

PK-12 Lau (EL) Plan for Serving English Learners

East Sac County CSD

2025-26

Lau Plan

According to the Code of Iowa, **districts are required to have a plan to identify and serve the educational needs of Limited English Proficient students (Chapter 280—280.4 and 281-60.1-6)**. In order to meet the linguistic, academic, social, and emotional needs of ELs, districts are required to develop a service plan.

The district plan designed to meet the instructional needs of English Learners (ELs) is referred to as the Lau Plan (Lau v. Nichols, 1974). The Lau Plan must be collaboratively written by the K-12 team, to include: district administrator(s), building administrator(s), equity coordinator (public only), EL teacher(s), classroom /content teacher(s).

Please use the Associated Guidance Document and Checklist to develop your Lau Plan utilizing this template to ensure that a plan is developed that will meet approval requirements.

Required Lau Plan Team Members: Administrators, EL Teacher/Coordinator, Equity Coordinator, Classroom/Content Teachers

Nathan Hemiller (Superintendent)

Tony Tedesco (Jr./Sr. High School Principal)

Becky Halbur (Elem./Middle School Principal)

Heather Spetman (PK-12 Assistant Principal/ Director of Special Education)

Kathy Schmidt (PK-12 ESL Teacher/Coordinator, 5th-6th Grade Reading Interventionist, PK-6 Mentoring Program Leader & Professional Development Lead)

Taylor Wood (Equity Coordinator)

Abbie Julin (7-12 Instructional Coach & SPED)

Kari Mahler (Elementary Teacher, First Grade)

Carrie Bolan (5th-6th Grade ELA Teacher)

Brenda Olerich (7th-8th Grade Social Studies Teacher)

Stephanie Erpelding (7-12 FCS Teacher)

Marilyn Peters (9-12 Math Teacher)

Jodi Reese (K-12 Gifted & Talented/Extended Learning)

Suggested Additional Lau Leadership Team Members: School Counselors

Kristen Poen (5th-8th Grade School Counselor)

Kellie Mueggenberg (K-4 School Counselor)

Taylor Wood (9-12th Grade School Counselor)

I. Lau Plan Guiding Principles

Evidence: Reference English language development, academic achievement, and cross-cultural efficacy.

East Sac County CSD provides an inclusive approach in program design and development to promote overall awareness and support of English Language Learners (ELLs).

A. English Language Development

East Sac County CSD will:

- support the acquisition and development of the interpersonal communication and academic language skills necessary for engaging effectively in a variety of contexts. (Attain English proficiency and academic competence.)
- teach English comprehension in the four language domains of listening, speaking, reading and writing.
- closely follow Iowa's English Language Learner Handbook for current legal and educational rationale to be adhered to in our district.

B. Academic Achievement

East Sac County CSD will:

- assist EL students to meet the same state academic standards that all children are expected to meet and implement measures of English language proficiency as required by Title III, sections 3102(2), 3115(a).
- utilize research-based strategies and instructional practices designed to meet the unique needs of ELLs.
- provide ELL's meaningful access to the district's education program.
- make content area instruction accessible to ELLs through comprehensible input.
- ensure ELLs have equal opportunities to meaningfully participate in all curricular and extra-curricular activities.
- apply research-based best practices to correctly refer ELLs within a Multi-Tiered System of Supports (MTSS).
- ensure that ELLs with disabilities under the Individuals with Disabilities Education Act (IDEA) or Section 504 are evaluated in a timely and appropriate manner for special education and disability-related services and that their language needs are considered in evaluations and delivery of services.
- provide access to Gifted and Talented programming.

C. Cross-cultural efficacy

East Sac County CSD will:

- Follow the Multicultural, Gender-Fair Education Iowa Code Chapter 256.11 EDUCATIONAL STANDARDS. This requires that a multicultural, gender-fair approach is used by schools and school districts. The educational program shall be taught from a multicultural, gender-fair approach. Global perspectives shall be incorporated into all levels of the educational program.
- promote understanding, respect and appreciation for the cultural and linguistic diversity of our student population.
- utilize the Transact web site for legally-compliant parent notices in multiple languages. This software assists with management of federal and state-level compliance and communications by providing a way for school information to be shared in a language parents/guardians can understand. Transact can support parent engagement in their child's education and provide opportunities to enhance home-school partnerships.

II. Identification and Placement of ELs in a Language Instruction Educational Program (LIEP)

Evidence: Please include references to Home Language Survey-IA, State approved English language proficiency assessment, process to place student in appropriate LIEP and content courses, parental forms in parent's home language, process for waiving students from LIEP.

The Iowa Department of Education (DoE) defines an English Language Learner (ELL) in general terms as, “a student who is in the process of acquiring English proficiency and has a first language other than English or in addition to English”. The DoE’s manual, “Standardized Entrance and Exit Procedures for Iowa's English Learners,” serves as an overarching guide for entrance and exit of ELLs at ESC. This manual may be found at https://educateiowa.gov/sites/default/files/documents/Iowa%27s_EL_Entrance_and_Exit_Manual_2-23-22.pdf

The following processes are used to identify and place appropriate students in the Language Instruction Education Program (LIEP) at ESC:

A. Home Language Survey (HLS)

- 1) The Home Language Survey-IA, which includes student race and ethnicity reporting, is a standard part of the ESC enrollment process. The Home Language Survey (HLS) is completed by the parent or guardian. The HLS is the primary method by which students are identified as potential English Language Learners (ELLs).
- 2) The purpose of the HLS is to help determine whether the student’s language exposure meets the first criterion of the definition, “a student’s background is in a language other than English”.
- 3) A positive response to an item on the HLS does not in itself identify a student as an English Language Learner (ELL); it merely helps to screen students for potential consideration. If a new family indicates a language other than English on the HLS-IA, or there are other indicators of EL need, the enrolling school personnel lets the EL teacher know about the arrival of the student. The EL teacher will facilitate the identification process as needed through implementation of the ELPA21 screener.
- 4) The Home Language Survey (IA) is stored in the student’s cumulative file and the primary language is entered into JMC.
- 5) The HLS is required by Iowa law. The current form may be found at www.TransAct.com.
- 6) Beginning with the 2024-25 academic school year, the HLS will also be the first step to identify Foreign Exchange students for possible LIEP services.

B. State-approved English Language Proficiency Placement Assessment (ELPA):

- 1) As of August 1, 2018, the ELPA21 Dynamic Screener is the assessment used in the state of Iowa to measure language proficiency levels in reading, writing, listening and speaking.
 - i. The ELPA21 Future Kindergartener Screener is the assessment used in the state of Iowa to measure language proficiency levels in reading, writing,

listening and speaking for incoming Kindergarten beginning April 2 through November 30.

- 2) Cumulative files are reviewed from previous school before administering the screener. If screener scores are already available, additional screening is not required.
- 3) A certified screener (staff trained annually on the AEA online PD platform) administers the ELPA21 Screener. Certificates of completion are filed.
- 4) A summary of English Language Proficiency (ELP) results for each student is stored in his/her cumulative file and the student's ELL file. Results are also shared with parents/guardians.
- 5) The screener results provide valuable information to guide instruction and are shared with appropriate staff as needed to do so.
- 6) Although the ELPA21 Screener does not include Pre-K., the East Sac County CSD will extend LIEP services to the Pre-K students based on the HLS, classroom observations and staff availability.

C. Process to place student in appropriate LIEPs and content courses

- 1) Data is collected and reviewed for newly identified ELs, including the results from the English language proficiency assessment (ELPA21). The data review for appropriate placement may also include any of the following: previous English language assessments (if available from another district), academic records and transcripts (if available), academic skill assessments (such as FAST, aReading, aMath), parent interviews, teacher observations, and any other pertinent information. Data collection and review should be made using a team approach, which may include (but not limited to) the following: the student, classroom teachers, ELL teacher(s), counselor(s), the parent(s), and administrators. Student performance data should be analyzed in both academic and language skills to determine his or her appropriate placement.
- 2) Based upon the outcomes of the review process and in consideration of English language development and academic needs, a decision is made regarding the student's most appropriate placement in the LIEP.
- 3) In addition, based upon the outcomes of the review process and in consideration of English language development and academic needs, decisions are made about placement in appropriate content classes. Due to the often quick and general nature of the initial assessments – even with careful data collection and review -- the placement of an ELL may be tentative. No placement should be considered permanent. The student's progress should be evaluated frequently, and an appropriate program change should be made as soon as a need is determined.
- 4) Once identified, an EL should be placed with students the same chronological age, unless there are extenuating circumstances, which will be considered on an individual basis. In no case will a student be placed in a grade level more than two years different from age appropriate peers. If the team recommends a placement outside of the “age-based grade”, the principal and district ELL Coordinator must be included in the decision-making process.

D. Parental forms will be utilized in a meaningful language

Following identification of eligibility, the ELL Coordinator/Teacher will notify the parent/guardian through face-to-face, phone, and/or written communication. Parental information must be provided in “an understandable and uniform format, to the extent practicable,” in a language that the parents can understand. See www.transact.com for parent notification forms.

- 1) Parents are notified of the ELPA results through the “*Determination of Student Eligibility for Program Placement*” form found at www.TransAct.com. This notice informs parents that based upon a review of the Home Language Survey, their child was assessed to determine if he/she would qualify for the district's Title I and/or Title III English Learner Services. The notice identifies areas assessed and whether or not their child is recommended for placement in the program. ESEA as amended, 2015, Section 1112(e)(3)(A).
- 2) If the student qualifies for the LIEP, the “*English Learner Program Placement*” form from www.TransAct.com is then used for initial and annual placement notification and program description. If not attached with the Determination of Student Eligibility for Program Placement form, a meeting with the parents will be scheduled as soon as possible to discuss placement and give them a copy of the English Learner Program Placement notification at that time. Notification of placement in the district's Title I and/or Title III English Learner Services will be provided (a) not later than 30 days after the beginning of the school year, or (b) within two weeks of initial placement in Title I and/or Title III English Learner Services for students that enter after the beginning of the school year.
- 3) Signed copies of forms will be documented in student cumulative files.
- 4) Parents/guardians have the right to waive or withdraw from the services, if desired. However, student’s language development and academic progress will continue to be monitored. S/he will continue to take the annual language assessment (ELPA) until reaching Fluent English Language Proficiency. Details regarding the waiver of LIEP services are found below.

E. Process for waiving students from LIEP

Parent documentation of initial change from LIEP Programming (included only if parents indicate they want to waive or withdraw from services).

- 1) Parents/guardians have the right to choose to opt-out and not enroll their child in the LIEP. When a parent/guardian chooses to initially change services, the ELL teacher will contact the parent and request to meet in person or communicate by phone to discuss recommendations, concerns, and potential outcomes of waived services. The parent/guardian receives the “Explanation of Consequences for not Participating in English Learner Program” notice.
- 2) If the parent/guardian elects to waive LIEP services, s/he will sign the “Request for Change in Program Participation” form from www.TransACT.com. This document should be sent "upon parent request" and in a "timely manner" after the parent has requested their child not participate in the LIEP services. This signed form will be placed in the student’s cumulative file.
- 3) To ensure the needs of waived LIEP service students are met, the ELL Teacher/ELL Coordinator will monitor progress by checking in with classroom teachers. The ELL

Teacher/ELL Coordinator, Instructional Coach or administrator may also meet with the content teacher/s in order to recommend accommodations and strategies to support the student as needed. If an EL student who opted out of the school district's LIEP does not demonstrate appropriate growth in English proficiency or struggles in one or more subjects due to language barriers, the school district's affirmative steps include informing the EL student's parents/guardians of his/her lack of progress and offering the parents further opportunities to enroll the student in the LIEP.

- 4) All waived LIEP service students must still participate in the annual ELPA21 assessment and reporting until proficient.

III. Description of the LIEP

Evidence: LIEP (A)goals, (B)description and implementation of specific state-approved LIEP models, (C)description of annual parent notification of continuing placement and programming options, (D)description of procedure for communicating with parents who have waived LIEP services, (E)highly qualified staff, (F)administrator oversight,(G) access to Iowa Core and ELP standards, and (H)curriculum and supplemental resources for LIEP.

A. LIEP goals

The fundamental Title VI requirement for ELL students is that they have meaningful access to the district's educational program. Therefore, the goals for success for ELL students relate to the goals maintained for students throughout the district. The ultimate goal of the LIEP is to demonstrate success in increasing English language proficiency and student academic achievement.

East Sac County CSD will:

- 1) Teach English Language Development (ELD) through listening, speaking, reading and writing skills to attain English proficiency and academic competence.
- 2) Develop high levels of academic competence in English while meeting the same challenging academic content and achievement standards all students are expected to meet.
- 3) Promote pride in student's cultural and linguistic backgrounds, maintain cultural heritage, and prepare students and families to actively participate within American society.

B. Description of specific state-approved LIEP model(s) used in district and the process to place students

1. Identifies and describes district implementation of an approved program model.

The program models implemented in the East Sac County CSD's ESL Program have incorporated components of various EL strategies and approaches. The type of program offered reflects the needs of the student population, staff availability, community, instructional practices and instruction goals/objectives. Each model strives to meet the goal of providing the most appropriate services to students so they may benefit fully from an education conducted in English. This includes sensitivity and appreciation of cultural diversity for all students. ELLs of all proficiency levels receive direct LIEP instruction unless services are waived.

Language instruction is provided by a qualified ESL Teacher and focuses upon needs in

listening, speaking, reading, and writing. Language instruction is modified and adapted based on language proficiency levels.

English Language Learners are placed at grade levels appropriate for their ages. Students are placed within two years of their age-appropriate grade-level. The classroom and ESL teacher assess academic skills in relation to the student's grade or age level. ELLs participate in content area instruction where accommodations and/or modifications are determined and provided as a result of collaboration between the content area teacher and ESL Teacher. Differentiation is practiced by teachers during the school day to ensure grade level content is accessible. All students will have access to the Iowa Core Curriculum.

Based upon need, ELLs have access to additional supports such as tiered interventions in literacy and mathematics, Special Education, and Gifted Support. ELLs are included in special activities, such as field trips, assemblies, and school celebrations. They can also participate in extracurricular activities. In High School, ELLs also have the opportunity to take Advanced Placement Courses and participate in dual enrollment opportunities.

Student progress is monitored and evaluated frequently and appropriate program changes are made as necessary. The East Sac County CSD's LIEP offers the following models under the ESL Approach. (See Appendix B)

- a) **Newcomer Program:** This model is for students PK-12 who are new to the United States and have no (or very limited) English language proficiency. Some students may also have limited previous educational experiences. Students will be integrated in the mainstream classroom for part of the day and will have LIEP services that involve pull-out time for education interventions designed to meet their unique academic and transitional needs. The LIEP pull-out time is taught by a teacher with ESL training. They may receive specialized services designed to acclimate them to the American school setting and prepare them to participate in mainstream classes.
- b) **Pull-out English as a Second Language (ESL):** The ELL is in the mainstream classes with non-ELLs. The ELL participates in English language development classes in small group or individual pull-out with a teacher trained in ESL. This model is utilized in PK-12 at ESC. ESL is a program of techniques, methodology, and special curriculum designed to teach ELLs English language skills, which may include listening, speaking, reading, writing, study skills, content vocabulary, and cultural orientation. The goals are both academic content and proficiency in English. LIEP curriculum is aligned to the Common Core and ELP standards. ESC's ESL instruction is in English with little use of the native language.
- c) **Sheltered Instruction:** This instructional approach is used to make academic instruction in English understandable to ELLs. In the sheltered classroom, teachers use physical activities, visual aids, scaffolded material and the environmental realia to teach vocabulary for concept development in mathematics, science, social studies and other subjects. The SIOP model serves as a guide for the classroom teacher's instruction and use of research-based strategies. The additional content support is provided in collaboration of the classroom teacher and the ESL teacher. This means EL students learn the language both in their content classrooms and individually/small group with an English language instructor. The goal of sheltered instruction is to provide English language development alongside the academic content and skills needed in all disciplines (Goldenberg, 2013). Sheltered instruction

may be used in the PK-12 classrooms as deemed appropriate. The ESC district is in the beginning stages of implementing this approach.

- d) **ESL Monitored Program:** This model is offered to PK-12 students who have met the ESL exit criteria. The placement in the monitored status is tentative. During this monitoring period, access is granted to the school's full curriculum, and the student continues to be monitored by the ELL Coordinator for two years. The ELL Coordinator will communicate this status change to the appropriate classroom teachers and parent/guardian. The ELL Coordinator will continue to review the student's progress by examining his/her grades for each grading period and consult with the student's content area teacher/s if a need arises. If the student does not make satisfactory progress in the class due to language difficulty, the student may need to re-enter the LIEP to receive necessary services and support. The process for re-entry of LIEP services is detailed in section VIII.

2. Description of frequency and intensity of services by grade level/span and/or current English proficiency level.

a. English language development

ELLs are placed in the appropriate program of language development based on data from ELPA21 assessments and additional state/district/local assessment information. LIEP services with the ESL teacher focus on English language development and include support through collaboration with content teachers.

Frequency and intensity of services vary by the student's English proficiency level. All grade levels have potential to utilize any of the ESL program models previously listed in this section. The following are the typical minutes and frequency for ELs at ESC based on current enrollment, and may be adjusted as needed: Newcomers at the JH/HS receive 40-65 minutes, 5xs/week. This comes from one scheduled class period and the additional time if needed/possible during Advisor/Advisee time. Newcomers at the Elementary and Middle School receive 30 minutes, 5xs/week. ESL Pull-outs are 15-20 minutes, 5xs/week at the PK-4 elementary level; 20-25 minutes, daily at the middle school and 20 minutes 3xs/week at the Jr/Sr High. Opportunities for the Sheltered Instruction Model are currently in infancy stages in random classrooms. Collaboration with the ESL teacher and content teachers is ongoing to support more use of this SIOP model for language development alongside the academic content and skills needed in all disciplines.

b. LIEP support to access district core curriculum

The ESC Community School District provides a comprehensive K-12 instructional program to help ELLs acquire proficiency in the English language, become integrated into the total educational program, and adjust successfully in the school culture. ELLs are entitled to instruction in the school district's core curriculum (e.g., reading/language arts, math, science, and social studies). This includes equal access to the school's facilities such as computers, science labs, and other labs or facilities, to ensure that ELs are able to participate meaningfully in all educational programs. The ELL teacher and content area teachers collaborate to meet the student needs. Meaningful access to the core curriculum is a key component in ensuring that ELLs acquire the tools to succeed in general education classrooms within a reasonable length of time.

3. **Students identified as ELLs at any level of limited English proficiency (without the Parental Waiver) will receive direct LIEP services from qualified ESL teachers until proficient.**

C. Description of annual parent notification of continuing placement and programming options

1. Parents are notified annually of continuing placement within 30 days of the beginning of the school year (or within two weeks of a child being placed in the LIEP if enrolling after the beginning of the year) using the “English Learner Program Placement” (TransACT) in a language most easily understood.
2. The parental notification process is implemented by the ESL Teacher/Coordinator.
3. Copies of the notification are stored in cumulative files and ESL Coordinator files.

D. Description of procedure for communicating with parents who have waived LIEP services is in place annually

- 1) Parents/Guardians have the option to waive LIEP services for students each year.
- 2) If parents/guardians choose to deny ELL services, then a meeting is held annually to discuss recommendations, concerns and potential outcomes. The “Explanation of Consequences for not Participating in English Learner Program” (www.transact.com) is shared and the waiver form, “Request for Change in Program Placement” (www.transact.com) is signed. Both forms are kept in student’s cumulative folder and copies are also filed with the ESL Coordinator’s records.
- 3) Parents can choose to enroll eligible students into ELL services at any time.

E. Highly qualified staff

- 1) All ESL teachers hold a valid Iowa Teaching license and an appropriate ESL endorsement. [Iowa Code 281-60.3(2)] They are considered highly qualified by the Iowa Board of Educational Examiners. Current endorsed ELL teachers at ESC include Kathy Schmidt.
- 2) Teachers providing instruction through content area classes are endorsed in the content area in which instruction is being provided.

F. Administrator oversight.

- 1) The administrative team and ESL Coordinator oversee the LIEP at East Sac County CSD. This team includes: Nathan Hemiller (Superintendent), Tony Tedesco (Jr./Sr. High Principal) Becky Halbur (Elementary/Middle School Principal) and Kathy Schmidt (ESL Coordinator).
- 2) The ESL Coordinator receives training on ELLs and LIEP services by completing the ELP standard modules through the PLAEA. Professional development also includes attendance of ELL workshops and conferences as available.
- 3) The administrative team provides ongoing support for the ESL Coordinator and other staff to meet the needs of all ELLs.

G. Access to Iowa Core and ELP standards

Each LIEP program model implemented at ESC integrates ELL's daily access to Iowa Common Core (through all content areas including English Language Arts, Math, Social Studies and Science) and English Language Proficiency Standards. ELL students are placed in grade level classes, with age-appropriate peers, and have access to the Common Core and ELP standards through direct instruction from classroom teachers and collaborative activities with their classmates. Students are included in the general education classrooms for a majority of the day.

The ESL teacher provides additional instruction to reinforce the Iowa Core Standards and the ELP Standards. The collaborations with content teachers and ESL teachers differ base on student need, and will occur through face-to-face meetings, emails, and phone calls. Collaboration between ESL teachers and classroom teachers may include: sharing of data and outcomes of assessments, sharing information about appropriate accommodations, instructional materials, appropriate strategies and providing supplemental resources and information about students' English proficiency in reading, writing, listening and speaking.

H. Curriculum and supplemental resources for LIEP

- 1) The needs of ELLs are considered during the core curriculum adoption process. The ESL Coordinator is included and able to serve on the adoption committees.
- 2) The Multi-Tiered System of Support (MTSS) model supports the curriculum (ie., universal, targeted, and intensive instruction) and is provided to all K-12 students.
- 3) The *Imagine Language and Learning* software is used through *Imagine Learning*. It is provided as a supplemental resource to personalize and accelerate ELLs literacy skills and English Language development.
- 4) Another supplemental curricular resource for the ESC LIEP is *Flashlight 360*. This software is a language development platform for multilingual learners to accelerate their speaking and writing skills (productive language).

IV. Process to Provide Meaningful Access to all Co-curricular and Extracurricular Programs and Activities

Evidence: Identifying and serving (A) talented and gifted students, identifying and serving students for (B)special education services, and identifying and serving students in (C) other district programs, identifying and serving (D) co-curricular and extracurricular areas.

A. Process in place for identifying and serving gifted/talented (GT) ELs.

- 1) Iowa Code, Chapter 59 states that gifted and talented students are “those students, distinguished from the total K-12 student population, who are identified as possessing outstanding ability and who are capable of high performance. Gifted and talented children are children who require appropriate instruction and educational services commensurate with their abilities and needs beyond those provided by the regular school program. Gifted and talented children include those children with demonstrated achievement or potential ability, or both, in any of the following areas or in combination: general intellectual ability, creative thinking, leadership ability, visual and performing arts ability, or specific ability aptitude.”

According to the IA Dept. of Education (Belin and Blank Center, 2008), research has described gifted English Language Learners as having varying degrees of the following characteristics:

- acquires a second language rapidly
 - shows high ability in mathematics
 - displays a mature sense of diverse cultures and languages
 - code switches easily (thinks in both languages)
 - demonstrates an advanced awareness of American expressions
 - translates at an advanced level (oral)
 - navigates appropriate behaviors successfully within both cultures
- 2) The ESC Community School District follows the Iowa Department of Education requirement that there be multiple selection criteria for identifying gifted and talented students from the total student population which includes English Language Learners. This approach involves obtaining student information from several quantitative and qualitative sources and is helpful in making accurate referrals. The multiple criteria used to identify students for gifted/talented programming may involve any combination of the following: English/Language proficiency test, prior academic performance, parent interviews, assessment data, student observations and teacher recommendations. Special emphasis is placed on teacher and parent recommendations for our ELs to ensure we are not overlooking gifted characteristics due to limited English language acquisition. Services will be provided based on the data and needs of the student.
 - 3) The language needs of our ELLs will continue to be met through support from the classroom, G&T teacher and ESL teacher.
 - 4) Appropriate accommodations will be provided so the EL student has full access to G&T programming.
 - 5) Refer to “*Identifying Gifted and Talented English Language Learners*” from the Iowa Department of Education web site for additional information.
<https://educateiowa.gov/documents/gifted-and-talented/2018/10/identifying-gifted-and-talented-english-language-learners>

B. Process in place for identifying and serving ELLs in special education

1) The Iowa Administrative Rules of Special Education 41.48(2) outlines the requirements and needs for general education interventions prior to considering placement in a special education program. These administrative rules describe collaborative activities that are well documented, measurable, and goal directed. Included under the requirements for general education interventions are communication with parents, collection of data related to the presenting problem, intervention implementation, and systematic progress monitoring to measure intervention effects. The context in which evaluation and eligibility decisions are made includes the consideration of linguistic variables unique to the individual. For children whose primary language is not English, communication deficits only constitute a disability if the communication problem is present in both English and the individual’s primary language. During the eligibility decision making process, the evaluation team must rule out limited English language proficiency, lack of appropriate instruction and ecological factors as the primary reason for the performance deficits.

In alignment with best practices for identification, multiple criteria are examined to determine students in need of modifications, accommodations, and specially designed

instruction. Student's rate of progress must be compared against EL "like" peers as another data point to inform the determination of the need for special education services.

ELs may present a unique and often difficult challenge to the classroom teacher. It is important to know and understand that ELs/culturally and linguistically diverse (CLD) students have legal rights and that best practices must be implemented when working with them. It is possible that an EL suspected of experiencing difficulty in learning does not actually have a learning disability, but is going through a period of social, psychological, and/or linguistic adjustment. Cultural differences in learning styles and strategies, as well as social and cultural interaction patterns with peers and teachers do not constitute a learning disability.

The Iowa MTSS (Multi-Tiered Systems of Support) framework is implemented in all classrooms throughout the district. ELs and CLD students must be included in the process. Problem solving with EL students should include a team approach with a collection of data regarding the student's culture, experiential and educational background, language proficiency, current curriculum, instructional interventions and accommodations that have been implemented, behavior and adaptive skills, academic progress, and data driven intervention information with progress monitoring data. An ELL teacher or someone with requisite knowledge of the child's language needs and training in second language acquisition must be part of the team when ELs are being considered for identification and special education eligibility.

The building level process should include a description of the difficulty the student is experiencing. Determination should be made as to the appropriateness and effectiveness of the curriculum and instructional methods for ELs, and the student's challenges should be validated in both the first and second languages when possible. At this stage of the problem solving process, materials and methods should be developed, adopted, and modified to fit EL needs; concepts and vocabulary should be taught in context, and EL services should be provided as appropriate to the language acquisition level of the student.

At the Eligibility Determination meeting, the exclusionary factors will be discussed. A child must not be determined to be a child with a disability if the team determines that the educational difficulty is primarily related to lack of appropriate instruction, socio-economic variables, cultural differences, poor attendance, and/or limited English proficiency.

Documentation of the eligibility determination must be provided to parents on a Prior Written Notice and documented electronically within the Iowa IDEA system. For an individual who is eligible for special education, data resulting from the full and individual initial evaluation as well as other relevant information will be used to develop an IEP. A meeting to develop the IEP must occur within 30 days of eligibility determination.

2) Students dually identified for special education and ELL receive direct instruction by highly qualified ELL and special education teachers with support for language needs.

3) The IDEA requires that the IEP team consider, among other special factors, the language needs of a child with limited English proficiency as those needs relate to the child's IEP. To implement this requirement, it is essential that the IEP team include participants who have the requisite knowledge of the child's language needs. To ensure that EL children with disabilities receive services that meet their language and special

education needs, it is important for members of the IEP team to include professionals with training, and preferably expertise, in second language acquisition and an understanding of how to differentiate between the student's limited English proficiency and the student's disability. (Joint Guidance OCR/DOJ, January 7, 2015, p. 27).

C. Process in place for identifying and serving ELs in any other district programs for which they are eligible (i.e., Title I, At-Risk, career and technical programs, counseling services, Advanced Placement, etc.)

- 1) ELs cannot be excluded from participation in co-curricular programs for which they are eligible based on EL status (e.g. Title I Services, Reading Recovery, At-Risk, Advanced Placement, counseling services, etc.). When there is a question in regard to an EL receiving particular support services or supporting students within programs (such as Title I Reading), a team meeting is held which includes the ELL teacher, classroom teacher, co-curricular teacher, and/or principal to review data and discuss whether or not such service would be beneficial to the student.
 - a. East Sac County CSD will ensure access to co-curricular activities and programs that ELs are eligible to receive.
 - b. Language needs are supported within co-curricular programs through collaboration and support of ELL teachers.
- 2) ESL teachers and staff communicate to students and parents about activities and eligibility in a language most easily understood (to the extent practical) through translated documents, phone communication, and/or the assistance of interpreters as is reasonably possible.
- 3) ESL teacher(s) are included in data review for placement/consideration in all co-curricular programs.

D. Process in place for identifying and serving ELs in extra-curricular activities (e.g., athletics, performing and visual arts, clubs, honor societies)

- 1) East Sac County CSD ensures access to all extra-curricular activities (athletics, performing and visual arts, clubs, and honor societies) for which ELs are eligible. Students cannot be excluded due to English learner status.
- 2) Information regarding extra-curricular activities and eligibility is communicated to students and parent/guardians through district staff and ESL teachers. To the extent practical, communication will be provided in a language most easily understood.

V. Ongoing, Embedded District Level EL Professional Development for Staff who Deliver Instruction or Support the LIEP for ELs

Evidence: Professional development for those who deliver or support LIEP services and training and implementation of ELP standards.

A. Professional development for those who deliver instruction or support the LIEP

Professional development for all staff aligns with the district's student achievement goals and is based on scientifically based research strategies. Researched based strategies/assessments currently being implemented include curriculum designed around essential standards, learning targets and SMART Goals through building wide PD and PLCs. These district-wide

scientifically-based strategies are effective for all students, including our EL population.

- 1) district and building administrators
- 2) LIEP staff (certified only, as we do not currently have LIEP support staff)
 - a. PLAEA provides modules the ESL Coordinator/Teacher will complete and document certificates of completion with the district.
 - b. PLAEA provides ESL Virtual Networking Trainings the ESL Coordinator/Teacher will attend.
 - c. Professional development between and among ELL teachers during various PD dates are supported by administration.
- 3) Content and classroom teachers
 - a. Content and classroom teachers are informed of ELLs in their classrooms. The information may include the ELPA21 results and current levels of English language acquisition, appropriate teaching strategies and best practices.
 - b. The ESL Coordinator will provide PD to small groups and/or one-to-one with content teachers who need additional support throughout the year.
 - c. Content and classroom teachers are also encouraged to utilize opportunities from the PLAEA for additional trainings and PD as needed.
- 4) paraprofessionals and building/district support staff (e.g. instructional coaches, curriculum coordinators, counselors, etc.)
 - a. A broad representation of staff members serve on the Lau Plan Team. Their involvement contributes to the overall effectiveness of the LIEP at East Sac County CSD. Team members also gain ongoing PD during the review process.

B. District training of ELP Standards and implementation plan

Has a plan that describes PD for required staff for ELP Standards completion and implementation

- 1) The ESC ESL Coordinator/Teacher will complete the required training by viewing the Modules individually or collectively via AEA PD Online and taking the associated brief quiz to document completion and content attainment. Certificates of completion will be submitted for record in district files.

VI. Annual English Language Proficiency Assessment and Administration (ELPA21)

Evidence: Annual assessment training, dissemination of scores, training to interpret results, and use of assessment data to guide instruction and programming.

(This assessment is tightly aligned to [Iowa's ELP standards](#) and corresponds to the [Iowa Core Literacy Standards](#). It has been developed in six grade bands: K, 1, 2-3, 4-5, 6-8, and 9-12.)

A. Annual training to staff assigned to administer ELPA21

- 1) Staff who administer the ELPA21 complete the training module on AEA PD online provided by the Iowa DOE.

- 2) ELPA21 Certificates are saved by each participant and submitted to the district to be kept on file.

B. Dissemination of Scores to Stakeholders

- 1) The ESL Coordinator /Teacher will share results of the ELPA21 with administrators. Opportunity is provided to discuss the educational implications of those results.
- 2) The ESL Coordinator/Teacher will share results of the ELPA21 with any other ESL teachers, and classroom/content teachers who serve ELLs. Opportunity is provided to discuss the educational implications of those results.
- 3) Parents receive a hard copy of the results with a recommendation for the student's programming. Student results and proficiency levels are shared at the beginning of the school year or within 2 weeks of start date for those not beginning the school year at ESC. Face-to-face discussions will take place whenever possible. The teacher will recommend modifications, accommodations, and effective strategies based on individual student results.
- 4) Forms are generated and utilized through www.TransAct.com for communication and documented in student files as well as copies with the ESL Coordinator.

C. Training to Interpret Results

- 1) The ELL Coordinator/Teacher, as outlined by the Iowa DE will participate in training provided by the Iowa DE to interpret the results of the ELPA 21.
- 2) The ELL Coordinator/Teacher will meet with administrators to share results and provide guidance in interpretation.
- 3.) The ELL Coordinator/Teacher will communicate with staff who teach ELLs and provide guidance on the interpretation of the results. They will also discuss implications for instruction.

D. Use of assessment data to guide instruction and programming

- 1) The ESL Coordinator/Teacher will meet with staff who teach ELLs in order to discuss the results and implications for instruction and assessment. ESL Teachers will use ELPA21, Iowa Assessment and other district assessment results, along with collaboration from mainstream teachers, to guide instruction and programming. Formative assessments are used regularly and reviewed during grade level PLC meetings.
- 2) The ESL Coordinator/Teacher and members of the Lau Leadership Team meet and analyze the results of the assessments. Analysis of assessment data may identify areas of language development that may require more targeted instruction by looking at grade level and individual scores in each area of reading, writing, speaking, and listening. Student performance results – along with additional academic achievement measures – are used to guide instruction and programming decisions.
- 3) Assessment results are used to determine ELLs growth in the ESL program as well as placement into or exit from the program.

- 4) The ELL Coordinator/Teacher and members of the Lau Leadership Team will analyze the results to determine if changes should be made in future programming.

VII. LIEP Exit Criteria and Procedures

Evidence: Identifies state/federal approved exit criteria and describe LIEP exit procedures.

A. LIEP Exit Criteria

Per the Iowa Department of Education's Standardized Entrance and Exit Procedures for Iowa's English Learners document (Jan.2022) **Iowa no longer uses academic test scores to keep students in EL services.** Once they have scored as proficient in English as measured by Iowa's ELP summative assessment, they are to be exited and reclassified as a former EL even if they are not proficient in ISASP, FAST or making successful gains in general education classes. These students are no longer considered ELs and should be supported in the same manner as all learners are supported. They are to be supported by building student support teams such as building assistance teams, MTSS teams, etc. Further, every effort should be made to swiftly address any academic deficits.

This means the student will:

- 1) achieve the required score for proficiency on the ELPA21.

When students score 4s and/or 5s on all domain subtests of the ELPA21 (Listening, Speaking, Reading, and Writing), they will receive a determination of Proficient. Proficient students are no longer considered English learners and are, therefore, exited. Proficient students must be reclassified or "exited" between the posting of the summative assessment (ELPA21) results and September 30 in order that reclassified students are reported properly.

B. LIEP Exit Procedures

- 1) ELLs exit of LIEP occurs during the allowable window (end of previous year and the Oct. 1st student count date).
- 2) The ESL Coordinator will notify parents with state-approved TransACT exiting form in a language most understandable to parents/families (as is reasonably possible) using the "English Language Development Program -Exit Letter".
- 3) The East Sac County CSD's JMC manager will be notified by the ESL Coordinator to update the student coding to "exited" (so the student does not continue to generate unwarranted funding).
- 4) District begins required 2-year monitoring process. While LEAs are required to monitor former EL student performance in core academic areas, no specific protocol or form is required.
- 5) Reminder: Even students on a parent waiver of EL services will be assessed using the ELPA21 until attaining proficiency.

VIII. Monitoring Procedures after Students Exit the LIEP Program including parent notification (No current form is available from TransAct)

Evidence: Describes monitoring procedures and re-entry into LIEP.

A. Monitoring procedures in place after student exit the program.

Once ELs are reclassified as Former ELs (FELs), their academic progress is monitored for three years by the ESL Coordinator/Teacher (currently Kathy Schmidt). This is a collaborative process that includes the content area teacher(s), counselors, Lau team members and other support service personnel as needed. This collaboration includes frequent and ongoing communication to ensure that FELs receive appropriate supports aligned with instructional needs. FELs are expected to sustain academic success. This includes classroom performance and/or passing grades as well as state-wide, district-wide assessments data. While the ESL Coordinator/teacher will request this data, a concern may and should be shared as needed. As data is collected and reviewed, next steps will be initiated by the ESL Coordinator/teacher as need. If a student who is being monitored is struggling in courses and on assessments, this student may be placed back into the LIEP based on this data. Parents would receive notification of this decision using the annual “Notice of Program Placement” TransAct form.

B. Describe re-entry to LIEP process, including parental notification, when appropriate using the annual placement for (Notification of English Language Development Program Placement) in TransAct.

- 1.) If a monitored student has been identified as having difficulty, the MTSS process will be followed, and targeted supports will be put into place with a goal to remedy the area of concern. If support in general education and remediation services have proven inadequate, and there is sufficient evidence that a persistent language barrier may be the cause of academic difficulty, the district takes action to re-enter the student into EL status and offers LIEP services. Students can only be re-entered based on proof of non-proficiency in a language domain area as indicated by the ELPA21 Dynamic Screener.
- 2.) The ELL Coordinator/teacher will document the basis for the re-entry and the parents are notified. Parents/guardians receive notification using the “*English Learner Program Placement*” form (TransACT) in a language most easily understood, as is reasonably possible. The form is stored in district’s cumulative student records and the ESL Coordinator files

IX. LIEP Evaluation

Evidence: Describes team-based process for LIEP annual evaluation.

The East Sac County CSD’s LIEP will be evaluated annually and continuously by gathering evidence regarding progress toward LIEP goals in both English language and academic achievement. Student needs, achievement data, and ESL Coordinator/teacher input will be considered.

- 1) The ESL Coordinator, Kathy Schmidt, will facilitate the team based LIEP evaluation.

- 2) Evaluation of district achievement data will assist in identifying ELLs strengths and challenges in core classes and English language development.
- 3) Information from the LIEP review will be used to assess future LIEP needs.
 - a. The ELL team will identify professional development needs for staff who serve ELLs.
 - b. The ELL team will identify components of the LIEP that need to be adjusted in order to better meet student needs and promote achievement.
 - c. Staffing needs will be considered and FTE adjusted at the district and building levels in order to provide the most support to students.
 - d. Teachers will be scheduled and placed according to student numbers/need in buildings; student rosters are reviewed continuously throughout the year
 - e. Curricular needs will be provided through district funds and Title III as appropriate
 - f. The needs of individual ELLs and subgroups will be identified and programming will be adjusted as appropriate and possible.
- 4) Title III Assurances will be reviewed and addressed by administration, ESL Coordinator and the PLAEA Title III Coordinator.

X. Appendices

- A. Letter to Districts from the U.S. Department of Justice:
<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>
- B. Description of LIEP Models
- C. “Title III Compliance Assurances: Checklist for Districts”
- D. TransACT.com documents
- E. English Language Proficiency Standards Training Options
(excerpt from Dave Tilly e-mail May 6, 2016)

Appendix A

Please download the full Department of Justice and Office of Civil Rights Joint Guidance document from:

<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>

Appendix B

Description of LIEP Models

Newcomer Program: *Newcomer programs are separate, relatively self-contained educational interventions designed to meet the academic and transitional needs of newly arrived immigrants; typically, students attend these programs before they enter more traditional programs (e.g., English Language Development programs or mainstream classrooms with supplemental ESL instruction).*

Sheltered Instruction: *An instructional approach used to make academic instruction in English understandable to ELs. In the sheltered classroom, teachers use physical activities, visual aids, and the environment to teach vocabulary for concept development in mathematics, science, social studies, and other subjects.*

English as a Second Language (ESL): *A program of techniques, methodology, and special curriculum designed to teach ELs English language skills, which may include listening, speaking, reading, writing, study skills, content vocabulary, and cultural orientation. Further, ESL instruction is usually in English with little use of native language.*

Dual Language Program: *Also known as two-way, or developmental, the goal of these bilingual programs is for students to develop language proficiency in two languages by receiving instruction in English and another language in a classroom that is usually comprised of half native English speakers and half native speakers of the other language.*

Other Bilingual Program: *Bilingual education refers to approaches in the classroom that use the native language of English language learners (ELs) for instruction. www.nabe.org*

Appendix C
Title III Compliance Assurances: Checklist for Districts

- ___ The district maintains and annually revises the district Lau (EL) Plan. [NCLB Sec. 3116] (Lau v. Nichols, 1974)
- ___ The district has a policy of admitting students regardless of their immigrant status or English-speaking status. [Plyer vs. Doe (1982); Title VI of the Civil Rights Act (1964)]
- ___ The district provides information and communication to the parent(s) in the language the parent(s) understand to the extent practicable. [NCLB Sec. 3302(c)]
- ___ The district will promote parental and community participation in programs for ELs [NCLB Pub. L. No. 107-110].
- ___ The district includes a Home Language Survey (TransAct form IA) in registration materials for all students and maintains these forms in student cumulative folders. [Iowa Code 281-60.3]
- ___ The district uses the state-approved language proficiency test (ELPA21) to screen and identify ELs (including parental notification) within the first 30 days of a student being enrolled in the district at the beginning of the school year, and within 14 days thereafter. [NCLB Sec. 3302(a); Iowa Code 281-60.3(1)b]
- ___ The district ensures educators administering the state-approved language proficiency test for identification & placement recertify annually.
- ___ The district notifies parents of program eligibility and placement within the mandated time frames. [NCLB Sec. 3302]
- ___ The district has consulted with teachers, researchers, school administrators, and parents, and if appropriate, with education-related community groups and nonprofit organizations and institutions of higher education, developing Title III programs and activities [NCLB, Pub. L. No. 107-110].
- ___ The district provides a Language Instruction Educational Program (LIEP) with direct instruction provided by a highly qualified (ESL-endorsed) teacher. Consultative services do not meet the requirement for direct instruction. [Iowa Code 281-60.3(2)]
- ___ The district assures that LIEPs carried out under Title III will ensure that ELs being served by the programs develop English proficiency. [NCLB, Pub. L. No. 107-110].
- ___ The district ensures that teachers of ELs are fluent in oral and written English [NCLB Sec. 3116(c)]
- ___ The district has a designated administrator overseeing the district's LIEP.
- ___ The district ensures that the programs will enable children to speak, read, write, and comprehend the English language and meet challenging district academic content and student academic achievement standards [NCLB, Pub. L. No. 107-110].
- ___ The district has developed programs and activities for ELs and immigrant children and youth [NCLB, Pub. L. No. 107-110].

- ___ The district offers high quality professional development to classroom teachers (including teachers in classrooms that are not the settings of LIEP), principals, administrators, and other school or community-based organizational personnel [NCLB, Pub. L. No. 107-110].
- ___ The district ensures the implementation of the English Language Proficiency (ELP) standards. [NCLB, Title IX, Part A, Section 9101].
- ___ The district ensures that all paraprofessionals serving EL students are supervised by a highly qualified teacher. [Iowa Code 281-60.3(2)]
- ___ The district assesses the English proficiency of all EL students with the state-approved English language proficiency assessment (ELPA21) annually. [NCLB Sec. 3113(b)(3)(D)]
- ___ The district ensures educators administering the state approved language proficiency monitoring assessment recertify annually.
- ___ The district disseminates ELPA21 scores to parents and district staff. [NCLB Sec. 3121]
- ___ The district ensures that all EL students participate in district-wide assessments. [NCLB Sec. 3121]
- ___ The district uses state-approved exit criteria to determine when students should be exited from the LIEP program [Iowa Code 281-60.3(3)b4]
- ___ The district monitors exited EL students for two years after exiting the program (Changing to 3 years required monitoring in 2016-17 based on ESSA). [NCLB Sec. 3121(4)]
- ___ The district reports required EL data elements on Iowa’s Student Reporting System.
- ___ The district conducts an annual program evaluation and makes adjustments to programming as indicated by EL student achievement data. [NCLB Sec. 3121]
- ___ The district ensures that Title III funding is not used for opportunities that are afforded all students, such as parent-teacher conference translation. This means that interpretation and translation for ELs must be paid, not using Title III funds, rather, using district funds.
- ___ The district ensures that personnel funded by Title III are being used exclusively for EL students for the full amount of the apportionment of the funding.
- ___ The district is not in violation of any State law, including State constitutional law, regarding the education of limited English proficient children, consistent with sections 3126 and 3127 (NCLB, Pub. L. No. 107-110).

Checklist Completed by (print name): _____

Signature: _____

Date: _____

Superintendent (print name): _____

Signature: _____

Date: _____

Appendix D

The most current version of each form listed below may be accessed within
<https://www.transact.com>

- Home Language Survey -IA includes second page for race and ethnicity
- Determination of Student Eligibility, English Language Dev. Program Placement Notification that student was screened based on Home Language Survey-IA and reports initial placement or students who don't qualify
- English Language Development Program -Exit Letter for students who are eligible to exit services
- Notification of English Language Development Program Placement -Version A for initial and annual placement notification
- Waiver-Refusal of ESL-Bilingual Program -waive or withdraw from bilingual services

Appendix E

English Language Proficiency Standards Training Options (excerpt from Dave Tilly e-mail May 6, 2016)

The Iowa Department of Education has worked with ELPA21 (English Language Proficiency Assessment for the 21st Century) and a consortium of states to develop training modules that can be used to address the required training on the ELP Standards. School districts and AEAs responsible for delivering the training have several options for how to use the modules to support the required training on the ELP standards:

- A. AEAs and school districts may require the certified staff members directly responsible for delivering the LIEP (and others they deem appropriate) to view the Modules individually or collectively via AEA PD Online and take the associated brief quiz to document completion and content attainment.
- B. AEAs and school districts may use the modules flexibly (chunk the content, provide training to groups where they watch the modules together with some facilitated discussion, alter the sequence, facilitate learning activities in conjunction with the modules, etc.) as long as the modules are viewed in their entirety through the delivery method determined by the AEA or the school district.
- C. AEAs and school districts may deliver training using the content within the modules but not necessarily use the modules or only use clips from the modules this will require submitting a training plan and receiving Iowa Department of Education approval prior to starting the training with staff. This option will also require that AEAs/school districts provide verification of training completed, the list of all participants who completed the training, and evidence of participant learning. The plan must include:
 - a. The trainers and the target audience for each training session.
 - b. The specific content and learning outcomes for each training session.
 - c. The learning activities that will be used to deliver the content.
 - d. How the trainers will assess whether or not the participants are meeting the intended outcomes.