

Helping Idaho students continually progress in their mastery of the English language is an integral part of the education process. All students, including English language learner (ELL) students, represent a broad range of abilities and interests. For this reason student progress alone cannot serve as the only criterion for the placement and retention of students in special programs for ELL students; neither can it be the only criterion used to judge the success of a school program.

The schools in this district are required to make a reasonable effort to address the special language deficiencies of ELL students. The programs and practices used in this district will be reasonably calculated to effectively implement the educational theory adopted by each school. However, there is no guarantee for the success of every individual student in meeting pre-specified criteria of English language proficiency.

## **DEFINITIONS**

An ELL student is defined as one:

1. Who is aged 3 through 21;
2. Who is enrolled or preparing to enroll in an elementary school or secondary school;
3. (i) Was not born in the United States or whose native language other than English; or  
(ii) Is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; or  
(iii) Is a Native American or Alaska Native, or a native resident of outlying areas and comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency.
4. Whose difficulties speaking, reading, writing, or understanding the English language may be sufficient to deny the student
  - (i) the ability to meet the challenging state academic standards;
  - (ii) the ability to achieve successfully in classrooms where the language of instruction is English; or
  - (iii) the opportunity to participate fully in our society.:

## **PROCEDURES FOR IDENTIFYING, SCREENING AND EXITING ELL STUDENTS**

The following procedure will be used for the identification of ELL students:

1. Within two (2) weeks following commencement of the school year, or when a student first enrolls in this district, students should be identified as potential ELL through appropriate screening and teacher observation in accordance with this policy and the Idaho State Department of Education “EL Identification and Screening Mini-Manual,” which will include the following:
  - a. Conducting a home language survey (HLS) in English and Spanish, requesting that parents indicate whether a language other than English is spoken in the home;
  - b. Prior to administering an English language proficiency screener assessment, district personnel will check the English Learner Management System (ELMS);
  - c. If a language other than English is spoken in the home, or if the HLS is not returned within two (2) weeks, the student will be administered a language dominance test within the following two-week period to determine proficiency.
2. The district will request from the Idaho State Department of Education a list of approved or recommended language dominance tests. Where no tests are available to assess the language dominance of students, locally developed tests may be administered to determine the deficiencies.
3. The programs and practices used with ELL students will be reasonably calculated to effectively implement the educational theory adopted by this district and will:
  - a. Be recognized as sound by some experts in the field; or
  - b. Be recognized as legitimate educational strategies; and
  - c. Be modified if it is determined that this district’s programs prove to be unsuccessful after a legitimate trial period.

Students who are English language learners are entitled to language instructional educational program (LIEPs) that lead to proficiency in English. Once students have been placed in a LIEP, they will be provided with services until they are proficient enough in English to participate meaningfully in the regular educational program. The district’s ELL program will be designed to provide instruction which meets each student’s individual needs based on the assessment of English proficiency in listening, speaking, reading and writing.

4. The criteria used for exiting students from a language instruction educational program (LIEP) will be based on this policy and the standards set forth in the Idaho State Department of Education “EL Exiting and Monitoring Mini Manual.” The established exit criteria is the level of language proficiency needed for the student to independently be able to access content delivered in English and therefore have the language ability to also be proficient on statewide and districtwide assessments.



5. This district will report annually to the Idaho State Department of Education on an appropriate form the following:
  - a. Total number of children participating in the LEP program;
  - b. Progress made by students enrolled in the program;
  - c. Number of students exited from the program and the criteria upon which this decision was made;
  - d. Proposed changes, if any, for the subsequent year.
6. All ELL programs will be periodically evaluated or modified as appropriate to ensure that these programs are successful. Success is measured by ELL students overcoming their language barriers sufficiently well and sufficiently promptly to participate meaningfully in this district's education programs.
7. Adequate staff and necessary resources will be provided for a successful ELL program.
8. If this district does not have ELL students enrolled, it will certify that fact to the Idaho State Department of Education under the signature of the superintendent of schools or the chairman of the board of trustees.

#### **PARENTAL NOTICE AND WAIVER OF ELL SERVICES**

Within thirty (30) days of the beginning of each school year, or within the first two (2) weeks of placement in a LIEP for students who enroll after the start of the school year, the district will notify parents of students qualifying for a LIEP about the instructional program and parental options, as required by law. Such notice will include, at a minimum:

- The reason for ELL identification;
- The child's current level of English language proficiency, how it was assessed, and the status of the child's academic achievement;
- Type of LIEP the child is being placed into and other available district LIEP options;
- Exit requirements, expected graduation rate, and expected rate of transition to a classroom not tailored for ELL students;
- In the case of a child with a disability, how the LIEP meets the goals in the child's Individual Education Plan (IEP); and
- Information for parents on how to withdraw their child from the district LIEP services or to choose another program or method of instruction.

Whenever possible, communications with parents or guardians shall be in the language understood by the parents.

Parents will be notified annually of their right to waive the services of the LIEP for their child. ELL students who are not participating in the LIEP services due to parental waiver will still have access to all of the district’s educational programs and curriculum. Parental waiver of ELL services does not exempt the student from annual English proficiency assessments and does not remove any ELL designation.



**LEGAL REFERENCE:**

Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§2000d *et seq.*)

Equal Educational Opportunities Act of 1974 (EEOA)

Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act of 2015 (20 U.S.C. §§6811 *et seq.*)

Idaho Code §33-1617

Idaho State Department of Education “EL Identification and Screening Mini-Manual” (updated January 24, 2019)

**ADOPTED: June 1, 2007**

**AMENDED: August 21, 2019**