developed oral and written language proficiency and specific language skills in both the student's primary language and English; or
- 2) May be classified as English proficient when he or she scores at or above the 40th percentile on both the English reading and the English language arts sections of a TEA-approved norm-referenced assessment instrument; or
- 3) May be classified as English proficient as determined by criteria which meet the requirements outlined in the Texas Education Code, §29.056, §29.056, and §89.1255 of this title (relating to Local Plan).

In making the determination for exit, the District shall also consider other indications of a student's overall progress, including criterion-referenced test scores, TELPAS scores, subjective teacher evaluation and grades, and parental evaluation.

**STUDENT MONITORING:**

For determining whether a student who has been exited from an English as a second language program is academically successful, the following criteria shall be used at the end of the school year.

- 1) The student meets state performance standards in English of the criterion-referenced assessment instrument for English Language Arts required in the Texas Education Code, §39.023, for the grade level as applicable.
- 2) The student has passing grades in all subjects and courses taken.

The language proficiency assessment committee shall monitor the academic progress of each student who has exited from the ESL program within the past two years to determine whether the student is academically successful. Those students who are not academically successful due to limited English proficiency shall be reclassified as limited English proficient (LEP), and shall be recommended for participation in the ESL program, with parental approval. Students who are not reclassified as LEP may be placed in compensatory and accelerated instruction or other program which addresses their needs.

**STUDENT COUNTS:**

Within 20 school days of the beginning of school (that is, the students' enrollment date), the LPAC shall determine and report to the Board the number of LEP students on each campus and shall classify each student according to the language(s) in which the student possesses primary proficiency. The Board shall report that information to TEA before November 1 each year.

**PROGRAM CONTENT AND DESIGN:**

The school district will offer an ESL program and/or an approved special language program which provides each limited English proficient student the opportunity to be enrolled in the program at his or her grade level. Each student's proficiency shall be designated by the LPAC. The district will modify the instruction, pacing, and materials to ensure that LEP students have a full opportunity to master the essential knowledge and skills of the required curriculum. The ESL program shall be an intensive program of instruction in English from teachers trained in recognizing and working with language differences and shall be consistent with graduation requirements of the state. The LPAC may recommend appropriate services that may include content courses provided through sheltered instructional approaches by trained teachers and/or enrollment in ESL courses.

The ESL program shall be an integral part of the regular educational program and use state-adopted ESL instructional materials and supplementary materials as curriculum tools. In addition, the district may use other curriculum adaptations which have been developed. The district shall provide for ongoing coordination between the ESL program and the regular educational program. The ESL program shall address the affective, linguistic, and cognitive needs of limited English proficient students. Except in the courses specified in the section entitled Participation of this policy, ESL strategies, which may involve the use of the students' home language, may be provided in any of the courses or electives required for promotion or graduation to assist the limited English proficient students to master the essential knowledge and skills for the required subject(s). The use of ESL strategies shall not impede the awarding of credit toward meeting promotion or graduation requirements.

Districts may join with other districts to provide English as a second language programs.

The program will assess achievement for essential skills and knowledge in accordance with the Texas Education Code, Chapter 39, to ensure accountability for limited English proficient students and the schools that serve them.

The district will conduct an annual evaluation of their English as a second language programs and retain them for monitoring teams. Monitoring teams will make recommendations for improvements in program implementation prior to the next academic year.

**PARTICIPATION:**

LEP students shall participate fully with English-speaking students in regular classes provided in subjects such as art, music, and physical education. The District shall provide students enrolled in the ESL program a meaningful opportunity to participate fully with other students in all extracurricular activities and other special programs as designed. (I.e. tutorials, special education, CATE)

**FACILITIES:**

The ESL program shall be located in the District's regular schools rather than in separate facilities. Students enrolled in ESL programs shall be placed in classes with other students of approximately the same age and level of educational attainment. The District shall ensure that each student's instruction is appropriate to the student's level of educational attainment, and the District shall keep adequate records of the educational level and progress of each student enrolled in the program.

**OPTIONAL PROGRAMS**

The District may establish on a full- or part-time basis other summer school, extended day, or extended week special language programs for LEP students.

The programs may not substitute for the program to be provided during the regular school year. *Education Code 29.059*