

# Program compliance and legal requirements

*South Sioux City Community Schools is committed to full compliance with all applicable laws.*

**Many Languages. One Community.**



The laws below govern how South Sioux City Community Schools identifies, serves, and supports Multilingual Learner students. These requirements exist to ensure that every student — regardless of the language spoken at home — has full and equal access to a high-quality education.

## Federal law

English Language Proficiency (ELP) assessments are annual, federally required tests that measure each Multilingual Learner's growth toward full English proficiency in listening, speaking, reading, and writing, as required under the Every Student Succeeds Act (ESSA).

### Title VI Civil Rights Act of 1964

Title VI prohibits discrimination based on race, color, or national origin in programs receiving federal financial assistance. School districts must take affirmative steps to ensure that Multilingual Learner students can participate meaningfully and equally in all educational programs. Failure to provide language services may constitute national origin discrimination.

### EEOA Equal Educational Opportunities Act of 1974

The EEOA requires public schools to take "appropriate action" to overcome language barriers that impede equal participation by students in instructional programs. This law ensures that districts actively address the language needs of ML students and do not simply enroll them without providing adequate support.

### TITLE III Every Student Succeeds Act (ESSA) — Title III

Title III provides funding and accountability requirements for ML programs. Districts must ensure that ML students attain English language proficiency and meet the same rigorous academic standards as all other students. Districts must report annual progress data for ML students and demonstrate that their language programs are effective.

### TITLE I Every Student Succeeds Act (ESSA) — Title I

Title I requires that ML students be included in state academic assessments and that their performance be reported separately. Schools receiving Title I funds must provide services that support ML students in meeting grade-level academic standards in addition to developing English language proficiency

### IDEA Individuals with Disabilities Education Act

ML students who also have identified disabilities are entitled to services under IDEA. Evaluations for special education must be conducted in the student's native language where feasible, and IEP teams must consider a student's language background when determining appropriate services and placements.

## Nebraska State law

ELPA21 stands for English Language Proficiency Assessment for the 21st Century. It is a state-required assessment given each year to all students in the ML program. It is not a pass/fail test — it is a growth measure. The goal is to track how your child's English language skills are developing over time.

### RULE 15 Nebraska Rule 15 — Education of English Learners in Nebraska Public Schools

Nebraska Rule 15 establishes the regulations and procedures that govern English Learner programs in Nebraska public schools. Under Rule 15, South Sioux City Community Schools is required to:

- Identify students whose home language is other than English using a Home Language Survey upon enrollment
- Administer a state-approved language proficiency screener (ELPA21) to all identified students
- Place identified students in an appropriate language instruction educational program
- Ensure that ML teachers hold or are working toward the appropriate Nebraska endorsement
- Provide ongoing professional development for all staff who serve ML students
- Administer the ELPA21 or ALT ELPA assessment annually to all enrolled ML students
- Provide appropriate testing accommodations for ML students on state assessments
- Notify families in a language they can understand of their child's identification, placement, and progress
- Obtain informed consent from families for initial ML placement
- Inform families of their right to decline services and document any refusals
- Monitor exited students for a minimum of four years following exit from the ML program
- Conduct an annual program review and submit required data to the Nebraska Department of Education

## Your families rights under the law

### Right to language access

You have the right to receive all communications about your child's education in a language you can understand, including identification, placement, services, progress reports, and exit decisions.

### Right to receive services

Annual ELPA21 or ALT ELPA is required until proficiency is met.

### Right to written notification

You have the right to be notified in writing when your child is identified as a Multilingual Learner, placed in or exited from the ML program, and when changes are made to their services.

### Right to request a meeting

You have the right to request a meeting with your child's ML teacher or ML Staff at any time to discuss your child's progress, services, or any questions about the program.

## Annual Program Review

South Sioux City Community Schools conducts an annual review of the ML program and submits required data to the Nebraska Department of Education. A public summary is available on the website.